

ATTACHMENT 2 – SEPP NO. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT ASSESSMENT

Address: Lot 1 DP 780801 Princes highway Milton

Assessor: Peter Johnston

Date: 8/03/2020

Proposed: Stage 3 - 133 Independent Living Units over 7 x 3 storey residential flat buildings with interconnected underground car parking. Buildings are aligned in two rows with one row of 3 buildings (units 1-57) facing Titree Ave & the lower row of four buildings (units 58-133) facing Summer Cloud Way.

Clause 50 of the Environmental Planning & Assessment Regulation 2000.

(1A) If a development application that relates to residential apartment development is made on or after the commencement of the Environmental Planning and Assessment Amendment (Residential Apartment Development) Regulation 2015, the application must be accompanied by a statement by a qualified designer.

(1AB) The statement by the qualified designer must:

- (a) verify that he or she designed, or directed the design, of the development, and*
- (b) provide an explanation that verifies how the development:*
 - (i) addresses how the design quality principles are achieved, and*
 - (ii) demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of that guide have been achieved.*

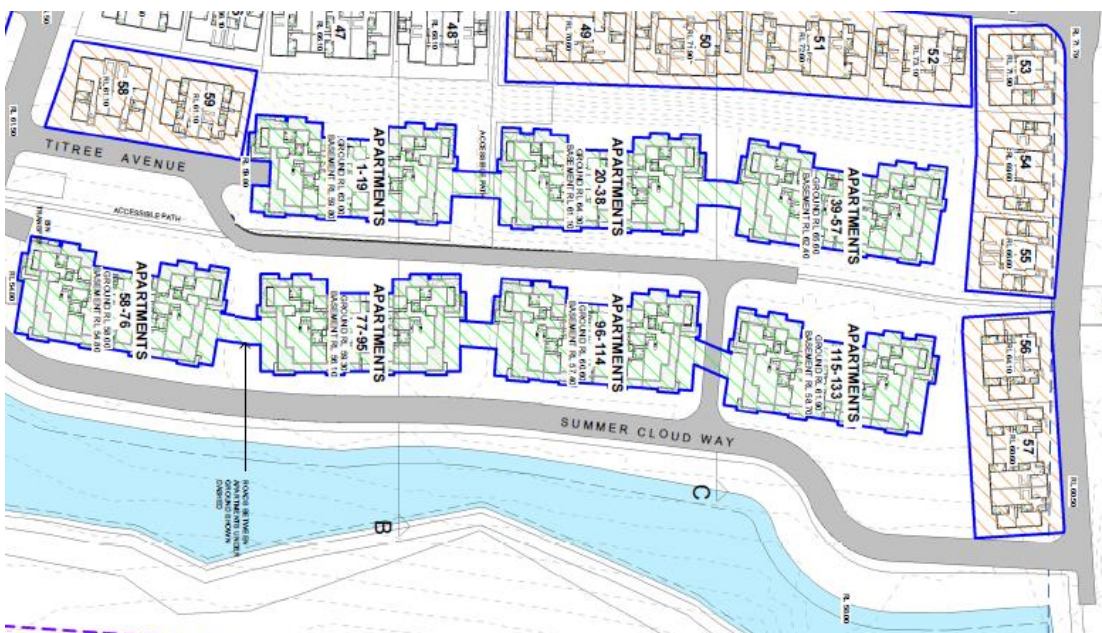
Comment:

A statement addressing *Parts 3 and 4 of the Apartment Design Guide* was submitted and is incorporated into the assessment below.

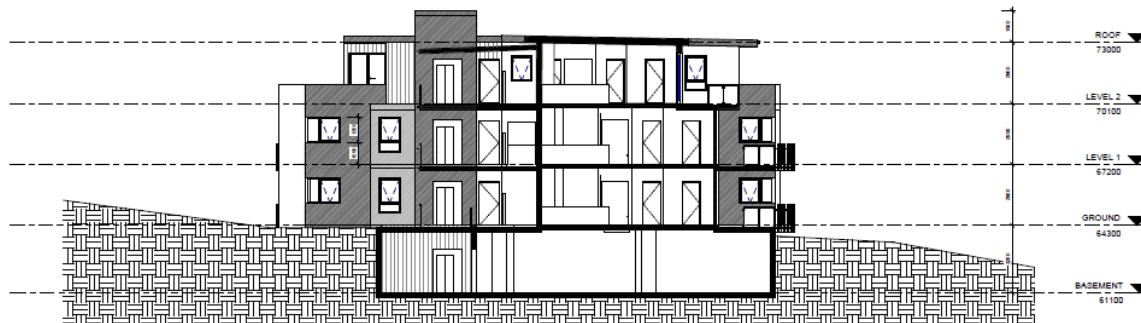
Gary Finn Registered Architect No. 5774 (NSW) confirmed in correspondence dated 16 March 2020 that:

- the Proposed Aged Care Facility submitted for assessment to Council as “Milton Meadows” at the above address, was designed in a partnership agreement incorporating collaboration between Sydney Access Consultants and Stephen Jones and Associates.
- The work required in preparing the concept designs and submission documents were instructed by me, and performed by following my instructions, under my direct supervision.
- Updated architect statement against the Design Principles of SEPP 65

Clause 50(1AB) of the Environmental Planning & Assessment Regulation 2000 has been satisfied - complies

SEPP 65 Assessment – Relevant Clauses	Authors Comment
4 Application of Policy <i>(1) This Policy applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if:</i> <i>(a) the development consists of any of the following:</i> <i>(i) the erection of a new building,</i> <i>(b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and</i>	SEPP 65 applies to the stage 3 (green Hatched area) component of the development under clause 4(1) as the development comprises the construction of 7 new three storey residential flat buildings with a total of 133 independent living units (dwellings).  Extract from Staging Plan

(c) the building concerned contains at least 4 or more dwellings.



Apartments – Section AA – 3 storey + basement carpark

Each Building has 19 dwellings arranged:

Ground Floor 7 dwellings
Level 1 Floor 7 dwellings
Level 2 Floor 5 dwellings

28 Determination of development applications

(1) After receipt of a development application for consent to carry out development to which this Policy applies (other than State significant development) and before it determines the application, the consent authority is to refer the application to the relevant design review panel (if any) for advice concerning the design quality of the development.

Shoalhaven City council does not have a Design Review Panel – therefore NA

(2) In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):

- (b) the design quality of the development when evaluated in accordance with the design quality principles, and*
- (c) the Apartment Design Guide.*

30 Standards that cannot be used as grounds to refuse development consent or modification of development consent

(1) If a development application for the carrying out of development to which this Policy applies satisfies the following design criteria, the consent authority must not refuse the application because of those matters:

- (a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,
- (b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,
- (c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.

Note. The Building Code of Australia specifies minimum ceiling heights for residential flat buildings.

Schedule 1 Design quality principles

Principle 1: Context and neighbourhood character

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 site is Zoned Rural RU1 – Primary Productions; under the Shoalhaven Local Environmental Plan 2014. The site has a Special Uses Clause enabling permissibility for Seniors Living subject to Site Access and Utilities requirements being satisfied by Council, as described in the Statement of Environmental Effects by The Planning Hub.

The proposal qualifies for the SEPP 65 Design Principles for the Apartments component only, however the considerations address the future context of the development, within and, external of the site.

The development proposal is to be accessed from a proposed roundabout from the Princes Highway via a two lane main road around flora sensitive areas along the western boundary.

The site was identified as having suitability for Seniors Living primarily for it being both close to both Milton and Ulladulla and its ability in terms of terrain to be largely hidden from view from a variety of local vantage points. A Visual Impact Assessment (VIA) accompanies the application demonstrating how the planning of the proposal responds to the site. In particular, how the building types of varying scales relate to areas noted High to Low impact as noted in the VIA.

The building types have also been logically located within the site as to how the Apartments, Duplexes, Clubhouse and Care Facility relate to each other and for the overall operation of the Village.

The Apartment buildings are both set within the Low visibility area on the low side as well as being well within the overall site boundaries. The immediate vicinity is currently a variety of rural to the west & south, rural ribbon to the highway to the north, caravan park to the east.

<i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i>	<i>The Seniors Living proposal consists of 133 Apartments in two tiered rows of 3 and 4 blocks over basement parking. The cluster of apartments is nestled within and surrounded by 127 Duplexes to the east, west and south with lake front to the lower 4 blocks facing north.</i> <i>A 97 bed Care Facility and Clubhouse located more sparsely on uphill southern side of the site. The proposal acknowledges and is in accordance with the objectives of the Seniors Living SEPP and therefore the Special Uses Clause under the zoning.</i> <i>The site also responds to the site specific setbacks identified both in the original Masterplan and VIA. The proposals adherence to both these criteria responds contextually, as a “good fit” within the proposed immediate surrounding Duplexes and Lake.</i> <i>Beyond the site it is not anticipated that any further new development will replace the existing established cottages in the immediate vicinity within the foreseeable future.</i> <i>Both perimeter and internal landscaping will contribute to the amenity of the area. The future context will include and contribute with strong architectural elements that will assist in strengthening the future identity not only within the site being largely not visible from the surrounding vicinity but also the local area.</i> <u>Comment:</u> Agree in relation to the SEPP 65 apartments, duplex & triplex forms. Have identified some design issues with the Clubhouse/Medical Centre and RCF that are addressed separately in this report. - complies
Principle 2: Built form and scale <i>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,</i>	<i>The scale of the development is in accordance with the mandatory provisions of the Seniors Living SEPP. As previously outlined, the Seniors Living proposal addresses site recommended 20 metre boundary setbacks and as such set to be well mannered within the adjacent neighbouring allotments.</i> <i>Holistically the proposal offers differing massing of the articulated buildings volumes in terms of walling and roof forms within the future height allowance affording the scale of the development to be a good fit within the context of adjacent sites and the desired future character of the area generally.</i> <i>The apartment building form within the other buildings proposed is appropriately articulated with considered massing aiming to reduce apparent building bulk at the large scale through the use of detail elements, with a dynamic palette of materials and colour at the small scale.</i>

