**Attachment G:** **SEPP65 Apartment Design Guide Assessment Table**

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| **SEPP 65**  **Key Standards** | **Control / design criteria** | **Complies**  **Y/N** | **Comment** |
| **Part 2 – Developing the controls** | | | |
| 2B Building envelopes | Building envelopes set the appropriate scale in terms of bulk and height.  Setback requirements in ADG:   * Minimum 6m setback required to side boundaries; * Minimum 3m setback to rear boundary | Yes | The application proposes the following outcomes that are consistent with the SEPP and DCP 2014:   * Three storeys in total; * Setback to the street of 4 metres; * Undercroft parking, screened from the street by the building; * Residential for second and third storeys. * Northern side setback was only 3m, but has now been increased to 6m and additional landscaping provided. |
| 2C Building height | The development site is subject a 13 metres building height. | **No** | The original application proposed a maximum height of 12.6 metres.  However, the UDR Panel indicated height could be increased, as land to the north has a maximum height limit of 15m.  The highest point of the proposal is 14.25 metres. The non-compliance with this the LEP height control is discussed in detail under LEP clause 4.6. |
| 2E Building depth | Maximum apartment depths between 12- 18 metres   * ensure bulk of development relates to the scale of the desired future context; * ensure building depths support apartment layouts that meet the objectives, design criteria and design guidance within the Apartment Design Guide.   Council’s DCP 2014 / Part 4 / Section 6.9 specifies that building depth should not exceed 18 metres for residential floorspace (unless within 9 metres of an adequate natural light source) and 30 metres for commercial floor space, (unless within 15 metres of an adequate natural light source). | Yes | The apartments located in the south-eastern corner of each block (No’s 6, 17, 24, 31, 45 and 52) have a depth of 12.2m, which are the apartments with the greatest depth.  This is acceptable. |
| 2F Building separation / 3F Visual privacy | Up to four storeys (approx. 12 metres):   * 2F - 12m or 3F – 6m between habitable rooms/balconies; * 9m between habitable and non-habitable rooms; * 2F - 6m or 3F - 3m between non-habitable rooms.   Note: Under the ADG where applying separation to buildings on adjoining sites, half the minimum separation distance to the boundary should be applied.  Council’s DCP 2014 / Part 4 / Section 6.7 requires continuous built form to be provided at street level in town centres. Where built to the side boundary for the ground and first level, a zero lot setback should be provided for a depth of no more than 12 metres (measured from the street boundary).  Beyond the 12 metres, development must be set back as follows:   * a minimum of 1.5 metres from a side boundary for the ground and first levels, and * 3 metres for all upper levels, beyond the first level. | Yes | South (side):  The application proposes a minimum 7.5m setback to the adjoining B4 zoned land to the south, which meets the minimum 6m setback requirement in the ADG.  The DCP nominates a zero setback to the side boundaries for a depth of 12m, however, this is not considered appropriate in the locality.  North (side):  The application proposed a 3.1m setback to the adjoining industrial land to the north.  The DRP advised a minimum 6 metre setback should be provided to the north to provide a buffer to the adjacent industrial land. This has now been provided.  East (rear):  This setback adjoins B4 zoned land and is adjacent to a Hunter Water Corporation drainage channel.  The application proposes a minimum 11m setback to the rear boundary as the communal open space is provided at the rear of Block C.  This is satisfactory.  Separation between buildings within the development  The development provides a 13m separation distance between each block, which complies with the ADG.  These setbacks are consistent with the ADG, however not strictly consistent with Council’s controls. |
| 2G Street setback | Establish the desired spatial proportions of the street.  Provide space that can contribute to landscape character.  Assist in providing visual privacy.  Create good quality entries to lobbies.  Promote passive surveillance | Yes | Proposed front setback of the development is 4m. The setback meets the aims of the ADG and is satisfactory. |
| 2H Side and rear setbacks | Setback distances to side and rear boundaries and height of building. | Yes | Refer to assessment under SEPP 65 / 2F Building separation. |
| **Part 3 – Siting the development** | | | |
| 3A Site analysis | 3A1 – Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context. | Yes | Basic site analysis documentation has been submitted with the application and is satisfactory. |
| 3B Orientation | 3B1 – Building types and layouts respond to the streetscape and site while optimising solar access within the development.  3B2 – Overshadowing of neighbouring properties is minimised during mid-winter. | Yes  Yes | Amount of units facing north should be maximised. DRP recommended an increase in height of development in northern corner.  DRP recommended living rooms be placed on external corners to maximize solar access.  Just over 70% of units received complying solar access (43 of the proposed 60 units.)  Setback of over 7m to the south maintains solar access to the adjoining property. |
