

COMPLIANCE TABLE: STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

JRPP-14-1437 - Assessment of a Residential Aged Care Facility (RACF), View Street, The Ponds

| Development Control | Compliant | Comment |
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| Chapter 1 – Preliminary | | |
| <p>2 – Aims of Policy</p> <p>1) This Policy aims to encourage the provision of housing (including residential care facilities) that will:</p> <ul style="list-style-type: none"> a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and b) make efficient use of existing infrastructure and services, and c) be of good design. <p>2) These aims will be achieved by:</p> <ul style="list-style-type: none"> a) setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and b) setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and <p>ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.</p> | Yes | The proposed development satisfies the aims of the SEPP. |
| <p>4 Land to which Policy applies</p> <p>(1) General</p> <p>This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:</p> <p>(a) development for the purpose of any of the following is permitted on the land:</p> <ul style="list-style-type: none"> i. dwelling-houses, ii. residential flat buildings, iii. hospitals, iv. development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or <p>(b) the land is being used for the purposes of an existing registered club.</p> | Yes | The site is zoned 2(a) – General Residential under Blacktown Local Environmental Plan 1988. The proposed development is permissible within the zone with consent. |

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| <p>5 Relationship to other environmental planning instruments</p> <p>1) This Policy repeals State Environmental Planning Policy No 5—Housing for Older People or People with a Disability.</p> <p>2) Despite anything to the contrary in this Policy:</p> <p>a) a consent authority may not grant consent to a development application made pursuant to Chapter 3 in relation to the land referred to in clause 4 (9) if the proposed development does not comply with the requirements of clause 65 (5) of Sutherland Shire Local Environmental Plan 2000 relating to development for the purposes of seniors housing, and</p> <p>b) the provisions of clause 65 (5) of Sutherland Shire Local Environmental Plan 2000 relating to development for the purposes of seniors housing prevail over the provisions of this Policy to the extent of any inconsistency.</p> <p>3) If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, this Policy prevails to the extent of the inconsistency.</p> <p>This Policy does not affect a provision in another environmental planning instrument that relates to the demolition of a heritage item.</p> | Yes | Noted. |
| Chapter 2 Key concepts | | |
| <p>8 Seniors</p> <p>In this Policy, seniors are any of the following:</p> <p>(a) people aged 55 or more years,</p> <p>(b) people who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided,</p> <p>(c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.</p> | Yes | Noted |
| <p>9 – People with a disability</p> <p>In this Policy, people with a disability are people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.</p> | N/A | The development proposes housing for <i>seniors</i> only. |
| <p>10 Seniors housing</p> <p>In this Policy, seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:</p> <p>(a) a residential care facility, or</p> <p>(b) a hostel, or</p> <p>(c) a group of self-contained dwellings, or</p> | Yes | Proposal is for a residential care facility (RACF). |

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| <p>(d) a combination of these, but does not include a hospital.</p> <p>Note. The concept of seniors housing is intended to be a shorthand phrase encompassing both housing for seniors and for people with a disability. This Policy deals with both kinds of housing.</p> <p>Accommodation provided by seniors housing does not have to be limited to seniors or people with a disability. Clause 18 provides that seniors housing may be used for the accommodation of the following:</p> <p>(a) seniors or people who have a disability, (b) people who live within the same household with seniors or people who have a disability, (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</p> <p>Relevant classifications in the Building Code of Australia for the different types of residential accommodation are as follows:</p> <p>(a) Class 3, 9a or 9c in relation to residential care facilities, (b) Class 1b or 3 in relation to hostels, (c) Class 1a or 2 in relation to self contained dwellings.</p> | | |
| <p>11 Residential care facilities</p> <p>In this Policy, a residential care facility is residential accommodation for seniors or people with a disability that includes:</p> <p>(a) meals and cleaning services, and (b) personal care or nursing care, or both, and (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care, not being a dwelling, hostel, hospital or psychiatric facility.</p> <p>Note. The Aged Care Act 1997 of the Commonwealth requires residential care facilities to which that Act applies to meet certain requirements.</p> | Yes | Proposal complies with definition. |
| Chapter 3 Development for seniors housing | | |
| Part 1 General | | |
| <p>14 Objective of Chapter</p> <p>The objective of this Chapter is to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age.</p> | Yes | The proposed development is suitably located and designed in accordance with the development controls of this Chapter. |
| <p>15 What Chapter does</p> | Yes | Noted. |

