

**ASSESSMENT OF COMPLIANCE WITH STATE ENVIRONMENTAL PLANNING POLICY
(HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004**

JRPP-15-02700 - Assessment of a Residential Care Facility (RCF)

Proposed Lot 2 in Nos. 37-43 Kildare Street, Blacktown

Development Control	Complies	Town Planning Comment
Chapter 1 – Preliminary-		
2 – Aims of Policy 1) This Policy aims to encourage the provision of housing (including residential care facilities) that will: <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. 2) These aims will be achieved by: <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 c) ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes. 	Yes	<p>The proposed development satisfies the aims of the SEPP, as it increases the supply and diversity of Seniors housing.</p> <p>The site makes efficient use of existing infrastructure and services.</p> <p>The site is located within the Design Excellence map, and has been reviewed by Council's City Architect, and amendments have been provided which improve the external appearance of the north and south elevations to lessen the institutional nature of the building. These changes included two additional window types; increased variation in materials, colours and textures within the bays of windows; rain screen cladding of different tones to further break up the elevations.</p>
4 Land to which Policy applies 1) General 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: <ul style="list-style-type: none"> a) development for the purpose of any of the following is permitted on the land: <ul style="list-style-type: none"> i. dwelling-houses, ii. residential flat buildings, iii. hospitals, iv. development of a kind identified in respect 	Yes	<p>The site is zoned R4 – High Density Residential pursuant to the Blacktown Local Environmental Plan (BLEP) 2015, in which the proposed 'Seniors housing' development is permissible with development consent.</p>

Development Control	Complies	Town Planning Comment
<p>of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or</p> <p>b) the land is being used for the purposes of an existing registered club.</p>		
<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>4) 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	This will be a condition of consent and a S88B instrument will be required on title to reflect this requirement.

<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>	Yes	<p>Noted. The development proposes 149 'high care' beds within 137 rooms with en-suite bathrooms. This provision includes 17 beds for residents living with dementia.</p>
<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> <ul style="list-style-type: none"> a) a residential care facility, or b) a hostel, or c) a group of self-contained dwellings, or d) a combination of these, <p>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> <ul style="list-style-type: none"> 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>Relevant classifications in the Building Code of Australia for the different types of residential accommodation are as follows:</p> <ul style="list-style-type: none"> 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. 	Yes	<p>Noted. Proposal is for a residential care facility (RCF), so complies with definition under 10(a), and does not include a hospital. A permanent space reserved for ambulance use is set aside near the building's entry.</p> <p>Accommodation is proposed for 149 'high care' beds which includes 17 beds for dementia patients.</p> <p>36 staff will be employed to assist in the administration of and provision of services to residents.</p> <p>Conditions will be imposed requiring compliance with the Building Code of Australia's requirements for residential care facilities. The recommendations of the Access Report will be required to be met prior to issue of Construction Certificate.</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> <ul style="list-style-type: none"> 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, <p>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	<p>Proposal complies with definition of Residential Care Facility.</p> <ul style="list-style-type: none"> a) The building includes a commercial kitchen to provide for meal preparation for the facility. Dining areas are located in the centre of the facility on all levels. There are serveries on each level, and an additional café/servy on the ground floor. <p>Cleaning services are provided as part of the operation of the facility. Process rooms on the ground floor deal with laundry; additional areas are set aside for the storage of cleaning equipment, material, and chemicals on the ground floor.</p> <ul style="list-style-type: none"> b) Both personal care or nursing care is offered, that is to a standard of high care or acute care, and also includes provision of care to dementia patients. c) The facility will have a maximum staffing level at any one time of 36 staff to 149 residents. It will be manned 24 hours per day, seven days per week. The applicant has indicated that a fully-qualified nurse will be on site at any time (personal communication). d) The facility will have furniture, furnishings and equipment that are fit for purpose for a residential care facility. Conditions will be imposed to ensure compliance with government standards for RCFs in terms of provision of accommodation and care.
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</p>	Yes	<p>The proposed development is suitably located and designed in accordance with the development</p>

