

SEPP (HOUSING) 2021 COMPLIANCE TABLE

Part 5 – Housing for Seniors and People with a Disability

OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
DIVISION 1 – Land to which Part applies		
Section 79 – Land to which this policy applies		
<p>This Part applies to land in the following zones—</p> <ul style="list-style-type: none"> (a) Zone RU5 Village, (b) Zone R1 General Residential, (c) Zone R2 Low Density Residential, (d) Zone R3 Medium Density Residential, (e) Zone R4 High Density Residential, (f) Zone B1 Neighbourhood Centre, (g) Zone B2 Local Centre, (h) Zone B3 Commercial Core, (i) Zone B4 Mixed Use, (j) Zone B5 Business Development, (k) Zone B6 Enterprise Corridor, (l) Zone B7 Business Park, (m) Zone B8 Metropolitan Centre, (n) Zone SP1 Special Purposes, (o) Zone SP2 Infrastructure, (p) Zone RE2 Private Recreation. 	The land is zoned R4 High Density Residential under Lane Cove LEP 2009 (LCLEP).	<p>YES</p> <p>Part 5 of SEPP applies</p>
Section 80 – Land to which Part does not apply		
(1) This Part does not apply to the following land		
(a) land to which Warringah Local Environmental Plan 2000 applies that is located within locality B2 (Oxford Falls Valley) or C8 (Belrose North) under the Plan,		N/A
(b) land described in Schedule 3.	The site does not constitute "environmentally sensitive land" under Schedule 3.	N/A
Section 81 – Seniors Housing permitted with consent		
Development for the purposes of seniors housing may be carried out with development consent—		
(a) on land to which this Part applies, or		
(b) on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.		
DIVISION 2 – PRELIMINARY		
Section 82 – Definitions		
Definitions provided as follows:	Comments if necessary	
gross floor area		Noted
hostel		N/A
in-fill self-care housing	<p>in-fill self-care housing means seniors housing consisting of at least 2 independent living units and at which none of the following services are provided on the site—</p> <ul style="list-style-type: none"> (a) meals, (b) cleaning services, (c) personal care, (d) nursing care. 	<p>YES</p> <p>Proposed development comprises independent living units (ILAs) described as "in-fill self-care housing"</p>
prescribed zone	means a zone specified in section 79.	<p>YES</p> <p>The site is zoned R4 which is a prescribed zone</p>

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seniors	<i>seniors</i> are people aged 60 or more years, people who are resident at a facility at which residential care is provided and people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.	YES The development will provide housing for people who are defined as "seniors" under the SEPP.
serviced self-care housing		N/A
Section 83 – Amendments to bushfire risk evacuation map		
(1) The Planning Secretary may prepare maps for the purposes of amending or replacing the Bush Fire Evacuation Risk Map.	Site not bushfire prone.	N/A
(2) In preparing a map, the Planning Secretary must consider the matters (a) – (f)	As above.	N/A
CHAPTER 3 – DEVELOPMENT STANDARDS		
Section 84 – Development Standards – general		
(1) This section applies to development for the purposes of seniors housing involving the erection of a building.	Development involves erection of a building (two buildings)	YES This section applies.
(2) Development consent must not be granted for development to which this section applies unless—		
(a) the site area of the development is at least 1,000m ² , and	Site has total area of 4495.6m ²	YES
(b) the frontage of the site area of the development is at least 20m measured at the building line, and	Site has frontage to Burns Bay Road (BBR) of 36.575m.	YES
(c) for development on land in a residential zone where residential flat buildings are not permitted –	RFB's permissible on land given R4 zoning	N/A
(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	As above	N/A
(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	As above	N/A
(iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	As above	N/A
(3) The servicing equipment must—		
(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and	Not applicable. Relates to height of development in zones where RFB's are not permissible as per clause 2(c)(ii) above.	N/A
(b) be limited to an area of no more than 20% of the surface area of the roof, and		
(c) not result in the building having a height of more than 11.5m.		

