

## 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:	10-16 Birdwood Avenue, Cabramatta West 2166
Project LGA:	Fairfield
Job Number:	BH2AQ

### 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 / <del>prohibited</del> within the R2 Low Density Residential zone under Fairfield Local Environmental Plan 2013	Planner to confirm
(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		Yes

<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><i>(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</i></p> <p><i>(b) be limited to an area of no more than 20% of the surface area of the roof, and</i></p> <p><i>(c) not result in the building having a height of more than 11.5m.</i></p> <p><b>servicing equipment</b> includes plant, lift motor rooms and fire stairs.</p>			
(c) the seniors housing will not contain more than 40 dwellings on the site.	Maximum 40 dwellings	18 dwellings	Yes
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , 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
<b>108CB – Considerations before carrying out development</b>			
<b>Section</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies (Y/N)</b>
(1) Before carrying out development to which this division applies, the relevant authority must consider –			
(a) the <b>Seniors Housing Design Guide</b> , 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) <b><i>Good Design for Social Housing</i></b>, published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and</p> <p>(b) the <b><i>NSW Land and Housing Corporation Design Requirements</i></b>, published by the Land and Housing Corporation in February 2023.</p>	Consider the <i>Good Design for Social Housing</i> and the <i>NSW Land and Housing Corporation Design Requirements</i>	The <i>Good Design for Social Housing</i> and the <i>NSW Land and Housing Corporation Design Requirements</i> considered in the table below	See separate table below
(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.	Not applicable to Land and Housing Corporation	n/a	n/a
<b>108D Exempt development</b>			
Section	Required	Proposed	Complies (Y/N)
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.	Noted	Noted	-
<b>108E Subdivision of seniors housing not permitted</b>			
Section	Required	Proposed	Complies (Y/N)
Development consent must not be granted for the subdivision of seniors housing.	No subdivision of seniors housing permitted	Noted	Noted



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.	
x	
Design Principle	Design Response / Comment
<b>1 Neighbourhood amenity and streetscape</b>	
<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>a) The proposal is designed to maximise amenity for its residents. All units are accessible and maximise opportunities for both solar access and cross-ventilation. They engage with the neighbourhood and enjoy outlooks to the street where possible, while maintaining appropriate levels of privacy.</p> <p>b) (i) The character of surrounding developments is a mix of primarily 50 years old (in relatively poor condition) single storey dwellings and the occasional more recent, larger two storey developments. The proposed development at two storeys, is consistent with this more recent scaled development.</p> <p>(ii) The proposed building footprint and massing is punctuated into 3 distinct, 2 level forms, by the dual entry pathways, which cut through and between the built form. The light shade of the semi-recessed balcony volumes and the raking roof form at either end, further articulates the scale of the project to one commensurate to this more recent surrounding 2 level development.</p> <p>The restrained and uniformly applied material palette ensure that the project presents as modest fabric, consistent with the desired future character of the area.</p> <p>c) The site is not in a heritage conservation area or in the vicinity of a heritage item.</p> <p>d) i) All side and rear setbacks exceed the minimum requirements set-out in Council's DCP, except for rear terraces of APTs 7 + 8. However both these sit into the landscape terrain and present no overshadowing or overlooking issues to the rear neighbour.</p> <p>ii) The site has a cross fall of some 2.5 metres from the south-west to the north east street corner, with a fall of some 600mm along the street, and so presents some complexity for equal access.</p> <p>To address this, there are dual entry pathways that reconcile the disparate street levels to arrive at the gallery circulation behind, which sits some 900mm higher than the lowest NE corner of the site. In turn, the gallery circulation ramps up a further 600 mm on the western side</p>

