

Report Attachment 2 – SEPP (Housing) 2021 Compliance Tables

The modification proposal was assessed against the Housing SEPP and the modification generates the following matters for consideration:

Provisions	Proposal	Compliance
Part 5 Housing for seniors and people with a disability		
Division 3 Development standards		
84 Development standards—general (2)(a) the site area of the development is at least 1,000m ² (b) the frontage of the site area of the development is at least 20m measured at the building line (c) for development on land in a residential zone where residential flat buildings are not permitted— (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 (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.	The site area and frontage substantially exceed the minimums remain unchanged. Residential Flat Buildings are not permitted in the R2 Zone. Building B10A/B: Approved: 13m Proposed: 13.2m The other buildings are 1 & 2 storeys and less than 9.5m high. Building B10A/B is not setback above the second storey.	Considered Acceptable See Height Discussion in Report
87 Additional floor space ratios (1) 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 (b) the development is carried out on land in Zone E2 Commercial Centre or Zone B3 Commercial Core.	Site is zoned R2, RFBs and shop top housing are not permissible. However, the proposal is significantly under the allowable FSR and does not rely on this clause.	Not Applicable
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.	Details to be provided prior to construction certificate.	Complies by Condition

Division 4 Site-related requirements		
<p>94 Location and access to facilities and services—residential care facilities</p> <p>(1) Development consent must not be granted for development for the purposes of a residential care facility unless the consent authority is satisfied that residents of the facility will have access to facilities and services—</p> <p>(a) on-site, or</p> <p>(b) by a transport service other than a passenger service.</p>	<p>The facility remains located within 400m of a local bus service.</p> <p>Commercial, community, recreation, and medical services are also provided on site.</p>	Complies
<p>95 Water and Sewer</p> <p>(1) A consent authority must not consent to development under this Part unless the consent authority is satisfied the seniors housing will—</p> <p>(a) be connected to a reticulated water system, and</p> <p>(b) have adequate facilities for the removal or disposal of sewage.</p>	<p>The site has access to reticulated water and sewage.</p> <p>The Section 73 application required by Sydney Water will remain conditioned.</p>	Complies by Condition
<p>96 Bush fire prone land</p> <p>(2) In determining a development application for development under this Part on land <u>near</u> relevant bush fire prone land, the consent authority must—</p> <p>(a) consult with the NSW Rural Fire Service and consider its comments, and</p> <p>(b) [consider numerous key factors listed in these subclauses].</p>	<p>As the proposal is near, rather than on bushfire prone land, there is a decrease in the number of beds from what has been approved, the applicant has provided a bushfire report, and the RFS has considered it and reissued General Terms of Approval, consideration of this clause has been adequate for the proposed modification.</p>	Complies
Division 5 Design requirements		
<p>98 Design of seniors housing</p> <p>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.</p>	<p>See Division 6 consideration in table below.</p>	See Below
Division 6 Design Principles		

<p>99 Neighbourhood amenity and streetscape</p> <p>Seniors housing should be designed as follows—</p> <p>(a) to recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation,</p> <p>(b) to recognise the desirable elements of—</p> <p>(i) the location's current character, or</p> <p>(ii) for precincts undergoing a transition—the future character of the location so new buildings contribute to the quality and identity of the area,</p> <p>(c) to complement heritage conservation areas and heritage items in the area,</p> <p>(d) to maintain reasonable neighbourhood amenity and appropriate residential character by—</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,</p> <p>(e) to set back the front building on the site generally in line with the existing building line,</p> <p>(f) to include plants reasonably similar to other plants in the street,</p> <p>(g) to retain, wherever reasonable, significant trees,</p>	<p>Specialized L shaped buildings with centralised service core proposed, joined by as sky bridge.</p> <p>The design responds to the existing fine grain suburban residential streetscape with vertical cottage living. Extensive landscaping is incorporated into the design to soften the built form and provide passive recreational space.</p> <p>The heritage listing of the site does not refer to a particular building but the continued cultural use as an aged care facility. The modernisation of the facility will ensure its continued use.</p> <p>The proposal was accompanied by a design verification statement and statement of environmental effects demonstrating the modified proposal was appropriate with regard to setbacks and bulk, height, and landscaping.</p> <p>For the modified proposal, the setbacks generally are increased, as has landscaping, and despite a small increase in height, overshadowing is reduced.</p> <p>A landscape plan has been provided with extensive landscaping proposed.</p> <p>The street tree planting includes both retained and new street trees.</p> <p>No additional tree removal is proposed as part of the modification.</p> <p>The proposal is not located within a riparian zone.</p>	<p>Complies</p>
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(h) to prevent the construction of a building in a riparian zone		
<p>100 Visual and acoustic privacy</p> <p>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and all residents of the seniors housing by—</p> <p>(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The proposal is substantially (24m) setback from adjacent neighbours, minimising the need for additional visual and acoustic privacy treatments.</p> <p>Ground Floor landscaping also assists with acoustic and visual privacy.</p> <p>Overall, the proposed modification is an improvement in the approved design as bedrooms no longer face each other.</p> <p>Nine (9) rooms in the west building directly face the east building. The window of the nearest habitable room in the east building, a visiting parlour, is 8m from and facing into a bedroom on each floor of the west building. The nearest corner of the dining room balcony in the east building is 10.5m from this window. The minimum building separation between habitable rooms and balconies in objective 3F-1 of the Apartment Design Guide is 12m. While the ADG is not strictly enforceable, in this case it provides design guidance. A condition of consent will be imposed prior to CC requiring treatments to protect the visual and acoustic privacy of the residents in those rooms.</p>	<p>Complies by Condition</p>
<p>101 Solar access and design for climate</p> <p>The design of seniors housing should—</p> <p>(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</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes</p>	<p>Shadow diagrams have been provided showing the overshadowing of neighbouring buildings is reduced compared to the approved development.</p> <p>Thirty-three (33) of the ninety (90) proposed single aspect rooms in building 10A/B are unlikely to receive much sunlight due to either facing south or being overshadowed by their own building.</p>	<p>Considered Acceptable</p>

