

JRPP-15-02533 - Assessment of compliance with SEPP 65: Design Quality of Residential Flat Development and the Apartment Design Guide

SEPP 65: Design Quality of Residential Flat Development

A design statement addressing the quality principles prescribed by SEPP 65 was prepared by the project's registered architect and submitted with the application. The statement addresses each of the 9 principles and an assessment of this is made below. Council's assessing officer's comments in relation to the submission is outlined below.

Principle 1: Context & Neighbourhood Character	
Control	Town Planning Comment
Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.	The design responds to the context of the site within the Blacktown CBD. The development is generally compliant with the height limit established by the Blacktown Local Environmental Plan 2015. The development meets the objectives of the B4 Mixed Use zone and contributes to the social and economic diversity of the Blacktown local area through the provision of retail, business and residential apartments. The building responds to the streetscape providing an active street frontage and building setbacks consistent with those envisaged for the CBD.
Principle 2: Built Form & Scale	
Control	Town Planning Comment
Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	The design responds to the surrounding context, providing a development generally compliant with the building height and floor space requirements established by the Blacktown Local Environmental Plan 2015. The shop top housing development responds to the sites location within the CBD. The 3 storey podium is consistent with Council's controls and creation of a suitable streetscape.

Principle 3: Density	
Control	Town Planning Comment
Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	The development exceeds the maximum FSR established for the site under BLEP 2015. However, the scale of the development being 18 storeys is consistent with the height limit for the area. In addition, the site is located within 400 m from Blacktown train station and is located within the Blacktown CBD. It is therefore considered a suitable density that can be sustained with existing infrastructure. Council is now proposing to remove the FSR from the CBD controls.
Principle 4: Sustainability	
Control	Town Planning Comment
Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	The design of the development ensures that the development exceeds the minimum design criteria for solar access and natural cross ventilation. The proposal provides for a mix of dwellings, contributing to the housing diversity within the locality. The proposal is supported by a BASIX Certificate. The commitments are incorporated into the design of the building. The proposal demonstrates satisfactory levels of sustainability, waste management and efficient use of energy and water resources.
Principle 5: Landscape	
Control	Town Planning Comment
Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.	A Landscape Plan has been submitted with the proposal, which incorporates a variety of planting that contributes to the amenity of the development. Whilst deep soil zones have not been provided throughout the development given the CBD context of the site, planters have been provided to ensure sufficient planting can be achieved. The landscape design provides for suitable screening to adjoining properties, creates usable spaces for future residents and improves the overall quality of

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	the development.
Principle 6: Amenity	
Control	Town Planning Comment
Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	The design of the proposal is considered to provide a high level of amenity through a carefully considered spatial arrangement and layout. The proposal achieves a suitable level of internal amenity through providing appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas.
Principle 7: Safety	
Control	Town Planning Comment
Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.	The proposal is considered to be satisfactory in terms of future residential occupants overlooking communal spaces while maintaining internal privacy. Public and private spaces are clearly defined and suitable safety measures are integrated into the development. The proposal provides suitable casual surveillance of the public domain.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	
Principle 8: Housing Diversity & Social Interaction	
Control	Town Planning Comment
Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.	The proposal consists of a mix of dwellings which are responsive to anticipated market and demographic demands. The proposal provides additional housing choice which is in close proximity to public transport and is located within the Blacktown CBD.
Principle 9: Aesthetics	
Control	Town Planning Comment
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials, finishes and colours and reflect the use, internal design and structure of the resultant buildings. This distinct and contemporary design assists in setting a high quality standard for the transitioning character of this locality and creates a desirable streetscape.

Compliance with Apartment Design Guide (ADG)

In addition to the 9 'design quality principles' listed above, SEPP 65 requires that when assessing an application, Council must have consideration for the design guidelines provided in the Apartment Design Guide (ADG). The following table identified the relevant design concepts and numerical guidelines from the ADG, and an assessment of the proposal against these guidelines.

