

## **Appendix 14**

**Seniors SEPP compliance  
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## Seniors SEPP Compliance Table

Seniors SEPP	Response	Compliance
Chapter 3 Development for seniors housing Part 1 General		
14 Objective of Chapter <i>The objective of this Chapter is to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age.</i>	Noted – the development provides for housing that is well designed and located for seniors.	Complies
15 What Chapter does <i>This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy:</i> <i>(a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and</i> <i>(b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.</i>	Noted –development is on land zoned for urban purposes.	Complies
16 Development consent required <i>Development allowed by this Chapter may be carried out only with the consent of the relevant consent authority unless another environmental planning instrument allows that development without consent.</i>	A development application has been prepared and submitted to Penrith Council for its consideration.	Complies
17 Development on land adjoining land zoned primarily for urban purposes <i>(1) Subject to subclause (2), a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following:</i> <i>(a) a hostel,</i> <i>(b) a residential care facility,</i> <i>(c) serviced self-care housing.</i> <i>(2) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purposes of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that the housing will be provided:</i> <i>(a) for people with a disability, or</i> <i>(b) in combination with a residential care facility, or</i> <i>(c) as a retirement village (within the meaning of the Retirement Villages Act 1999).</i> <i>Note. Clause 13 (3) defines serviced self-care housing as seniors housing that consists of self-contained dwellings where meals,</i>	N/A – development is on land zoned for urban purposes.	N/A

Seniors SEPP	Response	Compliance
<p><i>cleaning services, personal care and nursing care are available on site. Clause 42 requires the consent authority to be satisfied that residents of such housing have reasonable access to services. Clause 42 also provides that if services are limited to those provided under Government provided or funded community based care packages, this does not constitute reasonable access to services.</i></p>		
<p><i>18 Restrictions on occupation of seniors housing allowed under this Chapter</i></p> <p><i>(1) Development allowed by this Chapter may be carried out for the accommodation of the following only:</i></p> <p><i>(a) seniors or people who have a disability,</i></p> <p><i>(b) people who live within the same household with seniors or people who have a disability,</i></p> <p><i>(c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</i></p> <p><i>(2) A consent authority must not consent to a development application made pursuant to this Chapter unless:</i></p> <p><i>(a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and</i></p> <p><i>(b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1).</i></p> <p><i>(3) Subclause (2) does not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.</i></p>	<p>The proposed units are intended for seniors, a restriction as to user in accordance with the SEPP will be registered.</p>	<p>Complies</p>
<p><i>19 Use of seniors housing in commercial zones</i></p> <p><i>Development allowed by this Chapter for the purposes of seniors housing does not include the use for residential purposes of any part of the ground floor of a building that fronts a street if the building is located on land that is zoned primarily for commercial purposes unless another environmental planning instrument permits the use of all of the building for residential purposes.</i></p> <p><i>20 (Repealed)</i></p>	<p>The site is zoned for urban purposes. The entry to the villas will be from the proposed new road via Jordan Springs Boulevard. This road will also provide for pedestrian access. The site has frontage to Jordan Springs Boulevard, however a perimeter fence is proposed.</p>	<p>Complies</p>
<p><i>21 Subdivision</i></p>		<p>Not applicable</p>



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<p><i>Land on which development has been carried out under this Chapter may be subdivided with the consent of the consent authority.</i></p> <p><i>Note. Clause 5 (3) of this Policy ensures that subdivision on the land referred to in clause 4 (9) (b) is permitted by this clause with the consent of the consent authority despite the provisions of clause 65A of the former Sutherland Shire Local Environmental Plan 2000 (which continues to apply to the land by virtue of clause 7 (2) (a) of Sutherland Shire Local Environmental Plan 2006).</i></p>	<p>Subdivision of the proposed villas is not proposed in conjunction with this application.</p>	
<p><i>22 Fire sprinkler systems in residential care facilities for seniors</i></p> <p><i>Development for the purpose of the installation of a fire sprinkler system in a residential care facility for seniors may be carried out with development consent.</i></p>	<p>Noted.</p>	<p>Noted.</p>
<p><i>23 Development on land used for the purposes of an existing registered club</i></p> <p><i>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that is used for the purposes of an existing registered club unless the consent authority is satisfied that:</i></p> <p><i>(a) the proposed development provides for appropriate measures to separate the club from the residential areas of the proposed development in order to avoid land use conflicts, and</i></p> <p><i>(b) an appropriate protocol will be in place for managing the relationship between the proposed development and the gambling facilities on the site of the club in order to minimise harm associated with the misuse and abuse of gambling activities by residents of the proposed development.</i></p> <p><i>Note. The Gaming Machines Act 2001 and the regulations made under that Act provide for gambling harm minimisation measures.</i></p> <p><i>(2) For the purposes of subclause (1) (a), some of the measures to which a consent authority may have regard include (but are not limited to) the following:</i></p> <p><i>(a) any separate pedestrian access points for the club and the residential areas of the proposed development,</i></p> <p><i>(b) any design principles underlying the proposed development aimed at ensuring acceptable noise levels in bedrooms and living areas in the residential areas of the proposed development.</i></p> <p><i>Note. See also clause 34 in relation to noise minimisation design principles.</i></p>	<p>The site is not used for an existing registered club.</p>	<p>Not applicable.</p>

