

SEPP 65 – Addendum

28.05.19

04.12.19

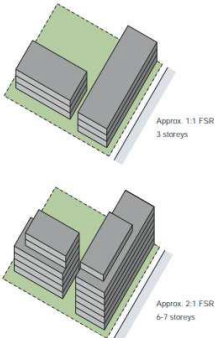
SEPP 65 DESIGN VERIFICATION STATEMENT

Prepared to accompany a DA submitted to Gosford City Council

For a proposed 5 Block Residential
Apartment Towers, at 89 John
Whiteway Drive, Gosford, NSW 2250

In response to Council's correspondence dated 9th July 2018, 8th August 2019 and 4th December 2018 this addendum addresses the changes which have been made to the proposed Residential Flat Building. The proposal is generally compliant with the requirements and objectives of the SEPP 65. This response directly addresses the Design Review Referral. Refer to architectural plans for all further detail.

Context and Neighbourhood Character	
Council Comments	Response
<p>The site is zoned for higher density however new developments should respond to the existing and likely future context. The sites to the west in Bent Street are likely to be redeveloped and those to the south are low rise strata units that are unlikely to be redeveloped in the near future.</p> <p>Council's road reserve is located to the east and provides an important vegetated buffer to the main road of Henry Parry Drive and all existing mature vegetation within the reserve should be preserved.</p>	<p>The proposal allows for the significant trees located on site to be retained. The outcrop, which is proposed to be partially removed is more or less very sparse with trees and contains mainly shrubs and loose rocky fragments.</p> <p>The high point of the ridgeline will not be removed, it is proposed to be battered on the internal face to ensure safety and stability to future occupants. The highpoint / ridgeline crest which has the majority of trees will be retained ensuring visual outlook is maintained through scenic values.</p> <p>Furthermore, sympathetic landscaping treatments will enhance the area, providing positive community outlook reinforced by quality architectural materials on the proposed buildings.</p>
Built Form and Scale	
<p>The ADG requires 6 metre setback to habitable rooms and balconies up to 4 levels, 9 metres up to 8 levels. The application proposes 3 to 4.5 metres on the western boundary or 50% noncompliance on all levels. This is a particular concern as this area faces the adjoining residential flat buildings to the west. It is acknowledged that the adjoining building is 22metres from the boundary and total building separation will comply with the ADG however the location at the top of the cliff, inadequate landscaping and non-complying height further emphasises the visual scale disparity and privacy impacts.</p> <p>The ADG requires 12 metres separation between habitable rooms and balconies up to 4 storeys and 18 metres above this. The application proposes minimum internal separation of 10 and 12 metres or from 13% to 33% non-compliance. Non-compliance results in privacy conflicts and this problem is exacerbated by the lack of deep soil planting to provide screening between units.</p> <p>The application is consistently 1 to 1.5 levels above the height controls. The applicant's Clause 4.6 Variation to Development Standard fails to demonstrate that compliance with the development</p>	<p>6m has been provided to side setbacks for 4 storeys. A 9m side setback with minor balcony projections to north and south west is proposed for over 4 storeys. This minor noncompliance should be mitigated due to the existing distance from the adjoining neighbours and the use of operable screening which contributes to visual privacy for the adjoining neighbours.</p> <p>Deep soil in the form of bermed up planting with 1m depth will allow trees and shrubs to alleviate privacy and amenity issues between blocks and activate the street frontage. Landscaping is provided on roof tops (with 1m depth), throughout the development with on structure planting with further articulation in the form of setback upper levels.</p> <p>Please see amended plans detailing SEPP separation. Where separation is reduced screening or blank walls have been used to mitigate privacy concerns.</p> <p>Only minor balcony projections are proposed over setbacks with 7% planting on structure and 37% deep soil located over the site including in front setbacks. Deep soil is a min. of 6m in width.</p> <p>The FSR is 0.43 below the maximum. The maximum FSR could allow for 9,589 m² more GFA, or 105 units</p>