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Section 85 – Development standards for hostels and independent living units		
(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.	See separate section of compliance addressing Schedule 4 below.	YES
(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, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.	DA not lodged on behalf of social housing provider.	N/A
Section 86 Development standards for seniors housing – Zones RE2, SP1, SP2 and RU5		
	Site zoned R4.	N/A
Section 87 Additional floor space ratios		
(1) This section applies to development for the purposes of seniors housing on land to which this Part applies if –		
(a) development for the purposes of a residential flat building or shop top housing is permitted on the land under another environmental planning instrument, or	RFB's permitted on the land under LCLEP.	YES This section applies. Bonus applicable.
(b) the development is carried out on land in Zone B3 Commercial Core.		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 ² , and		YES
(b) the development will result in a building with the maximum permissible floor space ratio plus:		
(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>Development only comprises ILU's and hence 15% bonus applicable to two (2) FSR limits applicable to the site under LCLEP as follows:</p> <ul style="list-style-type: none"> Lot 120 (front lot): <ul style="list-style-type: none"> Area = 2717.5m² FSR = 1.7 + 15% BONUS = 1.995 Total GFA = 5312.7m² = 1.954 FSR ➤ FSR PROPOSED ON LOT 120 = 1.64:1 Lot 51 (rear lot): <ul style="list-style-type: none"> Area = 1778.1m² FSR = 0.8 + 15% BONUS = 0.92 Total GFA = 1635.9m² = 0.92 FSR ➤ FSR PROPOSED ON LOT 51 = 1.37:1 	<p>YES Complies to FSR + bonus when applied across entire site</p> <p>NO FSR in excess of that allowable on lot 51 when each lot calculated separately (lot 120 complies).</p> <p>See calculations on Drawing No. DA-012 of plans and discussion in section 5.1.5 of SoEE.</p> <p>ADDRESSED AS VARIATION TO LEP FSR VIA CLAUSE 4.6 SUBMISSION</p>

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(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		N/A
(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 units or a residential care facility, or both, and		N/A
(c) the development will result in a building with a height of not more than 3.8m above the maximum permissible building height.	<p>Bonus of 3.8m applied to two (2) height limits applicable to the site under LCLEP as follows:</p> <ul style="list-style-type: none"> Lot 120 (front lot): <ul style="list-style-type: none"> Height Limit = 18m + 3.8m BONUS = 21.8m Proposed height of Building A on front lot = 21.8m Lot 51 (rear lot): <ul style="list-style-type: none"> Height Limit = 12m + 3.8m BONUS = 15.8m Proposed height of Building B on rear lot = 15.8m 	<p>YES Height of both buildings comply</p> <p>NOTE: Minor encroachment by lift overruns on both buildings addressed via clause 5.6 of LCLEP (Architectural Roof features – see discussion in section 5.1.4 of SoEE)</p>
Section 88 – Restrictions on occupation of seniors housing		
(1) Development permitted under this Part may be carried out for the accommodation of only the following: (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part.	The development will operate as retirement village under the Retirement Act, with accommodation limited only to these persons.	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>As above.</p> <p>A condition can be placed on the consent to this effect (i.e. a S.88B restriction can be placed on the title of the land restriction accommodation to such persons).</p>	YES
Section 89 – Use of seniors housing in commercial zones		
(1) This section applies to a building used for the purposes of seniors housing on land in a business zone.	The subject site is not located within a business zone.	N/A
(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.		

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(3) Subsection (2) does not apply to a part of a building that: (a) faces a service lane that does not require active street frontages, or (b) is used for 1 or more of the following purposes: (i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building, (ii) access for fire services, (iii) vehicular access.		
(4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.		
Section 90 – Subdivision		
(1) Development consent may be granted for the subdivision of land on which development has been carried out under this Part.	Subdivision does not form part of this application.	N/A
(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 B3 Commercial Core.	Site not zoned B3. Subdivision does not form part of this application.	N/A
Section 91 – Fire sprinkler systems in residential care facilities		
(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.	The proposed development does not comprise or include a residential care facility.	N/A
(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.		
Section 93 – Development on land used for the purposes of an existing registered club		
(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: (a) the development includes appropriate measures to separate the club from residential areas to avoid land use conflicts, and (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 of gambling activities by residents of the seniors housing	The subject land does not contain a registered club.	N/A
(2) For the purposes of subsection (1)(a), appropriate measures include the following: (a) separate pedestrian access points for the club and the residential areas of the seniors housing, (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.		