ADG Requirement	Proposal	Compliance
Siting the Development		
3A Site Analysis Satisfy the site analysis guidelines-App 1.	Site Analysis provided.	Yes
3B Orientation Where an adjoining property does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by more than 20%. 4 hours of solar access should be retained to solar collectors on neighbouring buildings.	The adjoining properties currently receive adequate solar access. The proposal will overshadow the adjoining properties, however, adjoining properties comply with solar access controls. N/A Adjoining properties do not contain solar collectors	Yes N/A
3C Public Domain Interface Ground level courtyards to have direct access, if appropriate. Ground level courtyards to be above street level for visual privacy. Balconies and windows to overlook the public domain. Front fences to be visually permeable with max 1m height, and limited length. Entries to be legible. Raised terraces to be softened by landscaping. Mail boxes to be located in lobbies, perpendicular to the street or within the front fence. Basement car park vents not to be visually prominent. Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement car parks or out of view. Ramping for accessibility to be minimised. Durable, graffiti resistant & easily	N/A No ground level units. N/A No ground level units. Balconies and windows provide casual surveillance of the public domain. N/A No front fences proposed. Entry is legible. Raised areas are suitably landscaped. Mailboxes are perpendicular to the street frontage. Basement is below ground and vents are integrated into the building design. Substation to be more integrated into design. Service rooms adequately located. Ramping is suitable.	Yes

ADG Requirement	Proposal	Compliance												
cleanable materials should be used. On sloping sites, protrusion of car parking should be minimised.	Suitable and durable materials are proposed. Car parking is suitable designed to be within building footprint.													
<u>3D Communal & Public Open Space</u> COS >25% of the site. Direct sunlight to >50% of COS for 2 hours between 9am and 3pm. Minimum dimension of 3m. Direct & equitable access. If COS cannot be located on Ground Level, provide on the podium or roof. If it COS can't be achieved, provide on rooftop of a common room, provide larger balconies, or demonstrate proximity to public open space & facilities. Range of activities (e.g. seating, BBQ, play area, gym or common room). Visual impacts minimised from ventilation, substations and detention tanks. Maximise safety. Public Open Space, where provided, is to be well connected and adjacent to street.	Site area: 1,135 sqm Required 25% = 284 sqm Provided: 530 sqm (66%) Minimum dimension of 3m. Direct and accessible access is achieved. Common open space embellished with seating, terraces and covered outdoor areas. The COS is clear of services. The COS demonstrates a safe design. N/A	Yes												
<u>3E Deep Soil Zones</u> Minimum area = 7% of site area. Preferred area = 15%. If the site is between 650 to 1500 sqm then minimum dimensions of 3m. If over 1500 sqm then min dimensions of 6m.	No deep soil zone provided, however design guidance allows for location within the central business district and building typology as a shop top housing development to not have to meet deep soil zone design criteria. Planting on structures therefore provided and stormwater management measures, including on-site detention.	Yes												
<u>2F Building Separation</u> Separation distances from buildings to the side and rear boundaries are as follows: <table border="1" data-bbox="212 1451 686 1677"> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> <tr> <td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </table> Increased separation distance of 3m when adjacent to a different zone that permits lower density Direct lines of sight should be avoided for windows and balconies across corners No separation is required between blank walls	Building height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	Development is 19 stories in height and provides for a 6 m building separation setback to property boundaries. This is consistent with similar development within the Blacktown CBD. Unit 403 encroaches, however, suitable orientation and fixed louvers have been in place to address privacy and acoustic impacts to any adjoining development. N/A N/A - Adjoining development of a similar scale has not occurred. N/A	No – Building separation discussed in report.
Building height	Habitable rooms and balconies	Non-habitable rooms												
Up to 12m (4 storeys)	6m	3m												
Up to 25m (5-8 storeys)	9m	4.5m												
Over 25m (9+ storeys)	12m	6m												

ADG Requirement	Proposal	Compliance
<u>3G Pedestrian Access & Entries</u> Connect to & activate the public domain. Easy to identify access. Internal pedestrian links to be direct.	Pedestrian access is direct to the street frontage and easily identifiable. Internal links are direct.	Yes
<u>3H Vehicle Access</u> Access points are safe and create quality streetscapes.	Car parking and driveway location is suitable.	Yes
<u>3J Bicycle & Car Parking</u> Sites within 800m of a railway station comply with Guide to Traffic Generating Developments. < 20 units 1 space for each unit An additional 0.2 space for each 2br unit An additional 0.5 space per 3br unit 0.2 space for visitor parking >20 units Metropolitan Regional Centres (CBD): 0.4 spaces per 1 bedroom unit. 0.7 spaces per 2 bedroom unit. 1.2 spaces per 3 bedroom unit. 1 space per 7 units (visitor parking) At least 1 loading dock. Conveniently located and sufficient numbers of bicycle & motorbike spaces.	The site is within 800m from Schofields Railway Station. The proposal is for 106 units (20x1bed, 80x2bed & 6x3bed). 8 56 7.2 15.1 Total required 113.6 spaces Provided 118 residential spaces (103 res & 15 vis) 1 loading dock is proposed. 7 visitor and 27 resident bicycle parking are proposed.	Yes
Designing the Building		
<u>4A Solar & Daylight Access</u> Living rooms & POS receive minimum 2 hours direct sunlight between 9am - 3pm in mid-winter > 70% of units. Maximum number with no sunlight access < 15%. Suitable design features for operable shading to allow adjustment & choice.	80 units (75%) 16 units (15%) Louvres are provided which allow for management of solar access.	Yes
<u>4B Naturally Ventilation</u> All habitable rooms naturally ventilated. Number of naturally cross ventilated units > 60%. Depth of cross over apartments < 18m. The area of unobstructed window openings should be equal to at least 5% of the floor area served.	All habitable rooms are ventilated. All units are cross ventilated (100%). N/A The window areas are satisfactory.	Yes
<u>4C Ceiling Heights</u>	2.7m provided for habitable rooms.	Yes