<p>standard was unreasonable or unnecessary. The applicant's Clause 4.6 request states "Strict compliance with the building height standard will result in a bulky building that does not provide substantive building separation and landscaped areas".</p> <p>The application does not fully comply with building setbacks and separation and the alternate building footprint shown in the applicant's Clause 4.6 Variation would only increase the extent of the building separation non-compliance. Building controls cannot be viewed in isolation and compliance with one is not a justification for further non-compliance with others.</p>	<p>(or so). The SEPP 65 proposes the following for sites over the 1:1 FSR, but below the 2:1 FSR:</p>  <p>Therefore, the proposed heights from 4 - 6 storeys are expected within a 1.5:1 FSR zoning. This should be further supported as a non – over development of site by the exceedance of deep soil requirements, compliance with SEPP and DCP setbacks and the proposed FSR (1.26:1) being below the maximum 1.5:1.</p>
Density	
<p>The permissible FSR is the maximum permitted on an ideal site and does not take site constraints into account. It is acknowledged the density complies with the permissible FSR ratio however the non-complying height, setbacks and building separation indicate the application is an over development of the site.</p>	<p>As above.</p>
Landscape	
<p>The ADG requires a minimum of 7% or the site area be allocated to deep soil zones and with a minimum dimension of 6 m. The application complies with numerical standards but locates these in the leftover areas where it does not contribute to visual separation, privacy or outlook.</p> <p>This is particularly important on the east and west boundaries where it faces the street and adjoining sites. Parking and services should be setback a minimum of 6 metres from all boundaries to match complying building setbacks to provide adequate deep soil area for some large (15 metres mature height) for outlook and privacy screening and to disguise the scale of the building resulting from the non-complying height. Landscaping must be provided within the site along the entire street front as street trees, though supported in principle are shown above a water main and unlikely to be permissible in this location.</p> <p>There must be some deep soil zones located</p>	<p>Basement car parking is setback 3 - 6m from boundaries to the John Whiteway Drive and adjoining neighbours number 91 and 97.</p> <p>Where a reduced setback is proposed movable screens and hedge planting has been used to provide better outlook for adjoining neighbours.</p> <p>Street trees will be located closer to the boundary, rather than on the kerb, so as to not interfere with existing infrastructure.</p> <p>Planting on structure for all trees will be a min. 1m depth. This is located between buildings, along communal space, as well as on peripheries to adjoining neighbours.</p> <p>Refer to Landscape Plans for further details.</p>

between the buildings to allow significant trees for outlook and screening as planting on the slab does not provide adequate soil volumes. Palms and other monocot species, though suitable in some locations do not provide the scale or screening necessary to break up and disguise the visual bulk of the development.	
Amenity	
<p>Non-complying setbacks and building separation result in visual and acoustic privacy impacts, increased overshadowing. Detrimental impacts resulting from non-compliance are not supported.</p> <p>These problems are exacerbated by the lack of deep soil zones and landscaping between and around the buildings.</p> <p>The drawings are unclear however there appears to be habitable rooms without windows or with windows opening to common access corridors. This results in poor outlook and privacy conflicts.</p> <p>While visual privacy can be ensured with obscure windows, acoustic privacy cannot unless windows are sealed necessitating artificial ventilation.</p>	<p>Overshadowing occurs for only 30 minutes in mid winter at 9am - 9.30am to the adjoining neighbour at 91-95 John Whiteway Drive. No other overshadowing is created for adjoining properties. The adjoining neighbour, 91-95 John Whiteway Drive's private open space receives greater than 3 hours of sunlight in mid winter. Refer to DA600-2.</p> <p>Refer to DA701-713 for typical unit layouts. All units' living spaces are less than 8m from an opening. Windows provide natural cross ventilation opportunities.</p>

The table below outlines the amendments made to the proposed residential flat building blocks.

SEPP 65 DESIGN CODE	RECOMMENDATION	PROPOSAL	COMPLIANCE
Part 2E Building Depth		Block A - 18 m glass to glass	
		Block B – 19m - 22m	
		Block C – 18m	
		Block D – 15m – 23m	
		Block E – 11m – 22m	
	12 – 18 metres from glass to glass recommended by ADG	<p>Whilst the overall buildings are deeper than 18m glass to glass (except in the case of Block A) generous hallways with natural light and ventilation contribute to articulation of the building rather than adding bulk. All units' habitable rooms are less than 8m in depth and therefore comply with the objective of providing well-lit and ventilated apartments.</p> <p>Furthermore, the buildings are</p>	<p>Y – Block A, C</p> <p>N – Block B, D, E</p>

SEPP 65 DESIGN CODE	RECOMMENDATION	PROPOSAL	COMPLIANCE
		angled to further reduce bulk, with varied depth throughout block structure, with upper storeys over 12m setback to comply with 18m building depth requirements.	
Part 2F	Up to 4 storeys	The blocks generally comply with separation requirements. Windows are placed diagonally and with viewing angles greater than 45°. Where privacy concerns are generated screening, obscure glazing and/or blank walls have been incorporated to ensure privacy is achieved.	Y
Building Separation	6 – Non/Hab to Non-Hab		
	9 – Habitable to Non-Hab		
	12 – Habitable to Habitable		
	Over 4 storeys		
	9 – Non/Hab to Non-Hab	6m to blank walls have been used where separation is reduced. Moveable screening to communal and external streetscape has been used to ensure privacy and amenity to units.	
	12 – Habitable to Non-Hab		
	18 – Habitable to Habitable		
Part 2H		SEPP 6 m / 9m.	Y
Side Setbacks	SEPP 6m / 9m.	6 – 9m setbacks have been used. The proposal is generally compliant with the required setbacks with only minor projections of balconies or terraces.	-Minor balcony projections for articulation protrude into the setback <1.5m
Part 3A	Submit a Site Analysis Plan	Site Analysis Plan submitted	Y
Site Analysis		An overlay diagram of the approved DA and proposed RFB has been submitted as well	
Part 3B Orientation	Maximum orientation to north	North – 41 units (17%) East – 86 units (36%) West – 102 units (43%) South – 12 units (0.3%) Unit orientation have been maximised to the significant view corridors.	Y
Part 3D	Communal open space to be 25% site area with 50% solar access for 2 hours in winter	Communal open space is 5,788². 25%	Y
Communal and		Solar access diagram has been provided – 50% solar access is	