	<p>of the site. In this way, with dual floor levels 600mm apart, and a base floor level 900mm higher than the street, the project is able to reconcile the 2.5metre cross fall across the site. This has provided additional benefits such as improved outlook to the street with higher, more defensive terrace levels, a more rational distribution of cut and fill across the site, and minimal excavation in the highest south west corner.</p> <p>iii) The proposed built form is well under the height plane and at two storeys is consistent with recent development in the area.</p> <p>iv) The proposed buildings are not located on the boundary.</p> <p>e) The proposed front setback is consistently over 6 metres, conforming with the DCP. There are minor balcony encroachments at either end, consistent with articulation allowances.</p> <p>f) Plant species are generally in line with council policies. Deep soil provisions are well over council minimums, due in part to the rational organisation of the site planning</p> <p>g) The arborist has supported the current site planning due to the potential for substantial tree planting. Trees 10+16 were recommend as retained. Tree 16 has been retained. Tree 10 is removed to enable the carpark to be largely consolidated under the level 1 built form, thus enabling more deep soil for new tree planting. The site is not in a riparian zone.</p>
<b>2 Visual and acoustic privacy</b>	
<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>a) Site planning maximises residents' privacy while balancing it against other planning considerations such as outlook and solar access.</p> <p>The majority of units are located away from neighbouring properties. 12 of the 18 have balconies and living areas outlooking the street. The remaining 6 overlook the courtyard landscaped areas. These POS are designed to minimise opportunities for overlooking to adjacent properties.</p> <p>b) Only 2 bedrooms are located near the driveway. This is considered acceptable due to the small scale of the carpark of 8 cars. Bedrooms are otherwise located with (protected) street or garden outlooks.</p>
<b>3 Solar access and design for climate</b>	
<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>a) Appropriate setbacks and built form minimise the overshadowing of neighbouring buildings.</p> <p>b) The site layout has been configured to maximise solar access to units, with 14 of 18 units having 2 hours of midwinter solar access</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.	to Living and POS areas and all units receiving greater than 15 minutes midwinter sun. All 18 units are configured to enable cross-ventilation.
<b>4 Stormwater</b>	
<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>a) Paved areas are minimised as far as practicable, with one carparking court proposed, largely under the built form above. Deep soil minimums are exceeded.</p> <p>b) On-site stormwater detention system is proposed for reuse in irrigation.</p>
<b>5 Crime prevention</b>	
<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>a) The organisation of the site and the design of the dwellings have been orchestrated consistent with crime prevention design principles. Passive surveillance is maximised with placement of windows and terraces overlooking the street, the carpark and the courtyard landscape areas.</p> <p>b) Clear and legible site lines are achieved, including apartment entries, and furtive spaces minimised in the arrangement of the general circulation.</p> <p>c) (i) 12 of the 18 apartments have living areas and terraces overlooking the street. The rear gallery circulation, which provides access to 14 of the 18 dwellings is designed to have clear open site lines along it's length, to all entry doors and to the courtyard garden, which it overlooks. (ii) There are 2 entry pathways, both leading to a secure, gated common area. Front doors maximised at 2 at any one point. (iii) The rear circulation ramp is generally clearly visible from most apartments, as well as the rear garden courtyard and carpark.</p>
<b>6 Accessibility</b>	
<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>(b) provide safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>(a) The site location is generally in compliance with section 93 of the Housing SEPP</p> <p>(b) The site planning provides with provides convenient access and parking for residents and visitors.</p>
<b>7 Waste management</b>	
<p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>Recycling facilities are provided with general waste, in accordance with Council's requirements</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.		Yes
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	Yes
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	Yes
88 Restrictions on occupation of seniors housing	<p>This section limits the occupation of Seniors Housing to:</p> <ul style="list-style-type: none"> <li>(a) seniors or people who have a disability,</li> <li>(b) people who live in the same household with seniors or people who have a disability,</li> <li>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</li> </ul> <p>The consent authority is responsible for ensuring that the development is occupied</p>	DCJ are responsible for allocation of tenants.	