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| <p>This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy:</p> <p>(a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and</p> <p>(b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.</p> | | |
| <p>16 Development consent required</p> <p>Development allowed by this Chapter may be carried out only with the consent of the relevant consent authority unless another environmental planning instrument allows that development without consent.</p> | Yes | This DA seeks approval from the JRPP for the purpose of the development of housing for seniors. |
| <p>18 Restrictions on occupation of seniors housing allowed under this Chapter</p> <p>(1) Development allowed by this Chapter may be carried out for the accommodation of the following only:</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live within the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</p> <p>(2) A consent authority must not consent to a development application made pursuant to this Chapter unless:</p> <p>(a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and</p> <p>(b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1).</p> <p>(3) Subclause (2) does not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.</p> | Yes | <p>Suitable conditions of development consent will be imposed requiring a restriction as to user to be registered on the titled requiring the accommodation to be utilised for only:-</p> <p>a) seniors or people who have a disability,</p> <p>b) people who live within the same household with seniors or people who have a disability,</p> <p>c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</p> |
| <p>19 Use of seniors housing in commercial zones</p> <p>Development allowed by this Chapter for the purposes of seniors housing does not include the use for residential purposes of any part of the ground floor of a building that fronts a street if the building is located on land that is zoned primarily for commercial purposes unless another environmental planning instrument permits the use of all of the building for residential purposes.</p> | N/A | Subject site is not a commercial zone. |

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| <p>21 Subdivision</p> <p>Land on which development has been carried out under this Chapter may be subdivided with the consent of the consent authority.</p> <p>Note. Clause 5 (3) of this Policy ensures that subdivision on the land referred to in clause 4 (9) (b) is permitted by this clause with the consent of the consent authority despite the provisions of clause 65A of the former Sutherland Shire Local Environmental Plan 2000 (which continues to apply to the land by virtue of clause 7 (2) (a) of Sutherland Shire Local Environmental Plan 2006).</p> | N/A | Subdivision is not sought by the DA. |
| <p>22 Fire sprinkler systems in residential care facilities for seniors</p> <p>Development for the purpose of the installation of a fire sprinkler system in a residential care facility for seniors may be carried out with development consent.</p> | Yes | Fire sprinklers indicated in plans and subject to relevant conditions . |
| <p>23 Development on land used for the purposes of an existing registered club</p> <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that is used for the purposes of an existing registered club unless the consent authority is satisfied that:</p> <p>(a) the proposed development provides for appropriate measures to separate the club from the residential areas of the proposed development in order to avoid land use conflicts, and</p> <p>(b) an appropriate protocol will be in place for managing the relationship between the proposed development and the gambling facilities on the site of the club in order to minimise harm associated with the misuse and abuse of gambling activities by residents of the proposed development.</p> <p>Note. The Gaming Machines Act 2001 and the regulations made under that Act provide for gambling harm minimisation measures.</p> <p>(2) For the purposes of subclause (1) (a), some of the measures to which a consent authority may have regard include (but are not limited to) the following:</p> <p>(a) any separate pedestrian access points for the club and the residential areas of the proposed development,</p> <p>(b) any design principles underlying the proposed development aimed at ensuring acceptable noise levels in bedrooms and living areas in the residential areas of the proposed development.</p> <p>Note. See also clause 34 in relation to noise minimisation design principles.</p> | N/A | Subject site is not used for the purposes of an existing registered club. |
| <p>Part 1A Site compatibility certificates</p> <p>24 Site compatibility certificates required for certain development applications</p> | N/A | Seniors housing is permissible in the zone, therefore a site compatibility certificate is |

