

**“Attachment B”: Tables of Compliance**

**SEPP (Housing for Seniors or People with a Disability) 2004 - Part 3 Design Requirements**  
*(applies via savings and transitional provisions)*

SEPP Clause	Control	Proposal	Compliance
<b>Part 3 Design Requirements</b>			
<b>Division 1 General</b>			
<b>30</b>	<b>Site analysis</b>		
	A suitable site analysis must inform the design response (topography, surrounding development, access, services, vegetation, constraints).	<p>Comprehensive analysis under the 2019 approval is updated for the modification.</p> <p>The revised scheme responds to surrounding residential and school uses, improves the Mons Avenue interface, consolidates access to Malabar Road, and strengthens on-site pedestrian legibility and landscaping.</p>	Yes
<b>31</b>	<b>Design of in-fill self-care housing</b>		
	Layout, built form and streetscape outcomes must respect locality character; provide high-amenity ILUs.	<p>Curved façades, increased modulation and a visual break between C1–C2 deliver a softer streetscape presence.</p> <p>ILUs achieve compliant internal areas, daylight/ventilation, private open space and separation consistent with the Seniors Housing Design Guide/ADG intent.</p>	Yes
<b>32</b>	<b>Design of Residential development</b>		
	Residential buildings to be sited and designed for safe access, amenity, privacy and compatibility with context.	<p>Increased Mons Ave setback, removal of the porte-cochere, recessed upper level on C2 and improved landscape layering enhance amenity and compatibility.</p> <p>Access is rationalised; internal legibility improved.</p>	Yes
<b>Division 2 Design principles</b>			
<b>33(a)</b>	<b>Neighbourhood amenity &amp; streetscape</b>		

SEPP Clause	Control	Proposal	Compliance
	Enhance neighbourhood amenity; positive contribution to streetscape.	Deeper Mons Ave setback, curved façades, articulation and planting reduce perceived bulk and improve pedestrian comfort and visual quality.	Yes
<b>33(b)</b>	<b>Heritage</b>		
	Avoid adverse impact on heritage items/HCAs.	Site is not a heritage item and does not adjoin an HCA; no heritage impacts arise.	N/A
<b>33(c)</b>	<b>Maintain neighbourhood amenity</b>		
	Protect adjoining properties' amenity (privacy, outlook, overshadowing).	The shadow diagrams show acceptable overshadowing; privacy managed by separation, planters/screens and façade design; outlook from dwellings is improved through re-shaped forms and C1–C2 separation.	Yes, Refer to Key Issues section in the main report under Visual Privacy & Building Separation, Solar Access & Daylight and Views & Outlook.
<b>33(d)</b>	<b>Built-form compatibility</b>		
	Bulk/scale compatible with surrounding development; avoid dominance.	Mass remains within the Court-approved envelope as perceived from streets; uppermost level on Building C2 is substantially recessed and not visually prominent; Buildings A2 and B roof heights are reduced.	Yes, Refer to Key Issues section in the report under Urban Design and Clause 6.11: Design Excellence.
<b>33(e)</b>	<b>Landscaping</b>		
	Provide quality landscaped setting and communal areas.	Landscaped area increases by 1,166m <sup>2</sup> (total area of 6,550m <sup>2</sup> ). Central courtyard strengthened; layered planting to boundaries and along Mons Ave; recessed rooftop terrace enhances on-site amenity.	Yes
<b>33(f)</b>	<b>Tree retention</b>		
	Retain significant trees where practicable; offset as required.	No additional tree removals beyond the approved scheme. Planting enhanced; deep-soil capacity increased for long-term canopy.	Yes

<b>SEPP Clause</b>	<b>Control</b>	<b>Proposal</b>	<b>Compliance</b>
<b>33(g)</b>	<b>Riparian</b>		
	Protect riparian corridors (where applicable).	ADG-aligned separations achieved/approached; tighter interfaces treated with screens/planters. Consolidation of vehicle access to Malabar Road reduces noise near the school edge on Mons Ave.	Yes
<b>34</b>	<b>Visual &amp; acoustic privacy</b>		
	Achieve reasonable privacy and manage noise.	ADG-aligned separations achieved/approached; tighter interfaces treated with screens/planters. Consolidation of vehicle access to Malabar Road reduces noise near the school edge on Mons Ave.	Yes, Refer to Key Issues section in the report under Visual Privacy & Building Separation.
<b>35</b>	<b>Solar access &amp; climate design</b>		
	Provide good solar access, natural ventilation and climate-responsive design.	Solar analysis confirms $\geq 70\%$ ILU/ALA dwellings receive $\geq 2$ h mid-winter sun; $\leq 15\%$ receive none. Natural cross-ventilation achieved for 80% of dwellings; curved geometry improves sun/wind performance.	Yes
<b>36</b>	<b>Stormwater</b>		
	Manage stormwater without adverse downstream impacts.	The modification does not change the approved stormwater strategy, and engineering explicitly confirmed that the system continues to comply subject to updated conditions (44c, 44d, 102).  No adverse downstream impacts are introduced.	Yes
<b>37</b>	<b>Crime prevention (CPTED)</b>		
	Provide safety through surveillance, lighting, sightlines and access control.	The updated design including the north-south link, clearer sightlines, improved lighting, and replacement of the heavy bridge with a lightweight palisade link improves CPTED outcomes.	Yes, Condition in the original consent still applies.

SEPP Clause	Control	Proposal	Compliance
		No safety concerns arise from the modification.	
<b>38</b>	<b>Accessibility</b>		
	Provide safe, legible and equitable access.	Access networks are simplified and clearer, with improved entry legibility and vertical circulation.  Seniors Housing access standards and Silver Livable Housing outcomes are maintained.	Yes
<b>39</b>	<b>Waste management</b>		
	Provide for efficient, safe waste storage and collection.	Provides for efficient and safe waste storage and collection.  Waste areas are retained/improved consistent with the approved approach, and safe collection arrangements continue via Malabar Road access.  Condition 1 has been updated to reference the revised Waste Management Plan.	Yes, conditioned to comply.
	<p><b><u>Planner's comments:</u></b></p> <p>The modification meets the Part 3 Design Requirements through a materially improved street interface, stronger landscape/COS provision, better privacy and solar outcomes, and safer access arrangements.</p> <p>No new conflicts arise; any fine-grain matters are secured via standard conditions (materials/finishes, screening details, landscape completion/maintenance, CEMP/CTPMP, lighting/CPTED).</p>		
<b>PART 4 — DEVELOPMENT STANDARDS</b>			
<b>40</b>	<b>Minimum site area</b>		
	Minimum site area is 1,000m <sup>2</sup> for seniors housing.	Site area = 10,850m <sup>2</sup> .	Yes
<b>41</b>	<b>Density (FSR)</b>		
	Must be appropriate having regard to local character.	No additional GFA; total FSR remains 1.36:1 (Court-approved).	Yes, Refer to Key Issues section in the report under Urban Design and Clause 6.11: Design Excellence.

