Attachment 5

32 Joseph Street and 1 Vaughan Street, LIDCOMBE

State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development

Requirement	Yes	No	N/A	Comment
Clause 2 Aims, objectives etc. (3) Improving the design quality of residential flat development aims: (a) To ensure that it contributes to the sustainable development of NSW: (i) by providing sustainable housing in social and environmental terms;	☒	☐	☐	The proposal is generally considered to satisfy the aims and objectives of SEPP 65. Some aspects of non-compliance are identified with this policy, and these are discussed in greater detail below.
(ii) By being a long-term asset to its neighbourhood;	☒	☐	☐	
(iii) By achieving the urban planning policies for its regional and local contexts.	☒	☐	☐	
(b) To achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define.	☒	☐	☐	
(c) To better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities.	☒	☐	☐	
(d) To maximise amenity, safety and security for the benefit of its occupants and the wider community.	☒	☐	☐	
(e) To minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas emissions.	☒	☐	☐	
(f) to contribute to the provision of a variety of dwelling types to meet population growth.	☒	☐	☐	
(g) to support housing affordability.	☒	☐	☐	
(h) to facilitate the timely and efficient assessment of applications for development to which this Policy applies.	☒	☐	☐	
Part 2 Design quality principles				
Principle 1: Context 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. Consideration of local context is important for all sites, including sites in established areas,	☒	☐	☐	The area is in transition in which the current urban form is being replaced with residential and mixed use developments are likely to continue for the foreseeable future. Immediately to the south a 10 storey high mixed use development was approved at 2-8 Vaughan Street and 1 Kerrs Road, which is yet to be constructed. There are a number of developments occurring within the town centre of Lidcombe which is changing the dynamics of the town centre. This is an ongoing process that will continue for some time.

Requirement	Yes	No	N/A	Comment
those undergoing change or identified for change.				The proposal continues the changes that are occurring within or close to the LidcombeTown Centre.
Principle 2: Built Form and Scale 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 development application is seeking consent for an 11 storey mixed use building over a 4 level basement car park. The building will present a strong façade to Joseph and Vaughan Streets. Similar floor plates are used for each residential floor. The ground level contains 2 commercial tenancies. Communal room and open space on Level 10 and with street level landscape strips integrated on the building design will assist in softening the built form.
Principle 3: Density 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 site is zoned for mixed use development and is located in the Lidcombe Town Centre and the maximum allowable density on site is 5:1. The proposed development has an FSR of 5.01:1, which is a 0.23% exceedance to the permitted FSR that is equivalent of 19.3m² of GFA. Council's own calculation identified minor exceedance, which resulted from different interpretation of the GFA definition. The proposal is however supported subject to compliance with the maximum FSR for the site to allow an appropriate density for the subject site. One of the 2 bedroom apartments on Level 10 is recommended to be deleted to reduce the GFA. This will also ensure a compliant residential parking and provided as well an improved COS.
Principle 4: Sustainability 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.	☒	☐	☐	A BASIX Certificate and relevant reports have been submitted with the development application. The certificates require sustainable development features to be installed into the development. The proposal will incorporate features relating to ESD in the design and construction of the development inclusive of water efficient fixtures and energy saving devices. Solar chimney to ventilate the laundry room and bathroom is proposed to assist compliance with the majority of the proposed units having single aspect.

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.	☒	☐	☐	Given that the subject site is located in a town centre, deep soil zones are not considered to be practical due to requirements for basement parking and desired built forms requiring nil street setbacks to create a defined street edge. A total of 11.68% of the site area (190.3m2) is provided as communal open space (COS) on Level 10. Deletion of unit 10:01 will provide additional area required for COS. Additional street level landscape strips are integrated with the building design on the Joseph and Vaughan Street frontages.
Principle 6: Amenity Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing. 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 proposal will deliver sufficient amenity to residents of the building. The proposal achieves compliance with the ADG in this regard which contains many amenity controls. The building design incorporates access and circulation, apartment layouts, floor area, ceiling height, private open space, common open space, energy efficiency rating, adaptability and diversity, safety, security and site facilities. The proposal is considered to generally comply with the ADG and ADCP 2010 which contains numerous amenity controls. Suitable access is provided to all parts of the building, through the efficient use of lift to access all levels. The development is considered to provide an appropriate level of amenity for future residents.
Principal 7: Safety 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.	☒	☐	☐	Suitable and secure access is provided to all parts of the building, through the efficient use of lift to access all levels.
Principal 8: Housing Diversity and Social Interaction 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.	☒	☐	☐	The apartment mix is considered to be satisfactory. The specifics of the building are:- 36 x 1 bedroom apartments. 56 x 2 bedroom apartments. 2 x 3 bedroom apartments. One of the 2 bedroom apartments on Level 10 is recommended to be deleted to reduce the GFA, and to improve solar access and area size provided for COS. This will result in the following apartment mix:

				36 x 1 bedroom apartments. 55 x 2 bedroom apartments. 2 x 3 bedroom apartments. The number of adaptable units proposed is considered satisfactory. Suitable condition is to be included to ensure the provision of associated accessible car spaces.
Principle 9: Aesthetics 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 mixed use building has an attractive contemporary appearance and utilises building elements that provide individuality to the development without compromising the streetscape or detracting from the appearance of existing surrounding development. The building responds well in this regard with its provision of good aesthetics through the use of high quality materials, attention to detail in its internal spaces and how it addresses the street frontages. The building provides an appropriate response to the existing and likely future character of the locality.
Clause 28 Determination of DAs (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. (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): (a) the advice (if any) obtained from the design review panel, and (b) the design quality of the development when evaluated in accordance with the design quality principles, and the Apartment Design Guide.	☒	☐	☐	Cumberland Council does not employ a formal design review panel. The design quality principles are considered above and the ADG is considered in the assessment table immediately below.

Apartment Design Code

No.	SEPP 65 Apartment Design Guide	Proposed	Compliance
Part 3 - Siting the Development			
3A	**Site Analysis**		
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.*	Plans submitted are considered satisfactory.	Yes
3B	**Orientation**		
3B-1	*Building types and layouts respond to the streetscape and site while optimising solar access within the development.*	The proposed development is considered to be consistent with the Orientation objectives as the building is appropriately located to maximise solar access to the proposed building but also maintain solar access to adjoining buildings and the street. The proposed building is appropriately aligned to the street and provides an appropriate design response to the future desired character of the Lidcombe Town Centre having nil setbacks to street frontages on a corner lot. The layout of the building is considered to be appropriate with regard to the general positioning on the site and the future development for land immediately to the south as demonstrated by the applicant. The site is a rectangular with street frontages to Joseph Street to the east and Vaughan Street to the south. A 10 storey mixed used development was approved at 2-8 Vaughan Street and 1 Kerrs Road, which is yet to be constructed. The road way separating both developments is approximately 20m and it is considered to result in acceptable outcome. The building siting has been optimised to provide the best possible building separation to adjoining buildings / future development sites, streetscape address/alignment. The built form will allow for the majority of residential units enjoying good cross ventilation and solar access throughout the day.	Ok
3B-2	*Overshadowing of neighbouring properties is minimised during mid-winter.*	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration. Overshadowing of the street is unavoidable in this instance given the sites orientation, however sun will hit the street in sections even in mid-winter. The subject site has a north to south orientation and as such generates shadowing which spreads across the	Ok

No.	SEPP 65 Apartment Design Guide		Proposed	Compliance
			adjoining developments. The development is considered to be appropriate in this instance having regard to the approved development to the south.	
3C	**Public Domain Interface**			
3C-1	*Transition between private and public domain is achieved without compromising safety and security.*		The public domain interface is considered to positively contribute to the streetscape by providing high quality materials and distinct access to the foyers. The separation between the private and public domains is established as the entire ground floor level contains commercial units with residential above. The public domain is enhanced via the provision of two residential entry foyers, communal landscaping and vehicular access ramp being located along the southern boundary to mitigate its visual impact. The development performs well in this regard.	Yes
3C-2	*Amenity of the public domain is retained and enhanced.*		The front setback areas are adequately landscaped and amenity of the public domain is maintained. Mailbox areas provided adjacent to the main pedestrian entrances and residential lobby of the building from Joseph Street is considered suitable. The vehicular access located on the eastern and southern boundaries of the site away from the corner of the street to reduce the level of dominance to Joseph and Vaughan Streets. Service areas such as garbage collection areas, garbage storage and loading spaces are contained in the rear of the ground floor level and are not visible from any public areas. The proposed internal substation is located adjacent to the vehicular access ramp at the rear and is considered to be in a suitable location. The site is located across the road from Wellington Park on the corner of James and Joseph Streets. The design of the proposed development has positively addresses this interface and clearly defined street access, pedestrian paths and building entries to delineate between communal/private open space and the adjoining public open space.	Yes
3D	**Communal and Public Open Space**			
3D-1	*An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.*			
	Design Criteria	Communal open space has a minimum area equal to 25% of the site. (no min. width requirements)	Communal open spaces (190.3m2) are provided on the 10th floor level, which is the equivalent of 11.68% of the total site area. This includes communal room and open space on Level 10 for use by residents. By deleting this unit, the communal open space on Level 10 performance will be improved for solar access in winter. Furthermore, the size of	Considered satisfactory