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.		controls of this Chapter.
<p>15 What Chapter does</p> <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> <ul style="list-style-type: none"> a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and 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. 	Yes	Site is zoned R4 and thus is zoned primarily for high density residential purposes. Proposal is for a residential care facility as defined above. Under the BLEP 2015 Seniors housing is permissible in the R4 zone with consent; a residential care facility is defined under the BLEP 2015 as a type of seniors housing.
<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 the development of seniors housing, namely a residential care facility.
<p>18 Restrictions on occupation of seniors housing allowed under this Chapter</p> <ul style="list-style-type: none"> 1) Development allowed by this Chapter may be carried out for the accommodation of the following only: <ul style="list-style-type: none"> 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. 2) A consent authority must not consent to a development application made pursuant to this Chapter unless: <ul style="list-style-type: none"> 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 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 	Yes	<p>Suitable conditions of development consent will be imposed requiring a restriction as to user pursuant to Section 88B of the <i>Conveyancing Act 1919</i> to be registered on the title requiring the accommodation to be utilised for only:-</p> <ul style="list-style-type: none"> 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>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>		
<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	The site is not zoned for commercial purposes.
<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>	Yes	Subdivision is sought by the DA. The amalgamation of four lots is proposed and subdivision into two lots, proposed Lot 1 for a future RFB, and proposed Lot 2 which is a battle-axe lot which is the subject site for this DA for a RCF.
<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 of consent .
<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>	N/A	Subject site is not used for the purposes of an existing registered club.

<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> <ul style="list-style-type: none"> a) any separate pedestrian access points for the club and the residential areas of the proposed development, 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>Note. See also clause 34 in relation to noise minimisation design principles.</p>		
<p>Part 1A Site compatibility certificates</p> <p>24 Site compatibility certificates required for certain development applications</p> <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> <ul style="list-style-type: none"> a) the development is proposed to be carried out on any of the following land to which this Policy applies: <ul style="list-style-type: none"> i. land that adjoins land zoned primarily for urban purposes, 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), iii. land that is used for the purposes of an existing registered club, or b) the development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45. <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</p>	<p>N/A</p>	<p>Seniors housing is permissible in the zone, therefore a site compatibility certificate is not required.</p>

<p>compatibility certificate that, in the Director-General's opinion:</p> <ul style="list-style-type: none"> a) the site of the proposed development is suitable for more intensive development, and 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>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> <ul style="list-style-type: none"> a) prevents a consent authority from: <ul style="list-style-type: none"> 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 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 b) otherwise 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. <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> <ul style="list-style-type: none"> a) shops, bank service providers and other retail and commercial services that residents may 	<p>Yes</p>	<p>The DA has been accompanied by an Access Assessment Report.</p> <p>The applicant has demonstrated that the site is located 400m from Blacktown's local centre, the Westpoint Shopping Centre. A bus stop is located 90m from the site. A routine bus service (route 725) services between these two points,</p>

<p>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>and travels along Kildare Road, Richmond Road and Patrick Street (Westpoint Bus Interchange). An additional bus service, route 726, travels between Blacktown and Doonside.</p> <p>Thus access to local and regional services is provided, and travel to and from the site at least once between 8am and 12pm and 12pm and 6pm each day is achieved, which satisfies the clause.</p> <p>The direct pathway to these bus stops are serviced by footpaths which have a relatively level gradient, which provides for a firm path of travel.</p> <p>Based on an assessment of the bus routes and timetable analysis, access to shops, services and medical practitioners is readily available and accessible nearby in Kildare Road, and at the Westpoint centre located 400 metres to the east.</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 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</p>	<p>There are recreational facilities within a 400m distance from the site, Joseph Frank Park, to the west in Ida Place, and a reserve on Kildare Road, located between Carinya Street and Balmoral Street. Across the main western railway line is located the Blacktown Showground and Francis Park, accessible via Balmoral Street and Richmond Road.</p> <p>It is noted that while access opportunities exist, the majority of residents within the facility will not be in a position to independently access outside services and facilities given their condition.</p> <p>The RCF provides consulting rooms for medical services and treatment rooms for allied health services.</p> <p>Personal care services at the facility include cleaning, laundry, meals and assistance with bathing, personal hygiene, eating and transport. Essential allied health services will also be provided on-site. Further there will be an onsite hair salon.</p>

