





Proposed BWL Seniors Housing Redevelopment  
51-57 & 59 Masons Parade  
Point Frederick



**JWP Compliance Review**  
**State Environmental Planning Policy**  
**(Housing for Seniors or People with a Disability) 2004**  
**Relevant Seniors Housing Provisions**

Part 3 Design Requirements			
Item	Design Criteria	Compliance	Design Response
Division 1 General			
<b>Clause 30</b> <b>Site analysis</b>	(1) A consent authority must not consent to a development application ... unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause		Refer to Site Analysis in Section 2 of IDG Urban Design Analysis.
<b>Clause 31</b> <b>Design of in-fill self-care housing</b>	... a consent authority must take into consideration...the provisions of the <i>Seniors Living Policy: Urban Design Guideline for Infill Development</i> published by the Department of Infrastructure, Planning and Natural Resources in March 2004.		The Proposal responds to the relevant Design Principles and Development Standards of the <i>Seniors Living Policy: Urban Design Guideline for Infill Development</i> published by the Department of Infrastructure, Planning and Natural Resources in March 2004
<b>Clause 32</b> <b>Design of in-fill self-care housing</b>	A consent authority must [be] ... satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.		
Division 2 Design principles			
<b>Clause 33</b> <b>Neighbourhood amenity and streetscape</b>	The proposed development should— (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and		<p>a) Design resolved by DRP Design excellence process</p> <p>b) No heritage conservation areas and no heritage items in the vicinity of the site</p> <p>(c/d) Design complies with SEPP 65 Apartment Design Guidelines and subject to Design excellence review process.</p> <p>(e) Landscape plan responds to context and maintenance considerations.</p>



### Part 3 Design Requirements

Item	Design Criteria	Compliance	Design Response
	<p>b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by—</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p>		<p>(f) No major existing trees to be retained.</p> <p>(g) Design setback from modified riparian zone.</p>



### Part 3 Design Requirements



Item	Design Criteria	Compliance	Design Response
	<p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>		
<p><b>Clause 34</b> <b>Visual and acoustic privacy</b></p>	<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by—</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>		<p>The proposed building complies with the visual and acoustic privacy requirements of the SEPP 65 Apartment Design Guidelines.</p>
<p><b>Clause 35</b> <b>Solar access and design for climate</b></p>	<p>The proposed development should—</p> <p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural</p>		<p>The apartments have been designed to promote increased access to daylight and natural ventilation, with the central open courtyard creating a stack effect for hot air to escape the building while residences are cross ventilated. Greenery through the open walkways and within shared spaces helps maintain temperatures in these areas. Significant access to light through solar passive design also means that apartments receive significant daylight not requiring artificial light during daylight hours.</p> <p>The incorporation of LED lighting throughout the residential</p>


### Part 3 Design Requirements

Item	Design Criteria	Compliance	Design Response
	ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.		<p>component of the facility also means that the on-going energy use of the property is significantly reduced.</p> <p>There is a degree of overshadowing of the land to the south which is in the same landownership. This land is proposed to become a separate lot that is likely to be redeveloped in future. Given the proposed building will be setback (50m) from the rear (eastern) boundary, the proposal retains significant solar access to that land. The solar impact is therefore reasonable for an urban environment.</p>
<b>Clause 36 Stormwater</b>	<p>The proposed development should—</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p> <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>		<p>The proposed redevelopment involves a new drainage system that will treat stormwater runoff before it is diverted into the existing stormwater infrastructure.</p> <p>Refer to <b>Stormwater Management Report</b>.</p>
<b>Clause 37 Crime prevention</b>	<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by—</p> <p>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and</p>		<p>The design of the building and landscaping incorporates passive supervision of public and community areas and pathways, measures to distinguish private areas from the public domain, and controlled access points.</p> <p>Refer to <b>CPTED report</b>.</p>