<table>
<tr><th>No.</th><th colspan="2">SEPP 65 Apartment Design Guide</th><th>Proposed</th><th>Compliance</th></tr>
<tr><td></td><td></td><td></td><td>COS is recommended to be increased accordingly resulting in a COS area of 270.3m² representing 16.6%.

Variation in the COS size is acceptable as the development is located within a dense urban area and have provided communal spaces on the roof and common room, increased private open space in secondary balconies, and has demonstrated good proximity to public open space at Wellington Park located to the south east of the site.</td><td></td></tr>
<tr><td></td><td></td><td>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).</td><td>The proposed south facing COS with clear glazed pergola would not achieve the minimum requirement, which is 50% direct sunlight to the principal usable part for a minimum 2 hours between 9am and 3pm during mid-winter. Between 1pm and 3pm, the usable part of COS will receive approximately 30% due to overshadowing from the adjoining unit 10:01 to the north. By deleting this unit, the communal open space on Level 10 performance will be improved for solar access in winter.</td><td>Considered satisfactory</td></tr>
<tr><td>3D-2</td><td colspan="2">Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.</td><td>Suitable areas of seating and BBQ areas are provided. Adequate facilities provided.</td><td>Yes</td></tr>
<tr><td>3D-3</td><td colspan="2">Communal open space is designed to maximise safety.</td><td>Considered satisfactory.</td><td>Yes</td></tr>
<tr><td>3D-4</td><td colspan="2">Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>3E</td><td colspan="3">Deep Soil Zones</td><td></td></tr>
<tr><td>3E-1</td><td colspan="3">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.</td><td></td></tr>
<tr><td></td><td>Design Criteria</td><td>Deep soil zones are to meet the following minimum requirements:
<table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>less than 650m²</td><td>-</td><td rowspan="4">7%</td></tr><tr><td>650m² - 1,500m²</td><td>3m</td></tr><tr><td>greater than 1,500m²</td><td>6m</td></tr><tr><td>greater than 1,500m² with significant existing tree cover</td><td>6m</td></tr></table>
Design guidance

On some sites it may be possible to provide larger deep soil zones, depending on the site area and context:
• 10% of the site as deep soil on sites with an area of 650m2 - 1,500m2
• 15% of the site as deep soil on sites greater than 1,500m2</td><td>Given the location of the site within the Lidcombe Town Centre, it is difficult to achieve the required deep soil area.

The proposal provides 48.1m2 (2.9%) of deep soil area within natural deep soil. This is considered to be acceptable due to the proposed basement car park and site constraints. Given the location of the site within the Lidcombe Town Centre, it is difficult to achieve the required deep soil area. Sufficient soil depth is proposed in these areas to support the variety of planters in the area including street trees, shrubs, ground cover and turf.</td><td>Considered satisfactory</td></tr>
<tr><td>3F</td><td colspan="3">Visual Privacy</td><td></td></tr>
<tr><td>3F-1</td><td colspan="3">Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</td><td></td></tr>
<tr><td></td><td>Design Criteria</td><td>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</td><td>Building separation with adjoining properties:

<u>Ground Floor/Commercial Setbacks</u>
Eastern side: 4.9m
Southern side: 4.8m</td><td>N/A</td></tr>
</table>

<table>
<tr><th>No.</th><th colspan="2">SEPP 65 Apartment Design Guide</th><th>Proposed</th><th>Compliance</th></tr>
<tr><td></td><td></td><td>follows:
<table><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></td><td>Western side: 6.2m

<u>Levels 1 – 9/Residential Setbacks</u>
Northern side:
Nil setback along the northern boundary blank wall, with the exception of west facing POS setback of the unit at the rear, which is 2.7m. North facing POS of unit in the middle of the building has setback over 21m to the northern boundary.

