

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) Assessment Table

Clause	Assessment	Compliance?
84 Development standards—general (2) Development consent must not be granted for development to which this section applies unless— (a) the site area of the development is at least 1,000m ² , and (b) the frontage of the site area of the development is at least 20m measured at the building line, and	The site area exceeds 1,000m ² and the frontage exceeds 20m.	Yes.
85 Development standards for hostels and independent living units (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.	Council officers are satisfied that the independent living units either comply, or are capable of complying with, Schedule 4. A condition of consent is recommended to ensure the relevant standards are satisfied as part of the construction certificate application.	Yes.
87 Additional floor space ratios (1) This section applies to development for the purposes of seniors housing on land to which this Part applies if— (a) development for the purposes of a residential flat building or shop top housing is permitted on the land under Chapter 5 or another environmental planning instrument, or (b) the development is carried out on land in Zone E2 Commercial Centre or Zone B3 Commercial Core. (2) Development consent may be granted for development to which this section applies if— (a) the site area of the development is at least 1,500m ² , and (c) the development will result in a building with a height of not more than 3.8m above the maximum permissible building height.	This section applies to the development as residential flat buildings are permitted with consent on this site pursuant to the Western Parkland City SEPP and the area of the site exceeds 1,500m ² . The applicant proposes a contravention to the height of buildings development standard that applies to the site. The Western Parkland City SEPP prescribes a maximum height of buildings development standard of 24 metres for this site. This section provides for an additional height allowance of 3.8m above the maximum permissible building height for seniors housing developments. As such, the permissible building height is 27.8m. The proposed maximum height is 37.89m which represents a 10.09m height variation (36%). The contravention is assessed in detail in the main assessment report and is supported by Council staff.	No.
88 Restrictions on occupation of seniors housing (1) Development permitted under this Part may be carried out for the accommodation of only the following— (a) seniors or people who have a	A condition of consent has been recommended that requires a restriction to be registered on the title of the property limiting the occupation of the development to the people referred to in this section.	Yes.

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<p>disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p> <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>		
<p>89 Use of ground floor of seniors housing in business zones</p> <p>(1) This section applies to a building used for the purposes of seniors housing on land in a business zone.</p> <p>(2) Development consent must not be granted for development under this Part unless the part of the ground floor of the building that fronts a street will not be used for residential purposes.</p> <p>(3) Subsection (2) does not apply to a part of a building that—</p> <p>(a) faces a service lane that does not require active street frontages, or</p> <p>(b) is used for 1 or more of the following purposes—</p> <p>(i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building,</p> <p>(ii) access for fire services,</p> <p>(iii) vehicular access.</p> <p>(4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.</p>	<p>A mix of ground floor residential and commercial uses are proposed.</p> <p>However, residential uses are permitted with consent on the ground floor pursuant to the Western Parkland City SEPP. As such, the provisions of this section do not apply to this development.</p>	<p>Not applicable.</p>
<p>90 Subdivision</p> <p>(1) Development consent may be granted for the subdivision of land on which development has been carried out under</p>	<p>The application does not propose subdivision.</p>	<p>Not applicable.</p>

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<p>this Part.</p> <p>(2) Development consent must not be granted for the subdivision of a building resulting from development carried out under this Part on land in Zone E2 Commercial Centre or Zone B3 Commercial Core.</p>		
<p>93 Location and access to facilities and services—-independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of an independent living unit unless the consent authority has considered whether residents will have adequate access to facilities and services—</p> <p>(a) by a transport service that complies with subsection (2), or</p> <p>(b) on-site.</p> <p>(2) The transport service must—</p> <p>(a) take the residents to a place that has adequate access to facilities and services, and</p> <p>(b) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City—</p> <p>(i) not be an on-demand booking service for the transport of passengers for a fare, and</p> <p>(ii) be available both to and from the site at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day, and</p> <p>(c) for development on other land—be available both to and from the site during daylight hours at least once each weekday.</p> <p>(3) For the purposes of subsections (1) and (2), access is adequate if—</p> <p>(a) the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site, and</p> <p>(b) the distance is accessible by means</p>	<p>Council officers are satisfied that transport services that comply with subsection 2 are available from a bus stop near the corner of Peter Brick Drive and South Circuit. Council officers are also satisfied that access is adequate as the distances is less than 400m and a suitable access pathway is available.</p> <p>It's noted that, as the town centre develops, access will be further improved. Both South Circuit and Dick Johnson Drive are identified in the DCP as future bus routes and, once the expansion of the Podium shopping centre is complete, it is likely that facilities and services will be available within 400m without the need for a transport service.</p>	<p>Yes.</p>

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<p>of a suitable access pathway, and</p> <p>(c) the gradient along the pathway complies with subsection (4)(c).</p> <p>(4) In subsection (3)—</p> <p>(a) a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and</p> <p>(b) the distance is to be measured by reference to the length of the pathway, and</p> <p>(c) the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than—</p> <p>(i) 1:12 for a maximum length of 15m at a time, or</p> <p>(ii) 1:10 for a maximum length of 5m at a time, or</p> <p>(iii) 1:8 for a maximum length of 1.5m at a time.</p>		
<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>(2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority—</p> <p>(a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or</p> <p>(b) if reticulated services are not available—must satisfy the responsible authority that the provision of water and sewerage</p>	<p>Council officers are satisfied that the development will be connected to reticulated water and sewerage infrastructure.</p> <p>The application was referred to Sydney Water for comment who raised no objections subject to standard conditions of consent being imposed relating to section 73 compliance certificate and approval of construction certificate plans.</p>	<p>Yes.</p> <p>Yes.</p>

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infrastructure, including environmental and operational considerations, is satisfactory for the development.		
97 Design of seniors housing		
(1) In determining a development application for development for the purposes of seniors housing, a consent authority must consider the Seniors Housing Design Guide, published by the Department in December 2023.	The application has been assessed against the Seniors Housing Design Guide and an assessment table has been attached to the main assessment report. Council officers are satisfied that the development is generally consistent with the objectives and design guidance.	Yes.
(2) Development consent must not be granted to development for the purposes of seniors housing unless the consent authority is satisfied the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8.	The applicant provided an assessment of the development against Schedule 8. Council officers have reviewed the assessment and are satisfied that adequate consideration has been given and the development is generally consistent with the design principles.	Yes.
108 Non-discretionary development standards for independent living units—the Act, s 4.15		
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of independent living units that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	Noted. The application does not rely on any of the non-discretionary development standards in this section for approval.	Not applicable.