## ATTACHMENT 2

## State Environmental Planning Policy No. 65 –Design Quality of Residential Apartment Development

The relevant objectives and provisions of State Environmental Planning Policy No. 65 –Design Quality of Residential Apartment Development have been considered in the following assessment table:

No.	Clause	Comment	Yes	No	N/A
Part 3 -	Sitting 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.	A site analysis plan has been submitted.			
3B	Orientation				
3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development.	The proposed building presentation to the street is not considered satisfactory. The massing of the building and additional height sought results in an unacceptable built form having regard to streetscape impacts as the reduced setbacks provide for a bulk and scale greater than that desired for the immediate area.			
3B-2	Overshadowing of neighbouring properties is minimised during mid-winter.	It has not been demonstrated that the adjoining property to the south will retain adequate solar access having regard to the inadequate side setback and building separation provided. A minimum of 50% of the private open space areas of adjacent dwellings to have access to 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June) (which is the requirement for residential flat buildings in control C8 of Part B clause 1.8 'Sunlight Access' of HDCP 2013). The proposed building will stand an additional storey higher than the neighbouring residential flat building (RFB) at 62-66 Berwick St, and also proposes a roof top terrace; which will adversely impact solar access to north facing private open space and			
		living areas of 6 out of 17 units, and portions of the ground floor communal open space of the adjoining RFB. The proposal has not provided a detailed assessment for overshadowing impact. No elevational shadow diagrams have been submitted to demonstrate that			

No.	Clause	Comment	Yes	No	N/A
		the proposed building will not			
		adversely overshadow the adjoining 3 storey residential flat building to			
		the south at 62-66 Berwick St			
		between 9am-3pm.			
		Where a proposal significantly			
		reduces the solar access of neighbours, building separation			
		should be increased beyond			
		minimums contained in Section 3F			
		Visual Privacy. The proposal			
		provides an inadequate building			
		separation of 5.4m to the southern			
		boundary and results in adverse			
		overshadowing of the neighbouring property.			
		In this regard, it is considered that			
		the amenity of north-facing units at 62-66 Berwick St will be			
		compromised, which is considered			
		unacceptable. The above non-			
		compliance is included as a reason			
		for refusal in the draft of			
3C	Public Domain Interface	determination.			
3C-1	Transition between private and	Transition between the public and		$\square$	
	public domain is achieved	private domain is considered not			
	without compromising safety	satisfactory. The public domain along			
	and security.	both street frontages comprise of			
		groundcover and shrub planting forward of the outdoor play spaces of			
		the childcare centre, enclosed by			
		high acoustic fencing. The landscape			
		treatment proposed to both street			
		frontages does not promote an			
		active street edge and conceals			
3C-2	Amenity of the public domain is	direct view of the building entrances. The outdoor play space of the child			
JU-2	retained and enhanced.	care centre is proposed within the			
		front setback area of both street			
		frontages. Planting or other design			
		measures are not in place to soften			
		the visual impact of the acoustic			
		fencing bounding the child care centre outdoor play spaces when			
		viewed from the street.			
3D	Communal and Public Open Sp				
3D-1	Communal open space has a	Required:			
	minimum area equal to 25% of the site.	1,236.18m <sup>2</sup> x 25% = 309.045m <sup>2</sup> .			
		Proposed:			
		Rooftop terrace $COS = 323.2m^2$			
		(26.14%)			
	Developments achieve a	At least 50% of the proposed COS			
	minimum of 50% direct sunlight	on the rooftop terrace will receive at			
	to the principal usable part of the communal open space for	least 2 hours direct sunlight between 9am and 3pm, mid-winter.			
			I	1	