| 3C Public domain interface | 3C1 – Transition between private and public domain is achieved without compromising safety and security.  3C2 – Amenity of the public domain is retained and enhanced. | Yes | The proposed 4m front setback allows a transition from the public domain to the front entry of the development.  A 1.2m wide concrete footpath will be required across the frontage of the site and along the eastern side of Pendlebury Road to the traffic signals to the south of the development site. The footpath is to continue east on the northern side of Munibung Road to connect to existing concrete footpath near the drainage channel.  Three street trees will also be required along the street frontage.  The footpath and street trees will be a requirement of any consent issued.  A commercial premise is now provided at the ground level to activate the street.  *Public Transport*  The bus stops located on both sides of Munibung Road, to the east of Pendlebury Road, are required to be upgraded in accordance with the requirements of the Disability Standards for Accessible Public Transport (DSAPT) 2002, and Council’s standard drawing EGSD-801. This will be a condition of any consent issued. |
| 3D Communal and public open space | 3D1 – An adequate area of communal open space is provided to enhance residential amenity to provide opportunities for landscaping.  Design criteria:   1. Communal open space has a minimum area equal to 25% of the site; 2. Development achieves a minimum of 50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).   3D2 – Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.  3D3 – Communal open space is designed to maximise safety.  3D4 – Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood. | **No** | The development provides communal open space at the rear with an area of approximately 500m².  Two additional communal areas are provided at the rear of Block A and the rear of Block B, each with an area of approximately 250m2.  Therefore, the total area provided is approximately 1000m2.  The area of communal open space is below the 25% required (approximately 1300m2 required).  Rear communal area complies with sunlight requirements, however access to this area needs to be improved, as per DRP comments and Coordinator Community Partnerships.  Further details of the communal open space are required including seating, bbqs etc to promote a range of activities.  ADG states: *“Should offer gathering areas to provide opportunity for social interaction amongst residents”.*  The amended plans have provided these areas with picnic type chairs and tables. |
| 3E Deep soil zones | 3E1 – Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.  Design criteria:   * 7% deep soil zone; * Minimum dimension of 3m. | Yes | A deep soil zone is provided in each of the communal open space areas and the front setback.  These deep soil zones have a total area of approximately 1300m2 or 25%.  The deep soil zone complies with the minimum 3m dimension and 7% of site area. |
| 3F Visual privacy | 3F1 – Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.  3F2 – Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space. | Yes | The 12m separation between each building block is acceptable to maintain visual privacy.  The side setbacks are satisfactory to maintain visual privacy between the development and adjoining sites.  Also refer to assessment under SEPP 65 / 2F Building separation. |
| 3G Pedestrian access and entries | 3G1 - Building entries and pedestrian access connects to and addresses the public domain.  3G2 - Access, entries and pathways are accessible and easy to identify.  3G3 - Large sites provide pedestrian links for access to streets and connection to destinations. | Yes  Yes  Yes | Pedestrian access into Block A is provided via a pathway from Pendlebury Road and is defined by an awning.  Pedestrian access into Block B and C is provided via a pathway from Pendlebury Road along the southern driveway.  The DRP raised issue with the location of the pedestrian pathway in terms of safety and security and maintaining privacy and the amended scheme provided the pathway in conjunction with the driveway access.  Also, refer to assessment under SEPP 65 / 3C Public domain interface and DCP 2014 / Part 4 / Section 4.3 Ground floor entries. |
| 3H Vehicle access | 3H1 – Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscape. | Yes | Proposed vehicular access is satisfactory. |
