

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP)  
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Clause	Control	Proposed	Compliance
Clause 18 Restrictions	Development must be occupied only by the following: (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.	88B restrictions are recommended requiring compliance with this control.	Yes, conditioned
Clause 26 Location and access to facilities	Site must have access to shops, banks and commercial services, medical services, community and recreation facilities.  Access must be within 400m via a suitable access with gradient of no more than 1:14.	The subject site is located adjacent to the Oran Park Town Centre and residents will have access to all of the services and facilities listed under subclause 1.  The pathway network between the subject site and the Oran Park Town Centre will achieve the required gradient. No roads within Oran Park have a gradient of more than 1:14.  The subject site will be within 400m of bus services which are identified to run along Dick Johnson Drive and bus stops are identified near the town centre in the Oran Park Growth Centres DCP. In addition, it is noted that the station for the North South Rail Line is envisaged to be located to the south of the site.  Notwithstanding this, the connections to public the podium shopping centre remain under construction. A condition will require an assessment of the completed works to ensure accessible connections prior to the issue of any occupation certificate.	Yes
Clause 27 Bush fire prone land	The consent authority must consult with the Rural Fire Service.	Eco Logical Australia has undertaken a Bushfire Protection Assessment for the proposal. The Assessment outlines that the proposed development is classified as a Special Fire	Yes

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	<p>Development to comply with Planning for Bush Fire Protection.</p> <p>Consideration must be given to the means of access to and egress from the general location.</p>	<p>Protection Purpose (SFPP) development and was assessed in accordance with Section 100B of the Rural Fires Act 1997 and 'Planning for Bush Fire Protection 2006' (RFS 2006).</p> <p>The Assessment incorporates recommended bushfire protection measures including asset protection zones (APZ) and standards to be achieved as part of an APZ maintenance plan. The Assessment establishes the bushfire attack level (BAL) for the proposed development is BAL-12.5 and associated construction standards.</p> <p>The public roads located to the north, east and south of the site comply with Planning for Bush Fire Protection 2006 water supply.</p> <p>The Bushfire report also includes recommendations for services and construction standards and establishes that an Emergency and Evacuation Management Plan is to be prepared prior to occupation of the proposed development. The plan will need to be consistent with the RFS Guidelines for the preparation of the Emergency / Evacuation Plan.</p> <p>The DA was referred to the Rural Fire Service who provided General Terms of Approval (GTA) including requiring compliance with Planning for Bush Fire Protection.</p> <p>A condition is recommended requiring compliance with the GTA's.</p>	
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Clause 28 Water and sewer	Development to be connected to a reticulated water system and have adequate facilities for the removal and disposal of sewage	The site is fully serviced for water and sewerage. A condition is recommended requiring evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.	Yes
Clause 29 site compatibility criteria	Provides that the consent authority must consider certain site compatibility criteria, which are outlined below:  1. The natural environment and existing/likely future land uses in the vicinity of the proposed development.  2. The services and infrastructure available to meet the demands rising from the development  3. The impact that the built form of the development is likely to have on existing and likely future development.	The site is part of a new release area and close to a range of shopping and transport options. The development is satisfactory with regard to the existing residential and commercial surrounds of the site and the protection of riparian zone and natural environment within the site.  The site is located in an emerging urban area and is well placed to accommodate future resident's needs.  The built form of the development is not likely to have a significant or detrimental impact on existing and future development in its vicinity.	Yes  Yes  Yes
Clause 30 Site analysis	Provide a site analysis in accordance with Clause 30(2), (3) and (4)	A suitable site analysis has been provided.	Yes
Clause 32 Design of residential development	The development is to demonstrate adequate regard to the principles of Division 2 (Clauses 33 to 39).	The proposed development demonstrates adequate regard to the principles set out in Division 2 clauses 33-39 as discussed below.	Yes
Clause 33 Neighbourhood	The development should:	The development is sympathetic to the character of the locality and is of a scale which is appropriate in the context.	Yes

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amenity and streetscape	<p>(a) recognise the desirable elements of the location's current character</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>Appropriate setbacks are provided to reduce bulk and maximise the amenity for adjoining properties. The subject site is surrounded by road or riparian zone on all sides so is unlikely to impact on any adjacent land uses.</p> <p>The built form and siting appropriately relates to the sites location and landform with appropriate address and landscaping to the riparian zone and open space.</p> <p>Appropriate setbacks are provided to maximise the amenity for future residents of the development and adjoining properties to the north. Appropriate separation is provided to all boundaries given the provision of open space nearby.</p> <p>The front of the building is sufficiently setback in sympathy with surrounding development.</p> <p>The proposed building incorporates a large front setback with a chapel, porte cochere, horseshoe driveway and landscaping located within the articulation zone to add interest and variety to the front façade adjoining Dick Johnson Drive.</p> <p>The proposal is located on a site where there is no established building setback and unlikely to be a consistent future building line. The site will have frontage to a collector road being Dick Johnson Drive as well as the envisaged rail corridor to the east and Jack Brabham Reserve to the west.</p>	
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	(g) be designed so that no building is constructed in a riparian zone.	<p>No trees are required to be removed within the riparian corridor to enable the construction of the proposal. The Landscape Plans for the proposal have considered the landscaping proposed under DA 2017/1627/1 and ensures an integrated outcome is achieved with the surrounding road network and Julia Creek.</p> <p>No buildings are proposed to be constructed in the riparian zone.</p> <p>All works are contained within proposed lot 2500 under DA 2017/1627/1 and will not impact on Julia Creek. Details on erosion and sediment control will be included in the construction certificate application.</p>	
Clause 34 Visual and acoustic privacy	Consider the visual and acoustic privacy of neighbours in the vicinity and residents	<p>The proposed development is not considered to raise significant privacy concerns.</p> <p>The proposed building has been designed to ensure that passive surveillance is balanced with visual and acoustic privacy.</p>	Yes
Clause 35 Solar access and design for climate	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	<p>The proposed building has been designed to ensure all rooms and common areas achieve natural ventilation and solar access. All of the proposed rooms and common areas incorporate frontage to either the public domain or the internal courtyards.</p> <p>Shadow diagrams demonstrate that communal open space areas surrounding the proposed building (including landscape areas and communal terrace areas) achieve sunlight on minimum 21 June.</p>	Yes
Clause 36 Stormwater	Control and minimise the impacts of stormwater runoff	An adequate stormwater management plan has been provided.	Yes