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
DIVISION 4 – SITE RELATED REQUIREMENTS		
Clause 93 – Location and access to facilities – independent living units		
(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:	The site is located within the immediate vicinity of a large range of retail, community and recreational facilities. In this regard, the site is located 400m to the south of the Lane Cove West shopping centre, which includes food and grocery stores Cafes, restaurants, service stations and convenience stores. Furthermore, a large community and recreation hub is located just 150 metres to the south of the site off Waterview Drive, including the Hughes Park and Waterview Community Centre which comprises a park, gardens, barbeques, seating and community function centre, as well as playground and café. The large Burns Bay reserve is located just to the west of this community hub, whilst the Carisbrook Museum is located a further 290 metres to the south again.	YES
(a) by a transport service that complies with subsection (2), or	See Sections (2) and (3) below	YES
(b) on-site.	Extensive services and community facilities for residents will be provided (either permanent or on call) on site, including gym, café, resident lounge, library, salon and treatment from for visiting GP's. In addition, a village bus will provide regular services to nearby retail, recreational, commercial and health facilities on a daily (or as-need) basis.	YES (although not necessary given site meets transport criteria under (a) above).
(2) The transport service must—		
(a) take the residents to a place that has adequate access to facilities and services, and	Extensive bus services available to the site to take future residents to the wide range of additional retail, community and medical services provided in Lane Cove town centre and Hunters Hill village centre, both of which are approximately 1.8 km from the site, as well as those in larger centres of Chatswood, Gladesville, North Sydney, Burwood and the Sydney CBD. <u>Details of routes and location of bus stops surrounding site provided below.</u>	YES
(b) for development on land within the Greater Sydney region:		
(iv) not be an on-demand booking service for the transport of passengers for a fare, and		Noted (and not proposed).
(v) be available both to and from the site at least once between 8am and 12pm	<ul style="list-style-type: none"> Stops 1 and 2 on Cope Street are serviced by Route 251 (City to Lane Cove west). This route runs every 20 	YES

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
each day and at least once between 12pm and 6pm each day, and	<p>mins between 6:36am and 9:36am and 4:55pm to 7:45pm Mon-Fri.</p> <ul style="list-style-type: none"> • <u>Stop 3</u> on Burns Bay Road (BBR) to the north of the site – this is serviced by routes: <ul style="list-style-type: none"> o 251 (as above); o 252 (Gladesville to City via Nth Sydney); o 530 (Burwood to Chatswood); and o 536 (Gladesville to Chatswood). <p>Each of these routes provide services every 20 mins, half hour or hour during each hour in the peaks or throughout the day, as well as on Saturdays and Sundays.</p> <ul style="list-style-type: none"> • <u>Stop 4</u> on BBR next to and just south of the site is serviced by each of the above routes except for 251 at Cope Street. 	
(c) for development on land that is not within the Greater Sydney region—be available both to and from the site during daylight hours at least once each weekday.	Site within Greater Sydney region.	N/A
(3) For the purposes of subsections (1) and (2), access is adequate if:		
(a) the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site, and	There are 4 bus stops within 400m (in fact, less than 300m) of the site – 2 on Cope Street (one to the north-west and one to the north-east) and 2 on BBR (one to the north and south of the site respectively). These are identified on the site analysis plan provided on sheet 2 (DA-002) of the submitted architectural plans. See further discussion of bus stops and bus routes under Clause 93(2) above and in Traffic Assessment Report submitted with the DA.	YES
(b) the distance is accessible by means of a suitable access pathway, and	See 4(c) below.	YES
(c) the gradient along the pathway complies with subsection (4)(c).	See 4(c) below.	YES
(4) In subsection (3) –		
(a) A suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and		Noted
(b) the distance is to be measured by reference to the length of the pathway, and		Noted
(c) the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than:	See survey plans showing lengths and gradients of pathways submitted with DA.	YES

