Department of Planning, Housing and Infrastructure

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The Boulevarde, Punchbowl, Affordable Housing

State Significant Development Assessment Report (SSD 83256463)

June 2026





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Executive Summary

This report details the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State significant development (SSD) application for The Boulevarde, Punchbowl, Affordable Housing (SSD-83256463).

Homes NSW (the Applicant) proposes to construct two 8 storey residential flat buildings providing 114 affordable housing apartments at 150 The Boulevarde and 34 Dudley Street, Punchbowl in the Canterbury Bankstown local government area (LGA).

Homes NSW proposes to partner with a community housing provider (CHP), who will be responsible for developing, maintaining and managing the affordable housing for a minimum 25 year period. The land will be retained by Homes NSW, with one building remaining in the ownership of Homes NSW and the other building in the ownership of a non-for-profit CHP, consistent with management of the broader affordable/social housing portfolio across NSW.

The proposal has an estimated development cost (EDC) of $80,483,029 and is expected to generate 287 construction jobs.

The project is classified as SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is development carried out by Land and Housing Corporation (operating as Homes NSW) with an EDC over $30 million and will result in more than 75 dwellings in accordance with section 26 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). Consequently, the Minister for Planning and Public Spaces is the consent authority for the project under section 4.5A of the EP&A Act.

The Department exhibited the environmental impact statement (EIS) from 14 October until 28 October 2025. During the exhibition period, the Department received:

- 9 submissions from the public (1 support, 6 objections, and 2 comments)
- comments from the City of Canterbury Bankstown Council (Council)
- advice from 5 Government agencies.

Key issues raised relate to the project's reliance on draft building height and floor space ratio (FSR) controls progressed under the Punchbowl and Wiley Park Precinct Plan, car parking and traffic generation, aesthetics of the building design, and amenity impacts to neighbouring properties. The Department has considered these issues as part of its assessment.

The Applicant submitted a Response to Submissions (RtS) report and additional information on 18 May 2026 to address the issues raised by the Department, Council, Government agencies and public submissions (see **Appendix A**). Refinements to the proposal included minor revisions to the building

design and privacy screening, amendments to circulation for waste servicing, further overshadowing analysis, and landscaping amendments. The Department has considered the Applicant's application and response to the concerns raised in its assessment in Section 5.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) f the EP&A Act, the issues raised in the submissions, the Applicant's response and the additional information.

The Department's assessment concludes that the proposal is acceptable as it:

- would support the NSW Government's priority to deliver well-located housing as it will deliver 114 affordable housing dwellings in an accessible location close to the Punchbowl town centre and Punchbowl station (currently being upgraded and converted to accommodate Sydney Metro)
- is permissible with consent and is consistent with the objectives of R4 High density residential zone under the *Canterbury Bankstown Local Environmental Plan 2023* (CBLEP)
- would provide a built form outcome which is compatible with the desired future character envisaged under the Punchbowl and Wiley Park Precinct Plan, as a high density precinct in close proximity to transport and services,
- would not result in unreasonable amenity impacts to neighbouring properties in terms of overshadowing, view loss or privacy would not result in unreasonable amenity impacts to neighbouring properties in terms of overshadowing, view loss or privacy
- would provide a high level of internal and external amenity for future residentials of the affordable housing development, in line with the principles and design criteria of the *Statement Environmental Planning Policy (Housing) 2021* (Housing SEPP) and the Apartment Design Guide (ADG).
- would deliver public and economic benefits through generating up to 287 construction jobs

The Department has recommended a range of conditions to appropriately manage any residual issues.

The Department considers the proposal is in the public interest and recommends that the proposal be approved, subject to conditions.

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1 Introduction

1.1 The proposal

The Applicant seeks approval for the construction of two 8 storey residential flat buildings containing 114 affordable housing apartments at 150 The Boulevarde and 34 Dudley Street, Punchbowl in the Canterbury Bankstown LGA.

The project description and mitigation measures provided in the EIS (**Appendix A**), are the subject of this report and will form part of the development consent if the project is approved.

An overview of the proposed development is provided in **Section 2**.

1.2 Project location

The subject site is located at 150 The Boulevarde and 34 Dudley Street, Punchbowl. The subject site location is shown in **Figure 1** and **Figure 2**, and further project location details are described in **Table 1**.

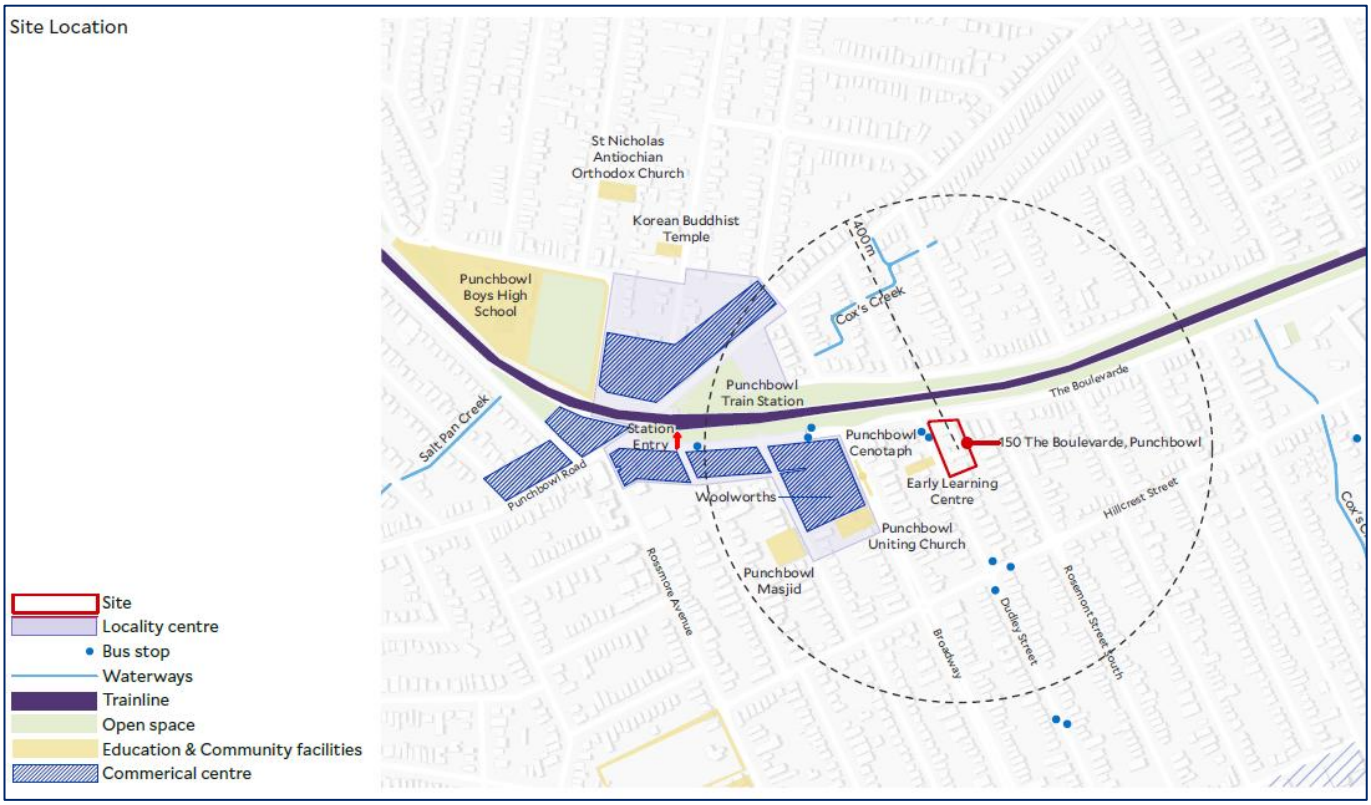


Figure 1 | Local context map (Source: Collins and Turner)



Figure 2 | Aerial view of the site, outlined red, and immediate locality (Source: NearMap 2025)

Table 1 | Key aspects of the site

Aspect		Description
Address		150 The Boulevarde and 34 Dudley Street, Punchbowl.
LGA		Canterbury-Bankstown.
Legal description		Lot 1 in DP 735045 and Lot 34 Section 4 in DP 5701.
Site area		3,889 m^2.
Existing development		Two part 2, part 3 storey residential flat buildings, containing 26 social housing units, with at grade parking.
Surrounding development	North	The Boulevarde, and the Bankstown railway line which is currently undergoing conversion works for Sydney Metro trains.
	South	Low rise residential flat buildings and dwelling houses, within high density residential zoned land.
	East	Low rise residential flat buildings, within high density residential zoned land.
	West	Dudley Street, which contains a low-rise residential flat buildings, two-storey detached dwellings, and a childcare centre. Further west is the Punchbowl local centre and Punchbowl Station, which is currently undergoing conversion works for Sydney Metro services.
Topography		The site has a fall of approximately 4 m from the south (rear boundary) to the north (The Boulevarde frontage).

Aspect	Description
Existing access	Vehicular access to the site is provided via Dudley Street. Pedestrian access is provided via both The Boulevarde and Dudley Street frontages.
Public transport	The site is located 400 m east of Punchbowl station, which is currently undergoing conversion works and will be serviced by Metro City and Southwest line. A bus stop fronts the site along Dudley Street, providing services to Hurstville, Mortdale and Lakemba.
Flooding	The site is not affected by flooding during the 1% Annual Exceedance Probability event, however it features isolated ponding during the Probable Maximum Flood (PMF) event, up to a maximum depth of 0.3m.

2 Project

2.1 Project overview

The proposal seeks approval for the construction of two 8 storey residential flat buildings to deliver 114 affordable housing apartments with basement parking, landscaping and associated works. The key aspects of the project are provided in detail in the Project Description chapter of the EIS (see Appendix A) and are outlined in Table 2 and Figure 3 to Figure 4.

Homes NSW propose to deliver the project in partnership with a community housing provider (CHP), who will develop, maintain, and manage the affordable housing for a minimum 25 year period. The land will be retained by Homes NSW, with one building remaining in the ownership of Homes NSW and the other building in the ownership of a non-for-profit CHP, consistent with management of the broader affordable/social housing portfolio across NSW.

Table 2 | Key aspects of the project

Aspect	Description
Site preparation	Removal of vegetation, remediation, and bulk excavation.
Uses	Construction of two residential flat buildings including 114 residential apartments for the purpose of affordable housing. The tenure mix for this development proposes 100% social housing.
Building height	• Building A: maximum height of 29.8 m (8 storeys). • Building B: maximum height of 27.1 m (8 storeys).
Gross Floor Area (GFA)	• 8948 m^2
Access and car parking	• New vehicular access via The Boulevarde. • One level of basement parking providing 58 car spaces, including 12 accessible spaces, and servicing.
Communal open space and landscaping	• Communal open space: 1508 m^2 (39%). • Landscape area: 1482 m^2 (38%). • Deep soil area: 818 m^2 (21%).
EDC	$80,483,029.00.
Employment	287 construction jobs.



Figure 3 | Render of proposed development as viewed from The Boulevarde (Source: Collin and Turner).



Figure 4 | Render of proposed development, viewed from Dudley Street frontage (Source: Collin and Turner).

3 Statutory context

3.1 Housing supply

The NSW Government has a target of 377,000 well-located homes by 2029 as part of the National Housing Accord which provides a national target of delivering 1.2 million new, well-located homes by 2029.

In December 2023, the Government introduced a new SSD pathway for developments undertaken by the Land and Housing Corporation (operating as Homes NSW) and Aboriginal Housing Office to deliver social and affordable housing with an EDC of over $30 million, or where the development would deliver more than 75 new homes. This reform aims to support the delivery of social and affordable housing developments by these agencies.

This SSD application has been submitted pursuant to these initiatives that aim to support the delivery of well-located affordable and market housing.

3.2 Canterbury Bankstown LEP Amendment – Punchbowl and Wiley Park Precinct Plan

In April 2024, Council undertook place-based planning for the Punchbowl and Wiley Park Precinct (Precinct), as identified under Division 3 of CBLEP, to develop an alternative approach to the State Government's identification of Punchbowl station and surrounding lands as part of the Transport Oriented Development (TOD) planning program.

Council's strategy reflects a different vision for Punchbowl's growth, promoting a transition to the existing local character by accommodating higher densities close to key transport links. On 24 April 2026, the CBLEP amendment for the Precinct was adopted to accommodate the following changes at the site:

- increase the maximum building height from 11.5 m to 33 m
- increase the maximum FSR from 0.9:1 to 2.5:1.

