

**Appendix F - State Environmental Planning Policy (SEPP) 65 – Design Quality of Residential Apartment Development**

SEPP 65 Key Standards	Control / design criteria	Complies Y/N	Comment
<b>Part 1 – Identifying the context</b>			
1A Apartment building types	<p>Hybrid developments combine different uses or building types in one development. They can incorporate community facilities and larger commercial or retail components, such as offices or a supermarket.</p> <p>Hybrid developments are particularly relevant for larger sites that need to respond to a change in building form and scale within the adjacent context. This approach is best used when:</p> <ul style="list-style-type: none"> <li>• located on large and/or irregular shaped sites</li> <li>• a combination of uses is desired to support active urban areas or centres</li> <li>• greater diversity of apartment types is desired</li> <li>• a development needs to address two or more streets with different scales and/or characters.</li> </ul>	Yes	The proposed development is in the form of 'Tower Apartments'.
1B Local character and context	Good design responds and contributes to its context and the desired future character of an area.	Yes	The Lower Hunter Regional Strategy identifies Belmont as a 'Centre'. The proposed mixed use development is considered contextually appropriate to the desired future character of Belmont.
1C Precincts and individuals sites	An individual site is a single lot or an amalgamation of several lots that can support individual or groups of RFB	No	<p>The development site is an amalgamation of properties that contain older building stock in the form of low density buildings with limited economic output.</p> <p>Whilst the development achieves the recommended location of building massing above the podium, other outcomes in terms of the Belmont Town Centre Area Plan</p>

			have not been achieved, i.e. streetscape improvements, street activation, compliance with landscape requirements, visual impacts, etc.
<b>Part 2 – Developing the controls</b>			
2B Building envelopes	3D volume where development should occur	No	The development sits within the building envelopes as set by the Belmont Town Centre Area Plan, excepting the height exceedance of the towers and setbacks in Sharp Street and Edgar Street.
2C Building height	22m	No	Block A - eight storeys and measures 28.960m excepting the roof feature at 29.860m and the plant and lift overrun which is 30.06m (8.06m exceedance).  Blocks B and C - six storeys and each measures 21.660m excepting the lift overruns which are 24.06m (2.06m exceedance).  Block D - six storeys and measures 22.26m excepting the plant and lift overrun which is 24.06m (2.06m exceedance).
2D Floor space ratio		N/A	Council has not adopted a FSR under clause 4.4 of the LMLEP2014, therefore compliance with the development standards and planning controls is the determining factor for density. Non-compliance with the development standards and planning controls indicates/demonstrates an over development.
2E Building depth	12-18m	No	The residential towers achieve the minimum building depth, but in places exceed the maximum building depth.
2F Building separation / 3F Visual privacy	Up to four storeys (approx 12 metres): <ul style="list-style-type: none"> <li>• 12m between habitable rooms/balconies</li> <li>• 9m between habitable and non-habitable rooms</li> </ul>	Yes Yes No	Adequate building separation exists in relation to adjoining buildings/development.  Internally the development provides 12m between residential units and balconies for storeys 1-4 (not including podium), however encroachments exist in relation to balconies.

	<ul style="list-style-type: none"> <li>• 6m between non-habitable rooms</li> </ul> <p>Five to eight storeys (approx. 25 metres)</p> <ul style="list-style-type: none"> <li>• 18m between habitable rooms/balconies</li> <li>• 12m between habitable and non-habitable rooms</li> <li>• 9m between non-habitable rooms</li> </ul> <p>Nine storeys and above (over 25 metres)</p> <ul style="list-style-type: none"> <li>• 24m between habitable rooms/balconies</li> <li>• 18m between habitable and non-habitable rooms</li> <li>• 12m between non-habitable rooms</li> </ul> <p><b>Note:</b> Under the ADG where applying separation to buildings on adjoining sites, half the minimum separation distance to the boundary should be applied.</p>	No	For storeys 5 & 6, 18m separation is generally achieved.
2G Street setback	Street setbacks should be consistent with existing setback patterns or setbacks that achieve the desired future character of the area.	No	Generally the development complies with the setbacks under section 10.2 of DCP2014 excepting in Edgar Street and Sharp Street, i.e. 6m setback for non-residential development.
<b>Part 3 – Siting the development</b>			
3A Site analysis	3A1 – Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	Yes	The applicant has submitted detailed site analysis work.
3B Orientation	3B1 – Building types and layouts respond to the streetscape and site while optimising solar access within the development  3B2 – Overshadowing of neighbouring	Yes	The building responds to the building envelopes of the Town Centre Area Plan.  The shadow diagrams provided do not enable the ability to assess the vertical or hour by hour impacts associated not