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| <p>(1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) if:</p> <p>(a) the development is proposed to be carried out on any of the following land to which this Policy applies:</p> <p>(i) land that adjoins land zoned primarily for urban purposes,</p> <p>(ii) land that is within a zone that is identified as “special uses” under another environmental planning instrument (other than land on which development for the purposes of hospitals is permitted),</p> <p>(iii) land that is used for the purposes of an existing registered club, or</p> <p>(b) the development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45.</p> <p>(1A) Despite subclause (1), this clause does not apply to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing if the proposed development is permissible with consent on the land concerned under the zoning of another environmental planning instrument.</p> <p>(2) A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the Director-General has certified in a current site compatibility certificate that, in the Director-General’s opinion:</p> <p>(a) the site of the proposed development is suitable for more intensive development, and</p> <p>(b) development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).</p> <p>Note. Clause 50 (2A) of the Environmental Planning and Assessment Regulation 2000 requires a development application to which this clause applies to be accompanied by a site compatibility certificate.</p> <p>(3) Nothing in this clause:</p> <p>(a) prevents a consent authority from:</p> <p>(i) granting consent to a development application to which this clause applies to carry out development that is on a smaller (but not larger) scale than the kind of development in respect of which a site compatibility certificate was issued, or</p> <p>(ii) refusing to grant consent to a development application to which this clause applies by reference to the consent authority’s own assessment of the compatibility of the proposed development with the surrounding environment, or</p> <p>(b) otherwise limits the matters to which a consent authority may</p> | | <p>not required.</p> |

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| <p>or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies.</p> <p>Note. Nothing in this clause affects a consent authority's duty to give effect to non-discretionary standards set out in this Policy. See, for example, clauses 48, 49 and 50.</p> <p>(4) (Repealed)</p> | | |
| Part 2 Site-related requirements | | |
| <p>26 Location and access to facilities</p> <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p> <p>(2) Access complies with this clause if:</p> <p>(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time, or</p> <p>(b) in the case of a proposed development on land in a local government area within the Sydney Statistical Division—there is a public transport service available to the residents who will occupy the proposed development:</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site</p> | Yes | <p>The DA has been accompanied by an Access Assessment Report. Based on an assessment of pathway gradients and a bus route and timetable analysis, access to shops, services and medical practitioners are readily available and accessible from the site at the Stanhope Village local shopping centre as well as larger centres, including Rouse Hill and Blacktown.</p> |

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| <p>to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3), or</p> <p>(c) in the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport service available to the residents who will occupy the proposed development:</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive),</p> <p>and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) complies with subclause (3).</p> <p>Note. Part 5 contains special provisions concerning the granting of consent to development applications made pursuant to this Chapter to carry out development for the purpose of certain seniors housing on land adjoining land zoned primarily for urban purposes. These provisions include provisions relating to transport services.</p> <p>(3) For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.</p> <p>(4) For the purposes of subclause (2):</p> <p>(a) a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and</p> <p>(b) distances that are specified for the purposes of that subclause are to be measured by reference to the length of any such pathway.</p> <p>(5) In this clause:</p> | | |

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| bank service provider means any bank, credit union or building society or any post office that provides banking services. | | |
| 27 Bush fire prone land | N/A | The subject site has not been identified as bush fire prone land. |
| 28 Water and sewer (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage. (2) If the water and sewerage services referred to in subclause (1) will be provided by a person other than the consent authority, the consent authority must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development. | Yes | The subject site is services by reticulated water and sewage system. Evidence from Sydney Water has been received. This matter will be reinforced through a condition of consent requiring a Section 73 Certificate from Sydney Water to be obtained. |
| 29 Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply (1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) to which clause 24 does not apply. Note. Clause 24 (1) sets out the development applications to which that clause applies. (2) A consent authority, in determining a development application to which this clause applies, must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v). (3) Nothing in this clause limits the matters to which a consent authority may or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies. | Yes | The proposed development will not impact upon the natural environment, the existing uses or approved uses of land in the vicinity of the proposed development. Services and infrastructure are available to meet the demands arising from the proposed development. The proposed RACF is consistent with the bulk, scale, built form and characteristics of existing development in the locality of the site. |
| Part 3 Design requirements | | |
| Division 1 General | | |
| 30 Site analysis (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a | Yes | The DA has been accompanied with information to provide a satisfactory site analysis of |

