

Attachment 4
SEPP 65 Apartment Design Guide Compliance Assessment

Design Quality Principle	Comment	Comply
1. Context and Neighborhood Character	The site is zoned part B4 Mixed Use, pursuant to the Holroyd Local Environmental Plan 2013 (HLEP), with the subject development maintained to a <i>seniors housing</i> and <i>commercial premises</i> development, which is permitted with consent. The development is in harmony with the desired future character of the Merrylands Station & McFarlane Street Precinct.	Yes
2. Built Form and Scale	The building provides an acceptable appearance and appropriate building scale when viewed from the public domain.	Yes
3. Density	The subject site is well located with respect to existing public transport and community facilities. The design and perceived density of the development is considered appropriate when viewed from the public domain.	Yes
4. Sustainability	A BASIX Certificate has been submitted with the development application. The certificate requires sustainable development features to be installed into the development. The proposal will incorporate features relating to Environmentally Sustainable Design (ESD), inclusive of water efficient fixtures and energy saving devices.	Yes
5. Landscape	Landscaping has been designed to the site, which will provide an appropriate level of amenity for future residents, while also being consistent with the landscape character of the local area.	Yes
6. Amenity	The proposal will deliver sufficient amenity to residents of the building, with the proposal generally achieving compliance with the Apartment Design Guide (ADG).	Yes
7. Safety	Suitable and secure access has been provided to all parts of the building.	Yes
8. Housing Diversity and Social Interaction	The overall apartment mix of the development on-site is as follows: - 20 x 1 bedroom units (20.4%); - 60 x 2 bedroom units (61.2%); and - 18 x 3 bedroom units (18.4%) The number of adaptable units proposed is in accordance with the HDCP.	Yes
9. Aesthetics	The proposed development has an attractive contemporary appearance, utilising building elements that provide individuality to the development, without compromising the streetscape or detracting from the appearance of existing surrounding development.	Yes

SEPP 65 Apartment Design Guide			
No.	Required / Permitted	Comment	Comply
Part 3 - Siting the Development			
3A	Site Analysis		
3A-1	<i>Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.</i>		Yes
3B	Orientation		
3B-1	<i>Building types and layouts respond to the streetscape and site while optimising solar access within the development.</i>		Yes
3B-2	<i>Overshadowing of neighbouring properties is minimised during mid-winter.</i>		Yes
3C	Public Domain Interface		
3C-1	<i>Transition between private and public domain is achieved without compromising safety and security.</i>		Yes
3C-2	<i>Amenity of the public domain is retained and enhanced.</i>		Yes
3D	Communal and Public Open Space		
3D-1	<i>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.</i>		Yes
	Design Criteria	Communal open space has a minimum area equal to 25% of the site. Required: 25% x 2,089.3m ² = 522.325m ²	754m ² of communal open space is provided for the independent living units (self-contained dwellings), equivalent to 36.09% of the site. Yes

SEPP 65 Apartment Design Guide																
No.	Required / Permitted		Comment	Comply												
		Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	The proposed principal communal open space achieves 2 hours solar access to 50% of the required communal open space area	Yes												
3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.			Yes												
3D-3	Communal open space is designed to maximise safety.			Yes												
3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.			N/A												
3E	Deep Soil Zones															
3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.			Yes												
	Design Criteria	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> Required: 7% x 1,907.44m² = 133.52m² 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	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	greater than 1,500m ²	6m	greater than 1,500m ² with significant existing tree cover	6m	The proposed development does not provide deep soil zones. **Refer to comments noted under the Design Guidance below.	Yes
Site area	Minimum dimensions	Deep soil zone (% of site area)														
less than 650m ²	-	7%														
650m ² - 1,500m ²	3m															
greater than 1,500m ²	6m															
greater than 1,500m ² with significant existing tree cover	6m															
	Design guidance	Achieving the design criteria may not be possible on some sites including where: • the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres). • there is 100% site coverage or non-residential uses at ground floor level. Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.	Due to the nature of the development on the subject site, i.e. mixed use within the Merrylands Town Centre, with commercial at grade, and basement parking, no space at ground level can be afforded to deep soil zone. An OSD system has been designed to collect stormwater runoff from the site, which has been found to be acceptable by Council's Development Engineer, subject to conditions	Yes												