<p>than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <ul style="list-style-type: none"> 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 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>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>The Access Assessment Report provided with the application has provided detail relating to accessible paths of travel to access public transport. This confirms that the gradient of the footpath on Kildare Road has a relatively level gradient, providing for a level and firm path of travel.</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> <ul style="list-style-type: none"> i. a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time, ii. a gradient of no more than 1:10 for a maximum length of 5 metres at a time, iii. a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time. <p>4) For the purposes of subclause (2):</p> <ul style="list-style-type: none"> 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) distances that are specified for the purposes of that subclause are to be measured by reference to the length of any such pathway. <p>5) In this clause:</p> <p>bank service provider means any bank, credit union or building society or any post office that provides banking</p>		

services.		
27 Bush fire prone land	N/A	The subject site is not 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	<p>The subject site is capable of being serviced by reticulated water and sewage system.</p> <p>This matter will be reinforced through a condition of consent requiring a Section 73 Certificate from Sydney Water to be obtained.</p>
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	<p>The proposed development will not adversely impact upon the natural environment, the existing uses, or approved uses of land in the vicinity of the proposed development.</p> <p>Services and infrastructure are available to meet the demands arising from the proposed development.</p> <p>The proposed RCF comprises a five storey development as viewed from the public domain which is consistent with the bulk, scale, built form and characteristics of existing and future development in the locality of the site, given that the area has recently been rezoned to R4 – High Density Residential.</p> <p>The appearance of the proposed development has been modified to lessen its appearance as an ‘institution’ following advice received by Council’s City Architect, and following several meetings with the applicant. The amendments to the elevations will improve the</p>

		<p>external appearance with the inclusion of:</p> <ul style="list-style-type: none"> • two additional window types • increased variation in materials, colours and textures within the window bays • rain screen cladding of different tones to further break up the elevations • additional privacy screening of balustrades and terraces • addition of louvres as a screen device • additional landscaping screening which will further screen the RCF from Kildare Road and Gribble Place, with trees and Lilly Pilly hedging.
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Part 3 Design requirements

Division 1 General

30 Site analysis <p>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 site analysis prepared by the applicant in accordance with this clause.</p>	Yes	The DA has been accompanied with information to provide a satisfactory site analysis of the property. The site is considered to be suitable for the proposed development.
31 Design of in-fill self-care housing <p>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.</p>	N/A	Proposal is for a RCF only.
32 Design of residential development <p>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</p>	Yes	An assessment of the principles set out in Division 2 is outlined below.

been given to the principles set out in Division 2.		
Division 2 Design principles		
<p>33 Neighbourhood amenity and streetscape</p> <p>The proposed development should:</p> <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 e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and f) retain, wherever reasonable, major existing trees, and g) be designed so that no building is constructed in a riparian zone. 	Yes	<p>The proposed development comprises a five storey development as viewed from the public domain and the rail corridor. It has at grade car parking, within the access handle and on the site.</p> <p><i>Precinct Transitioning</i></p> <p>The area has recently been rezoned to R4, and Council has received DAs for residential flat buildings in the immediate vicinity.</p> <p><i>City Architect's comments</i></p> <p>The City Architect has provided comments in regard to the building's appearance, bulk, scale, and fenestration. Amendments were received in relation to its appearance and fenestration, and in relation to landscaping on the site and of the access handle. These changes have been outlined above.</p> <p>The proposed built form comprises a mix of neutral colour tones and building materials which will enhance the streetscape, and is consistent with the existing and desired future character of the locality. The amended details to the elevations will reduce the 'institutional' appearance of the building within the context of future residential flat buildings, so that it more complimentary in its aesthetic appearance, and its function as a RCF is less apparent visually within this precinct which is in transition.</p> <p><i>Heritage</i></p> <p>No heritage items are located in the vicinity of the subject site.</p> <p><i>Building Setbacks</i></p> <p>The development provides suitable setbacks to the existing buildings, the future proposed RFB to the south, to the western boundary, to the northern boundary with the railway corridor, and to Council's drainage reserve which abuts the</p>