Seniors SEPP	Response	Compliance
<b>Part 2 Site-related requirements</b> <b>Clause 26 Location and access to facilities</b>		
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p>	<p>The residents of the proposed development will have access to shops, bank service providers and other retail and commercial services and a general medical practitioner via a regular bus service.</p> <p>The Traffic and Parking Assessment Report prepared by Bitzios Consulting, identifies the site is within 400m walking distance to regular bus services throughout the week. Bus stops are located north of the site along Jordan Springs Boulevard and provide services to Penrith Westfield.</p>	Complies
<p>(2) Access complies with this clause if:</p> <p>(a) the facilities and services referred to in subclause (1) are located at a <b>distance of not more than 400 metres from the site</b> of the proposed development that is a distance accessible by means of a <b>suitable access pathway and the overall average gradient for the pathway is no more than 1:14</b>, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time, or</p> <p>(b) in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development:</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from</p>	<p>The Access Report prepared by Accessibility Solutions states several bus routes which operate within approximately 400m walking distance of the site along Jordan Springs Boulevard.</p> <p>To access services residents could use bus route 783, the closest bus stop is located within 400m walking distance north of the site on Jordan Springs Boulevard. The bus stop is accessed via a sealed pedestrian footpath.</p> <p>Bus route 783 will take residents to the bus stop opposite Westfield Shopping Centre and Penrith Train Station. Westfield is a maximum walking distance of 400m from the bus stop. Residents can access the Shopping Centre via the sealed pedestrian footpath.</p> <p>Route 783 provides bus services between 8am and 6pm each day Monday to Friday.</p> <p>The Access Report concludes the available bus services provided by Route 783 facilitate appropriate access to services in a manner consistent with clause 26(2)(b) of the SEPP HS.</p> <p>The Access Report further concludes the existing footpath infrastructure on Jordan Springs Boulevard and Lakeside Parade as discussed above provide appropriate pedestrian access to the Jordan Springs shopping centre</p>	Complies

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<p><b><i>the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3), or</i></b></p> <p>(c) ....NA</p> <p><i>Note. Part 5 contains special provisions concerning the granting of consent to development applications made pursuant to this Chapter to carry out development for the purpose of certain seniors housing on land adjoining land zoned primarily for urban purposes. These provisions include provisions relating to transport services.</i></p>	<p>and public bus transport in accordance with clause 26(2)(3)(4) of the SEPP HS.</p> <p>Furthermore, it is anticipated that the number of public transport options for the site will only increase over time, further improving the site's accessibility.</p>	
<p>(3) For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.</p> <p>(4) For the purposes of subclause (2):</p> <p>(a) a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and</p> <p>(b) distances that are specified for the purposes of that subclause are to be measured by reference to the length of any such pathway.</p> <p>(5) In this clause:</p> <p>bank service provider means any bank, credit union or building society or any post office that provides banking services.</p>	<p>The Access Report confirms the existing footpath infrastructure on Jordan Springs Boulevard and Lakeside Parade as discussed above provide appropriate pedestrian access to the Jordan Springs shopping centre and public bus transport in accordance with clause 26(2)(3)(4) of the SEPP HS.</p>	Complies
<b>Clause 27 Bushfire Prone Land</b>		
<p><i>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 10.3 of the Act as "Bush fire prone land—vegetation category 1", "Bush fire prone land—vegetation category 2" or "Bush fire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection, ISBN</i></p>	<p>The site is identified as being bushfire prone.</p> <p>As discussed in Section 6 of the SEE, the proposal is accompanied with a Bushfire Protection Assessment Report which confirms the proposal can comply with Planning for Bushfire Protection 2006.</p>	Complies