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| site analysis prepared by the applicant in accordance with this clause. | | the property. The site is considered to be suitable for the proposed development. |
| 31 Design of in-fill self-care housing In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004. | N/A | Proposal is for a RACF only. |
| 32 Design of residential development A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2. | Yes | An assessment of the principles set out in Division 2 is outlined below. |
| Division 2 Design principles | | |
| 33 Neighbourhood amenity and streetscape The proposed development should: <ul style="list-style-type: none"> (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 (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 (c) maintain reasonable neighbourhood amenity and appropriate residential character by: <ul style="list-style-type: none"> (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and (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 | Yes | The proposed development is consistent with the existing built form and streetscape. The proposal has been designed to satisfy the desired future character of The Ponds. No heritage items are located in the vicinity of the subject site. The buildings will be single storey and provide suitable setbacks to maintain the amenity of the neighbourhood. The proposal maintains consistent setbacks to all street frontages to complement the existing development in development in the area. The submitted landscape plans will |

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| <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p> | | <p>satisfactorily provide for the embellishment of the site by providing suitable ground covers, shrubs and trees to complement the development. A condition will be imposed requiring full compliance with these plans in any consent granted.</p> <p>The site is currently clear of any trees and is not within a riparian zone.</p> |
| <p>34 Visual and acoustic privacy</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>Note. The Australian and New Zealand Standard entitled AS/NZS 2107–2000, Acoustics—Recommended design sound levels and reverberation times for building interiors and the Australian Standard entitled AS 3671—1989, Acoustics—Road traffic noise intrusion—Building siting and construction, published by Standards Australia, should be referred to in establishing acceptable noise levels.</p> | Yes | <p>The use of landscaping and appropriate building setbacks will allow for adequate separation from the adjacent retirement village and Parklea correction centre so as to afford sufficient privacy to the development.</p> <p>Bedrooms of the proposed dwellings are suitably setback and screened by landscaping.</p> |
| <p>35 Solar access and design for climate</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 ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p> <p>Note. AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions.</p> | Yes | <p>All rooms are provided with windows and design of building allows for adequate solar access and natural ventilation to private rooms and common areas. The development is single storey and will not result in adverse overshadowing .</p> |
| <p>36 Stormwater</p> <p>The proposed development should:</p> | Yes | <p>Council's engineers have assessed the proposed development in relation to</p> |

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| <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>stormwater management and have no objection to the development in this regard.</p> |
| <p>37 Crime prevention</p> <p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</p> <p>(b) where shared entries are required, providing shared entries that serve a small 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> | <p>Yes</p> | <p>The development, when completed, will be secure for the residents. The village will have support staff to monitor the area and the layout of the developments results in most dwellings fronting an internal road to provide casual surveillance.</p> <p>The orientation and layout of the building will allow casual surveillance of the public domain.</p> <p>The perimeter of the site is also secured by a minimum 1.8m high fence. The fence is to be metal picket adjoining View Street and internal retirement village. A solid fence is to adjoining residential lot 40 and the Parklea Correction centre.</p> |
| <p>38 Accessibility</p> <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>Yes</p> | <p>The proposed development has clear pedestrian linkages within the site and to local facilities.</p> |
| <p>39 Waste management</p> <p>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</p> | <p>Yes</p> | <p>The site will be serviced by a private waste contractor.</p> <p>Appropriate waste and recycling collection</p> |