<b>SEPP Clause</b>	<b>Control</b>	<b>Proposal</b>	<b>Compliance</b>
<b>42</b>	<b>Building height</b>		
	Height must minimise impacts.	A2 and B roof heights reduced; A1 unchanged; C1 similar to approved; C2 recessed level not visually prominent; perceived bulk reduced vs approved.	Yes, Refer to Key Issues section in the report under Clause 4.3 Height of Building.
<b>44</b>	<b>Private open space</b>		
	Provide adequate POS for ILUs.	Ground floor ILUs have $\geq 15\text{m}^2$ POS; upper units have compliant balconies ( $\geq 8-10-12\text{m}^2$ , min 2m depth).	Yes
<b>45</b>	<b>Communal open space</b>		
	Provide adequate COS accessible to residents.	Communal open space is provided through a large Level 1 central courtyard, a substantial COS area to the north-east, extensive landscaped ground-level open space, and a rooftop communal garden on Level 4 of Building C1.  Overall COS exceeds 25% of the site and achieves $\geq 2$ hours of mid-winter sunlight, satisfying ADG and Seniors SEPP requirements.	Yes
<b>46</b>	<b>Parking standards</b>		
	Parking to meet seniors housing rates.	98 spaces provided (required 83). Includes ambulance + mini-bus; staff spaces adequate.	Yes
<b>47</b>	<b>Neighbourhood amenity</b>		
	Protect solar access, privacy and visual comfort for neighbours.	Overshadowing acceptable; privacy screens & separation adequate; softened façades reduce visual mass.	Yes, Refer to Key Issues section in the report under Visual Privacy & Building Separation.
<b>48</b>	<b>Internal circulation</b>		

SEPP Clause	Control	Proposal	Compliance
	Provide safe and efficient circulation.	Lift access to all levels; improved internal connections; safe circulation.	Yes
<b>Operational &amp; Ancillary Provisions Commonly Relied Upon</b>			
88	<b>Occupancy restriction</b>	(No change required standard seniors housing occupancy restrictions continue to apply.)	Yes
91	<b>Fire sprinklers (RACF)</b>	(No change required - RACF fire safety requirements remain applicable under the original consent and BCA compliance.)	Yes
93	<b>ILU location &amp; access to services</b>		
	Adequate access on-site or via compliant transport service.	Adequate access is provided on-site or via a compliant transport service.  The site is within a walking catchment to shops, services, schools and open space; transport arrangements remain achievable and are conditioned.	Yes
94	<b>RACF access to services</b>		
	On-site services or compliant transport.	On-site care and support services are provided. Local services remain accessible and compliant transport is available/conditioned.	Yes
95	<b>Water &amp; sewer</b>		
	Connect to reticulated systems; demonstrate capacity.	The development is connected to reticulated Sydney Water systems; capacity unchanged.	Yes, and conditioned to comply.
<b>PART 7 — Development standards that cannot be used as grounds to refuse consent</b>			
<b>Division 2 Residential care facilities</b>			
48	<b>Standards that cannot be used to refuse development consent for residential care facilities</b>		
	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:		
48(a)	<b>Building height:</b>		
	if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another	Numerical height is exceeded, but height is assessed under the SCC pathway/ Court -approved envelope, not	Acceptable (SCC pathway)

SEPP Clause	Control	Proposal	Compliance
	environmental planning instrument limiting development to 2 storeys), or	the 8 m criterion. Built form is recessed, visually moderated and acceptable within the approved envelope.	
<b>48(b)</b>	<b>Density and scale:</b>		
	if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,	RACF component meets $\leq 1:1$ . Overall site FSR remains at the Court-approved 1.36:1, unchanged by the modification.	Yes
<b>48(c)</b>	<b>landscaped area:</b>		
	if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,	44 RACF beds require 1,100m <sup>2</sup> . The proposal provides 6,550m <sup>2</sup> , significantly exceeding the requirement.	Yes
<b>48(d)</b>	<b>parking for residents and visitors:</b>		
	(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.  Note:  The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.	Requirement: 1/10 beds (or 1/15 dementia), 1/2 staff, plus 1 ambulance space.  Provided: RACF - 5 resident/visitor spaces; 14 staff spaces; dedicated ambulance bay at ground level.	Yes
<b>Division 4 Self-contained dwellings</b>			
<b>50</b>	<b>Standards that cannot be used to refuse development consent for self-contained dwellings</b>		
	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:		
<b>50(a)</b>	<b>Building height:</b>		
	if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another	Numerical height is exceeded; however, height is correctly assessed under the SCC/	Yes (via SCC pathway)

SEPP Clause	Control	Proposal	Compliance
	environmental planning instrument limiting development to 2 storeys),	Court-approved envelope. Built form uses recessed massing, curved façades and upper-level setbacks, resulting in acceptable visual and amenity outcomes.	
<b>50(b)</b>	<b>density and scale:</b>		
	if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	ILU component forms part of the <b>Court-approved FSR of 1.36:1</b> .  No additional GFA is introduced by the modification.	Yes (via SCC pathway)
<b>50(c)</b>	<b>landscaped area: if:</b>		
	(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  (ii) in any other case - a minimum of 30% of the area of the site is to be landscaped,	Approx. 6,550m <sup>2</sup> landscaped area, equating to 60% of site area, significantly exceeding the minimum requirement.	Yes
<b>50(d)</b>	<b>Deep soil zones:</b>		
	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 <i>deep soil zone</i> ). 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,	Deep soil provision ≥15%, with 3 - 6m widths, including a central deep soil courtyard between Buildings C1–C2 and continuous deep soil zones along the eastern and northern edges.	Yes
<b>50(e)</b>	<b>Solar access:</b>		
	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,	Solar study shows majority of ILUs achieve ≥3 hours, all achieve ≥2 hours, and ≤15% receive none, consistent with Seniors SEPP/ADG performance benchmarks.	Yes
<b>50(f)</b>	<b>private open space for in-fill self-care housing: if:</b>		

SEPP Clause	Control	Proposal	Compliance
	<p>(i) in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and</p> <p>(ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area,</p> <p>Note: The open space needs to be accessible only by a continuous accessible path of travel (within the meaning of AS 1428.1) if the dwelling itself is an accessible one. See Division 4 of Part 4.</p>	<p>All ILU types comply: ground-floor dwellings achieve <math>\geq 15\text{m}^2 / 3\text{m min}</math>; upper-level balconies meet minimum <math>10\text{m}^2</math> (or <math>6\text{m}^2</math> for 1-bed) and <math>\geq 2\text{m}</math> depth.</p>	<p>Complies for all ILU types.</p>
<b>50(h)</b>	<b>Parking:</b>		
	<p>if at least the following is provided:</p> <p>(i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or</p> <p>(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.</p> <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>Requirement = 66 spaces. Provided = 76 ILU spaces. Total on-site parking (including RACF and staff) = 98 spaces. Exceeds requirement.</p>	<p>Yes</p>
<p><u>Planners' summary comments:</u></p> <p>The proposed modification fully satisfies all applicable Seniors SEPP (2004) standards preserved under Housing SEPP Schedule 7A. Where the proposal exceeds numerical "safe-harbour" metrics (e.g., height, FSR), the assessment correctly relies on the SCC / Court-approved envelope, and the built form performs better than the 2019 approved scheme in terms of bulk, articulation, solar access, overshadowing, privacy, landscaping and amenity.</p>			

<b>SEPP Clause</b>	<b>Control</b>	<b>Proposal</b>	<b>Compliance</b>
Overall, the modification provides a high-quality seniors housing outcome, consistent with the objectives of the Seniors Housing framework.			

**State Environmental Planning Policy (Housing) 2021 - Schedule 7A (Savings)**

**Chapter 3 – Diverse Housing – Housing for Seniors and People with a Disability**

Chapter 3, Part 5 of the Housing SEPP relates to development for the purpose of housing for seniors and people with a disability. An assessment of the proposal against the relevant standards is provided in the table below.

Section	Design Criteria	Proposal	Compliance
<b>Part 5: Housing for seniors and people with a disability</b>			
<b>81</b>	<b>Seniors housing permitted with consent</b>		
	<p>Development for the purposes of seniors housing may be carried out with development consent—</p> <p>(a) on land to which this Part applies, or</p> <p>(b) on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.</p>	<p>The site benefits from an existing Site Compatibility Certificate (SCC) issued under the former Seniors SEPP, enabling Seniors Housing on RE2 land.</p> <p>Seniors housing permissibility is established and unchanged by this modification.</p>	Yes
<b>84</b>	<b>Development standards—general</b>		
	<p>(1) This section applies to development for the purposes of seniors housing involving the erection of a building.</p> <p>(2) Development consent must not be granted for development to which this section applies unless—</p> <p>(a) the site area of the development is at least 1,000m<sup>2</sup>, and</p> <p>(b) the frontage of the site area of the development is at least 20m measured at the building line, and</p>	<p>Site area 10,850m<sup>2</sup> and frontage exceeds 20m across three streets.</p>	Yes
	<p>(c) for development on land in a residential zone where residential flat buildings are not permitted—</p> <p>(i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and</p> <p>(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m—the servicing equipment complies with subsection (3), and</p> <p>(iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within</p>	<p>Clause 84(2)(c) does not apply because the land is not in a residential zone (RE2).</p>	N/A

Section	Design Criteria	Proposal	Compliance
	<p>planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p> <p>(3) The servicing equipment must—</p> <p>(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(b) be limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(c) not result in the building having a height of more than 11.5m.</p> <p>(4) Subsection (2)(a) and (b) do not apply to development if the development application is made by a social housing provider or Landcom.</p>		
<b>85</b>	<b>Development standards for hostels and independent living units</b>		
	<p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p>	<p>ILUs meet the applicable standards or are addressed in the Seniors Housing Design Guide 2023. Where standards have been superseded, performance-based outcomes are met (solar access, ventilation, accessibility).</p>	<p>Yes</p>
	<p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.</p>		
<b>86</b>	<b>Development standards for seniors housing - Zones RE2, SP1, SP2 and RU5</b>		
	<p>(1) Development consent must not be granted for development for the purposes of seniors housing unless the consent authority is satisfied as follows:</p>		
	<p>(a) for development on land in Zone RE2 Private Recreation:</p> <p>(i) the development is carried out on land used for the purposes of an existing registered club, and</p>	<p>The original development was approved under the SCC pathway, which overrides Clause 86 requirements.</p>	<p>Yes</p>

Section	Design Criteria	Proposal	Compliance
	<p>(ii) the land adjoins land in a prescribed zone,</p> <p>(2) Nothing in this section prevents a consent authority from granting development consent for development for the purposes of seniors housing on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.</p>	Savings provisions ensure ongoing applicability of the original permissibility.	
<b>87</b>	<b>Additional floor space ratios</b>		
	<p>(1) This section applies to development for the purposes of seniors housing on land to which this Part applies if—</p> <p>(a) development for the purposes of a residential flat building or shop top housing is permitted on the land under Chapter 5 or another environmental planning instrument, or</p> <p>(b) the development is carried out on land in Zone E2 Commercial Centre or Zone B3 Commercial Core.</p>	<p>Not relied on. The site is RE2; no FSR bonus is sought.</p> <p>Total GFA unchanged at 14,807m<sup>2</sup> (FSR 1.36:1).</p>	N/A
	(2) Development consent may be granted for development to which this section applies if:		
	(a) the site area of the development is at least 1,500m <sup>2</sup> , and		N/A
	<p>(b) the development will result in a building with the maximum permissible floor space ratio plus:</p> <p>(i) for development involving independent living units an additional 15% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of independent living units, or</p> <p>(ii) for development involving a residential care facility an additional 20% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of the residential care facility, or</p> <p>(iii) for development involving independent living units and residential care facilities an additional 25% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of independent living</p>		N/A

Section	Design Criteria	Proposal	Compliance
	units or a residential care facility, or both, and		
	(c) the development will result in a building with a height of not more than 3.8m above the maximum permissible building height.		N/A
<b>88</b>	<b>Restrictions on occupation of seniors housing</b>		
	<p>(1) Development permitted under this Part may be carried out for the accommodation of only the following:</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p>	The development is for Seniors Housing (RACF, ILUs, ALUs). Occupancy restrictions are maintained and conditioned.	Yes
	2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.	<p>The modification does not alter the approved occupancy framework.</p> <p>Conditions of consent require compliance with the Seniors Housing occupancy restrictions, ensuring only eligible residents, household members and staff may occupy the premises.</p>	Yes - conditioned to ensure compliance
<b>89</b>	<b>Use of ground floor of seniors housing in business zones</b>		
	<p>(1) This section applies to a building used for the purposes of seniors housing on land in a business zone.</p> <p>(2) Development consent must not be granted for development under this Part unless the part of the ground floor of the building that fronts a street will not be used for residential purposes.</p> <p>(3) Subsection (2) does not apply to a part of a building that—</p> <p>(a) faces a service lane that does not require active street frontages, or</p> <p>(b) is used for 1 or more of the following purposes—</p>	Site is zoned RE2, not a business zone.	N/A

Section	Design Criteria	Proposal	Compliance
	<p>(i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building,</p> <p>(ii) access for fire services,</p> <p>(iii) vehicular access.</p> <p>(4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.</p>		
<b>90</b>	<b>Subdivision</b>		
	<p>(1) Development consent may be granted for the subdivision of land on which development has been carried out under this Part.</p> <p>(2) Development consent must not be granted for the subdivision of a building resulting from development carried out under this Part on land in Zone E2 Commercial Centre or Zone B3 Commercial Core.</p>	No subdivision proposed in this modification.	N/A
<b>91</b>	<b>Fire sprinkler systems in residential care facilities</b>		
	<p>(1) A consent authority must not grant consent for development for the purposes of a residential care facility unless the facility will include a fire sprinkler system.</p> <p>(2) Development for the purposes of the installation of a fire sprinkler system in a residential care facility may be carried out with development consent.</p>	Residential Aged Care Facility component includes sprinkler protection in accordance with BCA requirements.	Yes, also conditioned to comply.
<b>92</b>	<b>Development on land used for the purposes of an existing registered club</b>		
	<p>(1) Development consent must not be granted for development under this Part on land used for the purposes of an existing registered club unless the consent authority is satisfied that:</p> <p>(a) the development includes appropriate measures to separate the club from residential areas to avoid land use conflicts, and</p> <p>(b) an appropriate protocol will manage the relationship between the seniors housing and the gambling facilities on the site of the club to minimise harm associated with the misuse and abuse</p>	No registered club remains on site; the clause is not triggered.	N/A

Section	Design Criteria	Proposal	Compliance
	<p>of gambling activities by residents of the seniors housing.</p> <p>(2) For the purposes of subsection (1)(a), appropriate measures include the following—</p> <p>(a) separate pedestrian access points for the club and the residential areas of the seniors housing,</p> <p>(b) design principles underlying the building aimed at ensuring acceptable noise levels in bedrooms and living areas in the residential areas of the seniors housing.</p>		
<b>93</b>	<b>Location and access to facilities and services—-independent living units</b>		
	<p>1) Development consent must not be granted for development for the purposes of an independent living unit unless the consent authority has considered whether residents will have adequate access to facilities and services:</p> <p>(a) by a transport service that complies with subsection (2), or</p> <p>(b) on-site.</p>	<p>The site is within walking distance of shops, services, public transport, recreational open space, and community facilities.</p> <p>Transport connections meet accessibility expectations for ILU residents.</p>	Yes
	(2) The transport service must:		
	(a) take the residents to a place that has adequate access to facilities and services, and		N/A
	<p>b) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City:</p> <p>(i) not be an on-demand booking service for the transport of passengers for a fare, and</p> <p>(ii) be available both to and from the site at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day, and</p>		N/A
	(c) for development on other land be available both to and from the site during daylight hours at least once each weekday.		N/A