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No.	Required / Permitted			Comment		Comply																																																																																					
3F	Visual Privacy																																																																																										
3F-1	Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.					Yes																																																																																					
	Design Criteria	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <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> Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room. Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.		Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	North Separation Interface with McFarlane Street, Merrylands (measured to centre-line) <table><tr><th>Level</th><th>Required</th><th>Proposed</th></tr><tr><td>02 to 23</td><td>6m to 12m</td><td>>12m</td></tr></table> Eastern Separation Interface with Pitt Street, Merrylands (measured to centre-line) <table><tr><th>Level</th><th>Required</th><th>Proposed</th></tr><tr><td>02 to 23</td><td>6m to 12m</td><td>>12m</td></tr></table> Southern Separation Interface with Short Lane, Merrylands (measured to centre-line) <table><tr><th>Level</th><th>Required</th><th>Proposed</th></tr><tr><td>02</td><td>6m</td><td>4.8m</td></tr><tr><td>03</td><td>6m</td><td>6.0m</td></tr><tr><td>04 to 07</td><td>9m</td><td>6.0m</td></tr><tr><td>08</td><td>12m</td><td>9.5m</td></tr><tr><td>09 to 14</td><td>12m</td><td>12.4m</td></tr><tr><td>15</td><td>12m</td><td>12.5m</td></tr><tr><td>16 to 20</td><td>12m</td><td>12.5m</td></tr><tr><td>21</td><td>12m</td><td>12.5m</td></tr><tr><td>22 to 23</td><td>12m</td><td>13.5m</td></tr></table> Western Separation Interface with Reyes Lane, Merrylands (measured to centre-line) <table><tr><th>Level</th><th>Required</th><th>Proposed</th></tr><tr><td>02</td><td>6m</td><td>4.2m</td></tr><tr><td>03</td><td>6m</td><td>6.0m</td></tr><tr><td>04 to 07</td><td>9m</td><td>12.5m</td></tr><tr><td>08</td><td>12m</td><td>12.5m</td></tr><tr><td>09 to 14</td><td>12m</td><td>12.5m</td></tr><tr><td>15</td><td>12m</td><td>12.5m</td></tr><tr><td>16 to 20</td><td>12m</td><td>12.5m</td></tr><tr><td>21</td><td>12m</td><td>12.5m</td></tr><tr><td>22 to 23</td><td>12m</td><td>12.5m</td></tr></table> **Refer to commentary within the report.			Level	Required	Proposed	02 to 23	6m to 12m	>12m	Level	Required	Proposed	02 to 23	6m to 12m	>12m	Level	Required	Proposed	02	6m	4.8m	03	6m	6.0m	04 to 07	9m	6.0m	08	12m	9.5m	09 to 14	12m	12.4m	15	12m	12.5m	16 to 20	12m	12.5m	21	12m	12.5m	22 to 23	12m	13.5m	Level	Required	Proposed	02	6m	4.2m	03	6m	6.0m	04 to 07	9m	12.5m	08	12m	12.5m	09 to 14	12m	12.5m	15	12m	12.5m	16 to 20	12m	12.5m	21	12m	12.5m	22 to 23	12m	12.5m	No, but Acceptable on Merit
				Building height	Habitable rooms and balconies	Non-habitable rooms																																																																																					
				up to 12m (4 storeys)	6m	3m																																																																																					
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Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping.			Not Applicable.		N/A																																																																																						
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.																																																																																											
3G Pedestrian Access and Entries																																																																																											
3G-1 Building entries and pedestrian access connects to and addresses the public domain.																																																																																											
3G-2 Access, entries and pathways are accessible and easy to identify.																																																																																											

