

Housing for Seniors - Checklist

This checklist is to be used to ensure compliance with the design requirements for independent living units under State Environmental Planning Policy (Housing) 2021, specifically Chapter 3, Part 5, Division 8.

Project Details	
Project Address:	2-4 Satara Avenue, 5 Sydney Luker Road, 1-3 Utzon Road, Cabramatta West
Project LGA:	Fairfield
Job Number:	BH2CF


Division 8 - Seniors housing – Relevant authorities

108A Development to which Division applies			
Section	Required	Proposed	Complies (Y/N)
This Division applies to development for the purposes of seniors housing involving the erection of a building on land –			
(a) on which development for the purposes of seniors housing is permitted with consent under another environmental planning instrument, <u>or</u>	Permissible within the zone	Permitted within the R2 zone under Fairfield Local Environmental Plan 2013	Y
(b) in a prescribed zone or an equivalent land use zone.	(Prescribed zones are listed in section 79 of Housing SEPP)	Listed / not listed within a prescribed zone	
108B Seniors housing permitted without development consent			
Section	Required	Proposed	Complies (Y/N)
(1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if –			
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Refer to tables below	Refer to tables below	See below
(b) the development will not result in a building with a height of more than – (i) 9.5m, or	Maximum 9.5m	Proposed design is fully under the 9.5m HOB plane. The North Eastern corner is the highest point with the parapet being 8.74m above the existing natural ground contour.	Y

<p>(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) — 11.5m, and</p> <p><i>Note:</i></p> <p><i>s84(3) The servicing equipment must —</i></p> <p>(a) <i>be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</i></p> <p>(b) <i>be limited to an area of no more than 20% of the surface area of the roof, and</i></p> <p>(c) <i>not result in the building having a height of more than 11.5m.</i></p> <p>servicing equipment includes plant, lift motor rooms and fire stairs.</p>		<p>All services equipment fits below 9.5m HOB plane.</p> <p>Services are fully integrated. The design contains a parapet to all street sides that obscures, hides or conceals plan equipment and lift overrun.</p> <p>PV-Cells requirement to meet BASIX exceeds the 20% but is acceptable as these PV-Cells are concealed behind the parapet.</p> <p>No part of building is above 11.5m</p>	
(c) the seniors housing will not contain more than 40 dwellings on the site.	Maximum 40 dwellings	#20 Dwelling	Y
(2) State Environmental Planning Policy (Transport and Infrastructure) 2021, sections 2.15 and 2.17 apply to the development and, in the application of the clauses —			
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Refer to tables below	Refer to tables below	See separate table below
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Refer to tables below	Refer to tables below	See separate table below
108CB – Considerations before carrying out development			
Section	Required	Proposed	Complies (Y/N)
(1) Before carrying out development to which this division applies, the relevant authority must consider —			
(a) the Seniors Housing Design Guide , published by the Department in December 2023, and	Consider SHDG	SHDG considered, refer to separate table below	See separate table below
(b) the design principles for seniors housing set out in Schedule 8.	Consider design principles set out in Schedule 8	Design principles addressed in separate table below	See separate table below
(2) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020, and	Not applicable to Land and Housing Corporation	n/a	n/a

<p>(3) Before carrying out development to which this division applies, the Land and Housing Corporation must consider —</p> <p>(a) Good Design for Social Housing, published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and</p> <p>(b) the NSW Land and Housing Corporation Design Requirements, published by the Land and Housing Corporation in February 2023.</p>	<p>Consider the <i>Good Design for Social Housing</i> and the <i>NSW Land and Housing Corporation Design Requirements</i></p>	<p>The <i>Good Design for Social Housing</i> and the <i>NSW Land and Housing Corporation Design Requirements</i> considered in the table below</p>	<p>See separate table below</p>
<p>(4) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i>, published by Landcom, in partnership with the Government Architect NSW, in November 2023.</p>	<p>Not applicable to Land and Housing Corporation</p>	<p>n/a</p>	<p>n/a</p>
108D Exempt development			
Section	Required	Proposed	Complies (Y/N)
<p>Development for the purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing.</p>	<p>Noted</p>	<p>Noted</p>	<p>-</p>
108E Subdivision of seniors housing not permitted			
Section	Required	Proposed	Complies (Y/N)
<p>Development consent must not be granted for the subdivision of seniors housing.</p>	<p>No subdivision of seniors housing permitted</p>	<p>Noted</p>	<p>Noted</p>

LAHC required to CONSIDER the design principles in Schedule 8 of the Housing SEPP:

Schedule 8 – Design principles for seniors housing		
Design Certification must be provided by the Architect that the project has considered Schedule 8 – Design principles for seniors housing.		
Design Principle		Design Response / Comment
1 Neighbourhood amenity and streetscape		
<p>Seniors housing should be designed as follows –</p> <p>(a) to recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation,</p> <p>(b) to recognise the desirable elements of –</p> <p>(i) the location’s current character, or</p> <p>(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area,</p> <p>(c) to complement heritage conservation areas and heritage items in the area,</p> <p>(d) to 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 buildings, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,</p> <p>(e) to set back the front building on the site generally in line with the existing building line,</p> <p>(f) to include plants reasonably similar to other plants in the street,</p> <p>(g) to retain, wherever reasonable, significant trees,</p> <p>(h) to prevent the construction of a building in a riparian zone.</p>		<p>The project is for senior independent living with the design corresponding to the needs for people ageing in place, providing accessible paths to all units, good access to communal facilities.</p> <p>The buildings are kept smaller in scale, with the design concept and detailing to represent a row of townhouses, breaking up the façade.</p> <p>Not Applicable – not a precinct undergoing a transition to a substantially different type of housing.</p> <p>Not Applicable the site is not in a conservation area nor are any of the existing buildings on the site or in the proximity of the site heritage listed</p> <p>Generally, setbacks provided in alignment with adjoining properties and/or council setbacks requirements. The Setbacks provide a good landscaped buffer zone similar to the existing dwellings.</p> <p>A variety of two and single storey buildings exist in the direct context of the site. The design response is to keep the proposed a maximum of two Storeys.</p> <p>No proposed building is on the boundary with good side setbacks of 5-6metres</p> <p>The proposed front setbacks on Satara Avenue, Sydney Luker Road and Utzon Road reflect existing front setbacks the other dwellings in the neighbourhood.</p> <p>Planting selection is to council guidelines for the desired appearance of the landscaping</p> <p>A significant tree is retained together with some other trees around the site. The buildings form are responding to the preservation of the significant tree that has been retained.</p> <p>The site is not in a riparian zone</p>
2 Visual and acoustic privacy		
<p>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and all residents of the seniors housing by –</p> <p>(a) using appropriate site planning, including considering 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>Considered by using 6 metres (ADG recommended) setbacks from the units 9&10 and 19&20. These units look to the side fencing or roof of the adjoining neighbourhood. The distance to the backyard of the neighbour rear backyard exceeds 12metres in a diagonal measurement.</p> <p>In addition to the setbacks, planting in the swale is to create a “green/leafy” screen along the boundary. Other devises as screens could be accommodated for if desired at a later stage.</p> <p>Were possible located away from the bedrooms only unit 7 and 10 have bedrooms to the car parking. These bedrooms</p>

	are protected with a wide planter to improve noise protection.
3 Solar access and design for climate	
<p>The design of seniors housing should —</p> <p>(a) for development involving the erection of a new building — provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, 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>The site is located to the South of the neighbours and with the two-storey height, the proposed design has no adverse impact is on the existing solar access for the neighbours</p> <p>Very high cross ventilation and good solar access provided for almost all units. The design demonstrates very good considerations in siting and dwelling design for solar access, ventilation and passive heating of the units.</p>
4 Stormwater	
<p>The design of seniors housing should aim to —</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 proposed design does not impact the neighbouring sites in regards to the existing stormwater conditions. AS the site is at the lower end of the topography compared to the neighbours, the stormwater runs into the site from the neighbouring properties. To mitigate the stormwater runoff from the neighbours, a swale is incorporated into the landscape design. The swale diverts the water from the centre to the street side without affecting the neighbours.</p> <p>On site water is captured via a drainage and run into a on-site-detention tank to temporarily collect the water. Hard surfaces are kept at a minimum to avoid additional water and provide a natural drainage into the soil, this reduces the amount of stormwater to be captured and contained in the OSD tank. Where possible permeable surface and floor finishes are use.</p>
5 Crime prevention	
<p>Seniors housing should —</p> <p>(a) be designed in accordance with environmental design principles relating to crime prevention, and</p> <p>(b) provide personal property security for residents and visitors, and</p> <p>(c) encourage crime prevention by —</p> <p>(i) 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 the area, driveway or street, and</p> <p>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</p> <p>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	<p>Design provides good passive community surveillance with living room and private open spaces overlooking the road, and the communal outdoor space. Front entries are glazed for a good visual connection. All communal areas internal and external are well lite providing minimal dark zones at night.</p> <p>All units have good security system with a secured front door. Visitors parking is on the street, and good view onto the street from the units provide passive surveillance.</p> <p>The design allows for good observation of main entrance from adjoining dwellings, from dwelling to the street and dwellings to the parking area and communal open space.</p> <p>Shared entrance provided that services 8 units over two storeys in the building on Utzon Road and 12 units over two storeys on Satara Avenue. These is considered a small amount of units per lobby.</p> <p>Security system to be provided to front door of the units to allow residents to view the area in front of the front door. This could either be a camera system or a peephole in the front door.</p>
6 Accessibility	
<p>Seniors housing should —</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</p>	<p>The site is within 400m of a bus stop. The footpath leading from the bus stop to the site is an accessible path with hard surfaces and gradients that meet the requirements</p>

<p>(b) provide safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>for accessibility. The path is compliant to section 93 of the Housing SEPP</p> <p>Residents parking is in the parking area behind the street building line with passive surveillance from some units onto the parking area. The access to the parking area is set away from pedestrian access so the different modes of transportation are adequately separated. Visitors have an opportunity to park along the street kerbs, near the entrance or in areas with good access via footpaths to the main lobby entrance. Good passive surveillance onto the street is provided by orientating private open space and living rooms to the street.</p>
<p>7 Waste management</p>	
<p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>The design incorporates waste bin areas for residents. A separate waste area is provided for each building with good access from the entrance whilst maintaining good visual concealment of the bins. The waste areas provide equitable access to each bin. Refer to the waste management report for detailed information in regards to the bin amount for recycling, green waste and general waste.</p>

LAHC required to CONSIDER the following:

Section 108B(1)(a) requires that the Land and Housing Corporation has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108 prior to undertaking development without consent:

Section	Required	Proposed	Complies (Y/N)
84(2)(c) for development on land in a residential zone where residential flat buildings are not permitted —	(iii) if the development results in a building with more than 2 storeys — the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	Two storey residential flat building provided with side setbacks in lieu of the 45-degree angle	Y
85(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.	Schedule 4 detailed separately below	Schedule 4 detailed separately below	Y
85(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.	Noted - LAHC is a social housing provider	Noted - LAHC is a social housing provider	Y
88 Restrictions on occupation of seniors housing	This section limits the occupation of Seniors Housing to: (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part. The consent authority is responsible for ensuring that the development is occupied in accordance with these restrictions.	DCJ are responsible for allocation of tenants.	Y
89 Use of ground floor of seniors housing in business zones	This section relates to seniors housing in business zones	n/a	n/a
108(2) The following are non-discretionary development standards in relation to	108(2)(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	Height of Parapet is below the 9.5metres	Y

development for the purposes of independent living units —	<p>108(2)(b)</p> <p>servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m —</p> <p>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(iii) does not result in the building having a height of more than 11.5m,</p>	Even roof equipment is below 9.5metres	Y
	<p>108(2)(c)</p> <p>the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</p>	<p>Considered in the context of any local control</p> <p>Fairfield LEP is 0.45:1</p>	N - Slightly Above
	<p>108(2)(d)</p> <p>a minimum landscaped area that is the lesser of –</p> <p>(i) 35m² per dwelling, or</p> <p>(ii) 30% of the site area,</p> <p>landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.</p>		<p>Y</p> <p>The amount provided for landscaping meets minimums required. The landscape area is a resultant of front setbacks, retaining the significant tree and minimum parking and hard surfaces.</p>
	<p>108(2)(e)</p> <p>(repealed)</p>		
	<p>108(2)(f)</p> <p>a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,</p> <p>deep soil zone means a landscaped area with no buildings or structures above or below the ground.</p>		<p>Y</p> <p>A larger amount of deep soil is provided than the minimum required under this clause.</p>
	<p>108(2)(g)</p> <p>at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,</p>	Note: LAHC design requirement is 3 hours and this should be the aim	<p>Y</p> <p>Provided to a majority of the units 4 out of 20 do not have the three hours. 80% of units receive direct solar.</p>
	<p>108(2)(h)</p> <p>for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building —</p>		<p>Y</p> <p>Provided at least 15sqm for ground floor open space</p>

	<p>(i) at least 15m² of private open space per dwelling, and</p> <p>(ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,</p> <p><i>Note —</i></p> <p>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 Schedule 4, section 2</p>		
	<p>108(2)(i)</p> <p>for a dwelling in a multi-storey building not located on the ground floor — a balcony accessible from a living area with minimum dimensions of 2m and —</p> <p>(i) an area of at least 10m², or</p> <p>(ii) for each dwelling containing 1 bedroom — an area of at least 6m²,</p>	<p>Note: LAHC Design Requirements require 8m² for One-bedroom dwellings</p>	<p>Y</p> <p>Provided at least 15sqm for ground floor open space, 8sqm for the level 1 one-bedrooms and 10sqm for the two-bedrooms or more provided.</p>
	<p>108(2)(j)</p> <p>for a development application made by, or made by a person jointly with, a social housing provider or Landcom — at least 1 parking space for every 5 dwellings,</p>	<p>Note: LAHC requires parking in accordance with the accessible area rate:</p> <p>1 bed – 0.4 spaces</p> <p>2 bed – 0.5 spaces</p> <p>3 bed – 1 space</p>	<p>Y</p> <p>Parking spaces meet the apartment mix car parking ratio</p>
	<p>108(2)(k)</p> <p>if paragraph (j) does not apply — at least 0.5 parking spaces for each bedroom.</p>	n/a	

LAHC required to CONSIDER the requirements of
Schedule 4 of the Housing SEPP:

Schedule 4 Standards concerning accessibility and usability for hostels and independent living units

Design Certification must be provided by the Architect that the project has considered the requirements of Schedule 4 of the Housing SEPP.

[illegible]