Seniors SEPP	Response	Compliance
<p>0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.</p> <p>(2) A consent authority, in determining a development application made pursuant to this Chapter to carry out development on land in the vicinity of land identified on a bush fire prone land map certified under section 10.3 of the Act as “Bush fire prone land—vegetation category 1”, “Bush fire prone land—vegetation category 2” or “Bush fire prone land—vegetation buffer”, must take into consideration the general location of the proposed development, the means of access to and egress from the general location and other relevant matters, including the following:</p> <p>(a) the size of the existing population within the locality,</p> <p>(b) age groups within that population and the number of persons within those age groups,</p> <p>(c) the number of hospitals and other facilities providing care to the residents of the facilities within the locality, and the number of beds within those hospitals and facilities,</p> <p>(d) the number of schools within the locality and the number of students at those schools,</p> <p>(e) existing development within the locality that has been carried out under this Policy or State Environmental Planning Policy No 5—Housing for Older People or People with a Disability,</p> <p>(f) the road network within the locality and the capacity of the road network to cater for traffic to and from existing development if there were a need to evacuate persons from the locality in the event of a bush fire,</p> <p>(g) the adequacy of access to and from the site of the proposed development for emergency response vehicles,</p> <p>(h) the nature, extent and adequacy of bush fire emergency procedures that are able to be applied to the proposed development and its site,</p> <p>(i) the requirements of New South Wales Fire Brigades.</p> <p>(3) In exercising its functions under subclause (1) or (2), a consent authority must consult with the NSW Rural Fire Service and have regard to its comments.</p>		
<b>Clause 28 Water and sewer</b>		
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.</p>	<p>The proposal will be connected to reticulated water and sewer.</p>	<p>Complies</p>

Seniors SEPP	Response	Compliance
<p>(2) If the water and sewerage services referred to in subclause (1) will be provided by a person other than the consent authority, the consent authority must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development.</p>		
<p><b>Clause 29 Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply</b></p>		
<p>(1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) to which clause 24 does not apply.  Note. Clause (1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) to which clause 24 does not apply.  Note. Clause 24 (1) sets out the development applications to which that clause applies.  (2) A consent authority, in determining a development application to which this clause applies, must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).  (3) Nothing in this clause limits the matters to which a consent authority may or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies. 24 (1) sets out the development applications to which that clause applies.  (2) A consent authority, in determining a development application to which this clause applies, must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).  (3) Nothing in this clause limits the matters to which a consent authority may or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies.</p>	<p>Clause 24 does not apply to the proposal, because a site compatibility certificate is not required.</p> <p>The proposal is consistent with Clause 25 5(b) (i) (iii) and (iv). The SEE considers the existing environment, hazards and site suitability and access to services and facilities. The assessment finds the site is suitable for seniors development.</p> <p>The land is not zoned open space or special uses.</p>	<p>Complies</p>
<p><b>Part 3 Design requirements – Division 1 General</b></p>		
<p>30 Site analysis  (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the</p>		

Seniors SEPP	Response	Compliance
<p>applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.</p> <p>(2) A site analysis must:</p> <p>(a) contain information about the site and its surrounds as described in subclauses (3) and (4), and</p> <p>(b) be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site):</p> <p>(i) explaining how the design of the proposed development has regard to the site analysis, and</p> <p>(ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.</p>	<p>The architectural package, site analysis plans, design verification statement and SEE provides a detailed consideration of the site and the design response to the site. The SEE details how the proposed design has regard to the design principles in Division 2 and include visual and acoustic privacy, solar access and accessibility.</p>	<p>Complies</p>
<b>Clause 32 Design of residential development</b>		
<p>A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.</p>	<p>Noted – the proposal meets the requirements of Division 2.</p>	<p>Complies</p>
<b>Division 2 Design Principles</b>		
<b>Clause 33 Neighbourhood amenity and streetscape</b>		
<p>The proposed development should:</p> <p>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</p> <p>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p>	<p>The proposal has been designed to be consistent with the desired future character of the precinct, providing a high quality development.</p> <p>The provision of seniors housing will provide for a type of housing for which there is increasing demand as the population in the area ages.</p> <p>The does not comprise nor is it within close proximity to any heritage items. The proposal will contribute to a high level of residential amenity as demonstrated in the SEE, SEPP 65 and ADG assessment accompanied with this proposal.</p> <p>Adequate setbacks from the road and from surrounding uses / buildings are provided to reduce bulk and privacy concerns. Overshadowing impacts are minimised due to the siting of the multi storey portion of the proposal. The proposal responds to the desired future character of the area.</p>	<p>Complies</p>



