

## Annexure 2 – SEPP (Housing for Seniors or People with a Disability) 2004

The following table provides an assessment of the relevant clauses of SEPP (Housing for Seniors or People with a Disability) 2004:

<b>SEPP (Housing for Seniors or People with a Disability) 2004</b>		
<b>Provision</b>	<b>Response</b>	<b>Compliance</b>
<i>Clause 4 Land to which Policy applies</i>	The Policy applies as the land is zoned primarily for urban purposes and dwelling-houses are permitted on the land.	Yes
<i>Clause 11 Residential care facilities</i>	The form of seniors housing proposed is a residential care facility (as defined by this clause).	Yes
<i>Clause 16 Development consent required</i>	The Development Application seeks consent under this Policy.	Yes
<i>Clause 18 Restriction on occupation of seniors housing allowed under this Chapter</i>	A draft recommended condition limiting the persons able to be accommodated and placing a restriction on title is proposed to satisfy Clause 18 ( <b>refer to draft recommended condition 10</b> ).	Yes
<b>Part 2 Site Related Requirements</b>		
<i>Clause 26 Location and access to facilities</i>	<p>The SEPP requires the development be provided access to facilities (including shops, community services and a general medical practitioner).</p> <p>The proposal relies on Clause 2(b) which allows for access to be satisfied in Greater Sydney if there is public transport service available to the facilities required.</p> <p>The existing facility is adequately serviced by bus services with the required frequency. It is also noted the facility is in walking distance to neighbourhood shops including a grocery store.</p>	Yes
<i>Clause 27 Bush fire prone land</i>	The site is not identified as bushfire prone. Accordingly, Clause 27 does not apply to the subject proposal.	N/A
<i>Clause 28 Water and Sewer</i>	The subject site is located within an established residential / commercial area that has access to adequate facilities for the disposal or removal of sewage. The proposed development is	Yes

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	capable of being connected to a reticulated water system and infrastructure for the provision of sewage. Necessary arrangements will be made with Sydney Water for connections/augmentation of the existing connections to the water / sewer system.	
<i>Clause 29 – Consent authority to consider certain site compatibility criteria</i>	<p>The proposal is compatible with existing uses on the site, being an aged care facility, and is compatible with the natural environment.</p> <p>The services and infrastructure available within and in proximity to the site are sufficient to meet the demands of the development.</p> <p>The proposed redevelopment's bulk and scale is considered compatible with that of the existing development within the locality.</p>	Yes
<i>Clause 30 – Site analysis</i>	<p>The Site Analysis was improved through additional section drawings (number and lack of natural ground level) and the height and location of walls on boundaries (<b>Annexure 4</b>).</p> <p>The SEE (<b>Annexure 6</b>) provides the written statement accompanying the Site Analysis.</p>	Yes
<i>Clause 32 – Design principles</i>	The consent authority must be satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2 (Clause 33 to 39 – see below).	Yes
<b>Clause 33 – Neighbourhood Amenity and Streetscape</b>		
<i>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</i>	The current local planning controls (R2 Low Density Residential) are not proposed to change and as such there is no transition occurring. The residential care facility has recognised the desirable elements of the location's current character in architectural form, landscaping, building siting and massing.	Yes

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<i>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan,</i>	The site is not located within a heritage conservation area or in close proximity to any existing heritage items.	N/A
<i>(c) maintain reasonable neighbourhood amenity and appropriate residential character by: (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</i>	<p>The proposal provides reasonable neighbourhood amenity and appropriate residential character as follows:</p> <ul style="list-style-type: none"> <li>• A building setback of 7.4m is provided to Centennial Avenue which will allow for well-landscaped front setback areas and soften the built-form when viewed from the street;</li> <li>• The proposal adopts a building height that is generally in keeping with the ridgeline of the existing residential care facility and includes a pitched (albeit with minimal angle) roof and materials that are in keeping with the architectural style in the locality;</li> <li>• The scale is lesser (due to a higher street level) and setbacks greater to Fig Tree Street which is a well-considered design solution as this is the local road and is transitioning into the low-density residential area (from Centennial Avenue). These factors ensure the proposed building is not dominant within the streetscape and is suitably recessive.</li> <li>• Clause 33(iv) is not applicable.</li> </ul>	Yes
<i>(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</i>	Drawing No. DA102.1 provides detailed setback dimensions along the Centennial Avenue and Fig Tree Street frontages. The setbacks are generally in keeping with the 7.5m local area setback control. To Centennial Avenue the range is between 7.4m and 9.2m. To Fig Tree Street the range is between 7.278m (point encroachment) to 12.195m. Accordingly, the proposal satisfies Clause 33(d).	Yes
<i>e) embody planting that is in sympathy with, but not necessarily</i>	Council's Landscape Assessment Officer has reviewed the streetscape	Yes

