

ATTACHMENT 3

COMPLIANCE TABLE

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

Development Application: 53784/2018

Proposed Development: Seniors Housing – Residential Care Facility

Street Address: LOT: 20 DP: 1123934, No. 45 Hillview Street WOY WOY

Development Standard Required	Proposed	Comply
Chapter 1 Clause 4 – Land to which this policy applies		
Applies to land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if development for the purposes of dwelling-houses, residential flat buildings, hospitals, is permitted on the land.	The land is zoned R2 Low Density Residential under GLEP 2014 where dwellings are permitted on the land.	Yes
Does not apply to Environmentally Sensitive Land as defined under Schedule 1	The land is not identified as being within any environmentally sensitive land defined under Schedule 1 of the SEPP or as described within GLEP 2014 or Coastal Management SEPP.	Yes
Chapter 1 Clause 5 – Relationship to other EPIs		
(3) If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, the Policy prevails to the extent of the inconsistency.	The permissibility of the development is sought through this SEPP which prevails to GLEP 2014. There is no inconsistency as seniors housing is permissible under GLEP 2014.	Yes
Chapter 2 Clause 8 – Seniors		
In this Policy, seniors are any of the following: (a) people aged 55 or more years, (b) people who are resident at a facility at which residential care (within the meaning of the <i>Aged Care Act 1997</i> of the Commonwealth) is provided, (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.	The development will provide housing for people who are defined as seniors under the SEPP.	Yes
Chapter 2 Clause 10 – Seniors Housing		
Seniors housing is residential accommodation 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.	The proposed development will provide housing for seniors in the form of a residential care facility .	Yes
Chapter 2 Clause 11 – Residential care facilities		
a residential care facility is residential accommodation for seniors or people with a	The proposed development is categorised as a residential care facility as it provides	Yes

disability that includes: (a) meals and cleaning services, and (b) personal care or nursing care, or both, and (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care, not being a dwelling, hostel, hospital or psychiatric facility.	residents with meals and cleaning services; personal and nursing care; and appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care. The proposal is not a dwelling, hostel, hospital or psychiatric facility.	
Chapter 3 Part 1 Clause 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.	The development will accommodate persons in accordance with this clause. Compliance achieved by condition of consent.	Yes
Part 1A Clause 24 – Site Compatibility Certificates		
	The proposed development does not require a site compatibility certificate in accordance with Clause 24(1A).	Yes
Part 2 Site-related requirements		
Clause 26 – Location and access to facilities		
<p>The subject land is located within the Greater Sydney (Greater Capital City Statistical Area).</p> <p>1) Written evidence must be provided, 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.</p> <p>(2) For access to comply, facilities and services referred to in subclause (1) are in accordance with either 2a, b, or c.</p> <p>(2) (b) The subject land is located within the Greater Sydney (Greater Capital City Statistical Area) - a public transport service must be 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</p>	<p>Notwithstanding that the proposed development will provide high care nursing accommodation for residents that are not independently mobile, the subject land is located within 400 metres of Busways Route 57 which provides the required frequency of service to Woy Woy Town Centre and Woy Woy Railway Station, thereby satisfying the facilities access requirements of Clause 26 (1) (b and the gradient requirements of Clause 26 (3)).</p> <p>Busways is the local bus operator for this area providing an hourly service along Route 57 (Umina Beach to Woy Woy), with more frequent services during peak periods.</p> <p>Bus stops are provided along both sides of Veron Road. Although the bus stops are located within 150m from the subject site access by direct footpath does not currently occur.</p> <p>Therefore, the bus stops will be relocated, as confirmed with Busways by email dated November 2018, adjacent the drainage reserve south of the subject site on the northern side of Veron Road with a bus stop directly opposite on the southern side of</p>	Yes

<p>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)</p> <p>(3) Where 2(b) applies the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.</p>	<p>Veron Road. Minor footpath works will be required to provide suitable access and connect to the existing footpath in Hillview Road.</p> <p>Refer condition 5.14.</p>	
Clause 27 – Bushfire prone land		
<p>A consent authority must not consent to a development application on bushfire prone land unless it is satisfied that the development complies with the document <i>Planning for Bushfire Protection 2006</i> prepared by NSW Rural Fire Service</p>	<p>The land is not identified as bushfire prone land on Council's bushfire maps</p>	<p>N/a</p>
Clause 28 – Water and Sewer		
<p>A consent authority must not consent to a development application unless adequate water and sewer facilities must be provided to the site.</p>	<p>The proposal will be connected to the Council's reticulated water and sewer systems.</p>	<p>Yes</p>
Clause 29 – Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply		
<p>A consent authority must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).</p> <p>25 (b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:</p> <p>(i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,</p> <p>(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly,</p>	<p>Council is of the opinion that the proposed development is compatible with surrounding land uses having regard to Clause 25 5 (b) (i) (iii) (v) in the following manner:</p> <p>Clause 25(5)(b)(i)</p> <p>The proposed building footprint and its immediate curtilage area, remains located in the centre of the site determined by the site characteristics and surrounding preserved bushland area which will remain protected by the Bushland Management Plan and covenant on title under DP 1123934 currently in place by the existing approved development under DA30219/2006.</p>	<p>Yes</p>