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(i) 1:12 for a maximum length of 15m at a time, or		
(ii) 1:10 for a maximum length of 5m at a time, or		
(iii) 1:8 for a maximum length of 1.5m at a time.		
Clause 94 Location and access to facilities and services—residential care facilities		
Development doesn't comprise residential care facility.		N/A
Clause 95 Water and sewer		
(1) A consent authority must not consent to development under this Part unless the consent authority is satisfied the seniors housing will:	Site can be serviced by reticulated water and sewer services. Location of existing water and sewer lines servicing the site shown on the survey plan submitted and proposed services shown on concept civil engineering plans.	YES Can/will comply
(a) be connected to a reticulated water system, and		
(b) have adequate facilities for the removal or disposal of sewage.		
(2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority –	Understood condition will be placed on consent to obtain S.73 compliance Certificate from Sydney Water which will ensure adequate water and services provided to the development, including any upgrades where required and payment of contributions as necessary.	
(a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or		
(b) if reticulated services are not available—must satisfy the relevant authority that the provision of water and sewerage infrastructure, including environmental and operational considerations, is satisfactory for the development.	Site can be serviced by reticulated water and sewer services.	N/A
Clause 96 – Bushfire prone land		
(1) A consent authority must not consent to development under this Part on bush fire prone land unless the consent authority is satisfied the development complies with the requirements of Planning for Bushfire Protection.	The subject site is <u>not</u> classified as bushfire prone land on Council's bushfire maps.	N/A
(2) In determining a development application for development under this Part on land near bush fire prone land, the consent authority must—		
(a) consult with the NSW Rural Fire Service and consider its comments, and		
(b) consider items (i) to (xi)		
DIVISION 5 – DESIGN REQUIREMENTS		
Section 97 – Design of in-fill self-care housing		
In determining a development application for development for the purposes of in-fill self-care housing, a consent authority must consider the Seniors Living Policy: Urban Design Guideline for Infill Development, March 2004, published on the Department's website.	<p>The design of the development has addressed the relevant design principles of this document including responding to context and existing character; site planning and design; streetscape; impact on neighbours and internal site amenity.</p> <p>Many of these design principles are consistent with those identified under SEPP 65, details of which are provided in the submitted SEPP 65 Design Verification Report.</p>	YES

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
Section 98 – Design of residential development		
A consent authority must not consent to development for the purposes of seniors housing unless the consent authority is satisfied that the design of the seniors housing demonstrates adequate consideration has been given to the principles set out in Division 6.	See below.	YES
DIVISION 6 – DESIGN PRINCIPLES		
Section 99 – Neighbourhood amenity and streetscape		
Seniors housing should be designed to—		
(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and	Development doesn't comprise residential care facility.	N/A
(b) recognise the desirable elements of:		
(i) the location's current character, or	The nature of surrounding land uses is predominantly medium to high density residential development, commensurate with the existing R4 High Density Residential zoning of this land, which forms part of the larger R4-zoned precinct extending to the south-west, south, east and north-east. Future development on land in the vicinity will continue to take the form of high-density residential development, as evidenced by recently constructed RFBs of between seven (7) and eight (8) storeys in height including "Emerant Lane" at 284-288 Burns Bay Road, "Delve Apartments" at 290 Burns Bay Road, "Eva" by Hycorp at 2 Waterview Drive and "Bay Pavilions" at 9 Waterview Drive, all just to the south of the subject site. As such, this proposed development is entirely consistent with both existing and likely future character of the surrounding area and the urban form within this locality.	YES
(ii) for precincts undergoing a transition—the future character of the location so new buildings contribute to the quality and identity of the area, and		
(c) complement heritage conservation areas and heritage items in the area, and	Design has no adverse/significant impact on heritage wall along BBR. See further discussion in Heritage Impact Assessment.	YES
(d) maintain reasonable neighbourhood amenity and appropriate residential character by:		
(i) providing building setbacks to reduce bulk and overshadowing, and	Setbacks compliant with Lane Cove DCP 2009 (LCDCP) and building separation requirements of SEPP 65/ADG except for top 2 floors of Bldg A where 6.0m provided to northern side instead of 9.0m, which has no impact on overshadowing given shadow cast in opposite direction. Conversely, setback of 9.0m provided to southern side of both building for all levels which is in excess of DCP/SEPP 65 to maximise solar access to property to	YES