Eastern side:
1.5m -1.9m with the exception of the POS of units on the south eastern corner is built to the boundaries. Building separation on Levels 8 and 9 to the adjoining site yet to be developed at 29 - 33 Joseph Street, does not comply for its share of 12m and has a shortfall of 0.5m. Minor non-compliance is considered acceptable as the subject site is located within a town centre.

Southern side:
1.5m -1.9m with the exception of the POS of units on the south eastern corner is built to the boundaries. Part of units on Levels 1 – 3 on the south western corner encroaches above Council's land. Building separation on Levels 8 and 9 to the adjoining site under construction at 2 - 8 Vaughan Street and 1 Kerrs Road, does not comply for its share of 12m and has a shortfall of 0.5m. With the exception of the prominent corner, the adjoining site is setback 4m from its northern boundary. Minor non-compliance is considered acceptable as the subject site is located within a town centre.

Western side:
The northern part of all units on the south western corner encroaches above the existing laneway/right of way with setback of 3.545m from the western boundary. POS of these units orientates to the north with setback of over 21m to the northern boundary. Units in the middle part of the building are setback 6.29m from the western boundary. Building separation does not comply on all levels to the western boundary with an unbuilt site at 16 – 18 Bridge Street. However, the western elevation of the subject site has been treated with privacy screen and blank wall.

<u>Level 10</u>
Northern side: 1.5m – 3m (no openings),
North facing POS over 2m to the northern boundary. Wind report recommends full height privacy screening along northern side of POS, which has not been reflected on the architectural plans.
To be conditioned

Eastern side: 1.5m – 2.5m</td><td>Yes

Considered satisfactory

Considered satisfactory

Considered satisfactory

Considered satisfactory</td></tr>
</table>

No.	SEPP 65 Apartment Design Guide		Proposed	Compliance
			Wind report recommends full height privacy screening along eastern side of POS, which has not been reflected on the architectural plans. **To be conditioned** Minor non-compliance for unit 10:03 share of 12m with a shortfall of 0.5m, which is considered acceptable as the subject site is located within a town centre. Southern side: 1.5m – 2.5m Wind report recommends full height privacy screening along southern side of POS, which has not been reflected on the architectural plans. **To be conditioned** Western side: 3.545m (existing laneway/right of way width). No openings. *Building separation within the site:* Full height bedroom window of unit 1:01 has the capacity to be overlooked from edge of unit 1:10 POS on Level 1 having a building separation of 2.55m. This is replicated on every level up to Level 10. Condition is to be imposed to treat the bedroom window with obscure glazing up to 1.5m above the finished floor level. **To be conditioned**	Considered satisfactory Considered satisfactory Considered satisfactory Considered satisfactory
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.*		Privacy for upper levels considered satisfactory with the provision of suitable treatments. **To be conditioned**	**To condition**
3G	**Pedestrian Access and Entries**			
3G-1	*Building entries and pedestrian access connects to and addresses the public domain.*		Ground floor units are provided with a direct connection to street. Front entrance to building is visible to street.	Yes
3G-2	*Access, entries and pathways are accessible and easy to identify.*		Side access available for both frontages.	Yes
3G-3	*Large sites provide pedestrian links for access to streets and connection to destinations.*		N/A	N/A
3H	**Vehicle Access**			
3H-1	*Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.*		Vehicle entry is separate and minimises conflict.	Yes
3J	**Bicycle and Car Parking**			
3J-1	*Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.*			

No.	SEPP 65 Apartment Design Guide		Proposed	Compliance
	Design Criteria	For development in the following locations: • on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or • on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.	In accordance with the ADG, the site is within 800m of a railway station and as such the RMS parking guidelines for ***Metro Sub-Regional Centres*** are to be utilised. 1 bed – 0.6/apt x 36 = 21.6 2 bed – 0.9/apt x 56 = 50.4 3 bed – 1.4/apt x 2 = 2.8 Total apts = 94 Visitor – 1/5 apts = 19 Required car spaces = 94 **The RMS guidelines nominate that 94 spaces are acceptable in this instance. However only 90 car spaces will be provided, which results in 4 car spaces shortfall.** Under ADCP 2010, commercial component is required to provide: Min. 1/60sqm to max 1/40sqm The commercial area of 259.4sqm requires min. 5 and max. 7 spaces. **The development proposes 6 commercial car spaces and 1 service bay. Total car parking provided on site (commercial and residential) = 96 spaces.** As discussed elsewhere in this report, the development results in exceedance of FSR and non-compliances with COS area that are not supported. The assessment recommends the deletion of a 2 bedroom unit (10:01) to ensure FSR compliance and to improve performance of COS, which will result in the following required car parking spaces. 1 bed – 0.6/apt x 36 = 21.6 2 bed – 0.9/apt x 55 = 49.5 3 bed – 1.4/apt x 2 = 2.8 Total apts = 93 Visitor – 1/5 apts = 18.6 Required car spaces = 92.5 = 93 Minimum commercial car spaces = 4 **Total car parking required: 97 spaces** S7.11 contribution is to be applied for the shortfall of 1 car space for the proposed development. **To be conditioned**	Considered satisfactory
		The car parking needs for a development must be provided off street.	As above.	Considered satisfactory
3J-2	*Parking and facilities are provided for other modes of transport.* ***Design guidance*** Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters		Bicycle parking has been provided on the ground floor level adjoining to the northern boundary.	Yes

No.	SEPP 65 Apartment Design Guide		Proposed	Compliance
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas Conveniently located charging stations are provided for electric vehicles, where desirable			
3J-3	*Car park design and access is safe and secure.*		Considered satisfactory. Security roller door, intercom system and access control to be provided to roller shutter and lift system. **To be conditioned**	Yes
3J-4	*Visual and environmental impacts of underground car parking are minimised.*		Car parking entry satisfactory.	Yes
3J-5	*Visual and environmental impacts of on-grade car parking are minimised.*		N/A	N/A
3J-6	*Visual and environmental impacts of above ground enclosed car parking are minimised.*		N/A	N/A
Part 4 - Designing the Building				
4A	**Solar and Daylight Access**			
4A-1	*To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.*			
	Design Criteria	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.	76 units (81%) achieve 2 hours between 8.30am and 3.30pm 44 units (47%) achieve 2 hours between 9am and 3pm Due to the site orientation and constraints, non-compliance with the design criteria is considered acceptable in this instance. Compliant is achieved with an extended time to receive the minimum 2 hours of direct sunlight at mid-winter. The proposed design satisfies the Solar and Daylight Access objective in optimising the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.	No Considered satisfactory
		A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	18 (19%) Due to the site orientation and constraints, non-compliance is considered acceptable in this instance. The proposed design satisfies the Solar and Daylight Access objective in optimising the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.	No Considered satisfactory
4A-2	*Daylight access is maximised where sunlight is limited.*		As discussed above, orientation of subject site limits availability of direct sunlight.	Considered satisfactory
4A-3	*Design incorporates shading and glare control, particularly for warmer months.*		Considered satisfactory	Yes
4B	**Natural Ventilation**			
4B-1	*All habitable rooms are naturally ventilated.*		All habitable rooms are adequately ventilated with design solution proposed to assist natural ventilation of internal building areas or rooms for the single aspect apartments, such as bathrooms and laundries.	Yes
4B-2	*The layout and design of single aspect apartments maximises natural ventilation.*		Considered satisfactory	Yes
	Design Guidance	Natural ventilation to single aspect apartments is achieved with the following	Solar chimney proposed for the northern and southern sections of the floor plate	Yes

<table>
<tr><th>No.</th><th colspan="2">SEPP 65 Apartment Design Guide</th><th>Proposed</th><th>Compliance</th></tr>
<tr><td></td><td></td><td>design solutions:
solar chimney to naturally ventilate internal building areas or rooms such as bathrooms and laundries.</td><td>on all residential levels.</td><td></td></tr>
<tr><td rowspan="3">4B-3</td><td colspan="3">The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</td><td></td></tr>
<tr><td>Design Criteria</td><td>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</td><td>57 units (61%) with solar chimney

33 units (35%) without solar chimney

Compliance is achieved with design solution.</td><td>Yes

No</td></tr>
<tr><td>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>4C</td><td colspan="3">Ceiling Heights</td><td></td></tr>
<tr><td>4C-1</td><td colspan="3">Ceiling height achieves sufficient natural ventilation and daylight access.</td><td></td></tr>
<tr><td>Design Criteria</td><td>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:<table><tr><th colspan="2">Minimum ceiling height
for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor
2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table>These minimums do not preclude higher ceilings if desired.</td><td>Ground level floor to ceiling height = 3m (commercial level), due to flood affectation on site.