No change was made to the existing R4 High Density Residential zoning.

The Department notes that savings provisions imposed on the LEP amendment do not apply to SSD applications and the proposal has been assessed under the recently introduced height and FSR provisions.

3.3 Permissibility and assessment pathway

Details of the legal pathway under which consent is sought, and the permissibility of the project, are provided in Table 3 below.

Table 3 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	The project is declared SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) and section 26 of Schedule 1 of the Planning Systems SEPP, as it has an EDC greater than $30 million, will involve more than 75 dwellings and is a proposal being carried out by Land and Housing Corporation (operating as Homes NSW).
Consent authority	The Minister for Planning and Public Spaces is the consent authority under section 4.5(a) of the EP&A Act.
Permissibility	The site is zoned R4 High density residential under the CBLEP. Residential flat buildings are permissible with consent in the R4 High density residential zone.

3.4 Other approvals and authorisations

Under section 4.41 of the EP&A Act, certain authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD. These authorisations must be substantially consistent with any SSD development consent for the project.

The Department has consulted with and considered the advice of the relevant Government agencies responsible for these other authorisations in its assessment of the project (see Section 4 and Section 5). Suitable conditions have been included in the recommended conditions of consent (Appendix D).

3.5 Planning Secretary's environmental assessment requirements

The Department's review determined that the EIS addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 12 May 2025 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

3.6 Mandatory matters for consideration

Mandatory matters for consideration include:

- matters of consideration required by the EP&A Act
- objects of the EP&A Act and ecologically sustainable development (ESD)
- biodiversity development assessment report
- matters of consideration required by the EP&A Regulation
- matters of consideration required by environmental planning instruments.

The Department's consideration of these matters is summarised in **Appendix C**. As a result of this consideration, the Department is satisfied that the development meets statutory requirements.

4 Engagement

4.1 Exhibition of the EIS

4.1.1 Public exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the project from 14 to 28 October 2025 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant Government agencies and Council.
- undertook a site visit on 27 October 2025.

The Department received 9 public submissions (1 support, 6 object and 2 comments), advice from 5 Government agencies and comments from Council.

The Department requested the Applicant to respond to the issues raised in submissions and the comments received from Government agencies and Council. The Applicant provided the Response to Submissions (RtS) report to the Department on 18 May 2026 (see **Appendix A**).

The Department made the RtS and additional information publicly available on the NSW Planning Portal and notified the relevant Government agencies and Council. A summary of the key issues raised in submissions and agency advice is provided below.

4.1.2 Summary of advice received from Government agencies

A summary of the Government agency advice is provided in **Table 4**. A link to the full copy of the advice is provided in **Appendix A**.

Table 4 | Summary of agency advice

Agency	Advice summary
NSW DCCEEW Water Group	NSW DCCEEW Water Group raised no objection and recommended conditions regarding the need for a water access licence (WAL) to account for the maximum predicted water take, in accordance with requirements of the *Water Management Act 2000*.
Sydney Metro	Sydney Metro advised they have no comments or condition requirements for the development.
TfNSW	TfNSW advised they have no comments or conditions requirements for the development

Agency	Advice summary
Sydney Water	Sydney Water identified that water and wastewater servicing would be available for the proposed development, noting that amplifications, adjustments, deviations and/or minor extensions may be required.
Ausgrid	Ausgrid provided advice on existing electrical infrastructure in the area, and the requirement for any additional electrical infrastructure works required. Ausgrid raised no objection to the development and provided general conditions to support safety in design and ensure the development would not be in conflict with existing Ausgrid infrastructure.

4.1.3 Summary of council submissions

Council provided comments on the project. The matters raised by Council are summarised below and a link to all submissions in full is provided at Appendix A.

- The design of the development provides limited distinction in the massing and materiality between the two buildings, which creates visual bulk and does not appropriately respond to the lower scale development to the south.
- The proposal achieves inadequate building separation which results in visual privacy impacts to neighbouring sites.
- The proposal should provide direct building access to the communal space adjacent to The Boulevarde street frontage.
- Recommended conditions provided for the design of waste storage facilities, basement layouts, tree removal and protection, and stormwater easements.

4.1.4 Summary of public submissions

The Department received 9 submissions (6 objections, 1 support and 2 comments) during the public exhibition period of the EIS. Further detail is provided in Table 5 below and a link to all submissions in full is provided in Appendix A.

Table 5 | Submissions on the EIS

Issue	Number of and % of submissions
Insufficient car parking	6 (75%)
Traffic congestion and infrastructure capacity	5 (63%)

Issue	Number of and % of submissions
Non-compliance with development standards for height and FSR	4 (50%)
Height, bulk and scale	4 (50%)
Amenity impacts – overshadowing, privacy, visual bulk	4 (50%)
Building aesthetics and compatibility with local character	3 (38%)
Impact on property values	2 (25%)
Construction impacts	1 (13%)
Open space and landscaping	1 (13%)
Land use suitability	1 (13%)

The submission in support acknowledged that the development would deliver well-located affordable housing within walking distance of the train station and town centre.

5 Assessment

The Department has assessed the proposal, considering all documentation submitted by the Applicant, all issues raised in submissions and all advice provided by Government agencies.

The issues below are considered by the Department to be key assessment issues and are discussed in the following sections:

- built form
- amenity.

The Department's consideration of other issues is described in **Section 5.3** and the appendices of this report.

5.1 Built Form

The Department considers the following aspects are key in determining the suitability of built form for the proposal:

- building height and density
- building design

5.1.1 **Building height and density**

Public submissions raised concern about the height and density of the proposal, with particular reference to the exceedance of statutory provisions applying to the site at the time of exhibition, and incompatibility with the existing low-rise residential character of the locality.

During exhibition, the draft LEP amendments for the Punchbowl and Wiley Park Precinct Plan were not finalised. The LEP amendment was proposed as an alternative approach to State Government's Transport Oriented Development planning reforms and included increasing the maximum building height from 11.5 m to 33 m and increasing the maximum FSR from 0.9:1 to 2.5:1 (refer to **Section 3.2**).

On 24 April 2026, the CBLEP was amended and the Punchbowl and Wiley Park Precinct Plan controls were made. The updated CBLEP provisions under the Precinct Plan are the appropriate controls to apply to this assessment.

Following the amendment to the CBLEP, the proposed development has a maximum permissible building height of 42.9 m and an FSR of 3.25:1 comprising:

- a maximum building height limit of 33 m and FSR of 2.5:1 under CBLEP,

- an additional 30% increase under section 16 of the Housing SEPP, as more than 15% of the total GFA of the development is provided as affordable housing.

The proposed development has a maximum height of 29.8 m and FSR of 2.2:1 which complies with the maximum height of buildings and FSR development standards.

The Department also notes that the land immediately surrounding the site to the east and west, and north of the rail line has also been rezoned to allow building heights of 33 m and an FSR of 2.5:1. Land immediately to the south has been rezoned to permit building heights of 23 m and an FSR of 1.7:1, to achieve a gradual transition to the lower density residential area beyond.

The Department considers the 8 storey built form of the proposal would be consistent with the future character of the locality, noting that the Punchbowl and Wiley Park Precinct wide CBLEP amendments clearly envisage the desired future character of the area to be a high density precinct in proximity to transport and services.

The Department acknowledges the concerns raised in public submissions, however concludes that the proposed height and density are acceptable as the proposal:

- complies with the maximum building height and FSR permitted for the site, and is compatible with densities envisaged on surrounding sites
- is consistent with the desired future high density residential character of the Punchbowl locality established under the Punchbowl and Wiley Park Precinct Plan
- supports the delivery of new homes in close proximity to public transport and services
- delivers satisfactory amenity for future occupants of the site in relation to solar access, privacy, ventilation and open space, as discussed in Section 5.2 and Appendix C.
- would not result in adverse impacts to neighbouring sites in relation to overshadowing, privacy, as discussed in Section 5.2
- exhibits design excellence, as discussed in Section 5.1.2.

5.1.2 Building design and design excellence

Clause 6.15 of the CBLEP requires the consent authority to be satisfied that a proposal exhibits design excellence by having regard to architectural quality, contextual fit, public domain amenity, environmental performance, access and circulation, and landscape design.

Council and public submissions raised concerns about the overall street appeal of the development, due to the articulation and materiality of the proposed built form.

The proposal was reviewed by the State Design Review Panel (SDRP) in May 2025 and August 2025. The SDRP were generally supportive of the overall site layout, form and massing, and materiality of

the proposal, and provided recommendations to achieve design excellence. The Applicant addressed the SDRP comments in the EIS and included key refinements such as:

- simplifying the façade articulation along The Boulevarde, while maintaining distinctions between the buildings along Dudley Street
- providing clear public access to the communal open space in the northeast corner of the site (Figure 5) to promote both public and private use
- revising balcony depths, including increased balcony depths of west facing apartments to improve the function and amenity directly from the living areas, and removing 'pinch points' from the narrow east facing balconies
- improvements to clearly identify the primary pedestrian entrance from Dudley Street.



Figure 5 | Photomontage of the development as viewed from the intersection of Dudley Street and The Boulevarde, with publicly accessible communal space located at the site corner (Source: Collins and Turner)

The Department has considered the Applicant's response regarding the proposal's facade design and is satisfied that the external presentation, with simplified façade articulation, generally aligns with the SDRP advice, and would result in a good design outcome for future residents and the community.

The Department has carefully considered the proposed design, the advice provided by the SDRP, and concerns raised by Council and public submissions. On balance, the Department is satisfied that the building design exhibits design excellence in accordance with clause 6.15 of the CBLEP as the:

- layout of buildings responds to the site characteristics, positively addressing both street frontages, and enabling the retention of significant vegetation on the site
- building design incorporates well-articulated facades and predominantly brick materiality that is of high quality and sympathetic to the surrounding context. The Department has recommended a condition for the final schedule of colours, materials and finishes to be provided to the Department
- proposal would improve the quality of the public domain, through the retention of significant vegetation at the street boundary, improvements to perimeter landscaping, and provision of publicly accessible open space at the corner of Dudley Street and The Boulevarde
- proposal achieves a good level of resident amenity for future occupants, without creating adverse amenity impacts on surrounding development in relation to view loss, overshadowing and visual and acoustic privacy (**Section 5.2**)
- proposal aligns with ADG and Housing SEPP principles, incorporates ESD measures and BASIX compliance, and provides safe, well-connected access for pedestrians, cyclists, and vehicles
- proposal positively addresses the comments and advice of the SDRP.

5.2 Residential Amenity

5.2.1 **Visual privacy and building separation**

Council and public submissions raised concern about loss of privacy to neighbouring sites due to inadequate building setbacks and privacy treatments.

To maintain adequate privacy, the ADG recommends the following minimum building setbacks,, to side and rear boundaries:

- habitable rooms and balconies: 6 m up to 4 storeys, and 9 m between 4 to 8 storeys
- non-habitable rooms: 3 m up to 4 storeys, and 4.5 m between 4 to 8 storeys
- for buildings on the same site, the recommended separation distances should be combined.

The proposed internal building separation and setbacks to adjoining sites is detailed in **Table 6** and considered by the Department below.