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	south as per this objective and ensure compliance with ADG. See further discussion in section 5/6 of SoEE and SEPP 65 Report.	
(ii) using building form and siting that relates to the site's land form, an	Overall form and siting of the building is an appropriate response to the shape and level of the land and the position of buildings on adjoining properties, particularly those to the south where maintenance of compliant solar access has been a key driver to the design of the proposed development (see further discussion in SEPP 65 Report).	YES
(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, an	Height of building at BBR frontage consistent with recently constructed RFBs just to the south of the subject site as identified above, which are all between seven (7) and eight (8) storeys in height. Height also consistent with R4 High Density Residential zoning of the land and compliant with applicable limits inclusive of 3.8m bonus (as per section 87 above).	YES
(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	Limited extent of walls to be located on boundaries adjoining residential parcels to the north, south and west. Generally, just pathways or landscaping provided adjacent to boundaries, whilst existing common driveway within easement (marked as "B" on site plan) retained along eastern half of southern boundary to maintain access arrangements to development to south. No walls of any type to east as this area to be used as entry into site as well as adjoining site to east as per easement (marked as "C" on site plan). Only wall/retaining wall of any note being provided is along eastern half of northern boundary which will be masonry wall 1.8m in height, which will have no impact as its shadow will be cast to the south. Will also provide good noise attenuation and screening due to masonry construction.	YES
(e) set back the front building on the site generally in line with the existing building line, and	Development setback 7.5m from BBR as per LCDCP and consistent with residence on property to immediate south and setbacks of recently constructed RFB's further to south along BBR.	YES
(f) include plants reasonably similar to other plants in the street, and	See Landscape Design.	YES
(g) retain, wherever reasonable, significant trees, and	Large Bull Bay Magnolia tree on subject site near northern boundary to be retained within development. Furthermore, development will be designed to avoid and minimise impact on large fig tree on adjoining property to	YES

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	south whose canopy extends across subject site to ensure its ongoing health and longevity. See Arborist Report for further details of trees to be retained and measures proposed to achieve same.	
(h) prevent the construction of a building in a riparian zone.	Site not located within a riparian zone.	N/A
Section 100 – Visual and acoustic privacy		
Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by:		
(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and	The only significant noise source for the development is traffic on BBR. Building A presents its shortest side towards it, thereby minimising exposure, whilst its apartments are shielded by balcony edges and screens. Internally, apartment layouts are mirrored wherever possible with the living spaces adjoining other living spaces.	YES
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	Noise from residents' vehicles will not create a nuisance as parking is located in an enclosed basement, with the access point limited to the very eastern end of Building B where it is located beneath only 1 unit. The porte-cochere and internal roundabout about the reception area as opposed to apartments such that they will not present a noise issue. In any event, all traffic movements within the site will be at very low speeds anyway and unlikely to cause any significant adverse impacts. See further discussion in SEPP 65 Report and in SoEE.	YES
Section 101 – Solar access and design for climate		
The design of seniors housing should:		
(a) for development involving the erection of a new building—provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and	The built form comprises 2 slender buildings to maximise solar access to apartments in the proposed development and minimise overshadowing of the neighbouring buildings to the south, such that the impact would be comparable to that of the impact of the existing buildings. In this regard, the shadow diagrams and the solar access impact plan included in the architectural plans show that the development to the south continues to meet the solar access requirements of the ADG, wherein at least 70% of the dwellings on that property continue to receive at least 2hrs of sunlight between 9am and 3pm on the 21st June.	YES
(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural	The location of the building and internal layout and planning of the apartments has responded to the orientation and	YES

