**SEPP 65 – Apartment Design Guide Table of Compliance – DA/1750/2022 – PPSHCC-146**

| **No.** | **Control** | **Proposed** | **Complies** |
| --- | --- | --- | --- |
| ***Part 1 – Identifying the context*** | | | |
| *1A: Apartment building types* | *Towers apartments are suited to central business districts, major centres and urban renewal areas. Tower apartments are typically more than nine storeys and best used when:*  *- located in dense urban areas*  - *other towers exist in the surrounding context*  *- an area requires greater density than can be delivered by perimeter block buildings*  *- a strong vertical form or landmark is desired* | The building type of the proposed development is Tower apartments. This building form is not suited to the area as it is not in a central business district, major centre or urban renewal area. The site is not located in dense urban areas and there are no other towers within the surrounding context. The closest tower to the site is at The Entrance, which is approximately 8.3km away in a straight line. | No |
| *1B: Local character & context* | *Good design responds and contributes to its context. Context is everything that has a bearing on an area and comprises the key natural and built features. Context also includes social, economic and environmental factors.* | The setting is not common for residential flat buildings. The proposed development does not relate to the existing or desired future context and neighbourhood character of the local area. The site is located 1.5km east of the Wyong railway station. The site is surrounded by the fairways of the golf course, recreation grounds, the hotel, and some residential lots. There are natural and constructed waterways and natural and planted vegetation. The site is not within a town or village centre. | No |
| *1C: Precincts & individual sites* | *Residential apartment developments are generally developed on individual sites or within precincts* | The proposed development is within a precinct known as Kooindah Waters. A masterplan for the precinct was prepared and has guided the development of the precinct up to this stage. The site was identified in the masterplan and subject to a future DA. The masterplan indicated low scale accommodation, similar to that which exists on the eastern side of the golf club. Although the precinct was subject to a future DA, the intention was for similar low scale tourist development. A 26 storey tower was not envisaged on the site and is not in accordance with the masterplan. | No |
| ***Part 2 – Developing the controls*** | | | |
| *2E: Building depth* | *Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.* | All floors of the building have floor depths of between 23 and 25.5m which is 7.5m over the maximum recommended. | No |
| *2F: Building separation* | *Building separation is the distance measured between building envelopes or buildings* | There are no other towers within the vicinity, so the development complies with the requirements for building separation. | Yes |
| ***Part 3 – Siting the development*** | | | |
| *3D-1: Communal & Public Open Space* | *Communal open space has a minimum area equal to 25% (1,208m²) of the site area and min. dimension of 3m* | 1,208 of the site area is communal open space. | Yes |
| *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 9am and 3pm on 21 June (mid winter)* | Communal open space achieves the solar access requirements. | Yes |
| *3E-1: Deep Soil* | *Minimum 7% (338.17m²) of the site is to comprise deep soil, with a minimum dimension of 6m for a site area greater than 1,500m²* | 444m² or 9% of the site comprises deep soil with a minimum dimension of 6m. | Yes |
| *3F-1: Visual Privacy* | *Minimum separation distances from buildings to the side and rear boundary are as follows:*  *Up to 12m (4 storeys)*   * *6m between habitable rooms and balconies* * *3m between non-habitable rooms.*   *Up to 25m (5-8 storeys)*   * *9m between habitable rooms and balconies* * *4.5m between non-habitable rooms.*   *Building height over 25m (9+ storeys)*   * *12m between habitable rooms and balconies* * *6m between non-habitable rooms.* | The first two levels of the building have nil setbacks to side and rear boundaries. Level 1 has a setback of 2.2m. Levels 2 to 5 have a setback as little as 1.8m to the rear boundary. The rear setback of levels 6-8 is 2.5m. The smallest setback of levels 9 and 10-17 is 4m. And the smallest setback of levels 18-22 is 4m. | No |
| *3F-2: Visual Privacy* | *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.* | There are some movable privacy screens located on some parts of the façade. But the majority of units don’t have privacy screens. The building itself is so tall that there will be privacy issues created by overlooking to the surrounding low scale residential. | No |
| *3H-1: Vehicle Access* | *Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes* | It is not considered that the vehicle access point is designed and located to achieve safety or minimise conflicts as it is located adjacent to the waste collection area and limited to one entry/access only. Considered that a second entry/access needs to be provided for the large number of occupants and vehicles. | No |