No.	Clause	Comment	Yes	No	N/A
	a minimum of 2 hours between				
	9 am and 3 pm on 21 June				
3D-2	(mid-winter).	led to allow for a range of activities,			
30-2	respond to site conditions and be		$\square$		
3D-3	Communal open space is	Balustrading and planter boxes	$\square$		
	designed to maximise safety.	restrict access to the edge of the			
		building for safety, noting that COS is			
		provided on the rooftop.			
3D-4	Public open space, where provid				$\bowtie$
3E	pattern and uses of the neighbou	Irhood.			
3E-1	Deep Soil Zones Deep soil zones are to meet	Provided: 27.2m <sup>2</sup> (2.22%)			
3L-1	the following minimum				
	requirements:	The proposal is made pursuant to			
		SEPP ARH and requires min. 15%			
	Required: Min. 86.53m <sup>2</sup> (7%)	of deep soil area to be provided.			
25					
<b>3F</b> 3F-1	Visual Privacy Separation between windows	Building is 4 storey in height, with			
51-1	and balconies is provided to	roof top terrace.			
	ensure visual privacy is			$\square$	
	achieved. Minimum required	West: Berwick Street			
	separation distances from				
	buildings to the side and rear	North: Beaufort Street			
	boundaries are as follows:				
		East / Rear:			
	Habitable Non- Building height rooms and habitable balconies rooms	Ground Floor – Child care centre			
	up to 12m (4 storeys) 6m 3m	<i>Levels 1-3</i> : Requires a min. 6m setback to			
	up to 25m (5-8 storeys) 9m 4.5m	boundary.			
	over 25m (9+ storeys) 12m 6m	Bedrooms and bathrooms setback			
		6m to boundary.			
	Note:	Balconies setback 5.5m to			
	Separation distances between	boundary (measured from outer			
	buildings on the same site	face of balcony).			
	should combine required	5 <sup>th</sup> storey			
	building separations depending on the type of room.	Requires a min. 9m setback to boundary.			
	Gallery access circulation	COS setback 6m to boundary			
	should be treated as habitable	(measured from outer face of			
	space when measuring privacy	planter boxes)			
	separation distances between				
	neighbouring properties.	South:			
		Ground Floor – Child care centre			
		Levels 1-3: Requires 6m setback			
		Requires 6m setback. Bedrooms and bathrooms setback			
		5.4m to boundary.			
		Balconies setback 4.8m to			
		boundary (measured from outer			
		face of balcony).			
		5 <sup>th</sup> storey			
		Requires a min. 9m setback to			
		boundary.			
		COS setback 9.2m to boundary			
		(measured from outer face of planter			
	<u> </u>	boxes)			

No.	Clause	Comment	Yes	No	N/A
		Inadequate building separation is provided between habitable rooms and balconies of the subject proposal and adjoining RFB at 62-66 Berwick St.			
3G	Pedestrian Access and Entries				
3G-1	Building entries and pedestrian access connects to and addresses the public domain.	The building entry to apartments from Berwick St is not clearly defined or easily identifiable. The residential			
3G-2	Access, entries and pathways are accessible and easy to identify.	pedestrian access is narrow and hidden between two outdoor play spaces of the child care centre and as such can be easily mistaken as the entry for the child care centre.			
3G-3	Large sites provide pedestrian lin connection to destinations.	ks for access to streets and			
3H	Vehicle Access	r	1	1	
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 from pedestrian entry.			
3J	Bicycle and Car Parking	1	1		1
	<ul> <li>For development in the following locations:</li> <li>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area;</li> </ul>	Refer to ARH SEPP and DCP compliance table.			
	<ul> <li>or</li> <li>on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre,</li> <li>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.</li> <li>The car parking needs for a development must be provided off street.</li> </ul>				
	Control1 bedroom0.6 spaces2 bed0.9 spaces				
	3 bed         1.4 spaces           4+ bed         1.4 spaces				