| 3J Bicycle and car parking | 3J1 – Car parking is provided based on proximity to public transport in metro Sydney and centres in regional areas.  3J2 – Parking and facilities are provided for other modes of transport.  3J3 – Car park design and access is safe and secure.  3J4 – Visual and environmental impacts of underground car parking are minimised.  3J5 – Visual and environmental impacts of on-grade car parking are minimised.  3J6 – Visual and environmental impacts of above ground enclosed car parking are minimised.  The ADG requires car parking to be calculated in accordance with The Guide to Traffic Generating Development or Council’s DCP; whichever provides the lesser car parking requirements.  However, in this case, the car parking requirements in SEPP Affordable Housing are applicable. | Yes | Council’s Development Engineer has advised that the internal driveway and car parking area (including turning movements) appear adequate for the development and comply with the DCP 2014 requirements and AS 2890.1 Parking Facilities – Off Street Parking & AS 2890.6 Parking Facilities – Off-street parking for people with disabilities.  The visual impact of the parking areas has been minimised as the parking is located in an under croft area of each building.  The DRP has raised issue with the safety and security of the car parking areas due to their openness. The applicant has opposed this as in situations where garages have been provided in similar developments they have been used primarily for storage and not for cars.  Bicycle parking has been provided.  Garbage will be collected at the front of the site and turning movements for garbage trucks are not required on site.  Also, refer to SEPP Affordable Housing for car parking rates. |
| **Part 4 – Designing the building** | | | |
| 4A Solar and daylight access | 4A1 – 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 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metro Area and in the Newcastle and Wollongong LGA; 2. In all other areas, living areas and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at midwinter; 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter.   4A2 – Daylight access is maximised where sunlight is limited.  4A3 – Design incorporates shading and glare control, particularly for warmer months. | Yes | Due to the orientation and layout of the blocks, overshadowing occurs within the site.  Shadow diagrams now provided demonstrate solar access provision to 72% of individual apartments and do show that the minimum solar access requirements are met.  Apartments which face south include bedrooms on the southern elevation and living areas are orientated to the east or west.  Overshadowing of the adjacent site to the south occurs between 12pm and 3pm mid-winter but the minimum 3hrs of sunlight is achieved between 9am and 12pm. Thereof  Also, refer to SEPP Affordable Housing. |
| 4B Natural Ventilation | 4B1 – All habitable rooms are naturally ventilated.  4B2 – The layout and design of single aspect apartments maximises natural ventilation.  4B3 – The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.  Design criteria:  At least 60% of apartments are naturally cross ventilated. | Yes | Some apartment layouts and location of window openings provide for cross ventilation.  Some apartments are single aspect and do not have cross ventilation opportunities.  Applicant states between 60-65% of units benefit from cross ventilation but this has not been demonstrated on plans.  Council’s calculation - 37units (62%) have cross ventilation, this just complies with the minimum 60% of units. |
| 4C Ceiling heights | 4C1 – Ceiling height achieves sufficient natural ventilation and daylight access.  Design criteria:  Measured from finished floor level to finished ceiling level, minimum ceiling heights are:   * Habitable rooms: 2.7m; * Non habitable: 2.4m.   If located in mixed use areas: 3.3m for ground and first floor to promote future flexibility of use.  4C2 – Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.  4C3 – Ceiling heights contribute to the flexibility of building uses over the life of the building. | Yes | The site is located within a mixed use zone.  The floor to ceiling height proposed are:   * Commercial floor – The applicant has confirmed the commercial space has an internal head height of 3.3m * Residential Levels – 2.7 to 2.9 metres   The proposed residential ceiling heights are consistent with the ADG requirements. |
| 4D Apartment size and layout | 4D1 – The layout of rooms with an apartment is functional, well organised and provides a high standard of amenity.  Design criteria:  Apartments are required to have the following minimum internal areas:   * Studio: 35m2; * One bedroom: 50m²; * Two bedroom: 70m² ; * Three bedroom: 90m².   Additional bathrooms increase the minimum internal area by 5m2 each.  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.  4D2 – Environmental performance of the apartment is maximised.  Design criteria:  Habitable room depths are limited to a maximum of 2.5 x ceiling height.  In open plan layouts, the maximum habitable room depth is 8 metres from a window.  4D3 – Apartment layouts are designed to accommodate a variety of household activities and needs.  Design criteria:  Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe).  Bedrooms have a minimum dimension of 3 metres.  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. | **No** | Apartment sizes proposed as follows:   * 50m2 – 1 bed * 70-79m2 – 2 bed * 90m2 – 3 bed   The proposed apartments meet the minimum internal areas; however, the 3 bed apartments do not meet the minimum internal area under SEPP Affordable Housing.  All combined living/dining rooms have a minimum width of >3.6m for 1 bed units and 4m for 2 and 3 bed units.  Majority of master and other bedrooms have sufficient minimum areas (excluding wardrobes), and have a minimum dimension of 3 metres.  **However, a number of apartments do not have a master bedroom with a minimum area of 10m2. (3m x 3.3m = 9.9m2 .)**  Laundries are now shown on the plans. |