<i>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.</i>	<i>The driver for the uniquely designed apartment development was to create a development that was compatible with the immediate surrounding proposed Duplexes with compatible design elements and the use of compatible materials and colours. Note that the upper third level is proposed as metal colourbond Klip-Lok to aid disguising this level into apparent “roof form”, furthermore blending with the pitched roof duplexes adjacent.</i> <i>The Apartments as described previously are located in the Low impact area of the site identified in the VIA. The effect of the building form and massing of the proposed apartments is presented as uniform within the site created by significant benching of the proposed two block rows demonstrated in the Sections through the site.</i> <i>The blocks are tiered down the site with the lower block proposed as lakefront and as a focal for all apartments alike, thus creating unity and pride for the inhabitants embodying the development conducive for the communion of fellow inhabitants set within a landscaped area designed to assist in articulating the scale of the built form.</i> <u>Comment:</u> Agree in relation to the SEPP 65 apartments, duplex & triplex forms. Have identified some design issues with the Clubhouse/Medical Centre and RCF that are addressed separately in this report. - complies
Principle 3: Density <i>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.</i>	<i>The subject site is part of the locality zoned under the Shoalhaven LEP 2014, and as such is appropriate in density to Council’s vision for future residential growth for Seniors Living in the area.</i> <i>Given the site opportunities, the apartments occupy the logical low impact area noted in the VIA and fulfill an appropriate density.</i> <i>Individually appropriate building separations between the blocks are observed and are all sited for the views allowing adequate solar corridors to the adjacent blocks.</i> <u>Comment:</u> No floor Space Ratio applies to the site under the SLEP2014. Council recognised that development of this site for seniors housing would increase density above the surrounding rural residential and low-density residential lands upon agreeing to the enabling clause with the rezoning proposal in 2005. Extract from Stubbs & Assoc social research report (D18/382191) p20, 21 & 37 -

	<i>Shoalhaven LGA has one of the oldest and most rapidly aging profiles in the State. Around 16% of residents are aged 70 years or older compared with 10% for NSW, whilst 46% are older than 50 years compared with 33% for NSW. By 2031, more than half of the population of the Shoalhaven LGA will be 50 years or older, compared with 37% for NSW. For those aged 70 years or older, the local rate is projected to be almost double that of NSW.</i> <i>Both Milton and Ulladulla are relatively highly populated given their small areas (with population densities of 102 and 326 persons/km2, respectively), compared to Shoalhaven LGA and NSW state (having 22 and 9 persons/km2, respectively).</i> <i>An adequate supply of smaller, more manageable dwellings located near major service centres and/or with access to public transport, is crucial in the local context.</i> <i>The proposed development is likely to provide for relatively well-located housing diversity for older people currently living in increasing unsustainable living arrangements, particularly those in more isolated areas.</i> <u>Comment:</u> Agree - complies
Principle 4: Sustainability <i>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.</i>	<i>The development meets the required solar access guidelines, as well as cross ventilation.</i> <i>The building façade elements of the three storey are developed by a climate control strategy whereby the North, East and West elevations have large windows for plentiful light but shaded in the harsher mid-summer sun periods together with natural ventilation systems to allow plentiful sun with the South facing windows reduced in size to reduce heat loss.</i> <i>The strategies for this development are:</i> <i>- Maximising the occupants access to daylight, ventilation, sun and views.</i> <i>- Providing 100% cross ventilation to apartments.</i> <i>- Providing wide frontage units to maximise natural light penetration.</i> <i>- Compliance with BASIX requirements including recycling of rainwater.</i> <i>- Providing large lake area of water detention on site</i> <u>Comment:</u> Agree - complies