Clause / Required	Proposed	Complies (Y/N)
<p>(b) be at least 2.5m high, and</p> <p>(c) have a level surface with a maximum gradient of 1:40 in any direction, and</p> <p>(d) be capable of being widened to 3.8m without requiring structural modifications to a building.</p> <p>(2) If parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are provided in a common area for use by occupants who are seniors or people with a disability, the following applies —</p> <p>(a) for a parking space not in a group — the parking space must comply with AS/NZS 2890.6,</p> <p>(b) for a group of 2–7 parking spaces —</p> <p>(i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) 50% of the parking spaces must —</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction,</p> <p>(c) for a group of 8 or more parking spaces —</p> <p>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) at least 50% of the parking spaces must —</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</p> <p>(3) To avoid doubt, a parking space that complies with AS/NZS 2890.6 is only counted toward 1 of the requirements in subsection (2)(b)(i) or (ii) or (c)(i) or (ii).</p> <p>(4) At least 5% of any visitor parking spaces must comply with AS/NZS 2890.6.</p> <p>(5) A parking space required by this section to comply with AS/NZS 2890.6, other than a visitor parking space, is not required to include the international symbol of access.</p> <p>(6) If multiple parking spaces are accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.</p> <p>(7) A parking space, other than a parking space under subsection (6), must be —</p> <p>(a) secured by a power-operated door, or</p> <p>(b) capable of accommodating the installation of a power-operated door, including by having —</p> <p>(i) access to a power point, and</p> <p>(ii) an area for motor or control rods for a power-operated door.</p> <p>(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.</p> <p>(9) In this section, a parking space is in a common area if it is not attached to or integrated with a hostel or independent living unit.</p>	<p>LAHC does not generally provide vehicle gates to common access points for maintenance reasons. If a vehicle gate, garage door or similar device is to be provided, it is to be power-operated.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Y</p> <p>It is a class 2 building with accessible parking that:</p> <p>Y</p> <p>Designed to AS2890.6</p> <p>N/A</p> <p>10 Spaces</p> <p>Y</p> <p>Y</p> <p>4 spaces are compliant to AS2890.6 (40%)</p> <p>Y</p> <p>N/A</p> <p>Y</p> <p>Counted as one</p> <p>N/A</p> <p>No visitor parking provided on site.</p> <p>N/A</p> <p>N</p> <p>Requested by client to not provide an access gate</p> <p>N/A</p> <p>NO access gate provided.</p> <p>Y</p> <p>Shared area is per AS2890.6</p> <p>N/A</p>
<p>5 Accessible entry</p> <p>(1) The main entrance to a dwelling must have –</p> <p>(a) a clear opening that complies with AS 1428.1, and</p> <p>(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.</p>	<p>All entries to buildings, both rear and front are accessible</p>	<p>Y</p> <p>Y</p> <p>Circulation space at entrance provided</p>


Clause / Required	Proposed	Complies (Y/N)
(2) This section does not apply to an entry for employees. circulation space has the same meaning as in AS 1428.1		N/A Employers use same entrance as residents.
6 Interiors (1) An internal doorway must have an unobstructed opening that complies with AS 1428.1. (2) An internal corridor must have an unobstructed width of at least 1,000 millimetres. (3) The circulation spaces in front of and behind an internal doorway in the following areas must comply with AS 1428.1 – (a) a kitchen, (b) a laundry, (c) a bathroom, (d) a toilet, (e) a bedroom, (f) a living area, (g) the main area of private open space. (4) To avoid doubt, subsection (3)(b) does not apply to laundry facilities in a cupboard.	Provided doorways meet the AS1428 requirements and corridors are at least 1metre wide with adequate doorway width in kitchen, laundry, bathroom and bedrooms	Y Y Y Y Y Y Y Y N/A
7 Bedroom At least one bedroom in a dwelling must have the following – (a) a clear area, not including a circulation space, sufficient to accommodate – (i) for a hostel – a wardrobe and a single-size bed, or (ii) for an independent living unit – a wardrobe and a queen-size bed, (b) a clear area around the area for the bed of at least – (i) 1,200 millimetres at the foot of the bed, and (ii) 1,000 millimetres on each side of the bed, (c) at least 2 double general power outlets on the wall where the head of the bed is likely to be, (d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be.	Wardrobe provided NA Queen size bed shown 1200 at foot end provided And 1metre to the side Refer to electrical engineer documentation in regards to power and light switches. Tender documentation to provide control set outs.	Y N/A Y Y Y Y
8 Bathroom (1) At least one bathroom in a dwelling must be located on – (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. (2) The bathroom must have the following - (a) a slip-resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586-2013, (b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use existing hydraulic lines, (c) a shower that - (i) is accessible without a shower-hob or step, and (ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and	Provided Noted – to tender stage details. Provided Provided Provided a step free shower Provided to meet AS1428 including gradient	Y Y Y Y Y Y

Clause / Required	Proposed	Complies (Y/N)
<p>(iii) is in the corner of a room, and</p> <p>(iv) has a wall capable of accommodating the installation of a grab rail, portable shower head with supporting grab rail and shower seat, in accordance with AS 1428.1,</p> <p>(d) a wall cabinet with shelving illuminated by an illumination level of at least 300 lux,</p> <p>(e) a double general power outlet in an accessible location, in accordance with AS 1428.1.</p> <p>(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.</p>	<p>Provided in corner</p> <p>Provided to later details</p> <p>Refer to electrical engineer</p> <p>Refer to electrical engineer</p> <p>Provided</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
<p>9 Toilet</p> <p>(1) At least one toilet in a dwelling must be located on —</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p> <p>(2) The toilet must have the following —</p> <p>(a) a water closet pan —</p> <p>(i) in the corner of the room, and</p> <p>(ii) with a centreline set-out in accordance with AS 1428.1,</p> <p>(b) a circulation space in front of the water closet pan that is —</p> <p>(i) at least 1,200mm long and at least 900mm wide, and</p> <p>(ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails,</p> <p>(c) a circulation space around the water closet pan that complies with AS 1428.1,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013,</p> <p>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</p> <p>(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).</p>	<p>All dwellings have a toilet at the level of main floor of the unit</p> <p>-</p> <p>Provided a water closet pan</p> <p>In the corner of the room</p> <p>Set out per AS1428</p> <p>With circulation space</p> <p>And Grabrails</p> <p>Provided</p> <p>Floor details to later stag</p> <p>Back rest could be installed, details in later stage</p> <p>Removable shower screen to later details</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
<p>10 Surfaces of balconies and external paved areas</p> <p>Balconies and external paved areas must have surfaces that are slip-resistant and comply with -</p> <p>(a) the <i>Building Code of Australia</i>, or</p> <p>(b) the Standards Australia Handbook SA HB 198:2014, <i>Guide to the specification and testing of slip resistance of pedestrian surfaces</i>, published on 16 June 2014.</p>	<p>Noted – to tender stage details.</p>	<p>Y</p> <p>Y</p>
<p>11 Door hardware</p> <p>(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.</p> <p>(2) To avoid doubt subsection (1) does not apply to cabinetry.</p>	<p>Noted – to tender stage details.</p>	<p>Y</p> <p>N/A</p>
<p>12 Switches and power points</p> <p>(1) Switches and power points must —</p> <p>(a) comply with AS 1428.1, or</p> <p>(b) be capable of complying with AS 1428.1 through future adaptation.</p> <p>(2) Subsection (1) does not apply to —</p> <p>(a) remote controls, or</p>	<p>Noted – to tender stage details.</p>	<p>Y</p> <p>Y</p> <p>Y</p>