No.	Clause	Comment	Yes	No	N/A		
	Visitor 0.2 spaces						
	per dwelling						
3J-2	Parking and facilities are provide	d for other modes of transport.	$\square$				
3J-3	Car park design and access is sa						
3J-4							
55-4		s of underground car parking are					
3J-5		s of on-grade car parking are			$\square$		
	minimised.	e er er grade ear parking are					
3J-6		s of above ground enclosed car			$\square$		
	parking are minimised.	5					
Part 4 –	Designing the Building						
4A	Solar and Daylight Access						
4A-1	To optimise the number of apartr	nents receiving sunlight to habitable					
	rooms, primary windows and priv	rate open space.					
	Design Criteria		-				
	Living rooms and private open	Refer to ARH SEPP compliance			$\square$		
		table.					
		Ne enertreente receive pil evelight	N 7				
		No apartments receive nil sunlight.					
	•						
	•						
4A-2		ere sunlight is limited		$\square$			
4A-3		-					
4A-3	months.	i giare control, particularly for warmer					
4B	Natural Ventilation		•		•		
4B-1	All habitable rooms are naturally	ventilated.	$\square$				
4B-2	asign Criteria         ving rooms and private open vaces of at least 70% of vartments in a building ceive a minimum of 2 hours rect sunlight between 9am d 3pm at mid-winter in the vdney Metropolitan Area and the Newcastle and ollongong local government eas.       Refer to ARH SEPP compliance       Image: Compliance         maximum of 15% of vartments in a building ceive no direct sunlight tween 9am and 3pm at mid- nter.       No apartments receive nil sunlight.       Image: Compliance         aylight access is maximised where sunlight is limited.       Image: Compliance       Image: Compliance         aylight access is maximised where sunlight is limited.       Image: Compliance       Image: Compliance         aylight access is maximised where sunlight is limited.       Image: Compliance       Image: Compliance         habitable rooms are naturally ventilated.       Image: Compliance       Image: Compliance         e layout and design of single aspect apartments maximises natural impliation.       Image: Compliance       Image: Compliance         ereate a comfortable indoor environment for residents.       Image: Compliance       Image: Compliance       Image: Compliance         singe criteria       12 out of 18 units are cross ventilated (66%)       Image: Compliance       Image: Compliance       Image: Compliance         ventilated on the blue cross ventilated on the idligne. Apartments at ten oreys or greater are deemed be cross ventilated only if iy enclosed.       Image: Compliance       Image: Compliance       <						
	inimised.       Image: Control of the second s						
4B-3	The number of apartments with r	atural cross ventilation is maximised		$\square$			
	to create a comfortable indoor er	vironment for residents.					
	Design Criteria						
	At least 60% of apartments are	12 out of 18 units are cross	$\square$				
	naturally cross ventilated in the	ventilated (66%)					
	first nine storeys of the						
	building. Apartments at ten						
	any enclosure of the balconies						
	•						
		18m in depth.					
40	line.						
4C							
4C-1	Ceiling height achieves sufficient	natural ventilation and daylight	$\square$				

No.	Clause		Comment	Yes	No	N/A
	access.					
	Design Cri	teria				
	Measured f	from finished floor	The proposed ceiling heights are as			
	level to finis	shed ceiling level,	follows:	$\square$		
	minimum c	eiling heights are:	Ground floor 2.7m			
	Minimum ceiling	0 0	• Level 1 2.7m			
	for apartment and r	mixed use buildings	• Level 2 2.7m			
	Habitable rooms	2.7m	• Level 3 2.7m			
	Non-habitable	2.4m				
	For 2 storey	2.7m for main living area floor				
	apartments	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				
		mums do not gher ceilings if				
4C-2		ght increases the sens r well-proportioned ro	se of space in apartments and	$\square$		
4C-3	Ceiling heig	ghts contribute to the	flexibility of building use over the life of	$\square$		
	the building					
<b>4D</b> 4D-1		Size and Layout	entre ent in franctional scall encodered			
40-1		es a high standard of	artment is functional, well organised amenity.			
	Levels 1-3 master bed southern w adjoining a ventilation.	inclusive and propose lroom). The snorkel be all (2m depth) of the s partment, and as such	artment ("Unit 01.06") is replicated on es a snorkel bedroom (being the edroom is positioned in between the second bedroom and balcony of the n receives poor sunlight and			
	Design Cri					
		s are required to Ilowing minimum as:	All units meet the minimum ADG sizes.			
	Min. Intern - Studio = 3 - 1 b/r unit - 2 b/r unit - 3 b/r unit	35m <sup>2</sup> = 50m <sup>2</sup> = 70m <sup>2</sup>				
	include only Additional b	um internal areas y one bathroom. pathrooms increase m internal area by				
	additional b the minimu 12m <sup>2</sup> each.		-			
	have a wind	able room must dow in an external total minimum glass	Every habitable room has a window in an external wall with minimum glass area.			