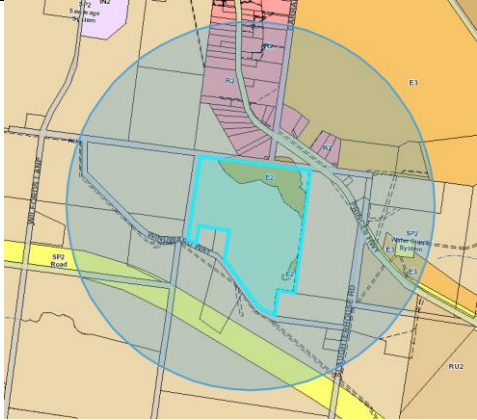
Principle 5: Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. 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.	<i>The development is to be extensively landscaped to outwardly maintain visual appearance to that of a rural area, whilst providing large areas of landscaping for the residents within the site.</i> <i>The landscape design provides a free flowing interconnection between the spaces within the individual apartment blocks, as in communal space, private courts and communal walkways.</i> <i>The design provides connectivity between the spaces ensuring that adequate buffer and maximum amenity is offered to the blocks and their occupants.</i> <i>The landscaping on the site interfaces with the duplexes adjacent and as an accompaniment to the green corridor of the main access road along Central Avenue.</i> <i>The landscaping surrounding the apartments and overall site has been designed with such character that will work differently depending on the season. Landscaping adjacent the apartments will provide better aspect from within the units and from the neighbours within the surrounding village alike.</i> <u>Comment:</u> Agree. Refer to clauses 4.3 and 7.8 in Part 4.2.7 SLEP view impacts - complies
Principle 6: Amenity Good design positively influences internal and external amenity for residents and neighbours.	<i>The units are generally sized to not only maximise amenity but to facilitate future variations of Seniors Living for residents to enjoy aging in place, for as long as they are capable. The varying unit layouts and size will suit a cross section of the elder community.</i>

<i>Achieving good amenity contributes to positive living environments and resident well being.</i> <i>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.</i>	<i>All units provide basement domestic storage facilities, as well as providing bedroom and kitchen storage areas clear of circulation spaces.</i> <i>Car parking is proposed on the site itself (underground) which minimises the impact of the development on the proposed new neighbourhood.</i> <i>The residents of the apartments and others within the village site will be served by community transport in terms of commuting residents to both Milton and Ulladulla a short distance along the Princes Highway.</i> <u>Comment:</u> Agree
Principle 7: Safety <i>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. 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.</i>	<i>The development provides secure individual parking for residents, as well as a well lit parking area to each apartment blocks central lift.</i> <i>Well lit pedestrian entry is accessed at ground level providing both an interconnecting of the apartment blocks and individually for each block entry.</i> <i>Obscured areas and alcoves have been avoided in the design of the public domain spaces being both wide and naturally lit.</i> <i>The apartment blocks all have upper decks to facilitate the perception of safety from passive overlooking.</i> <i>All landscaped spaces and pedestrian access within the site will be well lit and designed to maximise personal safety and security.</i> <u>Comment:</u> Agree – refer to recommended conditions from NSW police in Attachment 3 to this report – agree with conditions
Principle 8: Housing diversity and social interaction	<i>There is a recognized dearth of Seniors Living accommodation developments within the local area that is within easy access to amenities.</i>

<i>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.</i>	<i>The proposal seeks to assist in fulfilling this particular void and will provide a variety for future Seniors Living occupants with a significant variance of purchase price. Some units have studies to facilitate lifestyle flexibility that recognises the possibility of a home office.</i> <i>Providing apartment accommodation choices subject to SEPP 65 Apartment Design guide, in addition to villa and higher care room alternatives, ensures that residents are offered a broad range of choices within the development to satisfy their needs as they age, with less potential for distress.</i> <u>Comment:</u> Agree - complies
Principle 9: Aesthetics <i>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.</i>	<i>The overall aesthetics of the apartments complements the qualities of the development with the inclusion of materials that have lasting characteristics fit for intergenerational occupancy.</i> <i>The buildings are designed with a composition of built elements including walling and cladding variations that combine visual features and balustrade treatments with a recessed upper level to reduce the perception of building bulk.</i> <i>Taller landscaping against the ground floor will assist in diminishing the appearance of massing in the floors above. The landscaped setting will ensure the proposal to sit comfortably into its proposed surroundings.</i> <i>The architectural style is contemporary and is consistent with the expectations of the market and is sympathetic to its surroundings and should establish a benchmark for future development in the context.</i> <u>Comment:</u> Agree - complies

Apartment Design Guide		
Criteria	Applicants Statement	Planners Comment
Part 1		
1A Apartment building types		
Row Apartments		The proposal is for the development of two groups of detached row apartments, with one row of 3 buildings (units 1-57) facing Titree Ave & the lower row of 4 buildings (units 58-133) facing Summer Cloud Way. The two rows are located on the lower northern portion of the site that step down the site in response to slope and take advantage of the lower elevation of the site to shield the 3 storey units from view of the Princes highway and surrounding land use.
1B Local character and context		
Desired future character	In August 2005, a rezoning application was lodged with Shoalhaven Council seeking to amend the Shoal haven Local Environment Plan 1985, which applied to the subject site at that time from Rural I(b) (Arterial and Main Road Protection) which has been identified as being a 'Scenic Preservation Area' to allow for a seniors housing development on the site. A concept Masterplan for a staged Seniors Living Development was submitted to Council in support of the rezoning which, at that time, involved a review of visual impact, traffic, noise, bushfire, ecology, links between the Meadows of Milton and town centre and social and economic impacts. Following a detailed	The SLEP2014 includes Clause 8 under Schedule 1 Additional permitted uses that supports the development of seniors housing on the subject land subject to satisfying certain infrastructure and traffic criteria. Council reviewed a planning proposal

assessment of that Masterplan and supporting report an additional permitted use was added to the Shoalhaven LEP to allow a seniors housing development.