<p>the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p>	<p>The applicant has argued that: The rooms are a Residential Care Facility, not dwellings, and that there is plenty of communal space that receives adequate solar amenity.</p> <p>While it is clear from the context of Schedule 8 that the design principles should be applied to all seniors housing irrespective of the use of the word 'dwelling' in 3(b), the amount of communal space provided, as detailed above in 107(d)(ii), is substantially more than required and almost all of it will receive adequate sunlight. On balance, overall this is a better outcome than the approved design and is acceptable in this case.</p>	
<p>102 Stormwater</p> <p>The design of seniors housing should aim to—</p> <p>(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</p> <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>The proposal was accompanied by a Concept Stormwater plan which was reviewed by Council's Land Development Engineers who were supportive, subject to amended conditions. As such it is taken that this Clause has been satisfied.</p>	<p>Complies by Condition</p>
<p>103 Crime prevention</p> <p>Seniors housing should—</p> <p>(a) be designed in accordance with environmental design principles relating to crime prevention, and</p> <p>(b) provide personal property security for residents and visitors, and</p> <p>(c) encourage crime prevention by—</p> <p>(i) site planning that allows observation of the approaches to a dwelling entry from inside each</p>	<p>The proposed modification engages with CPTED principles with:</p> <ul style="list-style-type: none"> - Building layout that facilitates passive surveillance. - Clear private and public boundaries are established with landscaping and fencing. - Lighting throughout. - Security access cards. - 24-hour staffing. 	<p>Complies</p>

<p>dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins the area, driveway or street, and</p> <p>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</p> <p>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>		
<p>104 Accessibility</p> <p>Seniors housing should—</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</p> <p>(b) provide safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The site is connected through clear separated pedestrian pathways, connecting the residences with facilities and the bus bay off Thomas Avenue.</p> <p>Basement parking has been relocated to at grade kerbside parking. Clear separation between pedestrians and vehicles is better achieved.</p>	Complies
<p>105 Waste management</p> <p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>Dedicated waste facilities are provided in the basement. Council's waste officers have reviewed the proposal and are supportive, subject to conditions.</p>	Complies by Condition
Division 7 Non-discretionary development standards		
<p>107 Non-discretionary development standards for hostels and residential care facilities—the Act, s 4.15</p> <p>(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building</p> <p>(c) the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less</p>	<p>Building B10A/B:</p> <p>Approved: 13m</p> <p>Proposed: 13.2m</p> <p>The other buildings are 1 & 2 storeys and less than 9.5m high.</p> <p>Total Site Area 92,780sqm</p> <p>Proposed GFA 31,728sqm (+185sqm)</p> <p>FSR remains 0.34:1</p>	<p>Considered Acceptable</p> <p>See Height Discussion in Report</p> <p>Complies</p>

<p>(d) internal and external communal open spaces with a total area of at least—</p> <p>(ii) for a residential care facility—10m² for every bed</p>	<p>1803sqm in internal communal space is proposed for the 90 residents of building 10A/B – 20sqm each. With additional internal facilities proposed to be shared across the site with the other residents of the complex.</p> <p>2276sqm in external communal open space proposed for the 90 residents of Building 10A/B – 25.3sqm each. With an access to an additional 1939.23sqm of external communal open space to share with the other residents of the complex.</p>	Complies
<p>(e) at least 15m² of landscaped area for every bed</p>	<p>Total Landscaping 12,187sqm for the development site. 87sqm for every bed.</p>	Complies
<p>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 6m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site</p>	<p>5000sqm or 21.7% of deep soil planting across all 4 stages.</p>	Complies
<p>(h) for a residential care facility— at least 1 parking space for every 15 beds in the facility</p> <p>(i) at least 1 parking space for every 2 employees who are on duty at the same time</p>	<p>The modified proposal includes 140 beds and 74 staff in total.</p> <p>47 Parking spaces are required.</p> <p>132 on-site parking spaces are proposed, including 4 accessible parking spaces (including 90 parking spaces already built in Stage 1).</p> <p>Ambulance parking is provided in a drop-off bay.</p>	Complies
<p>(j) at least 1 parking space for the purpose of ambulance parking.</p>		Complies