Section	Design Criteria	Proposal	Compliance
<b>94</b>	<b>Location and access to facilities and services residential care facilities</b>		
	<p>(1) Development consent must not be granted for development for the purposes of a residential care facility unless the consent authority is satisfied that residents of the facility will have access to facilities and services:</p> <p>(a) on-site, or</p> <p>(b) by a transport service other than a passenger service.</p>	<p>On-site care and support services are provided. Also, external services is available within walking distance or by managed transport.</p>	<p>Yes</p>
<b>95</b>	<b>Water and sewer</b>		
	<p>(1) A consent authority must not consent to development under this Part unless the consent authority is satisfied the seniors housing will:</p> <p>(a) be connected to a reticulated water system, and</p> <p>(b) have adequate facilities for the removal or disposal of sewage.</p>	<p>The site is connected to Sydney Water systems, with no changes proposed.</p>	<p>Yes</p>
	<p>(2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority:</p> <p>(a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or</p> <p>(b) if reticulated services are not available must satisfy the responsible authority that the provision of water and sewerage infrastructure, including environmental and operational considerations, is satisfactory for the development.</p>		<p>N/A</p>
<b>97</b>	<b>Design of seniors housing</b>		
	<p>(1) In determining a development application for development for the purposes of seniors housing, a consent authority must consider the Seniors Housing Design Guide, published by the Department in December 2023.</p>	<p>The consent authority has considered the Seniors Housing Design Guide (December 2023) in the assessment of the modification. The amended proposal responds positively to the Guide's objectives, including improved built form and neighbourhood</p>	<p>Yes</p>

Section	Design Criteria	Proposal	Compliance
		<p>integration, enhanced solar access and cross-ventilation, strengthened privacy and safety outcomes, and upgraded landscape quality and accessibility.</p> <p>The design provides an appropriate range of accommodation types (ILUs, ALUs and RACF rooms) that support resident wellbeing, mobility and care needs.</p>	
	<p>(2) Development consent must not be granted to development for the purposes of seniors housing unless the consent authority is satisfied the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8.</p>	<p>The consent authority is satisfied that the modified development has given adequate consideration to the Schedule 8 Design Principles.</p> <p>The proposal demonstrates improvements in neighbourhood amenity, privacy, solar access, climate design, stormwater management, CPTED, accessibility and waste management. The increased Mons Avenue setback, curved façades, visual break between buildings, enhanced landscaping, refined circulation and improved communal spaces all contribute to achieving the design principles.</p> <p>On this basis, the modification is considered consistent with Schedule 8.</p>	Yes
<b>107</b>	<b>Non-discretionary development standards for hostels and residential care facilities the Act, s 4.15</b>		
	(2) The following are non-discretionary development standards in relation to development for the purposes of hostels or residential care facilities:		
	(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	Clause 107(2)(a) sets a non-discretionary height	Yes

Section	Design Criteria	Proposal	Compliance
		<p>limit of 9.5m for residential care facilities.</p> <p>In this case, the original approval was granted under the Seniors SEPP SCC pathway, and the Court-approved building envelope remains the relevant height benchmark under Schedule 7A.</p> <p>While the modification introduces an additional upper level, this level is substantially recessed from the street frontage and sits within the approved envelope. The increased setback, curved façade treatment and landscape layering ensure the uppermost level does not create adverse visual impacts or add apparent bulk when viewed from the public domain.</p> <p>Council therefore raises no objection to the proposed height.</p>	
	<p>(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m:</p> <p>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(iii) does not result in the building having a height of more than 11.5m,</p>	<p>Servicing equipment is fully integrated/ screened, and the total area of rooftop services is under 20% of the roof surface.</p> <p>Parts of the modified building (the recessed additional level) result in an overall height exceeding 11.5m, so the proposal does not rely on the Clause 107(2)(b) non-discretionary “safe-harbour”.</p> <p>Instead, height is assessed against the Court-approved building envelope under the SCC/savings pathway.</p> <p>The added level is substantially recessed, with curved façades and</p>	Yes

Section	Design Criteria	Proposal	Compliance
		landscape layering, and does not create adverse visual impacts or apparent bulk from the public domain.	
	(c) the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,	The modification does not introduce any additional GFA and remains generally consistent with the Court-approved envelope, with an overall FSR of 1.36:1 retained on the site.	No changes to approved FSR on the site.
	<p>d) internal and external communal open spaces with a total area of at least:</p> <p>(i) for a hostel 8m<sup>2</sup> for every bed, or</p> <p>(ii) for a residential care facility 10m<sup>2</sup> for every bed,</p>	<p>The development provides extensive internal and external communal open space, including the central landscaped courtyard, multiple ground-level communal outdoor areas, indoor communal rooms across the RACF/ALA floors, and a recessed rooftop communal terrace. Collectively, the communal open space provision exceeds the minimum requirement of 10 m<sup>2</sup> per bed for a residential care facility. No reduction to communal open space arises from the modification.</p>	Yes
	(e) at least 15m <sup>2</sup> of landscaped area for every bed,	<p>The modification significantly increases landscaped area across the site, including the central communal courtyard, deep-soil planting around all building frontages, and additional landscaped zones created by the increased Mons Avenue setback. The total landscaped area exceeds 15 m<sup>2</sup> per bed, and no landscaped areas are reduced as part of this modification.</p>	Yes

Section	Design Criteria	Proposal	Compliance
	<p>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 6m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,</p>	<p>Deep-soil planting areas are provided on at least 15% of the site, with continuous perimeter bands exceeding the 6 m minimum dimension along the northern (rear) and eastern interfaces, supplemented by additional pockets created by the increased Mons Avenue setback.</p> <p>Given the site's three street frontages, the majority of deep soil is located toward the rear where practicable, and no deep-soil areas are reduced by this modification.</p>	Yes
	<p>(g) for a hostel at least 1 parking space for every 10 beds in the hostel,</p>		N/A
	<p>(h) for a residential care facility at least 1 parking space for every 15 beds in the facility,</p>	<p>The modification provides 98 parking spaces, an increase from the 97 spaces approved.</p> <p>With 44 RACF beds, the minimum requirement under Clause 107(2)(h) is 3 parking spaces (<math>44 \div 15 = 2.93</math>).</p> <p>The parking provision therefore well exceeds the non-discretionary standard, and no reduction in parking occurs as part of the modification.</p>	Yes
	<p>(i) at least 1 parking space for every 2 employees who are on duty at the same time,</p>	<p>The modification provides 98 parking spaces, exceeding the 97 spaces approved.</p> <p>Based on the operational model and reduced RACF bed numbers, the number of employees on duty at any one time is comfortably accommodated within the available on-site parking.</p>	Yes

Section	Design Criteria	Proposal	Compliance
		The parking supply therefore exceeds the requirement of 1 space per 2 employees and no shortfall arises from the modification.	
	(j) at least 1 parking space for the purpose of ambulance parking.	A dedicated ambulance parking space is provided on the ground floor, as indicated on the submitted plans. The location allows direct access to the RACF component and does not conflict with resident, staff or visitor parking. The modification does not alter this arrangement, and the ambulance space continues to meet operational requirements.	Yes
<b>108</b>	<b>Non-discretionary development standards for independent living units the Act, s 4.15</b>		
	(2) The following are non-discretionary development standards in relation to development for the purposes of independent living units:		
	(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	<p>The ILU buildings exceed the 9.5m non-discretionary height standard in Clause 108(2)(a).</p> <p>However, the development was originally approved under the Seniors SEPP SCC pathway, and under Schedule 7A (Savings and Transitional) the Court-approved building envelope remains the relevant height benchmark for this Section 4.56 modification.</p> <p>The additional level introduced as part of this modification is substantially recessed, is not visually prominent from the street, and does not increase perceived bulk when viewed from the public domain. The modified height remains within the overall envelope</p>	Acceptable (via SCC / performance compliance)