<p>retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,</p> <p>(v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,</p>	<p>The substantial vegetation will allow for limited intermittent very narrow partially obstructed sightlines through the vegetation and there will be very little visual exposure from the street and surrounding properties.</p> <p>The bushland provides generous level of separation distance from adjacent properties to the proposed development as follows:</p> <ul style="list-style-type: none"> • Separation to houses to the north: 46m • Separation to the school buildings to the west: 49m • Separation to the buildings to the south: 64m <p>The physical separation distances are large and the existing bushland comprising of groves of large and medium sized trees with understorey vegetation has a buffering effect which is substantial.</p> <p>Good amenity is achieved in low scale residential suburban environments when required setbacks and separation distances are achieved in accordance with GDCP 2013.</p> <p>Notwithstanding the existence of the bushland the proposal the Applicant has provided additional analysis between the horizontal separation and vertical differential in height from the rear of dwellings (north of the site) to the proposed building. Despite the height, bulk and scale of the proposed development the separation distance at over 40m apart will allow sightline to open sky and existing residential development will continue to enjoy the aesthetic benefits of having generous quantity open space around them.</p> <p>The analysis has determined that there is appropriate contextual relationship between building forms and no material adverse amenity effects will be experienced between the proposed development and nearby residential areas.</p> <p>Clause 25(5)(b)(iii) The site is within an established urban area and is well serviced in terms of infrastructure and public transport services.</p> <p>Clause 25(5)(b)(v) The location of uses within the site, as well as the placement of building mass, form, scale and heights have been guided by the constraints of the site and responds to</p>	
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	<p>adjoining development. This is evidenced through:</p> <ul style="list-style-type: none"> o Layout of resident suites and orientation to the outdoors. The common living areas are arranged to capitalise on having direct visual and function connection with the exterior and the bushland surrounds. o Changes in the type of finish on external facades from painted bagged cement finish to a combination of natural sandstone and dark coloured face brick finish complements the bushland surrounding and reduces long term maintenance liabilities and avoids visual problems of paint deterioration. o The development is consistent with the Central Coast Structure Plan 2036 through the provision of a variety of housing choice to suit needs and lifestyles due to the changes in demographic profile with an aging population in the Woy Woy Peninsula. o The proposal will have beneficial social and economic impacts through provision of high care nursing home accommodation on the Woy Woy Peninsula and provide additional employment in construction and provision of services to care for residents of the nursing home once operational. 	
Part 3 Design requirements		
Clause 30 – Relationship to other EPIs		
<p>A site analysis must:</p> <p>(a) contain information about the site and its surrounds as described in subclauses (3) and (4), and</p> <p>(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):</p> <p>(i) explaining how the design of the proposed development has regard to the site analysis, and</p> <p>(ii) Explaining how the design of the proposed development has regard to the design principles set out in Division 2.</p>	<p>A site analysis has been provided demonstrating that the proposed development will provide sufficient separation to adjoining allotments so as to allow landscaping and privacy to be maintained within the low density zone.</p> <p>The proposed building footprint is located within the site development area identified on property title in accordance with the Bushland Plan of Management prepared by Anne Clements & Associates Pty Limited, dated 15 June 2007, and substantially the same building footprint approved under Consent 30219/2006. The site development area has been cleared to prepare for the approved development.</p>	Yes
Clause 32 – Design of the residential development		
<p>A development must demonstrate the design of the proposed development has regard to the design principles set out in Division 2.</p>	Addressed below	Yes
Part 3 Division 2 Design principles		

Clause 33 – Neighbourhood amenity and streetscape

<p>The proposed development should:</p> <p>(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</p> <p>(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</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(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</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone</p>	<p>The development involves the construction of a three storey building, which will be extensively set back from Hillview Street and the surrounding neighbouring residential development (northern boundary) and screened from view by the retained 'bushland conservation area' within the site.</p> <p>The maximum height of the proposed development sits below the maximum canopy height of surrounding trees within the site. The average height of surrounding tree canopies of the bushland is 3m to 4m higher than the highest point of the proposed building. Consequently the proposed development will not be visually prominent in the surrounding landscape.</p> <p>Landscaping is proposed around the building complementary to the EEC, Umina Coastal Sandplain Woodland.</p> <p>The proposed development is considered to have a positive impact on the streetscape and is not considered to have adverse amenity impacts on the surrounding neighbourhood.</p>	Yes
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Clause 34 – Visual and acoustic privacy

<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The floor planning and design of the resident suites have been arranged to achieve good levels of privacy, both for their respective interior spaces and also for their private outdoor spaces. They are also designed to allow generous quantities of daylight to all resident suites.</p>	Yes
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Clause 35 – Solar access and design for climate