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No.	Required / Permitted		Comment	Comply												
3G-3	Large sites provide pedestrian links for access to streets and connection to destinations.			Yes												
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.			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.			Yes												
	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. <table><tr><th colspan="2">Control</th></tr><tr><td>1 bedroom</td><td>0.6 spaces</td></tr><tr><td>2 bedroom</td><td>0.9 space</td></tr><tr><td>3 bedroom</td><td>1.4 spaces</td></tr><tr><td>4+ bedroom</td><td>1.4 spaces</td></tr><tr><td>Visitor / dwelling</td><td>0.2 spaces</td></tr></table>	Control		1 bedroom	0.6 spaces	2 bedroom	0.9 space	3 bedroom	1.4 spaces	4+ bedroom	1.4 spaces	Visitor / dwelling	0.2 spaces	*Refer to Part A, Section 3.1 – Minimum Parking Spaces of the HDCP, and Clauses 48 & 50 of SEPP (HSPD) 2004.	N/A
Control																
1 bedroom	0.6 spaces															
2 bedroom	0.9 space															
3 bedroom	1.4 spaces															
4+ bedroom	1.4 spaces															
Visitor / dwelling	0.2 spaces															
3J-2	Parking and facilities are provided for other modes of transport.			Yes												
3J-3	Car park design and access is safe and secure			Yes												
3J-4	Visual and environmental impacts of underground car parking are minimised.			Yes												
3J-5	Visual and environmental impacts of on-grade car parking are minimised.			N/A												
3J-6	Visual and environmental impacts of above ground enclosed car parking are minimised.			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.			Yes												
	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. Required: 70% x 98 units = 68.6 units A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	75 units achieve 2 hours direct sunlight between 9am and 3pm mid-winter, equivalent to 76.53% of units. 13 units do not achieve any direct sunlight, equivalent to 13.27% of units.	Yes Yes												

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No.	Required / Permitted		Comment	Comply
		Maximum: 15% x 98 units = 14.7 units		
4A-2	Daylight access is maximised where sunlight is limited.			Yes
4A-3	Design incorporates shading and glare control, particularly for warmer months.			Yes
4B	Natural Ventilation			
4B-1	All habitable rooms are naturally ventilated.			Yes
4B-2	The layout and design of single aspect apartments maximises natural ventilation.			Yes
4B-3	The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.			Yes
	Design Criteria	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. Required: 60% x 5 units = 3 units	Within level 8, 4 units are naturally cross ventilated, equivalent to 80% of units.	Yes
		Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	No cross-over or cross-through units are proposed.	N/A
4C	Ceiling Heights			
4C-1	Ceiling height achieves sufficient natural ventilation and daylight access.			Yes
	Design Criteria	Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	The proposed ceiling heights for the residential levels are maintained to 2.7m for habitable rooms, and 2.4m for non-habitable rooms.	Yes, with Condition
		Minimum ceiling height for apartment and mixed use buildings		
		Habitable rooms	2.7m	
		Non-habitable	2.4m	
		For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	
		Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	
	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use		
	These minimums do not preclude higher ceilings if desired.			
4C-2	Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms.			Yes
4C-3	Ceiling heights contribute to the flexibility of building use over the life of the building.			Yes
4D	Apartment Size and Layout			
4D-1	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.			Yes

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No.	Required / Permitted		Comment	Comply										
	Design Criteria	Apartments are required to have the following minimum internal areas:	The units comply with the minimum internal area requirements.	Yes										
		<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table>			Apartment type	Minimum internal area	Studio	35m²	1 bedroom	50m²	2 bedroom	70m²	3 bedroom	90m²
		Apartment type			Minimum internal area									
Studio	35m²													
1 bedroom	50m²													
2 bedroom	70m²													
3 bedroom	90m²													
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² 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.	Every habitable room has a window in an external wall.	Yes										
4D-2	Environmental performance of the apartment is maximised.			Yes										
	Design Criteria	Habitable room depths are limited to a maximum of 2.5 x the ceiling height.	The proposed development complies with this requirement.	Yes										
		In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	The maximum habitable room depth of 8m from a window for living, dining and kitchen areas combined has been achieved.	Yes										
4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs.			Yes										
	Design Criteria	Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).	The proposed development complies with this requirement.	Yes										
		Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	The proposed development complies with this requirement.	Yes										
		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.	The proposed development complies with this requirement.	Yes										
		The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	No cross-over or cross-through units are proposed.	N/A										