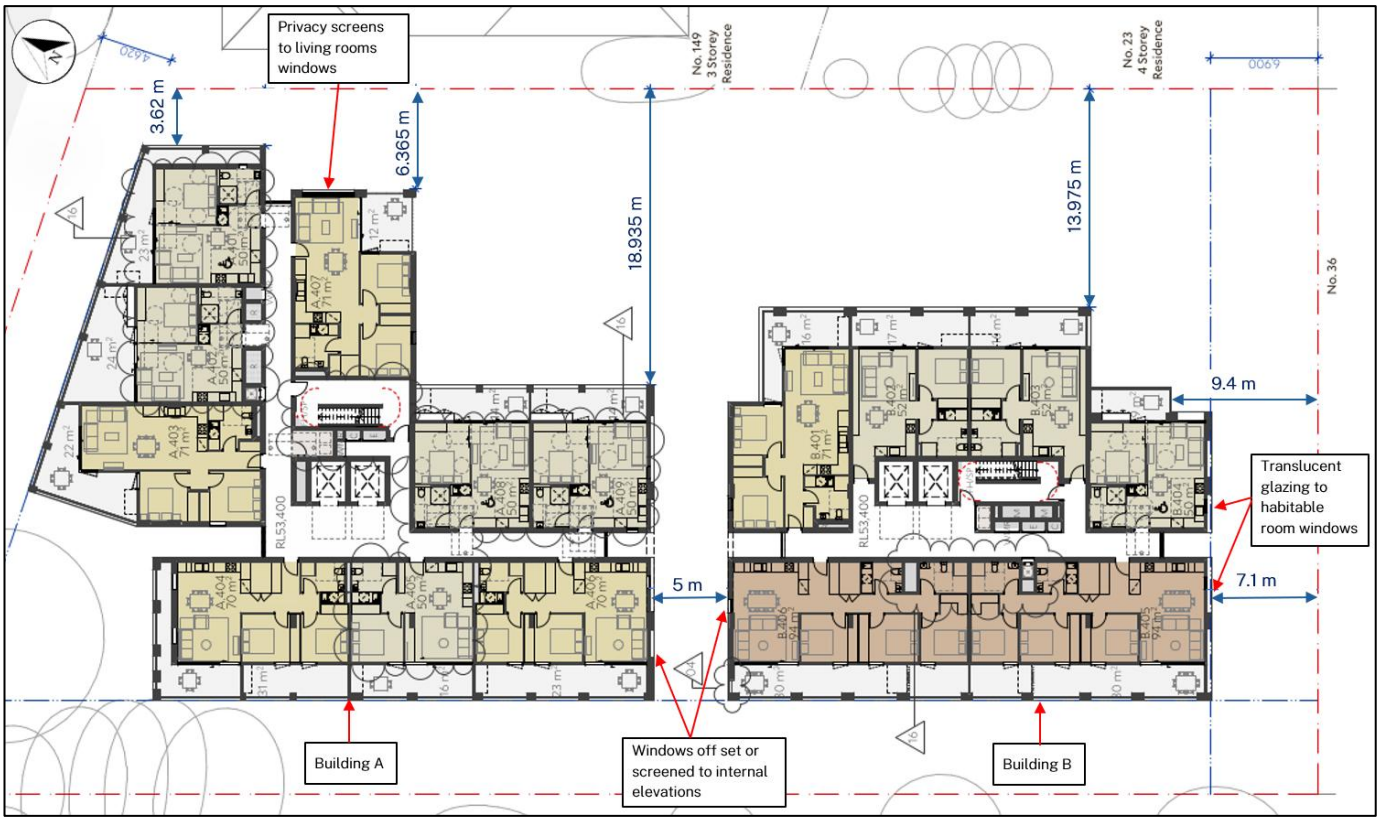


Figure 6 | Site Plan showing building separation and proposed privacy measures (Source: Collins and Turner)

Table 6 | Proposed internal and external building separation

Building	ADG Recommendation	Minimum separation proposed	Consistency/ variation
Building A to 149 The Boulevarde (east)	Habitable: • 6 m (up to 4 storeys) • 9 m (4 to 8 storeys)	3.62 m to balconies adjacent to The Boulevarde frontage	Variation of 2.38 m up to 4 storeys and 5.38 m from storeys 4 to 8
		6.365 m to habitable rooms and balconies	Consistent up to 4 storeys, variation of 2.635 m from storeys 4 to 8
	Non-Habitable: • 3 m (up to 4 storeys) • 4.5 m (4 to 8 storeys)	4.8 m to all storeys	Consistent.
Building B to 23 Rosemont Street (east)	Habitable: • 6 m (up to 4 storeys) • 9 m (4 to 8 storeys)	13.975 m to all storeys	Consistent.

Building	ADG Recommendation	Minimum separation proposed	Consistency/ variation
Building B to 36 Dudley Street (south)	Habitable: • 6 m (up to 4 storeys) • 9 m (4 to 8 storeys)	7.1 m to all storeys	Consistent up to 4 storeys, variation of 1.9 m from storeys 4 to 8.
Building A and Building B (internal)	Habitable: • 12 m (up to 4 storeys) • 18 m (4 to 8 storeys)	5 m to all storeys	Variation of 7 m up to 4 storeys and 13 m from storeys 4 to 8

The Applicant advised that the narrow wrap around balconies, extending from The Boulevarde frontage to the north eastern corner of the building, were included in response to SDRP advice which recommended the building design maximise the street wall along this street frontage through reduced setbacks to the eastern boundary. The Department notes that these balconies are secondary to the primary private open space of these units and limited to a depth of 1 m. Therefore, these elements are more comparable to a non-habitable area which would not be used for an extended period of time, limiting visual privacy impacts. Windows proposed immediately behind these balconies are limited to bathrooms, which are classified as non-habitable areas for the purposes of building separation requirements. These windows achieve a 4.8 m setback to the eastern boundary, consistent with the ADG recommendations for non-habitable areas up to 8 storeys.

To address the reduced separation at other locations, the proposal has incorporated mitigation measures such as, translucent glazing to windows above four storeys along the southern boundary, offsetting and/or screening windows along the internal elevations between Building A and Building B, and providing full height privacy screens to living rooms with a 6.35 m setback to the eastern boundary. However, the Department notes that balconies with a 6.35 m setback to the eastern boundary remain unscreened. Accordingly, the Department has recommended a condition for the balconies above 4 storeys to include privacy screen to the eastern elevation, to reduce overlooking.

In addition to the ADG variations noted above, the development proposes site levelling to accommodate a functional communal open space, which would increase ground levels adjacent to neighbouring development at 149 The Boulevarde (east). As part of the RtS, the Applicant included a 1.5 m high (assumed eye level height) fence along the boundary of the communal area, which would reduce overlooking to habitable room windows of the neighbouring development at 149 The Boulevarde (**Figure 7**).

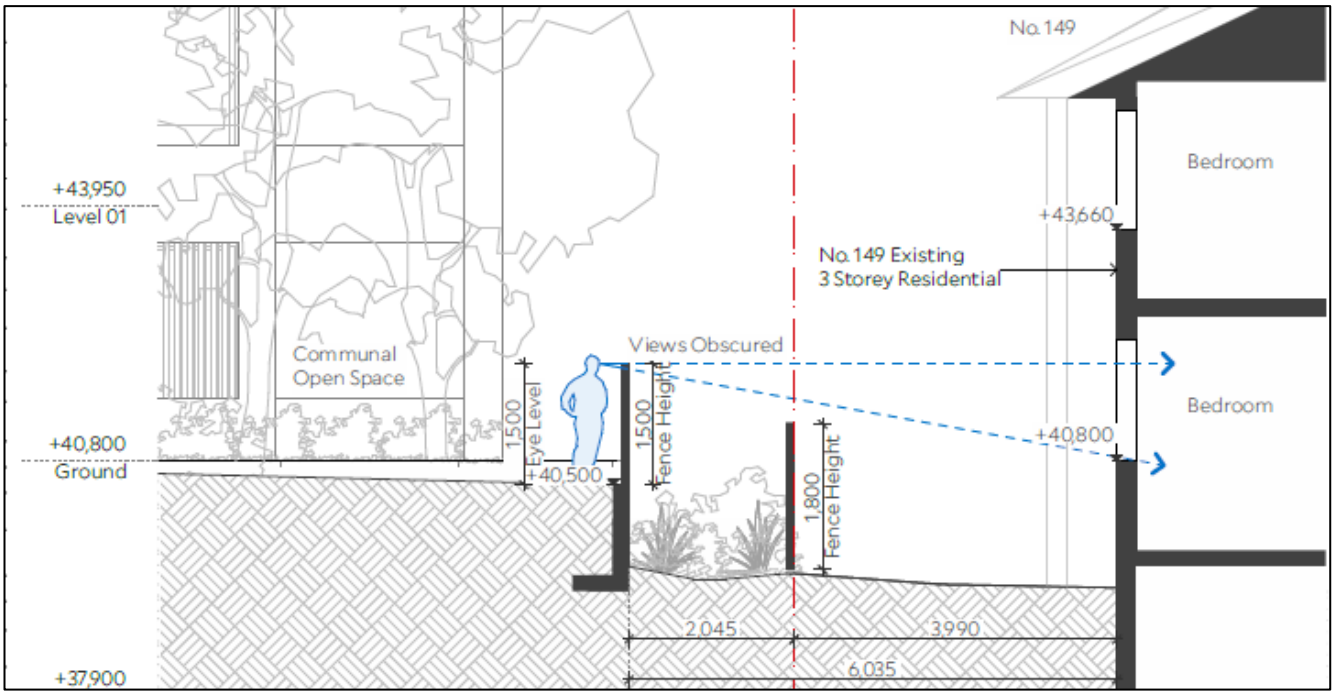


Figure 7 | 1.5 m fence along the boundary of the communal open space proposed to reduce overlooking to neighbouring development (Source: Collins and Turner)

The Department has carefully considered the concerns raised by Council and public submissions and Applicant's proposed mitigation measures. The Department is satisfied the proposal would maintain reasonable privacy to neighbouring sites and future occupants of the development as:

- the layout of the development primarily orients living rooms and balconies to street frontages or the communal open space, reducing direct overlooking to neighbouring sites
- appropriate privacy measures, such as translucent glazing, privacy screens, and fencing, are included where recommended separation distances are not achieved, to mitigate potential impacts
- conditions of consent for additional privacy screens are recommended to further reduce visual privacy impacts to 149 The Boulevarde from the east facing balconies above four storeys
- the narrow wrap around balconies are considered to have a limited privacy impacts as they are secondary areas to the primary private open space (POS) and are limited to depth of approximately 1 m, which does not support extended periods of use and therefore may be considered as non-habitable
- landscaping to site boundaries is included as a secondary measure to further reduce overlooking to neighbouring sites.

5.2.2 Overshadowing

Public submissions raised concern that the proposed development would significantly overshadow apartments at 36 Dudley Street, located immediately south of the development site. Council

requested a shadow analysis to correctly identify impacts to all living room windows along the northern elevation of 36 Dudley Street.

The Applicant provided shadow diagrams and sun eye diagrams to demonstrate overshadowing impacts to neighbouring residences between 9 am and 3 pm on June 21 (**Figure 8**), which are summarised as follows:

- the development will increase overshadowing to 36 Dudley Street (south), however living room windows along the northern elevation, and the rear communal open space, are shown to continue to receive at least 2 hours of direct solar access on June 21st (**Figure 9**)
- properties on the western side of Dudley Street, including a childcare centre at 21 Dudley Street, will experience increased overshadowing in the morning hours, however they are not affected by the development from 12 pm onwards
- the development would overshadow the external play area at the rear of childcare centre between 9 am and 10 am, however this area is already covered by shade sails and therefore the impacts from the development are not anticipated to significantly reduce the amenity of the external play area
- properties immediately east of the site will experience increased overshadowing from 3 pm onwards and are unaffected during the remainder of the day.

The Department acknowledges that the proposed development would result in some additional overshadowing to 36 Dudley Street, immediately south, and properties on the western side of Dudley Street when compared to the existing development on the site. However, it is reasonable to expect additional impact associated with development that aligns with the uplifted maximum building height and FSR standards. The Department also notes that more than 2 hours of solar access is retained to neighbouring residential apartments in line with ADG guidance and only impacts on the childcare centre for a short period and therefore considers the impacts to be acceptable.

