

## Attachment 7 – State Environmental Planning Policy (Housing) 2021 Compliance Assessment

### Part 5 Housing for Seniors and People with a Disability

Clause		Comment
<b>Division 1 Land to which Part applies</b>		
<b>79 Land to which Part applies</b>	<p>This Part applies to land in the following zones—</p> <ul style="list-style-type: none"> <li>(a) Zone RU5 Village,</li> <li>(b) Zone R1 General Residential,</li> <li>(c) Zone R2 Low Density Residential,</li> <li>(d) Zone R3 Medium Density Residential,</li> <li>(e) Zone R4 High Density Residential,</li> <li>(f) Zone B1 Neighbourhood Centre,</li> <li>(g) Zone B2 Local Centre,</li> <li>(h) Zone B3 Commercial Core,</li> <li>(i) Zone B4 Mixed Use,</li> <li>(j) Zone B5 Business Development,</li> <li>(k) Zone B6 Enterprise Corridor,</li> <li>(l) Zone B7 Business Park,</li> <li>(m) Zone B8 Metropolitan Centre,</li> <li>(n) Zone SP1 Special Purposes,</li> <li>(o) Zone SP2 Infrastructure,</li> <li>(p) Zone RE2 Private Recreation.</li> </ul>	The subject site is within the R3 Medium Density Residential zone and therefore this Part applies to the proposal.
<b>81 Seniors housing permitted with consent</b>	<p>Development for the purposes of seniors housing may be carried out with development consent—</p> <ul style="list-style-type: none"> <li>(a) on land to which this Part applies, or</li> <li>(b) on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.</li> </ul>	Seniors housing is permitted in the R3 Medium Density Residential zone under the <i>Shellharbour Local Environmental Plan 2013</i> .
<b>82 Definitions</b>	<p><b><i>in-fill self-care housing</i></b> 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"> <li>(a) meals,</li> <li>(b) cleaning services,</li> <li>(c) personal care,</li> <li>(d) nursing care.</li> </ul>	The development includes 118 independent living units for seniors.

	<p><b>seniors</b> means the following people—</p> <ul style="list-style-type: none"> <li>(a) people who are at least 60 years of age,</li> <li>(b) people who are resident at a facility at which residential care, within the meaning of the <i>Aged Care Act 1997</i> of the Commonwealth, is provided,</li> <li>(c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.</li> </ul>	
<b>Development Standards</b>		
<b>84 Development standards—general</b>	(1) This section applies to development for the purposes of seniors housing involving the erection of a building.	The development includes 118 independent living units for the purpose of seniors housing. As such, this section applies to the development.
	<p>(2) Development consent must not be granted for development to which this section applies unless—</p> <ul style="list-style-type: none"> <li>(a) the site area of the development is at least 1,000m<sup>2</sup>, and</li> <li>(b) the frontage of the site area of the development is at least 20m measured at the building line, and</li> <li>(c) for development on land in a residential zone where residential flat buildings are not permitted—the development will not result in a building—               <ul style="list-style-type: none"> <li>(i) with a height of more than 9.5m, or</li> <li>(ii) with more than 2 storeys if the building is adjacent to the boundary of the site area.</li> </ul> </li> </ul> <p>(3) The servicing equipment must—</p> <ul style="list-style-type: none"> <li>(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</li> <li>(b) be limited to an area of no more than 20% of the surface area of the roof, and</li> <li>(c) not result in the building having a height of more than 11.5m.</li> </ul> <p>(4) Subsection (2)(a) and (b) do not apply to development the subject of a development application made by the following—</p> <ul style="list-style-type: none"> <li>(a) the Aboriginal Housing Office or the Land and Housing Corporation, another social housing provider.</li> </ul>	<p>(2) (a) The site has an area of 22,020m<sup>2</sup>.          (b) The street frontage along both George Street and Arcadia Street exceeds 20m.          (c) Residential flat buildings are permitted in the R3 zone.</p> <p>(3) (a) The servicing equipment has been incorporated into the building/roof form (such as air-conditioning units and lift over-runs).          (b) Servicing equipment is not located on the uppermost roof area.          (c) The servicing equipment is incorporated in the roof form. The building height exceeds 11.5m.</p> <p>(4) The development application was not made by the Aboriginal Housing Office, Land and Housing Corporation or a social housing provider.</p>

<b>85 Development standards for hostels and independent living units</b>	(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.	The proposal is for independent living units. An assessment against Schedule 4 provided below.
<b>86 Development standards for seniors housing—Zones RE2, SP1, SP2, RU5</b>		N/A The subject site is located in R3 Medium Density Residential zone.
<b>87 Additional Floor Space Ratio</b>	<p>(1) This section applies to development for the purposes of seniors housing on land to which this Part applies if—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the development is carried out on land in Zone E2 Commercial Centre or Zone B3 Commercial Core.</li> </ul> <p>(a)</p> <p>(2) Development consent may be granted for development to which this section applies if—</p> <ul style="list-style-type: none"> <li>(a) the site area of the development is at least 1,500m<sup>2</sup>, and</li> <li>(b) the development will result in a building with the maximum permissible floor space ratio plus—             <ul style="list-style-type: none"> <li>(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</li> <li>(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</li> <li>(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</li> </ul> </li> </ul>	N/A – The proposal complies with the 0.7:1 FSR development standard under the Shellharbour Local Environmental Plan 2013.

	(c) the development will result in a building with a height of not more than 3.8m above the maximum permissible building height.	
<b>88 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> <ul style="list-style-type: none"> <li>(a) seniors or people who have a disability,</li> <li>(b) people who live in the same household with seniors or people who have a disability,</li> <li>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</li> </ul> <p>(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 requirements of this clause are capable of being complied with through the imposition of a condition of consent on the title of the land. A restriction as to user is to be registered on the property title restricting the use of the independent living units to occupants as outlined in Clause 88.
<b>Division 4 Site-Related Requirements</b>		
<b>93 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> <ul style="list-style-type: none"> <li>(a) by a transport service that complies with subsection (2), or</li> <li>(b) on-site.</li> </ul> <p>(2) The transport service must—</p> <ul style="list-style-type: none"> <li>(a) take the residents to a place that has adequate access to facilities and services, and</li> <li>(b) for development on land within the Greater Sydney region—             <ul style="list-style-type: none"> <li>(i) not be an on-demand booking service for the transport of passengers for a fare, and</li> <li>(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</li> </ul> </li> <li>(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.</li> </ul>	<p>The subject site is not located within the Greater Sydney area and as such, Part 2(c) applies.</p> <p>There are multiple bus stops that are within 400m walking distance from the subject site. The closest bus stop is located on George Street near the proposed new location of the op-shop. The bus services include Warilla Grove and Stockland's Shellharbour which have medical and state government services. The site is also within 400m walking distance of Warilla Town Centre which has medical services.</p> <p>There are existing pedestrian paths along George Street and Arcadia Street frontages. However due to the proposed works these paths will be re-built. Conditions of consent to ensure compliance with the gradient requirements of this clause are recommended.</p>

	<p>(3) For the purposes of subsections (1) and (2), access is adequate if—</p> <ul style="list-style-type: none"> <li>(a) the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site, and</li> <li>(b) the distance is accessible by means of a suitable access pathway, and</li> <li>(c) the gradient along the pathway complies with subsection (4)(c).</li> </ul> <p>(4) In subsection (3)—</p> <ul style="list-style-type: none"> <li>(a) a <b>suitable access pathway</b> 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</li> <li>(b) the distance is to be measured by reference to the length of the pathway, and</li> <li>(c) the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than—             <ul style="list-style-type: none"> <li>(i) 1:12 for a maximum length of 15m at a time, or</li> <li>(ii) 1:10 for a maximum length of 5m at a time, or</li> <li>(iii) 1:8 for a maximum length of 1.5m at a time.</li> </ul> </li> </ul> <p>(5) In this section—  <b>facilities and services</b> means—</p> <ul style="list-style-type: none"> <li>(a) shops and other retail and commercial services that residents may reasonably require, and</li> <li>(b) community services and recreation facilities, and</li> <li>(c) the practice of a general medical practitioner.</li> </ul> <p><b>provide a booking service</b> has the same meaning as in the <i>Point to Point Transport (Taxis and Hire Vehicles) Act 2016</i>, section 7.</p>	
<b>94 Location and access to facilities and services – Residential care facilities</b>		N/A. The application does not propose residential care facilities.
<b>95 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> <ul style="list-style-type: none"> <li>(a) be connected to a reticulated water system, and</li> <li>(b) have adequate facilities for the removal or disposal of sewage.</li> </ul>	The subject site is located in an established residential area. The existing services on the site are capable of being extended to accommodate the development. Conditions of consent to ensure the proposal complies