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ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	configuration of the site, such that the number of apartments to obtain suitable natural ventilation and solar access to living areas and courtyards, or balconies will be maximised as required by SEPP 65/ADG. In this regard, the required percentage of apartments under the ADG receive satisfactory levels of solar access and natural ventilation. See further discussion in SEPP 65 Report and see plans for details of solar access and cross ventilation for each apartment. Design also meets energy efficiency targets as per BASIX report.	
Section 102– Stormwater		
The design of seniors housing should aim to:		
(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and (b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	Detailed stormwater plans have been submitted as part of the concept civil design which demonstrate how these objectives have been achieved, as well as the objectives and requirements of LCDCP (Part O). See further discussion in the SoEE, inclusive of on-site detention and re-use of stormwater.	YES
Section 103 – Crime Prevention		
Seniors housing should:		
(a) be designed in accordance with environmental design principles relating to crime prevention, and	See discussion in SoEE.	YES
(b) provide personal property security for residents and visitors, and	Security for residents provided number of measures including, but not limited to, the following: <ul style="list-style-type: none"> • presence of on-site village manager and on call after-hours emergency staff/personal care assistants to attend to emergencies 24 hrs a day; • entry for visitors to the building limited to single and obvious reception area which will naturally restrict access and allow it to be controlled and monitored; • access-coded lifts; • access coded external gates; and • after-hours security patrols. 	YES
(c) encourage crime prevention by:		
(i) 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 the area, driveway or street, and	See location of doors and windows on floor plans. Units on western side look out over BBR frontage. Remainder of units orientated towards and look over perimeter of site.	YES
(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and	See floor plans	YES

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	Peep holes provided in all doors.	YES
Section 104 – Accessibility		
Seniors housing should:		
(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and	An extensive network of new internal and external footpaths link the proposed development to bus stops and services outside of the site. Further discussion re bus stops, footpaths and bus routes provided above and in Access Report, Traffic Report and SEPP/ADG Report See location of internal footpaths on architectural plans, civil engineering plans and Landscape Design.	YES
(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	Pathways are provided through and around the site separate to the main driveway into site to safety separate pedestrians from motorists. Pathways are attractively landscaped and provide links for the residents to open space areas around each building and to the remainder of the site. A safe, secure and well-designed basement carpark is provided beneath the building, accessed via lifts to each building.	YES
Section 105 – Waste management		
Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.	Details of waste management arrangements, including facilities for recycling, are provided in the Operational WMP.	YES
DIVISION 7 – NON-DISCRETIONARY DEVELOPMENT STANDARDS		
Section 106 – Interrelationship of Division with design principles in Division 6		
Nothing in this Division permits the granting of consent to development under this Part if the consent authority is satisfied that the design of the seniors housing does not demonstrate that adequate consideration has been given to the principles set out in Division 6.	See below	Noted
Section 107 – Non-discretionary development standards for hostels and residential care facilities—the Act, s 4.15		
Development does not comprise a hostel or residential care facility		N/A
Section 108 – Non-discretionary development standards for independent living units—the Act, s 4.15		
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of independent living units that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		Noted
(2) The following are non-discretionary development standards in relation to development for the purposes of independent living units:		