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<i>the same as, other planting in the streetscape, and</i>	planting and is of the view the planting scheme is of a high-quality. The retention of significant mature trees would only enhance the streetscape landscaping. Further, a draft condition of consent is recommended that a street tree planting plan is provided to further enhance planting, prior to the issue of a Construction Certificate <b>(refer to draft condition of consent 3)</b> .	
<i>(f) retain, wherever reasonable, major existing trees, and</i>	The proposal seeks consent for the removal of 25 trees. Council's Tree Preservation Officer comments that the applicant has retained five additional trees from when lodged and has therefore made a reasonable effort at retaining major existing trees, retaining a total of 66 trees. Further amended plans would be required to be submitted to demonstrate retention of tree no. 55 and 56. <b>(refer to draft condition 2)</b> .	Yes
<i>(g) be designed so that no building is constructed in a riparian zone.</i>	The site is not located on a riparian corridor.	Not applicable.
<b>Clause 34 – Visual and Acoustic Privacy</b>		
<i>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</i>		
<i>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping,</i>	The proposal was amended to provide additional privacy screening to the eastern side boundary facing single detached dwelling houses in <b>Revision 2</b> architectural plans (see Drawing No. DA202).	Yes
<i>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</i>	The proposal provides for a two storey separation of the basement driveway ramp from the care rooms and has provided an acoustic report to ensure suitable separation from external noise sources.	Yes
<b>Clause 35 – Solar Access and Design for Climate</b>		
<i>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</i>	With the exception of 9am mid-winter the proposal does not overshadow any adjoining building. The adjoining private open space of No. 9 Fig Tree Street is impacted but adequate area of solar	Yes

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	access is maintained. The solar access afforded to the northern elevation and courtyard of the proposed residential care facility is adequate and would provide year-round solar access to this part of the development.	
<i>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction</i>	The proposed retention of mature trees and the provision of solar panels are the proposals principal energy use reducing features. The proposal has provided a large portion of rooms in a northerly direction with the building depth allowing for natural ventilation.	Yes
<b>Clause 36 – Stormwater</b>		
<i>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas,</i>	The proposal has minimised hard-surfaces outside the building platform with a total landscaped area of 3655m <sup>2</sup> or 45% of the site.	Yes
<i>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</i>	A new OSD tank is proposed in accordance with Council's DCP.	Yes
<b>Clause 37 – Crime Prevention</b>		
<i>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</i>	The proposed development has been designed to allow for active uses on the ground level (seniors facility, staff and café) and rooms above to provide appropriate security, while allowing for an appropriate level of passive surveillance.	Yes
<i>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</i>	The entry would be controlled by staff as part of the operation of the residential care facility.	Yes
<i>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</i>	The development would include secure access and access to residents will be controlled by staff.	Yes
<b>Clause 38 – Accessibility</b>		

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<i>The proposed development should:</i>		
<i>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</i>	The pedestrian links to Fig Tree Street would provide safe access to public transport and local facilities.	Yes
<i>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</i>	The proposed pedestrian and motorist access points are reasonably separated. The motorist access point is well-landscaped and the entry portico provides a visually obvious and attractive principal pedestrian (as well as pick-up/drop-off) point.	Yes
<b>Clause 39 – Waste Management</b>		
<i>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities</i>	Dedicated waste management rooms and facilities have been incorporated within the proposed development.	Yes
<b>Clause 40 – Development Standards</b>		
<b>Site Size – Minimum 1,000sqm</b>	8,165.2m <sup>2</sup>	Yes
<b>Site Frontage – Minimum 20m</b>	146m	Yes
<b>Height zones where residential flat buildings are not permitted</b> <i>If the development is proposed in a residential zone where residential flat buildings are not permitted:</i> <ul style="list-style-type: none"> <li>- the height of all buildings in the proposed development must be 8 metres [as defined within the Seniors Housing SEPP] or less, and</li> <li>- 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</li> <li>- a building located in the rear 25% area of the site must not exceed 1 storey in height.</li> </ul>	10.85m  The proposal is stepped to two storeys at the boundary to No. 104 Centennial Avenue.  Does not apply to Uniting.	No, see report.  Yes  N/A
<b>Division 2 – Residential Care Facilities</b>		

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<b>Clause 48 – Standards that cannot be used to refuse development consent for residential care facilities</b>		
(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 environmental planning instrument limiting development to 2 storeys), or	Maximum 10.89m	No, see Clause 4.6 request addressing Clause 40.
(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,	1.0:1	Yes
(c) <b>landscaped area:</b> if:  (i) if a minimum of 25 square metres of landscaped area per residential care facility bed is provided	25.7m <sup>2</sup>	Yes
(d) <b>parking for residents and visitors:</b> if at least the following is provided—  (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.	122 beds @ 1 per 10 = 13 spaces 20 beds @ 1 per 15 = 2 spaces  56 staff @ 1 space per 2 staff = 28 spaces  1 space.  Total required: 44 spaces  Total provided: 45 spaces.	Yes