Zoning map with 400m buffer surrounding the development lot.

Neighborhood Scale - Further afield, to the south is the future Milton Ulladulla Bypass route (SP2 Road), to the north R2 residential land following the spine of the Princes Highway and east of Slaughterhouse Road, water infrastructure, service station, sawmill and abattoir.

A Site Scale context map was provided to address site context issues specified under council's DCP which was supported by flora and fauna, heritage, landscaping, visual impact reports and design verification statement.

1C Precincts and individual sites



The adjoining precinct plan provides for a Residential Care Facility and community/medical centre along the southern boundary with Central Ave running down hill north to the proposed roundabout intersection with the Princes Highway.

The middle levels of the site comprise a mixture of detached duplex/triplex residential units branching east & west off Central Ave while on the lower contour west of central Ave are 2 roads providing access to the 2 rows of multi storey apartment blocks.

A large stormwater detention basin runs east/west below Summer Cloud Way above existing riparian zone that contains Pettys Creek.

The proposed Central Ave provides for a net community benefit of future road connection with Winward Way with safer highway access for existing resident located on the north side of the highway adjacent to the site.

Part 3 Siting the development

Objective 3A-1

Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context

Introduction to the proposal is by way an entry point located off the Princes Highway via a curved Entry Road, designed so as to both provide a secluded aspect to the development and to diminish any visual see-through aspect from the Highway. The Entry Road curves in around a Riparian Zone via a proposed Lake which is designed to serve as both a welcoming introduction providing an ambient communal focal point to enjoy fauna and flora and for water detention storage during dry times.

Complies

	The entry leads into a Central Avenue or spine of the development which is proposed as a straight tree lined incline to the Clubhouse & Medical Centre on the right and Residential Care Facility to the left, with intermittent feeder roads off to both sides to the Independent Living Units. The development has been designed to ensure lower scale buildings are proposed in the higher visual exposure areas of the site to ensure the visual impact of the development is minimised. Where higher density development is proposed in the high and moderate visual exposure areas, mitigation measures have been incorporated to reduce the visual impact of the built form as detailed in the Addendum Visual Impact Assessment. Surrounding developments amenity including site lines, have been highly considered and supported as such within the site constraints and context. 	
Objective 3B-1 Building types and layouts respond to the streetscape and site while optimising solar access within the development	Solar access is provided to 100% of the units for 3 hours on the 21 June.	Building orientation optimizes northern aspect - Complies

Objective 3B-2 Overshadowing of neighboring properties is minimised during mid-winter	No shadowing will occur onto neighboring properties outside the site.	 SHADOWS - APARTMENTS - 21 JUNE 9AM 1:1000 SHADOWS - APARTMENTS - 21 JUNE 12PM 1:1000 SHADOWS - APARTMENTS - 21 JUNE 3PM 1:1000 Shadow diagrams prepared for the apartments combined (Sheet DA56) (D19/354975) demonstrates that overshadowing of all neighboring buildings within the development site is minimised during the Winter Solstice - Complies
Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security	Extensive landscaping is proposed as a buffer between both private and public spaces with security consideration to both pedestrian and vehicular access points. The proposed development included (CEPTED) measures to ensure the safety and sense of security for the residents including:	Complies

	Car Parking – • Adequate lighting compliant with AS1158 will be provided throughout car park, including at all car park entry/exit points and loading/unloading areas; • Clear demarcation of pedestrian walkways throughout the car park to avoid conflicts with vehicles is provided through line marking and signage; and • Safe parking signage throughout car park to remind people to secure their cars and valuables will be installed prior to the occupation of the development. Entry/Exit Points – • All entry/exit points are aesthetic and inviting and the landscaping, building position and activities are all orientated to maximise natural surveillance on entry/exit. • Ground level landscaping has been selected so that it does not provide areas of concealment. Internal Layouts – • The design of new internal spaces does not create 'areas of entrapment or concealment, particularly in toilets and accessways; • All unit entries have good sight lines, are well lit and are in areas with ample room for access. • Clear definition between public and private access areas are created using signage and secure doors. External Areas – • All external areas of the building are proposed to be well lit, particularly at night. • No opportunities for concealment are provided by external building design or landscaping based on the design and plant selection.	
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Objective 3C-2 Amenity of the public domain is retained and enhanced	Improved architectural elements with timeless aesthetics contribute and acknowledge the heritage village and is considered to improve the public domain	The design positively addresses this interface - complies		
Objective 3D-1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping <u>Design criteria</u> 1. Communal open space has a minimum area equal to 25% of the site 2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)	The communal areas totaling some 12,900sq.m comprise of at least 9% of the total site not including side boundary, setbacks or the Environment zone area. Features include a proposed pool, BBQ public area that receives sunlight that achieves the criteria of 50% minimum for 2 hours mid-winter sunlight which is set within well landscaped environs of deep soil planting and turfed areas.		Total Site Area = 14.88HA Site area of the SEPP 65 portion of the development approximately = 14,077m ² 25% of 14,077m ² = 3519m ² COS requirement. With a COS provision of 12,900m ² available to all residents on site the COS complies. Sunlight provision complies	
Objective 3D-2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Swimming, BBQ area and shaded relaxing areas.		Complies	
Objective 3D-3 Communal open space is designed to maximise safety	Features disable access and pool fence and landscape that considers safety for all ages and mobility.		Compliant pathways to be conditioned - Complies	
Objective 3D-4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	NA		Agree NA	
Objective 3E-1 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 <u>Design criteria</u> 1. Deep soil zones are to meet the following minimum requirements: • Minimum dimensions 6m • 7% of site area	Complies with design criteria minimum requirement for dimensions. Total deep soil area is well over the minimum requirement, covering approximately 23% of site area not including the Environment Zone area.		Complies	
Objective 3F-1	Adequate building separation is achieved to neighboring sites through the 20m setbacks.		Complies	

Adequate building separation distances are shared equitably between neighboring sites, to achieve reasonable levels of external and internal visual privacy Design Criteria: Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:			Required separations are provided to The Apartments as per the criteria.	
Building height	Habitable rooms and balconies	Non-habitable rooms		
up to 12m (4 storeys)	6m	3m		
Objective 3F-2 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			Considerations for these elements are implemented into the floor plate that allows each apartment to face north with most achieving view woodland or garden views.	Complies
Objective 3G-1 Building entries and pedestrian access connects to and addresses the public domain	Generous setbacks from the road have allowed predominantly for vehicular access only. Pedestrian access is provided for however it is expected that vehicles will provide for the public domain point of interaction.		Building entry points are provided to align with the central access core of each building that face directly to the public domain - Complies	
Objective 3G-2 Access, entries and pathways are accessible and easy to identify			Images provided demonstrate a generous access points.	Complies
Objective 3G-3 Large sites provide pedestrian links for access to streets and connection to destinations	The site is connected by a central avenue spine via a retention lake provided as a multi functional focal point with parkland Road Entry point which is readily accessed by the Independent Living Units.		Pedestrian pathways will be provided to link with the Central Ave	
Objective 3H-1 Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes		Ingress and Egress meets AS 2890.1-2004. See Traffic Report in Appendix E.	Refer draft conditions	
Objective 3J-1		The proposal has been considered in this regard as part of its inclusion	Car parking provision must comply with Chapter G21 Of the Shoalhaven DCP 2014 as Milton is not included within the	

Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	within the Special Clauses Map and satisfies proximity to public transport for regional areas.	nominated regional centres under Table 3 of the Apartment Design Guide (ADG). Condition as per G14 SDCP2014	
Objective 3J-2 Parking and facilities are provided for other modes of transport	Motor cycle and bicycle parking areas is considered within the basement area with potential in external courts adjacent Lift/Stair core for bicycles storage.	Complies - Condition	
Objective 3J-3 Car park design and access is safe and secure	Secure access points have been considered.	Complies - Condition for car wash bays, line marking, safe pedestrian areas	
Objective 3J-4 Visual and environmental impacts of underground car parking are minimised	Nil visual aspects are included as the upper parking level is now proposed to be fully covered as opposed to that of the formerly approved scheme.	Complies - Condition for mechanical ventilation to basement carparks in accord with AS1668.2	
Objective 3J-5 Visual and environmental impacts of on-grade car parking are minimised	Meets design access grades requirements.	Parking underground - complies	
Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised	Considered.	NA to the SEPP 65 portion of the development.	
Part 4 – Designing the Building			
Objective 4A-1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space Design criteria 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter 2. A maximum of 15% of apartments in a building receive no direct		100% of the units meet minimum requirements over that of 70% ADG minimum.	Complies
Objective 4A-2 Daylight access is maximised where sunlight is limited	This has been achieved through generous openings with 2.25m & 2.7m minimum head heights.		Complies

Objective 4A-3 Design incorporates shading and glare control, particularly for warmer months	This consideration is achievable with the proposal.	Shading is provided by extensive use of balconies, louvre screens, eaves and the staggered floor plan. Condition maximum glazing reflectivity of 20%						
Objective 4B-1 All habitable rooms are naturally ventilated	All habitable rooms meet ADG and BCA guidelines.	Complies						
Objective 4B-2 The layout and design of single aspect apartments maximises natural ventilation	Considerations in this regard have been considered.	Complies						
Objective 4B-3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents Design criteria 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line		100% are cross ventilated and 18m maximum cross- over or through has been met.	Complies					
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access Design criteria Measured from finished floor level to finished ceiling level, minimum ceiling heights are: <table><tr><td colspan="2">Minimum ceiling height for apartment and mixed use buildings</td></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr></table>		Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Minimum Floor to Ceiling of 2.7m to all floors has been considered and incorporated.	Complies	
Minimum ceiling height for apartment and mixed use buildings								
Habitable rooms	2.7m							
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms	Noted	Noted No requirement to be achieved						
Objective 4D-1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity Design criteria 1. Apartments are required to have the following minimum internal areas:		The minimum requirements in 1) & 2) have been met.	Complies					

