COMPLIANCE TABLE – NSW RFDC

State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development (Principles)

Principle	Design Quality	Proposal	Compliance	Proponent Design Change/Response
Principle 1	***General Approach*** ▪ *Good design is a creative process which, when applied to towns and cities, results in the development of great urban places; buildings, streets, squares and parks.*	*The proposal widens the footpath on Victoria Street which is a minor improvement to the local area.*	Satisfactory	**No change to Victoria Street public domain improvement.**
	▪ *Good design is inextricably linked to its site and locality, responding to the landscape, existing built form, culture and attitudes. It provides sustainable living environments, both in private and public areas.*	*The proposal as approved does not respond to its locality.*	NO	**The design has been amended so as to reduce FSR and increase separation distances, thereby providing improved amenity for future residents and reduces impacts on adjoining properties.**
	▪ *Good design serves the public interest and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.*	*Innovation is not present.*	Satisfactory	
	▪ *These design quality principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merit of proposed solutions.*		Satisfactory	
Principle 2	***Context*** ▪ *Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.*	*The tower forms are derived from the existing core locations and the programmatic requirements of apartments, They step up in height away from Burwood Park.*	NO	**The buildings reduce in height towards the north of the site and thereby reduce in height towards Burwood Park.**
	▪ *Responding to context involves identifying the desirable elements of a*	*The proposal exceeds the future floor space requirements of the area*	NO	**The central core configuration has been discussed in detail in**

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	location's current character or in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.	*and does not meet the amenity requirements for apartment buildings.*		**the attached report.**
Principle 3	***Scale*** ▪ *Good design provides an appropriate scale in terms of bulk and height that suits the scale of the street and the surrounding buildings.*	*The heights are appropriate but the depth and lack of separation result in inappropriate bulk.*	NO	**The building separation distances have been increased between Buildings A and B and the visual bulk of the development has been reduced with removal of floor space.**
	▪ *Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*		NO	**The scale of the development has been reduced with the removal of floor space.**
Principle 4	***Built form*** ▪ *Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and manipulation of building's elements.*	*The building alignments have poor separation and the proportion is too squat. The type is appropriate and the manipulation of the building elements is appropriate.*	NO	**The building separations have been increased so as to enable the proportions to be more slender.**
	▪ *Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*	*N/A*	N/A	
Principle 5	***Density*** ▪ *Good design has a density appropriate*	*The existing and future floor space*	NO	**The floor space ratio of the development has been reduced**

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	for a site and its context, in terms of floor space yields (or number of units or residents).	*ratio for the site is exceeded.*		**from 5.25:1 to 4.93:1. This is discussed in detail in the attached report.**
	▪ *Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.*		**NO**	**The site density has been reduced in terms of overall floor space.**
Principle 6	***Aesthetics*** ▪ *Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should also relate to the context, particularly responding to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired futures character of the area.*	*The composition of building elements, textures, materials and colours reflect the use, internal design and structure of the development.*	**YES**	
Principle 7	***Amenity*** ▪ *Good design provides amenity through the physical, spatial an environmental quality of a development.*		NO	**The spatial separation of the proposed development in relation to its environment has been improved with an increased setback of Building C from the western boundary and the increased separation distances between Buildings A and B.**
	▪ *Optimising amenity requires*	*Amenity is compromised due to*	NO	**The residential amenity of the**

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	appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts, outlook and ease of access for all age groups and degrees of mobility.	*excessive building depth and poor building separation.*		**development has been improved in terms of solar access and visual and acoustic privacy by a reduction in floor space within the residential component and increases in the building separation distances between Buildings A and B.**
Principle 8	***Resource, energy and water efficiency*** ▪ *Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.*		YES	
	▪ *Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.*		**YES**	
Principle 9	***Social dimensions*** ▪ *Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.*		**Satisfactory**	
	▪ *New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or in the case of precincts undergoing transition, provide for the desired future community.*	*There is a limited mix of housing provided.*	NO	**The dwelling mix has been altered by conversion of a number of 3 bedroom and 2 bedroom dwellings into one bedroom and one bedroom plus**