| *3J-1: Car Parking* | *The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirements prescribed by the relevant Council, whichever is less.* | The proposal fails to comply with the parking requirements of the Central Coast DCP 2022. | No |
| ***Part 4 – Designing the building*** | | | |
| *4A-1: Solar and Daylight Access* | *Living rooms 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 mid winter* | 52/98 of residential units (53%) get 3 hours solar to living and POS. 28/51 (55%) of serviced apartments get 3 hours solar to living and POS | No |
| *A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm mid winter* | 15/98 units receive no sunlight at midwinter – 15%.  14/51 serviced apartments receiving no sunlight at midwinter – 27% | Yes  No |
| *4B-3: Natural Ventilation* | *Minimum of 60% of apartments are naturally cross ventilated in the first nine storeys of the building* | None of the serviced apartments are naturally cross ventilated.  The 1st nine storeys of the building have 2 levels of residential apartments, with 8 units per floor 50% of the units are on the corners with dual aspects and so are naturally cross ventilated. 50% are single aspect apartments. | No |
| *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.* | 82 apartments are located at ten storeys or greater and all of the balconies can not be fully enclosed, so 100% of these apartments are deemed to be cross ventilated. | Yes |
| *4C: Ceiling Heights* | *Minimum ceiling heights for habitable rooms are 2.7m and non-habitable rooms are 2.4m* | Floor to floor heights are a minimum of 3.2m so a ceiling height of 2.7m is achievable | Yes |
| *4D-1: Apartment Size* | *Apartments have the following minimum internal areas:*   * *Studio – 35m²* * *1 bedroom – 50m²* * *2 bedroom – 70m²* * *3 bedroom – 90m²*   *Add 5m² for each additional bathroom* | 20 x serviced apartments don’t comply with the minimum internal areas for a 1 bedroom apartment.  All residential units have an internal area larger than the minimum required. | No |
| *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* | All habitable rooms have a window within the external wall. | Yes |
| *4D-2: Room Depths* | *Habitable room depths are limited to a maximum of 2.5 x ceiling height.* | Complies | Yes |
| *In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.* | 8 serviced apartments have a room depth greater than 8m (9.4m). | No |
| *4D-3: Apartment Layout* | *Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)* | All bedrooms comply in the residential units. However, 47% of master bedrooms in serviced apartments fail to comply. | No |
| *Bedrooms have a minimum dimension of 3m (excluding wardrobe space)* | All bedrooms comply. | Yes |
| *Living rooms or combined living/dining rooms have a minimum width of:*   * *3.6m (1 bed apartments)*   *4m (2+ bed apartments)* | Generally complies. Some of the residential units have a small section of the living room that is less than 4m wide, but it is generally only where the TV is located, then the rest of the living room opens up to a more generous area that is well over the minimum width required. | Yes |
| *4E: Private Open Space & Balconies* | *All apartments are required to have primary balconies as follows:*   * *Studio – 4m²* * *1 bedroom – 8m² with min. 2m depth* * *2 bedroom – 10m² with min. 2m depth* * *3+ bedroom – 12m² and min. 2.4m depth* | 71% of serviced apartments fail to comply with the minimum area and/or balcony depth.  39% of residential units do not comply with the minimum sizes of private open space (POS) because some areas of the balconies do not meet the required minimum width. | No |
| *For apartments at ground level or on a podium or similar structure, private open space is to be provided – 15m² and 3m wide* | All five serviced apartments facing Parry Parade have private open space area greater than 15m² and width of 3m. | Yes |
| *4F-1: Common Circulation* | *The maximum number of apartments off a circulation core on a single level is 8* | Levels 2 to 5 that contain serviced apartments do not comply (10 serviced apartments on each level + hotel suites). | No |
| *For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40* | 2 passenger lifts and a larger sized goods lift are provided in the development | Yes |
| *4G: Storage* | *In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:*   * *Studio – 4m³* * *1 bedroom – 6m³* * *2 bedroom – 8m³* * *3+ bedroom – 10m³*   *At least 50% of required storage to be located within the apartment* | 17% of residential units don’t have at least 50% of storage located within the apartment. Serviced apartments also fail to comply with the storage requirements. | No |
| *4H: Acoustic Privacy* | *Adequate building separation is provided within the development and from neighbouring buildings/ adjacent uses* | Adequate building separation is provided as there are no other towers within the vicinity so acoustic privacy will not be an issue for the proposed apartments. | No |