Levels 1 - 10 floor to ceiling heights = 2.8m (residential levels)

Note: This is taking into account floor and ceiling separations.</td><td>Considered satisfactory

Yes</td></tr>
<tr><td>4C-2</td><td colspan="2">Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.</td><td>Considered satisfactory</td><td>Yes</td></tr>
<tr><td>4C-3</td><td colspan="2">Ceiling heights contribute to the flexibility of building use over the life of the building.</td><td>Considered satisfactory</td><td>Yes</td></tr>
<tr><td>4D</td><td colspan="3">Apartment Size and Layout</td><td></td></tr>
<tr><td rowspan="2">4D-1</td><td colspan="3">The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.</td><td></td></tr>
<tr><td>Design Criteria</td><td>Apartments are required to have the following minimum internal areas:<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m^2</td></tr><tr><td>1 bedroom</td><td>50m^2</td></tr><tr><td>2 bedroom</td><td>70m^2</td></tr><tr><td>3 bedroom</td><td>90m^2</td></tr></table>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m^2 each.
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m^2 each.</td><td>Each unit is provided with the minimum areas.

1 bed: 50sqm – 60.9sqm
2 bed: 75sqm – 89sqm
3 bed: 104sqm – 105.2sqm</td><td>Yes</td></tr>
<tr><td></td><td>Every habitable room must have a window in an external wall with a total</td><td>Every habitable room has a window in an external wall of a compliant size.</td><td>Yes</td></tr>
</table>

<table>
<tr><th>No.</th><th colspan="2">SEPP 65 Apartment Design Guide</th><th>Proposed</th><th>Compliance</th></tr>
<tr><td></td><td></td><td>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.</td><td></td><td></td></tr>
<tr><td></td><td></td><td>Design Guidance for Objective 4D-1
Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space).</td><td>Kitchens not used as circulation space.</td><td>Yes</td></tr>
<tr><td>4D-2</td><td colspan="2">Environmental performance of the apartment is maximised.</td><td></td><td></td></tr>
<tr><td rowspan="2"></td><td rowspan="2">Design Criteria</td><td>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</td><td>Complies</td><td>Yes</td></tr>
<tr><td>In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</td><td>Minimal non-compliance of 8.3m for room depth of units on the north-eastern corner Levels 1 – 9.</td><td>Considered satisfactory</td></tr>
<tr><td>4D-3</td><td colspan="2">Apartment layouts are designed to accommodate a variety of household activities and needs.</td><td></td><td></td></tr>
<tr><td rowspan="4"></td><td rowspan="4">Design Criteria</td><td>Master bedrooms have a minimum area of 10m^2 and other bedrooms 9m^2 (excluding wardrobe space).</td><td>All bedrooms achieve minimum area.</td><td>Yes</td></tr>
<tr><td>Bedrooms have a minimum dimension of 3m (excluding wardrobe space).</td><td>All bedrooms achieve minimum area.</td><td>Yes</td></tr>
<tr><td>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.</td><td>Most achieve minimum dimensions, or are just slightly short. Considered satisfactory.</td><td>Yes</td></tr>
<tr><td>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.</td><td>C</td><td>N/A</td></tr>
<tr><td>E</td><td colspan="2">Private Open Space and Balconies</td><td></td><td></td></tr>
<tr><td>4E-1</td><td colspan="2">Apartments provide appropriately sized private open space and balconies to enhance residential amenity.</td><td></td><td></td></tr>
<tr><td rowspan="2"></td><td rowspan="2">Design Criteria</td><td>All apartments are required to have primary balconies as follows:
<table>
<tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr>
<tr><td>Studio apartments</td><td>4m^2</td><td>-</td></tr>
<tr><td>1 bedroom apartments</td><td>8m^2</td><td>2m</td></tr>
<tr><td>2 bedroom apartments</td><td>10m^2</td><td>2m</td></tr>
<tr><td>3+ bedroom apartments</td><td>12m^2</td><td>2.4m</td></tr>
</table>
The minimum balcony depth to be counted as contributing to the balcony area is 1m.</td><td>Complies with min 1m dimension</td><td>Yes</td></tr>
<tr><td>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m^2 and a minimum depth of 3m.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>4E-2</td><td colspan="2">Primary private open space and balconies are appropriately located to enhance liveability for residents.</td><td>Considered satisfactory</td><td>Ok</td></tr>
<tr><td>4E-3</td><td colspan="2">Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.</td><td>Complies