	<p>eastern boundary.</p> <p>Privacy screening measures such as fencing, landscaping, balustrading to the balconies, privacy screens, and louvres, are provided throughout the development. The height of the building is 2-2.5m less than the maximum permitted height of 20m.</p> <p>The proposal provides setbacks to the site boundaries which are consistent with what is proposed for future adjoining developments, with all setbacks being at least 6 metres. It should be noted that given the configuration of this battle-axe lot, these setbacks are splayed, and so while the minimum setback is met, a greater setback is then provided, given the angles of the two building forms which are joined by a central, more transparent bridging element.</p> <p>Detailed consideration of proposed setbacks and building separation is provided at Clause 34 below.</p> <p><i>Solar Access</i></p> <p>The proposal overshadows part of the private open space of neighbouring residential properties at 35 and 35A Kildare Road, and the future proposed RFB on proposed lot 1. Shadow impacts further afield to the east and west will be limited, and generally outside of the 9am to 3pm time period on 21 June. The overshadowing complies with the current solar access standards under the SEPP No 65 for RFBs. Solar access is further discussed at Clause 35 below.</p> <p><i>Landscaping</i></p> <p>The site currently has a 0.17ha remnant of Cumberland woodland plain (in poor condition), and an Ecology Report which includes a 7 part test has been provided. The report, entitled 'A Flora, Fauna and Biodiversity Impact Assessment by ACS Environmental Pty Ltd', concluded that the remnant woodland is a degraded remnant form of Cumberland Plain Woodland in poor condition.</p>
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	<p>There is a mid-storey which is made up of exotic shrubs and noxious weed species, 37 species in all. The report noted the presence of small skinks, native birds, 2 migratory birds the subject of international treaties and Indian myna birds. A systematic search for the presence of the Cumberland Plain Land Snail yielded no result. The report concluded the proposal would have no overall negative impact on the viable occurrence of the Cumberland Shale Plains Woodland in the locality and recommended that mitigation measures be undertaken in relation to the fragmented patch of natural woodland vegetation occurring on the subject site, by conditions of consent. An Aboricultural Impact Appraisal and Method Statement Report by Andrew Scales was submitted with the application. This examined the trees on the site, and provided recommendations in relation to tree retention, tree protection and ongoing tree management. Council's Civil and Open Space Maintenance Section has provided recommendations and conditions of consent, and concurs with the report's recommendations in relation to tree retention and protection, and a proposed tree replanting scheme.</p> <p>In accordance with the report's recommendations, 8 existing native trees are to be retained within the setback to the railway corridor, in the area on the site set aside for landscaping treatment. Medium-sized trees will be incorporated into the access handle, at the rear of the site and along the side boundary adjacent to Gribble Place. These trees will include ornamental trees, and also Cumberland Plain Woodland species. Hedging to a height of 3 m will also be used to screen the access handle and along part of the southern boundary, using a species such as Lilly Pilly 'Goodbye Neighbour'.</p>
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		<p>The landscape plans include Cumberland Plain Woodland species to be provided as compensatory plantings. The landscape plan shows eight major trees to be retained, with the majority of the remnant woodland proposed for removal due to poor condition, and exotic and weed species also to be removed. Compensatory plantings are proposed which include trees in the access handle, and in the landscaped areas in side setbacks and in the rear setback which provides a garden area with seating and planters.</p> <p>The planting of shrubs and trees will be in sympathy with the existing species on the site, as the majority of trees to be planted will be Cumberland Woodland Plain species, together with some exotic deciduous trees, endemic shrubs and understorey plantings.</p> <p>The submitted landscape plans will satisfactorily provide for the embellishment of the site by providing suitable ground covers, shrubs and trees to complement the development, and also address the north-eastern corner of the site which is flood-prone.</p> <p>A condition will be imposed requiring full compliance with these plans in any consent granted.</p> <p>Suitable conditions of consent are recommended to ensure suitable planting is provided prior to the issue of an occupation certificate, and all planting is maintained for the life of the development to ensure its health and quality.</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> <ul style="list-style-type: none"> a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from 	Yes	<p>The applicant provided an Acoustic Report by Acoustic Logic for the proposed building which addresses compliance required by Clause 87 Impact of rail noise or vibration on non-rail development under SEPP Infrastructure. The report provided detailed recommendations in terms of building requirements, including standards for windows. The rooms in the RCF will have operable</p>