	in accordance with these restrictions.		
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 development for the purposes of independent living units – x	108(2)(a)  no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,		Yes
	108(2)(b)  servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m –  (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and  (ii) is limited to an area of no more than 20% of the surface area of the roof, and  (iii) does not result in the building having a height of more than 11.5m,		Yes
	108(2)(c)  the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	Considered in the context of any local control  LEP FSR Control is 0.5:1	.489:1  Complies
	108(2)(d)  a minimum landscaped area that is the lesser of –  (i) 35m <sup>2</sup> per dwelling, or  (ii) 30% of the site area,  <i>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.</i>	Site Area 2,320m <sup>2</sup>  18 x 35= 630m <sup>2</sup>  30% = 696m <sup>2</sup>	Achieves 807m <sup>2</sup>  Complies
	108(2)(e)  (repealed)		
	108(2)(f)  a deep soil zone on at least 15% of the site area, where each deep soil zone has	Site Area 2,320m <sup>2</sup>  15% = 348m <sup>2</sup>  65% of 348	Achieves 631m <sup>2</sup>  Complies  319m <sup>2</sup> at rear of site

	<p>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><b>deep soil zone</b> means a landscaped area with no buildings or structures above or below the ground.</p>	= 226	Complies
	<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>		Yes
	<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>(i) at least 15m<sup>2</sup> 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><b>Note —</b></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>		Yes
	<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 10m<sup>2</sup>, or</p> <p>(ii) for each dwelling containing 1 bedroom — an area of at least 6m<sup>2</sup>,</p>	Note: LAHC Design Requirements require 8m <sup>2</sup> for 1 bedroom dwellings	Yes
	<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>	Yes

		3 bed – 1 space	
	108(2)(k) if paragraph (j) does not apply — at least 0.5 parking spaces for each bedroom.	n/a	

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.		<div>x</div>
Clause / Required	Proposed	Complies (Y/N)
<b>1 Application of standards in this Part</b> The standards set out in this Part apply to any seniors housing that consists of hostels or independent living units.		
<b>2 Siting standards</b> <p>(1) <b>Wheelchair access</b> If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a <i>continuous accessible path of travel</i> to an adjoining public road.</p> <p>(2) If the whole of the site does not have a gradient of less than 1:10 —</p> <p>(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</p> <p>(b) the wheelchair access provided must be by a continuous accessible path of travel to an adjoining public road or an internal road or a driveway that is accessible to all residents.</p> <p>Note —</p> <p>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 subsection. 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.</p> <p>(3) <b>Common areas</b> 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.</p> <p><i>continuous accessible path of travel</i> has the same meaning as in AS 1428.1.</p>		Yes
<b>3 Letterboxes</b> <p>(1) Letterboxes —</p> <p>(a) must be located on a hard standing area, and</p> <p>(b) must have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling, and</p> <p>(c) must be lockable by a lock that faces a wheelchair accessible path.</p> <p>(2) If a structure contains multiple letterboxes, the structure must be in a prominent location.</p> <p>(3) At least 20% of the letterboxes on the site must be more than 600mm and less than 1,200mm above ground level (finished).</p>		Yes
<b>4 Car parking</b> <p>(1) If parking spaces attached to or integrated with a class 1 building under the <i>Building Code of Australia</i> are provided for use by</p>	Only applies to required parking, i.e. 1 parking space for every 5 dwellings. LAHC	Yes