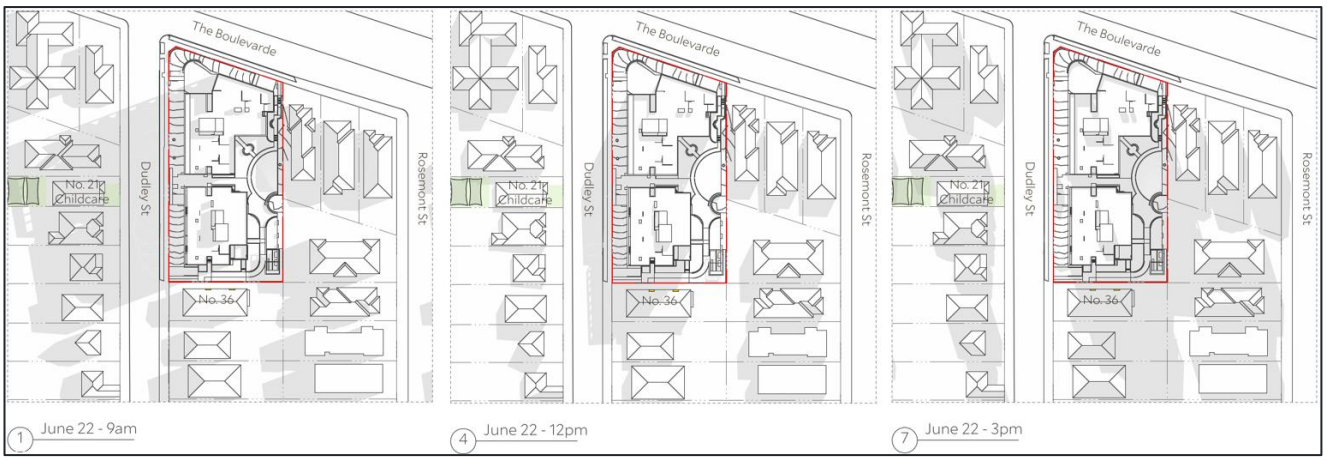


Figure 8 | Shadow diagrams showing impacts at 9 am, 12 pm and 3 pm. Green shading identifies outdoor areas of the childcare centre at 21 Dudley Street (Source: Collins and Turner)

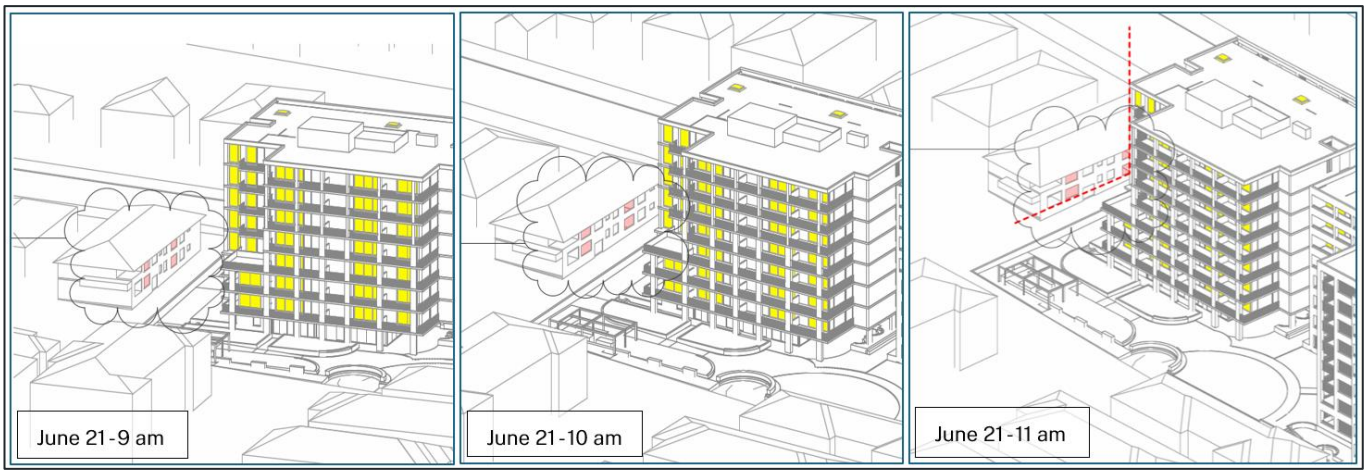


Figure 9 | Sun eye diagrams showing solar access retained to living room windows (shown red) of 36 Dudley Street between 9am and 11 am (Source: Collin and Turner).

5.2.3 Solar Access

The ADG recommends that a minimum of 70% of apartments should receive a minimum of 2 hours of direct sunlight to living rooms and private open space between 9 am and 3 pm on June 21. The ADG also recommends that no more than 15% of apartments within a building receive no direct sunlight on June 21.

The solar access analysis for the development shows the following rates of direct sunlight are achieved for the development between 9 am and 3 pm on June 21:

- 67% of apartments receive at least 2 hours of solar access
- 25% of apartments receive no solar access.

Council raised concern about the lack of solar access to the west facing apartments. To improve solar access the Applicant has included skylights to four apartments which would increase the total number of apartments receiving 2 hours of direct sunlight to 70%. In addition, the Applicant notes that when the timeframe is extended to 4 pm, all apartments would receive at least one hour of solar access on June 21.

The Department has considered Council's views and is satisfied the proposed solar access arrangement is acceptable on merit as:

- skylights have been incorporated as a design solution to enable 70% of apartments (4 additional apartments) to receive 2 hours of direct solar access during midwinter
- apartments which would not receive direct solar access during midwinter primarily have a southwest orientation, fronting Dudley Street, and therefore the lack of solar access to these apartments is partially attributed to site orientation constraints. However, the site layout is appropriate in an urban design context, as the built form, lengthened along the street frontage,

allows apartments to positively address the street and provide causal surveillance to public areas

- in response to SDRP advice, design improvements were made to increase the depth of west-facing balconies to enhance the amenity and usability of apartment private open space, which has reduced direct solar access to living rooms along this elevation
- the sun eye diagrams show that the balconies of southwest facing apartments would still receive one hour of solar access at 3 pm, achieving reasonable amenity to the private open space
- when the timeframe is extended until 4 pm, all apartments would receive at least one full hour of direct solar access to living rooms and balconies
- despite the shortfall of solar access to individual apartments, the proposal accommodates generous principal communal open space that receives significant solar access from 9 am until 1 pm during midwinter (401 m^2), while the secondary communal area receives direct solar access during all hours between 9 am and 3 pm (138 m^2).

5.3 Other issues

The Department's consideration of other issues is summarised in Table 7 below.

Table 7 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Car Parking Public submissions raised concerns that insufficient car parking is provided with the development, which would increase pressure on the surrounding street network. Under the Housing SEPP car parking non-discretionary development standard (NDDS) for affordable housing, a minimum of 57 resident parking spaces is required. The development provides a total of 58 car parking spaces, including 57 resident spaces (including 12 accessible) and 1 visitor space, which meets the NDDS. In addition, the Department notes the site is located in a highly accessible area, within 400 m of the future Punchbowl Sydney Metro station, which is anticipated to reduce reliance on private vehicle use. The Department considers the proposed parking provisions are sufficient and they are consistent with parking rates under the Housing SEPP. Further, the		The Department recommends conditions for: • Car parking to be designed in accordance with Australian Standards • 58 parking spaces to be provided with the development

Issue	Findings and conclusions	Recommended conditions
	site is well serviced by public transport links and the services located in the Punchbowl town centre.	
	Operational Traffic Impacts Public submissions raised concern with increased traffic congestion and impacts on intersection performance resulting from the proposed development. Council and TfNSW raised no issue on traffic impacts. The EIS included a Traffic Impact Assessment (TIA) which estimates that the development would generate up to 22 trips within the AM peak (17 trip increase) and 17 trips within the PM peak (13 trip increase) travel period. Intersection performance modelling within the TIA indicated that traffic generated by the development would not impact the existing intersection level of service (LoS). The Department also notes that the site is well serviced by public transport, being within 400 m of Punchbowl Station (currently under conversion works to accommodate Sydney Metro trains), which is anticipated to reduce reliance on private vehicle use. The Department has considered the Applicant's TIA and public submissions and is satisfied that traffic generation would not result in adverse impacts on the operation of the surrounding road network, and the accessible location of the site would promote the use of public transport.	No conditions recommended
	Operational noise and vibration The Applicant's Noise and Vibration Impact Assessment (NVIA) includes an assessment of operational noise impacts on occupants and neighbouring residents associated with the proximity to the rail corridor, mechanical plant, and increased vehicle movements. The Department has considered the NVIA and is satisfied that the operational noise impacts associated with the development are acceptable as: • rail noise associated with the future Sydney Metro Line can be sufficiently minimised through appropriate façade glazing, sealing and external wall and roof construction • noise emission associated with mechanical plant and servicing can achieve acceptable noise levels through inclusion of acoustic enclosures, and the use of duct attenuators	The Department recommends the following conditions: • recommendations of the NVIA to be implemented

Issue	Findings and conclusions	Recommended conditions
	• noise impacts associated with the increased traffic generation are considered to be negligible (2 dBA increase). The NVIA recommends further acoustic testing of the mechanical plant and servicing, and a review of façade treatments, be undertaken at the construction design stage, to ensure that the development would be consistent with the criteria of the Infrastructure SEPP and EPA's Noise Policy for Industry (2017). The Department is therefore satisfied that the development can achieve suitable acoustic amenity, for future residents and surrounding sites, subject to conditions of consent requiring the recommendations of NVIA to be implemented.	
	Landscaping and tree removal A public submission raised concern about the loss of green space and tree canopy resulting from the proposed development. Council requested that tree protection zones be provided for existing trees to be retained on Council land and adjoining properties. The Applicant provided an Aboricultural Impact Assessment (AIA) which identifies that 15 trees are currently located across the site. The development proposes to remove 9 of the existing trees on site, with 40 new trees to be planted with the development. The Department has considered the issues raised in submissions, along with the findings of the AIA and is satisfied that the proposal is acceptable as: • the loss of 9 trees at the site is proposed to be more than offset by providing 40 new trees across the site, equating to over a 4:1 replacement value, and increasing the site canopy coverage to 26% • trees proposed to be removed are classified as having a low to moderate retention value. No trees of high retention value are proposed to be removed • the AIA includes tree protection measures to ensure trees to be retained at the site, and on adjoining land, will be protected through the construction process • the site layout has been designed to enable the retention of a significant tree located within northwest corner of the site, addressing both The Boulevarde and Dudley Street frontages	The Department recommends the following conditions: • Implementation of Aboricultural Impact Assessment recommendations • landscaping to be carried out in accordance with the approved scheme.

Issue	Findings and conclusions	Recommended conditions
	• the replacement planting has been strategically located to screen and soften the built form when viewed from the public domain and adjoining properties. The Department has recommended conditions relating to tree protection measures of trees proposed to be retained, and for landscaping to be carried out in accordance with the approved scheme.	
	Construction impacts Public submissions raised concern about noise and general disturbance generated through the construction of the development. The EIS included a: • TIA which includes a preliminary Construction Traffic Management Plan with consideration of construction traffic generation, parking and pedestrian management • NVIA which includes an assessment of construction noise and vibration impacts to surrounding residents. The TIA estimates that construction vehicle traffic would peak at around 6–8 movements per hour during concrete pours, but would generally remain below 10 movements per day for the remainder of the works. Construction worker traffic generation is estimated to be a maximum of 54 car trips at the beginning and end of construction hours. The TIA includes mitigation measures to manage impacts including avoiding peak-hour travel for workers, encouraging carpooling, and providing secure on-site tool storage to support public transport use. Construction vehicle impacts and potential pedestrian conflict are proposed to be managed by restricting movements during peak travel periods and school pick-up and drop-off times, and providing temporary footpaths and site barriers to maintain pedestrian access and safety. The NVIA determined that noise from the works may exceed the highly noise affected level of 75 dBA to surrounding residential receivers. To manage potential noise exceedances, the NVIA recommends mitigation measures such as respite periods, equipment silencers and acoustic enclosures, minimising consecutive works in the same area of the site, and consultation with surrounding residents.	The Department recommends the following conditions: • Standard construction conditions, including ICNG hours of construction • Construction Environmental Management Plan to be implemented during construction works.