Seniors SEPP	Response	Compliance
<p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>		
<b>Clause 34 Visual and acoustic privacy</b>		
<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The proposal will contribute to a high level of residential amenity with regards to visual and acoustic privacy as demonstrated in the SEE, SEPP 65 and ADG assessment accompanied with this proposal.</p>	<p>Complies</p>
<b>Clause 35 Solar access and design for climate</b>		
<p>The proposed development should:</p> <p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p> <p>Note. AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions</p>	<p>The proposal achieves a high level of residential amenity with regard to solar access to private open spaces.</p> <p>The shadow analysis provided within the architectural package demonstrates at least 70% of units receive at least 2 hours of sunlight to private open spaces between 9am and 3pm in mid winter. The proposal also includes a communal open space area within the seniors development as an option for those villas not receiving sunlight to their private open spaces.</p>	<p>Complies</p>
<b>Clause 36 Stormwater</b>		
<p>The proposed development should:</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p> <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>The proposal incorporates minimal impervious surfaces within the site. The proposal incorporates extensive landscaping within the front and rear setbacks.</p>	<p>Complies</p>
<b>Clause 37 Crime prevention</b>		
<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</p> <p>(b) where shared entries are required, providing shared entries that serve a small</p>	<p>The proposed development has been designed to create a safe environment for residents in accordance with the four key CPTED principles. The proposed incorporates the following measures:</p> <p>The proposal provides for a safe environment through surveillance and activation including:</p>	<p>Complies</p>

Seniors SEPP	Response	Compliance
<p>number of dwellings and that are able to be locked, and</p> <p>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	<ul style="list-style-type: none"> <li>• living areas and private open spaces fronting the proposed internal road</li> <li>• lighting around the entries into the building and of public areas adjoining the building</li> <li>• landscaping to distinguish public and private spaces</li> </ul>	
<b>Clause 38 Accessibility</b>		
<p>The proposed development should:</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The proposal incorporates safe and obvious pedestrian links from the site to public transport services and convenient access to parking for residents and their visitors.</p>	Complies
<b>Clause 39 Waste management</b>		
<p>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>The proposal incorporates storage for recycling and waste materials available in the waste storage areas within the site.</p>	Complies
<p><b>Part 4 Development standards to be complied with</b></p> <p><b>Division 1 General</b></p>		
<p><b>40 Development standards—minimum sizes and building height</b></p>		
<p>(1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.</p> <p>(2) Site size The size of the site must be at least 1,000 square metres.</p> <p>(3) Site frontage The site frontage must be at least 20 metres wide measured at the building line.</p> <p>(4) Height in zones where residential flat buildings are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>(a) the height of all buildings in the proposed development must be 8 metres or less, and</p> <p>Note. Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See clauses 48 (a), 49 (a) and 50 (a).</p> <p>(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</p> <p>Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.</p> <p>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p> <p>(5) Development applications to which clause does not apply Subclauses (2), (3) and (4) (c)</p>	<p>Both lots have a site area of at least 1,000m<sup>2</sup> and a site frontage of at least 20m.</p> <p>The villas and proposed to be single storey and the future residential flat buildings will be between 4 to 6 storeys in height.</p>	Complies