	<p>(2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority—</p> <ul style="list-style-type: none"> <li>(a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or</li> <li>(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.</li> </ul> <p>(3) In this section—  <b>relevant authority</b> means the public authority responsible for water and sewerage services in the area in which the seniors housing is located.</p>	with the requirements of Endeavour Energy and Sydney Water have been imposed.
<b>96 Bush fire prone land</b>		N/A. The subject site is not located on bushfire prone land.
<b>Division 5 Design Requirements</b>		
<b>97 Design of in-fill self-care housing</b>	In determining a development application for development for the purposes of in-fill self-care housing, a consent authority must consider the <i>Seniors Living Policy: Urban Design Guideline for Infill Development</i> , March 2004, published on the Department's website.	The proposal complies with the definition of in-fill self-care housing. An assessment against the Seniors Living Policy: Urban Design Guideline for Infill Development is provided below.
<b>98 Design of seniors housing</b>	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 Division 6 below for assessment.
<b>Division 6 – Design Principles</b>		
<b>99 Neighbourhood amenity and streetscape</b>	<p>Seniors housing should be designed to—</p> <ul style="list-style-type: none"> <li>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</li> <li>(b) recognise the desirable elements of—               <ul style="list-style-type: none"> <li>(i) the location's current character, or</li> <li>(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</li> </ul> </li> </ul>	The design of the proposed development as multiple buildings is appropriate given the large size of the site and characteristics such as adjoining a riparian corridor. The subject site is located within the R3 zone where residential flat buildings are permitted and is located within close proximity to Warilla Town Centre. It is noted that Warilla Town Centre is undergoing a transition with re-development optimising the 12m building height development standard.

	<ul style="list-style-type: none"> <li>(c) complement heritage conservation areas and heritage items in the area, and</li> <li>(d) maintain reasonable neighbourhood amenity and appropriate residential character by—               <ul style="list-style-type: none"> <li>(i) providing building setbacks to reduce bulk and overshadowing, and</li> <li>(ii) using building form and siting that relates to the site's land form, and</li> <li>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</li> <li>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</li> </ul> </li> <li>(e) set back the front building on the site generally in line with the existing building line, and</li> <li>(f) include plants reasonably similar to other plants in the street, and</li> <li>(g) retain, wherever reasonable, significant trees, and</li> <li>(h) prevent the construction of a building in a riparian zone.</li> </ul>	<p>Buildings A and F have a direct interface with Arcadia Street and have adopted setbacks that exceed those for residential development (dual occupancy and multi-dwelling) under the Shellharbour Development Control Plan 2013.</p> <p>During the assessment process, a portion of the third storey of Building A was deleted and the roof form of the overall development amended to minimise the visibility of the third storey.</p> <p>The three buildings along the southern property boundary (Buildings D, E and F) are separated with increased setbacks to minimise the visual bulk and overshadowing of this component of the proposal. The uppermost storey of Buildings D, E and F are setback so as not to be visible from the southern adjoining properties with rooflines that are not dissimilar to the adjoining properties.</p> <p>The proposed aesthetics of the buildings are compatible with the surrounding streetscape. The external finishes of the op-Shop, community hall and neighbourhood shop are different to the residential buildings to draw visual interest.</p> <p>There are no heritage items located in the vicinity of the site.</p> <p>The subject site contains multiple mature native and exotic trees. The Arboricultural Impact Assessment accompanying the development application proposes the removal of all exotic and native trees within the site to accommodate the development. Several of the trees were in poor health and the trees in good health conflict with the built form. Council staff are satisfied with the removal of all trees subject to the replacement planting proposed. The submitted Landscape Plan includes a variety of trees, shrubs and groundcovers with the species predominantly Australian native species.</p>
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<p><b>100 Visual and acoustic privacy</b></p>	<p>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by—</p> <ul style="list-style-type: none"> <li>(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and</li> <li>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</li> </ul>	<p>Building D, E and F are located along the southern boundary adjoining multi-dwelling housing development at No. 3 Arcadia Street and 1 Sparta Street. The three buildings are separated providing visual relief and reduce the visual bulk of the development. A 4.5m wide deep soil zone area is provided between the buildings and the southern property boundary. The Level 1 balconies facing south are located 9.1m from the property boundary, thereby providing adequate visual privacy distances. None of the Level 2 apartments have window openings facing south.</p> <p>The orientation of the development has optimised the boundaries of the site and the large area to maximise openings to Arcadia Street, the riparian corridor and the village green.</p> <p>The location and setback of dwelling bedrooms and balconies are sufficient to achieve an appropriate level of acoustic amenity. A number of windows including bedrooms and living areas of dwelling with a direct interface with Arcadia Street are proposed for passive surveillance. This is appropriate for the site context and is not unreasonable.</p> <p>The community hall is positioned towards the northern portion of the site towards George Street and is suitably distanced from residential properties.</p>



		The location of the driveway into the development and the internal road layout is appropriate from an acoustic amenity context. No garage/basement openings are directly orientated to any apartments or the adjoining residential properties.
<b>101 Solar access and design for climate</b>	<p>The design of seniors housing should—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	<p>The orientation of the buildings provide residents with adequate daylight. The proposal complies with the solar access requirements of Clause 108; 81% (96/118) of apartments receive at least two hours of solar access at mid-winter.</p> <p>Shadow diagrams have been submitted noting the impact of the development onto the neighbouring properties. The positioning of the buildings and the setbacks do not adversely impact on the private open space of the adjoining dwellings. There will be some afternoon overshadowing onto the common swimming pool at No. 1 Sparta Street. However, the overshadowing is confined to the colder months of the year when the pool is unlikely to be used.</p> <p>Overall dwelling design, external finishes and landscaping is appropriate. The application is accompanied by a BASIX Certificate complying with the targets for thermal comfort, water and solar. The BASIX Commitments include solar panels and rainwater tanks. Four (4) EV charging stations are also proposed.</p>
<b>102 Stormwater</b>	<p>The design of seniors housing should aim to—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</li> </ul>	<p>Council's engineers have reviewed the proposal terms of stormwater and has raised no concerns, subject to the imposition of the recommended conditions of consent.</p> <p>The design has incorporated a mixture of permeable and non-permeable areas and adequate stormwater drainage to minimise the impacts of stormwater runoff to adjoining properties. Stormwater run-off from the dwellings will be collected in the rainwater tanks and re-used for toilets and landscaping purposes.</p>

<b>103 Crime prevention</b>	<p>Seniors housing should—</p> <ul style="list-style-type: none"> <li>(a) be designed in accordance with environmental design principles relating to crime prevention, and</li> <li>(b) provide personal property security for residents and visitors, and</li> <li>(c) encourage crime prevention by—               <ul style="list-style-type: none"> <li>(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</li> <li>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</li> <li>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</li> </ul> </li> </ul>	<p>The development application was referred to Councils Community Life Department for referral advice in relation to CPTED.</p> <p>Entrances to the building and apartments are appropriate and are accessible via stairs and lifts.</p> <p>Passive surveillance opportunities to common open areas and pedestrian paths are provided throughout the site.</p>
<b>104 Accessibility</b>	<p>Seniors housing should—</p> <ul style="list-style-type: none"> <li>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</li> <li>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</li> </ul>	<p>Pedestrian paths are provided throughout the development that connect to the common open spaces, the community hall and the public pedestrian paths including the bus stop on George Street</p> <p>The majority of the visitor car parking spaces are located outside of the buildings on-grade. A number of visitor car parking spaces are located within the basement of Building A. The location of the visitor car parking spaces are appropriate with direct pedestrian paths to the buildings entrances and the community hall. No car parking spaces are designated for the neighbourhood shop or the op-shop. This is acceptable as there is ample on-street car parking available adjacent to these premises. The neighbourhood shop and the op-shop are not of a size that would generate substantial traffic generation.</p>
<b>105 Waste management</b>	<p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>The development application was accompanied by a Waste Management Plan. There is ample space within each apartment for temporary waste storage. Designated communal waste storage areas are located within each Building. The bins are to be transferred from the waste</p>

		storage area to specific locations within the site for collection by a private waste contractor. Warrigal staff will be responsible for transferring the bins from the waste storage area to the waste collection point.
<b>Division 7 Non-Discretionary Development Standards</b>		
<b>106 Interrelationship of Division with design principles in Division 6</b>	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.	Noted. The design of the senior housing development has demonstrated adequate consideration for the principles set out in Division 6 above.
<b>107 Non-discretionary development standards for hostels and residential care facilities</b>		The proposal is not for a hostel or a residential care facility.
<b>108 Non-discretionary development standards for independent living units—the Act, s 4.15</b>	<p>(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.</p> <p>(2) The following are non-discretionary development standards in relation to development for the purposes of independent living units—</p> <ul style="list-style-type: none"> <li>(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,</li> <li>(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m—             <ul style="list-style-type: none"> <li>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</li> <li>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</li> <li>(iii) does not result in the building having a height of more than 11.5m,</li> </ul> </li> <li>(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</li> </ul>	<p>(1) Noted.</p> <ul style="list-style-type: none"> <li>(a) Non-compliant. The building height exceeds 9.5m. The height variation has been assessed under Clause 4.6 of the SLEP 2013.</li> <li>(b) The servicing equipment is not located on the roof of the building, but within the roof form. The total height of the building exceeds 11.5m.</li> <li>(c) The FSR development standard for the site under the SLEP 2013 is 0.7:1 which the development complies with.</li> <li>(d) N/a. The application is not made by a social housing provider.</li> <li>(e) Compliant. 34.9% (7,683m<sup>2</sup>) of the site as landscaping</li> </ul>

	<p>(d) for a development application made by a social housing provider—at least 35m<sup>2</sup> of landscaped area per dwelling,</p> <p>(e) if paragraph (d) does not apply—at least 30% of the site area is landscaped,</p> <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>(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>(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><b>Note—</b>          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 Schedule 4, section 2.</p> <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>(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,</p> <p>(k) if paragraph (j) does not apply—at least 0.5 parking spaces for each bedroom.</p>	<p>(f) Compliant. 33.8% (7,439m<sup>2</sup>) of the site area as deep soil landscaping with minimum 3m wide dimensions.</p> <p>(g) Compliant. 81% (96/118) receive at least two hours of direct solar access to living rooms and private open space areas.</p> <p>(h) (i) Compliant. Each apartment that is located on the ground floor is provide with an enclosed private open space exceeding the 15m<sup>2</sup> requirement.</p> <p>(ii) Compliant. All POS areas are accessible from a living area with a minimum dimension of 3m.</p> <p>(i) (i) Compliant. Each apartment that is not located on the ground floor is provided with a private open space area exceeding 10m<sup>2</sup>.</p> <p>(ii) Compliant. All one bedroom apartments are provided with an enclosed private open space area of at least 6m<sup>2</sup>.</p> <p>(j) N/A The proposal is not by a social housing provider.</p> <p>(k) 118 dwellings are provided with a mixture of 1, 2 and 3 bedrooms. The proposal provides 144 residential car parking spaces which exceeds the 134 requirement. Please note that the SEPP car parking rate does not prescribe visitor car parking rates. Refer to Shellharbour Development Control Plan Chapter 13 Assessment for visitor car parking rate requirements.</p>
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Schedule 4 Standards Concerning Accessibility and Useability for Hostels and Independent Living Units		
Part 1 Standards applying to hostels and self-contained dwellings		
<b>1 Application of standards in this Part</b>	The standards set out in this Part apply to any seniors housing that consists of hostels or independent living units.	The development consists of 118 independent living units. As such, this Schedule applies to the development.
<b>2 Siting standards</b>	<p>(1) Wheelchair access            If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.</p> <p>(2) If the whole of the site does not have a gradient of less than 1:10—            (l) 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            (m) 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.</p> <p><b>Note—</b>            For example, if 70% of the site has a gradient of less than 1:10, then 70% of the dwellings must have wheelchair access as required by this subclause. If more than 50% of the site has a gradient greater than 1:10, development for the purposes of seniors housing is likely to be unable to meet these requirements.</p> <p>(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.</p>	An access report demonstrating that the proposal is capable of complying with the requirements has been submitted. Nonetheless, conditions of consent to ensure compliance with the requirements of this clause are recommended a Construction Certificate and Occupation Certificate stage.
<b>3 Security</b>	<p>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.</p>	Insufficient information has been submitted. Compliance can be achieved through recommended conditions of consent.

<b>4 Letterboxes</b>	<p>Letterboxes—</p> <ul style="list-style-type: none"> <li>(a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and</li> <li>(b) must be lockable, and</li> <li>(c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</li> </ul>	Letter boxes are shown outside of each building. This is consistent with other Warrigal Care development and provides ease of access for the residents, particularly during wet weather.
<b>5 Private car accommodation</b>	<p>If car parking (not being car parking for employees) is provided—</p> <ul style="list-style-type: none"> <li>(a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and</li> <li>(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</li> <li>(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 a power-operated door to be installed at a later date.</li> </ul>	Compliance is capable through the imposition of conditions of consent.
<b>6 Accessible entry</b>	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.	Compliance is capable through the imposition of conditions of consent.
<b>7 Interior: general</b>	<ul style="list-style-type: none"> <li>(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1.</li> <li>(2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres.</li> <li>(3) Circulation space at approaches to internal doorways must comply with AS 1428.1.</li> </ul>	Plans demonstrating compliance with this requirement have been submitted.
<b>8 Bedroom</b>	<p>At least one bedroom within each dwelling must have—</p> <ul style="list-style-type: none"> <li>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows—             <ul style="list-style-type: none"> <li>(i) in the case of a dwelling in a hostel—a single-size bed,</li> <li>(ii) in the case of an independent living unit—a queen-size bed, and</li> </ul> </li> <li>(b) a clear area for the bed of at least—</li> </ul>	Compliance is capable through the imposition of conditions of consent.

	<ul style="list-style-type: none"> <li>(i) 1,200 millimetres wide at the foot of the bed, and</li> <li>(ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and</li> <li>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</li> <li>(d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</li> <li>(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</li> <li>(f) wiring to allow a potential illumination level of at least 300 lux.</li> </ul>	
<b>9 Bathroom</b>	<p>(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—</p> <ul style="list-style-type: none"> <li>(a) a slip-resistant floor surface,</li> <li>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,</li> <li>(c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future—               <ul style="list-style-type: none"> <li>(i) a grab rail,</li> <li>(ii) portable shower head,</li> <li>(iii) folding seat,</li> </ul> </li> <li>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</li> <li>(e) a double general power outlet beside the mirror.</li> </ul> <p>(2) Subclause (1) (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.</p>	Compliance is capable through the imposition of conditions of consent.
<b>10 Toilet</b>	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 apartment is provided with at least one toilet. A condition of consent has been recommended to ensure the design complies with AS 4299.

<b>11 Surface finishes</b>	Balconies and external paved areas must have slip-resistant surfaces.	Insufficient information has been submitted. Compliance is capable through the imposition of conditions of consent
<b>12 Door hardware</b>	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Compliance is capable through the imposition of conditions of consent.
<b>13 Ancillary items</b>	Switches and power points must be provided in accordance with AS 4299.	Compliance is capable through the imposition of conditions of consent.
<b>Part 2 Additional Standards for Independent Living Units</b>		
<b>14 Application of standards in this Part</b>	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 that these standards apply in addition to the above.
<b>15 Living room and dining room</b>	<p>(1) A living room in a self-contained dwelling must have—</p> <ul style="list-style-type: none"> <li>(a) a circulation space in accordance with clause 4.7.1 of AS 4299, and</li> <li>(b) a telephone adjacent to a general power outlet.</li> </ul> <p>(2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.</p>	Compliance is capable through the imposition of conditions of consent.
<b>16 Kitchen</b>	<p>A kitchen in a self-contained dwelling must have—</p> <ul style="list-style-type: none"> <li>(a) a circulation space in accordance with clause 4.5.2 of AS 4299, and</li> <li>(b) a circulation space at door approaches that complies with AS 1428.1, and</li> <li>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299—               <ul style="list-style-type: none"> <li>(i) benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5 (a),</li> <li>(ii) a tap set (see clause 4.5.6),</li> <li>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</li> <li>(iv) an oven (see clause 4.5.8), and</li> </ul> </li> <li>(d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and</li> <li>(e) general power outlets—</li> </ul>	Compliance is capable through the imposition of conditions of consent.



