

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-83256472 Banks Avenue, Pagewood, Affordable Housing
Applicant	New South Wales Land and Housing Corporation
Consent Authority	Minister for Planning and Public Spaces

Decision

The Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**), granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

11 August 2026

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021
- the objects of the Act;
- all information submitted to the department during the assessment of the development application;
- the findings and recommendations in the department's assessment report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the department's assessment report.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including a total estimated development cost of \$159,186,990 and 557 construction jobs
- the project is permissible with development consent, and is consistent with NSW Government policies including the National Housing Accord
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines.
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the department it was placed on exhibition from 4 December 2026 until 17 December 2026 (14 days). 16 submissions were received, including 9 objections, 6 comments and 1 in support of the project.

The Department also undertook a site visit on 2 March 2026.

The key issues raised by the community (including in submissions) and considered in the department's assessment report and by the decision maker include car parking and traffic generation, height bulk and scale, amenity impacts, tree removal and construction impacts. Other issues are addressed in detail in the department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Excessive bulk and scale, visual impact, and loss of character</i> - proposal is out of character with the adjoining R2 Low Density Residential zone - view loss	<i>Assessment</i> - The Department considers the proposed density, bulk and scale, and design to be acceptable as: - the building height generally complies with the maximum permissible building height, except for minor variations to the lift overrun which would not result in any adverse visual or overshadowing impacts - the proposal is compatible with the R3 Medium Density Residential zone and the desired future character of the area which envisaged high and medium density development adjacent to low density residential areas - the proposal incorporates modulation, articulation, and architectural detailing that assist in reducing its perceived bulk and scale - the proposal maintains acceptable amenity to the neighbouring properties in terms of solar access and privacy - materials, finishes, and proposed landscaping soften the development and promote a green aesthetic consistent with the surrounding locality - the proposal provides generous boundary setbacks, communal open space for residents and high-quality landscape and improvements to the Banks Avenue frontage - the proposal retains the visual value of Jellicoe Park <i>Recommended conditions</i> - The Department review and approve the final materials and finishes prior to the commencement of construction.
<i>Traffic impacts and car parking</i> - insufficient traffic analysis - access to basement carpark should not be from Park Parade - Insufficient car parking - traffic impacts on the surrounding road network - on-street car parking is at capacity	<i>Assessment</i> - The Applicant provided a Transport Impact Assessment (TIA) that reviewed existing and proposed traffic conditions, as well as traffic generation caused by the proposal. The TIA found that the level of service of the Banks Avenue and Heffron Road intersection would retain an acceptable level of service. The traffic generated by the proposal would be equivalent to approximately 1 vehicle every 2 minutes in peak periods which is considered low. - The Department considers the proposed access to basement car parking along Park Parade acceptable as it limits the number of cross-overs along Banks Avenue, reduces the number of basement levels and the proposal does not cause significant traffic generation. - The Housing SEPP includes a non-discretionary development standard (NDDS), establishing a minimum car parking rate of 122 car parking spaces for the proposal. The proposal includes 236 car parking spaces which meets the NDDS. - 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.

	<i>Recommended conditions</i> - Allocation of minimum parking spaces compliant with relevant Australian Standards. - Construction Traffic Management Plan. - Car parking, Loading, and Servicing Management Plan.
<i>Social housing</i> - more social housing should be provided - social housing should be restricted to essential workers - tenant concerns	<i>Assessment</i> - The Department is satisfied that the development is designed and can be managed to minimise safety risks and anti-social behaviour. - The community housing provider will have a detailed tenant allocation policy with clear procedures in place to address disruptive behaviour. - The proposal would improve the quality and increase the number of existing social housing provided onsite by two homes. <i>Recommended conditions</i> - Preparation and implementation of a Plan of Management.
<i>Inadequate services and infrastructure</i>	<i>Assessment</i> - The proposal is not anticipated to place undue pressure on emergency services, utilities, and local infrastructure. - Ausgrid has reviewed the proposal and provided recommended conditions for appropriate construction and commissioning of the proposed substations. - The 140 market dwellings would be liable for Section 7.11 and HPC to local and State infrastructure. <i>Recommended conditions</i> - Service and utility connections be finalised prior to occupation - Payment of Section 7.11 contributions and HPC for the market dwellings.
<i>Access to public transport</i> public transport is already at capacity	<i>Assessment</i> - The site is located in an accessible area with access to regular bus services. - Transport for NSW is responsible for monitoring public transport usage and where necessary implementing bus services aligned to passenger numbers and travel patterns. <i>Recommended conditions</i> - Implementation of a final Green Travel Plan.
<i>Overshadowing</i>	<i>Assessment</i> - The proposal includes shadow diagrams that demonstrate overshadowing impacts during the Winter Solstice. - The proposal has been assessed as having an acceptable shadow impact to adjoining properties and the public domain. <i>Recommended conditions</i> - No conditions are recommended.