Clause / Required	Proposed	Complies (Y/N)
<p>occupants who are seniors or people with a disability, at least 1 parking space must —</p> <ul style="list-style-type: none"> <li>(a) be at least 3.2m wide, and</li> <li>(b) be at least 2.5m high, and</li> <li>(c) have a level surface with a maximum gradient of 1:40 in any direction, and</li> <li>(d) be capable of being widened to 3.8m without requiring structural modifications to a building.</li> </ul> <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> <ul style="list-style-type: none"> <li>(a) for a parking space not in a group — the parking space must comply with AS/NZS 2890.6,</li> <li>(b) for a group of 2–7 parking spaces — <ul style="list-style-type: none"> <li>(i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and</li> <li>(ii) 50% of the parking spaces must — <ul style="list-style-type: none"> <li>(A) comply with AS/NZS 2890.6, or</li> <li>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction,</li> </ul> </li> </ul> </li> <li>(c) for a group of 8 or more parking spaces — <ul style="list-style-type: none"> <li>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</li> <li>(ii) at least 50% of the parking spaces must — <ul style="list-style-type: none"> <li>(A) comply with AS/NZS 2890.6, or</li> <li>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</li> </ul> </li> </ul> </li> </ul> <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> <ul style="list-style-type: none"> <li>(a) secured by a power-operated door, or</li> <li>(b) capable of accommodating the installation of a power-operated door, including by having — <ul style="list-style-type: none"> <li>(i) access to a power point, and</li> <li>(ii) an area for motor or control rods for a power-operated door.</li> </ul> </li> </ul> <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>policy is to provide all required spaces as accessible parking including associated shared space.</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>	

Clause / Required	Proposed	Complies (Y/N)
(9) In this section, a parking space is in a <b>common area</b> if it is not attached to or integrated with a hostel or independent living unit.		
<b>5 Accessible entry</b> (1) The main entrance to a dwelling must have – (a) a clear opening that complies with AS 1428.1, and (b) a circulation space in front of the door and behind the door that complies with AS 1428.1. (2) This section does not apply to an entry for employees.  <i>circulation space</i> has the same meaning as in AS 1428.1		Yes
<b>6 Interiors</b> (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.		Yes
<b>7 Bedroom</b> 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.		Yes
<b>8 Bathroom</b> (1) At least one bathroom in a dwelling must be located on – (a) the same floor as the entry to the dwelling, or		Yes

Clause / Required	Proposed	Complies (Y/N)
<p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p> <p>(2) The bathroom must have the following -</p> <p>(a) a slip-resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586-2013,</p> <p>(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,</p> <p>(c) a shower that -</p> <p>(i) is accessible without a shower-hob or step, and</p> <p>(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</p> <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><b>9 Toilet</b></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>		Yes
<p><b>10 Surfaces of balconies and external paved areas</b></p> <p>Balconies and external paved areas must have surfaces that are slip-resistant and comply with -</p>		Yes

Clause / Required	Proposed	Complies (Y/N)
<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><b>11 Door hardware</b></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>		Yes
<p><b>12 Switches and power points</b></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>(b) power points likely to serve appliances that are not regularly moved or turned off.</p>		Yes
<p><b>13 Private passenger lifts</b></p> <p>(1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.</p> <p>(2) The private passenger lift must —</p> <p>(a) be at least 1,100mm wide and at least 1,400mm long, measured from the lift car floor, and</p> <p>(b) have a clear indoor landing on all floors serviced by the lift, other than the floor on which the main area of private open space is located, at least 1,540mm long and at least 2,070mm wide, and</p> <p>(c) have controls that comply with —</p> <p>(i) AS 1735.12:2020, <i>Lifts, escalators and moving walks, Part 12: Facilities for persons with disabilities</i>, published on 26 June 2020, or</p> <p>(ii) AS 1735.15:2021, <i>Lifts, escalators and moving walks, Part 15: Safety rules for the construction and installation of lifts — Special lifts for the transport of persons and goods — Vertical lifting platforms intended for use by persons with impaired mobility</i>, published on 23 July 2021.</p> <p>(3) The width of the door opening of the private passenger lift must be at least 900mm.</p> <p>(4) The private passenger lift must not be a stairway platform lift.</p>		N/A
<p><b>14 Application of standards in this Part</b></p> <p>The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.</p>		
<p><b>15 Bedroom</b></p> <p>At least one bedroom in an independent living unit that complies with this schedule, section 7 must be located on —</p> <p>(a) the same floor as the entry to the unit, or</p>		Yes