	<ul style="list-style-type: none"> <li>(i) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and</li> <li>(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.</li> </ul>	
<b>17 Access to kitchen, main bedroom, bathroom and toilet</b>	In a multi-storey independent living unit, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.	All apartments are single level.
<b>19 Laundry</b>	<p>An independent living unit must have a laundry that has—</p> <ul style="list-style-type: none"> <li>(a) a circulation space at door approaches that complies with AS 1428.1, and</li> <li>(b) provision for the installation of an automatic washing machine and a clothes dryer, and</li> <li>(c) a clear space in front of appliances of at least 1,300 millimetres, and</li> <li>(d) a slip-resistant floor surface, and</li> <li>(e) an accessible path of travel to any clothes line provided in relation to the dwelling.</li> </ul>	Compliance is capable through the imposition of conditions of consent
<b>20 Storage for linen</b>	An independent living unit must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.	Compliance is capable through the imposition of conditions of consent
<b>21 Garbage</b>	A garbage storage area must be provided in an accessible location.	There is sufficient space within the kitchen area of each apartment for the temporary storage of waste. Each building is provided with a designated waste storage area. The location of the common waste storage area within each building is acceptable.

## Seniors Living Policy: Urban Design Guideline for Infill Development Assessment

Seniors Living Policy: Urban Design Guideline for Infill Development	
Design Provisions	Comment
<b>1. Responding to Context</b>	
<b>Analysis of neighbourhood character</b>	
<p><u>Street layout and hierarchy:</u>          The legibility of a neighbourhood is related to the layout and hierarchy of the streets and the clarity with which these can be 'read'. New development should therefore be of an appropriate scale and character to reinforce these existing patterns.</p> <p><i>key questions:</i>          What is the pattern and hierarchy of streets in the local area? Are there opportunities for introducing new streets or lanes? How does the built form vary between different types of streets? What are the patterns of planting in the streets and gardens?          What are the typical front setbacks and building heights? Where are there anomalies to any of these patterns and why?</p>	<p>The development is in the form of six (6) residential flat buildings and a separate building with a community hall, neighbourhood shop and op-shop. The large site area and residential zoning is unusual within the locality in addition to its corner location and adjoining a watercourse (Benson Creek).</p> <p>The building form and the distribution of mass and height is appropriate for the site location given the close proximity to Warilla Town Centre, the large site area and the adjoining land uses (adjoins Benson Creek to the east). The multi-dwellings, residential flat buildings and attached dual occupancies are permissible within the land use zone. The external finishes and the colour palette of the buildings are passive with the multi-use building a bold contrasting colour for visual interest.</p> <p>The building setbacks exceed the setback requirements for multi-dwellings in Part 3 of the Shellharbour Development Control Plan 2013. Additionally, the setbacks comply with the visual privacy setbacks under the ADG. Large landscape areas are provided between the buildings and the property boundaries which is consistent with the requirements of the Shellharbour DCP 2013.</p>
<p><u>Block and lots:</u>          Land subdivision has resulted historically in blocks and lots configured for particular uses and building types. When new building types are introduced with a different relationship to the block and lot they may have negative impacts.</p> <p><i>key questions:</i> What are the predominant block and lot patterns? How have these changed over time (for example by subdivision and amalgamation)? What are the typical lot sizes, shape and orientation? Which lots are better for intensification and which are not? Is amalgamation necessary to support future development? Are there any corner sites, sites with two street frontages, or sites that are relatively wide or shallow and are therefore more suitable for intensification?</p>	<p>The large site area, corner orientation and adjoining a riparian corridor provides flexibility in the layout of the proposal. The articulation of the building form and generous setbacks achieve an appropriate building rhythm to the street frontage and adjoining residential properties.</p> <p>The internal layout provides direct lines to the village green area, the site's boundaries and the other buildings. The pedestrian paths and vehicle access are simplistic to minimise confusion for visitors and residents.</p> <p>Whilst the consolidation of multiple allotments to achieve greater dwelling yields are found throughout the Shellharbour Local Government Area, the size of the consolidated allotments are not of this scale. The site is currently utilised as a residential care facility, independent seniors living and op-shop. The proposed re-development of the entire site for seniors housing, neighbourhood shop and op-shop is not considered unreasonable. The continuation of the op-shop,</p>

	neighbourhood shop and community hall for the use of the residents and the public enhances the residential amenity of the proposal.
<p><u>Built environment:</u>          Residential neighbourhoods are often consistent in terms of built form. This includes not only the size and shape of buildings but the spaces between them. It is important that new built form, as far as possible, follows these patterns.</p> <p><i>key questions:</i> Look for buildings that have a good relationship to the street or characteristics that contribute positively to neighbourhood character. Do buildings have a consistent scale and massing? Is there a regular rhythm of spaces between them? What are the atypical buildings? Should particular streetscapes and building types be further developed or discouraged?</p>	<p>The development is presented as six, three storey residential flat buildings and single storey building with a community hall, op-shop and neighbourhood shop. The building form is compatible with the surrounding streetscape being in close proximity to Warilla Town Centre (125m away) and in a R3 Medium Density Residential zone whereby residential flat buildings are permissible. Warilla Town Centre is undergoing a transition whereby re-development that optimising on the 12m building height development standard is occurring. As such, the proposed development will be more compatible with the future built environment.</p> <p>Two storey multi-dwelling housing developments that are separated by common driveways are common evident within the immediate vicinity of the subject site. The proposal is of a similar with the residential buildings connected by a common driveway to Arcadia Street. The large site area and adjoining a riparian corridor allows flexibility to the building form that will be minimally visible from the public domain and its impacts on adjoining properties.</p> <p>The roof forms and elevations are suitably articulated to reduce the visual mass of the development.</p>
<p><u>Trees:</u>          Trees and vegetation are critical in establishing the particular character of a neighbourhood or street. Distinctive patterns of planting can often compensate for fragmented or undistinguished built form.</p> <p><i>key questions:</i> Where are the significant trees and landscapes in the neighbourhood? Are there street trees, and if so what species and spacing? What are the patterns of planting in the front and rear gardens? Could new development protect and enhance existing vegetation?</p>	<p>Existing vegetation on the site comprises of isolated mature native trees amongst the existing buildings with a continuing canopy of trees following the course of Benson Creek. An Arboricultural Impact Assessment accompanied the application proposing the removal of 30trees and the re-location of two. The retention of multiple trees was explored by the applicant, however due to a combination of factors retention was not possible.</p> <p>The Landscape Plan and Vegetation Management Plan outlines tree planting to be undertaken throughout the subject site including within the riparian corridor. Significant revegetation of the riparian corridor is proposed and will improve the health of the riparian corridor in comparison to its current state of health.</p> <p>Currently there are no street trees along Arcadia Street and George Street. The Landscape Plan includes the planting of seven (7) trees along Arcadia Street and two (2) along George Street.</p>