### Part 3 Design Requirements






Item	Design Criteria	Compliance	Design Response
	<p>streets from a dwelling that adjoins any such area, driveway or street, and</p> <p>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</p> <p>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>		
<b>Clause 38 Accessibility</b>	<p>The proposed development should—</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>		<p>The ground floor verandah provides passive surveillance to pedestrians moving along Masons Parade, encouraging use of the area. Strong links to the existing road-crossing and traffic lights allows residents of the development to confidently use pedestrian paths and public transport.</p> <p>The design provides a clear separation between pedestrian and vehicular activities on the site, achieved through a designated secure pedestrian way through the centre of the site, and a one way vehicle access road around the site into designated drop-off areas, garages and carparks.</p>
<b>Clause 39 Waste management</b>	<p>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</p>		<p>Operational Waste will be separated in to waste streams to reduce landfill and encourage recycling.</p> <p>Refer to <b>Waste Management Plan</b>.</p>

Part 4 Development standards to be complied with			
Item	Design Criteria	Compliance	Design Response
Division 1 General			
<b>Clause 40</b> <b>Development standards-</b> <b>minimum sizes and building</b> <b>height</b>	<b>(1) General</b> A consent authority must not consent...unless the proposed development complies with the standards specified in this clause.	Noted	The proposed development responds to the development standards as described herewith.
	<b>(2) Site size</b> The size of the site must be at least 1,000 square metres.		The site comprises two (2) existing lots: <ul style="list-style-type: none"> <li>Lot 8 DP 218157 (777.8sqm with frontage 23.27m); and</li> <li>Lot 51 732632 (11520 sqm with frontage 73.925m).</li> </ul> The combined area is 12,297.8 sqm and the existing/combined frontage is 97.2m  The proposed building involves a Lot size of 6040.98 sqm with a frontage of 53.30m. The residual lot will be 6,256.82 sqm.
	<b>(3) Site frontage</b> The site frontage must be at least 20 metres wide measured at the building line.		The proposed site frontage of the proposed lot approximately 53.30m
	<b>(4) Height in zones where residential flat buildings are not permitted</b>	N/A	N/A - Residential Flat Buildings are permitted
	<b>(5) Development applications to which clause does not apply</b> Subclauses (2), (3) and (4) (c) do not apply to a development application made by any of the following—  (a) the Department of Housing,  (b) any other social housing provider.	N/A	N/A – Legacy is not a Social Housing Provider.

Part 4 Development standards to be complied with			
Item	Design Criteria	Compliance	Design Response
Division 3 Hostels and self-contained dwellings—standards concerning accessibility and useability			
<b>Clause 41</b> <b>Standards for hostels and self-contained dwellings</b>	1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.		Refer to <b>Schedule 3</b> design response.
	(2) Despite the provisions of clauses 2, 7, 8, 9, 10, 11, 12, 13 and 15–20 of Schedule 3, a self-contained dwelling, or part of such a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements of those provisions if the development application is made by, or by a person jointly with, a social housing provider.	N/A	N/A - Legacy is not a Social Housing Provider.








Part 7 Development standards that cannot be used as grounds to refuse consent			
Item	Design Criteria	Compliance	Design Response
Division 1 General			
<b>Clause 46</b> <b>Inter-relationship of Part with design principles in Part 3</b>	(1) Nothing in this Part permits the granting of consent to a development application ...if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3.	Noted	Noted
Division 4 Self-contained dwellings			
<b>Clause 50</b> <b>Standards that cannot be used to refuse development consent for self-contained dwellings</b>	A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds—	Noted	Noted
	(a) <b>building height:</b> if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys)	N/A	The proposed building height is 26.55m (exc. Lift head and plant)
	(b) <b>density and scale:</b> if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less	N/A	The allowable FSR under SEPP (Gosford City Centre) 2018 is 2:1 and the proposed FSR is 0.76:1
	(c) <b>landscaped area:</b> if—  (ii) ...a minimum of 30% of the area of the site is to be landscaped		Required landscape area (30%) is 1812.29sqm. Proposed landscaped area is 2,425.15sqm. Proposed Lot area is 6040.98sqm so proposed landscaping is 40.14%.