	properties is minimised during mid-winter	No	just with the development but also the non-compliant component of the development. An assessment finds the communal open space on the podium will have sections permanently in shadow.
3C Public domain interface	<p>3C1 – Transition between private and public domain is achieved without compromising safety and security</p> <p>3C2 – Amenity of the public domain is retained and enhanced</p>	No	<p>The transition between private and public domain is poor having regard to the inadequate landscaping and the dominance of the podium. Whilst the definition of the private and public domains is generally clear, there are ambiguous elements, such as the podium level fronting Brooks Parade.</p> <p>The amenity of the public domain is not enhanced, the activation of the streetscape is not in accordance with the block controls under the Belmont Town Centre Area Plan under DCP2014, no streetscape improvements have been detailed, overshadowing by the proposed towers will render large areas without solar access as at 21 June thus providing poor amenity and impacting on landscaping, and lacks deep soil zones to provide landscaping to both soften the building massing and to create a setting.</p>
3D Communal and public open space	<p>3D1 – An adequate area of communal open space is provided to enhance residential amenity to provide opportunities for landscaping</p> <p><b>Design criteria</b></p> <ol style="list-style-type: none"> <li>1. Communal open space has a minimum area equal to 25% of the site.</li> <li>2. Development achieves a minimum of 50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid winter).</li> </ol> <p>3D2 – Communal open space is designed to allow for a range of activities, respond to site</p>	<p>No</p> <p>No</p> <p>No</p>	<p>The site has an area of 7081m<sup>2</sup>. A communal open terrace space of 1440m<sup>2</sup> is proposed on the ground level podium and above the proposed loading dock, with seating and landscaping (as well as direct access to the communal room). This area equates to 20.3% of the site area.</p> <p>The central north facing area of the communal space is oriented to the north and therefore receives &gt;2hrs of sunlight. Other parts of the development located between blocks A &amp; B, and C&amp; D, receive no sunlight between 9am and 3pm.</p> <p>The development lacks the required deep soil zones and therefore fails to address the building massing, and to provide an appropriate setting for the drainage channel walkway.</p>

	<p>conditions and be attractive and inviting</p> <p>3D3 – Communal open space is designed to maximise safety</p> <p>3D4 – Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood</p>	<p>Yes</p> <p>No</p>	
3E Deep soil zones	<p>3E1 – Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality</p> <p><b>Design criteria:</b></p> <ul style="list-style-type: none"> <li>• 7% deep soil zone</li> <li>• Minimum dimension of 6m</li> </ul>	<p>Yes</p> <p>Yes</p> <p>No</p>	<p>Deep Soil areas are provided around the perimeter of the site, and adjoining the drainage channel. The area equates to 13% of the site area (though in applying the minimum 6m dimension for sites greater than 1500m<sup>2</sup> in area the development only achieves 5%).</p> <p>The location and dimension of the deep soil areas raise issues with quality of landscaping and its ability to attenuate the bulk of the development at street level.</p>
3F Visual privacy	<p>3F1 – Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy</p> <p>3F2 – Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</p>	<p>No</p>	<p>Refer to building separation discussion above.</p>
3G Pedestrian access and entries	<p>3G1 - Building entries and pedestrian access connects to and addresses the public domain</p> <p>3G2 - Access, entries and pathways are accessible and easy to identify</p> <p>3G3 - Large sites provide pedestrian links for access to streets and connection to destinations</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Pedestrian access, building entries and pathways are accessible and easy to identify. The steps presenting to Brooks Parade provide an entry statement.</p>
3H Vehicle access	<p>3H1 – Vehicle access points are designed and located to achieve safety, minimise conflicts</p>	<p>Yes</p>	<p>Vehicular access is considered acceptable excepting the non-compliance with the minimum entry height to address</p>

	between pedestrians and vehicles and create high quality streetscape		sea level rise requirements.
3J Bicycle and car parking	<p>3J1 – Car parking is provided based on proximity to public transport in metro Sydney and centres in regional areas</p> <p>3J2 – Parking and facilities are provided for other modes of transport</p> <p>3J3 – Car park design and access is safe and secure</p> <p>3J4 – Visual and environmental impacts of underground car parking are minimised</p> <p>3J5 – Visual and environmental impacts of on-grade car parking are minimised</p> <p>3J6 – Visual and environmental impacts of above ground enclosed car parking are minimised</p>	<p>Yes</p> <p>No</p> <p>No</p> <p>N/A</p> <p>No</p> <p>No</p>	<p>The development has a shortfall in the required car parking spaces.</p> <p>The security door to the basement car park may cause impacts on the operation of the local road network.</p> <p>The development fails to provide bicycle parking for visitors and employees.</p> <p>The proposed basement car park is partially screened from the street by landscaping, though due to the levels will still be evident.</p>
<b>Part 4 – Designing the building</b>			
4A Solar and daylight access	<p>4A1 – To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</p> <p><b>Design criteria</b></p> <ol style="list-style-type: none"> <li>1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter in the Sydney Metro Area and in the Newcastle and Wollongong LGA.</li> <li>2. In all other areas, living areas and private open spaces of at least 70% of apartments in a building receive a</li> </ol>	<p>No</p> <p>No</p>	<p>The concept is supported by a schedule of solar access entitlements to the units in addition to shadow diagrams. The information details &gt;70% of all units receive a minimum of three hours solar access during mid-winter indicating the level of compliance with the standards within the ADG.</p> <p>Greater detail is required to verify the nominated solar access to units within the development, as well as demonstrating solar access outcomes to external development.</p>