Section	Design Criteria	Proposal	Compliance
		<p>accepted by the Court, and Council has no objection on this basis.</p> <p>Accordingly, while the numerical 9.5m standard is not met, the proposal is acceptable under the SCC/approved-envelope pathway.</p>	
	<p>b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m:</p> <p>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(iii) does not result in the building having a height of more than 11.5m,</p>	<p>Servicing equipment associated with the ILU buildings is integrated within the roof form or appropriately screened from public view, and occupies under 20% of the total roof area.</p> <p>The modified building does exceed 11.5m in parts due to the additional recessed upper level; therefore the proposal does not rely on the non-discretionary height “safe-harbour” under Clause 108(2)(b).</p> <p>However, the uppermost level is substantially recessed, and together with the curved façades and landscape layering, it does not result in any significant visual impacts or additional apparent bulk when viewed from the public domain.</p> <p>The development remains acceptable within the Court-approved envelope under the SCC/savings pathway.</p>	<p>Acceptable (via SCC / performance compliance)</p>
	<p>(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</p>	<p>The modification does not add GFA and retains the Court-approved overall FSR of 1.36:1 for the site.</p> <p>The application does not rely on the ILU non-discretionary safe-harbour of 0.5:1; height/scale remain</p>	<p>Acceptable (via SCC / performance compliance)</p>

Section	Design Criteria	Proposal	Compliance
		<p>assessed against the SCC/Schedule 7A Court-approved envelope.</p> <p>On this basis, the ILU component is acceptable.</p>	
	<p>(d) a minimum landscaped area that is the lesser of:</p> <p>(i) 35m<sup>2</sup> per dwelling, or</p> <p>(ii) 30% of the site area,</p>	<p>The modification substantially increases landscaped area across the site, with approximately 6,550 m<sup>2</sup> of landscaping provided, representing well over 30% of the 10,850 m<sup>2</sup> site area.</p> <p>This exceeds the minimum landscaped area requirement under Clause 108(2)(d), and no landscaped areas are reduced as part of the modification.</p>	Yes
	<p>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,</p>	<p>Deep-soil zones are provided on at least 15% of the site, with continuous deep-soil planting exceeding 3m width along the northern (rear) boundary, the eastern boundary, and within the large central deep-soil courtyard located between Buildings C1 and C2.</p> <p>Given the site's three street frontages, the deep-soil areas are located toward the rear and consolidated centrally where practicable, and the modification does not reduce any approved deep-soil provision.</p>	Yes
	<p>(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,</p>	<p>The submitted Solar Analysis demonstrates that at least 70% of ILU/ALA dwellings receive ≥2 hours of direct sunlight between 9am and 3pm at mid-winter.</p> <p>Curved façades, increased separation between</p>	Yes

Section	Design Criteria	Proposal	Compliance
		Buildings C1 and C2, and the re-shaped building forms improve winter sun penetration relative to the approved scheme.	
	<p>(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building:</p> <p>(i) at least 15m<sup>2</sup> of private open space per dwelling, and</p> <p>(ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,</p>	<p>Ground-floor ILU dwellings are provided with private open space areas exceeding 15m<sup>2</sup>, with minimum 3m dimensions achieved.</p> <p>Each POS area is directly accessible from a living room, and the modification does not reduce any previously approved private open space. The increased Mons Avenue setback and reconfigured landscaping also improve ground-level amenity.</p>	Yes
	<p>(i) for a dwelling in a multi-storey building not located on the ground floor a balcony accessible from a living area with minimum dimensions of 2m and:</p> <p>(i) an area of at least 10m<sup>2</sup>, or</p> <p>(ii) for each dwelling containing 1 bedroom an area of at least 6m<sup>2</sup>,</p>	<p>All ILU dwellings located above ground level are provided with balconies directly accessible from a living area, with minimum dimensions of at least 2m.</p> <p>Balcony areas meet or exceed the required standards at least 10m<sup>2</sup>, or 6m<sup>2</sup> for 1-bedroom dwellings.</p> <p>The modification does not reduce or compromise private open space for upper-level apartments.</p>	
	(j) for a development application made by, or made by a person jointly with, a social housing provider or Landcom at least 1 parking space for every 5 dwellings,	The modification is not lodged by a social housing provider, and therefore, this clause does not apply.	N/A
	(k) if paragraph (j) does not apply at least 0.5 parking spaces for each bedroom.	The proposed modification provides 98 on-site parking spaces, which comfortably satisfies this requirement when considered against the total number of ILU bedrooms.	Yes

Section	Design Criteria	Proposal	Compliance
		The modification does not reduce approved parking and maintains an overall surplus.	

### **Design Excellence Advisory Panel (DEAP)**

The Design Excellence Advisory Panel (DEAP) functions as Council's design review panel for the purposes of Housing SEPP Chapter 4. The application was referred to DEAP for independent advice on the design quality of the modified scheme.

Under Randwick LEP 2012 clause 6.11 (Design Excellence), this development must demonstrate design excellence because the site area exceeds 10,000m<sup>2</sup> and parts of the development exceed 15m in height. Accordingly, the consent authority must be satisfied that the modified design achieves a high standard of architectural and urban design quality.

### **Housing SEPP Chapter 4 (for consideration).**

Although SEPP 65 does not apply (the proposal is Seniors Housing, not a residential flat building), the assessment has considered the matters in Housing SEPP Chapter 4 under the savings/transitional framework namely the Schedule 9 Design Principles, the Apartment Design Guide (ADG), and design review panel advice (DEAP). A detailed assessment is set out in the table below.

### **Design review (DEAP).**

Council sought non-statutory advice from the Design Excellence Advisory Panel (DEAP) to inform the evaluation of architectural quality, public domain outcomes, landscape integration, CPTED and sustainability. The panel was broadly supportive and recommended refinements that have been incorporated into the amended design (see Referrals/ Attachment D).

Summary of Key improvements:

- Curved façades and enhanced articulation to reduce perceived bulk and refine streetscape presentation.
- Deeper Mons Avenue setback and a clear building break (C1–C2) to improve scale transition and permeability.
- Recessed rooftop communal space and simplified roof forms (A2/B pitched roofs deleted) to lower apparent mass.
- Open through-site link with improved lighting and sightlines (CPTED).
- Strengthened landscape (additional planting and deep soil) integrated with entries and courtyards.
- Access consolidation to Malabar Road to simplify the public domain along Mons Avenue.

### **Design Quality Principles**

The DEAP review and Council's assessment confirm the proposal addresses the nine design quality principles (context, built form, density, sustainability, landscape, amenity, safety, social outcomes and aesthetics).

The detailed design quality assessment against Clause 6.11 and Housing SEPP Chapter 4 matters is provided in the table that follows below and in the Key issues section of the report under Urban character, Clause 4.3 - Height of Buildings (Randwick LEP 2012) and, Character, Bulk & Streetscape.

### **Apartment Design Guide**

In accordance with Housing SEPP Chapter 4, the table below assesses the proposal against the relevant ADG criteria in Parts 3 and 4. Where a numeric criterion is not strictly met, the ADG design guidance and objectives have been applied to confirm an acceptable performance outcome.