Issue	Findings and conclusions	Recommended conditions
	The Department notes that the proposed hours of construction for the development are consistent with the Interim Construction Noise Guidelines (ICNG) as follows: • Monday to Friday: 7 am to 6 pm • Saturday: 8 am to 1 pm • Sunday and public holidays: no work. The Department acknowledges that some construction impacts are unavoidable, however construction works are temporary in nature and confined to the recommended construction hours. Therefore, the Department is satisfied that the impacts to surrounding sites can be appropriately mitigated subject to conditions requiring a detailed construction management plan to be prepared and implemented during construction works.	
	Flooding The EIS is supported by an Integrated Water Management Plan (IWMP) which identifies that the site is not affected by flooding during the 1% Annual Exceedance Probability (AEP) event. However, isolated ponding to a depth of 0.3 m during a PMF event occurs in the centre of the site, which the IWMP advises may be a result of irregular low points within topographic surveys rather than a representation of flood prone land from genuine overland flow paths. Surrounding the site, The Boulevarde road reserve experiences minor inundation during the 1% AEP and PMF events. However, these impacts are further east and west of the site boundaries and do not impact site access. The Department has considered the findings of the IWMP and is satisfied that the site is adequately protected from flood events as: • the site is situated above the 1% AEP flood level and therefore is classified as a low flood risk precinct • the basement entrance is designed to be flood free in all events, including any PMF event, as the driveway access is positioned higher than nearest occurrence of PMF inundation within The Boulevarde road reserve further east of the site • safe access is provided to and from the site during the 1% AEP and PMF events as the area of The Boulevarde immediately fronting the site, and the entirety of Dudley Street are flood free in both events	No conditions recommended as the Department is satisfied that the site is adequately protected from flood events

Issue	Findings and conclusions	Recommended conditions
	• the flood hazard assessment indicates no hazard to the site during the 1% AEP, and low hazard during the PMF event, which corresponds with the identified areas of isolated ponding.	
	Stormwater easement Council noted that an existing stormwater pipeline is partially located within the front setback of the site, adjacent to The Boulevarde frontage. Council advised that a service protection report is required to be provided to accurately locate the stormwater pipe, and a formal drainage easement be established and registered across any portion of the site in which the pipe is located. The Department has recommended conditions for a Service Protection Report to be provided prior to works commencing, and establishment of any related easements prior to occupation.	The Department recommends the following conditions: • Preparation of a Service Protection Report • Easements to be created over and land where council assets are located.
	Contamination and Remediation The proposal was accompanied by a Detailed Site Investigation (DSI) which identified contamination across the site associated with imported fill, asbestos in existing structures, and the site's former commercial use as a timber yard. The Applicant provided a Remediation Action Plan (RAP) which advises the site can be made suitable for the proposed development, subject to remediation strategies of off-site disposal, and capping and containing contaminated fill on site in areas constrained by tree protection zones. A Site Auditor has undertaken an independent review of the contamination documents, and recommends conditions be imposed to ensure remediation is completed in accordance with the RAP, and to enable future enforcement of a Long Term Environmental Management Plan if any contamination is contained on site. The Department has considered the recommendations of the contamination investigations, RAP and recommended conditions by the Site Auditor. Subject to the recommended conditions, the Department is satisfied that the land can be made suitable for the proposed development.	The Department recommends the following conditions: • Remediation to be caried out in accordance with the RAP • A site auditor to review the remediation works • A Site Audit Report and a Site Audit Statement • A LTEMP to be implemented for the life of the development, if contamination is contained on site

Issue	Findings and conclusions	Recommended conditions
	Development Contributions The Department notes the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 includes exemptions for both social and affordable housing where demonstrated the Applicant is a 'social housing provider' as defined by the Housing SEPP. In accordance with the Housing SEPP, the Land and Housing Corporation (acting as Homes NSW) is a social housing provider. Therefore, the proposal is exempt from local infrastructure contributions. Under the ministerial order dated 30 June 2024, the Housing Productivity Contribution does not apply to affordable housing that is provided by or on behalf of a social housing provider. As Homes NSW is a social housing provider, the proposal is exempt from the Housing and Productivity Contribution.	No conditions recommended

6 Evaluation

The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development, advice from Government agencies, local councils and public submissions, and strategic Government policies and plans.

The Department's assessment concludes that the proposal is acceptable as it:

- would support State Government priorities to deliver well-located housing as it will deliver 114 affordable housing units in an accessible location close to the Punchbowl town centre and future Sydney Metro station
- is permissible with consent and would provide high density housing consistent with the recently adopted Punchbowl and Wiley Park Precinct Plan, and the objectives of Zone R4 High density residential under the CBLEP
- would provide a built form which is compatible with the desired future character of the Punchbowl locality, as identified under the Punchbowl and Wiley Park Precinct Plan, and has been designed to minimise adverse amenity impacts to neighbouring sites
- would not result in unreasonable overshadowing, view or privacy impacts on adjoining properties
- would provide a satisfactory level of internal and external amenity for future residentials of the development, in line with the principles and design criteria of the Housing SEPP and the ADG
- would deliver public and economic benefits through generating up to 287 construction jobs.

The Department has recommended a range of conditions to manage any residual environmental impacts. See recommended conditions of consent at **Appendix D.**

The Department considers the impacts of the development are acceptable and can be appropriately managed or mitigated through the implementation of recommended conditions. Consequently, the Department recommends the project be approved, subject to conditions.

7 Recommendation

It is recommended that the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of The Boulevarde Punchbowl, Affordable Housing (SSD 83256463) as amended, subject to the conditions in the attached development consent
- **signs** the attached development consent (**Appendix D**).

Recommended by:

Peter Mcmanus
Team Leader
Social and Diverse Housing

Recommended by:

Paulina Wythes
Director
Social and Diverse Housing

Recommended by:

Ben Lusher
Executive Director
Housing and Key Sites Assessment

Recommended by:

Madeleine Thomas
A/Deputy Secretary
Development Assessment and Sustainability

8 Determination

The recommendation is **adopted/not adopted** by:

The Hon Paul Scully MP
Minister for Planning and Public Spaces
Dated: 22 June 2026

Appendices

Appendix A – List of referenced documents

The following documents can be accessed at: https://www.planningportal.nsw.gov.au/major-projects/projects/boulevarde-punchbowl-affordable-housing

- Environmental Impact Statement
- Response to submission report
- Applicant's additional information
- Submissions (public and Council)
- Government agency advice.

Appendix B Community views for draft Notice of Decision

Table 8 | Key issues and how they have been considered

Issue	Consideration
Car parking and traffic generation • insufficient car parking is provided • traffic impacts on the surrounding road network	The Housing SEPP include a NDDS establishing a minimum car parking rate of 0.4 spaces for 1 bedroom units, 0.5 spaces for 2 bedroom units, and 1 space per 3 bedroom units. Based on the NDDS, a total of 57 car parking spaces are required for the proposal. The proposal includes 58 car parking spaces which meets the NDDS. The terms of the Housing SEPP are that the objective of the NDDS is to prevent the consent authority from requiring more onerous standards or refusing an application if the development complies with the NDDS, which is distinct from the operation of other development standards. Noting this the Department is of the view that the proposal meets the objectives of the Housing SEPP for parking requirements. The proposal is also in a highly accessible area, being approximately 400 m from Punchbowl Station (currently under conversion works to accommodate Sydney Metro trains), and bus stops connecting to various routes. The Traffic Impact Assessment (TIA) submitted with the application which confirms that the additional traffic generated by the development can be accommodated without adversely affecting the surrounding road network or pedestrian safety. *Recommended conditions* The Department has recommended conditions to ensure the proposed number of parking spaces are provided with the development.
Built form (height, bulk and scale) • Non-compliance with statutory provisions at the time of exhibition • Incompatibility with local character	On 24 April 2026 amendments to the Canterbury-Bankstown LEP were made under the Punchbowl and Wiley Park Precinct Plan to facilitate higher density residential development in proximity to transport and services. These changes amended the maximum permissible heights and FSR which apply to the site to 33 m and 2.5:1. In addition the development benefits from a 30% height and FSR bonus due to it providing more than 30% affordable housing. The development proposes two 8 storey residential flat buildings with a maximum height of 29.6 m and FSR of 2.2:1 which comply with recently adopted height and FSR controls applying to the site.

Issue	Consideration
	Although the proposal introduces greater height and density compared to surrounding sites, the immediate locality is anticipated to undergo change under the Precinct Plan. The development aligns with the desired future character of the Punchbowl locality, as a high-density precinct close to public transport and services. *Recommended conditions:* No further conditions are recommended by the Department.
Building Design and Aesthetics • Insufficient distinction and articulation between the two buildings • Greater building separation should be provided between the two buildings	The proposed building design has been informed by State Design Review Panel (SDRP) advice, who were generally supportive of the proposal and provided recommendations to achieve design excellence. The Department has considered the Applicant's response regarding the proposal's facade design and is satisfied that the external presentation, with simplified façade articulation, generally aligns with the SDRP advice, and would result in a good design outcome for future residents and the community. The Department is satisfied that the building design and aesthetics is acceptable for the locality as: • the site layout appropriately responds to existing characteristics, positively addressing both street frontages, and enabling the retention of significant vegetation on the site • the building design incorporates appropriately articulated facades and predominantly brick materiality that is high quality and sympathetic to the surrounding context • landscaping is incorporated within the site setbacks and between the two buildings to help soften the appearance of the development from the public domain and key circulation areas between the two buildings. *Recommended conditions:* No conditions are recommended by the Department.
Amenity impacts to neighbouring sites • overshadowing • visual privacy	The Department acknowledges that the proposal would result in some additional overshadowing to 36 Dudley Street, and properties on the eastern side of Dudley Street, when compared with the existing development. However, the impacts are considered reasonable as neighbouring properties retain adequate solar access, and the proposal

Issue	Consideration
	complies with the applicable height and FSR controls. The overshadowing impacts are consistent with those anticipated by the controls. The proposal has incorporated mitigation measures to address visual privacy including fixed screens, translucent glazing, and landscaping as a secondary measure. To ensure appropriate privacy is retained to neighbouring sites, the Department has recommended conditions of consent for additional privacy screening to balconies. The Department is satisfied that, subject to the recommended conditions of consent, the proposal would maintain an acceptable level of residential amenity to neighbouring sites in relation to solar access and visual privacy. *Recommended conditions;* The Department has recommended conditions for further privacy screening to be provided to east facing balconies above 4 storeys.
Pedestrian Access • Direct pedestrian access should be provided to Building A from The Boulevarde Street frontage	Council requested that direct building access be provided via The Boulevarde to increase activation of this frontage. The Applicant has advised that direct pedestrian access to buildings from The Boulevarde is not practical due to the elevated position of the ground level, which would require stepped access, and tree protection zones within the frontage setback. Instead, pedestrian access to the site from The Boulevarde is provided adjacent to the eastern site boundary, connecting to the primary communal open space. The Department is satisfied that the main entrance on Dudley Street, combined with the secondary access adjacent to the eastern boundary of The Boulevarde frontage, provides adequate pedestrian access to the site. *Recommended conditions* No conditions recommended.
Landscaping and tree removal • Loss of trees and green space	The Applicant provided an Aboricultural Impact Assessment (AIA) which advised that the proposal would result in the removal of 9 trees on site, which would be offset by the development providing new 45 trees across the site, achieving a site wide canopy coverage of 29%. The Department notes that trees proposed to be removed are classified as having low to medium retention value. The development has been carefully designed to enable the retention of a significant tree located within

Issue	Consideration
	northwest corner of the site, addressing both The Boulevarde and Dudley Street frontages. The AIA includes tree protection measures to ensure trees to be retained at the site, and on adjoining land, will be protected through the construction process. The Department is satisfied that the proposed development would result in a net improvement in green space and significant landscaping and vegetation across the site. *Recommended conditions* • Recommendations of the arborist report to be adopted during construction works to ensure protection of retained trees. • Certification requirements to ensure landscaping will be completed in accordance with approved landscape plans.
Construction and operational noise • Increased operational noise associated with increased density • Increased disturbance from construction	The Noise and Vibration Impact Assessment (NVIA) submitted with the application has addressed both construction and operational noise generated by the development, with recommended measures to manage and mitigate potential impacts. To manage operational acoustic impacts, the NVIA recommends further acoustic testing of mechanical plant and services, as well as a review of façade treatments at the detailed design stage, to ensure compliance with the EPA's Noise Policy for Industry (2017). The Department has also recommended conditions for a plan of management to be prepared which outlines restrictions on the use of communal areas to reduce amenity impacts to neighbouring sites. To manage construction noise impacts, the NVIA recommends that a final construction noise and vibration management plan be prepared, with recommended measures such as respite periods, equipment silencers and acoustic enclosures, minimising consecutive works in the same area, and ongoing consultation with affected residents. The Department acknowledges that some construction noise impacts are unavoidable; however, these impacts will be temporary, limited to approved construction hours, and can be managed and mitigated through appropriate conditions of consent. *Recommended conditions:*

Issue	Consideration
	• Restrictions on hours of construction in accordance with the Interim Construction Noise Guideline. • A detailed construction noise and vibration management plan must be prepared and implemented throughout construction. • Recommendations of the NVIA to be implemented to ensure building and mechanical plant design achieves relevant noise criteria. • An Operational Plan of Management be prepared prior to occupation, and implemented through the life of the development.
Land use suitability • Development adjacent to the metro should be for key workers and students	The Department is satisfied that the proposed land use is acceptable, as it aligns with NSW Government policy to develop affordable housing through Community Housing Provider (CHP) partnerships. It will provide well located affordable housing, in proximity to public transport and services which tenants need, helping to address the housing crisis in the Canterbury Bankstown local government area. *Recommended conditions* No conditions recommended.
Impact on property values	The Department has undertaken a detailed assessment of the proposal's amenity impacts, as outlined in the Department's assessment report. Subject to the recommended conditions, the development is considered to have acceptable impacts. The Department is satisfied the proposal is unlikely to result in any significant adverse amenity impacts. *Recommended conditions* No conditions recommended.

