

Table 1: Housing for Seniors SEPP- Compliance Table

CLAUSE	COMMENT	COMPLIES
Chapter 1 - Preliminary		
4- Land to which Policy applies		
(4) Land that adjoins land zoned primarily for urban purposes For the purposes of this Policy, land that adjoins land that is zoned primarily for urban purposes includes (but is not limited to) land that would directly adjoin land that is zoned primarily for urban purposes but for the presence of a public road to which there is direct vehicular and pedestrian access from the adjoining land.	Site is land that adjoins land zoned for public purposes.	Y
Chapter 2 – Key Concepts		
10- Seniors housing		
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: (a) a residential care facility, or (b) a hostel, or (c) a group of self-contained dwellings, or (d) a combination of these, but does not include a hospital.	Subclause (c) applies. Proposed is a group of self-contained dwellings.	Y
11- Residential care facilities	N/A. None proposed.	N/A
13- Self-contained dwellings		
In this Policy, serviced self-care housing is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.	The proposal meets the definition of 'serviced self-care housing' as required to comply with the requirements of the Site Compatibility Certificate.	Y

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CLAUSE	COMMENT	COMPLIES
Chapter 3 – Development for seniors housing		
Part 1 - General		
15- What Chapter does		
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: (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.	Subclause (b) applies. Permissibility relies on compliance with the definition of <i>serviced self-care housing</i>. <i>Specific condition of consent included in schedule to include restriction on title under 88E of Conveyancing Act 1919 to ensure development operates in accordance with this definition.</i>	Y
16- Development consent required		
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.	Development application lodged with Council. Consent authority is Hunter and Central Coast Joint Regional Planning Panel.	Y
17- Development on land adjoining land zoned primarily for urban purposes		
(1) Subject to subclause (2), a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following: (a) a hostel, (b) a residential care facility, (c) serviced self-care housing.	Subclause (c) applies. Proposal must comply with the definition of <i>serviced self-care housing</i>.	Y
(2) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purposes of serviced self-care housing on	<u>Document:</u> Statement of Environmental Effects (Barr Property & Planning, 23/11/2017) at p. 13. The SEE states that it is proposed to develop the site as a	Y

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land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that the housing will be provided: (a) for people with a disability, or (b) in combination with a residential care facility, or (c) as a retirement village (within the meaning of the <u>Retirement Villages Act 1999</u>).	Retirement Village under the provisions of the <u>Retirement Village Act 1999</u> and as defined within Section 5 of that Act.	
18- Restrictions on occupation of seniors housing allowed under this Chapter		
(1) Development allowed by this Chapter may be carried out for the accommodation of the following only: (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: (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 subclause (1). (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.	<i>Specific conditions are included in the schedule to restrict the occupation of the development to the persons identified in this clause.</i>	Y

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CLAUSE	COMMENT	COMPLIES
21- Subdivision		N/A
Land on which development has been carried out under this Chapter may be subdivided with the consent of the consent authority.	Subdivision not proposed.	
Part 1A – Site compatibility certificates		
24- Site compatibility certificates required for certain development applications	Site Compatibility Certificate issued 04 October 2017	Y
(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: (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). <i>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.</i> (3) Nothing in this clause: (a) prevents a consent authority from: (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	The SCC allows for a maximum of 161 serviced self-care dwellings. Proposed is 156 serviced self-care dwellings.	Y

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(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.		
25- Application for site compatibility certificate	Site Compatibility Certificate issued 04 October 2017	Y
Requirements for obtaining site compatibility certificate.		
Part 2 – Site-related requirements		
26- Location and access to facilities	Site Compatibility Certificate Requirement to demonstrate compliance with this clause	
(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: (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and (b) community services and recreation facilities, and (c) the practice of a general medical practitioner.	<u>Document:</u> <i>Disability Access Report</i> (Lindsay Perry Access, 2017) submitted at Appendix L to SEE. <u>Document:</u> <i>Traffic and Parking Impact Assessment – Senior Living Residential Subdivision at 107 Haussman Drive, Thornton</i> (McLaren Traffic Engineering, Issue A, 09 November 2017) The TIA considers the public transport network with regard to this Policy and concludes that the development does not meet the 400m walkability criteria and cannot rely on the use of existing public transport routes to service the development. Accordingly, a private village bus is proposed to meet the obligations of this clause under subclause 2(c). The Access Report acknowledged and details that access to the services detailed in 26(1) is to be provided by a community bus which transports residents to off-site services and facilities. Accordingly, the gradient for the pathways within the site to the community bus pick up location (community centre) is required to comply with clause 26(3).	Y
(2) Access complies with this clause if:	N/A	N/A

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(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site.		
b) in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)	N/A	
(c) in the case of a proposed development on land in a local government area that is not within the Greater Sydney (Greater Capital City Statistical Area)—there is a transport service available to the residents who will occupy the proposed development: (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 (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), 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).	<i>Specific conditions are included in the schedule that require a Plan of Management to include the provision of a village bus and a restriction on title under 88E of the Conveyancing Act 1919 requiring the bus to be provided for the lifetime of the development.</i> <i>The wording of the Instrument is to ensure compliance with the more detailed transport service provisions under clause 43 in this SEPP as required for serviced self-care housing.</i>	Y
(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: (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	<u>Document:</u> Further information lodged 02 May 2018. <u>Amended Plans:</u> DA-005 and DA-006 (Issue B) While a detailed design will be submitted at CC stage, the plans have been amended to demonstrate reduced levels and gradients for the proposed development. Drawings DA-005 and DA-006 provide detailed gradients across the site. Further detail around the community facilities is provided on the Landscape Plans. A letter demonstrating compliance with the clause from Lindsay	Y

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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.	Perry Access (25 February 2018) has been submitted by the applicant. The letter states that the revised Masterplan demonstrates compliance with the SEPP regarding the provision of accessible path of travel to all facilities per clause 26 -Location and Access to Facilities; clause 38 – Accessibility and Sch. 3 - clause 2 – Siting Standards. The amended plans detail a pedestrian footpath network throughout the site, roadway gradients are detailed on the masterplan to demonstrate compliance with accessibility and a system of walkways and ramps have been included in the SW corner of the site between the Entrance Sculpture and Community Centre to ensure compliance.	
4) For the purposes of subclause (2): (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. (5) In this clause: bank service provider means any bank, credit union or building society or any post office that provides banking services.	See comments above for compliance. All access pathways are sealed and of sufficient width to be used by motorised mobility devices. The Disability Access Report states that a minimum unobstructed width of pathways is 1.0m but 1.2m is preferable for compliance with AS1428.2. <i>A specific condition has been included in the schedule requiring all accessible pathways to be a minimum of 1.2m wide.</i>	Y
27- Bush fire prone land		
A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as “Bush fire prone land—vegetation category 1”, “Bush fire prone land—vegetation category 2” or “Bush fire prone land—vegetation buffer” unless the consent authority is satisfied that the development complies	<u>Document:</u> Bushfire Threat Assessment (Firebird ecoSultants, October 2017) submitted with SEE at Appendix H and additional information submitted 01 April 2019. Amended General Terms of Approval issued by NSW Rural Fire Service dated 21 June 2019.	Y

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CLAUSE	COMMENT	COMPLIES
with the requirements of the document titled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.		
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.	<u>Document:</u> Preliminary Servicing Advice (HWC, 11 November 2015) submitted with SEE at Appendix Q. <u>Document:</u> HWC Formal Notice of Requirements issued 14/12/2017. Connection to reticulated water and sewer is available.	Y
(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.	<u>Document:</u> Further information lodged with Council on 02 May 2018. HWC Formal Notice of Requirements - advice is that connection to both reticulated water and sewer is available. Water mains run along the frontage of the site in both Raymond Terrace Road and Haussman Drive, Thornton. The nearest sewer connection is approximately 250m to the south-east of the development and the developer will be required to extend the sewer main to provide a suitable connection point to the development.	Y
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 site analysis prepared by the applicant in accordance with this clause. (2) A site analysis must: (a) contain information about the site and its surrounds as described in subclauses (3) and (4), and	A Site Analysis Plan is included with the Landscape Plan bundle (Moir Landscape Architecture, LP02, Rev. B, 15.02.2018).and the Architectural Plans (DA-002, Issue B, 25/01/18). Compliance with the information requirements as required in subclause (a) is contained within a number of documents and plans. (b)(i) The Written Statement as required by subclause (b)(i) is contained in the additional information bundle received by Council	Y