Clause / Required	Proposed	Complies (Y/N)
(b) a floor serviced by a private passenger lift accessible only from inside the unit.		
<b>16 Living room</b> (1) A living room in an independent living unit 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 living room must have – (a) a circulation space that – (i) is clear of all fixtures, and (ii) has a diameter of at least 2,250mm, and (b) a telecommunications or data outlet adjacent to a general power outlet.		Yes
<b>17 Main area of private open space</b> The main area of private open space for an independent living unit 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.		Yes
<b>18 Kitchen</b> (1) A kitchen in in an independent living unit 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 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. (3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without — (a) relocating the sink, or (b) moving a load-bearing wall, or (c) breaching another circulation requirement. (4) The kitchen must have the following fittings — (a) a bench that includes at least one work surface that is — (i) at least 800mm long, and (ii) clear of obstructions, and (iii) not in the corner of the room, (b) a lever tap set with the lever and water source that is within 300mm of the front of the bench, (c) a cooktop next to the work surface, (d) an isolating switch for the cooktop, (e) an oven that — (i) has operative elements between 450mm and 1,250mm above the finished floor level, and		Yes

Clause / Required	Proposed	Complies (Y/N)
<p>(ii) is next to the work surface,</p> <p>(f) at least one double general power outlet located within 300mm of the front of a work surface.</p> <p>(5) The cupboards must —</p> <p>(a) not be entirely located in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p> <p>(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.</p> <p>(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.</p> <p>(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must —</p> <p>(a) not be in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p> <p>(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.</p>		
<p><b>19 Laundry</b></p> <p>(1) A laundry in an independent living unit 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 laundry must have the following —</p> <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 —</p> <p><b>laundry</b> includes laundry facilities in a cupboard.</p>		Yes

Clause / Required	Proposed	Complies (Y/N)
<b>20 Linen storage</b> An independent living unit must have a floor-to-ceiling linen storage cupboard that — <ul style="list-style-type: none"> <li>(a) is at least 600mm wide, and</li> <li>(b) has adjustable shelving.</li> </ul>		Yes
<b>21 Lift access in multi-storey buildings</b> 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.		Yes
<b>22 Garbage and recycling</b> 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.		Yes

Seniors Housing Design Guide (SHDG)	
Design Certification must be provided by the Architect that the project has considered the Seniors Housing Design Guide.	
<div>X</div>	
Part 2 Guidance Chapters	Architect to provide comment as to how the design addresses these guidance chapters
1.0 Designing for Country	<p>The development acknowledges the impact the development has on the natural environment. The project has been laid out to maximise deep soil, which is some 25% higher than the required minimum. Plant species will be generally indigenous to ensure they are resilient with minimal water use.</p> <p>No aboriginal heritage was identified effecting the site.</p>
2.0 Care for the planet	<p>The design aims to achieve the necessary sustainability targets while achieving a low maintenance long lasting building. Embedded energy is acknowledged in the material specifications, which minimise high carbon materials in preference to those with low emissions. For example, brick work is used strategically but lower carbon intensive light weight cladding is used more generally for all wall claddings. Landscaping incorporates many endemic selections that are drought tolerant.</p>
3.0 Site analysis – environmental response	<p>Proposed planting species are generally derived from Fairfield Council's Tree Management Policy.</p> <p>Dwellings have incorporated as many passive design features necessary for the tenants enjoyment of the surrounding built environment, while lowering the ongoing costs of providing heating and lighting by complying with the sustainability requirements. For example north facing living areas and terraces.</p>
4.0 Site analysis – urban response	<p>The character of surrounding developments is a mix of primarily single storey dwellings, which are over 50 years old, and more recent larger two storey developments. Being two storeys, the new development is consistent with this more recent surrounding development.</p> <p>The 2 recessed common entries, break up the 12 street facing dwellings into 3 lots of 4 dwellings. Further articulation with sunshading and balconies, including balcony roofs, further break down the scale of the new building.</p>
5.0 Heritage	<p>No heritage items are identified in the vicinity. Existing street vegetation is preserved where available.</p>
6.0 Care, wellbeing and community	<p>Opportunities throughout the garden and landscape area existing for neighbours to connect and establish connections as a community.</p> <p>POS extending to the street front provide further opportunities to passively interact with the neighbouring community and provide connection</p>