| *Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms* | Bedrooms are located closer than 3m to communal open space on levels 9 and 18 and so noise will be an issue for these bedrooms. | No |
| *4K: Apartment Mix* | *A range of apartment types and sizes is provided to cater for different household types now and into the future* | The units are a mix of 2 and 3 bedrooms. There is no studio, 1 or 4 bedroom apartments. There are no ground floor apartments. The apartment mix is very limited and not acceptable in a development of this size. | No |
| *4M: Facades* | *Building facades provide visual interest along the street while respecting the character of the local area* | The building facades generally provide visual interest. However, the facades do not respect the character of the local area. The facades are grossly over scaled compared to the modestly sized existing hotel and the surrounding lower scale residential. The architectural treatment while visually interesting looks alien in the surrounding environment. | No |
| *4N: Roof design* | *Roof treatments are integrated into the building design and positively respond to the street* | There are a number of roofs in the development. The roof treatments are all appropriately integrated into the building design. | Yes |
| *4O: Landscape Design* | *Landscape design is viable and sustainable.* | A detailed Landscape Design by a suitably qualified firm has been submitted with the documentation addressing the objectives for landscape design. | Yes |
| *Landscape design contributes to the streetscape and amenity* | The proposed landscaping will contribute to the streetscape and amenity. | Yes |
| *4P: Planting on Structures* | *Planting on structures contributes to the quality and amenity of communal and public open spaces* | Suitable plantings are provided with appropriate planter depths and widths. | Yes |
| *4Q: Universal Design* | *Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline’s silver level universal design features* | The drawings indicate silver level universal design features are provided in 12 residential units which is 12% of total residential units. And the drawings also indicate adaptable housing is provided in 14 units which is 14% of total units. Adaptable housing units also satisfy the requirement to have silver level universal design features. Therefore, a total of 26 units (26.5%) achieves the benchmark. | Yes |
| *Adaptable housing should be provided in accordance with the relevant council policy. Ch2.3 of CCDCP Cl.2.3.12.1 requires 10% of units in RFBs to be designed as suitable for adaptation for occupation by disabled/ aged persons, as outlined in AS 4299: Adaptable Housing* | The drawings indicate adaptable housing is provided in 14 residential units which is 14% of total units. | Yes |
| *4S: Mixed Use* | *Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement. Mixed use development should be concentrated around public transport and centres* | The proposed mixed use development is not within a centre or close to public transport, nor is it in an appropriate location. No active frontages have been provided to encourage pedestrian movement in any of the sides of the building at ground level. | No |
| *Mixed use developments positively contribute to the public domain* | The proposed mixed use development detracts from the public domain instead of contributing to it. | No |
| *Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents* | Pedestrian entries to the residential component of the development are the same as to the hotel, restaurant and bar areas. While there is surveillance in the public areas, the common lifts could allow the public to access residential floors by lift sharing. The residential lifts should be in a separate secure lobby. | No |
| *4U: Energy Efficiency* | *Development incorporates passive environmental design. Well located, screened outdoor areas should be provided for clothes drying* | No outdoor screened clothes drying areas have been provided for any of the units, or in any of the communal open spaces. | No |
| *Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer* | There is no differentiation between the architectural treatment on the four sides of the building to enable passive solar design. | No |
| *4V: Water Management* | *Urban stormwater is treated on site before being discharged to receiving waters.* | A Water Cycle Management Plan has been submitted with the documentation addressing the objectives. | Yes |
| *4W: Waste Management* | *Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents* | Waste storage facilities are located directly adjacent to the vehicular entry and exit points and will have major impacts, including safety impacts, on residents trying to enter or leave the car park during collection times. The waste collection area needs to be relocated to a service area in a ‘back of house’ location. | No |