Clause	Design Criteria	Proposal	Compliance
<b>Part 3: Siting the Development</b>			
3D-1	Communal and Public Open Space		

Clause	Design Criteria	Proposal	Compliance												
	Communal open space has a minimum area equal to 25% of the site.	Exceeds 25%: large central courtyard (between C1–C2), multiple ground-level communal areas and a recessed rooftop terrace.	Yes												
	Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space (COS) for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	Solar analysis shows the principal COS receives a minimum of 2hrs of direct sunlight between 9 am and 3 pm on 21 June.	Yes												
<b>3E-1</b>															
	Deep soil zones are to meet the following requirements: 3m dimension, 7% site area	Deep soil ≥15% of site with ≥3m widths along the northern (rear) and eastern interfaces and a central deep-soil courtyard between C1–C2; added bands at the increased Mons Ave setback.	Yes												
<b>3F-1</b>															
	<p><b>Visual Privacy</b></p> <p>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table border="1"> <thead> <tr> <th>Building Height</th> <th>Habitable Rooms and Balconies</th> <th>Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12m (4 storeys)</td> <td>6m</td> <td>3m</td> </tr> <tr> <td>Up to 25m (5-8 storeys)</td> <td>9m</td> <td>4.5m</td> </tr> <tr> <td>Over 25m (9+ storeys)</td> <td>12m</td> <td>6m</td> </tr> </tbody> </table> <p>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2)</p> <p>Gallery access circulation should be treated as habitable space when measuring privacy separation</p>	Building Height	Habitable Rooms and Balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	<p>Layout achieves compliant or near-compliant separations, with tighter interfaces appropriately mitigated by façade articulation, planter boxes, louvred/opaque screening and balcony treatments.</p> <p>The increased Mons Avenue setback and C1–C2 building break significantly reduce direct and oblique overlooking.</p>	Yes
Building Height	Habitable Rooms and Balconies	Non-habitable rooms													
Up to 12m (4 storeys)	6m	3m													
Up to 25m (5-8 storeys)	9m	4.5m													
Over 25m (9+ storeys)	12m	6m													

Clause	Design Criteria	Proposal	Compliance
	distances between neighbouring properties.		
<b>3J-1</b>	<b>Bicycle and Car Parking</b>		
	<p>For development in the following locations:</p> <ul style="list-style-type: none"> <li>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> <li>on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li> <li>the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</li> </ul>	<p>Seniors-rate calculation shows minimum 83 spaces required (ILU/ALA 66 + RACF 4.4 + staff 12 + ambulance 1 ≈ 83).</p> <p>Provided = 98 (incl. ambulance and 1 mini-bus space).</p> <p>Surplus = +15.</p>	Yes
	<p>Parking schedule references: ILU/ALA minimum 66 vs 76 provided; RACF minimum 4.4 vs 5 provided; staff minimum 12 vs 14 provided; ambulance 1 provided at ground level; overall required 83 / provided 98 (surplus +15).</p>		
<b>Part 4: Designing the Building</b>			
<b>4A</b>	<b>Solar and Daylight Access</b>		
	<p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at midwinter.</p> <p>A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter</p>	<p>Solar analysis confirms ≥70% of ILU/ALA dwellings receive ≥2 hours sun; approximately 3% receive no sun (which is well below 15% maximum allowed).</p> <p>Curved façades and increased separation between Buildings C1–C2 improve winter solar access compared with the approved scheme.</p>	Yes
<b>4B</b>	<b>Natural Ventilation</b>		
	<p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed</p>	<p>80% of dwellings will receive natural cross-ventilation (multi-core, corner aspects).</p> <p>55 Units in total.</p> <p>44 of the units will receive natural cross ventilation (80%).</p>	Yes

Clause	Design Criteria	Proposal	Compliance
		11 of the units will not receive natural cross ventilation (20%).	
	Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Depths are consistent with ADG intent.	Yes
<b>4C</b>	<b>Ceiling Heights</b>		
	<p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <ul style="list-style-type: none"> <li>• Habitable Rooms – 2.7m</li> <li>• Non-habitable – 2.4m</li> <li>• Attic spaces – 1.8m at edge with min 30 degree ceiling slope</li> <li>• Mixed use areas – 3.3m for ground and first floor</li> </ul> <p>These minimums do not preclude higher ceilings if desired.</p>	<p>The modification provides 2.7m habitable and 2.4m service areas.</p> <p>There are no reductions from the approval.</p>	Yes
<b>4D</b>	<b>Apartment Size and Layout</b>		
	<p>Apartments are required to have the following minimum internal areas:</p> <ul style="list-style-type: none"> <li>• Studio - 35m<sup>2</sup></li> <li>• 1 bedroom - 50m<sup>2</sup></li> <li>• 2 bedroom - 70m<sup>2</sup></li> <li>• 3 bedroom - 90m<sup>2</sup></li> </ul> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12 m<sup>2</sup> each.</p>	<p>Plans and unit schedules confirm all 1-, 2-, and 3-bed ILUs meet or exceed the minimum internal areas.</p> <p>Any additional bathrooms are accommodated within the total internal areas.</p>	Yes
	<p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>	<p>Plans indicate all habitable rooms have direct external windows (living/kitchen/dining/bedrooms) with generous glazing; no borrowed light identified.</p>	Yes
	<p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p>	<p>With 2.7m habitable ceilings, depth cap approx. 6.75m.</p>	Yes

Clause	Design Criteria	Proposal	Compliance															
		Open-plan spans and bedroom depths are within this limit on typical plans.																
	In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Open-plan living zones measure $\leq 8\text{m}$ from primary windows to back-wall; layouts avoid deep, narrow plans.	Yes															
	Master bedrooms have a minimum area of $10\text{m}^2$ and other bedrooms $9\text{m}^2$ (excluding wardrobe space).	Typical ILU plans show master $\geq 10\text{m}^2$ and second bedrooms $\geq 9\text{m}^2$ clear of wardrobes.	Yes															
	Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	Bedroom dimensions achieve $\geq 3.0\text{m}$ clear in both directions (excluding robes).	Yes															
	Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> <li>3.6m for studio and 1 bedroom apartments</li> <li>4m for 2 and 3 bedroom apartments</li> </ul>	1-bed living widths $\geq 3.6\text{m}$ ; 2-bed living widths $\geq 4.0\text{m}$ or more in combined spaces.	Yes															
	The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	Applicable ILU types (where provided) achieve $\geq 4.0\text{m}$ internal widths; no deep corridor-type plans.	Yes															
<b>4E</b>	<b>Private open space and balconies</b>																	
	<p>All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td><math>4\text{m}^2</math></td> <td>-</td> </tr> <tr> <td>1 bedroom</td> <td><math>8\text{m}^2</math></td> <td>2m</td> </tr> <tr> <td>2 bedroom</td> <td><math>10\text{m}^2</math></td> <td>2m</td> </tr> <tr> <td>3+ bedroom</td> <td><math>12\text{m}^2</math></td> <td>2.4m</td> </tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a</p>	Dwelling type	Minimum area	Minimum depth	Studio	$4\text{m}^2$	-	1 bedroom	$8\text{m}^2$	2m	2 bedroom	$10\text{m}^2$	2m	3+ bedroom	$12\text{m}^2$	2.4m	<p>All balconies on all levels achieve the required minimum areas and depths.</p> <p>Ground-level ILUs provide <math>\geq 15\text{m}^2</math> private open space with <math>\geq 3\text{m}</math> depth opening from living areas.</p>	Yes
Dwelling type	Minimum area	Minimum depth																
Studio	$4\text{m}^2$	-																
1 bedroom	$8\text{m}^2$	2m																
2 bedroom	$10\text{m}^2$	2m																
3+ bedroom	$12\text{m}^2$	2.4m																

Clause	Design Criteria	Proposal	Compliance
	balcony. It must have a minimum area of 15m <sup>2</sup> and a minimum depth of 3m.		
<b>4F</b>	<b>Common Circulation and Spaces</b>		
	The maximum number of apartments off a circulation core on a single level is eight.	Seniors blocks are ≤5 storeys; cores serve ≤8 per level per plans; no ≥10-storey triggers.	Yes
	For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.		
<b>4G</b>	<b>Storage</b>		
	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <ul style="list-style-type: none"> <li>• Studio apartments - 4m<sup>3</sup></li> <li>• 1 bedroom apartments - 6m<sup>3</sup></li> <li>• 2 bedroom apartments - 8m<sup>3</sup></li> <li>• 3+ bedroom apartments - 10m<sup>3</sup></li> </ul> At least 50% of the required storage is to be located within the apartment.	Storage diagrams (A1/A2/B/C2) show compliance, with ≥50% provided within apartments; extra lockers at basement where needed.	Yes

### Non-discretionary Development Standards (Housing SEPP – s148)

Section 148 of the Housing SEPP identifies standards that cannot be used as grounds to refuse consent when the specified minimums are met.