Clause / Required	Proposed	Complies (Y/N)
18 Kitchen		
(1) A kitchen in an independent living unit must be located on —		
(a) the same floor as the entry to the dwelling, or	Provided to all	Y
(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Provided to all units on the second storey.	N/A
(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each bench top, cupboard or large appliance and each other bench top, cupboard or large appliance.	Provided sufficient circulation	Y
(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without —	Provided sufficient circulation	Y
(a) relocating the sink, or		Y
(b) moving a load-bearing wall, or		Y
(c) breaching another circulation requirement.		Y
(4) The kitchen must have the following fittings —		
(a) a bench that includes at least one work surface that is —	Provided design accommodates 800mm long work surface that is clear of obstructions	Y
(i) at least 800mm long, and	Not in the corner	Y
(ii) clear of obstructions, and		Y
(iii) not in the corner of the room,	Level tab could be accommodated, details at later stage	Y
(b) a lever tap set with the lever and water source that is within 300mm of the front of the bench,	Located next to the work surface	Y
(c) a cooktop next to the work surface,	To later details	Y
(d) an isolating switch for the cooktop,	Oven located in this range	Y
(e) an oven that —	Near the work surface	Y
(i) has operative elements between 450mm and 1,250mm above the finished floor level, and		
(ii) is next to the work surface,	To electrical engineer details	Y
(f) at least one double general power outlet located within 300mm of the front of a work surface.		
(5) The cupboards must —		
(a) not be entirely located in the corner of the bench or the corner of the room, and	Cupboards provided besides a corner version	Y
(b) face where the user of the fixture is likely to be.		Y
(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.	Can be accommodated – to later stage details	Y
(7) A below-bench cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the top of the cupboard.	Can be accommodated – to later stage details	Y
(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must —	Can be accommodated – to later stage details	
(a) not be in the corner of the bench or the corner of the room, and		Y
(b) face where the user of the fixture is likely to be.		Y
(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.	Can be accommodated – to later stage details	Y
19 Laundry		
(1) A laundry in an independent living unit must be located on —		
(a) the same floor as the entry to the dwelling, or	Provided to all	Y
(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Provided to all units on the second storey.	Y
(2) The laundry must have the following —	Provided sufficient circulation	

Clause / Required	Proposed	Complies (Y/N)
<p>(a) a circulation space that complies with AS 1428.1 at the approach to any external doors,</p> <p>(b) an appropriate space for an automatic washing machine and a clothes dryer,</p> <p>(c) a clear space in front of each appliance of at least 1,550mm,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013,</p> <p>(e) a continuous accessible path of travel to the main area of private open space or any clothes line provided for the dwelling.</p> <p>(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.</p> <p>(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations—</p> <p>(a) for below-bench cupboards—towards the top,</p> <p>(b) for overhead cupboards—towards the bottom,</p> <p>(c) for floor-to-ceiling doors—between 900mm and 1,100mm above the finished floor level.</p> <p>(5) In this section— laundry includes laundry facilities in a cupboard.</p>	<p>Space for these machines has been provided</p> <p>Circulation space provided.</p> <p>To later stage detail – ready to comply</p> <p>Access path provided to balcony or POS</p> <p>No overlap provided</p> <p>N/a</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
<p>20 Linen storage</p> <p>An independent living unit must have a floor-to-ceiling linen storage cupboard that—</p> <p>(a) is at least 600mm wide, and</p> <p>(b) has adjustable shelving.</p>	<p>600mm wide linen storage provided</p> <p>To later stage detail – ready to comply</p>	<p>Y</p> <p>Y</p>
<p>21 Lift access in multi-storey buildings</p> <p>An independent living unit on a storey above the ground storey must be accessible by a lift that complies with the <i>Building Code of Australia</i>, Volume 1, Part E3.</p>	<p>Lift provided is based on the vertical transportation expert advice.</p>	<p>Y</p>
<p>22 Garbage and recycling</p> <p>A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.</p>	<p>Garbage area is accessible</p>	<p>Y</p>

LAHC required to CONSIDER the Seniors Housing Design Guide:

Seniors Housing Design Guide (SHDG)	
Design Certification must be provided by the Architect that the project has considered the Seniors Housing Design Guide.	
	