<p>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>	<p>windows, but generally the building will be air-conditioned, which will ensure that acoustic impacts from the Main Western railway line are minimised.</p> <p>The fence adjacent to the railway corridor is required to be wire mesh adjacent to the ground level to allow for overland flows. The remainder of the fence will be required to be solid, of either timber or masonry, to meet the requirements of an acoustic wall, to lessen the impacts of noise from the railway corridor immediately adjacent from adversely impacting the landscaped garden area, and the outdoor terraces that are attached to the northern and eastern elevations of the building. Conditions will be imposed prior to issue of CC.</p> <p><i>Visual Privacy</i></p> <p>The proposed development has setbacks of at least 6 metres to all boundaries. It provides for limited balcony areas, the majority of which are located to the north, overlooking the main western railway corridor, and on the eastern elevation overlooking Gribble Place.</p> <p>The setback between the front building line to the southern boundary with proposed Lot 1, site of future RFB under DA-16-02941, is 6.1m – 21.7m.</p> <p>The setback between the front building line to the southern boundary with Nos. 35 and 35A Kildare Road is 8.5m – 8.7m.</p> <p>There is a setback of 6m – 11.7m from the building line to the western boundary (approved development – school).</p> <p>There is a setback of 6.1m from the building line to the eastern boundary (Gribble Place). There is a setback of 1.5m from the edge of the staff terrace (an uncovered area of 30.8 sqm) to the eastern boundary (Gribble Place).</p>
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	<p>There is a setback of between 7.05m – 32m from the building line to the northern boundary (abutting the Main Western railway line).</p> <p><i>Screening Devices and Landscaping</i></p> <p>The site has landscaped areas to its north, east and western sides, and within the access handle which provides vehicular and pedestrian access.</p> <p>Several amendments to the landscaping plan have increased the amount of landscaping on the site, in the access handle, and adjacent to site boundaries to provide additional screening to neighbours. The proposed RFB to the south of the site, will also have additional landscaping (deciduous trees) which will increase the screening between neighbours (personal communication).</p> <p><i>Additional Comments on Privacy for Residents</i></p> <p>We note that the majority of the bedrooms are located away from driveways, parking areas, and paths. The major impacts are to residents on the ground floor, in the south-western wing. Here we have requested additional screening of windows, to provide greater privacy from impacts from vehicles using this part of the site.</p> <p>The City Architect has also commented on visual privacy in relation to bedrooms adjacent to dining rooms on levels 2-5, and adjacent to the common open space balcony. This impacts 201 and 202 and the floors above, and 220, 221, 222 and the floors above. It was suggested that the balcony could be shortened or set away from the individual rooms to create more privacy.</p> <p>The applicant has addressed these concerns by providing additional screens to address these privacy impacts.</p> <p>The applicant has demonstrated suitable acoustic and visual privacy</p>
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		measures are included in the development to mitigate potential amenity issues.
<p>35 Solar access and design for climate</p> <p>The proposed development should:</p> <ul style="list-style-type: none"> 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 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>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>	<p>Yes</p> <p>Hourly shadows required, and hourly shadows on elevation of proposed RFB.</p>	<p>The proposed five storey development has a south – north orientation, and results in overshadowing of the properties to the south and south east of the site from 9 am in mid-winter, and overshadowing of the properties to the east from approximately 12pm onwards.</p> <p>Clause 35(a) specifically requires adequate sunlight to be provided to the main living areas and substantial areas of private open space. These areas are located to the south and south-east, of adjoining properties (proposed lot 1 with proposed RFB), and dwelling at 35 Kildare Road, and church and manse at 35A Kildare Road. The proposal will result in additional overshadowing of part of the ground and first storey of the proposed RFB, on its southern rear elevation, and of COS located in the rear of proposed lot 1 between 9am and 12pm mid-winter, and overshadowing of the rear yards of Nos. 35 and 35A Kildare Road mainly between 12pm and 3pm mid-winter.</p> <p>The overshadowing occurs in the morning from approximately 9am onwards, and complies with the current solar access standards under the SEPP No 65 for RFBs.</p> <p>The rear yards of 35 and 35A Kildare Road will be shadowed by the building; the height of the proposed building is generally 2-2.5m under the 20m height control. It is envisaged that were RFBs to be developed at 35 and 35A Kildare Road in future, that these developments would be able to comply with current solar access standards under SEPP 65.</p>
<p>36 Stormwater</p> <p>The proposed development should:</p> <ul style="list-style-type: none"> a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, 	<p>Yes</p>	<p>Council's engineers have assessed the proposed development in relation to stormwater management and have no objection to the development in this regard.</p>