No.	Clause	Comment	Yes	No	N/A
	area of not less than 10% of				
	the floor area of the room.				
	Daylight and air may not be				
	borrowed from other rooms.				
4D-2	Environmental performance of th	e apartment is maximised.	$\square$		
	Design Criteria				
	Habitable room depths are	The proposed development complies	$\square$		
	limited to a maximum of 2.5 x	with this requirement.			
	the ceiling height.				
	In open plan layouts (where	The proposed development complies	$\square$		
	the living, dining and kitchen	with this requirement.			
	are combined) the maximum				
	habitable room depth is 8m				
15.0	from a window.				
4D-3	Apartment layouts are designed	to accommodate a variety of	$\square$		
	household activities and needs.	Octiofactory			
4D-2	Master bedrooms have a	Satisfactory. All master bedrooms have minimum	$\square$		
	minimum area of $10m^2$ and	area of 10m <sup>2</sup> .			
	other bedrooms 9m <sup>2</sup> (excluding				
	wardrobe space).	All secondary bedrooms have			
		minimum area of 9m <sup>2</sup> .			
	Bedrooms have a minimum	Satisfactory.			
	dimension of 3m (excluding	All bedrooms have minimum			
	wardrobe space).	dimension of 3m.			
	Living rooms or combined	The proposed development complies	$\square$		
	living/dining rooms have a	with this requirement.			
	minimum width of:				
	3.6m for studio and 1				
	bedroom apartments.				
	<ul> <li>4m for 2 and 3 bedroom</li> </ul>				
	apartments.				
	The width of cross-over or	N/A			$\square$
	cross-through apartments are				
	at least 4m internally to avoid				
	deep narrow apartment				
	layouts.	•			
	Private Open Space and Balco				
4E-1	Apartments provide appropriately			$\square$	
	balconies to enhance residential	amenity.			
	Design Criteria	Each unit is provided with the			
	All apartments are required to have primary balconies as	Each unit is provided with the minimum POS areas and			
	follows:	dimensions.			
	Dwelling Minimum Minimum type area depth				
	Studio apartments 4m <sup>2</sup> -				
	1 bedroom apartments 8m <sup>2</sup> 2m				
	2 bedroom apartments 10m <sup>2</sup> 2m				
	3+ bedroom apartments 12m <sup>2</sup> 2.4m				
	The minimum balcony depth to				
	be counted as contributing to				
	the balcony area is 1m.			$\vdash$	
	For apartments at ground level	No apartments proposed at ground			$\bowtie$
	or on a podium or similar	level.			
	structure, a private open space		I	I	

No.	Clause	Comment	Yes	No	N/A	
	is provided instead of a					
	balcony. It must have a					
	minimum area of 15m <sup>2</sup> and a					
	minimum depth of 3m.					
4E-2	Primary private open space and	balconies are appropriately located to	$\boxtimes$			
	enhance liveability for residents.					
4E-3						
4E-4			$\square$			
4F						
4F-1						
		S				
		One lift core serving 6 units on each				
	apartments off a circulation	floor.				
	core on a single level is eight.					
		N/A			$\square$	
		N/A				
	be at ends of corridors or next					
	to core.					
4F-2		note safety and provide for social				
4G						
4G-1		e is provided in each apartment.	$\square$			
	Adequate, well designed storage is provided in each apartment. Design Criteria					
	In addition to storage in	Storage areas have been provided	$\square$			
	kitchens, bathrooms and	within the units with additional				
	bedrooms, the following	storage provided within the				
	storage is provided:	basement.				
	Dwelling type Storage size volume					
	Studio apartments 4m <sup>3</sup>					
	1 bedroom apartments 6m <sup>3</sup>					
	2 hedroom apartments 8m <sup>3</sup>					
	3+ bedroom apartments 10m <sup>3</sup>					
	5					
10.0						
4G-2		y located, accessible and nominated				
411						
4H						
4H-1						
		considered satisfactory.				
	and building layout.	Cubicat to compliance with DOA				
4H-2	Noise impacts are mitigated with					
411-2		in apariments infough layout and				
4J	is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m. <ul> <li>Primary private open space and balconies are appropriately located to enhance liveability for residents.</li> <li>Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.</li> <li>Private open space and balcony design maximises safety.</li> <li>Common Circulation and Spaces</li> <li>Common circulation spaces achieve good amenity and properly service the number of apartments.</li> <li>Design Criteria</li> <li>The maximum number of dapartments.</li> <li>Design Criteria</li> <li>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</li> <li>Daylight &amp; natural ventilation to be provided to CCS above ground level. Windows should be at ends of corridors or next to core.</li> <li>Common circulation spaces promote safety and provide for social interaction between residents.</li> <li>Storage</li> <li>Adequate, well designed storage is provided in each apartment.</li> <li>Design Criteria</li> <li>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</li> <li>Minimum storage is provided within the units with additional storage provided within the basement.</li> </ul>					
<b>4J</b> 4J-1		the impacts of external noise and				
		and impacts of external holde and				