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(b) be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site): (i) explaining how the design of the proposed development has regard to the site analysis, and (ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.	on 02 May 2018: The Statement reads as follows: The proposed design has thoughtfully considered the constraints and opportunities on site in conjunction with the site analysis. The supplied Architectural Plans (DA-003) detail the conditions of the site and how the applicant is addressing those as well as how the development will sit suitably within the site and its surrounds. The development will positively contribute to the neighbour's existing mixed rural-residential and industrial setting. The site allows for the northerly aspect to be taken advantage of whilst lying within the bushland setting around the perimeter of the site. The bushland provides a buffer from the existing surrounding residences which helps maintain visual and acoustic privacy for those residents. The Statement clarifies that specific design responses are contained in the submitted SEE. (b)(ii) This response is addressed under the specific design principles in Division 2.	
(3) The following information about a site is to be identified in a site analysis:		
(a) Site dimensions: length & width	Contour Plan submitted (Delf Lascelles, 09.05.17)	Y
(b) Topography: spot levels and/or contour; north point; natural drainage; any contaminated soils or filled areas	Contour Plan (as above) and Site Analysis Plan. There are no identified contaminated soils. Fill of unknown origin is identified on the Civil Works Plans and addressed in the Preliminary Contamination Report .	Y
(c) Services: easements; connections for drainage and utility services	There are two easements on site: Easement (A) for drainage of sewer and Easement (E) proposed easement for electrical	Y

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	purposes. Connection to reticulated water and sewer will form part of this application.	
(d) Existing vegetation: location; height; spread of established trees; species	Indicated by aerial overlay on Site Analysis Plan and detailed in Flora and Fauna Report	Y
(e) Micro climates: orientation; prevailing winds	Indicated on Site Analysis Plan	Y
(f) Location of: buildings and other structures; heritage features and items including archaeology; fences; property boundaries; pedestrian and vehicle access	N/A – no built form	N/A
(g) Views to and from the site	No significant views.	N/A
h) Overshadowing by neighbouring structures	N/A	N/A
4) <i>The following information about the surrounds of a site is to be identified in a site analysis:</i>		
(a) Neighbouring buildings: location; height; use; balconies on adjacent properties; pedestrian and vehicle access to adjacent properties	Residential lots adjoin on the southern boundary but significant separation exists between the development and the existing dwellings. No detail of neighbouring dwellings is considered warranted.	N/A
(b) Privacy: adjoining private open spaces; living room windows overlooking site; location of any facing doors and/or windows	N/A. Separation distances provide adequate privacy from surrounding development.	N/A
(c) Walls built to the site's boundary: location; height; materials	N/A	N/A
(d) Difference in levels between the site and adjacent properties at their boundaries	N/A. Development is well removed from adjoining boundaries and no change in levels is proposed at the boundary.	N/A
(e) Views and solar access enjoyed by neighbouring properties	N/A. No significant views and no impacts on solar access.	N/A
(f) Major trees on adjacent properties	Not necessary. The development will not impact on trees on adjacent properties.	N/A
(g) Street frontage features: poles; trees; kerb crossovers; bus stops; other services	N/A. The development will not sit in the streetscape. The proposed upgrade of Haussman Drive will change the existing street frontage.	N/A

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(h) The built form and character of adjacent development (including buildings opposite on both sides of the street(s) fronted): architectural character; front fencing; garden styles	Not required. The development will not have a public street presence on either road frontage.	N/A
(i) Heritage features of surrounding locality and landscape	N/A	
j) Direction and distance to local facilities: local shops; schools; public transport; recreation and community facilities	Direction shown to local shopping centre and highway indicated on Site Analysis Plan (DA-002, Issue B, 25.01.2018). Other infrastructure (schools, recreation and community facilities) are co-located near the shopping centre.	Y
(k) Public open space: location; use	As above. Recreation facilities will be provided on site with regard to this development. Use of public open space is not expected to be significant.	N/A
(l) Adjoining bushland or environmentally sensitive land	Identified on Site Analysis Plan by aerial overlay	Y
(m) Sources of nuisance: flight paths; noisy roads or significant noise sources; polluting operations	No significant nuisance sites. Location of electrical substation is shown on the Site Analysis Plan.	Y
(n) Adjoining land uses and activities (such as agricultural activities)	A Land Use Application Plan (Issue 1) was submitted with the SEE at Appendix C. Adjoining land uses and land use zone identified on the Site Analysis Plan by aerial overlay.	Y
31- Design of in-fill self-care housing	N/A	N/A
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.		
DIVISION 2 – DESIGN PRINCIPLES		
33- Neighbourhood amenity and streetscape		N/A
The proposed development should: (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition,	N/A. The site is currently in Zone RU2 Rural Landscape on the western fringe of the zoned land in the Thornton North URA. A landscape buffer around the perimeter of the site will enclose the	N/A