<p>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>Interallotment drainage easements have been proposed across the site, which will be also utilised by proposed Lot 1.</p> <p>Council's Senior Drainage Engineer has provided recommendations and conditions, given that a portion of the site in the north-eastern corner is within the 1 in 100 year flood extent. This is further addressed in Attachment 6.</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 staff will be responsible for monitoring the development and movement of patients and access doors will have secure access.</p> <p>The orientation and layout of the building will allow casual surveillance of the public domain to south and east of the site.</p> <p>According to the SEE, the facility will have external lighting, internal ambient lighting, CCTV security, clear signage relating to the facility, and to the loading/unloading area. It is manned 24 hours per day, and protocols are in place, with reception and visitation and deliveries to the site.</p> <p>The proposal has been referred to Blacktown Local Area Command, who have no objection to the proposal, and who have provided recommendations and conditions. These will be attached to the Conditions of Consent.</p> <p>The perimeter of the site is also secured by a minimum 1.8m high fence. The fence adjoining Gribble Place and Council's drainage reserve is to be timber lapped and capped, with masonry piers. The remaining boundary fences are a minimum of 1.8 m high, of timber lapped and capped material.</p> <p>There is a gate at the street entrance with Kildare Road. A</p>

		building identification sign will be set into the perimeter fence clearly identifying the facility.
38 Accessibility The proposed development should: <ul style="list-style-type: none"> a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors. 	Yes	<p>An Access Report has been provided. The proposed development has clear pedestrian linkages within the site and to local facilities.</p> <p>Access to public transport services (bus stops on either side of Kildare Road within 90 metres of the site) are provided, via concrete, almost level footpaths.</p>
39 Waste management The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	Yes	<p>The site will be serviced by a private waste contractor.</p> <p>Appropriate waste and recycling collection facilities will be provided throughout the development site.</p> <p>A waste management plan has been provided.</p> <p>Waste collection (general and recycling) will be via a private waste contractor via Kildare Road, including a manoeuvring driveway area to ensure vehicles enter and exit in a forward direction.</p> <p>There is an internal enclosed waste storage area adjoining the loading driveway.</p> <p>The applicant has demonstrated that the suitable facilities are provided.</p>
Part 4 Development standards to be complied with		
Division 1 General		
40 Development standards—minimum sizes and building height 1) General 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. 2) Site size The size of the site must be at least 1,000 square metres.	Yes	<p>1) complies.</p> <p>2) Site size – 5,212sq.m including access handle; size of site complies.</p> <p>3) Site frontage (proposed Lot 2) to Kildare Road – 15.205m; site frontage at building line is approx. 91.5m – complies.</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>		<p>Site frontage to Gribble Place – N/A – this is securely fenced with timber lapped and capped fencing.</p> <p>4) Height – 17.5-18m at roof apex, 20.3m at lift overrun.</p> <p>We note that (4) does not apply, given that the R4 zone permits residential flat buildings with consent.</p> <p>5) N/A.</p>