Clothes drying areas to be screened.
To be conditioned</td><td>Yes

To condition</td></tr>
<tr><td>4E-4</td><td colspan="2">Private open space and balcony design maximises safety.</td><td>Complies</td><td>Yes</td></tr>
<tr><td>4F</td><td colspan="2">Common Circulation and Spaces</td><td></td><td></td></tr>
<tr><td>4F-1</td><td colspan="2">Common circulation spaces achieve good amenity and properly service the number of apartments.</td><td></td><td></td></tr>
<tr><td></td><td>Design Criteria</td><td>The maximum number of apartments off a circulation core on a single level is eight.</td><td>1 lift core servicing a maximum of 5 units.</td><td>Yes</td></tr>
</table>

<table>
<tr><th>No.</th><th colspan="2">SEPP 65 Apartment Design Guide</th><th>Proposed</th><th>Compliance</th></tr>
<tr><td></td><td></td><td>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>4F-2</td><td colspan="2">Common circulation spaces promote safety and provide for social interaction between residents.</td><td>Internal common area maintains safety, however, secure access to be provided.</td><td>To condition</td></tr>
<tr><td>4G</td><td colspan="3">Storage</td><td></td></tr>
<tr><td>4G-1</td><td colspan="3">Adequate, well designed storage is provided in each apartment.</td><td></td></tr>
<tr><td></td><td>Design Criteria</td><td>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:
<table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m^3</td></tr><tr><td>1 bedroom apartments</td><td>6m^3</td></tr><tr><td>2 bedroom apartments</td><td>8m^3</td></tr><tr><td>3+ bedroom apartments</td><td>10m^3</td></tr></table>At least 50% of the required storage is to be located within the apartment.</td><td>All units are provided with internal storage and storage within basement.

Standard condition to be imposed.</td><td>Yes

To condition</td></tr>
<tr><td>4G-2</td><td colspan="2">Additional storage is conveniently located, accessible and nominated for individual apartments.</td><td>Complies</td><td>Yes</td></tr>
<tr><td>4H</td><td colspan="3">Acoustic Privacy</td><td></td></tr>
<tr><td>4H-1</td><td colspan="2">Noise transfer is minimised through the siting of buildings and building layout.</td><td>Acceptable, not adjoining to any sensitive use room.</td><td>Yes</td></tr>
<tr><td>4H-2</td><td colspan="2">Noise impacts are mitigated within apartments through layout and acoustic treatments.</td><td>As above</td><td></td></tr>
<tr><td>4J</td><td colspan="3">Noise and Pollution</td><td></td></tr>
<tr><td>4J-1</td><td colspan="2">In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.</td><td>Acoustic report submitted. Considered satisfactory by EHU.</td><td>Yes</td></tr>
<tr><td>4J-2</td><td colspan="2">Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</td><td>Acoustic report submitted. Considered satisfactory by EHU.</td><td>Yes</td></tr>
<tr><td>4K</td><td colspan="3">Apartment Mix</td><td></td></tr>
<tr><td>4K-1</td><td colspan="2">A range of apartment types and sizes is provided to cater for different household types now and into the future.</td><td>36 x 1b/r
56 x 2b/r, subject to deletion of 1 unit
2 x 3b/r</td><td>Considered satisfactory</td></tr>
<tr><td>4K-2</td><td colspan="2">The apartment mix is distributed to suitable locations within the building.</td><td>Complies</td><td>Yes</td></tr>
<tr><td>4L</td><td colspan="3">Ground Floor Apartments</td><td></td></tr>
<tr><td>4L-1</td><td colspan="2">Street frontage activity is maximised where ground floor apartments are located.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>4L-2</td><td colspan="2">Design of ground floor apartments delivers amenity and safety for residents.</td><td>N/A</td><td>N/A</td></tr>
<tr><td>4M</td><td colspan="3">Façades</td><td></td></tr>
<tr><td>4M-1</td><td colspan="2">Building facades provide visual interest along the street while respecting the character of the local area.</td><td>Considered satisfactory</td><td>Yes</td></tr>
<tr><td>4M-2</td><td colspan="2">Building functions are expressed by the façade.</td><td>Considered satisfactory</td><td>Yes</td></tr>
<tr><td>4N</td><td colspan="3">Roof Design</td><td></td></tr>
<tr><td>4N-1</td><td colspan="2">Roof treatments are integrated into the building design and positively respond to the street.</td><td>Considered satisfactory</td><td>Yes</td></tr>
<tr><td>4N-2</td><td colspan="2">Opportunities to use roof space for residential accommodation and open space are maximised.</td><td>Rooftop common open space proposed.</td><td>Yes</td></tr>
<tr><td>4N-3</td><td colspan="2">Roof design incorporates sustainability features.</td><td>Development considered satisfactory.</td><td>Yes</td></tr>
<tr><td>4O</td><td colspan="3">Landscape Design</td><td></td></tr>
<tr><td>4O-1</td><td colspan="2">Landscape design is viable and sustainable.</td><td>Development considered satisfactory.</td><td>Yes</td></tr>
<tr><td>40-2</td><td colspan="2">Landscape design contributes to the streetscape and amenity.</td><td>Development considered satisfactory.</td><td>Yes</td></tr>
<tr><td>4P</td><td colspan="3">Planting on Structures</td><td></td></tr>
</table>