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CLAUSE	COMMENT	COMPLIES
where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and	development. No consideration of neighbourhood amenity or streetscape along the existing road network is required as the development will not be present in the streetscape.	
(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	N/A.	N/A
(c) maintain reasonable neighbourhood amenity and appropriate residential character by: (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	Consistent. Neighbourhood amenity is maintained to residents adjoining to the south by separation distance from the proposed development. Existing residential character is respected by appropriate building setbacks and using the modified landform for the proposed development. No buildings are proposed at the street frontage and no buildings are proposed on the common boundaries.	Y
(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	N/A. No building line at the street frontage to consider. The development does not sit within the streetscape.	N/A
(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and	N/A. No streetscape elements to consider.	N/A
(f) retain, wherever reasonable, major existing trees, and	Consistent. See environmental considerations.	Y
(g) be designed so that no building is constructed in a riparian zone.	N/A. NRAR has advised that the watercourse on the site is not considered to be waterfront land and no CAA is required.	N/A
34- Visual and acoustic privacy		
The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:	The landscape buffer around the perimeter of the site will provide a suitable visual and acoustic buffer for the neighbouring residents to the south of the development.	
(a) appropriate site planning, the location and design of windows	With regard to the incoming residents of the proposed	Y

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CLAUSE	COMMENT	COMPLIES
and balconies, the use of screening devices and landscaping, and	development: The single storey dwellings are designed with adequate separation distances between dwellings to provide visual privacy. The use of different villa types allows for offset window placement in term of overall siting to improve visual privacy. Timber paling fencing to 1.5m is proposed to fence rear private open space, with accompanying landscaped front yards, to increase visual privacy. The potential for windows and balconies in the 'overs' to overlook dwellings on the low side has been considered. In this instance, the 'over' dwellings in Roads 1-3 will overlook the 'under' dwelling in the building below. The 'under' dwelling in each instance has an orientation to the north-east and visual privacy is adequately able to be maintained in this regard. For 'overs' that look towards the single storey dwellings in Road 4, the orientation of these dwellings is also to the north-east and visual privacy is considered to be satisfactory. Detail is provided on the submitted Landscape Plans (Moir Landscape Architecture, Rev. B, 15.02.18)	
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	With regard to the incoming residents of the proposed development: The design provides adequate separation of dwellings from the internal road network. No dwellings front a public street and the road environment will be low speed traffic. Visitor parking spaces are located on the exterior of the perimeter road.	Y

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CLAUSE	COMMENT	COMPLIES
35- Solar access and design for climate		
The proposed development should: (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.	The submitted Shadow Diagrams form part of the Architectural Plan set. The current amended architectural plans are considered satisfactory when assessed against the current Solar Access Compliance Schedule (Issue E) and supporting reference documents and the revised Planning Principle relating to solar access. <i>Detailed assessment is provided at Attachment 10.</i>	Y
36- Stormwater		
The proposed development should: (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 (b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	A Civil Engineering Report for Development Application (Costin Roe Consulting, Rev. A, 17/11/17) has been submitted with the SEE at Appendix G. The Report includes a Stormwater Management Plan and Sediment and Erosion Control Plan. On-site detention incorporating water quality treatment is proposed in the development. Receiving waters are managed through this process to restrict post-development flows to pre-development flows. The retention of perimeter landscaping and the use of the modified landform to contain the development footprint will minimise stormwater runoff into adjoining properties.	Y
37- Crime prevention		
The proposed development should provide personal property security for residents and visitors and encourage crime prevention by: (a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation	No CPTED analysis has been submitted. The SEE states (on page 27) that the <i>'architectural and landscape plans that have been prepared for seniors housing shows there will be casual surveillance between dwellings throughout the site. Dwellings will be fitted with lockable screen doors to assist in identification of visitors and increase the perception of safety throughout the</i>	Y