Appendix C - Statutory considerations

Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in **Table 9** below.

Table 9 | Matters for consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	Appendix C
EP&A Regulation	Appendix C
Likely impacts	Section 5
Suitability of the site	Section 3 and Section 5
Public submissions	Section 4 and Section 5
Public interest	Section 4, Section 5 and Section 6

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 10** below.

Table 10 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposal promotes the social and economic welfare of the community by providing affordable housing in an area well serviced by good access to transport and urban services, and, in doing so, contributes to the achievement of State, regional and local planning objectives. The proposal would not impact any natural or artificial resources, agricultural land, or natural areas.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social	The proposal includes ESD initiatives and sustainability measures, which would allow the proposal to meet the BASIX requirements and achieve an average 7.8 NatHERS rating.

Object	Consideration
considerations in decision-making about environmental planning and assessment,	
(c) to promote the orderly and economic use and development of land,	The proposal involves the orderly and economic use of land through the efficient redevelopment of an urban site in close proximity to public transport and services. Residential development on the site is permissible with consent, and the form of the development has regard to the desired future character of the locality.
(d) to promote the delivery and maintenance of affordable housing,	The proposal would provide 114 units for the purposes of affordable housing.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal will not adversely affect the protection of the environment, including threatened and other species of native animals and plants. A BDAR waiver was granted for the development on 16 September 2025.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<u>Built and Archaeological Heritage</u> A Statement of Heritage Impact (SoHI) was submitted with the application, which confirmed: • the site was not identified as a local or State heritage item and is not located within a heritage conservation area • the site has nil-low potential to impact upon archaeological relics • the proposal is considered to have a low visual and physical impact on heritage items within the vicinity of the site. The Department is satisfied the proposed development is acceptable in terms of potential heritage impacts given the site does not contain any State or local heritage listed items. While the proposal is within the vicinity of local heritage listed items, the Department is satisfied the proposed design would not result in any unacceptable physical or visual impacts. Appropriate conditions are recommended relating to unexpected finds. <u>Aboriginal Cultural Heritage</u> An Aboriginal Due Diligence report was submitted with the application which concluded that the study area is not likely to

Object	Consideration
	contain any Aboriginal objects, and recommended no further Aboriginal heritage assessment or investigation at the site. To mitigate harm to any unknown Aboriginal objects within the subject area, the report recommended a stop-work procedure be developed to manage any unexpected Aboriginal items. The Department is satisfied that the proposal would not result in any significant Aboriginal cultural heritage impacts, subject to the implementation of an unexpected finds protocol.
(g) to promote good design and amenity of the built environment,	The proposal has been designed to minimise amenity impacts to neighbours and the surrounding environment and to provide good levels of internal amenity. Other amenity impacts would be managed by either the form of the development or by the recommended conditions of consent for mitigation measures during the construction and operational phase of the development.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The application was accompanied by reports that conclude the development has been designed to be accessible and inclusive and is capable of complying with the requirements of the relevant sections of the Building Code of Australia.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposed development as outlined in **Section 4**, which included consultation with Council and other public authorities and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the application and the amendment report which included notifying adjoining landowners, previous submitters and displaying the application on the Department's website. The Applicant's RtS and additional information was made available on the Department's website. Engagement activities carried out by the Department are detailed in **Section 4**.

Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD

requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The Department required the Applicant to demonstrate how the principles of ESD have been incorporated into the project, including how it addresses:

- national best practice sustainable building principles to improve environmental performance and reduce ecological impact
- projected climate change impacts.

The proposal has committed to the following minimum sustainability targets:

- achieve a weighted NatHERS average of 7.8 stars
- exceed Basix minimum energy requirement by 7 points and meet water requirements
- meet the BASIX thermal performance requirements.

The Department has considered the proposal in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposal. The conservation principle has been applied through the provision of new landscaping around, on and within the proposal and the valuation principle has been applied through the efficient use of the site, application of sustainability measures and creation of new employment opportunities.

The Department has recommended conditions requiring the implementation of ESD measures and minimum sustainability targets.

Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 20 August 2025. The Environment Agency Head and the Team Leader, Social and Diverse Housing Assessments, as delegate of the

Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 16 September 2025.

EP&A Regulation

The EP&A Regulation requires the applicant to have regard to the *State Significant* Development *Guidelines* when preparing their application. In addition, the SEARs require the applicant to have regard to the following:

- *Social Impact Assessment Guideline for State Significant Projects*
- *Undertaking Engagement Guidelines for State Significant Projects*

The Department considers that the Applicant has considered the requirements of the EP&A Regulation including the above guidelines, as relevant to the application. The application includes a SIA, and the Applicant has consulted with the local community and key stakeholders.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the Act, this report includes references to the provisions of the EPIs that govern the carrying out of the proposal and have been taken into consideration in the Department's environmental assessment.

The EPIs that have been considered as part of the assessment of the proposal are:

- *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (Infrastructure SEPP)*
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (Hazards SEPP)*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity SEPP)*
- *State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 (BASIX)*
- *State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainability SEPP)*
- *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*
- *Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)*
- other relevant plans, policies or guidance.

Planning Systems SEPP

The proposal is SSD under section 2.6(1) and section 26 of Schedule 2 of the Planning Systems SEPP, being development for more than 75 dwellings, carried out by Land and Housing Corporation (operating as Homes NSW) with an EDC of more than $30 million.

Housing SEPP

A summary of the Department's consideration of the relevant standards contained in the Housing SEPP is provided in Table 11 below.

Table 11 | Housing SEPP compliance table

Housing SEPP standard	Consideration
Chapter 2, Part 2 – In-fill affordable housing	
15A Objective of division The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.	Complies. The proposal would provide affordable housing for very low and low income households. The Department recommends a condition to this effect.
15C Development to which division applies **(1) This division applies to development that includes residential development if—** (a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and (b) the affordable housing component is at least 10%, and (c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.	(1) (a) Consistent. Residential flat buildings are permitted with consent within the R4 medium density residential zone in CBLEP. (b) Consistent. The proposal seeks 100% affordable housing on the basis that social housing is defined as affordable housing under the Housing SEPP. (c) Consistent. The site is located within an accessible area for the purpose of this section, being located approximately 400 m walking distance from Punchbowl Train Station.
16 Affordable housing requirements for additional floor space ratio (1)The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2). (2)The minimum affordable housing component, which must be at least 10%, is calculated as follows	(1) 100% of the proposal's GFA is used for affordable housing, and therefore a 30% FSR bonus is applicable to the development in accordance with (2). The maximum permissible FSR for the proposal is 3.25:1 (2.5:1 LEP base, plus 30% bonus). The proposal complies with a maximum FSR of 2.2:1. (2) As above. (3) 100% of the proposal's GFA is used for affordable housing, and therefore a 30% height bonus is applicable to the development. The maximum permissible height for the proposal is 42.9 m (33m base height, plus 30% bonus

Housing SEPP standard	Consideration
affordable housing component = additional building height (as a percentage) ÷ 2 (3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1). (4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	(9.9m). The proposal complies with a maximum height of 28.9 m. (4) The site is mapped as having a maximum permissible FSR, and therefore this section applies.
17. Additional floor space ratio for relevant authorities and registered community housing providers (1) This section applies to residential development to which this division applies that is carried out— (a) by or on behalf of a relevant authority or registered community housing provider, and (b) on land with a maximum permissible floor space ratio of 2:1 or less. (2) The maximum floor space ratio for the development is— (a) the maximum floor space ratio calculated in accordance with section 16, or (b) the maximum floor space ratio calculated in accordance with subsection (3). (3) The maximum floor space ratio for subsection (2)(b) is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of— (a) if the affordable housing component is at least 50%—0.5:1, or (b) if the affordable housing component is between 20% and 50%—Y:1, where— ***AH*** is the affordable housing component. ***Y*** is AH ÷ 100	Not Applicable. The development is proposed to be undertaken by a relevant authority (Land and Housing Corporation, operating as Homes NSW) however part of the land on which the development is proposed has an FSR in excess of 2:1.

Housing SEPP standard	Consideration
(4) If development to which this section applies uses the maximum floor space ratio under subsection (2)(a), section 16(3) also applies to the development.	
18 Affordable housing requirements for additional building height (1) This section applies to development that includes residential development to which this division applies if the development— (a) includes residential flat buildings or shop top housing, and (b) does not use the additional floor space ratio permitted under section 16. (2) The maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height of up to 30%, based on a minimum affordable housing component calculated in accordance with subsection (3). (3) The minimum affordable housing component, which must be at least 10%, is calculated as follows— $\text{affordable housing component} = \frac{\text{additional building height (as a percentage)}}{\div 2}$	Not Applicable. The proposal is benefitting from the additional FSR under section 16 of the Housing SEPP.
19 Non-discretionary development standards—the Act, s 4.15 (2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m2, (b) a minimum landscaped area that is the lesser of— (i) 35m^2 per dwelling, or (ii) 30% of the site area, (c) N/A, (d) N/A, (e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space, (f) N/A,	(2) (a) Consistent. The site has an area of 3,889 m^2. (b) Consistent. The proposal would provide a total landscaped area of 1,482 m^2, equating to 38.1% of the site area. (c) N/A. Chapter 4 applies. (d) N/A. Chapter 4 applies. (e) Consistent. 57 parking spaces are required for the development. The proposal provides 57 resident parking spaces and 1 visitor parking space, which complies with the minimum parking requirements. (f) N/A. the proposal is for 100% affordable housing. (g) Complies – the apartment sizes are consistent with minimum requirements under ADG. (h) N/A.

Housing SEPP standard	Consideration
(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development, (h) N/A, (i) N/A, (3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	
20 Design requirements (3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with- (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition – the desired future character of the precinct.	The built form and design of the residential development is considered to align with the desired future character of the Punchbowl and Wiley Park precinct, as a high density residential area in close proximity to transport and services. The brickwork materiality of the building design is sympathetic to the existing character of the immediate locality along The Boulevarde and Dudley Street, which currently features mid-rise apartment buildings of similar materials. The site layout has been designed to enable the retention of significant vegetation, which protects the landscaped character of the locality.
21 Must be used for affordable housing for at least 15 years (1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development- (a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and the affordable housing component will be managed by a registered community housing provider.	Not applicable as the development is carried out Homes NSW (operating as Land and Housing Corporation).
22 Subdivision permitted with consent Land on which development has been carried out under this division may be subdivided with development consent	The proposal involves consolidating two allotments on which the development is carried out. No subdivision is proposed.

Housing SEPP standard	Consideration
Chapter 4, Part 4 – Design of residential apartment development	
143 Land to which chapter applies This chapter applies to the whole of the State, other than land to which *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 4 applies.	Chapter 4 applies. SEPP (Precincts – Regional) 2021 does not apply to the development.
144 Application of chapter (2) This chapter applies to the following— (a) development for the purposes of residential flat buildings, (b) development for the purposes of shop top housing, (c) mixed use development with a residential accommodation component (3) This chapter applies to development only if— (a) the development consists of— (i) the erection of a new building, or (ii) the substantial redevelopment or substantial refurbishment of an existing building, or (iii) the conversion of an existing building, and (b) the building is at least 3 storeys, not including underground car parking storeys, and (c) the building contains at least 4 dwellings.	(2) The proposed development is for the purposes of a residential flat building. (3) The proposal relates to the erection of a new building that is greater than 3 storeys with more than 4 dwellings.
147 Determination of development applications and modification applications for residential apartment development (1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following— (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) Not Applicable	Complies. Schedule 9 of the Housing SEPP is addressed in Table 12, the relevant ADG requirements are addressed in Table 13.
148 Non-discretionary development standards for residential apartment development—the Act, s 4.15 (2) The following are non-discretionary development standards—	Complies. Carparking has been provided in accordance with Section 19(2) of the Housing SEPP which governs affordable housing development.

Housing SEPP standard	Consideration
(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.	The proposal provides internal apartment areas as required in Part 4D of the ADG, and the ceiling heights are equal to those specified in Part 4C of the ADG.