ADG Requirement	Proposal	Compliance
2.7m for habitable 2.4m for non-habitable Service bulkheads are not to intrude into habitable spaces.	Mixed use area – ground and first floor tenancies provided with 4 m floor to ceiling height.	
4D Apartment Size & Layout Studio > 35 sqm 1 bed > 50 sqm 2 bed > 70 sqm 3 bed > 90sqm + 5 sqm for each unit with more than 1 bathroom. Habitable Room Depths: limited to 2.5m x Ceiling Height (6.75m with 2.7m ceiling heights) Open plan layouts that include a living, dining room and kitchen – max 8m to a window. Bedroom sizes (excl wardrobe space): Master - 10sqm Other – 9 sqm Minimum dimensions – 3 m Living rooms/dining areas have a minimum width of: 3.6m - Studio/1 br 4m - 2br/ 3br Cross-over/cross-through: 4m wide	- 50 sqm 70 - 83 sqm 101 sqm Where second bathrooms are provided unit size exceed the minimum size by 5sqm. Satisfactory room depths. Open plan layouts are provided. Kitchens are less than 8m to a window. Master bedrooms and other bedrooms meet the minimum bedroom sizes excluding wardrobe space. Minimum living/dining room areas are achieved. N/A	Yes
4E Private Open Space & Balconies Studio > 4 sqm 1 bed > 8 sqm & 2m depth 2 bed > 10 sqm & 2m depth 3 bed > 12 sqm & 2.4m depth Ground level/ podium apartments > 15 sqm & 3m depth Extension of the living space. A/C units should be located on roofs, in basements, or fully integrated into the building design.	- 8.5 sqm 10 sqm, with the exception of 1303, 1403, 1503, 1603, 1703 and 1803 which provide the minimum 10 sqm, however, 2 sqm are only 1.8m deep and 1304, 1404, 1504, 1604, 1704, 1804 which provide 11 sqm, however, 2 sqm are only 1.8m deep. 16.5 sqm Min 22 sqm and 3m – Complies POS is an extension of the living space A/C units located on balconies	No – Minor variation
4F Common Circulation & Spaces Maximum number of apartments off a circulation core on a single level – 8-12.	Yes – 7 units per level	Yes

ADG Requirement	Proposal	Compliance
Buildings over 10 storeys - maximum of 40 units sharing a single lift. Daylight & natural ventilation to all common circulation areas above ground level. Corridors greater than 12m from the lift core to be articulated by more foyers, or wider areas / higher ceiling heights at apartment entry doors. Maximise dual aspect apartments and cross over apartments. Primary living room & bedroom windows are not to open directly onto common circulation spaces. Direct and legible access. Tight corners and spaces to be avoided. Well lit at night. For larger development – community rooms for owners meetings of resident use should be provided.	2 lifts are proposed, each servicing 53 units being serviced per single lift. However, design is considered satisfactory. No – however for this scale of development, the common circulation areas provide an efficient layout which does not compromise amenity. Corridors lengths exceed 12m, however, windows and seating areas provided. Dual aspect apartments are provided. Windows do not open onto COS areas. Achieved. Achieved. Achieved. N/A	
4G Storage Studio > 4 m³ 1 bed > 6 m³ 2 bed > 8 m³ 3 bed > 10 m³ Min 50% within the apartment.	Minimum storage areas provided, with a minimum 50% provided in apartment. Storage spaces also provided within basement.	Yes
4H Acoustic Privacy Window & door openings orientated away from noise sources. Noise sources from garage doors, driveways, services, COS and circulation areas to be 3m from bedrooms. Separate noisy & quiet spaces. Provide double / acoustic glazing, acoustic seals, materials with low noise penetration.	Achieved. Achieved. Achieved. Suitable acoustic measures to be installed.	Yes
4J Noise & Pollution In noisy or hostile environments, the impacts of external noise and pollution are to be minimised through the careful siting and layout of buildings. To mitigate noise transmission: Limit the number and size of openings facing the noise sources. Use double or acoustic glazing, acoustic louvres or enclosed balconies (winter gardens). Use materials with mass and/or sound insulation (e.g. solid balcony balustrades, external screens or soffits).	The layout of the development considers potential noise and pollution impacts, and is satisfactory.	Yes