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of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and	<i>retirement village</i> . Consistent. All dwellings front an internal road and designed with windows in the elevations that front the public areas. The site is self-contained and does not provide casual opportunity for anti-social behaviour from the public street.	
(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and	N/A. All dwellings have individual entries.	N/A
(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	Consistent. All dwellings are designed with windows in the front elevations, allowing a view to the porch entry.	Y
38- Accessibility		
The proposed development should: (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.	See comments relating to clause 26.	Y
39- Waste management		
The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	The submitted SEE states (on page 27) that a private contractor will provide garbage collection services to the development. <u>Document:</u> Further information lodged with Council on 02 May 2018 regarding garbage collection on site. <i>Veolia (Australia) Pty Ltd</i> has reviewed the Architectural and Landscape Plans and provides the following information: The Masterplan includes nine letterbox/bin enclosures within the site to service the self-care units. <i>Veolia</i> advises that each of the nine enclosures are large enough to house 2 x 660L recycling bins and 2 x 660L general waste bins. A total of 36 x 660L bins	Y

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	are considered sufficient to service the 156 dwellings. It is expected that there would be a requirement for approximately 2-3 services per week to maintain capacity and the client's requirements. Further, <i>Veolia</i> recommends that a total of 4 x 660L recycling bins and 4 x general waste bins be provided to service the community centre and community facilities with a weekly service. Due to the difficulty of a garbage truck negotiating all the turns within the development, it is proposed that the maintenance staff will move the bins to the perimeter road for collection, to enable a single movement without any need to reverse. Swept path plans have submitted in the correspondence from <i>Veolia</i> (12.5m Austroads rigid vehicle). <i>Veolia</i> advise that their standard waste vehicle will be able to enter the site, collect the bins and exit the site without issue.	
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. (3) Site frontage: The site frontage must be at least 20 metres wide measured at the building line. (4) Height in zones where residential flat buildings are not permitted – residential zones	(2) Site area is 18.96 hectares. (3) Site frontage is 40.545m at the road frontage with Haussman Drive. (4) N/A, as land is not in a residential zone.	Y
DIVISION 3 – HOSTELS AND SELF-CONTAINED DWELLINGS		

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CLAUSE	COMMENT	COMPLIES
– STANDARDS CONCERNING ACCESSIBILITY AND USEABILITY		
41- Standards for hostels and self-contained dwellings		
(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.	A Disability Access Report (Lindsay Perry Access, 21 November 2017) was submitted with the SEE at Appendix L. The Report addresses Schedule 3. The Report states that all garages are provided with a minimum 3800mm width.	Y
(2) Requirements where development is made by, or by a person jointly with, a social housing provider.	N/A	N/A
Part 5 – Development on land adjoining land zoned primarily for urban purposes		
42- Serviced self-care housing	Site Compatibility Certificate Requirement to demonstrate compliance with this clause	
(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.	The submitted SEE states (at page 29) that arrangements are currently being made with the relevant service provider. This level of detail does not comply with the requirements of the Site Compatibility Certificate <u>Document:</u> Further information lodged with Council on 02 May 2018. An undertaking to enter into an agreement with a service provider has been included in this bundle. Sue Mann Nursing & Community Care has proposed to enter into a care and services partnership with the McCloy Group for the integrated provision of clinical care, allied health, personal care, social support, domestic assistance and home delivered meal services within the retirement village.	Y
(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	Noted. See comment above. A service provider will be engaged to coordinate services to the residents. <i>A specific condition has been included in the schedule requiring a restriction on the title of the land under 88E of the Conveyancing</i>	Y

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CLAUSE	COMMENT	COMPLIES
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).	<i>Act 1919 to require the development to comply with the clause 42(1) for the life of the development.</i>	
43- Transport services to local centres		
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: (a) that will drop off and pick up passengers at a local centre that provides residents with access to the following: (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. (2) Subclause (1) does not apply to a development application to carry out development for the purposes of the accommodation of people with dementia. (3) In this clause, bank service provider has the same meaning as in clause 26.	<i>Document: Statement of Environmental Effects (Barr Property & Planning, 23/11/2017) at p. 30. The SEE states that:</i> <i>'The proposed development will include a community bus dedicated to transporting residents to a local centre containing services and facilities to meet these requirements.'</i> <i>Specific conditions have been included in the schedule that require the bus to be provided and a restriction on the title of the land under 88E of the Conveyancing Act 1919 to require the ongoing provision for the life of the development.</i>	Y
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	<u>Document: Statement of Environmental Effects (Barr Property & Planning, 23/11/2017) at p. 30.</u> The SEE states that the proposed development will be staged and, in accordance with clause 44, the relevant facilities and	Y. Proposed facilities and services are considered