Seniors SEPP	Response	Compliance
do not apply to a development application made by any of the following: (a) the Department of Housing, (b) any other social housing provider.		
<b>Division 3 Hostels and self-contained dwellings – standards and useability</b>		
<b>Clause 41 Standards for hostels and self-contained dwellings</b>		
(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development. (2) Despite the provisions of clauses 2, 7, 8, 9, 10, 11, 12, 13 and 15–20 of Schedule 3, a self-contained dwelling, or part of such a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements of those provisions if the development application is made by, or by a person jointly with, a social housing provider.	An assessment of the proposal against Schedule 3 is provided below. The assessment indicates the proposal is consistent with Schedule 3.	Complies
<b>Part 7 Development standards that cannot be used as grounds to refuse consent</b>		
<b>Division 1 General</b>		
<b>Clause 46 Inter-relationship of Part with design principles in Part 3</b>		
(1) Nothing in this Part permits the granting of consent to a development application made pursuant to this Chapter if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3. Note. It is considered possible to achieve good design and achieve density ratios set out in Division 2. Good design is critical to meriting these density ratios. (2) For the avoidance of doubt, nothing in this Part limits the matters to which the Director-General may have regard in refusing to issue a site compatibility certificate.	Noted	Noted
<b>Clause 47 Part does not apply to certain development applications relating to heritage affected land</b>		
Nothing in this Part applies in relation to the granting of consent to a development application made pursuant to this Chapter for the carrying out of development on land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies.	Noted. There are no interim or heritage items within the site.	N/A
<b>Division 4 Self-contained dwellings</b>		
<b>Clause 50 Standards that cannot be used to refuse development consent for self-contained dwellings</b>		
A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds:	Height: The proposed villas are below 8m in height. The proposed envelopes for the future residential flat buildings will range from in height from 4 storeys to 6 storeys, with maximum heights of around 22.5 metres. However, as outlined in the SEE, these heights are justifiable	

Seniors SEPP	Response	Compliance
<p>(a) <i>building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys),</i></p> <p>(b) <i>density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</i></p> <p>(c) <i>landscaped area: if:</i>            (i) .....            (ii) <i>in any other case—a minimum of 30% of the area of the site is to be landscaped,</i></p> <p>(d) <i>Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,</i></p> <p>(e) <i>solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</i></p> <p>(f) <i>private open space for in-fill self-care housing: if:</i>            (i) <i>in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and</i>            (ii) .....  <i>Note. The open space needs to be accessible only by a continuous accessible path of travel (within the meaning of AS 1428.1) if the dwelling itself is an accessible one. See Division 4 of Part 4.</i></p> <p>(g) <i>(Repealed)</i></p> <p>(h) <i>parking: if at least the following is provided:</i>            (i) <i>0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or</i>            (ii) .....</p>	<p>based on the siting of these buildings and their relationship to adjoining approved higher scale built form and reflect discussions with the UDRP.</p> <p>Density and scale:            The FSR of the villas is 0.28:1. FSR of seniors apartments to be confirmed through detailed design and future stage DA/s.</p> <p>Landscaped area:            The proposal provides 31% of the site as landscaped area, of this area, 29% is provided as deep soil landscaping. Each villa is provided with approximately 36.5%. The proposal is therefore consistent with the landscaping provisions of the SEPP.</p> <p>Solar access:            The proposal achieves adequate solar access due to the siting of the villas. The proposed development also incorporates outdoor communal areas that will provide high levels of solar access and amenity for residents, and these areas are intended to further supplement the private open spaces.</p> <p>The shadow analysis provided within the architectural package demonstrates at least 70% of units receive at least 2 hours of sunlight to private open spaces between 9am and 3pm in mid winter. The proposal also includes a communal open space area within the seniors development as an option for those villas not receiving sunlight to their private open spaces in mid winter.</p> <p>Private open space:            All villas have a minimum private open space area of at least 15m<sup>2</sup> with a minimum dimension of 3m x 3m and are accessible from the living area.</p> <p>Car parking:            Carparking for the seniors villa has been provided in accordance with the requirements of the SEPP - at least 1 car space is provided for each villa.</p>	<p>Proposal exceeds 8 m standard – however, proposed building heights justified in SEE</p> <p>Proposal complies with other standards</p>

Seniors SEPP	Response	Compliance
Note. The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.		