Apartment type	Minimum internal area			
Studio	35m ²			
1 bedroom	50m ²			
2 bedroom	70m ²			
3 bedroom	90m ²			
2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms				
Objective 4D-2 Environmental performance of the apartment is maximised <u>Design criteria</u> 1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height 2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window		Both Standards 1) & 2) have been considered	1. Floor to ceiling height 2.7m x 2.5 = 6.75m is not exceeded in any of the bedrooms – complies 2. Open plan layouts do not exceed 8m - complies	
Objective 4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs <u>Design criteria</u> 1. Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space) 2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space) 3. Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments 4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts			All minimum standards have been considered and achieved.	Complies
Objective 4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity <u>Design Criteria</u> 4. All apartments are required to have primary balconies as follows:		All minimum standards have been considered and achieved.	All of the apartments exceed the minimum standards except for minimum area for the 1 bed + study apartments that align with the central core lift/stairs. These units have an approx. area of 7.05m ²	

Dwelling type	Minimum area	Minimum depth			Condition for these units to have balcony increased to a minimum area of 8m2.
Studio apartments	4m²	-			
1 bedroom apartments	8m²	2m			
2 bedroom apartments	10m²	2m			
3+ bedroom apartments	12m²	2.4m			
Objective 4E-2 Primary private open space and balconies are appropriately located to enhance livability for residents			Balconies have been located to suit external appearance and its relationship to the internal configuration.		Complies
Objective 4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building				As above	Complies
Objective 4E-4 Private open space and balcony design maximises safety		The proposed meets maximum safety considerations.			Complies
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments <u>Design criteria</u> 1. The maximum number of apartments off a circulation core on a single level is eight			A below maximum number of apartments (x7) off the core is proposed to be serviced by one lift over three levels of living space and one level of basement parking.		Complies
Objective 4F-2 Common circulation spaces promote safety and provide for social interaction between residents			A generous adjustable weather proof external lobby space and circulation lift area has been incorporated.		Complies
Objective 4G-1 Adequate, well designed storage is provided in each apartment Design Criteria 1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:			Storage area requirements has been considered and deemed achievable.		Condition for storage relevant to dwelling type to be provided in accord with O4G-1

Dwelling type		Storage size volume															
Studio apartments		4m³															
1 bedroom apartments		6m³															
2 bedroom apartments		8m³															
3+ bedroom apartments		10m³															
At least 50% of the required storage is to be located within the apartment																	
Objective 4G-2 Additional storage is conveniently located, accessible and nominated for individual apartments			Additional storage is achievable within the basement area.		Condition for additional storage not provided within individual apartments to be provided in the basement carpark in accord with O4G-2												
Objective 4H-1 Noise transfer is minimised through the siting of buildings and building layout			Noise transfers between individual apartments have been considered		This will be addressed by the PCA in accord with Part F5 Sound Transmission & Insulation provisions of the BCA - complies												
Objective 4H-2 Noise impacts are mitigated within apartments through layout and acoustic treatments			Internal walls will exceed the minimum BCA standards.		This will be addressed by the PCA in accord with Part F5 Sound Transmission & Insulation provisions of the BCA - complies												
Objective 4J-1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings		This aspect has been considered through detailed planning experience	The nearest noise source that could impact the apartment buildings is Princes Highway traffic located 153-250m away to the north through a heavily vegetated and landscaped riparian zone.														
			The submitted acoustic report (Envirotech P/L) established a background Log Average Noise Levels (LAeq) dBA:														
			<table><tr><td>Period</td><td>Background (LAeq) dBA</td><td>Table 3.1 of ISEPP Residential Noise Criteria along highway corridors (dBA)</td><td>Required 'Weighted Sound Reduction Index (Rw) dBA</td></tr><tr><td>Day time (7am – 10pm)</td><td>53.77 dBA</td><td>40 (all other areas)</td><td>13.77</td></tr><tr><td>Night (10pm – 7am)</td><td>49.57</td><td>35 (Bedrooms)</td><td>14.57</td></tr></table>			Period	Background (LAeq) dBA	Table 3.1 of ISEPP Residential Noise Criteria along highway corridors (dBA)	Required 'Weighted Sound Reduction Index (Rw) dBA	Day time (7am – 10pm)	53.77 dBA	40 (all other areas)	13.77	Night (10pm – 7am)	49.57	35 (Bedrooms)	14.57
Period	Background (LAeq) dBA		Table 3.1 of ISEPP Residential Noise Criteria along highway corridors (dBA)	Required 'Weighted Sound Reduction Index (Rw) dBA													
Day time (7am – 10pm)	53.77 dBA		40 (all other areas)	13.77													
Night (10pm – 7am)	49.57	35 (Bedrooms)	14.57														
		The LAeq results for the external criterion show that the proposed residential allotments in acoustic terms can be permitted to be built in proposed area. The internal noise levels will however need to be mitigated via															