	Landscaped areas have been carefully located with large areas proposed to enable the planting of canopy trees and their root growth requirements. The tree species to be planted include those that are proposed to be removed.
<p><u>Policy environment:</u>          Councils' own LEPs or DCPs may describe the character of an area or identify the key elements that contribute to its unique character.</p> <p><i>Key questions:</i> What are the key characteristics of an area as identified by the Council?          How might these be accommodated in the design of new development for the area? Are there any special character areas, view corridors, vistas, landscaped areas, or heritage buildings or precincts that should be considered?</p>	The subject site is not located within a prescribed character area under the <i>Shellharbour LEP 2013</i> or <i>SDCP 2013</i> . The subject site is not located as a heritage item or in the vicinity of a heritage item or within any view corridors.
<b>Site Analysis</b>	
<p>Through site analysis further considerations are identified that should be translated into the proposed design. It is important that site analysis is seen as much more than just a data collection exercise. Information needs to be collected and synthesised, and then conclusions drawn about the opportunities and constraints offered by the site. Site analysis must not only describe the existing site conditions but explain how the design of the proposed development has taken these conditions into account.</p> <p>The policy lists what must be included in the site analysis. Both text and drawings should be used to describe the analysis and to explain the design response.</p> <p>Particular issues that should be given considered attention in the site analysis include:          -existing streetscape elements and the existing pattern of development as perceived from the street          -patterns of driveways and vehicular crossings          -existing vegetation and natural features on the site          -existing pattern of buildings and open space on adjacent lots          -potential impacts on privacy for, or overshadowing of, existing adjacent dwellings</p>	<p>A Site Analysis Plan has been submitted identifying multiple characteristics of the site including vegetation, an existing bus stop, adjoining land uses and the topography. The site constraints and characteristics have been considered into the proposal as follows:</p> <ul style="list-style-type: none"> <li>• Significant re-vegetation/planting within the riparian corridor proposed.</li> <li>• The existing op-shop has been operating on the site for multiple decades along the George Street frontage. The proposal includes the re-building of this premises on George Street.</li> <li>• The residential buildings are suitably distanced to enable vehicle access, pedestrian paths and landscaping to create a sense of space.</li> <li>• Cut and fill throughout the site has been minimised where possible whilst ensuring that the accessibility requirements within the site and to the road reserve pedestrian path are achieved.</li> <li>• The building façade, external finishes and roof forms achieve a building rhythm that is compatible with the residential character of the streetscape.</li> <li>• Building A and C align with the eastern and western property boundaries.</li> <li>• Building heights are focused towards the middle and eastern portions of the site to minimise visibility from the public domain and overshadowing to the southern adjoining properties.</li> </ul>
<b>2. Site Planning and Design</b>	

<b>Design Principles and better practice</b>	
<p><u>General</u>          Site design should be driven by the need to optimise internal amenity and minimise impacts on neighbours. These requirements should dictate the maximum development yield.</p> <p>Cater for the broad range of needs from potential residents by providing a mix of dwelling sizes and dwellings both with and without assigned car parking. This can also provide variety in massing and scale of built form within the development.</p>	<p>The proposal comprises of 118 apartments with a mixture of 1, 2 and 3 bedroom apartments. The layout of the dwellings is appropriate and achieves the private open space requirements. Section plans illustrating the interface between the dwellings and the southern residential properties have been provided. The sections illustrate that the finished ground levels and setbacks achieve an appropriate level of visual privacy.</p> <p>Shadow diagrams illustrating the shadows cast by the existing and proposed buildings show that the proposed development will not further reduce the solar access of the southern adjoining properties. Additionally, the southern property common swimming pool will receive no overshadowing from the development during the summer/spring months.</p> <p>The location of all residential car parking spaces within the building envelopes (and basement) increases landscaping opportunities.</p>
<p><u>Built form:</u>          Locate the bulk of development towards the front of the site to maximise the number of dwellings with frontage to a public street.</p> <p>Parts of the development towards the rear of the site should be more modest in scale to limit the impacts on adjoining properties.</p> <p>Design and orient dwellings to respond to environmental conditions:</p> <ul style="list-style-type: none"> <li>- orient dwellings on the site to maximise solar access to living areas and private open space (see figure 2)</li> <li>- locate dwellings to buffer quiet areas within the development from noise.</li> </ul>	<p>The subject site adjoins residential development to the south, is bounded by streets to the north and west and a riparian corridor (part of the subject site) to the east. The development is distributed towards the perimeters of the site to balance solar access, residential amenity and vehicle access.</p> <p>The op-shop and neighbourhood shop are positioned towards to the northern portion of the site to George Street to maximise public domain visibility. The community hall is adjacent to the main common open space area for ease of access and flexibility of use. The positioning of the main open space area within the middle of the site is appropriate and it optimises solar access and resident access.</p> <p>The third storey components of Building A, D, E and F are significantly setback from the property boundaries to minimise visual appearance.</p> <p>The proposal achieves the solar access requirements of the <i>SEPP (Housing) 2021</i>.</p>
<p><u>Trees, landscaping and deep soil zones:</u>          Maintain existing patterns and character of gardens and trees:</p> <ul style="list-style-type: none"> <li>- retain trees and planting on the street and in front setbacks to minimise the impact of new development on the streetscape</li> <li>- retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid block deep soil planting</li> </ul>	<p>There are currently no existing street trees on George Street or Arcadia Street. The proposal includes the planting of seven (7) street trees along Arcadia Street and two (2) on George Street.</p> <p>A total of 30 trees are proposed to be removed and two are to be re-located. The trees proposed to be removed are evenly distributed throughout the site. The Landscape Plan proposes the planting of 137 trees (trees only, excluding shrubs)</p>

<ul style="list-style-type: none"> <li>- retain large or otherwise significant trees on other parts of the site through sensitive site planning</li> <li>- where it is not possible or desirable to retain existing trees, replace with new mature or semi-mature trees.</li> </ul> <p>Improve amenity by increasing the proportion of the site that is landscaped area by:</p> <ul style="list-style-type: none"> <li>- increasing the width of landscaped areas between driveways and boundary fences, and between driveways and new dwellings</li> <li>- providing pedestrian paths</li> <li>- reducing the width of driveways</li> <li>- providing additional private open space above the minimum requirements</li> <li>- providing communal open space</li> <li>- increasing front, rear and/or rear setbacks</li> <li>- providing small landscaped areas between garages, dwelling entries, pedestrian paths, driveways, etc.</li> </ul> <p>Provide deep soil zones for absorption of run-off and to sustain vegetation, including large trees:</p> <ul style="list-style-type: none"> <li>- it is preferable that as least 10% of the site area is provided as a single area at the rear of the site, where there is the opportunity to provide a mid-block corridor of trees within a neighbourhood</li> <li>- where the pattern of neighbourhood development has deep soil planting at the front of the site, it may be desirable to replicate this pattern.</li> </ul> <p>Minimise the impact of higher site cover on stormwater runoff by:</p> <ul style="list-style-type: none"> <li>- using semi-pervious materials for driveways, paths and other paved areas</li> <li>- using of on-site detention to retain stormwater on site for re-use.</li> </ul>	<p>majority of which are native Australian and includes species that are proposed to be removed.</p> <p>In addition to the planting immediately surrounding the buildings, the subject site includes Benson Creek and its riparian corridor. The Vegetation Management Plan outlines the treatment for approximately 1,850sqm including weed removal and the planting of 6,410 plants.</p> <p>A 3.5m wide landscape area parallel to the southern side boundary is proposed creating a landscape buffer and building separation between the proposed development and the adjoining residential properties.</p> <p>The landscaping within the front setback area including the planting of canopy trees is consistent with the Shellharbour DCP 2013.</p> <p>Landscape areas are evenly distributed throughout the site with the areas proposed for tree planting being of a proportional size to accommodate the mature canopy size and root growth requirements. The distribution of the landscaping has taken into consideration solar access, the streetscape, residential amenity and enhancing the health of the riparian corridor. The placement of the a large single area at the rear of the site as per the guidelines would not be appropriate due to the north-south orientation of the site.</p> <p>In accordance with the BASIX Certificate requirements, rainwater tank water will be utilised for toilet flushing and landscaping maintenance purposes.</p> <p>Overall, the design of the proposal has carefully considered the location and type of landscaping so that it genuinely contributes to the amenity of the residents and the landscape character of the streetscape.</p>
<p><u>Parking, garaging and vehicular circulation:</u>          Consider centralised parking in car courts to reduce the amount of space occupied by driveways, garages and approaches to garages.</p>	<p>The majority of visitor car parking is located parallel to the main internal road with residential parking located within the building footprint of the buildings for ease of access. The parking and vehicle circulation layout is appropriate from a traffic perspective and minimises pedestrian/vehicle conflicts.</p>