Schedule 3 standards concerning accessibility and useability for hostels and self-contained dwellings		
Part 1 Standards applying to hostels and self-contained dwellings		
1 Application of standards in this Part The standards set out in this Part apply to any seniors housing that consists of hostels or self-contained dwellings.	Schedule 3 applies to the proposal.	Complies
2 Siting standards (1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road. (2) If the whole of the site does not have a gradient of less than 1:10: (a) the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and (b) the wheelchair access provided must be by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents. Note. For example, if 70% of the site has a gradient of less than 1:10, then 70% of the dwellings must have wheelchair access as required by this subclause. If more than 50% of the site has a gradient greater than 1:10, development for the purposes of seniors housing is likely to be unable to meet these requirements.	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
(3) Common areas Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
3 Security Pathway lighting: (a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and (b) must provide at least 20 lux at ground level.	All pathways will be well lit.	Complies
4 Letterboxes Letterboxes: (a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies



<p>(b) must be lockable, and (c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</p>		
<p>5 Private car accommodation If car parking (not being car parking for employees) is provided: (a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and (c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>6 Accessible entry Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>7 Interior: general (1) Internal doorways must have a minimum clear opening that complies with AS 1428.1. (2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres. (3) Circulation space at approaches to internal doorways must comply with AS 1428.1.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>8 Bedroom At least one bedroom within each dwelling must have: (a) an area sufficient to accommodate a wardrobe and a bed sized as follows: (i) in the case of a dwelling in a hostel—a single-size bed, (ii) in the case of a self-contained dwelling—a queen-size bed, and (b) a clear area for the bed of at least: (i) 1,200 millimetres wide at the foot of the bed, and (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and (d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>

<p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and (f) wiring to allow a potential illumination level of at least 300 lux.</p>		
<p>9 Bathroom (1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1: (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1, (c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future: (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror. (2) Subclause (1) (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>10 Toilet A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>11 Surface finishes Balconies and external paved areas must have slip-resistant surfaces. Note. Advise regarding finishes may be obtained from AS 1428.1.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>12 Door hardware Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p>13 Ancillary items Switches and power points must be provided in accordance with AS 4299.</p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP</p>	<p>Complies</p>

	and relevant Australian Standards and concludes the proposal complies.	
<b>Part 2 Additional standards for self-contained dwellings</b>		
<p><b>14 Application of standards in this Part</b>  <i>The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of self-contained dwellings.</i></p>	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
<p><b>15 Living room and dining room</b>  <i>(1) A living room in a self-contained dwelling must have:</i>  <i>(a) a circulation space in accordance with clause 4.7.1 of AS 4299, and</i>  <i>(b) a telephone adjacent to a general power outlet.</i>  <i>(2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.</i></p>	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
<p><b>16 Kitchen</b>  <i>A kitchen in a self-contained dwelling must have:</i>  <i>(a) a circulation space in accordance with clause 4.5.2 of AS 4299, and</i>  <i>(b) a circulation space at door approaches that complies with AS 1428.1, and</i>  <i>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299:</i>  <i>(i) benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5 (a),</i>  <i>(ii) a tap set (see clause 4.5.6),</i>  <i>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</i>  <i>(iv) an oven (see clause 4.5.8), and</i>  <i>(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and</i>  <i>(e) general power outlets:</i>  <i>(i) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and</i>  <i>(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.</i></p>	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
<p><b>17 Access to kitchen, main bedroom, bathroom and toilet</b>  <i>In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.</i></p>	The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.	Complies
<p><b>18 Lifts in multi-storey buildings</b></p>	The Access Report prepared by Accessibility Solutions provides an	Complies

<p><i>In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.</i></p>	<p>evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	
<p><b>19 Laundry</b>  <i>A self-contained dwelling must have a laundry that has:</i>  <i>(a) a circulation space at door approaches that complies with AS 1428.1, and</i>  <i>(b) provision for the installation of an automatic washing machine and a clothes dryer, and</i>  <i>(c) a clear space in front of appliances of at least 1,300 millimetres, and</i>  <i>(d) a slip-resistant floor surface, and</i>  <i>(e) an accessible path of travel to any clothes line provided in relation to the dwelling.</i></p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p><b>20 Storage for linen</b>  <i>A self-contained dwelling must be provided with a linen storage in accordance with clause 4.1.1.5 of AS 4299.</i></p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>
<p><b>21 Garbage</b>  <i>A garbage storage area must be provided in an accessible location.</i></p>	<p>The Access Report prepared by Accessibility Solutions provides an evaluation of the proposal's compliance with Schedule 3 of the Seniors SEPP and relevant Australian Standards and concludes the proposal complies.</p>	<p>Complies</p>