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| | | facilities will be provided throughout the development site. |
| Part 4 Development standards to be complied with | | |
| Division 1 General | | |
| <p>40 Development standards—minimum sizes and building height</p> <p>(1) General</p> <p>A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.</p> <p>(2) Site size</p> <p>The size of the site must be at least 1,000 square metres.</p> <p>(3) Site frontage</p> <p>The site frontage must be at least 20 metres wide measured at the building line.</p> <p>(4) Height in zones where residential flat buildings are not permitted</p> <p>If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>(a) the height of all buildings in the proposed development must be 8 metres or less, and</p> <p>Note. Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See clauses 48 (a), 49 (a) and 50 (a).</p> <p>(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</p> <p>Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.</p> <p>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p> <p>(5) Development applications to which clause does not apply</p> <p>Subclauses (2), (3) and (4) (c) do not apply to a development application made by any of the following:</p> <p>(a) the Department of Housing,</p> <p>(b) any other social housing provider.</p> | Yes | <p>Site area – 16,953sq.m</p> <p>Site frontage – 97m</p> <p>Height – Maximum 6.9m to roof ridge line</p> |
| <p>Division 2 Residential care facilities—standards concerning accessibility and useability</p> <p>Note. Development standards concerning accessibility and</p> | Yes | Noted, relevant conditions imposed. |

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| useability for residential care facilities are not specified in this Policy. For relevant standards, see the Commonwealth aged care accreditation standards and the Building Code of Australia. | | |
| Division 3 Hostels and self-contained dwellings—standards concerning accessibility and useability | N/A | Development for RACF. |
| Part 5 Development on land adjoining land zoned primarily for urban purposes | | |
| 42 Serviced self-care housing (1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have reasonable access to: (a) home delivered meals, and (b) personal care and home nursing, and (c) assistance with housework. (2) For the purposes of subclause (1), residents of a proposed development do not have reasonable access to the services referred to in subclause (1) if those services will be limited to services provided to residents under Government provided or funded community based care programs (such as the Home and Community Care Program administered by the Commonwealth and the State and the Community Aged Care and Extended Aged Care at Home programs administered by the Commonwealth). | N/A | Development for RACF. |
| Part 7 Development standards that cannot be used as grounds to refuse consent | | |
| Division 1 General | | |
| 46 Inter-relationship of Part with design principles in Part 3 (1) Nothing in this Part permits the granting of consent to a development application made pursuant to this Chapter if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3. Note. It is considered possible to achieve good design and achieve density ratios set out in Division 2. Good design is critical to meriting these density ratios. (2) For the avoidance of doubt, nothing in this Part limits the matters to which the Director-General may have regard in refusing to issue a site compatibility certificate. | Yes | Noted. |
| 47 Part does not apply to certain development applications relating to heritage affected land Nothing in this Part applies in relation to the granting of consent to a development application made pursuant to this Chapter for | N/A | The subject site is not a listed heritage item. |

| Development Control | Compliant | Comment |
|---|-----------|--|
| the carrying out of development on land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies. | | |
| Division 2 Residential care facilities | | |
| <p>48 Standards that cannot be used to refuse development consent for residential care facilities</p> <p>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 residential care facility on any of the following grounds:</p> <p>(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or</p> <p>(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</p> <p>(c) landscaped area: if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,</p> <p>(d) parking for residents and visitors: if at least the following is provided:</p> <p>(i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and</p> <p>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</p> <p>(iii) 1 parking space suitable for an ambulance.</p> <p>Note. The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.</p> | Yes | <p>(a) building height: Maximum 6.9m</p> <p>(b) density and scale: FSR is 0.39:1 (GFA of 6,486sq.m)</p> <p>(c) landscaped area: 104 beds requires 2,600sq.m. The development proposes 8,860sq.m.</p> <p>(d) parking: <u>Requirement</u></p> <p>(i) 104 beds requires 10.4 spaces</p> <p>(ii) 25 persons employed requires 12.5 spaces</p> <p>(iii) 1 ambulance</p> <p>Total of 23 spaces (22.9) plus 1 ambulance required.</p> <p><u>Provision</u></p> <p>Proposal provides for 55 car spaces plus 1 ambulance</p> |
| <p>55 Residential care facilities for seniors required to have fire sprinkler systems</p> <p>A consent authority must not grant consent to carry out development for the purpose of a residential care facility for seniors unless the proposed development includes a fire sprinkler system.</p> | Yes | The proposed facility will include a fire sprinkler system in accordance with BCA requirements. |