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	<p>THIS STANDARD NOT A MAXIMUM. THIS IS JUST A MINIMUM THAT PRECLUDES HEIGHT BEING USED AS REASON FOR REFUSAL IF IT COMPLIES WITH THIS STANDARD. IF IN EXCESS OF 9.5M, HEIGHT WOULD DEFER BACK TO LEP.</p> <p>Buildings are in excess of 9.5m but <u>comply with the two height limits applying to the land INCLUSIVE OF 3.8m BONUS (except for roof communal area on Bldg B) as discussed above.</u> See plans and further discussion in SoEE.</p>	<p>N/A</p> <p>Non-discretionary standard not automatically met, so assessed on merits.</p>
(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m— (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and (ii) is limited to an area of no more than 20% of the surface area of the roof, and (iii) does not result in the building having a height of more than 11.5m,	As above.	N/A
(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	<p>AS WITH HEIGHT, THIS STANDARD NOT A MAXIMUM. THIS IS JUST A MINIMUM THAT PRECLUDES FSR BEING USED AS REASON FOR REFUSAL IF IT COMPLIES WITH THIS STANDARD. IF NOT, FSR DEFERS BACK TO LEP.</p> <p>Two standards of 1.7:1 and 0.8:1 appl to site under LEP + 15% BONUS under s.87 of SEPP <u>to which development complies with both.</u> See further discussion under s.87 above and in SoEE.</p>	<p>N/A</p> <p>Non-discretionary standard not automatically met, so assessed on merits.</p>
(d) for a development application made by a social housing provider—at least 35m ² of landscaped area per dwelling,	Developer not social housing provider.	N/A
(e) if paragraph (d) does not apply—at least 30% of the site area is landscaped,	<p><u>Required:</u> 1,348.7m² (site area = 4495.6m² x 30%)</p> <p><u>Provided:</u> 1,494m² = 33% of site area</p> <p>(see plan no. DA-013 identifying area)</p>	<p>YES</p> <p>Meets (exceeds) non-discretionary standard so DA <u>cannot be refused on basis of landscaped area.</u></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><u>Required:</u> 674m² (site area = 4495.6m² x 15%)</p> <p><u>Provided:</u> 921m² = 20% of site area</p> <p>(see plan no. DA-013 identifying area)</p>	<p>YES</p> <p>Meets (exceeds) non-discretionary standard so DA <u>cannot be refused on basis of deep soil zone landscaped area.</u></p>
(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am	37 of 52 apartments achieve this standard = 70%	<p>YES</p> <p>Meets non-discretionary standard</p>

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
and 3pm at mid-winter in living rooms and private open spaces,	See solar access plan for further details.	<u>so DA cannot be refused on basis of solar access.</u>
(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:		
(i) at least 15m ² of private open space per dwelling, and	Each ground floor apartment has a terrace/courtyard with an area of at least 15m ² and a minimum depth of 3m. See plans and ADG table.	YES Meets non-discretionary standard so DA <u>cannot be refused on basis of ground level POS.</u>
(ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,		
(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—	Each upper-floor apartment has a balcony with an area of at least 10m ² and a minimum depth of 2m (3 beds have 2.4m). See plans and ADG table.	YES Meets non-discretionary standard so DA <u>cannot be refused on basis of upper-level balconies/POS.</u>
(i) an area of at least 10m ² , or		
(ii) for each dwelling containing 1 bedroom—an area of at least 6m ² ,		
(j) for a development application made by, or made by a person jointly with, a social housing provider—at least 1 parking space for every 5 dwellings,	Developer not social housing provider.	N/A
(k) if paragraph (j) does not apply—at least 0.5 parking spaces for each bedroom.	<u>Required:</u> 8 x 1 bedroom = 8 bedrooms 35 x 2 bedroom = 70 bedrooms 9 x 3 bedrooms = 27 bedrooms TOTAL = 105 BEDROOMS x 0.5 spaces/bedroom = <u>52.5 or 53 spaces required</u> PROVIDED = 54 SPACES	YES Meets (exceeds) non-discretionary standard so DA <u>cannot be refused on basis of parking.</u>
DIVISION 8 SENIORS HOUSING — ABORIGINAL HOUSING OFFICE AND LAND AND HOUSING CORPORATION		
Sections 108AA – 108 E		
Developer not the Aboriginal Housing Office or the Land and Housing Corporation.		N/A
SCHEDULE 4 – STANDARDS CONCERNING ACCESSIBILITY AND USABILITY FOR HOSTELS AND INDEPENDENT LIVING UNITS (as per Section 85(1))		
Part 1 Standards applying to hostels and independent living units		
1. Application of standards in this Part		
The standards set out in this Part apply to any seniors housing that consists of hostels or independent living units.		Noted
2. Siting standards		
(1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings	All units are provided with direct access to adjoining public roads (Cope Street) via	YES

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Part 5 – Housing for Seniors and People with a Disability

OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.	lifts and then pathways at compliant gradients. See pathway and gradient details on Concept Engineering Plans and further discussion in Access Report.	
(2) If the whole of the site does not have a gradient of less than 1:10:		
(a) the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and (b) the wheelchair access provided must be by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents.		N/A
(3) Common areas Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.	All common areas are accessible via lifts (upper levels) and pathways at compliant gradients (ground level). See plans and further discussion in Access Report.	
3. Security Pathway lighting: (a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and (b) must provide at least 20 lux at ground level.	Can comply. See Access Report. Details to be provided/addressed with CC.	YES
4. Letterboxes Letterboxes: (a) must be situated on a hard stand area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and (b) must be lockable, and (c) must be located together in a central location adjacent to the street entry or, in the case of independent living units, must be located together in one or more central locations adjacent to the street entry.	Mail boxes for all units provided in central accessible location in foyer to negate residents having to go to street.	YES
5. Private car accommodation If car parking (not being car parking for employees) is provided:		
(a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890.6, and	See architectural plans (DA-101) and civil engineering plans and further discussion in Traffic Report.	YES
(b) 10% of the total number of car parking spaces (or at least one space if there are fewer than 10 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and	See architectural plans (DA-101) and civil engineering plans and further discussion in Traffic Report.	YES
(c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable	No garages provided.	N/A

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Part 5 – Housing for Seniors and People with a Disability

OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
a power-operated door to be installed at a later date.		
6. Accessible entry Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
7. Interior: general		
(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1. (2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres. (3) Circulation space at approaches to internal doorways must comply with AS 1428.1.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
8. Bedroom At least one bedroom within each dwelling must have:		YES
(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:	Each unit type complies. See Access Report. Further details to be provided with CC.	YES
(i) in the case of a dwelling in a hostel—a single-size bed,		
(ii) in the case of a self-contained dwelling—a queen-size bed, and		
(b) a clear area for the bed of at least:		
(i) 1,200 millimetres wide at the foot of the bed, and		
(ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and		
(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and		
(d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and		
(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and		
(f) wiring to allow a potential illumination level of at least 300 lux		
9. Bathroom (1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1:		

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
(a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1, (c) a shower that complies with AS 1328.1, except that the following must be accommodated either immediately or in the future: (i) grab rail, (ii) portable shower head, (iii) a folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror.	Each unit type complies (or can comply). See updated Access Report. Further details to be provided with CC.	YES
(2) Subsection (1)(c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.		Noted
10. Toilet A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
11. Surface finishes Balconies and external paved areas must have slip-resistant surfaces.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
12. Door hardware Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
13. Ancillary items Switches and power points must be provided in accordance with AS 4299.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
Part 1 Standards applying to hostels and independent living units		
14. Application of standards in this Part		
The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.		Noted
15. Living room and dining room		
(1) A living room in an independent living unit must have: (a) a circulation space in accordance with clause 4.7.1 of AS 4299, and (b) a telephone adjacent to a general power outlet.	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES
16. Kitchen		
A kitchen in an independent living unit must have:		
(a) a circulation space in accordance with clause 4.5.2 of AS 4299, and (b) a circulation space at door approaches that complies with AS 1428.1, and (c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299—	Each unit type complies (or can comply). See Access Report. Further details to be provided with CC.	YES

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OBJECTIVES/REQUIREMENTS	COMMENTS (IF NECESSARY)	COMPLIES/ APPLIES YES/NO?
<ul style="list-style-type: none"> (i) benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5(a), (ii) a tap set (see clause 4.5.6), (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included, (iv) an oven (see clause 4.5.8), and (d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and (e) general power outlets— <ul style="list-style-type: none"> (i) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed. 		
17. Access to kitchen, main bedroom, bathroom and toilet		
In a multi-storey independent living unit, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.	No units extend over two floors	N/A
18. Lifts in multi-storey buildings		
In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the <i>Building Code of Australia</i> .	See architectural plans and Access Report.	YES
19. Laundry		
An independent living unit must have a laundry that has: <ul style="list-style-type: none"> (a) a circulation space at door approaches that complies with AS 1428.1, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300 millimetres, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling. 	See architectural plans and Access Report.	YES
20. Storage for linen		
An independent living unit must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.	See architectural plans, ADG Table and Access Report.	YES
21. Garbage		
A garbage storage area must be provided in an accessible location.	See architectural plans, WMP and Access Report.	YES