<p>Division 2 Residential care facilities—standards concerning accessibility and useability</p> <p>Note. Development standards concerning accessibility and 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.</p>	Yes	<p>Noted, relevant conditions imposed. Conditions will be imposed requiring complies with the accessibility provisions outlined in the recommendations of the Access Report. Amended plans complying with these recommendations will be require prior to issue of Construction Certificate.</p> <p>Compliance will also be required with the BCA/NCC and the Commonwealth aged care accreditation standards. Conditions will be imposed.</p>
<p>Division 3 Hostels and self-contained dwellings—standards concerning accessibility and useability</p>	N/A	Development for RCF.
<p>Part 5 Development on land adjoining land zoned primarily for urban purposes</p>		

<p>42 Serviced self-care housing</p> <p>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:</p> <ul style="list-style-type: none"> a) home delivered meals, and b) personal care and home nursing, and c) assistance with housework. <p>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).</p>	N/A	Development for RCF.
<p>43 Transport services to local centres</p> <p>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 that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development:</p> <ul style="list-style-type: none"> a) that will drop off and pick up passengers at a local centre that provides residents with access to the following: <ul style="list-style-type: none"> i. shops, bank service providers and other retail and commercial services that residents may reasonably require, ii. community services and recreation facilities, iii. the practice of a general medical practitioner, and b) that is available both to and from the proposed development to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day. <p>2) Subclause (1) does not apply to a development application to carry out development for the purposes of the accommodation of people with</p>	N/A	Development for RCF.

dementia. 3) In this clause, bank service provider has the same meaning as in clause 26.		
44 Availability of facilities and services A consent authority must be satisfied that any facility or service provided as a part of a proposed development to be carried out on land that adjoins land zoned primarily for urban purposes will be available to residents when the housing is ready for occupation. In the case of a staged development, the facilities or services may be provided proportionately according to the number of residents in each stage.	N/A	Proposed on land zoned for urban purposes.
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 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.	N/A	The subject site is not a listed heritage item.
Division 2 Residential care facilities		
48 Standards that cannot be used to refuse development consent for residential care facilities 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: a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any	Yes	a) building height: This provision does not apply, given that the R4 zone permits an RCF with consent, RFBs are permitted in the zone, and the maximum building height of 20m is permitted. R4 zone, with Maximum building

