Attachment 6: Compliance with the Residential Flat Design Code

In addition to the 10 'design quality principles' listed above, SEPP 65 requires that when assessing an application, the Consent Authority must have consideration for the design guidelines provided in the Residential Flat Design Code (RFDC). The main numerical guidelines from the RFDC are summarised below.

Part 1 – Local Context	
Primary Development Control	**Town Planning Comment**
Building Separation For buildings over 3 storeys, it is recommended that building separation increase in proportion to building height. Suggested dimensions within a development, for internal courtyards and between adjoining sites are: *Up to 4 storeys/12 metres* - *12 metres between habitable rooms/balconies* - *9 metres between habitable/balconies & non-habitable rooms* - *6 metres between non-habitable rooms* *Five to eight storeys/up to 25 metres* - *18 metres between habitable rooms/balconies* - *13 metres between habitable rooms/balconies & non-habitable rooms* - *9 metres between non-habitable rooms* *Nine storeys and above/ over 25 metres* - *24 metres between habitable rooms/balconies* - *18 metres between habitable rooms/balconies & non-habitable rooms* - *12 metres between non-habitable rooms*	The proposal is for a 10 storey mixed-use development consisting of 15 retail / commercial units on the ground floor, and 3 separate tower elements above containing 268 residential units with a maximum building height of 32m. With regard to the building separation within the site, the building separation is as follows: - Buildings A & B: Levels 2-8 of between 13.5m to 18m; and Levels 9 & 10 (Mezzanine) of between 21m to 26.4m; and - Buildings B & C: Levels 2-8 of 6.74m; and Levels 9 & 10 (Mezzanine) of between 15.4m – 16.4m. With regard to the building separation to the adjoining northern property, building separation is as follows: - Building A: Levels 2-8 of minimum 3.65m; and Levels 9 & 10 (Mezzanine) of 8.215m; - Building B: Levels 2-8 of between 8.265m to 10.201m; and Levels 9 & 10 (Mezzanine) of 11.6m; and - Buildings C: Levels 2-8 of minimum 8m; and Levels 9 & 10 (Mezzanine) of minimum 10m. In applying the RFDC guidelines between habitable rooms/balconies the building separation is 12m for up to 4 storeys; 18m for 5-8 storeys; and 24m for 9 storeys and above. However, the RFDC acknowledges that building separation controls may be varied in response to site and context constraints. Where a proposed development intends to provide less than the recommended distances apart is must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved. Assessment of the proposal demonstrates that the building separation controls may be varied in this instance as the proposal achieves compliance with the solar access, urban form and visual and acoustic privacy requirements. The proposal achieves compliance with the intent of the building separation requirement and is supported in this

	instance. Refer to the detailed analysis at **Section 9** of the Assessment Report.
Building Depth An apartment depth should not exceed 10 - 18 metres. For wider buildings, design must demonstrate how satisfactory daylight and natural ventilation are achieved.	The proposed development satisfies the apartment depth requirement.
Street Setback Maintain existing street setbacks	Zero setbacks for ground floor retail / commercial use component are acceptable in this zoning (3(a) General Business zone). The proposed development satisfies this requirement.
Side and Rear Setbacks Retain setbacks to existing streetscape patterns	Zero setbacks for ground floor retail / commercial use component are acceptable in this zoning (3(a) General Business zone). Residential levels above the podium are setback from all adjoining properties to the north. The proposed development satisfies this requirement.
Part 2 – Site Design	
Control	**Town Planning Comment**
Deep Soil Zones A minimum of 25% of the open space area of a site should be designated to deep soil zones. Exceptions may be made in urban areas where sites are built out and there is no capacity for water infiltration. In these instances, stormwater treatment measures must be integrated with the design of the residential flat building.	The proposal provides common open space areas on Level 2 & Level 9 which contain gardens to facilitate landscaping and water treatment devices. Given the context of the existing site and the proposal, deep soil zones are not available, which is considered satisfactory in this instance. Notwithstanding, the proposal satisfies the water treatment measures of this requirement.
Communal Open Space At least 25% - 30% of the site area should be designated to communal open space.	25% of the subject site area (6,525sqm) is 1,631.25sqm. The development proposes 2,617.5sqm of communal open space located on podium Level 2 and on Level 9, representing 40.11% of the site area which is in excess of these requirements. The proposed development satisfies this requirement.
Safety Carry out a formal crime risk assessment for all residential development above 20 dwellings.	The NSW Police raise no objection to the proposal and recommend that appropriate Crime Prevention Through Environmental Design (CPTED) principles be applied to the development, in particular, CCTV, lighting, casual surveillance of the public domain and security during construction (**Condition 4.4**). The proposed development satisfies this requirement.
Pedestrian Safety Provide barrier free access to at least 20% of all dwellings	Barrier free access is provided to all residential units. It is noted that the upper level of loft apartments located on Levels 9 & 10 are accessed via internal stairs only.