Part 2 Guidance Chapters	Architect to provide comment as to how the design addresses these guidance chapters
1.0 Designing for Country	The proposed design incorporates good design practises for sustainable design that helps in caring for Country. In addition, the design contains large deep soil landscape areas with the landscape architect proposing suitable, and indigenous species. Part of the design is an allowance for an artist to provide some feature items in the entrance awning to give each building a unique identity.
2.0 Care for the planet	Provided a BASIX – ESD compliant design with a focus on energy efficient with good solar and cross ventilation. An existing tree has been retained and the design is adjusted around this tree. In addition, large landscaped area provides opportunity for new large trees to grow.
3.0 Site analysis – environmental response	Provided site analysis demonstrates good orientation to the environment. The units have a high solar and natural cross ventilation that may reduce the mechanical needs and power usage. Landscape planting is focusing on local plants, native species.
4.0 Site analysis – urban response	Provided site analysis demonstrates good urban response with housing kept at low scale and design looks like a series of townhouses. the communal outdoor space provides a good area with lots of green landscaping and seating for residents to meet.
5.0 Heritage	n/a No heritage on the subject site or in the proximity.
6.0 Care, wellbeing and community	Design provides a new community within the street block with large landscaped areas and places for residents to meet.
7.0 Design for physical ageing and dementia	No high care units provided; these are independent living. Consideration for ageing has been taken into account


	<p>with minimising steps and thresholds. Dementia suitable design was not required but the design guidance key items can be accommodated in the later design development. The two buildings can be clearly identified with way-finding and naming in later stage of the project.</p> <p>Each unit has a good outdoor space, many large for residents to enjoy outside living in (semi) privacy conditions.</p> <p>Large circulation space provided including in the public corridors and paths.</p>
Part 3 Density and Related Design Principles	
8.0 Options for different types and configurations of density for seniors housing	The proposed development is for independent living units as medium density.
9.0 Determining density	The proposed development is considered to be medium density as it is within a residential locality with residential zoning, is 2 storey and the FSR is 0.51:1.
10.0 Designing for different densities	Medium density independent living development is described as two storey on sites where residential flat buildings are not permitted, and has multiple dwellings, accessed from a single driveway to carparking.
11.0 Guidance examples for seniors housing configurations with different densities	The proposed development aligns with Guidance example 02B Independent living unit development – medium density, as it has 2 storey independent living units on a small land parcel, with an internal driveway and on-grade parking, at a neighbourhood scale.
12.0 Design principles for residential care facilities	Not applicable, as the development is for independent living units.
13.0 Design principles for independent living	Good Design for Social Housing requires the design of LAHC developments to foster a sense of belonging and to support social cohesion and community wellbeing.
14.0 Design principles for independent living for low density	Not applicable, as the proposed development is not single storey with an FSR of 0.5:1 or less, and is not accessed from an internal road network).
15.0 Design principles for independent living for medium density	The proposed development is classified as independent living for medium density.
16.0 Design Principles for independent living for high density	Not applicable, as the proposed development is not multistorey (3 storeys or more), is not on a site where residential flat buildings are permitted and does not have an FSR of more than

	1:1.)
Objectives / Design Guidance	Design Response / Comment
15.1 Neighbourhood amenity and streetscape	
15.1.1 Provide two or three storey housing clusters where the scale and massing is articulated and separated to respect the character and pattern of the suburban surroundings.	A two-storey development with a clear articulation of town houses provide a good response to the local character
15.1.2 Positively enhance the streetscape and uplift the quality of built form in the neighbourhood, and provide a landscape buffer to soften the development.	Entrances are clearly defined with a good landscape buffer to the development.
15.1.3 Where practicable, preserve existing mature trees to maintain the landscape character of the streetscape.	The design preserves as many existing trees as possible.
15.1.4 Consider opportunities for meaningful landscape, usable outdoor spaces, and vegetation to soften the built form and provide privacy.	Large meaningful landscape provided around an existing tree.
15.1.5 Provide clearly identifiable and accessible shared pedestrian and vehicular entries, driveways and paths.	Separate pedestrian access to car access has been provided. A single driveway is located away from the main entrances, the width is a two-way single car width driveway road.
15.1.6 Provide a safe, well-lit accessible path to an easily identifiable entrance lobby.	Well-lit entrance provided with a clearly defined shape in the facade.
15.2 Solar access and design for climate	
15.2.1 To design buildings that suit the climate zone of the development.	Yes
15.2.2 To design for: <ul style="list-style-type: none"> • thermal comfort • humidity • air-movement • shading • daylight • solar access 	Yes The design meets the BASIX & NaTHERS standards for sustainable design. In addition, the proposed design contains a high number of units with good solar, daylight access and cross ventilation. Some units are provided with shading, particular the north facing one-bedroom units 1-2-3 and 11-12-13 are shaded by the balcony to the hot northern summer sun.
15.2.3 Optimise the building envelope's thermal protective qualities to maximise efficient use of energy for heating and cooling.	Yes A brick cavity wall with insulation is proposed.
15.2.4 Maximise access to natural daylight to reduce dependence on electric lighting.	Yes. All habitable rooms are above minimum required daylight access with larger windows than minimum required. In addition, some bathroom has a daylight window.
15.2.5 Undertake a detailed site analysis to determine the direction of cross breezes, types of weather patterns and path of the winter and summer sun. Orientate the building to capture breezes and to optimise solar access.	Cross ventilation has been maximised as best as possible
15.2.6 Provide ceiling fans and design for natural cross ventilation. Provide window shading for protection from summer sun and allow winter sun to penetrate the building.	Ceiling fans provided were desired by BASIX or requested by the client.
15.2.7 Insulate roofs and avoid dark roof colours that absorb excessive heat.	Roof colour is light. With sufficient roof insulation under the metal roof. Later