7.0 Design for physical ageing and dementia	POS and living areas provide interest and sanctuary. Opportunities in the landscaped area allow for low physical need past times.
<b>Part 3 Density and Related Design Principles</b>	
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 less than .5:1.
10.0 Designing for different densities	Medium density independent living development is described as two or three storey on sites where residential flat buildings are not permitted, and has multiple dwellings, usually 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 or 3 storey attached 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 Housing NSW 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. Refer to objectives and design principles below.
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 .5:1
<b>Objectives / Design Guidance</b>	<b>Design Response / Comment</b>
<b>15.1 Neighbourhood amenity and streetscape</b>	
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.	The project reads as 3 separate 2 level buildings well under the height limit, similarly scaled to recent new 2 level homes.

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.	The streetscape is enhanced by the increased passive surveillance of 12 new dwellings and a 6metre deep soil setback from the street, which is enabling a well scaled garden of trees and shrubs.
15.1.3 Where practicable, preserve existing mature trees to maintain the landscape character of the streetscape.	2 trees were recommended for retention. Only 1 was able to be retained but the arborist has supported the removal as it has enabled a site plan that consolidates the parking largely under the building and thereby has enabled more new trees to be planted.
15.1.4 Consider opportunities for meaningful landscape, usable outdoor spaces, and vegetation to soften the built form and provide privacy.	Each of the street facing 6 ground floor dwellings relates to gardens directly between their terraces and the street. These will provide amenity and privacy.
15.1.5 Provide clearly identifiable and accessible shared pedestrian and vehicular entries, driveways and paths.	Vehicle entries and pedestrian paths are kept separate.
15.1.6 Provide a safe, well lit accessible path to an easily identifiable entrance lobby.	There are 2 clear and legible access pathways that lead directly to the main circulation spine and courtyard at the rear. Both will be well lit.
<b>15.2 Solar access and design for climate</b>	
15.2.1 To design buildings that suit the climate zone of the development.	Sustainability targets have been met through BASIX. Passive climate control has also been achieving through site planning , design orientation, window placement, window shading, privacy screens and shade of POS.
15.2.2 To design for: <ul style="list-style-type: none"> <li>• thermal comfort</li> <li>• humidity</li> <li>• air-movement</li> <li>• shading</li> <li>• daylight</li> <li>• solar access</li> </ul>	Passive climate control has also been achieving through site planning, design orientation, window placement, window shading, privacy screens and shade of POS.  There are no units not receiving any solar access in mid winter. Only 4 of 18 living areas face south but all get either some morning or afternoon sun in mid winter. There are large amounts of glazing to every habitable room providing daylight and this is all well protected from summer heat gain.  100% of units achieve cross ventilation.
15.2.3 Optimise the building envelope's thermal protective qualities to maximise efficient use of energy for heating and cooling.	All the units have at least one common wall as a way of reducing energy for heating and cooling. The orientation of most of the units to receive winter solar access in mid winter reduces heating costs. Materials are also chosen mitigate heat gain.
15.2.4 Maximise access to natural daylight to reduce dependence on electric lighting.	All units are like corner units, many with light on 3 sides and so daylight is maximised throughout with the strategic sizing and placement of windows.
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.	The site has been analysed and organised to maximise winter sun to all units. All units with cross ventilation are able to benefit from breezes.