ADG Requirement	Proposal	Compliance
Configuration		
<u>4K Apartment Mix</u> Provide a variety of apartment types. Flexible apartment mix.	The proposal is for 106 units (20x1bed, 80x2bed & 6x3bed). A suitable and responsive apartment mix is provided.	Yes
<u>4L Ground Floor Apartments</u> Maximise street frontage activity. Direct street access to ground floor apartments. Ground floor apartments to deliver amenity and safety for residents.	N/A No ground floor apartments proposed.	N/A
<u>4M Facades</u> Front building facades are to provide visual interest whilst respecting the character of the local area. Building services are to be integrated into the overall façade. Provide design solutions which consider scale and proportion to the streetscape and human scale.	The front façade is architecturally treated to create visual interest and contributes to the desired future character of this area. Plant and equipment catered for on ground floor.	Yes
<u>4N Roof Design</u> Roof treatments are to integrated into the building design and positively respond to the street.	The roof is designed to be recessive and not visible from the public domain.	Yes
<u>4O Landscape Design Site Area</u> < 850 sqm - 1 medium tree per 50 sqm of deep soil zone. 850 sqm to 1,500sqm - 1 large tree or 2 medium trees per 90 sqm of DSZ. >1,500 sqm - 1 large tree or 2 medium trees per 80 sqm of DSZ.	The site area is 1,135 sqm. No deep soil zones provided.	No – However, given CBD context, the variation is acceptable.
<u>4P Planting on Structures</u> Refer to Table 5 for minimum soil standards. Provide suitable plant selection. Provide suitable irrigation and drainage systems and maintenance. Enhance the quality and amenity of COS with green walls, green roof and planter boxes, etc.	Planting is provided within the setbacks, some of which is above the basement structures. The proposal comprises suitable plant selection which is considered to enhance the quality and amenity of the COS.	Yes
<u>4Q Universal Design</u> 10% adaptable housing. Flexible design solutions to accommodate the changing needs of occupants.	18 adaptable units are provided (10.5%). The layout of the units comprises flexible design solutions.	Yes
<u>4R Adaptive Reuse</u> New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.	N/A	N/A

ADG Requirement	Proposal	Compliance
<u>4S Mixed Use</u> Provide active street frontages and encourage pedestrian movement. Residential entries separate and clearly defined. Landscaped COS to be at podium or roof level.	Active street frontages provided by ground floor commercial. Residential entry separate from commercial entries. Landscaping provided on podium and roof.	Yes
<u>4T Awnings & Signage</u> Awnings to be continuous and complement the existing street character. Provide protection from sun and rain, wrapped around the secondary frontage. Gutters & down pipes to be integrated and concealed. Lighting under awnings is to be provided. Signage is to be integrated and in scale with the building. Legible and discrete way finding is to be provided.	Condition of consent to be imposed in accordance with Council's Civil and Open Space requirements.	Yes
Performance		
<u>4U Energy Efficiency</u> The development is to incorporate passive solar design. Heating & cooling infrastructure are to be centrally located (e.g. basement).	The development allows for the optimisation / management of heat storage in winter and heat transfer is summer. No details of services, however plant rooms provided within basement and on roof.	Yes
<u>4V Water Management & Conservation</u> Rainwater collection & reuse. Drought tolerant plants. WSUD measures. Detention tanks should be located under paved areas, driveways or in basement car parks.	None proposed. Suitable plants are proposed. WSUD measures are proposed. Detention tanks located within the western side setbacks, and are suitably placed given the existing site conditions and levels. These are clear of the COS areas. Satisfactory.	Yes However, no rainwater re-use.
<u>4W Waste Management</u> Waste storage should be discreetly located away from the front of the development or in the basement. Waste cupboard within each dwelling. Waste and recycling rooms are to be in convenient and accessible locations related to each vertical core.	Waste storage located within basement. Each dwelling has sufficient storage. Waste chutes are centrally located on each floor.	Yes
<u>4X Building Maintenance</u> The design is to provide protection from weathering. Enable ease of maintenance. The materials are to reduce ongoing maintenance costs.	The proposal demonstrates ease of maintenance.	Yes