No.	SEPP 65 Apartment Design Guide	Proposed	Compliance
4P-1	*Appropriate soil profiles are provided.*	Development considered satisfactory.	Yes
4P-2	*Plant growth is optimised with appropriate selection and maintenance.*	Development considered satisfactory.	Yes
4P-3	*Planting on structures contributes to the quality and amenity of communal and public open spaces.*	Development considered satisfactory.	Yes
4Q	**Universal Design**		
4Q-1	*Universal design features are included in apartment design to promote flexible housing for all community members.*	9 universal silver standard units provided.	Considered satisfactory
4Q-2	*A variety of apartments with adaptable designs are provided.* **Design guidance** Adaptable housing should be provided in accordance with the relevant council policy	10 adaptable units provided. Associated accessible car spaces subject to condition.	Considered satisfactory
4Q-3	*Apartment layouts are flexible and accommodate a range of lifestyle needs.*	Considered satisfactory	Yes
4R	**Adaptive Reuse**		
4R-1	*New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.*	N/A	N/A
4R-2	*Adapted buildings provide residential amenity while not precluding future adaptive reuse.*	N/A	N/A
4S	**Mixed Use**		
4S-1	*Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.*	N/A	N/A
4S-2	*Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents.*	N/A	N/A
4T	**Awnings and Signage**		
4T-1	*Awnings are well located and complement and integrate with the building design.*	N/A	N/A
4T-2	*Signage responds to the context and desired streetscape character.*	N/A	N/A
4U	**Energy Efficiency**		
4U-1	*Development incorporates passive environmental design.* **Design guidance** Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access) Well located, screened outdoor areas should be provided for clothes drying	Considered satisfactory	Yes
4U-2	*Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.*	Considered satisfactory	Yes
4U-3	*Adequate natural ventilation minimises the need for mechanical ventilation.*	As discussed above.	Yes
4V	**Water Management and Conservation**		
4V-1	*Potable water use is minimised.* Water efficient fittings, appliances and wastewater reuse should be incorporated Apartments should be individually metered Rainwater should be collected, stored and reused on site Drought tolerant, low water use plants should be used within landscaped areas	BASIX Certificate confirms that the proposal has achieved target scores for Water.	Yes
4V-2	*Urban stormwater is treated on site before being discharged to receiving waters.*	Development considered satisfactory.	Yes

No.	SEPP 65 Apartment Design Guide	Proposed	Compliance
4V-3	*Flood management systems are integrated into site design.*	Development considered satisfactory.	Yes
4W	**Waste Management**		
4W-1	*Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.*	Development considered satisfactory.	Yes
4W-2	*Domestic waste is minimised by providing safe and convenient source separation and recycling.*	Development considered satisfactory.	Yes
4X	**Building Maintenance**		
4X-1	*Building design detail provides protection from weathering.*	Considered satisfactory	Yes
4X-2	*Systems and access enable ease of maintenance.*	Considered satisfactory	Yes
4X-3	*Material selection reduces ongoing maintenance costs.*	Considered satisfactory	Yes