***State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 Checklist***

| **GENERAL CONSIDERATIONS** | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Permissibility<br><br>(Clause 4) | Land zoned primarily for urban purposes or adjacent to urban land. | The site is zoned R1 General Residential. | Yes |
| Site Compatibility Certificate<br><br>(Clause 24) | Not required for urban zone (unless a vertical village is proposed). | N/A | N/A |
| Location, Facilities and Support Services<br><br>(Clause 26) | Max. 400m from shops, banks, retail, community services and medical services being no more than 1:14 gradient or as otherwise stipulated within Clause 26(2). | The site has adequate access to the necessary facilities and services on-site and via public transport (bus and train) services. | Yes |
| Water and Sewer<br><br>(Clause 28) | Housing connected to a reticulated water system with adequate waste water disposal. | Services are currently available. A standard condition requiring a Section 73 Certificate is recommended to be imposed in the consent. | Yes |
| Site Capability Criteria<br><br>(Clause 29) | If Clause 24 is not applicable, the consent authority is to consider the requirements within Clause 25(b)(i), (ii) and (v) being the natural environment and existing uses in immediate locality, impact of proposed works on future uses of land (being more than the subject site) and impact of bulk, scale and built form on character of area. | Developments in the area are predominantly residential. The proposal is compatible with the natural and built environment in terms of height, bulk and scale. | Yes |

| PART 3 - DIVISION 1 - GENERAL DESIGN REQUIREMENTS | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Site Analysis<br><br>(Clause 30) | Site Analysis required. | The submitted site analysis noted the following:<br><br>- The proposal is consistent with the principle of view sharing.<br><br>- There is a state listed heritage item in the immediate vicinity to the south.<br><br>- Supporting services including public open space, water and sewer are available in the locality.<br><br>- The amenity of the adjoining developments including solar access and privacy will be maintained. | Yes |

| PART 3 - DIVISION 1 - GENERAL DESIGN REQUIREMENTS | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Design Consideration<br><br>(Clause 31) | Assessment against Seniors Living Policy – Urban Design Guideline for Infill Development (DOP, March 2004) | The proposal is compatible with the existing and future residential character of the locality.<br><br>The applicant has minimised the building footprint and maximised deep soil planting.<br><br>The proposal will have a negligible impact on the streetscape.<br><br>The proposal is adequately setback from the boundaries and together with the proposed landscaping will maintain the amenity of the neighbouring properties.<br><br>Internal amenity is maintained through maximising solar access, provision of open space and maintaining privacy. | Yes |

| PART 3 - DIVISION 2 - DESIGN PRINCIPLES | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Neighbourhood Amenity & Streetscape<br><br>(Clause 33) | Recognise and respond to area character and consider heritage items, maintain reasonable amenity and character through setbacks, height, fencing, planting and retaining walls, etc. | The proposed seniors housing is compatible with the residential character of the locality.<br><br>The proposal is considered to be sympathetic to the existing built environment. | Yes |
| Visual & Acoustic Privacy<br><br>(Clause 34) | Consider location of windows and balconies, use of screening devises, landscaping and noise generation by locating paths, parking and driveways away from dwellings. | The design has made the following provisions to maintain privacy:<br><br>- Balconies face only front yards of adjoining properties except for those at the north, which are separated from the adjoining properties by a public cycling/walking path.<br><br>- Landscaping along all boundaries.<br><br>- Separation between units and side boundaries by location of driveway and landscaping.<br><br>- No direct viewing between existing windows on adjoining sites and proposed windows.<br><br>- The design responds to the surrounding neighbours and has minimised overlooking and privacy loss. | Yes |

| PART 3 - DIVISION 2 - DESIGN PRINCIPLES | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Solar Access<br><br>(Clause 35) | Adequate solar access to living areas and POS of neighbours and reduced energy use by locating windows of living and dining areas to the north. | The shadow diagrams that accompany the DA have indicated that existing adjoining dwellings will experience minimal overshadowing in mid-winter.<br><br>The orientation of the site ensures adequate solar access to the living areas and private open space of the proposed dwellings.<br><br>The southern side of the residential aged care facility will experience shadow during mid-winter, however these rooms do not include living areas. The communal living areas receive adequate solar access. | Yes |
| Stormwater<br><br>(Clause 36) | Control and minimize stormwater runoff and include (where practical) OSD. | The drainage plan is considered satisfactory by Council's Engineers.<br><br>OSD is not required for the site being a new release area. | Yes |
| Crime Prevention<br><br>(Clause 37) | Ensure passive surveillance and lockable shared entries. | The units are designed to provide passive surveillance. | Yes |
| Accessibility<br><br>(Clause 38) | Safe pedestrian links to public transport and facilities and safe and convenient access and parking. | Several bus stops are available nearby which provide access to services. | Yes |

| PART 3 - DIVISION 2 - DESIGN PRINCIPLES | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Waste Management<br><br>(Clause 39) | Provide waste facilities that maximize recycling. | A waste management plan has been submitted with the DA. A general garbage room as well as a bulky waste room are proposed in the basement with lifts for access by disabled residents. | Yes |

| PART 4 - DIVISION 1 – GENERAL STANDARDS TO BE COMPLIED WITH | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Site Area (does not apply to social housing provider)<br><br>(Clause 40(2)) | Min. 1,000m$^2$ | Social Housing Provider not required to comply under Clause 40(5)(b). | N/A |
| Frontage (does not apply to social housing provider)<br><br>(Clause 40(3)) | Min. 20m | Social Housing Provider not required to comply under Clause 40(5)(b). | N/A |
| Building Height (Rear 25% control does not apply to Social Housing Provider)<br><br>(Clause 40(4)) | Height not to exceed 8m.<br><br>Adjacent to boundary must be 2 storeys in height.<br><br>Rear 25% to be single storey. | Maximum height compliant with LEP<br><br>LEP and North Penrith Design Guidelines allow 3 storeys.<br><br>Social Housing Provider not required to comply under Clause 40(5)(b). | N/A<br><br>N/A<br><br>N/A |

| PART 7 – DIVISION 1 – GENERAL (CANNOT BE GROUNDS FOR REFUSAL) | | | |
|---|---|---|---|
| General Consent Restriction<br><br>(Clause 46) | Cannot grant consent if site analysis considerations are not satisfactory. | Satisfactory | Yes |

| PART 7 – DIVISION 4 – SELF CONTAINED DWELLINGS(CANNOT BE GROUNDS FOR REFUSAL) | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Height<br><br>(Clause 50(a)) | 8m (max. two storeys at rear) | Proposal exceeds this maximum. Consent authority cannot use height of building as a reason for refusal if it is complaint with this clause. Refusal is not recommended so therefore the maximum height may be determined by the LEP. | N/A |
| FSR<br><br>(Clause 50(b)) | 0.5:1 (ILUs)<br><br>1:1 (RACF) | 0.95:1 | Yes |
| Landscaped Area<br><br>(Clause 50(c)) | Min. 35m² per unit (ILU)<br><br>Min. 25m$^2$ per bed (RACF)<br><br>15% deep soil area (exclusive of paving, driveways or sealed areas) | 3,800m$^2$ (79m$^2$ per unit)<br><br>2,500m$^2$ (25m$^2$ per bed)<br><br>28% | Yes<br><br>Yes<br><br>Yes |
| Solar Access<br><br>(Clause 50(e)) | 70% solar access to living areas for 3 hrs between 9am and 3pm | 100% | Yes |
| POS (Infill)<br><br>(Clause 50(f)) | Ground Floor: 15m$^2$ of POS per unit being min. 3m x 3m and accessed off living area.<br><br>1$^{st}$ floor: 10m$^2$ per unit | Dwelling type:<br><br>A – 8m$^2$<br><br>G – 10m$^2$<br><br>J – 26m$^2$<br><br>K – 23m$^2$<br><br>L –12m$^2$ | No. A minor variation is supported due to the high quality communal open space areas and shared amenity that will be available to residents. |
| Parking<br><br>(Clause 50(h)) | 1 car space for each 5 dwellings (ILUs - 48)<br><br>1 car space for each 10 beds (RACF - 100) | 20 spaces required & 110 spaces proposed. | Yes |

| SCHEDULE 3 – SELF CONTAINED DWELLING STANDARD | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Wheelchair Access<br><br>(Clause 2(1)) | If entire site is <1:10 grade, 100% to be wheelchair accessible | Access report submitted confirming the site gradient is less than 1:10 and all areas will be linked by an accessible path. | Yes |
| (Clause 2(2)) | If not, 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. | All areas are linked by an accessible path of 1:14. | Yes |
| Lighting<br><br>(Clause 3) | Must provide at least 20 lux at ground level. | Compliance subject to condition | Yes |
| Letterboxes<br><br>(Clause 4) | Lockable.<br><br>Situated on hard stand that is wheelchair accessible.<br><br>Central location adjacent to street entry. | Compliance subject to condition. | Yes |
| Private Car<br><br>(Clause 5) | Must comply with AS 2890.<br><br>Garages – power operated doors or enable a future one to be installed. | Compliance subject to condition. | Yes |
| Internal Design<br><br>(Clause 7) | Refer to Clauses 6-17, 19 and 20 of Schedule 3 for design requirements. | Compliance subject to condition. | Yes |

| SCHEDULE 3 – SELF CONTAINED DWELLING STANDARD | | | |
|---|---|---|---|
| **CLAUSE** | **SEPP REQUIREMENT** | **PROPOSED DEVELOPMENT** | **COMPLIANCE** |
| Lift Access<br><br>(Clause 18) | 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*. | Four separate lifts provided. | Yes |
| Garbage Storage<br><br>(Clause 21) | A garbage storage area must be provided in an accessible location. | Provided via lifts to basement. | Yes |

**NOTE:**

Clause 41 of the SEPP excludes some clauses in Schedule 3 from being applicable to a Social Housing Provider.