	<p>minimum of 3 hours direct sunlight between 9am and 3pm at midwinter.</p> <p>3. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid winter.</p> <p>4A2 – Daylight access is maximised where sunlight is limited</p> <p>4A3 – Design incorporates shading and glare control, particularly for warmer months</p>		
4B Natural Ventilation	<p>4B1 – All habitable rooms are naturally ventilated</p> <p><b>Design criteria:</b></p> <p>At least 60% of apartments are naturally cross ventilated</p> <p>4B2 – The layout and design of single aspect apartments maximises natural ventilation</p> <p>4B3 – The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The application details 69% of apartments are naturally cross-ventilated.</p>
4C Ceiling heights	<p>4C1 – Ceiling height achieves sufficient natural ventilation and daylight access</p> <p><b>Design criteria:</b></p> <p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <p>Habitable rooms: 2.7m</p> <p>Non habitable: 2.4m</p> <p>If located in mixed use areas: 3.3m for ground and first floor to promote future flexibility of use</p>	<p>Yes</p> <p>Yes</p> <p>No</p>	<p>The site is within a mixed use area. The floor to ceiling height proposed are:</p> <ul style="list-style-type: none"> <li>• Commercial floor – minimum 3.3m is achieved for all commercial spaces.</li> <li>• Residential levels – minimum 2.7m is achieved for all residential levels/units.</li> </ul>



	<p>room depth is 8 metres from a window</p> <p>4D3 – Apartment layouts are designed to accommodate a variety of household activities and needs</p> <p><b>Design criteria</b></p> <p>Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excluding wardrobe).</p> <p>Bedrooms have a minimum dimension of 3 metres</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <p>3.6m for studio and 1 bedroom apartments</p> <p>4m for 2 and 3 bedroom apartments</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	
<p>4E Private open space and balconies</p>	<p>4E1 – Apartments provide appropriately sized private open space and balconies to enhance residential amenity</p> <p><b>Design criteria</b></p> <p>All apartments are required to have primary balconies as follows:</p> <p>Studio: 4m<sup>2</sup></p> <p>One bedroom: 8m<sup>2</sup> - 2m depth</p> <p>Two bedroom: 10m<sup>2</sup> - 2m depth</p> <p>Three bedroom: 12m<sup>2</sup> - 2.4m depth</p> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> <p>4E2 – Primary private open space and balconies appropriated located to enhance liveability for</p>	<p>Yes</p> <p>Yes</p>	<p>The development achieves compliant balcony space.</p>

	<p>residents</p> <p>4E3 – Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building</p>	Yes	
4F Common circulation and spaces	<p>4F1 – Common circulation spaces achieve good amenity and properly service the number of apartments</p> <ol style="list-style-type: none"> <li>1. The maximum number of apartments off a circulation core on a single level is eight</li> <li>2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift in 40</li> </ol> <p>4F2 – Common circulation spaces promote safety and provide for social interaction between residents</p>	<p>No</p> <p>Yes</p> <p>N/A</p> <p>No</p>	<p>The circulation space is narrow and not conducive for privacy and acting as a meeting space.</p> <p>Compliance is achieved with eight units or less units off a circulation core on a single level.</p>
4G Storage	<p>4G1 – Adequate, well designed storage is provided in each apartment</p> <p>4G2 – Additional storage is conveniently located, accessible and nominated for individual apartments</p>	Yes	<p>Storage is provided within the basement car park (lower ground) as well as in each unit.</p> <p>The quantum of the storage space for each unit is not detailed.</p>
4H Acoustic privacy	<p>4H1 – Noise transfer is minimised through the siting of buildings and building layout.</p> <p>4H2 – Noise impacts are mitigated within apartments through layout and acoustic treatments.</p>	No	The acoustic assessment has not adequately addressed the requirement of the Industrial Noise Policy.
4J Noise and pollution	4J1 – In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.	Yes	The building is a substantial structure and its construction schedule will most likely exceed six months, a Construction Site Noise Management Plan, is required.