Table 12 | Department's consideration of the Schedule 9 of the Housing SEPP

Design Quality Principles	Departments Response
1. Context and Neighbourhood Character	The Department has considered the height, scale and design of the development at Section 5.1 and concludes the proposal responds to the existing context of the site and surrounding area, providing increase density in a transitional area in proximity to key transport links. The siting of the development maintains adequate levels of amenity for existing neighbouring properties., and materiality is compatible with the character of surrounding residences.
2. Built Form and Scale	The height, bulk and scale of the development is appropriate to the desired future character of the location, and complies with key planning provisions applying to the site.
3. Density	The proposal is of an appropriate density and scale, consistent with the desired future character of the Punchbowl town centre and the provisions of the Housing SEPP. The development complies with the FSR development standard applying to the site.
4. Sustainability	The development has been designed in accordance with ESD principles and satisfies BASIX requirements in relation to energy efficiency, water conservation and thermal comfort.
5. Landscape	The proposal would provide an appropriate balance between the built form and landscaping through the provision of various landscaped communal terraces and achieves 21% deep soil and 27% canopy cover.
6. Amenity	The proposal is generally consistent with the key ADG criteria and would achieve a high level of residential amenity for future residents (see Section 5.2 and Table 13).
7. Safety	Safety is embedded in the design through CPTED principles: clear sightlines, no concealed areas in corridors, controlled access, and passive surveillance from apartments overlook communal spaces and streets.

Design Quality Principles	Departments Response
8. Housing Diversity and Social Interaction	The development will provide 114 affordable housing units with an appropriate apartment mix to support diversity in housing choice. The development provides opportunities for social interaction in communal areas which are designed to support a range of passive recreational activities.
9. Aesthetics	The proposal demonstrates a high standard of architectural design. The proposal uses an appropriate variety of materials, colours and textures which responds to the existing setting and the desired future character of the neighbourhood.

Table 13 | Department's consideration of ADG best practice design principles

ADG Criteria	Consideration
3A Site Analysis • Site analysis illustrates design decisions have been based on opportunities and constrains of the site conditions and their relationship to the surrounding context.	Consistent. The proposal has been informed by a Design Report which includes a site analysis.
3B Orientation • Building types and layouts respond to the streetscape and site while optimising solar access within the development. • Overshadowing of neighbouring properties is minimised during mid-winter.	Consistent. The architecture of the proposal responds to the site conditions, streetscape and amenity of neighbouring development. The proposed buildings are appropriately orientated to respond to the streetscape, optimise solar access and reasonably minimise overshadowing of neighbouring properties.
3C Public Domain Interface • Transition between public/private domain is achieved without compromising safety and security. • Amenity of the public domain is retained and enhanced.	Consistent. The proposal has incorporated a landscaped setback to both street frontages and provides multiple pedestrian access points. Balconies addressing both street frontages will improve passive surveillance to the street. The communal open space located adjacent to the Dudley Street bus stop provides a direct connection from the public domain and is proposed to be available to both residents and wider community members for passive use. The location and operation of the bus stop will not be affected by the proposal.
3D Communal and Public Open Space • Communal open space has a minimum area equal to 25% of the site. • Minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of two hours in mid-winter. • Communal open space is designed to allow for a range of activities and to maximise safety.	Consistent. The proposal provides 1,508 m^2 of communal open space, which equates to 39% of the site area. The principle useable part of the communal open space and ground level is centrally located between the two RFBs, and in southeastern portion of the site. An additional area of Principal Communal Open Space is located in the northwest frontage of the

<table>
<tr><th>ADG Criteria</th><th>Consideration</th></tr>
<tr><td></td><td>site. The total PCOS equates to approximately 724 m^2. More than 50% of the communal open space on both ground level would receive direct solar access for a minimum of two hours in midwinter.

The communal open space comprises a mix of lawned ground cover, seating areas, and covered structures, supporting a range of passive recreational activity.</td></tr>
<tr><td>3E Deep Soil Zones
• For sites greater than 1,500 m^2, a minimum of 7% of the site with a minimum dimension of 6 m should provide for deep soil zone(s).</td><td>Consistent. The site would provide 818 m^2 or 21% of the site area as deep soil with a minimum dimension of 6 m.</td></tr>
<tr><td>3F Visual Privacy
• Minimum separation distance from building to side and rear boundaries:<table><tr><th>Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m
(4 storeys)</td><td>6 m</td><td>3 m</td></tr><tr><td>Up to 25m
(5-8 storeys)</td><td>9 m</td><td>4.5 m</td></tr><tr><td>Over 25m
(9+ storeys)</td><td>12 m</td><td>6 m</td></tr></table>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room
• Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows.</td><td>Considered acceptable.

The Department has considered visual privacy at Section 5.2 of this report.

The proposal is generally consistent with the recommended building separation distances, with the exception of:
• narrow wrap around balconies of Building A achieve a 3.6 m setback to the eastern boundary (variable 2.4 m to 5.4 m variation)
• balconies and living rooms of Building A above 4 storeys achieve a 6.365 m setback to the eastern boundary
• habitable room windows of Building B above 4 storeys achieve a minimum setback to the southern boundary of 7.1 m (1.9 m variation)
• Building A and Building B (all levels): 5 m separation between habitable rooms.

To address the reduced separation distances, the proposal has appropriately offset windows, or included fixed privacy screens or translucent glass on windows and balconies (where needed).</td></tr>
<tr><td>3G Pedestrian Access to Entries
• Building entries and pedestrian access connects to and addresses the public domain.
• Access, entries and pathways are accessible and easy to identify.</td><td>Consistent. Pedestrian access for future residents would be provided through a common lobby that is accessible from Dudley Street. Secondary pedestrian access is provided via the Boulevarde.

The building addresses the public domain and has been designed to be easily accessible and easy to identify.</td></tr>
<tr><td>3H Vehicle Access
• Vehicle access points are designed and located to achieve safety, minimise conflicts between</td><td>Consistent. Vehicle access is provided via The Boulevarde. Pedestrian entry is provided separate to</td></tr>
</table>

ADG Criteria	Consideration
pedestrians and vehicles and create high quality streetscapes	the vehicle access point to provide clear and safe access.
3J Bicycle and Car Parking • Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas. • For development in the following locations: – on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area or – on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre • Visual and environmental impacts of above ground enclosed car parking are minimised.	Consistent. The proposal has considered car parking in accordance with the Housing SEPP. The Department considers the proposed car parking to be acceptable, as discussed in **Section 5.3.** No at grade car parking is proposed. Visual impacts associated with the basement car parks are minimised through the use of screening and landscaping surrounding the semi excavated carpark.
4A Solar and Daylight Access • Minimum of 70% of apartments' living rooms and private open spaces receive 3 hrs direct sunlight between 9 am – 3 pm in mid-winter. • Maximum of 15% of apartments have no direct sunlight between 9 am - 3 pm in mid-winter.	Considered acceptable. The proposal achieves 2 hours of solar access to 67% of apartments between 9 am and 3 pm mid-winter. The Applicant justifies that the development achieves the objectives as through provision of skylights, 70% of apartments would receive more than 2 hours of direct solar access 28 units (25%) would not receive direct solar access between 9 am and 3 pm on June 21. The Applicant has justified this based on environmental constraints on the sites orientation. The applicant has demonstrated that these units would receive a single hour of solar access when extended to 4pm Solar access is discussed further in section 5.2.
4B Natural Ventilation • At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated).	Consistent. At least 66% of apartments are naturally cross-ventilated.
4C Ceiling Heights • Measured from finished floor level to finished ceiling level, minimum ceiling heights are: - Habitable rooms 2.7 m - Non-habitable rooms 2.4 m.	Consistent. Ceiling heights meet or exceed ADG requirements.
4D Apartment Size and Layout • Minimum apartment sizes - Studio 35 m^2	Consistent. All units would exceed the minimum recommended apartment sizes. All bedrooms and living rooms would be consistent with the recommended dimensions.

ADG Criteria	Consideration
- 1 bedroom 50 m^2 - 2 bedroom 70 m^2 - 3 bedroom 90 m^2 - 4 bedroom 100 m^2. • In open plan layouts the maximum habitable room depth is 8 m from a window. • Master bedroom have a minimum area of 10 m^2 and other bedrooms have 9 m^2. • Bedrooms have a minimum dimension of 3 m (excluding wardrobes). • Living rooms have a minimum width of: - 3.6 m for studio and one bed - 4 m for 2 and 3 bed.	
4E Private Open Space and Balconies • Primary balconies are provided to all apartments providing for: - Studios apartments min area 4 m^2 - 1-bedroom min area 8 m^2 min depth 2 m - 2-bedroom min area 10 m^2 min depth 2 m - 3-bedroom min area 12 m^2 min depth 2.5 m. The minimum balcony depth to be counted as contributing to the balcony area is 1m • For apartments at ground floor level or similar, private open space must have a minimum area of 15 m^2 and depth of 3 m. • Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building.	Considered acceptable. Balconies and courtyards are generally consistent with recommended area and dimension requirements, except for the following: • balconies for 3 bedroom apartments are consistent with recommended area requirements (in excess of 12 m^2), however are only 2 m depth, falling short of the 2.4 m requirement • unit A.G06 does not comply with size or dimension requirement for ground floor courtyards (15m2, minimum depth of 3 m) • remaining ground floor apartments meet overall area requirements, however not the 3 m dimension requirement. The shortfall of recommended size and area requirements is considered acceptable noting the following: • the area of communal open space significantly exceeds minimum requirements (39% of site area provided compared to 25% required) • despite not meeting dimension requirements, the POS significantly exceed area requirements, and with a depth of 2 m, are still suitable to support passive recreational activity. Balconies and courtyards have been designed to be integrated into the architectural form of the building.
4F Common Circulation and Spaces • Maximum number of apartments off a circulation core is 8 – where this cannot be achieved, no more	Consistent. The proposal comprises of two lift cores. The maximum number of units a circulation core is 9

ADG Criteria	Consideration
than 12 apartments should be provided off a single circulation core. • For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	(reducing to 7) for Building A and 7 (reducing to 6) for Building B.
4G Storage • The following storage is required (with at least 50% located within the apartment): - Studio apartments 4 m^3 - 1-bedroom apartments 6 m^3 - 2-bedroom apartments 8 m^3 - 3-bedroom apartments 10 m^3	Consistent. Units are provided with a minimum of 50% of the required storage within the apartment. Where needed, additional storage is provided within a storage cage in the basement.
4H Acoustic Privacy • Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution. • Noise impacts within apartments are mitigated through layout and acoustic treatments.	Consistent. Noise transfer would be minimised through the appropriate layout of the buildings. Apartments are appropriately stacked and laid out to prevent noise transfer between apartments.
4J Noise and Pollution • In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings. • Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	Consistent. Suitable noise attenuation measures have been included to mitigate noise transmission from external sources.
4K Apartment Mix • Provision of a range of apartment types and sizes • Apartment mix is distributed to suitable locations within the building.	Consistent. The proposal would incorporate a diverse range of dwelling types and sizes (ranging from 1- to 3-bedroom units). The apartment types and configuration are varied across the development.
4L Ground Floor Apartments • Direct street access should be provided to ground floor apartments • Activity is achieved through front gardens, terraces and the facade of the building.	The proposal has not provided Ground floor units with direct street access due to the topography of the site. However, the proposal has been designed to encourage passive surveillance of the street frontages by providing balconies that address the frontages. Additionally, the proposal has incorporated pedestrian access to the building from both frontages.
4M Facades	Consistent. The proposed built form has been articulated through recesses in the built from, and balcony

ADG Criteria	Consideration
• Building facades provide visual interest along the street while respecting the character of the local area • Building functions are expressed by the facade	openings which add depth to the dwelling façade. The brick finishes are compatible with surrounding development context. The Department is satisfied the proposed built form is acceptable and would provide a positive contribution to the area.
4N Roof Design • Roof treatments are integrated into the building design and positively respond to the street. • Opportunities to use roof space for accommodation and open space is maximised • Roof design includes sustainability features.	Consistent. The roof has been designed to incorporate a flat roof with a brickwork parapet. Due to the extent of deep soil and communal open space provided at ground level, no rooftop landscaping is proposed. The roof design incorporates solar panels as a sustainability feature. Services and the lift cores have been located to minimise sight lines.
4O Landscape Design and 4P Planting on Structures • Landscape design is viable and sustainable. • Landscape design contributes to streetscape and amenity. • Appropriate soil profiles are provided, and plant growth is maximised (selection/maintenance). • Plant growth is optimised with appropriate selection and maintenance. • Building design includes opportunity for planting on structure.	Consistent. A Landscape Design Report was submitted with the application which demonstrates the proposal would provide a positive contribution to the streetscape and extensive plantings within the communal open space. The proposal seeks to retain a number of existing trees across the site, including a prominent tree of high retention value (T06), located in the northwest corner of the site. A communal open space area providing use to both residents and the wider community is proposed around the area of this tree. The proposal would result in 26% tree canopy coverage. Landscape details have been provided to demonstrate that adequate soil depths are achieved for planting on top of the basement structure.
4Q Universal Design • Universal design features are included in apartment design to promote flexible housing for all community members. Developments should achieve a benchmark of 20% of the apartments incorporating the Liveable Housing Guideline's silver level universal design features. • A variety of apartments with adaptable designs are provided. • Apartment layouts are flexible and accommodate a range of lifestyle needs.	Consistent. All units are consistent with ABCB Liveable Housing Voluntary Standard, which is equivalent to Liveable Housing Guideline's gold level universal design features. Additionally, 27% of units are designed to be consistent with Schedule 4 of the Housing SEPP Units are of a size and layout that can accommodate a range of lifestyle needs.