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Principle 10	***Safety and security*** ▪ *Good design optimises safety and security, both internal to the development and for the public domain.*	*Improvements to ground level safety is provided.*	YES	
	▪ *This is achieved by maximising overlooking of public and communal spaces whilst maintaining internal privacy, avoiding dark and non visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private open space.*	*Overlooking of public and communal spaces whilst maintaining internal privacy is achieved. Dark and non visible areas are avoided. Clear, safe access points are provided. Quality public spaces that cater for desired recreational uses are not provided. Clear definition between public and private open space is provided.*	YES	

State Environmental Planing Policy No 65 – Residential Flat Design Code – Rules of Thumb

Principle	Design Quality	Proposal	Compliance	
Building depth	▪ *In general, an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.*	*The proposal exceeds the 18 metre building depth. In some apartments this results in poor daylighting and natural ventilation.*	NO	**The building depths have been reduced for Buildings A and B. This has been discussed in detail in the attached report.**
Building separation	▪ *For buildings nine storeys and above (over 25 metres):* *- 24 metres between habitable rooms/balconies* *- 18 metres between habitable rooms/balconies and non-habitable rooms* *- 12 metres between non-habitable rooms*	*Building separation is less than the required 24 metres. Buildings A and C are less than 12 metres from the boundary, this may require future buildings to be further setback to ensure 24 metres separation.*	NO	**The building separation distances between Buildings A and B have been increased to comply, as discussed in detail in the report attached.**
Deep soil zones	▪ *A minimum of 25 per cent of the open space area of a site should be a deep soil zone; more is desirable.*	*More than 25 per cent of the open space area of a site is a deep soil zone*	YES	
Open space	▪ *The area of communal open space required should generally be at least between 25 - 30 percent of the site area.* ▪ *The minimum recommended area of private open space for each apartment at ground level or similar space on a structure, such as on a podium or car park, is 25m2; the minimum preferred dimension in one direction is 4 metres.*	*The area of communal open space required is to be at least 25 – 30 percent of the site area.* *The area of private open space for each apartment at the podium is at least is 25m2 for each apartment and the minimum dimension in one direction is 4 metres.*	YES	
Safety	▪ *Carry out a formal crime risk assessment for all residential development of more than 20 new dwellings.*	*The CPTED report is inadequate. However measures are proposed to reduce crime risk.*	YES	

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Pedestrian access	▪ *Follow the accessibility standards set out in Australian Standard AS 1428 as a minimum.* ▪ *Provide barrier free access to at least 20 percent of dwellings in the development.*	*Barrier free access is available to a majority of apartments.*	YES	
Vehicle access	▪ *Generally limit the width of driveways to a maximum of 6 metres.* ▪ *Locate vehicle entries away from main pedestrian entries and on secondary frontages.*	*The width of driveways is more than of 6 metres as the car park is shared with other uses.* *The vehicle entries are located away from main pedestrian entries and on secondary frontages.*	YES	
Apartment layout	▪ *Single-aspect apartments should be limited in depth to 8 metres from a window.* ▪ *The back of a kitchen should be no more than 8 metres from a window.* ▪ *The width of cross-over or cross-through apartments over 15 metres deep should be 4 metres or greater to avoid deep narrow apartment layouts.* ▪ *Buildings not meeting the minimum standards listed above, must demonstrate how satisfactory daylighting and natural ventilation can be achieved, particularly in relation to habitable rooms.* ▪ *As a guide, the Affordable Housing Service suggest the following minimum apartment sizes, which can contribute to housing affordability:* *1 bedroom apartment - 50m2* *2 bedroom apartment - 70m2*	*Single-aspect apartments are greater in depth to 8 metres from a window.* *Generally the back of a kitchen is more than 8 metres from a window.* *N/A.* *Satisfactory daylighting and natural ventilation is not achieved.* *These areas are generally exceeded.*	NO NO NO	**The depth of single aspect apartments in Buildings A and B have been reduced so as to achieve a majority with 8m in depth.** **Greater than 25% of apartments back of kitchens located within 8m from a window.** **Daylight and ventilation have been designed to comply.** **Size of apartments have been reduced in Buildings A and B so as to provide for an offer of affordable housing in line with apartment sizes as detailed in the RFDC.**