<p>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> <ol style="list-style-type: none"> 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 ii. 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and iii. 1 parking space suitable for an ambulance. <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>	<p>height of 20m permitted. We note that there is a lift overrun at 20.3m. The majority of the roof apex is around 17.5-18m.</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>FSR is not mapped. FSR is equivalent to 1.3:1. (GFA of 6,486sq.m proposed)</p> <p>c) landscaped area</p> <p>149 beds requires 3,725 sqm of landscaping (25 sqm per bed).</p> <p>The development proposes 2,558 sqm of landscaping, which equates to 17.2 sqm per bed. The applicant has provided a justification in the SEE.</p> <p>This does not include the landscaping contained within the access handle, the hedges along the southern boundary, and landscaping contained near the entry to the facility, which when added to this figure provides a total of 2,881 sqm of landscaping, or 19.34 sqm per bed. This is a shortfall of approximately 20 per cent. This variation is discussed below.</p> <p>The proposed development also includes terraces and balconies of 704.6 sqm, which when combined with the landscaping discussed above, provide for a total common open space area of 3,586 sqm, which equates to a provision of 23.9 sqm of common open space per bed.</p> <p>In conclusion, the proposed variation is supported. While strict compliance with the landscaped area provision of the Seniors Housing SEPP is not achieved, it is clear that minor variations from this standard have been considered in the past, in the context of the provision of common open space and other communal facilities which are provided. The variation in this instance, being an overall provision</p>
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	<p>of 23.9 sqm of common open space per bed, instead of the 25 sqm per bed of landscaped area SEPP guideline, is considered an acceptable variation from the standard. This is considered appropriate in the context of this development, and given the high quality of the landscaping that is provided.</p> <p>The applicant provides the following justification for the proposed landscaping shortfall:</p> <p><i>“As with the height control the relevant landscape control is a ‘can’t refuse if you comply control’. A non-compliance with this control does not necessary warrant refusal of a Residential Care Facility on the basis of inadequate landscaping.</i></p> <p><i>In this instance the landscaping provided is appropriate to site context and the proposed purpose of this Residential Care Facility.</i></p> <p><i>It should be noted that this landscape control is a metropolitan control that regulates development in low and high density areas. Compliance with the 25sqm standard is more relevant in low density zones and less so in higher density areas. The site is located in an R4 High Density Residential zone on the fringe of the Blacktown commercial district. The building setbacks and ground level landscaping provided are appropriate to this zone and it should also be noted that this development includes various large balcony areas integrated into the building. These balconies serves the same purpose as landscaped area (e.g. provide open space to residents) but are not included in the calculation of landscaped area under the SEPP. Over levels 2 to 5 of the proposed Residential Care Facility 207.7sqm of open space is provided to each level in the form of</i></p>
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		<p><i>balconies. This is high quality open space that includes intimate 12 to 8sqm balconies off each ward sitting room and a larger central balcony off the main sitting foyer areas.</i></p> <p><i>If that space is included in the landscape area calculation approximately 21sqm of landscape area/ balcony is provided per residential care bed.</i></p> <p><i>This Residential Care Facility is also for high care beds. The residents of this facility will be relatively immobile and often disabled. Many of them will be suffering from dementia. In this instance quality not quantity of open space is the critical issue. Open space areas need to be contained and visible to staff so that they can manage the very real risk of residents 'wandering off'.</i></p> <p><i>In this instance the open space has been designed for this purpose. The large courtyard garden area in the north west corner of the site has been designed with dementia sufferers in mind. It will be a level space that is contained, provides for path ways through the garden that give a safe sense of journey to its users and is able to be observed from the main building by carers.</i></p> <p><i>The landscaping proposed is fit for purpose and context and of high quality."</i></p> <p>The proposed landscaping shortfall does not adversely affect the presentation of the development, which provides a visually aesthetic mix of building and landscaping materials. The proposed variation is supported.</p> <p>d) parking:</p> <p><u>Requirement</u></p> <ul style="list-style-type: none"> i) 149 beds requires 14.9 spaces ii) 36 persons employed requires 18 spaces iii) 1 ambulance <p>Total of 33 spaces (32.9) plus 1</p>
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		<p>ambulance required.</p> <p><u>Provision</u></p> <p>Proposal provides for 33 car spaces plus 1 car space for ambulance/emergency vehicle.</p> <p>Please refer to Attachment 6 DCP Compliance Table, re design of parking area; access; manoeuvring; bay and aisle dimensions; service vehicle areas; pedestrians, bicycle parking and facilities; parking for people with a disability; landscaping.</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	<p>The proposed facility will include a fire sprinkler system in accordance with BCA requirements.</p> <p>This requirement will be appropriately conditioned to ensure a fire sprinkler system is installed in accordance with BCA requirements.</p>