		building construction. Therefore, the minimum required 'Weighted Sound Reduction Index (Rw)' for the proposed residential units is 13.77 dBA for living areas and 14.57 dBA for bedrooms and studies. Condition minimum building materials as required by the Building Code of Australia to provide the required attenuation of 13.77 dBA for living areas and 14.57 dBA for bedrooms and studies.
Objective 4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission		It is proposed to incorporate achievable results in this regard Condition above will achieve this objective
Objective 4K-1 A range of apartment types and sizes is provided to cater for different household types now and into the future		A suitable unit mix to meet ADG standards is achievable and proposed. Complies
Objective 4K-2 The apartment mix is distributed to suitable locations within the building		Distributable unit mix is achievable Complies
Objective 4L-1 Street frontage activity is maximised where ground floor apartments are located		Street front activity is proposed to be damped through deep soil planting with anticipated vegetative growth of varying heights. complies
Objective 4L-2 Design of ground floor apartments delivers amenity and safety for residents	Ground floor safety and amenity has been considered to be enhanced through design development.	Ground floor units have been provided with balustrades to verandahs & external privacy screens that provide shade and privacy - complies
Objective 4M-1 Building facades provide visual interest along the street while respecting the character of the local area	This consideration of the proposal has been achieved, through the use of visually interesting architecture.	 The submitted design incorporates a composition of varied building elements with changes in texture, material, detail and colour to provide visual interest along the street frontage.

		By locating the apartment buildings on the lower contours of the site and shielding them from view with landscaping and riparian zone, the visual character of the surrounding low density environment is preserved.	
Objective 4M-2 Building functions are expressed by the facade	The external building treatments are considered functional and extend to all facets of the proposed building.		Complies
Objective 4N-1 Roof treatments are integrated into the building design and positively respond to the street	The roof treatment is a prominent and functional element of the overall design.	The roof treatment comprises a low pitched skillion element to avoid bulk and achieve compliance with maximum building height requirements of the SLEP2014. The roof design is proportionate to the overall building size, scale and form - complies	
Objective 4N-2 Opportunities to use roof space for residential accommodation and open space are maximised	NA		NA
Objective 4N-3 Roof design incorporates sustainability features	NA	The roof design incorporates eaves and overhangs - complies	
Objective 4O-1 Landscape design is viable and sustainable	It is considered that the landscape proposal to follow can achieve the criteria set out in the ADG.		Complies
Objective 4O-2 Landscape design contributes to the streetscape and amenity	Deep soil perimeter planting will allow significant contribution to streetscape and amenity.		Complies
Objective 4P-1 Appropriate soil profiles are provided	It is considered that this aspect of the landscape proposal is provided for.		NA
Objective 4P-2 Plant growth is optimised with appropriate selection and maintenance	As above		NA
Objective 4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces	As above		NA
Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members	The design allows for flexible housing so that all members of the community are not disadvantaged.		Complies
Objective 4Q-2 A variety of apartments with adaptable designs are provided	ADG standards have been considered and achieved.		Complies

Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs	Internal layouts allow for different housing needs including potential for visitor accommodation and for live / work style of living.	Complies
Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Passive solar design through aspect and overhangs will optimise heat storage and reduce heat transfers in the summer months.	Complies
Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation	It is considered that the apartments as designed will not require artificial cooling.	Condition - Mechanical ventilation will be required to service the basement carparks in accord with AS1668.2.
Objective 4V-1 Potable water use is minimised	This consideration will be incorporated and considered achievable.	Water sensitive urban design is incorporated into the development. The Basix provisions of the development address the minimization of potable water - complies
Objective 4V-3 Flood management systems are integrated into site design	Site is not located in flood affected area.	Modelled PMF flood level in the Samana Blue Flood Report adjacent apartments is RL54.6 which is 200mm below the basement carpark level of RL 54.8 therefore no flood impact to apartments Refer to flood design conditions
Objective 4W-1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Waste facilities are contained within a sealed room within the basement with individual rubbish disposal proposed within a sealed room within the lift core.	Condition for bin wash areas, waste management plan, ventilation of bin area - Complies
Objective 4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling	Recycling facilities will be contained within the bin store areas.	Complies
Objective 4X-1 Building design detail provides protection from weathering	External building systems are proposed to shield and are proposed to be of top-quality robust materials.	Complies
Objective 4X-2 Systems and access enable ease of maintenance	Ease of maintenance of robust building materials have been considered.	complies
Objective 4X-3 Material selection reduces ongoing maintenance costs	Considered and achievable.	Complies