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CLAUSE	COMMENT	COMPLIES
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.	services will be made available to residents upon occupation. <u>Document:</u> Further information lodged with Council on 02 May 2018. Further information includes a separate Staging Plan (DA-004) which shows the community centre to be constructed as part of Stage 2. The Community Centre is to be constructed as two sub-stages (Stage 1 of the building with Stage 2 of the dwellings and Stage 2 of the building with Stage 4 of the dwellings). <i>A specific condition is included in the recommended schedule to address this requirement, including the provision of the 2 accessible parking spaces to be provided in Stage 1 works associated with the community centre.</i> Stage 1 includes the construction of 16 self-care units only. The additional information states that: <i>"the community bus and home care services will be provided from Stage 1 of the development. In order to facilitate the provision of on-site services, one Stage 1 villa will be nominated as the Village Manager/Community Building until the community centre is built."</i>	proportional to Stage 1.
Part 6 – Development for vertical villages	N/A	
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		

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CLAUSE	COMMENT	COMPLIES
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.		
47 Part does not apply to certain development applications relating to heritage affected land	N/A	N/A
DIVISION 2 – RESIDENTIAL CARE FACILITIES	N/A	N/A
DIVISION 3 - HOSTELS	N/A	N/A
DIVISION 4 – SELF-CONTAINED DWELLINGS		
50- Standards that cannot be used to refuse development consent for self-contained dwellings		
A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds:		
(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). Height is defined in clause (3) as: <i>height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point.</i>	All buildings (apart from the 'unders' and 'overs') are single storey. No building is more than two storeys in height. The height of the two storey buildings (as defined) is detailed on the Architectural Plans (DA-112 & DA-114) as 5.7m FFL ceiling.	Y
(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less. Floor space ratio is defined in clause (3) as: <i>floor space ratio in relation to a building, means the ratio of the gross floor area of the building (exclusive of the area of any car port or garage) to the area of the allotment on which the building is or is proposed to be</i>	The Architectural Plans (DA-001, Issue C) provides a Gross Floor Area (GFA) = 2.23ha which would equate to an FSR of approximately 0.2:1. This calculation is supported without independent calculation. The FSR is considered to be well below 0.5:1.	Y

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<i>erected</i>		
(c) landscaped area: if: (i) in the case of a development application made by a social housing provider—a minimum 35 square metres of landscaped area per dwelling is provided, or	N/A	N/A
(ii) in any other case—a minimum of 30% of the area of the site is to be landscaped, Landscaped area is defined in clause (3) as: landscaped area means that part of the site area that is not occupied by any building and includes so much of that part as is used or to be used for rainwater tanks, swimming pools or open-air recreation facilities, but does not include so much of that part as is used or to be used for driveways or parking areas.	<u>Plan: Landscape Detail Plan LP21</u> (Moir Landscape Architecture, Rev. B, 15/02.2018) Site area = 18.96ha. 30% = required 5.69ha. Proposed (from submitted plan) = 6.124ha. However, the Landscape Plan includes the detention basin in the calculation of landscaped area. This structure is not considered to meet the definition of landscaped area, notwithstanding that rainwater tanks are included in the definition. Proposed (excluding OSD = 0.25ha) = 5.87ha.	Y
(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,	Rough calculations on the submitted Landscape Master Plan confirm that a minimum of 15% of the site (2.84ha) is capable of supporting the growth of trees and shrubs. The site area containing the perimeter remnant vegetation on the southern and eastern edges of the site is considered to be suitable site area. The submitted SEE states (on page 30) that a total area of 33,356m ² (17%) of the site area is deep soil zone. This calculation is supported.	Y
(e) solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	Detailed assessment is outlined in the <i>Assessment Report</i> and <i>Attachment 10</i> . The application is considered to comply with the development standard.	Y
(f) private open space for in-fill self-care housing: if:	N/A	N/A
(h) parking: if at least the following is provided: (i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing	The development is a combination of two and three bedroom units. Every 2 –bedroom dwelling has at least 1car parking space in the	Y

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provider, or	form of an attached garage. Villa Types D & G are 2-bedroom dwellings with an attached double garage. Villa Type E is a 3-bedroom dwelling with an attached double garage. In total, 238 resident parking spaces are proposed, which equates to 1.5 spaces per dwelling.	
(ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider.	N/A	N/A