<p>Where possible maintain existing crossings and driveway locations on the street.</p>	<p>One proposed driveway to the site is proposed along Arcadia Street. The existing vehicle driveway is also located on Arcadia Street. Vehicle access from George Street would not be suitable due to potential traffic flows implications.</p> <p>The number of residential and visitor car parking spaces and the overall vehicle access design comply with the requirements of the Shellharbour Development Control Plan 2013.</p>
<p><b>SEPP Controls</b></p>	
<ul style="list-style-type: none"> <li>• Minimum site area: 1,000 square metres</li> <li>• Minimum site width: 20 metres</li> <li>• Development cannot be refused if:                         <ul style="list-style-type: none"> <li>- proposed buildings do not exceed 8 metres in height</li> <li>- the floor space ratio does not exceed 0.5:1</li> <li>- the landscaped area is a minimum of 30% of the site</li> <li>- the deep soil zone area is a minimum of 15% of the site (must have minimum dimension of 3 metres and it is preferable that two thirds of the deep soil area is at the rear of the site)</li> <li>- one visitor parking space is provided for development of 6 or less dwellings or two visitor parking spaces for development of 7 or 8 dwellings</li> <li>- 0.5 resident parking spaces per bedroom are provided</li> </ul> </li> <li>• Additional site-related requirements regarding access to services, bush fire prone land, and water and sewerage.</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum site area: Compliant. Site area is 22,020m<sup>2</sup></li> <li>• Minimum site width: Compliant. 157.42m frontage to Arcadia Street and 59.75m to George Street</li> <li>• Height: Non-Compliant. The building height exceeds 8m. The building height variation has been assessed under Clause 4.6 of the SLEP 2013.</li> <li>• FSR: Non-compliant. The FSR is 0.65:1 which is compliant with the development standard under the SLEP 2013.</li> <li>• Landscaped area: Compliant. The proposal provides 34.9% (7,683m<sup>2</sup>) of the site as landscaping.</li> <li>• Deep soil zone: Compliant. The proposal provides 33.8% (7,439m<sup>2</sup>) of the site as deep soil areas</li> <li>• Visitor car parking: Compliant. 30 visitor car parking spaces are proposed</li> <li>• Residential car parking: Compliant. 144 car parking spaces</li> <li>• Services, bushfire fire prone land, water and sewerage: The subject site is located within a well-established residential area with access to services including water, sewerage and electricity. The site is not identified as bushfire prone land.</li> </ul>
<p><u>Rule of Thumb</u></p> <p>The proportion of the site given to landscaped area and deep soil should be increased in less urban areas, on large lots, and in areas already characterised by a high proportion of open space and planting.</p>	<p>The proposed proportion of landscaped area, deep soil and hardstand is considered appropriate with the deep soil landscaped areas being of sufficient dimension to enable the trees to reach their mature height and spread.</p>
<p><b>3. Impacts on Streetscape</b></p>	
<p><u>General:</u></p> <ul style="list-style-type: none"> <li>• Respond to the desired streetscape character by:                         <ul style="list-style-type: none"> <li>- locating and designing new development to be sympathetic to existing streetscape patterns (building siting, height, separation; driveway locations, pedestrian entries, etc.)</li> <li>- providing a front setback that relates to adjoining development.</li> </ul> </li> </ul>	<p>The proposal is considered appropriate with regard to the locality taking into consideration the site characteristics, zoning and proximity to Warilla Town Centre.</p> <p>The proposed setbacks are consistent with the requirements for dwellings (including dwelling houses, dual occupancies and multi-dwellings) under the SDGP 2013. The Arcadia Street frontage is no further than the adjoining southern residential property.</p>

	The building design has incorporated articulated elevations and hipped roof form to achieve a building rhythm which is compatible with the streetscape character. The buildings are suitably separated to accommodate landscaping and visually break up the building forms.
<u>Built form:</u> <ul style="list-style-type: none"> <li>Reduce the visual bulk of a development by:               <ul style="list-style-type: none"> <li>breaking up the building massing and articulating building facades</li> <li>allowing breaks in rows of attached dwellings</li> <li>using variation in materials, colours and openings (doors, windows and balconies) to order building facades with scale and proportions that respond to the desired contextual character</li> <li>setting back upper levels behind the front building façade where it is common practice in the streetscape, locating second storeys within the roof space and using dormer windows to match the appearance of existing dwelling houses</li> <li>reducing the apparent bulk and visual impact of a building by breaking down the roof into smaller roof elements</li> <li>using a roof pitch sympathetic to that of existing buildings in the street</li> <li>avoiding uninterrupted building facades including large areas of painted render.</li> </ul> </li> </ul>	<p>A neutral colour palette for the residential buildings are proposed with a darker palette for the multi-use building (community hall, op-shop and neighbourhood shop) to draw attention.</p> <p>The third storeys are significantly setback from the property boundaries to minimise visibility from the public domain. The proposed hipped roof forms are consistent with the streetscape.</p>
<u>Trees, landscaping and deep soil zones:</u> Retain existing trees and planting in front and rear setbacks and the road reserve: <ul style="list-style-type: none"> <li>where this is not possible or not desirable use new planting in front setback and road reserve</li> <li>plant in front of front fences to reduce their impact and improve the quality of the public domain.</li> </ul>	<p>A total of 28 trees are proposed to be removed and two are to be re-located to the large common open space area. The removal of the trees is supported in this instance given the significant degree of quality landscaping proposed.</p> <p>There are no existing street trees along both street frontages. The proposal includes the planting of seven (7) street trees along Arcadia Street and two (2) on George Street. Council staff support the location and number of the new street trees.</p>
<u>Residential amenity:</u> <ul style="list-style-type: none"> <li>Clearly design open space in front setbacks as either private or communal open space.</li> <li>Define the threshold between public and private space, for example by level change, change in materials, fencing, planting and/or signage.</li> <li>Design dwellings at the front of the site to address the street.</li> <li>Provide a high quality transition between the public and private domains by:</li> </ul>	<p>The private open space areas on the ground floor enclosed with fencing and separated from the natural ground level by retaining walls and landscaping. Building entrances are clearly defined.</p> <p>Sections and elevations illustrating the interface between the development and its surroundings demonstrate that a reasonable level of residential amenity for the future occupants and existing adjoining residents will be achieved.</p>



<ul style="list-style-type: none"> <li>- designing pedestrian entries where possible to be directly off the street</li> <li>- for rear residents, providing a pedestrian entry that is separate from vehicular entries</li> <li>- designing front fences to provide privacy where necessary, but also to allow for surveillance of the street</li> <li>- ensuring that new front fences have a consistent character with front fences in the street</li> <li>- orienting mailboxes obliquely to the street to reduce visual clutter and the perception of multiple dwellings</li> <li>- locating and treating garbage storage areas and switchboards so that their visual impact on the public domain is minimised.</li> </ul>	<p>The ground level differences between the natural ground level and the proposed development are required to achieve the minimum flood planning levels and accessible pedestrian path gradients as prescribed in the <i>SEPP (Housing) 2021</i>.</p> <p>Residential waste collection will occur within the subject site and not along Arcadia Street. Waste generated by the Op-shop and neighbourhood shop will be collected along George Street.</p>
<p><u>Parking, garaging and vehicular circulation:</u></p> <ul style="list-style-type: none"> <li>• Avoid unrelieved, long, straight driveways that are visually dominant by:             <ul style="list-style-type: none"> <li>- varying the alignment of driveways to avoid a 'gunbarrel' effect</li> <li>- setting back garages behind the predominant building line to reduce their visibility from the street</li> <li>- considering alternative site designs that avoid driveways running the length of the site.</li> </ul> </li> <li>• Minimise the impact of driveways on streetscape by:             <ul style="list-style-type: none"> <li>- terminating vistas with trees, vegetation, open space or a dwelling, not garages or parking (see figure 3)</li> <li>- using planting to soften driveway edges</li> <li>- varying the driveway surface material to break it up into a series of smaller spaces (for example to delineate individual dwellings)</li> <li>- limiting driveway widths on narrow sites to single carriage width with passing points</li> <li>- providing gates at the head of driveways to minimise visual 'pull' of the driveway.</li> </ul> </li> <li>• Where basement car parking is used minimise the impact of the entry by:             <ul style="list-style-type: none"> <li>- reducing the width where possible to single vehicle width rather than double</li> <li>- locating it to one side of the site, not at the centre where it is visually prominent</li> </ul> </li> </ul>	<p>One driveway into the site is proposed via Arcadia Street.</p> <p>Parallel visitor car parking lines both sides of the main driveway with vehicle access to the residential parking to all of the buildings stemming from the main driveway. Landscaping and trees are located along the driveway.</p> <p>Whilst the driveway from Arcadia Street could be describe as a 'gun barrel', the road terminates with landscaping in the riparian corridor thereby providing adequate visual relief.</p> <p>Building A has a basement which is setback from the main building façade and is adjacent to landscaping. An awning projecting over the pedestrian entry assists in minimising visual dominance of the basement.</p>