	<p>(d) <b>Deep soil zones:</b> if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the <b>deep soil zone</b>).</p> <p>Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres</p>	          	<p>Required Deep soil area (15%) is 906.15sqm. Proposed landscaped area is 2,020.98sqm. Proposed Lot area is 6,040.98sqm so proposed Deep soil area is 33.45%</p> <p>The majority of the landscaping is at the rear of the site. Two-thirds = <math>0.66 \times 2020.98\text{sqm} = 1,347.32\text{sqm}</math>. The deep soil to the rear of the site exceeds the minimum dimension of 3mx3m.</p>
	<p>(e) <b>solar access:</b> if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</p>		<p>Setting aside 30 units that are orientated for view amenity and not solar purposes, 18 of the 24 units meet or exceed the 3 hour minimum – <math>18/24 = 75\%</math></p>
	<p>(f) <b>private open space for in-fill self-care housing:</b> if—</p> <p>(ii) ... there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area</p>		<p>All proposed balconies exceed the 6sqm or 10sqm minimum area and exceed the 2m x 2m dimension accessible from the living area</p>
	<p>(h) <b>parking:</b> if at least the following is provided—</p> <p>(i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or</p>		<p>A total of 39 car spaces is required for the 78 rooms proposed.</p> <p>An additional 4 car spaces is required for the proposed offices on the ground floor. Therefore, a total of 43 car spaces is required. The proposal provides 48 parking spaces and therefore exceeds the parking requirement.</p>





### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
Part 1			
Clause 2 Sitting standards	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 continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.		The whole of the site has a gradient of less than 1:10 and a compliant continuous path of travel is provided to the street.
	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.		Complies. Refer to <b>Access Report</b> .
Clause 3 Security Pathway lighting	(a) must be designed and located to avoid glare for pedestrians and adjacent dwellings, and		Noted
	(b) must provide at least 20 lux at ground level.		Noted
Clause 4 Letterboxes	(a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and		Letterboxes are located on hard stand with wheelchair access and circulation by a continuous accessible path of travel.



### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
	(b) must be lockable, and		Noted.
	(c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.		Letterboxes are located together in a central location adjacent to the street entry.
<b>Clause 5</b> <b>Private car accommodation</b> If car parking (not being car parking for employees) is provided—	(a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and		<p>The carparking spaces are noted to be 3.2m wide which is suitable for compliance with AS 2890.1-1993.</p> <p>We note 2x accessible car spaces have been detailed to 2890.6-2009. This is a suitable means of achieving compliance with subclause (b).</p> <p>All car spaces shall achieve 2.5m clear head height. In particular, the enclosed garage shall achieve 2.2m clearance at the carpark entry &amp; throughout the aisles and incorporate the measures under subclause (c).</p> <p>Compliance is readily achievable at the CC design phase.</p>
	(b) 5% of the total number of car parking spaces ... must be designed to enable the width of the spaces to be increased to 3.8 metres, and		<p>Complies. Two (2) spaces with shared zoned provided.</p> <p>Noted.</p> <p>Dwelling entries are suitably detailed, some units may require</p>

### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
	(c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.		slight adjustments at CC stage. Compliance is readily achievable at the CC design phase.
<b>Clause 6</b> <b>Accessible entry</b>	Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.		
<b>Clause 7</b> <b>Interior: general</b>	(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1.		All secondary bedrooms and balcony doors shall have AS 1428.1-2009 door circulation. Referenced plans do not detail compliance but shall be adjusted at CC stage to demonstrate compliance.
	(2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres.		
	(3) Circulation space at approaches to internal doorways must comply with AS 1428.1.		
<b>Clause 8</b> <b>Bedroom</b> At least one bedroom within each dwelling must have—	(a) an area sufficient to accommodate a wardrobe and a bed sized as follows—  (ii) in the case of a self-contained dwelling—a queen-size bed, and		At least one accessible bedroom is detailed in each dwelling that is capable of compliance.  All other required features to be documented into the detailed design documentation.  Compliance is readily achievable at the CC design phase.


### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
	(b) a clear area for the bed of at least—  (i) 1,200 millimetres wide at the foot of the bed, and  (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction		
	(c) 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		
	(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet		
	(f) wiring to allow a potential illumination level of at least 300 lux.		
<b>Clause 9 Bathroom</b>	(a) a slip-resistant floor surface,	Noted.	At least one accessible bathrooms is detailed in each dwelling that is capable of compliances.  All other required features to be documented into the detailed design documentation.
	(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply		


### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
	with AS 1428.1,		Compliance is readily achievable at the CC design phase.
	(c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future— (i) a grab rail, (ii) portable shower head, (iii) folding seat,		
	(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it		
	(e) a double general power outlet beside the mirror.		
	(2) Subclause (1) (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.	Noted.	Will comply via building specification.
<b>Clause 10 Toilet</b>	A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.		Each dwelling has at least one visitable toilet capable of compliance however a number of units (i.e. Unit 1.04 as one example) incorporates a sliding door inside the grabrail zone. Plan to be amended at CC to comply.  All other required features to be documented into the detailed design documentation.

### Schedule 3


#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
			Compliance is readily
<b>Clause 11 Surface finishes</b>	Balconies and external paved areas must have slip-resistant surfaces.	Noted.	To be documented into the detailed design documentation. Compliance is readily achievable at the CC design phase.
<b>Clause 12 Door hardware</b>	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Noted.	To be documented into the detailed design documentation. Compliance is readily achievable at the CC design phase.
<b>Clause 13 Ancillary items</b>	Switches and power points must be provided in accordance with AS 4299	Noted.	
<b>Part 2</b>			
<b>Clause 15 Living room and dining room</b> A living room in a self-contained dwelling must have—	(a) a circulation space in accordance with clause 4.7.1 of AS 4299, and		Living / dining room suitably detailed to comply. All other required features to be documented into the detailed design documentation. Compliance is readily achievable at the CC design phase.
	(b) a telephone adjacent to a general power outlet.		
	(2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.	Noted.	To be documented into the detailed design documentation. Compliance is readily achievable at the CC design phase.



### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.



Item	Design Criteria	Compliance	Design Response
<b>Clause 16</b> <b>Kitchen</b> A kitchen in a self-contained dwelling must have—	(a) a circulation space in accordance with clause 4.5.2 of AS 4299		<p>Kitchens in some units do not achieve 1550mm clearance between benches. All kitchens to be reviewed and adjusted at CC stage.</p> <p>All other required features to be documented into the detailed design documentation.</p> <p>Compliance is readily achievable at the CC design phase.</p>
	(b) a circulation space at door approaches that complies with AS 1428.1, and		
	(c) the following fittings in accordance with the relevant subclauses of clause 4.5 AS 4299		
	(i) benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5 (a), (ii) a tap set (see clause 4.5.6), (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included, (iv) an oven (see clause 4.5.8), and		
	(d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and		
	(e) general power outlets— (i) at least one of which is a double general power outlet within 300 millimetres of the front of a		

### Schedule 3

#### Standards concerning accessibility and useability for self-contained dwellings.

Item	Design Criteria	Compliance	Design Response
	work surface, and		
	(f) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.		
<b>Clause 18</b> <b>Lifts in multi-storey buildings</b>	In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia	✓	Lift access detailed to all levels. Refer to Section 2.0 at Cl. E3.6 of this report for lift requirements. Compliance is readily achievable at the CC design phase.
<b>Clause 19</b> <b>Laundry</b> A self-contained dwelling must have a laundry that has	(a) a circulation space at door approaches that complies with AS 1428.1, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300 millimetres, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling.	✓	Laundry in some units do not have compliant door circulation. All laundries to be reviewed and adjusted at CC stage,  All other required features to be documented into the detailed design documentation.  Compliance is readily achievable at the CC design phase.

**Schedule 3****Standards concerning accessibility and useability for self-contained dwellings.**

Item	Design Criteria	Compliance	Design Response
<b>Clause 20 Storage for linen</b>	A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.		Linen cupboard shown at every dwelling. Compliance is readily achievable at the CC design phase.
<b>Clause 21 Garbage</b>	A garbage storage area must be provided in an accessible location.		Garbage storage is located on each floor and accessible for the residents. Garbage room to be detailed at CC stage connected to an accessible path of travel.