No.	Clause	Comment	Yes	No	N/A
	pollution are minimised through t	he careful sitting and layout of			
	buildings.				
	Comment:				
	The noise impacts from the prop	osed 76 place child care centre			
		not been considered within the design			
	and siting of apartments. The su	bmitted Acoustic Report provides no			
		s of noise from the child care facility.			
4J-2		tenuation techniques for the building		$\square$	
	transmission.	of materials are used to mitigate noise			
4K	Apartment Mix				
4K-1		sizes is provided to cater for different			
	household types now and into the future.				
4K-2	The apartment mix is distributed to suitable locations within the		$\square$		
41	building.				
<b>4L</b> 4L-1	Ground Floor Apartments	sed where ground floor apartments			
-7∟-1	are located.	see where ground noor apartments			
4L-2	Design of ground floor apartments delivers amenity and safety for				$\square$
	residents.				
4M	Façades				
4M-1	Building facades provide visual	The building's presentation along			
	interest along the street while respecting the character of the	both street frontages, at the street level is not considered acceptable as			
	local area.	it comprises of the outdoor play			
4M-2	Building functions are	spaces of the child care centre and		$\square$	
	expressed by the façade.	does not address or is consistent			
		with the existing streetscape and			
		changing character of the local area. The building entries are also not			
		clearly defined.			
		The façade of the building above the			
		ground level comprises of framed			
		balconies and windows, a mix of materials and colours, modulation			
		elements, and is considered			
		satisfactory.			
4N	Roof Design		·	•	•
4N-1	5	nto the building design and positively	$\square$		
411.0	respond to the street.	ior regidential accommendation and			
4N-2	open space are maximised.	or residential accommodation and			
4N-3	Roof design incorporates sustair	ability features.			
40	Landscape Design	···· · · · · · · · · · · · · · · · · ·			
40-1	Landscape design is viable and	sustainable.			
40-2	Landscape design contributes to				
	Comment:				
		he ground level is minimal and limited			
		eaufort St and Berwick St respectively, outdoor play space. In addition, the			
		f the front setback area has not been			
		ck to provide adequate visual softening			
	of the building.				
4P	Planting on Structures				
4P-1	Appropriate soil profiles are prov	ided.			

No.	Clause	Comment	Yes	No	N/A	
4P-2		propriate selection and maintenance.				
4P-3	Planting on structures contribute					
	communal and public open space					
4Q	Universal Design			1		
4Q-1	Universal design features are inc	cluded in apartment design to promote				
	flexible housing for all community					
4Q-2	A variety of apartments with adapted and a second s	ptable designs are provided.				
4Q-3	Apartment layouts are flexible an	nd accommodate a range of lifestyle	$\square$			
	needs.					
4R	Adaptive Reuse					
4R-1	New additions to existing building					
		area's identity and sense of place.				
4R-2		ntial amenity while not precluding				
46	future adaptive reuse. Mixed Use					
<b>4S</b> 4S-1		vided in appropriate locations and				
40-1		at encourage pedestrian movement.				
4S-2	Residential levels of the building					
10 2	and safety and amenity is maxim					
4T	Awnings and Signage					
4T-1	Awnings are well located and complement and integrate with the					
	building design.					
4T-2	Signage responds to the context	and desired streetscape character.			$\square$	
4U	Energy Efficiency				. —	
4U-1	Development incorporates	The development is considered				
	passive environmental design.	unsatisfactory with regard to solar				
		access.				
411.0						
4U-2	Development incorporates passiv			$\square$		
4U-3	storage in winter and reduce hea Adequate natural ventilation min					
40-3	ventilation.					
4V	Water Management and Conse	ervation				
4V-1	Potable water use is minimised.					
4V-2	Urban stormwater is treated on s	ite before being discharged to				
- V Z	receiving waters.	the before being discharged to				
4V-3	Flood management systems are	integrated into site design.	$\square$			
4W	Waste Management	<u> </u>				
4W-1	Waste storage facilities are	Separate bin rooms have not been				
-	designed to minimise impacts	provided for the child care or				
	on the streetscape, building	residential apartments.				
	entry and amenity of residents.					
4W-2		providing safe and convenient source		$\square$		
	separation and recycling.					
4X	Building Maintenance					
4X-1	Building design detail provides p				<u>    </u>	
4X-2	Systems and access enable eas					
4X-3	Material selection reduces ongoi	ng maintenance costs.				