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Clause 37 Crime prevention	Ensure that the site planning allows each dwelling general observation to both the approach to the dwelling from the entry and from inside each dwelling. The dwellings must be designed to allow residents to see who approaches their dwellings without the need to open the front door	<p>The facility is to be secure with a reception desk at the entry. Sufficient surveillance of the street is provided from the ground floor and foyer which allows general observation of persons entering the site.</p> <p>A Crime Prevention Through Environmental Design (CPTED) Assessment has been undertaken for the proposal which demonstrates the proposal is consistent with the requirements of Clause 37.</p>	Yes
Clause 38 Accessibility	Provide obvious and safe pedestrian links from the site that provide access to public transport services or local facilities. Provide attractive and safe pedestrian and motorist environments with convenient access and parking.	<p>The proposed Aged Care Facility is located in an area that will be well connected to surrounding open space and services and facilities within the Oran Park Town Centre.</p> <p>The portion of Dick Johnson Drive adjoining the proposed development to the south was approved by Camden Council under DA/2016/1534/1, which will incorporate shared paths providing access to the Town Centre and wider Oran Park precinct.</p> <p>The local roads proposed under DA 2017/1627/1 also incorporate pedestrian connections to Dick Johnson Drive from the northern and eastern areas of the site.</p>	Yes
Clause 39 Waste management	Provide waste facilities that maximise recycling	A waste management plan was submitted in support of the DA. The design of the development incorporates dedicated areas for the collection of waste management bins. A condition is recommended requiring compliance with the waste management plan.	Yes

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Clause 40 Development standards—minimum sizes and building height	<p>(1) <b>General</b> - A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.</p> <p>(2) <b>Site size</b> - The size of the site must be at least 1,000 square metres.</p> <p>(3) <b>Site frontage</b> - The site frontage must be at least 20 metres wide measured at the building line.</p> <p>(4) <b>Height in zones where residential flat buildings are not permitted</b> - 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>(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>	The subject site complies with the minimum requirements outlined within this clause. The site has a frontage of 63.7m to Dick Johnson Drive and an area of 11,822sqm. The site is zoned R3 Medium Density Residential and residential flat buildings are permitted with consent under the zoning provisions applying to the land.	Yes
Clause 48 Development standards that cannot be used to refuse development consent for residential care facilities	<p>An application for a RCF must not be refused on any of the following grounds:</p> <p>(a) if the building height is 8 metres or less</p>	A maximum building height of 14.6m is proposed for the RCF. The exceedance of the 9.5m building height standard does not result in unacceptable amenity related impacts to adjoining properties. The exceedance is considered reasonable and acceptable as the objectives of the SEPP have been met.	No, but considered reasonable and the application is not

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	<p>(b) if the floor space ratio is 1:1 or less</p> <p>(c) if a minimum of 25m<sup>2</sup> of landscaped area is provided per bed.</p> <p>(d) if at least:  1 space is provided per 10 beds  1 space is provided per 2 staff, and  1 ambulance space is provided.</p>	<p>The site for the RCF has an area of 11,822sqm. The RCF has a GFA of 5,735sqm equating to a FSR of 0.49:1.</p> <p>25sqm / bed  25 x 244 = 6,100sqm.</p> <p>The proposal provides approximately 3,600sqm of landscaped area. Whilst varying from the landscaped area control contained in clause 48 of the SEPP, the application has been assessed in accordance with the local controls for a residential flat building, which requires 30% landscaped area. 30.06% of the site is maintained as landscaping, which is considered satisfactory for the development. It is also noted that the site is adjacent open spaces.</p> <p>244 beds = 25 spaces  50 employees (estimated) = 25 spaces  Total required = 51 spaces (including ambulance bay)</p> <p>A total of 68 car parking spaces are provided and the proposed development thereby complies.</p> <p>1 ambulance space is proposed within the horse shoe driveway at the front of the property. This is the most directly accessible location for emergency service vehicles.</p>	<p>recommended for refusal.</p> <p>Yes</p> <p>No, but considered reasonable</p> <p>Yes</p>
Clause 55 Fire sprinklers	A residential care facility for seniors must include a fire sprinkler system	A sprinkler system is proposed. A condition is recommended requiring the details of the system to	Yes, conditioned



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		be provided prior to the issue of a Construction Certificate.	
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