	4J2 – Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.		
4K Apartment mix	4K1 – A range of apartment types and sizes is provided to cater for different household types now and into the future.  4K2 – The apartment mix is distributed to suitable locations within the building	Yes	The application proposes 24 x one bedroom, 76 x two bedrooms, 40 x three bedrooms.  The proposal has a mix of units on each level.
4L Ground floor apartments	4L1 – Street frontage activity is maximised where ground floor apartments are located.  4L2 – Design of ground floor apartments delivers amenity and safety for residents.	No	The development is not compliant with the activation of Edgar Street as required under the Belmont Town Centre Area Plan.
4M Facades	4M1 – Building facades provide visual interest along the street while respecting the character of the local area.  4M2 – Building functions are expressed by the façade.	Yes	The building presents facades that contrast the residential and commercial units. Commercial units are recessed behind landscaping as per the DCP setback requirements.  The proposed development is supported by an external schedule of colours and finishes which is considered acceptable.
4N Roof design	4N1 – Roof treatments are integrated into the building design and positively respond to the street.  4N2 – Opportunities to use roof space for residential accommodation and open space are maximised.  4N3 – Roof design incorporates sustainability features.	Yes	The proposed roof top is integrated into the development. In particular, an architectural roof form has been included above Tower A at the corner of Brooks Parade and Sharp Street.
4O Landscape design	4O1 – Landscape design is viable and sustainable  4O2 – Landscape design contributes to the	No	Questions regarding the landscape design are unresolved.  The deep soil area and street tree planting present poor outcomes.

	streetscape and amenity	No	
4P Planting on structures	<p>4P1 – Appropriate soil profiles are provided</p> <p>4P2 – Plant growth is optimised with appropriate selection and maintenance.</p> <p>4P3 – Planting on structures contributes to the quality and amenity of communal and public open spaces</p>	No	The submitted plans show planting on structures within the Communal Area on the Podium and above the loading dock. Issues exist with solar access noting some area will be permanently in shade as at 21 June.
4Q Universal design	<p>4Q1 – Universal design features are included in apartment design to promote flexible housing for all community members.</p> <p>4Q2 – A variety of apartments with adaptable designs are provided.</p> <p>4Q3 – Apartment layouts are flexible and accommodate a range of lifestyle needs.</p>	Yes	The development provides a potential for 35 units to be adaptable, noting 14 are required.
4R Adaptive reuse	<p>4R1 – New additions to existing buildings are contemporary and complimentary and enhance an area's identity and sense of place.</p> <p>4R2 – Adapted buildings provide residential amenity while not precluding future adaptive reuse.</p>	N/A	The application is not for adaptive reuse of a building.
4S Mixed use	<p>4S1 – Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.</p> <p>4S2 – Residential levels of the building are integrated within the development, and safety and amenity if maximised for residents.</p>	Yes	The development is a mixed use proposal in a location designated under the B4 zone and the Belmont Town Centre Area Plan.
4T Awnings and signage	<p>4T1 – Awnings are well located and complement and integrate with the building design.</p> <p>4T2 – Signage responds to the context and</p>	Yes	<p>No awnings are proposed at street level as per the Belmont Town Centre Area Plan. Awnings are proposed adjoining the commercial units, above the podium level.</p> <p>At this stage, the development does not include any</p>

	desired streetscape character.		signage.
4U Energy efficiency	<p>4U1 – Development incorporates passive environmental design.</p> <p>4U2 – Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.</p> <p>4U3 – Adequate natural ventilation minimises the need for mechanical ventilation.</p>	Yes	A BASIX certificate has been submitted for the revised development.
4V Water management and conservation	<p>4V1 - Potable water use is minimised.</p> <p>4V2 – Urban stormwater is treated on site before being discharged to receiving waters.</p> <p>4V3 – Flood management systems are integrated into site design.</p>	Yes	A stormwater management plan has been submitted.
4W Waste management	<p>4W1 – Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.</p> <p>4W2 – Domestic waste is minimised by providing safe and convenient source separation and recycling.</p>	Yes	Separate garbage rooms are provided adjoining the lifts in the basement car park. Bins will be moved from the garbage rooms to the elevator for transferring to a waste truck using the loading dock off Sharp Street.
4X Building maintenance	<p>4X1 – Building design detail provides protection from weathering.</p> <p>4X2 – Systems and access enable ease of maintenance.</p> <p>4X3 – Material selection reduces ongoing maintenance costs.</p>	Yes	The material palette is one that makes use of high quality finishes with integral colours and patinas, which will not require constant maintenance.