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No.	Required / Permitted		Comment	Comply
4E	Private Open Space and Balconies			
4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity.			Yes
	Design Criteria	All apartments are required to have primary balconies as follows:	The minimum balcony areas and dimensions comply with this requirement.	Yes
		</		

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SEPP 65 Apartment Design Guide			
No.	Required / Permitted	Comment	Comply
	<i>through the careful siting and layout of buildings.</i>		
4J-2	<i>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</i>		Yes
4K	Apartment Mix		
4K-1	<i>A range of apartment types and sizes is provided to cater for different household types now and into the future.</i>		Yes
4K-2	<i>The apartment mix is distributed to suitable locations within the building.</i>		Yes
4L	Ground Floor Apartments		
4L-1	<i>Street frontage activity is maximised where ground floor apartments are located.</i>		N/A
4L-2	<i>Design of ground floor apartments delivers amenity and safety for residents.</i>		N/A
4M	Façades		
4M-1	<i>Building facades provide visual interest along the street while respecting the character of the local area.</i>		Yes
4M-2	<i>Building functions are expressed by the façade.</i>		Yes
4N	Roof Design		
4N-1	<i>Roof treatments are integrated into the building design and positively respond to the street.</i>		Yes
4N-2	<i>Opportunities to use roof space for residential accommodation and open space are maximised.</i>		Yes
4N-3	<i>Roof design incorporates sustainability features.</i>		Yes
4O	Landscape Design		
4O-1	<i>Landscape design is viable and sustainable.</i>		Yes
4O-2	<i>Landscape design contributes to the streetscape and amenity.</i>		Yes
4P	Planting on Structures		
4P-1	<i>Appropriate soil profiles are provided.</i>		Yes
4P-2	<i>Plant growth is optimised with appropriate selection and maintenance.</i>		Yes
4P-3	<i>Planting on structures contributes to the quality and amenity of communal and public open spaces.</i>		Yes
4Q	Universal Design		
4Q-1	<i>Universal design features are included in apartment design to promote flexible housing for all community members.</i>		Yes
4Q-2	<i>A variety of apartments with adaptable designs are provided.</i>		Yes
4Q-3	<i>Apartment layouts are flexible and accommodate a range of lifestyle needs.</i>		Yes
4R	Adaptive Reuse		
4R-1	<i>New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.</i>		N/A
4R-2	<i>Adapted buildings provide residential amenity while not precluding future adaptive reuse.</i>		N/A
4S	Mixed Use		
4S-1	<i>Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.</i>		Yes
4S-2	<i>Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents.</i>		Yes
4T	Awnings and Signage		
4T-1	<i>Awnings are well located and complement and integrate with the building design.</i>		Yes
4T-2	<i>Signage responds to the context and desired streetscape character.</i>		N/A
4U	Energy Efficiency		
4U-1	<i>Development incorporates passive environmental design.</i>		Yes
4U-2	<i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.</i>		Yes
4U-3	<i>Adequate natural ventilation minimises the need for mechanical ventilation.</i>		Yes
4V	Water Management and Conservation		
4V-1	<i>Potable water use is minimised.</i>		Yes
4V-2	<i>Urban stormwater is treated on site before being discharged to receiving waters.</i>		Yes
4V-3	<i>Flood management systems are integrated into site design.</i>		Yes
4W	Waste Management		
4W-1	<i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.</i>		Yes
4W-2	<i>Domestic waste is minimised by providing safe and convenient source separation and recycling.</i>		Yes

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4X	Building Maintenance		
4X-1	<i>Building design detail provides protection from weathering.</i>		Yes
4X-2	<i>Systems and access enable ease of maintenance.</i>		Yes
4X-3	<i>Material selection reduces ongoing maintenance costs.</i>		Yes