<ul style="list-style-type: none"> <li>- recessing it from the main building façade</li> <li>- where a development has a secondary street frontage, providing vehicular access from the secondary street</li> <li>- providing security doors to avoid the appearance of a 'black hole' in the streetscape</li> <li>- returning facade material into the visible area of the car park entry.</li> </ul> <ul style="list-style-type: none"> <li>• Locate or screen all parking to minimise visibility from the street.</li> </ul>	
<p><u>SEPP Controls</u></p> <ul style="list-style-type: none"> <li>• For development proposed in a residential zone where residential flat buildings are not permitted:           <ul style="list-style-type: none"> <li>- the height of all buildings in the proposed development must be 8 metres or less,</li> <li>- a building that is adjacent to a boundary of the site must be not more than 2 storeys in height</li> </ul> </li> </ul>	<p>N/A.</p> <p>The subject site is located in the R3 Medium Density Residential zone whereby residential flat buildings are permitted.</p>
<p><u>Rule of Thumb</u></p> <ul style="list-style-type: none"> <li>• Respond to council planning instruments that specify the character or desired character for the area.</li> <li>• Where there is a consistent front building alignment, new development should not encroach on the front setback.</li> <li>• Driveways or basement car park entries should not exceed 25% of the site frontage.</li> <li>• Garage doors should be set back a minimum of 1 m metre behind the predominant building facade on both the street frontage and common driveways.</li> </ul>	<p>The <i>SLEP 2013</i> and <i>SDCP 2013</i> do not specify a desired character for the area.</p> <p>The driveway does not exceed 25% the width of the site frontage.</p> <p>The driveway is via Arcadia Street with all building car parking entries orientated away from Arcadia Street. This design element minimises the visibility of the garage doors and also associated hardstand areas from the public domain.</p>
<p><b>4. Impacts on Neighbours</b></p>	
<p><u>Built form:</u></p> <ul style="list-style-type: none"> <li>• Design the relationship between buildings and open space to be consistent with the existing patterns in the block:           <ul style="list-style-type: none"> <li>- where possible maintain the existing orientation of dwelling 'fronts' and 'backs'(see figure 4a)</li> <li>- where the dwelling must be oriented at 90 degrees to the existing pattern of development, be particularly sensitive to the potential for impact on privacy of neighbours.</li> </ul> </li> <li>• Protect neighbours' amenity by carefully designing the bulk and scale of the new development to relate to the existing residential character, for example by:</li> </ul>	<p>The proposal is considered to be satisfactory in regard to reducing impacts on neighbouring properties and has been designed to be compatible with the streetscape character and the wider locality, particularly in relation to the upscaling development occurring at Warilla Town Centre.</p> <p>A plan illustrating the distances of each building to the nearest residential dwellings (not the adjoining dwelling private open space) have been submitted and the distances are as follows:</p> <ul style="list-style-type: none"> <li>• Building A – 28.9m</li> <li>• Building B – exceeds 50m</li> </ul>

<ul style="list-style-type: none"> <li>- setting upper storeys back behind the side or rear building line.</li> <li>• Reduce the visual bulk of roof forms by breaking down the roof into smaller elements, rather than having a single uninterrupted roof structure.</li> <li>• Design second storeys to reduce overlooking of neighbouring properties, for example by:           <ul style="list-style-type: none"> <li>- incorporating them within the roof space and providing donor windows</li> <li>- offsetting openings from existing neighbouring windows or doors.</li> </ul> </li> <li>• Reduce the impact of unrelieved walls on narrow side and rear setbacks by limiting the length of the walls built to these setbacks.</li> </ul>	<ul style="list-style-type: none"> <li>• Building C – 37.1m</li> <li>• Building D – 40.9m to the east, 8.5m to the south (ground floor residential apartments)</li> <li>• Building E – 7.9m (ground floor no residential apartments) Building F – 5.8m (ground floor no residential apartments)</li> </ul> <p>During the assessment process, the setbacks of the Level 1 of Buildings D, E and F were increased and the three buildings were separated. These amendments have adequately addressed previous visual privacy concerns raised by Council. Whilst Buildings, D, E and F are all three storeys, the upper most storey (third storey) is setback 19.47m from the southern boundary with no window openings thereby presenting as a two storey building from the adjoining property.</p> <p>Hipped roof forms assist in the articulation of the building mass and complement the main building style.</p> <p>The second storey of Building D, E and F is setback 9.24m from the southern boundary and solid balustrading reduces overlooking.</p> <p>No additional privacy mitigation measures are required.</p>
<p><u>Trees, landscaping and deep soil zones:</u></p> <ul style="list-style-type: none"> <li>• Use vegetation and mature planting to provide a buffer between new and existing dwellings.</li> <li>• Locate deep soil zones where they will provide privacy between new and existing dwellings.</li> <li>• Planting in side and rear setbacks can provide privacy and shade for adjacent dwellings.</li> <li>• For new planting, if possible, use species that are characteristic of the local area.</li> </ul>	<p>A 3.5m wide deep soil landscape area parallel to the southern side boundary is proposed creating a landscape buffer and separation between the proposed development and the adjoining residential properties.</p> <p>Continuous landscape areas of various widths are also proposed along both street frontages. The majority of the plant species proposed as native and suitable for the characteristics of the site.</p>
<p><u>Residential amenity:</u></p> <ul style="list-style-type: none"> <li>• Protect sun access and ventilation to living areas and private open space of neighbouring dwellings by ensuring adequate building separation.</li> <li>• Design dwellings so that they do not directly overlook neighbours' private open space or look into existing dwellings.</li> <li>• When providing new private open space minimise negative impacts on neighbours, for example by:</li> </ul>	<p>The positioning of the buildings have taken into consideration solar access and visual privacy. The building separation and setbacks of private open spaces will not unreasonably impact on the visual privacy of the adjoining properties.</p> <p>Shadow diagrams of the existing and proposed developments have been submitted to demonstrate that any additional overshadowing will be minimal and properties to the south of the site will still receive three hours of solar access. The principal private open space of the dwellings directly adjoining the subject site are to the</p>