#### (a) Car parking (ADG Part 3J)

Requirement:

Car parking must be equal to or greater than the recommended minimum in ADG 3J.

Assessment:

The modification provides 98 on-site parking spaces, exceeding the 83-space minimum calculated under the Seniors/Housing SEPP rates (ILU/ALA + RACF + staff + ambulance).

The proposal includes a dedicated ambulance bay and does not reduce any previously approved parking provision.

Conclusion: Complies - exceeds minimum requirement.

#### (b) Minimum internal area (ADG Part 4D)

Requirement:

Each apartment must meet or exceed the ADG 4D minimum internal area for its dwelling type.

Assessment:

All ILU dwelling types 1-bed, 2-bed and 3-bed layouts meet or exceed the minimum internal areas in ADG 4D.

Additional bathrooms are fully accommodated within the internal layouts and do not reduce compliance.

Conclusion: Complies.

**(c) Ceiling heights (ADG Part 4C)**

Requirement:

Ceiling heights must meet or exceed ADG 4C minimums.

Assessment:

Ceiling heights comply with ADG requirements:

- 2.7 m to habitable rooms
  - 2.4 m to non-habitable/service areas
- The modification does not alter any ceiling height.

Conclusion: Complies.

## 1.1. SEPP (Industry and Employment) 2021 – Chapter 3

The aims of Chapter 3 are as follows:

- (a) To ensure that signage (including advertising):
  - (i) Is compatible with the desired amenity and visual character of an area, and
  - (ii) Provides effective communication in suitable locations, and
  - (iii) Is of high-quality design and finish, and
- (b) To regulate signage (but not content) under Part 4 of the Act, and
- (c) To provide time-limited consents for the display of certain advertisement, and
- (d) To regulate the display of advertisement in transport corridors, and
- (e) To ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

Pursuant to section 3.6, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) That the signage is consistent with the objectives of this Policy as set out in clause 3.1 (1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule

Approval is sought for four (4) business identification signs displaying the operator's name and locality (*Catholic Healthcare – Maroubra*). The signs comprise wall-mounted, back-lit individual lettering fixed to the building façades and entry wall fronting Mons Avenue and Malabar Road. (Refer to the submitted Signage Plan/Renders – “SIGNAGE 1–4”) in Figure 1 below. No third-party advertising or changing digital display is proposed.

Signage types shown on plans (from the attachment):

- SIGNAGE 1 & 3: Illuminated back-lit individual letters fixed to wall (building façades).
- SIGNAGE 2: Smaller wall-mounted back-lit lettering (building return).
- SIGNAGE 4: Entry/forecourt wall sign near vehicle gates (building-integrated).  
Illumination is internal/static; there is no animation, flashing or moving images.



Figure 1: Location of Business Identification signage

**Compliance with the SEPP objectives and Schedule 5 criteria is considered below.**

**Clause 3.1 Assessment**

Provision	Compliance
<p>This Policy aims:</p> <p>(a) to ensure that signage (including advertising):</p> <p>(i) is compatible with the desired amenity and visual character of an area, and</p> <p>(ii) provides effective communication in suitable locations, and</p> <p>(iii) is of high-quality design and finish, and</p> <p>(b) to regulate signage (but not content) under Part 4 of the Act, and</p> <p>(c) to provide time-limited consents for the display of certain advertisements, and</p> <p>(d) to regulate the display of advertisements in transport corridors, and</p> <p>(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p>	<p><b>Complies.</b></p> <p><b>(a)(i)</b> The signs are modest in scale, building-integrated, and use a palette and detailing that match the architecture (curved façades, warm coastal tones). They will not detract from the surrounding residential streetscape, including nearby dwellings along Mons Avenue.</p> <p>The proposed signs communicate the presence, name and activities of the associated business. The signage is consistent with the aims of the SEPP.</p> <p><b>Complies.</b></p> <p><b>(a)(i)</b> The signs are placed at logical wayfinding points (primary façades and entry wall) to identify the site and operator. No clutter or proliferation is created.</p> <p><b>Complies.</b></p> <p><b>(a)(i)</b> The design employs individual, back-lit letters with a refined finish, consistent with the development’s materials and detailing.</p> <p><b>(b) Noted.</b></p> <p>The application seeks consent under Part 4; no third-party content is proposed.</p> <p><b>(c) Noted (policy aim).</b></p> <p>Time limits are not specifically required here; standard maintenance/illumination conditions are recommended.</p> <p><b>(d) Not triggered.</b></p> <p>The signs are site-facing and not within a State transport corridor context.</p> <p><b>(e) Not applicable.</b></p> <p>No corridor advertising is proposed.</p>

**Schedule 5 Assessment**

Relevant Clause	Comment
<p><b>1 Character of the area</b></p>	

Relevant Clause	Comment
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	<p><b>Complies.</b></p> <p>Scale, finish and placement are compatible with the R3 Medium Density Residential character and the endorsed façade articulation.</p> <p>Content is limited to business identification, aiding legibility without changing built-form character.</p>
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	<p><b>Complies.</b></p> <p>Signage uses the same design language/material palette as the building and remains subordinate to the architecture.</p>
<b>2 Special areas</b>	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	<p><b>Complies.</b></p> <p>The site is not within or immediately adjoining an environmentally sensitive/heritage conservation area as part of this signage request. The signs do not detract from the amenity or visual quality of nearby open space or residential areas.</p>
<b>3 Views and vistas</b>	
Does the proposal obscure or compromise important views?	<p><b>Complies.</b></p> <p>The signs do not obscure important views, do not dominate the skyline, and respect other potential advertisers' viewing rights (none adjacent).</p>
Does the proposal dominate the skyline and reduce the quality of vistas?	<p><b>Complies.</b></p> <p>The scale, proportion and form are appropriate to the façades and entry wall. The proposal adds visual interest consistent with the architecture, does not protrude above buildings or trees, and does not create clutter. No vegetation management is required.</p>
Does the proposal respect the viewing rights of other advertisers?	<p>The proposed signage is of appropriate size and scale for the building and does not affect the viewing rights of other advertisers. Complies.</p>
<b>4 Streetscape, setting or landscape</b>	
Are the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	<p><b>Complies</b></p>

Relevant Clause	Comment
	<p>The scale, form and proportion of the proposed signs are appropriate for the building, setting and surrounds.</p> <p>The proposal will be revitalising and providing new signage that suites the building and enhances the streetscape setting that the building surrounds.</p>
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	<p><b>Complies.</b></p> <p>Reinforces site identity consistent with the architecture and planting strategy.</p>
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	<p><b>Not applicable.</b></p> <p>No rationalisation is proposed; the scheme avoids proliferation.</p>
Does the proposal screen unsightliness?	<p><b>Not applicable.</b></p>
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	<p><b>Complies.</b></p> <p>Wall-mounted only; no protrusion above built/landscape elements.</p>
Does the proposal require ongoing vegetation management?	<p><b>Not required.</b></p> <p>No ongoing trimming is needed to maintain legibility.</p>
<b>5 Site and building</b>	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	<p><b>Complies</b></p> <p>The proposed signage is suitably scaled for its given purpose and compatible with the characteristics on the site and building. The signage does not have any adverse impacts on the site or the building.</p> <p>No adverse impact to building expression.</p>
Does the proposal respect important features of the site or building, or both?	<p><b>Complies</b></p> <p>Placement aligns with key entry/arrival points and avoids conflicts with articulation.</p>
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	<p><b>Complies.</b></p> <p>The proposed signage has been carefully designed to respond to the natural, aesthetic and physical requirements of their environment.</p> <p>Individual back-lit letterforms provide legible identity with minimal bulk appropriate for an R3 frontage.</p>

