

AN OLD WORKHORSE IN NEW DESIGNER CLOTHING

SEPP 5 Re-invented as SEPP (Seniors Living) 2004

SEPP 5 has been revamped, retaining most of the old opportunities, with additional advantages if the design meets the new development standards of the SEPP (Seniors Living) 2004. The Government clearly hopes that the outcome will lead to better designed environments for the variety of older people moving out of their suburban home into Seniors Housing.

- **Still a State Wide Policy for over 55s and disabled persons**
The policy defines Seniors as “people aged 55 years and more” and sets “aside local planning controls that would prevent the development of housing for seniors.”
The Policy applies to all Councils, except Kogarah, Sutherland, Blue Mountains, Ashfield, Hurstville, North Sydney and Strathfield where special Council’s conditions restrict development.
- **Still applicable to land zoned for housing and special uses**
Seniors Housing can still be built on, or adjoining, land zoned for housing and for special uses. On a site adjoining land zoned for urban purposes only “*serviced self-care housing, a hostel, or a residential care facility*” may be built. *Serviced self care housing* must be of 70 or more dwellings. There are special conditions for seniors housing in commercial zones, and Schedule 3 restricts seniors housing being built on environmentally sensitive land.
- **Defining Five Categories of Seniors Housing**
 1. **Residential care facility** provides meals, cleaning, care furniture/equipment, personal and/or nursing care
 2. **Hostels** provide shared meals, laundering, cleaning, and at least one staff 24 hours a day
 3. **Serviced self-care housing** provides meals, cleaning, personal care and/or nursing care on site
 4. **Self-contained dwellings** self-contained except for shared clothes washing or other facilities
 5. **In-fill self-care housing** 2 or more dwellings with no on-site meals, cleaning, personal or nursing care
- **Location and access to facilities**
The SEPP 5 conditions generally apply but with some increased specifications.
- **Bush fire prone land**
Development in bush fire prone land as defined under section 146 of the EPAA is now subject to significant assessment conditions and referral to the NSW Rural Fire Service.
- **Section 94 contributions may be levied**
- **A covenant restricting occupancy as defined in the SEPP will be required on all title deeds**
- **Site Analysis**
Expanded Site analysis conditions require extensive and careful design and documentation.
- **Design of in-fill self-care housing**
Seniors Living Policy: Urban Design Guideline for Infill Development introduces special design requirements which Council must take into account when assessing DAs.
- **Design Principles and Development Standards to be complied with**
There are now specific Design Principles for *Neighbourhood amenity and streetscape, Visual and acoustic privacy, Solar access and design for climate, Stormwater, Crime Prevention, Accessibility and Waste management*.
Emphasis is also placed on the design fitting in with the surrounding built environment.
The general requirement of a minimum lot size of 1000 sm with a site frontage of 20 metres has been added. “*A building located in the rear 25% area of the site must not exceed 1 storey.*”
The extensive list of development standards for each of the five categories will require careful consideration by Architects and Designers and will require design documentation to near Construction Certificate standard to demonstrate compliance in a Development Application.
- **Development for vertical villages**
A 0.5 FSR bonus for highrise seniors housing applies in residential and commercial zones where a 1:1 FSR or more is permitted, subject to 10% of dwellings being covenanted as affordable and on site support services being provided.
- **Development standards that cannot be used by Council as grounds to refuse consent**
Up to 1:1 FSR is permissible for residential care facilities and hostels.
There are different development standards for self-contained dwellings including in-fill developments which, if met, cannot provide reasons for refusal by Council.

The Policy states “Good design is critical to meriting these density ratios.”

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