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 to all main bedrooms and living areas.
15.2.7 Insulate roofs and avoid dark roof colours that absorb excessive heat.	Light colours have been selected for roofs and walls. Insulation will be provided to the roof spaces of top level units, which can also be ventilated.
15.2.8 Make opportunities to enable natural cross ventilation through apartments. Where possible, include single loaded open walkways to facilitate this.	All apartments cross ventilate. The main circulation spine is an well protected open air gallery.
<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>	<p>Protected POS is provided to all units, with ground level having larger unprotected areas with landscaping for cooling and opportunities for cross breezes.</p> <p>Most Upper level balconies have two open sides increasing cooling opportunities.</p> <p>There is a large common courtyard garden with a pathway around it's edge. This has been designed specifically with exercise and socialising in mind. It easily accessed and well overlooked.</p>
<b>15.3 Stormwater</b>	
15.3.1 Minimise erosion and the potentially damaging effects from stormwater run-off on landscape and stability of pathways.	Overland flow pathways have been considered
15.3.2 Maintain safe access through the site.	Steps and ramps are minimised, but are provided as necessary.
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.	The DSZ provided exceeds by 25% the requirements. OSD provided in accordance with council requirements
15.3.4 Maximise areas for deep soil landscape so that plants can mature into dense stormwater catchment areas and absorb ground water.	As above, the DSZ provided exceeds by 25% the requirements. There is ample space for good tree planting.
<b>15.4 Crime prevention</b>	
15.4.1 Encourage crime awareness and passive community surveillance to deter crime.	There is very good passive surveillance throughout the site, along the main open air gallery on both levels, from balconies and from kitchen windows.
15.4.2 Front entries to shared lobbies can be glazed to give transparency and visual links through.	Front entry palisade type gates are provided, opening on to legible common circulation
15.4.3 Design to facilitate/allow surveillance from dwellings to the street.	2/3rds of the dwellings have living areas and balconies overlooking the street.
15.4.4 Provide access control to shared communal lobbies.	Both entries are secure.

15.4.4 Provide lighting to common areas and walkways and ensure any basement parking is well lit 24 hours a day.	Lighting has been carefully considered so as to neither under light or over light common open spaces.
<b>15.5 Accessibility</b>	
15.5.1 Provide clearly identifiable and accessible shared pedestrian entry for small clusters of dwellings.	Both entry pathways have short compliant ramps, are easily read from the street and both connect visually to the main circulation gallery at the rear.
15.5.2 Provide accessible and adaptive housing to meet the needs of physical ageing and mobility issues.	Units are designed with many adaptable features in the kitchen and bathrooms, and adequate circulation spaces throughout.
15.5.3 The design of shared entries, letterboxes and lift lobbies should be accessible, and provide adequate circulation for small groups of people.	All entries are accessible, via ramps or a lift as necessary.
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.	All apartments on ground level comply with accessible requirements of schedule 4.
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.	All POS adjacent to living areas is level and accessible
<b>15.6 Waste management</b>	
15.6.1 Provide waste management systems that manage health, safety and environmental issues.	Waste management plan includes methods to manage waste.
15.6.2 Provide easy to access waste disposal points for independent residents to use.	Bin storage is located adjacent to the main access gallery.
15.6.3 Facilitate recycling of waste.	Recycling bins are in accordance with council requirements
15.6.4 Provide appropriately sized disposal points that can accommodate bins for the various waste types including recyclables.	Bins are in accordance with council requirements
15.6.5 Ensure that waste collection points are safely located away from resident areas, are covered and easily accessible.	Waste area is covered and safely accessible by footpath.