	construction detail is to consider thermal breaks between roof structure and sheeting.
15.2.8 Make opportunities to enable natural cross ventilation through apartments. Where possible, include single loaded open walkways to facilitate this.	Single loaded corridor and large amount of corner apartments provide good cross ventilation.
<p>15.2.9 Provide a range of outdoor and semi-outdoor settings that provide appropriate seasonal responses e.g. shaded outdoor space in summer, and sunny outdoor space in winter.</p> <p>Provide private balconies for fresh air that allows cross breeze and natural light. On ground levels, provide communal green spaces for gardening and walking to promote health and activity.</p> <p>Aim to provide generous natural light and natural ventilation to interiors by keeping floorplates narrow.</p> <p>Single-loaded open walkways around a common courtyard space enables healthy cross ventilation of apartments and a connection to nature and other residents.</p> <p>Single-loaded open corridors around an internal courtyard space provides a safe external environment where casual surveillance and 'looking out for each other' can occur easily.</p> <p>This type of configuration supports exercise and socialising with protected outdoor spaces.</p> <p>'Keep it real' wherever possible. Real views, real daylight.</p>	A good range of semi outdoor settings is provided.
15.3 Stormwater	
15.3.1 Minimise erosion and the potentially damaging effects from stormwater run-off on landscape and stability of pathways.	Stormwater design provided to meet requirements. Stormwater run-off from neighbouring site is controlled with the proposed swales and the Site design contains most stormwater run-off
15.3.2 Maintain safe access through the site.	Provided safe access to the stormwater.
15.3.3 Provide opportunities to increase the catchment and/or absorption of stormwater with systems such as vegetated swales, sediment basins, detention pits and porous landscape paving.	Swale provided with vegetation.
15.3.4 Maximise areas for deep soil landscape so that plants can mature into dense stormwater catchment areas and absorb ground water.	Deep soil provided that is more than minimum required and provided opportunity for new larger trees to grow.
15.4 Crime prevention	
15.4.1 Encourage crime awareness and passive community surveillance to deter crime.	Good surveillance to street and parking area with units overlooking the parking area and the streets.
15.4.2 Front entries to shared lobbies can be glazed to give transparency and visual links through.	Entrance lobbies and doors area glazed.
15.4.3 Design to facilitate/allow surveillance from dwellings to the street.	Most dwellings overlook the street.
15.4.4 Provide access control to shared communal lobbies.	As instructed by the client.
15.4.4 Provide lighting to common areas and walkways and ensure any basement parking is well lit 24 hours a day.	Parking lighting provided based on the electrical engineer advise for good 24hrs lighting levels.
15.5 Accessibility	
15.5.1 Provide clearly identifiable and accessible shared pedestrian entry for small clusters of dwellings.	Identifiable and accessible entrances provided.

15.5.2 Provide accessible and adaptive housing to meet the needs of physical ageing and mobility issues.	Accessible and adaptive housing provided for ageing in place.
15.5.3 The design of shared entries, letterboxes and lift lobbies should be accessible, and provide adequate circulation for small groups of people.	A shared entrance lobby with public open stair and lift provided.
15.5.4 Design apartments with adequate circulation, clearances and overall room dimensions, so that they can be adapted to the individual needs as mobility levels decrease.	Adequate circulation provided in units.
15.5.5 Provide level access to private or communal outdoor spaces and gardens and consider incorporating places to sit, rest or meet with other residents.	Provided.
15.6 Waste management	
15.6.1 Provide waste management systems that manage health, safety and environmental issues.	Provided a waste management plan, refer to waste management consultant's advice.
15.6.2 Provide easy to access waste disposal points for independent residents to use.	Easy access provided with wheelchair (AS1428) paths and circulation space to all bins.
15.6.3 Facilitate recycling of waste.	Provided.
15.6.4 Provide appropriately sized disposal points that can accommodate bins for the various waste types including recyclables.	Provided.
15.6.5 Ensure that waste collection points are safely located away from resident areas, are covered and easily accessible.	Provided

LAHC required to CONSIDER Good Design for Social Housing:

Good Design for Social Housing	
Design Certification must be provided by the Architect that the project has considered the Good Design for Social Housing document.	
	