<ul style="list-style-type: none"> <li>- locating it in front setbacks where possible</li> <li>- ensuring that it is not adjacent to quiet neighbouring uses, for example bedrooms</li> <li>- designing dwellings around internal courtyards</li> <li>- providing adequate screening.</li> </ul> <ul style="list-style-type: none"> <li>• Where side setbacks are not large enough to provide useable private open space, use them to achieve privacy and soften the visual impact of new development by planting screen vegetation.</li> </ul>	<p>north. Due to the north-south orientation of the subject site, a significant component of existing/proposed overshadowing is attributed to the shared boundary fencing.</p>
<p><u>Parking, garaging and vehicular circulation:</u></p> <ul style="list-style-type: none"> <li>• Provide planting and trees between driveways and side fences to screen noise and reduce visual impacts.</li> <li>• Position driveways so as to be a buffer between new and existing adjacent dwellings.</li> </ul>	<p>Landscaping and fencing are provided between driveways and property boundaries to reduce acoustic and visual impacts. The driveway to the site is suitably located to ensure that there are no adverse impacts on the adjoining properties (41.5m from the southern property boundary) and is separated by Building A and F.</p>
<p><u>SEPP Controls</u></p> <ul style="list-style-type: none"> <li>• In zones where residential flat buildings are not permitted, development on the rear 25% of the site must not exceed one storey</li> </ul>	<p>N/A. The subject site is zoned R3 Medium Density Residential, whereby residential flat buildings are permitted.</p>
<p><u>Rules of Thumb</u></p> <ul style="list-style-type: none"> <li>• Where side setbacks are less than 1.2m, a maximum of 50% of the development should be built to this alignment.</li> <li>• The length of unrelieved walls along narrow side or rear setbacks should not exceed 8 metres.</li> <li>• Living rooms of neighbouring dwellings should receive a minimum 3 hours direct sunlight between 9.00-3.00 in mid-winter neighbouring dwellings.</li> <li>• Solar access to the private open space of neighbouring dwellings should not be unreasonably reduced.</li> </ul>	<p>The external walls of all buildings exceed 1.2m from the side boundary.</p> <p>The length of unarticulated wall for Building D is 35m, Building E is 23.6m and Building F is 35m. The length of unarticulated wall is considered appropriate given the 184.91m length of the southern property boundary. The height of the unarticulated walls are not excessive and external finishes to visually break up the façade is proposed.</p> <p>Shadow diagrams illustrating the shadowing of the proposal demonstrate that the proposal will not unreasonably restrict the solar access of neighbouring dwellings.</p>
<p><b>5. Internal Site Amenity</b></p>	
<p><u>Built form:</u></p> <ul style="list-style-type: none"> <li>• Design dwellings to maximise solar access to living areas and private open spaces.</li> <li>• In villa or townhouse style developments, provide dwellings with a sense of individual identity through building articulation, roof form and other architectural elements, and through the use of planting and building separation:                         <ul style="list-style-type: none"> <li>- provide buffer spaces and/or barriers between the dwellings and driveways, or between dwellings and communal areas</li> </ul> </li> </ul>	<p>The proposal provides a high level of internal site amenity. Each dwelling is provided with a covered and paved principal private open space area to optimise functionality throughout the year. Each dwelling is provided with an external clothes line.</p> <p>Private open spaces are separated from the driveways of the public domain through a mixture of setbacks, landscaping and fencing. The distances between main living areas and private open spaces of apartments where they face each other comply with the ADG requirements.</p>

<ul style="list-style-type: none"> <li>- use trees, vegetation, fencings, or screening devices to establish curtilages for individual dwellings.</li> <li>• Design dwelling entries so that they:           <ul style="list-style-type: none"> <li>• are clear and identifiable from the street or driveway</li> <li>• provide a buffer between public/communal space and private dwellings</li> <li>• provide a sense of address for each dwelling</li> <li>• are oriented to not look directly into other dwellings.</li> </ul> </li> </ul>	
<p><u>Parking, garaging and vehicular circulation:</u></p> <ul style="list-style-type: none"> <li>• Locate habitable rooms, particularly bedrooms, away from driveways, parking areas and pedestrian paths:           <ul style="list-style-type: none"> <li>• where this is not possible use physical separation, planting, screening devices or louvres to achieve adequate privacy.</li> </ul> </li> <li>• Avoid large uninterrupted areas of hard surface (driveways, garages, walls). Small areas of planting can break these up and soften their 'hard edge' appearance.</li> <li>• Screen parking from views and outlooks from dwellings.</li> <li>• Reduce the dominance of areas for vehicular circulation and parking by considering:           <ul style="list-style-type: none"> <li>• single rather than double width driveways with passing bays</li> <li>• communal car courts rather than individual garages</li> <li>• single rather than double garages</li> <li>• tandem parking or a single garage with single car port in tandem</li> <li>• the provision of some dwellings without any car parking for residents without cars.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Bedrooms are generally located away from the common driveways.</li> <li>• Landscaping is provided between bedrooms and common driveways</li> <li>• Landscaping is provided between common driveways and the dwellings.</li> <li>• All apartments are to be provided with at least one car parking space.</li> <li>• The majority of visitor car parking spaces are located parallel to the main driveway. A small number of visitor spaces are located in the Building A basement carpark The distance between the visitor car parking spaces and the buildings and the community hall is appropriate.</li> </ul>
<p><u>Residential amenity:</u></p> <ul style="list-style-type: none"> <li>• Provide distinct and separate pedestrian and vehicular circulation on the site:           <ul style="list-style-type: none"> <li>• where this is not possible shared driveway/pedestrian paths should be wide enough to allow a vehicle and a wheelchair to pass safely (see figure 5)</li> <li>• provide pedestrian routes to all public and semi-public areas including lobbies, dwelling entries, communal facilities and visitor parking spaces.</li> </ul> </li> <li>• Ensure that adequate consideration is given to safety and security by:</li> </ul>	<p>Pedestrian pathways are provided throughout the site which provides connections from the buildings to the community hall, common open spaces and the street frontage. The proposed works includes the construction of pedestrian pathways along the George Street and Arcadia Street frontages. Designated pedestrian crossings are located shown in the plan to minimise vehicle/pedestrian conflicts.</p> <p>The proposal includes a common open space area and a building designated as the community hall. A Plan of Management detailing the operations/activities to be undertaken at the community hall accompanied the development application. The community hub building includes storage areas, kitchenette and accessible toilets. Covered table and chairs and BBQ area extend from the community hall. Adjacent to the community hall is the main common open space area (village green) which</p>

<ul style="list-style-type: none"> <li>• avoiding ambiguous spaces in building and dwelling entries that are not obviously designated as public or private</li> <li>• minimising opportunities for concealment by avoiding blind or dark spaces between buildings, near lifts and foyers and at the entrance to or within indoor car parks</li> <li>• clearly defining thresholds between public and private spaces (for example by level change, change in materials, fencing, planting and/or signage).</li> <li>• Provide private open space that:           <ul style="list-style-type: none"> <li>• is generous in proportion and adjacent to the main living areas of the dwelling (living room, dining room or kitchen)</li> <li>• is oriented predominantly north, east or west to provide solar access</li> <li>• comprises multiple spaces for larger dwellings</li> <li>• uses screening for privacy but also allows casual surveillance when located adjacent to public or communal areas (including streets and driveways)</li> <li>• provides both paved and planted areas when located at ground level</li> <li>• retains existing vegetation where practical</li> <li>• uses pervious pavers where private open space is predominantly hard surfaced, to allow for water percolation and reduced runoff.</li> </ul> </li> <li>• Provide communal open space that:           <ul style="list-style-type: none"> <li>- is clearly and easily accessible to all residents and easy to maintain</li> <li>- incorporates existing mature trees and vegetation to provide additional amenity for all residents</li> <li>- includes shared facilities such as seating areas and barbecues to permit resident interaction.</li> </ul> </li> <li>• Site and/or treat common service facilities such as garbage collection areas and switchboard to reduce their visual prominence to the street or to any private or communal open space.</li> </ul>	<p>comprises a large lawn area with a pedestrian path, landscaping and table and chairs. Smaller common open spaces are located to the north and east and on the rooftop of Building B and C (including a community garden, covered table and chairs).</p> <p>It is noted that there is no requirement for a community hall for seniors living development under the <i>SEPP (Housing) 2021</i> and is consistent provision in Warrigal Care seniors housing developments.</p> <p>The dwelling layouts provide a clear distinction between private and public domains. Each dwelling is provided with a private open space area achieves the 15m<sup>2</sup> for ground floor and 10m<sup>2</sup> for upper storey apartments. Fencing is proposed around private open space areas to distinguish between private and public domains. The private open space area includes a covered and uncovered areas to maximise functionality and weather protection year round.</p>
<p><b>SEPP Controls</b>          Development cannot be refused if:</p> <ul style="list-style-type: none"> <li>- living rooms and private open spaces for a minimum of 70% of dwellings receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</li> </ul>	<p>The proposal achieves compliance with the solar access requirements and private open space.</p>

<ul style="list-style-type: none"><li>- private open space is not less than 15 square metres and minimum dimension 3 metres for ground floor dwellings; 10 square metres and minimum dimension 2 metres for other dwellings; or 6 square metres and minimum dimension 2 metres for other dwellings with only one bedroom</li></ul>	
<p><u>Rule of Thumb</u></p> <ul style="list-style-type: none"><li>• Separation of 1.2 metres should be achieved between habitable rooms and driveway or car parks of other dwellings:</li><li>- this can be reduced if adequate screening is provided.</li></ul>	Achieves compliance.