Good Design for Social Housing	
<b>Design Certification must be provided by the Architect that the project has considered the Good Design for Social Housing document.</b>	
<div style="border: 1px solid red; padding: 2px; display: inline-block;">x</div>	
Principles	Design Response / Comment
<b>WELLBEING</b> <b>The design of our homes and their context supports the physical, cultural, social and economic wellbeing of tenants</b>	
<u>Healthy Environments</u> Our housing supports the physical and mental health and safety of our tenants	The design proposal will support residents' wellbeing by focussing on design considerations that have a positive effect on their amenity (solar access, cross ventilation, outlook, privacy, accessibility, safety), while creating a comfortable setting that responds to the local neighbourhood character.
<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.	
<b>BELONGING</b> <b>The quality of our housing and urban design fosters a sense of belonging and supports social cohesion and community wellbeing</b>	
<u>Mixed Tenure</u> Our housing is indistinguishable from private housing and is well integrated within diverse communities	In responding to the site's opportunities and constraints, and the local built character, the design proposal will sit contextually within its context, forming an integral part of the community.  The fact that the majority of dwellings overlook the street will foster social safety and engagement.
<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.	
<b>VALUE</b> <b>Design optimises the potential of homes to retain their value over time and increase social, environmental and economic benefits.</b>	
<u>Whole of lifecycle approach</u> New homes are considered for their whole-of-life costs, including operation and maintenance efficiency.	Durable materials have been selected throughout, with factory finishes, and no external painting on site.
<u>Sustainability and Resilience</u> Our housing is environmentally, culturally, socially and economically sustainable, and resilient to anticipate future challenges	Low embodied Carbon has also influenced the material selection with light weight construction also specified. Local materials, and Australian made materials have also be specified mindful of carbon footprint.
<u>Make Every Dollar count</u> Create design efficiencies that generate savings which can be directed towards building more homes.	GFA and materials and fixtures selections consider value and efficiency
<b>COLLABORATION</b>	

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.	The design process has been a respectful and collaborative one, where ideas are tested and refined through learning from others.
<u>Place Making</u> Our housing is well integrated with other investments and initiatives in a place.	The design are made to allow tenants a comfortable environment, with ample daylight and natural ventilation, to respectfully age in place.
<u>Continuous Improvement</u> To make the next project better than the last through learning from others, our experiences and incorporating new practices.	Lessons have been learnt from our project at St Marys, including positives that can be repeated.

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

Clause	Compliance
<p><b>2.15 Consultation with authorities other than councils</b></p> <p>(1) A public authority, or a person acting on behalf of a public authority, must not carry out specified development that this Chapter provides may be carried out without consent unless the authority or person has —</p> <ul style="list-style-type: none"> <li>(a) given written notice of the intention to carry out the development (together with a scope of works) to the specified authority in relation to the development, and</li> <li>(b) taken into consideration any response to the notice that is received from that authority within 21 days after the notice is given.</li> </ul> <p>(2) For the purposes of subsection (1), the following development is <b>specified development</b> and the following authorities are <b>specified authorities</b> in relation to that development —</p> <ul style="list-style-type: none"> <li>(a) development adjacent to land reserved under the <b>National Parks and Wildlife Act 1974</b> or to land acquired under Part 11 of that Act — the Office of Environment and Heritage,</li> <li>(b) development on land in Zone C1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone, other than land reserved under the <b>National Parks and Wildlife Act 1974</b> — the Office of Environment and Heritage,</li> <li>(c) development comprising a fixed or floating structure in or over navigable waters — Transport for NSW,</li> <li>(d) development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map — the Director of the Observatory,</li> </ul> <p>Note —</p> <p>The dark sky region is land within 200 kilometres of the Siding Spring Observatory.</p> <ul style="list-style-type: none"> <li>(e) development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument — the Secretary of the Commonwealth Department of Defence,</li> </ul> <p>Note —</p> <p>Defence communications facility buffer land is located around the defence communications facility near Morundah. See the <b>Defence Communications Facility Buffer Map</b> referred to in clause 5.15 of <b>Lockhart Local Environmental Plan 2012</b>, <b>Narrandera Local Environmental Plan 2013</b> and <b>Urana Local Environmental Plan 2011</b>.</p> <ul style="list-style-type: none"> <li>(f) development on land in a mine subsidence district within the meaning of the <b>Mine Subsidence Compensation Act 1961</b> — the Mine Subsidence Board,</li> <li>(g) development on, or reasonably likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property — the World Heritage Advisory Committee and Heritage NSW,</li> </ul>	N/A

(h) development within a Western City operational area specified in the **Western Parkland City Authority Act 2018**, Schedule 2 with a capital investment value of \$30 million or more – the Western Parkland City Authority constituted under that Act.

(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.

N/A