

	COUNCIL DEFERRAL LETTER	APPLICANT RESPONSE
	Waverley Council letter dated 19 September 2024	Dated 27 September 2024
	<p>I refer to your development application to Council to carry out the following works at the above address:</p> <p>Demolition of all structures and construction of a seniors housing development comprising of 31 units contained within four-storey buildings, with retail and business premises at ground floor level, two basement levels vehicle parking, tree removal, consolidation of lots, and VPA offer. PAN-399197.</p> <p>You are advised that this application has been deferred for the following reasons:</p>	<p>Noted</p> <p>The number of dwellings changed from 31 to 30 to account for the change in GFA allocation due to lift lobbies, without exceeding the submitted GFA and VPA contribution.</p> <p>Demolition of all structures and construction of a seniors housing development comprising of <u>30 units</u> contained within four-storey buildings, with retail and business premises at ground floor level, two basement levels vehicle parking, tree removal, consolidation of lots, and VPA offer. PAN-399197. [emphasised]</p>
1	<p>Calculation of gross floor area</p> <p>The foyers in front of the lifts are included in gross floor area (GFA) regardless of whether the previous application included these. This is a new development application and as such must be considered in accordance with current legislation. The definition of GFA within the Housing SEPP does not allow exclusion of these areas and as such, they must be included. In this regard, please update the GFA calculations/diagrams and any relevant documentation such as the Clause 4.6 objection to the FSR development standard and any offer to enter into a planning agreement.</p>	<p>The gross floor area calculations include the foyers in front of the lifts.</p> <p>Adjustments to the communal level and reduction of one apartment, from 31 to 30 apartments, results in the same GFA sum as originally submitted.</p> <p>Updated GFA drawings form part of the architectural drawing updates.</p>
2	<p>Variation of development standards within the Housing SEPP</p> <p>Part 5 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) contains a number of development standards. It is noted that written objections to vary development standards under the Housing SEPP have been provided however these do not reference all applicable development standards for which variations are sought. The written objections must be updated to reflect the following clauses (preferred), or otherwise separate written objections for each must be provided:</p> <ul style="list-style-type: none"> a. Clause 84 (3), specifically (c) relating to height of plant on roof (exceeds 11.5m). b. Clause 108(2)(b) relating to height of plant on the roof (exceeds 11.5m). 	<p>All Clause 4.6 variations were updated to reflect changes, because of this deferral response.</p> <p>A short letter summarising all Clause 4.6 variations is included within this deferral submission.</p>
3	<p>Gradients</p> <p>Confirm gradients around the site in accordance Clause 93 (3) and (4) of the Housing SEPP.</p> <p><i>(3) For the purposes of subsections (1) and (2), access is adequate if—</i></p> <p><i>(a) the facilities and services are, or the transport service is, located at a distance of not more</i></p>	<p>The Architect has updated drawings as part of this deferral response that demonstrate the gradients generated by levels adjacent to the development site from the main entry to the local village provides a suitable access pathway in compliance with the Clause 93(3) and (4) of the Housing SEPP.</p> <p>Gradients comply with this requirement. Furthermore, residents do have an alternate means of ingress and</p>

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	<p>than 400m from the site, and (b) the distance is accessible by means of a suitable access pathway, and (c) the gradient along the pathway complies with subsection (4)(c).</p> <p>(4) In subsection (3)— (a) a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and (b) the distance is to be measured by reference to the length of the pathway, and (c) the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than— (i) 1:12 for a maximum length of 15m at a time, or (ii) 1:10 for a maximum length of 5m at a time, or (iii) 1:8 for a maximum length of 1.5m at a time.</p>	<p>egress from the premises, via the use of the corridor from reception to the corner retail and exiting at this location.</p>
4	<p>Schedule 4 of the Housing SEPP</p> <p>Division 3 <i>Development standards</i> clause 85 of the Housing SEPP states that (emphasis added):</p> <p><i>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.</i></p> <p>In this regard, a statement and/or plans are required detailing and demonstrating compliance with the development standards contained within Schedule 4. All standards must be complied with otherwise an objection under Clause 4.6 of the LEP to vary a development standard is required.</p>	<p>Schedule 4 of the Housing SEPP has been considered and added to the Architectural drawing set, outlining and confirming the inclusion of all items and Australian Standard compliances that 'must' be included within the development.</p> <p>A new drawing A00.000B, revision A has been included, which notes ALL requirements, in addition notes added to drawings ensuring compliance.</p> <p>If further information is required, please let me know.</p>