ADG Criteria	Consideration
4T Awning and Signage • Awnings are well located and complement and integrate with the building. • Signage responds to the context and design streetscape character.	Consistent. An entrance awning is provided between the two buildings entrances at the Dudley Street frontage to signalised the primary entrance to the site. No signage is proposed.
4U Energy Efficiency • Development incorporates passive environmental and solar design. • Adequate natural ventilation minimises the need for mechanical ventilation.	Consistent. ESD is considered in above in **Appendix C**.
4V Water Management and Conservation • Potable water use is minimised. • Urban stormwater is treated on site before being discharged to receiving waters. • Flood management systems are integrated into the site design.	Consistent. An Integrated Water Management Plan has been submitted with the proposal which details adequate provisions for appropriate stormwater management and conservation. Stormwater and flooding are considered in **Section 5.3**.
4W Waste Management • Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity. • Domestic waste is minimised by providing safe and convenient source separation and recycling.	Consistent. Waste storage is located on the ground level of the development, adequately screened from the public domain and building entries. The Operational Waste Management Plan confirms that adequate provision of waste, recycling and FOGO bins are provided to service the development.
4X Building Maintenance • Building design detail provides protection from weathering. • Systems and access enable ease of maintenance. • Material selection reduced ongoing maintenance cost.	Consistent. The proposed building has been designed to incorporate materials and detailing that protect against weathering, and allow ease of maintenance. Servicing and equipment is located to allow for ease of access for maintenance purposes.

Biodiversity and Conservation SEPP

Relevant chapters of this SEPP aim to protect the biodiversity values of vegetation in non-rural areas and to protect the water quality and quantity of water catchments.

The Department accepts the findings of the Applicant's BDAR waiver request which described the site as highly disturbed with little vegetation and with limited potential to provide breeding habitat for threatened species. A BDAR waiver was subsequently issued on 16 September 2025.

The Department considers the proposed tree removal, relocation and planting is acceptable (see Section 5.3) and that that water quality would be appropriately addressed through the implementation of proposed water sensitive urban design measures.

Infrastructure SEPP

Chapter 2 of the Infrastructure SEPP is relevant to this proposal and identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure development. It also requires consultation with relevant public authorities about certain development during the assessment process.

Section 2.48 requires the consent authority to notify the relevant utility authority about the proposal. The Department consulted Ausgrid, who raised no objection subject and provided standard recommendations for construction. The response is summarised at Section 4. The Department has recommended conditions requiring the Applicant consult with utility providers and obtain appropriate approvals for any necessary service connections and infrastructure augmentations.

Section 2.99 requires concurrence with TfNSW for development that involves the penetration of ground to a depth of at least 2m within 25 of a rail corridor. The site is located opposite an existing rail corridor which is currently being converted into the future Sydney Metro line. While the development involves excavation to a depth in excess of 2 m, the area of excavation is located more than 25 m from the rail corridor. The application was referred to Sydney Metro, who raised no objection and did not recommend any conditions.

Section 2.100 relates to maintaining acceptable noise and vibration impacts on land in and/or adjacent to a rail corridor and road corridor to ensure the amenity of residential development. Since the future Sydney Metro City and Southwest line (currently under construction) is located within 100 m of the site, a noise intrusion assessment is required under the provisions of the SEPP. The Noise and Vibration Impact Assessment submitted with the application concludes that the development is capable of compliance with the relevant internal noise criteria subject to recommendations for facade treatments, glazing, and wall and roof construction, refer to Section 5.3. The Department has recommended conditions to ensure that the development achieves the required noise and vibration criteria.

The proposal does not front a classified road, is not adjacent to a high-noise road and does not constitute traffic generating development, and therefore, referral to TfNSW is not required. Notwithstanding, the Department referred the application to TfNSW for its consideration. TfNSW raised no concerns in response to the proposal.

Hazards SEPP

Chapter 4 Remediation of Land

Chapter 4 of the Hazards SEPP is relevant to this proposal and aims to provide a State-wide planning approach to the remediation of contaminated land, reduce risk of harm to human health and the environment and ensure that potential contamination issues are considered in the determination of a development applications.

The proposal was accompanied by a Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) which identifies contamination across the site, associated with imported fill, asbestos containing materials in existing structures, and the former commercial use of the site as a timber yard. A Remediation Action Plan (RAP) has been submitted which recommends remediation strategies including off-site disposal and validation, and capping and containing contaminated fill on site. A Preliminary Long Term Environmental Management Plan (PLTEP) has been submitted with the application to guide strategies for managing any contamination required to be capped contained on site, in accordance with the recommendations of the RAP.

The Applicant engaged a Site Auditor to undertake an independent review of the contamination investigations to verify the appropriateness of the RAP. The Interim Audit Advice (IAA) concluded that the RAP provide an adequate framework to ensure that the site is made suitable for the proposed development, subject to additional recommendations regarding the RAP's implementation.

The Site Auditor recommended the following conditions be imposed to ensure remediation is completed in accordance with the RAP and to allow for future enforceability of a Long Term Environmental Management Plan (LTEMP) if required:

- completion of a Section A site audit statement (SAS) and supporting site audit report (SAR), prior to occupation
- conditions of any SAS to become condition of consent or the site owner/operator to comply with obligations of the LTEMP (if required) during occupation.

The Department supports the recommendations of the contaminations investigations, RAP and recommended conditions by the Site Auditor. Subject to the imposition of recommended conditions, the Department is satisfied that the land can be made suitable for the proposed development, and that the land will be remediation before occupied for its intended future residential use.

Sustainable Buildings SEPP

The Sustainable Buildings SEPP encourages sustainable residential development by setting targets that measure efficiency of buildings in relation to water and energy use and thermal comfort.

A BASIX certificate was submitted demonstrating the proposal achieves compliance with the BASIX water, energy and thermal comfort requirements under the Sustainable Buildings SEPP. The Department recommends a condition of consent requiring compliance with the BASIX certificate.

Canterbury-Bankstown LEP 2023

A summary of the Department's considerations of the relevant standards contained in CBLEP is provided in Table 14. The Department considers the proposed development to be generally consistent.

Table 14 | Department's consideration of Canterbury Bankstown LEP

Clause	Consideration and comments
Clause 2.3: Zone objectives and Land Use Table	Residential flat buildings are permitted with consent within the R4 Medium density zone under clause 2.3 of the CBLEP. The Department is satisfied that the proposal would remain consistent with the objectives of the zone for the following reasons • the proposal provides for increased residential density in an accessible location, encouraging use of public transport and pedestrian opportunities • the proposal will deliver affordable housing and provides for an appropriate dwelling mix, ranging form 1 to 3 bedroom units • the proposal does not impact on the ability of other land uses to provide facilities or services to meet the day to day needs of residents • the design and function of the development is compatible with the desired future character of the locality, and is not in conflict with surrounding land uses • the proposal exhibits a high standard of urban design, as discussed in section 5.2 of this report.
Clause 4.1B Minimum lot sizes and special provisions for certain dwellings	The site has an area in excess of 1,500 m^2 and a lot width in excess of 30 m.

Clause	Consideration and comments
Clause 4.3: Height of buildings	The maximum building height permitted under the CBLEP is 33 m. As the proposal comprises of affordable housing, the Housing SEPP provides a 30% height bonus resulting in a maximum permissible height of 42.9 m The proposal achieves a maximum height of 29.8 m which complies.
Clause 4.4: FSR	The maximum FSR permitted under the CBLEP is 2.5:1 A the proposal comprises of affordable housing, the Housing SEPP provides a 30% FSR bonus resulting in a maximum permissible FSR of 3.25:1. The proposal achieves a maximum FSR of 2.2:1 which complies.
Clause 5.10: Heritage conservation	The site is not identified as a heritage item or located within a heritage conservation area (HCA). The site is within proximity to local heritage item, 'War memorial and street trees' located at Broadway (between The Boulevarde and Canterbury Road). The application was accompanied by a SoHI which determines that the proposed development would have little to no physical or visual impacts on the nearby heritage item. The proposal has nil-low potential to contain significant historical archaeological remains.
Clause 5.21: Flood planning	The Department has considered flooding in Section 5.3 The Applicant provided an Integrated Water Management Report demonstrated that the site is located above the flood planning level during the 1% AEP event. The site is affected by ponding to a depth of 0.3 m during the PMF event. Access to the site is located above the flood planning level during the PMF. The Department is satisfied that the proposal is • is compatible with the flood function and behaviour on the land • would not increase in the potential flood affectation of other development or properties as

Clause	Consideration and comments
	the proposal is predominantly alterations to the existing built form • would not adversely impact existing evacuation routes and would incorporate appropriate mitigation measured have been proposed to further manage risk, including the preparation of an Emergency Management Strategy • would not adversely affect the environment or cause avoidable erosion, the destruction of riparian vegetation or a reduction in the stability watercourses.
Clause 6.2: Earthworks	The application includes a Geotechnical Investigation Report, prepared by Douglas Partners, which determined that the site conditions are generally suitable for the proposed development, subject to recommendations. The Department is satisfied the proposed earthworks: • would not result in any detrimental effect on, drainage patterns and soil stability in the locality of the development • are unlikely to effect on future redevelopment • impact upon the existing and likely amenity of adjoining properties, subject to conditions • be appropriately managed to ensure appropriate source of fill to the site and destination of excavated material • is unlikely to disturb relics/Aboriginal cultural heritage objects. The Department recommends standard conditions on unexpected finds protocols. The Department recommends conditions to manage and mitigate potential impacts associated with earthworks at the site, including ensuring that the recommendations as detail in the geotechnical assessment, prepared by Douglas Partners.
6.3 Stormwater management and water sensitive urban design	An Integrated Water Management Plan is submitted which demonstrate the proposal will manage stormwater in accordance with Council's requirements.

Clause	Consideration and comments
6.9 Essential services	The Applicant has submitted an Infrastructure Report detailing existing and proposed servicing and network utility arrangements for the site. Agency advice from Ausgrid and Sydney Water raise no objection to the proposal subject to standard conditions, refer to **Section 4**. The Department has recommended conditions requiring the Applicant consult with utility providers and obtain appropriate approvals for any necessary service connections and infrastructure augmentations.
6.15 Design Excellence	The proposal involves the erection of a new residential flat building in excess of 4 storeys and therefore this clause applies. The proposed design has been informed by two meetings with the State Design Review Panel (SDRP), who were generally supportive of the built form and provided recommendations to achieve design excellence. The SDRP confirmed that the project was capable of design excellence at the time of lodgement, and the project has been refined in response to the feedback received from the SDRP. The Department is satisfied that the proposal exhibits design excellence as it: • is of a high standard of architectural design and positively addresses design recommendations from the SDRP • would not adversely impact the public domain through the provision of publicly accessible open space areas • would not adversely impact view corridors • would be suitable for the site is suitable, as it is permissible with consent and located in an • has been designed to respond to surrounding land uses and minimise impacts to surrounding properties and heritage sites • has demonstrated achievement of the principles of ecologically sustainable development

Clause	Consideration and comments
	• would provide safe and efficient pedestrian, cycle, vehicular and service access and circulation. Design excellence is considered at **Section 5.1** of this report.
6.38 Affordable housing contributions	Not applicable as the development is for 100% affordable housing.

Appendix D Recommended instrument of consent

https://www.planningportal.nsw.gov.au/major-projects/projects/boulevarde-punchbowl-affordable-housing