	Entries to all apartments remain accessible via lift access. The proposed development satisfies this requirement.
Building Entry Activate the street	All building entries provided with street level access and will provide street level activation and casual surveillance opportunities. The proposed development satisfies this requirement.
Car parking Determine appropriate car parking spaces in relation to proximity to public transport, the density of the development. Preference to underground car parking provision. Provision of bicycle parking.	Car parking is provided in excess of requirements. No provision has been made for bicycle parking facilities. Each apartment has been provided with a storage cage on Basement Level 3, however it is recommended that a **condition** be imposed requiring dedicated bicycle parking provision to the satisfaction of Council. Subject to **conditions** the proposed development satisfies this requirement (**Condition 14.7.7**).
Vehicle Access Limit driveway widths to 6 metres	The existing driveways are subject to existing rights of carriageway (ROC), which are located along part of the northern portion of the site and bisecting the western portion of the site. These ROCs benefit the adjoining lots and are to be retained. The proposed entry driveway at the north-eastern part of the site has a width of 6m. The proposed entry/exit driveway at the south of the site has a width of approximately 14.4m. The location and widths of the existing driveways are maintained and are satisfactory in this instance.
Part 3 – Building Design	
Control	**Town Planning Comment**
Apartment Layout Single-aspect units should be limited in depth to 8 metres from a window. The back of a kitchen should be no more than 8 metres from a window.	Appropriate distances are provided and the development satisfies this requirement.
Apartment Sizes 1 bedroom unit – 50 sqm 2 bedroom unit – 70 sqm 3 bedroom unit – 95 sqm	The application provides the following unit sizes: 1 bedroom unit – 58.3sqm 2 bedroom unit – 70.8sqm – 93.2sqm 3 bedroom unit – 100sqm – 106sqm The proposed development satisfies this requirement.
Apartment Mix Provide a variety of unit types	The application provides the following unit mix: 8 x 1 bedroom unit 255 x 2 bedroom unit 5 x 3 bedroom unit

	The proposed dwelling mix is satisfactory.
Balconies Each unit must accommodate at least one balcony with a minimum depth of 2 metres.	The balcony depth of each unit is at least 2m. The proposal satisfies this requirement.
Ceiling Heights In residential flat buildings, habitable rooms are to have a minimum floor to ceiling height of 2.7m. Non-habitable rooms may be 2.4m. The second storey (mezzanine level) of a multi storey unit may be 2.4m.	All habitable rooms satisfy the minimum floor to ceiling height of 2.7 metres. Level 10 has a floor to ceiling height of 2.4m, which is permitted for a mezzanine level. The proposed development satisfies this requirement.
Internal Circulation Where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to 8.	**Building A** has up to 12 units per floor. Although the layout of Building A provides a single 'L-shaped' corridor, it also provides two separate lift cores which service the units. Therefore the number of units per core does not exceed 8 units. **Building B** has up to 15 units per floor. The layout of Building B provides an 'L-shaped' corridor with 1 core / 2 lifts located at the bend. The proposed variation is considered to be in keeping with the better design practice of the RFDC and to provide satisfactory amenity and safety as follows: - Suitable corridor widths and circulation space is provided. - Natural lighting is available. - Corridor lengths are suitable. - Clear lines of sight are achieved, and tight corners are avoided. Therefore, the departure from this control is supported in this instance. **Building C** has up to 7 units per floor. Satisfactory. Despite Building B not strictly adhering to the limit of 8 units per core/corridor, the proposal is supported in this instance.
Storage One bedroom units – 6 m3 Two bedroom units – 8 m3 Three plus bedroom units – 10 m3	Each apartment is provided with individual storage facilities located at Basement Level 3. The proposed development satisfies this requirement.
Acoustic Privacy Arrange apartment to minimise noise transition.	The arrangement of rooms within apartments in relation to neighbouring apartments remains consistent with this requirement insofar as is practicable within the limitations of the site's constraints. The proposed development satisfies this requirement.
Daylight Access Living rooms and private open spaces for at least 70% of apartments should receive three hours of direct sunlight between 9 am and 3 pm in mid-winter	The proposed development complies with the solar access requirements established in the RFDC, as 70% of units would receive a minimum of 3 hours mid-winter sunlight between 9am and 3pm. The proposed development satisfies this requirement.
Cross Ventilation 60% of residential units should be naturally	66.4% of all residential units comply with the natural ventilation requirement.

ventilated.	The proposed development satisfies this requirement.
Façades Ensure that new development have façades which define and enhance the public domain and desired street character	Articulation and variety of building material, colours and finishes have been proposed on the building façade to ensure high quality design.
Roof Design Provide quality roof designs, which contribute to the overall design and performance of the residential flat building	Suitable articulation and architectural roof design features to create interest have been provided.
Energy Efficiency - Provide AAA rated shower heads. - Reduce the need for artificial lighting.	BASIX Certificates submitted for each residential tower show that the buildings would achieve the required standards for water use, thermal comfort and energy.