| 4E Private open space and balconies | 4E1 – Apartments provide appropriately sized private open space and balconies to enhance residential amenity.  Design criteria:  All apartments are required to have primary balconies as follows:   * Studio: 4m2; * One bedroom: 8m² ‑ 2m depth; * Two bedroom: 10m² - 2m depth; * Three bedroom: 12m² - 2.4m depth.   The minimum balcony depth to be counted as contributing to the balcony area is 1m.  Ground floor or podium apartments shall have a private open space instead of a balcony. It must have a minimum area of 15m2 and depth of 3 metres.  4E2 – Primary private open space and balconies appropriated located to enhance liveability for residents.  4E3 – Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.  4E4 – Private open space and balcony design maximises safety. | **No** | All one bedroom units have private open space balconies 8m² or larger and 2m depth.  **A majority of two bedroom units are slightly under minimum requirement for private open space balconies (9.5m2), but all have a 2m depth.**  All three bedroom units are under minimum requirement for private open space balconies (9.5m2) but have at least a 2.4m depth.  Therefore, a majority of 2 bed units and all the 3 bed units do not meet the minimum area requirement for balconies (10m2 and 12m2).  Each unit in the development has a private balcony area off the living area.  Majority of balconies for residential units overlook communal areas, the street or adjoining industrial land.  Balconies have been designed to be recessed into the street façade wall. |
| 4F Common circulation and spaces | 4F1 – Common circulation spaces achieve good amenity and properly service the number of apartments.  Design criteria:   1. The maximum number of apartments off a circulation core on a single level is eight; 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift in 40.   4F2 – Common circulation spaces promote safety and provide for social interaction between residents. | Yes | Complies as there are seven units off the circulation space on each level.  Privacy is provided within each unit from common circulation space through layout of floorplan. |
| 4G Storage | 4G1 – Adequate, well designed storage is provided in each apartment.  Design criteria:   * Studio: 4m3 ; * One bedroom: 6m3; * Two bedroom: 8m3; * Three bedroom: 10m3.   At least 50% of the required storage is to be located within the apartment.  4G2 – Additional storage is conveniently located, accessible and nominated for individual apartments. | Yes | Storage areas are now shown on the plans. |
| 4H Acoustic privacy | 4H1 – Noise transfer is minimised through the siting of buildings and building layout.  4H2 – Noise impacts are mitigated within apartments through layout and acoustic treatments. | **No** | A larger separation to the industrial land to the north and landscaping within the setback has been provided  An acoustic assessment was provided by the applicant. required. Recommendations from the report will be included in conditions of any consent.  **DRP advised typical units in the south-eastern corner of each block - eg; Units No.5 and No.6 of Block A - currently have bedrooms adjoining living rooms in adjacent units which is not ideal for acoustic reasons.**  There are a small number of bedrooms adjacent to the driveway, which could potentially be affected by vehicle noise. |
| 4J Noise and pollution | 4J1 – In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.  4J2 – Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission. | Refer above | Refer to assessment under SEPP 65 / 4H Acoustic privacy. |
| 4K Apartment mix | 4K1 – A range of apartment types and sizes is provided to cater for different household types now and into the future.  4K2 – The apartment mix is distributed to suitable locations within the building. | Yes | The development comprises:   * 14 x one-bedroom units – 23% * 40 x two-bedroom units - 67% * 6 x three-bedroom units – 10%   Council’s DCP 2014 / Part 9 / Section 13.2 Housing mix requires a mix of dwelling types and sizes as follows:   * one-bedroom apartments maximum 30% * two-bedroom apartments minimum 40% * three-bedroom apartments minimum 15%   Although the percentage of one and three bedroom apartments is slightly less than the Council controls, apartment mix is generally appropriate to location and provides for different household types now and into the future.  Compass Housing possesses knowledge of client’s needs and local markets and considers the apartment mix as suitable. |
| 4L Ground floor apartments | 4L1 – Direct street access should be provided to ground floor apartments  Ground floor apartment layouts should support small office home office (SOHO) use | **No** | Direct street access has not been provided for the ground floor apartments; however, ground floor access has been provided to the commercial space. |
| 4M Facades | 4M1 – Building facades provide visual interest along the street while respecting the character of the local area.  4M2 – Building functions are expressed by the façade. | Yes | A colour and materials schedule has been submitted with the application.  DRP generally satisfied with the design of the development. |
| 4N Roof design | 4N1 – Roof treatments are integrated into the building design and positively respond to the street.  4N2 – Opportunities to use roof space for residential accommodation and open space are maximised.  4N3 – Roof design incorporates sustainability features. | Yes | The building has a low pitch roof form. The Panel did not raise any issue with the proposed roof form. |