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	3 bedroom apartment - 95m2			
Balconies	▪ *Provide primary balconies for all apartments with a minimum depth of 2 metres. Development which seeks to vary from the minimum standards must demonstrate that negative impact from the context-noise, wind-can not be satisfactorily mitigated with design solutions.* ▪ *Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.*	*Balconies for all apartments have a minimum depth of 2 metres.*	YES	
Ceiling heights	*The following recommended dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL). These are minimums only and do not preclude higher ceilings, if desired.* ▪ *In mixed use buildings: 3.3 metre minimum for ground floor retail or commercial and for first floor residential, retial or commercial to promote future flexibility of use* ▪ *In other residential floors in mixed use buildings* ▪ *In general, 2.7 metre minimum for all habitable rooms on all floors, 2.4 metres is the preferred minium for all nonhabitable rooms, however 2.25 metres is permitted* ▪ *For two storeys units, 2.4 metres minimum for second storey if 50 percent or more of the apartments has a 2.7 metres minimum ceiling heights* ▪ *For two-storey units with a two storey*	*A ceiling height of 2.7 metres is shown with a 3 metre floor to floor height.*	YES	

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	void space, 2.4 metre minium ceiling heights ▪ *Developments which seek to vary the recommended ceiling heights must demonstrate that apartment ill receive satisfactory daylight.*			
Ground floor apartments	▪ *Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. This relates to the desired streetscape and topography of the site.* ▪ *Provide ground floor apartments with access to private open space, preferably as a terrace or garden.*	*N/A*	N/A	
Internal circulation	▪ *In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to 8. (Exceptions may be allowed for adaptive reuse buildings, where developments can demonstrate the achievement of the desired streetscape character and entry response, where development can demonstrate a high level of amenity for common lobbies, corridors and units.)*	*There are generally 7 units/ core.*	YES	
Storage	▪ *In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:* *- studio apartments - 6m3* *- one-bedroom apartments - 6m3* *- two-bedroom apartments - 8m3* *- three plus bedroom apartments - 10m3*	*Storage volumes are achieved.*	YES	

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Daylight access	▪ *Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of 3 hours direct sunlight between 9 am and 3 pm in mid winter. In dense urban areas, a minimum of 2 hours may be acceptable.* ▪ *Limit the number of single-aspect apartments with a southerly aspect (SWSE) to a maximum of 10 percent of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed.*	*133 of the 209 (less than 70%) apartments living rooms and private open spaces receive a minimum of 2 hours direct sunlight between 9 am and 3 pm in mid winter.* *202 of the 209 apartments living rooms and private open spaces receive a minimum of 2 hours direct sunlight between 8 am and 3pm in mid winter.* *No argument is given to why the additional morning hour should be included.*	YES/NO	**85/210 (40.5%) of apartments provided with the 3 hours solar access btw 9-3 on 21 June, which is less than the 70% required by the RFDC.** **180/210 (85.7%) of apartments provided with 2 hours solar access btw 9-3 on 21 June, which complies with the 70% required for dense urban environments. It is considered that the future of the Burwood Town Centre provides for a character which will be a dense urban environment, and as such the proposed level of amenity is appropriate.**
Natural ventilation	▪ *Building depths, which support natural ventilation typically, range from 10 – 18m.* ▪ *60% of residential units should be naturally cross-ventilated.* ