
public consultation draft

- (2) Development consent must not be granted for the development unless—
 - (a) the site area of the development is at least 1,000m²,
 - (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 the development will not result in a building—
 - (i) with a height of more than 9m, or
 - (ii) exceeding 2 storeys if the building is adjacent to the boundary of the site area.
- (3) The development may result in a building with a height of no more than 11.5m if servicing equipment on the roof of the building—
 - (a) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and
 - (b) is limited to an area of no more than 20% of the surface area of the roof.
- (4) Subsection (1)(a) and (b) do not apply to development the subject of a development application made by the following—
 - (a) the Land and Housing Corporation,
 - (b) another social housing provider.

75 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 standards specified in Schedule 5 for the development.
- (2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 5, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.

Note—Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Commonwealth aged care accreditation standards and the *Building Code of Australia*.

76 Development standards for seniors housing—Zones RE2, SP1, RU5 and R2

- (1) Development consent must not be granted for development for the purposes of seniors housing unless the consent authority is satisfied as follows—
 - (a) for development on land in Zone RE2 Private Recreation—
 - (i) the development is carried out on land used for the purposes of an existing registered club, and
 - (ii) at least 50% of the site adjoins a residential zone,
 - (b) for development on land in Zone SP1 Special Purpose—
 - (i) development for the purposes of a place of public worship, an educational establishment, a hospital or seniors housing is permitted on the land, and
 - (ii) at least 50% of the site adjoins a residential zone,
 - (c) for development on land in Zone RU5 Village—
 - (i) the development is carried out on land within 50km of a 24-hour health services facility, and
 - (ii) the land is serviced by reticulated water and sewerage,

- (d) for development on land in Zone R2 Low Density Residential—the development is carried out only for the purposes of a residential care facility.

77 Restrictions on occupation of seniors housing

- (1) Development permitted under this Part may be carried out for the accommodation of only the following—
- (a) seniors or people who have a disability,
 - (b) people who live in the same household with seniors or people who have a disability,
 - (c) staff employed to assist in the administration and provision of services to housing provided under this Part.
- (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.

78 Use of ground floor of seniors housing in commercial zones

- (1) This section applies to a building used for the purposes of seniors housing on land zoned primarily for commercial purposes.
- (2) Development consent must not be granted for development involving the building unless the part of the ground floor of the building that fronts a street will not be used for residential purposes.
- (3) Subsection (2) does not apply to a part of a building that—
- (a) faces a service lane that does not require active street frontages, or
 - (b) is used for any of the following purposes—
 - (i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building,
 - (ii) access for fire services,
 - (iii) vehicular access.
- (4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.

79 Subdivision

- (1) Land on which development has been carried out under this Part may be subdivided with the consent of the consent authority.
- (2) Subsection (1) does not apply to land in Zone B3 Commercial Core.

80 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.
- (2) Development for the purposes of the installation of a fire sprinkler system in a residential care facility may be carried out with development consent.

81 Development on land used for the purposes of an existing registered club

- (1) Development consent must not be granted for development under this Part on land used for the purposes of an existing registered club unless the consent authority is satisfied that—
- (a) the development includes appropriate measures to separate the club from the residential areas of the development to avoid land use conflicts, and