SEPP 65 DESIGN CODE	RECOMMENDATION	PROPOSAL	COMPLIANCE
Public Open Space		provided to 41% of the communal area. Refer to DA603	
Part 3E	Site area < 650 sqm – no minimum dimensions	Deep soil area is 10,280m ²	
Deep Soil Zones	650 – 1,500 sqm – 3 m	46% of site	Y
	Area over 1,500 sqm – 6 m 7% of site area	Min. dimension of 6m	
Part 3F	Side and Rear distances:	Blank walls have been integrated with either trellis features or proposed murals to separate habitable to habitable units. 45° degree angles and off set windows have been used between windows to ensure privacy between units. Obscure glazing and screening has also been used to increase visual privacy between units	
Visual Privacy	Up to 4 storeys – 6 m + 3 m		N
	5 to 8 storeys – 9 m + 4.5 m		
	Over 9 storeys – 12 m + 6 m		
Part 3G Pedestrian Access	Provide multiple entries to activate street frontage Clearly identify building entry	Noted and adopted. Additional pedestrian and bicycle access is located in the main basement car park.	Y
Part 3J		Noted and adopted. Refer to traffic engineer's report.	
Bicycle and Car Parking	Provide the minimum car parking as set out in the Guide to Traffic Generating Developments	Secondary access has been provided in the main car park basement entry with direct access from John Whiteway Drive. This is equitable access for both pedestrians and bicycles. Tandem car spaces are to be used by 1 x unit only.	Y
Part 4A		86% of units receive 2 hours of mid-winter sun.	
Solar and Daylight Access		14% of units receive no minutes of sun. All units receive natural sunlight. Refer to SEPP solar compliance diagrams	Y
Part 4A	Windows are to be 5% of the floor area of the room	61% of units are cross ventilated (146 units)	
Natural Ventilation	60% of are to be cross-ventilated	Refer to SEPP solar compliance diagrams	Y

SEPP 65 DESIGN CODE	RECOMMENDATION	PROPOSAL	COMPLIANCE
Part 4D Apartment Size and Layout	Studio – 35 sqm One-bed – 50 sqm Two-bed – 70 sqm Three-bed – 90 sqm Add 5 sqm for extra bathroom	Studio – N/A One-bed – 62 - 65 sqm Two-bed – 80 - 95 sqm Three-bed – 95 - 120 sqm Refer to tabular schedule	Y
Part 4E Private Open Spaces	Studio – 4 sqm One-bed – 8 sqm + 2.0 m Two-bed – 10 sqm + 2.0 m Three-bed – 12 sqm + 2.4 m Minimum width 1 metre to be counted as balcony area	Studio – NA One-bed – 8 sqm + 2.4 m Two-bed – 10 sqm + 2.4 m Three-bed – 12 sqm + 2.4 m Refer to tabular schedule	Y
Part 4E Private Open Spaces	Ground Level or on a podium level – 15 sqm 3 m minimum depth	Ground Level or on a podium level – 15 sqm 3 m minimum depth Refer to tabular schedule	Y
Part 4F Common Circulation and Spaces	Maximum 8 units per core Multiple cores are encouraged Maximum 40 units per lift Windows should be provided to circulation spaces Corridors over 12 m should be articulated	8 – 12 units per core. Two lifts provided. Windows and stairwells provided in lobbies. Corridor is 1.5m in width minimum increased in front of lobbies and in front of access doors to provide articulation and amenity. Corridors will be designed with voids, varied material finishes and are angled to promote visual interest.	Y
Part 4G Storage	Studio – 4 cum One-bed – 6 cum Two-bed – 8 cum Three-bed – 10 cum	Studio – N/A One-bed – 6 cum Two-bed – 8 cum Three-bed – 10 cum	Y

SEPP 65 DESIGN CODE	RECOMMENDATION	PROPOSAL	COMPLIANCE
	50% to be in the apartment	50% to be in the apartment. Additional storage provided in car parks Refer to typical unit types for further detail	
Part 4K Apartment Mix	Provide a mixture of apartment configurations	79 one bedroom units (10%) 138 two bedroom units (78%) 9 three bedroom units (11%) 15 studio units (4%) 37 residential adaptable units to AS4299 (15%) 17 residential units to Livable Housing Sepp to silver standard 241 apartments total	Y