<p>The proposed development should:</p> <p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes</p>	<p>The floor planning and design of the resident suites have been arranged to allow generous quantities of daylight to all resident suites.</p> <p>Sustainable outcomes in energy and resource use efficiency is provided by:</p> <ul style="list-style-type: none">• Water harvesting – water from roof	Yes
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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>surfaces is stored for reticulation reuse on irrigating gardens and planters, and for car wash purposes as well as for wash down of exterior hade surfaces.</p> <ul style="list-style-type: none"> • Performance/low E grade glazing to all external windows and other glazing • Awnings and pergolas in high exposure areas. • Roof slab soffit thermal insulation blanketing. • External walls thermally rated construction. • The development satisfies the relevant Section J compliance certificate statutory requirements for energy and other forms of resources efficiency. 	
Clause 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.	The development meets the standards specified for stormwater management and minimisation of effects.	Yes
Clause 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 of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	<p>The development meets the standards specified for crime prevention.</p> <p>The proposed facility, being a nursing home, will be manned and managed by a large team of staff on a 24hr round the clock basis.</p>	Yes
Clause 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.	<p>The development meets the standards specified for accessibility.</p> <p>The development is designed to comply with applicable Building Code of Australia, SEPP and Australian Standards requirements for access for persons who are senior and/or with a disability.</p> <p>All resident and visitor areas throughout the building and its surrounds will be stepless.</p>	Yes

	<p>Three (3) passenger lifts provide linkage to the following:</p> <ul style="list-style-type: none"> • South Lift (in South Wing) – linking the main kitchens / laundries / staff areas with the resident floors. • Central Lift – linking between the main Entry Foyer and the central lounges and dining areas. • North Lift (in North Wing) – linking the main kitchens / laundries / staff areas with the resident floors. 	
Clause 39 – Waste Management		
The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	Suitable waste facilities are provided – refer waste management plan.	Yes
Part 4 Development Standards to be complied with		
Clause 40 – Development Standards – minimum sizes and building height		
(2) Site Size – min 1,000m ²	Site area of 1.166ha	Yes
(3) Site frontage – min 20m	Site frontage to Hillview Street of 156.11m	Yes
<p>(4) Height in zones 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>(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>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p>	<p>The proposal has a topmost ceiling height of 10.95m (RL15.05m AHD) above natural ground level (RL 4.10m AHD) and exceeds the height standard of 8m – variation is 2.95m.</p> <p>The Seniors Housing SEPP provides that “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”.</p> <p>The proposal has a maximum of 3 storeys and exceeds the standard of two storeys in height.</p> <p>In accordance with Clause 40 (5), Thompson Health Care is a registered social housing provider and as a consequence Clause 40(4)(c) does not apply.</p>	<p>No Variation is supported</p> <p>Refer Clause 4.6 exception to development standards</p>
Clause 46 – Inter-relationship of Part with design principle in Part 3		
This clause requires the consent authority to be satisfied that a DA has given adequate regard to the principles provided in Clauses 33 - 39 of the Seniors Housing SEPP	<p>The development has given appropriate regard to the relevant design principles in Clauses 33 – 39 as detailed above.</p> <p>A statement is provided by Thrum Architects Pty Limited, demonstrating how the principles have been considered and addressed.</p>	Yes
Part 7 Development Standards that cannot be used as grounds to refuse consent		
Clause 48 – Development Standards that cannot be used as grounds to refuse consent for residential care		

facilities		
(a) Building Height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or	The proposal is 3 storeys in height and has a topmost ceiling height of 10.95m (RL15.05m AHD) above natural ground level (RL 4.10m AHD) and exceeds the height standard of 8m – variation is 2.95m.	No The variation is justifiable and does not warrant refusal
(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>The proposed development complies with the maximum floor space ratio development standard of 1:1, having a floor space ratio of 0.78:1.</p> <p>In accordance with the definition in Seniors Housing SEPP of gross floor area (f) in the case of a residential care facility—excluding any floor space below ground level that is used for service activities provided by the facility.</p>	Yes
(c) landscaped area: if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,	<p>160 beds require a minimum of 4,000 sqm of landscaped area.</p> <p>A total of 8,702 m² of landscaped area is provided comprising:</p> <ul style="list-style-type: none"> • 842 m² of soft landscaping • 1,213 m² of hard surface open space, and • 6,647 m² of bushland conservation area 	Yes
<p>(d) parking for residents and visitors: if at least the following is provided:</p> <p>(i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and</p> <p>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</p> <p>(iii) 1 parking space suitable for an ambulance</p>	<p>Car parking required:</p> <p>160 beds = 16 car spaces 36 peak time staff = 18 car spaces Total minimum required = 34 car spaces</p> <p>Car parking provided:</p> <p>Basement car spaces - general = 50 Basement car spaces - accessible = 2 Ground floor car spaces – accessible = 1 Total provided = 53 plus Ambulance space = 1</p>	Yes
Chapter 4 Miscellaneous		
Clause 55 – Residential care facilities for seniors required to have fire sprinkler systems		
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	The proposal incorporates a fire sprinkler system	Yes