| 4O Landscape design | 4O1 – Landscape design is viable and sustainable.  4O2 – Landscape design contributes to the streetscape and amenity.  Council’s DCP 2014 / Part 9 – Specific Land Uses – 9.13 Residential Flat Buildings / Section 13.8 and 13.9 requires street tree planting and tree planting in the front setback. | Yes | Landscaping plans and documentation have been submitted with the application; however, the plans lack detail.  DRP have advised it is essential for the site to create its own landscape amenity as a buffer to adjoining sites.  Panel have recommended greater side setbacks and additional landscaping within the setbacks, as well as better integrated communal areas. These have been provided.  Council’s Landscape Architect is now satisfied with the proposal. |
| 4P Planting on structures | 4P1 – Appropriate soil profiles are provided.  4P2 – Plant growth is optimised with appropriate selection and maintenance.  4P3 – Planting on structures contributes to the quality and amenity of communal and public open spaces. | N/A | No planting on structures is proposed. |
| 4Q Universal design | 4Q1 – Universal design features are included in apartment design to promote flexible housing for all community members.  4Q2 – A variety of apartments with adaptable designs are provided.  4Q3 – Apartment layouts are flexible and accommodate a range of lifestyle needs. | Yes | A Disability Access Report prepared by Lindsay Perry access has been submitted with the development application.  The applicant has advised the development has been designed to comply with the Silver Level Liveable Housing Design Guidelines.  The application proposes six adaptable dwellings, which complies with Council’s DCP.  The adaptable dwellings have not been provided with suitable car parking spaces  For consideration of this matter, the application was referred to Council’s Ageing and Disability Services Officer and Council’s Senior Building Surveyor. The officers were satisfied with the development, subject to the imposition of suitable conditions of consent requiring details to be resolved at the Construction Certificate stage. |
| 4S Mixed use | 4S1 – Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.  4S2 – Residential levels of the building are integrated within the development, and safety and amenity if maximised for residents. | Yes | The development is required to consist of a mixed use development to be permissible under LMLEP 2014.  An active street frontage has now been provided as part of the development. |
| 4T Awnings and signage | 4T1 – Awnings are well located and complement and integrate with the building design.  4T2 – Signage responds to the context and desired streetscape character. | **No** | Council’s DCP / Part 4 / Section 4.5 requires the following:   * Development in the B4 Zone must provide a solid box awning that is at least two metres deep for at least 50% of the building frontage, including the entrance to the building; * The vertical distance from the footpath to the underside of an awning must be between three and 3.6 metres at any point; * Awnings must use materials that are sun, rain and wind proof; * Awnings must drain towards the building, and be supported by approved stormwater disposal methods.   **The application proposes an awning over the pedestrian entry to the building; however, it does not extend for at least 50% of the building façade. This variation is not opposed given the development type and location.**  The development now provides a commercial space at the frontage of the building to comply with Council’s LEP. |
| 4U Energy efficiency | 4U1 – Development incorporates passive environmental design.  4U2 – Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.  4U3 – Adequate natural ventilation minimises the need for mechanical ventilation. | Yes | A BASIX certificate has been submitted with the application. The BASIX Certificate identifies all relevant DA commitments.  The applicant has indicated that no air conditioning is proposed with the development.  The DRP recommended inclusion of PV solar collectors to augment electricity supply for lighting and mechanical services for the communal areas. |
| 4V Water management and conservation | 4V1 - Potable water use is minimised.  4V2 – Urban stormwater is treated on site before being discharged to receiving waters.  4V3 – Flood management systems are integrated into site design. | Yes | Stormwater can be managed on the site satisfactorily. |
| 4W Waste management | 4W1 – Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.  4W2 – Domestic waste is minimised by providing safe and convenient source separation and recycling. | Yes | Waste storage areas are provided in the under-croft parking areas. This waste will be collected and moved to a storage area at the front of the driveway for collection. |
| 4X Building maintenance | 4X1 – Building design detail provides protection from weathering.  4X2 – Systems and access enable ease of maintenance.  4X3 – Material selection reduces ongoing maintenance costs. | Yes | Building design is appropriate in terms of ongoing building maintenance.  Refer to assessment under SEPP 65 / 4M Facades. |