Principles	Design Response / Comment
WELLBEING The design of our homes and their context supports the physical, cultural, social and economic wellbeing of tenants	
<u>Healthy Environments</u> Our housing supports the physical and mental health and safety of our tenants	With high amenity for cross flow ventilation and good safety the design should provide a good home for tenants. The good solar and cross flow could provide reduced running cost. The quality aesthetics and expressive articulation of the façade creates a proud and dignified building for the tenants. That will hopefully provide the tenants with a place to call home.
<u>Good for Tenants</u> Our housing considers the needs of our tenants, has low running costs and is flexible to adopt to future requirements	
<u>Quality Homes</u> Create a sense of pride and dignity by providing housing that tenants are proud to call their home.	
BELONGING The quality of our housing and urban design fosters a sense of belonging and supports social cohesion and community wellbeing	
<u>Mixed Tenure</u> Our housing is indistinguishable from private housing and is well integrated within diverse communities	It is a well-designed house, no different to the current market trends. It sets a good design quality for the neighbourhood and provides a place for a diverse selection of tenants. The public main entrances are carefully considered and well-articulated in the buildings. This provides a clear identity for residents and visitors. The openness is inviting and provides a good and safe area for residents to meet. A communal space has been provided for tenants at the rear of the buildings with the retained tree as a feature. This communal space provides opportunity for residents to gather and enjoy the landscaped area. The shading of the tree provides a natural protection above the seating.
<u>Good Shared and Public Spaces</u> Our housing provides welcoming and safe public spaces and common areas, that support positive social interactions.	
<u>Contribute to Local Character</u> Our housing contributes to distinctive neighbourhoods by interpreting the past, present and future identity of places and their communities.	
VALUE Design optimises the potential of homes to retain their value over time and increase social, environmental and economic benefits.	
<u>Whole of lifecycle approach</u> New homes are considered for their whole-of-life costs, including operation and maintenance efficiency.	Low maintenance is considered with for example longevity materials (bricks). These materials do not discolour and are coloured through. The brick veneer cavity is a common construction method with the outer layer brick of a sturdy quality that resist impact and if damaged, is not substantially noticeable. The design is contemporary building that fits well into current and future cultural needs and is resilient to future challenges. It is a sustainable design provides amenity for residents with natural ventilation and solar access to a high percentage of units.
<u>Sustainability and Resilience</u> Our housing is environmentally, culturally, socially and economically sustainable, and resilient to anticipate future challenges	
<u>Make Every Dollar count</u> Create design efficiencies that generate savings which can be directed towards building more homes.	

	All units are capable of adopting with suitable layout for wheelchair access including the bathroom, kitchen, laundry, bedroom and circulation space of each unit, design to accommodate a wheelchair movement.
COLLABORATION Provide our knowledge and guidance while allowing our partners to innovate and deliver their best outcomes.	
<u>A Good Partner</u> Develop genuine relationships and strong partnerships conducive to innovation and a sense of shared purpose.	In close collaboration with the LAHC team and our consultants the design is an innovative approach to set a larger mass building subtly into a low-rise residential community. The design creates a new response with the appearance of smaller townhouses.
<u>Place Making</u> Our housing is well integrated with other investments and initiatives in a place.	The proposed design provides a renewal of the neighbourhood. The new senior living provides new homes for ageing in place for the local community.
<u>Continuous Improvement</u> To make the next project better than the last through learning from others, our experiences and incorporating new practices.	Learning from this project we recommend that the Designing from Country is started prior to concept design and the local aboriginal community is contacted beforehand. In addition, an allowance for this consultation process is recommended.

LAHC required to CONSIDER the LAHC Design Requirements 2023:

LAHC Design Requirements

Design Certification must be provided by the Architect that the project has been designed in accordance with the LAHC Design Requirements 2023 document.



The following applies to LAHC projects:

Clause 108B(2) states that Sections 2.15 & 2.17 of State Environmental Planning Policy (Transport and Infrastructure) 2021 apply to the development

[illegible]

Clause 108B(2) states that Sections 2.15 & 2.17 of State Environmental Planning Policy (Transport and Infrastructure) 2021 apply to the development

(3) In this section —

dark sky region map means the map marked “Dark Sky Region Map” held in the head office of the Department of Planning and Environment.

Willandra Lakes Region World Heritage Property means the land identified as the Willandra Lakes Region World Heritage Property on —

- (a) the Willandra Lakes Region World Heritage Property Map under **Balranald Local Environmental Plan 2010**, or
- (b) the Willandra Lakes Region World Heritage Property Map under **Wentworth Local Environmental Plan 2011**.

World Heritage Advisory Committee means the Willandra Lakes Region World Heritage Advisory Committee established under the ***Environment Protection and Biodiversity Conservation Act 1999*** of the Commonwealth, section 511.

Note— Clause 18A(2) of ***State Environmental Planning Policy (Sydney Region Growth Centres) 2006*** requires public authorities (or persons acting on their behalf) to consult with the Department of Planning and Environment before carrying out any development comprising the clearing of native vegetation on certain land within a growth centre (within the meaning of that Policy). The land concerned is land other than the subject land (within the meaning of Part 7 of Schedule 7 to the ***Threatened Species Conservation Act 1995***). The subject land is generally land to which precinct plans apply under that Policy.

2.17 Exceptions

(1) Sections 2.10–2.15 do not apply with respect to development to the extent that—

- (a) they would require notice of the intention to carry out the development to be given to a council or public authority from whom an approval is required in order for the development to be carried out lawfully, or
- (b) they would require notice to be given to a council or public authority with whom the public authority that is carrying out the development, or on whose behalf it is being carried out, has an agreed consultation protocol that applies to the development, or
- (c) they would require notice to be given to a council or public authority that is carrying out the development or on whose behalf it is being carried out, or
- (d) the development is exempt development or complying development under any environmental planning instrument (including this Chapter), or
- (e) the development comprises emergency works, or
- (f) the development is carried out in accordance with a code of practice approved by the Minister for the purposes of this section and published in the Gazette.

(2) In this section —

approval means any licence, permission or any form of authorisation, other than development consent, under any other law.

consultation protocol means an arrangement that —

- (a) is about when and how the parties to the arrangement will consult one another about proposed development, and
- (b) is recorded in writing, and
- (c) is approved in writing on behalf of any public authority that is a party to the arrangement by a person who is authorised to do so.