Relevant Clause	Comment
	The form, colours and finishes of the signage directly relate to the attended existing and future use and streetscape setting.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	<b>Not applicable.</b>  No platforms or external devices beyond standard fixings.
<b>7 Illumination</b>	
Would illumination result in unacceptable glare?	<b>Complies (conditions).</b>  Illumination is internal/static and low-glare. Conditions will require:  (i) dimmable/static lighting; (ii) no flashing/animation; (iii) no glare or driver distraction; (iv) curfew to business operating hours (or as conditioned); and (v) illumination to avoid nuisance to adjoining residences (managed via maximum brightness settings and shielding as necessary).
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed illuminated signage will be internally lit and will not affect safety for pedestrians, vehicles, or aircrafts.
Would illumination detract from the amenity of any residence or other form of accommodation?	Subject to conditions, the signage will not detract from the amenity of surrounding residential properties.
Can the intensity of the illumination be adjusted, if necessary?	The proposed internally illuminated signage has been designed to minimise external pollution whilst allowing the sign to be suitably visible.  Suitable condition is included to ensure that the intensity of the illumination does not cause a nuisance to the neighbouring residential properties.
Is the illumination subject to a curfew?	The illumination is required during operation of the business. A condition is included which restricts the operation of the illumination to ensure it does not cause a nuisance.
<b>8 Safety</b>	
Would the proposal reduce the safety for any public road?	<b>Complies</b>

Relevant Clause	Comment
	Within private land; no roadway encroachment; no sightline obstruction at driveways/intersections.
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage is not considered to cause any in undue risk to pedestrians or cyclists.  Wall-mounted locations maintain footpath clearance and public sightlines.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Safety and sightlines from public areas will be maintained.

**Conclusion:**

The proposed four business identification signs are compatible with the desired amenity and character, effectively communicate in appropriate locations, and are of high-quality design and finish. The modified building design and surrounding settings is compatible with the R3 Medium Density Residential zone. The signage meets Clause 3.1 aims and satisfies Schedule 5.

Approval is supported, subject to the recommended illumination, safety and maintenance conditions above.

## Randwick Compressive DCP 2013

### Part F1: Development in Recreation Zones - Compliance Table

DCP Clause	Control	Proposal	Compliance
<b>F1-2.0 Site Planning</b>	Development must respond to the site's opportunities and constraints, incorporate site analysis, and demonstrate that the use is appropriate on former recreation land.	The approved Seniors Housing use is retained. The modification improves site planning through increased Mons Ave setback, removal of the porte-cochere, rationalised building footprints, strengthened C1–C2 Building separation, and improved public domain interface.	Yes
<b>F1-2.1 Land Use Need / Suitability</b>	Proposals must demonstrate a need for the development and that recreation potential is not unreasonably compromised.	Need established via existing SCCs and Court approval.  The former bowling club has ceased, and the site is not earmarked for public recreation.  The modification reduces intensity (164 - 99 residents) and increases open space by +1,166m <sup>2</sup> .	Yes
<b>F1-2.2 Compatibility With Surrounding Built Form</b>	Development to reflect surrounding residential/ community context and avoid unreasonable bulk, scale or visual impacts.	The modified form is significantly softer and more compatible than the 2019 approval. Curved façades, greater Mons Avenue setback, and a clear C1–C2 building break reduce bulk and improve scale transition.  Recessed upper levels and removal of pitched roofs (A2/B) result in a more recessive appearance within the Court-approved envelope.	Yes
<b>F1-2.3 Setbacks &amp; Street Interface</b>	Provide setbacks that respond to local character and ensure a landscaped interface.	Mons Avenue setback increased by approx. <b>6.8m</b> . Removal of the porte cochere and new layered planting improve the streetscape and pedestrian experience.  All boundaries perform equal or better than approved scheme.	Yes
<b>F1-2.4 Public Domain, Access &amp; Permeability</b>	Improve pedestrian connections and ensure safe, legible access. Avoid vehicle dominance.	Through-site link retained and improved with clearer lighting and legibility. All vehicle access shifted to Malabar Road, improving safety near schools.	Yes

		Mons Avenue pedestrian environment enhanced.	
<b>F1-3.0 Landscaping &amp; Deep Soil</b>	Provide meaningful landscaping; maximise deep-soil zones for canopy growth.	Landscaping totals 6,550 m <sup>2</sup> (>50% site). Deep soil ≥15% (3–6 m widths), including a central deep soil courtyard between Buildings C1–C2 and continuous northern/eastern deep soil bands.	Yes
<b>F1-3.1 Visual &amp; Acoustic Privacy</b>	Protect neighbours from overlooking and noise through siting, screens, and planting.	Privacy outcomes are equal or improved vs the approval. Curved façades, increased separation, and screening mitigate overlooking.  Relocating access to Malabar Road reduces noise near Mons Avenue and school frontage.	Yes
<b>F1-3.2 Solar Access &amp; Environmental Performance</b>	Minimise overshadowing and achieve good internal amenity.	Solar modelling shows ≥70% ILU/ALA units receive ≥2 hrs mid-winter sun. Courtyard and rooftop COS compliant.  Modified massing results in net reductions in overshadowing vs approved scheme.	Yes
<b>F1-3.3 Bulk &amp; Scale</b>	Scale to be compatible with local character and not visually dominant.	Additional C2 level is substantially recessed. Curved forms, reduced roof heights (A2/B roofs removed) and deeper setbacks reduce perceived mass.  Built form is less bulky than the approved rectilinear scheme.	Yes
<b>F1-3.4 Parking, Traffic &amp; Access</b>	Parking to meet demand; traffic to be safe and not adversely affect locality.	98 spaces provided (surplus to minimum 83). Ambulance bay included.  All access consolidated to Malabar Road, improving school-area safety and reducing traffic conflicts.	Yes
<b>F1-3.5 Noise &amp; Operational Impacts</b>	Ensure amenity of neighbours is maintained.	Reduced resident numbers reduce activity levels. Relocated access lowers noise on Mons Avenue. Updated Noise Impact Assessment (2025) confirms compliance with acoustic criteria.	Yes
<b>F1-3.6 CPTED &amp; Safety</b>	Provide passive surveillance, good lighting, legible pathways.	Removal of gates, improved lighting, open north–south link	Yes, conditions retained.

		and lighter C1–C2 bridge improve CPTED outcomes.  No concealment points.	
<b>F1-4.0 Stormwater &amp; Flooding</b>	Address flooding, maintain safe FFLs, no adverse downstream impacts.	Stormwater strategy remains compliant. FFLs unchanged and acceptable.  Engineering review confirms no increased flood impacts.	Yes
<b>F1-5.0 Materials &amp; Aesthetics</b>	Materials to be durable, coastal-appropriate, high quality.	Revised palette (bronze/mid-tones, matte/satin finishes, curved slab edges) provides cohesive, non-reflective, coastal-appropriate materials.  C1–C2 lightweight bridge improves visual integration.	Yes and Condition 2A is included.
<b>Overall Consistency with DCP Part F1</b>	Development to maintain amenity, safety, character, environmental quality and public domain outcomes.	Modification improves built form, opens the frontage, increases landscape, improves safety, and reduces intensity.  No adverse impacts identified.	Yes

#### Planner's Summary

The modification is fully consistent with Randwick DCP Part F1. It delivers improved site planning, deeper setbacks, reduced perceived bulk, enhanced landscape and deep soil, superior solar/privacy outcomes, safer access, and a more coherent materials palette.

The proposal remains within the SCC/Court-approved envelope and achieves a significantly better urban design and amenity outcome than the approved 2019 scheme.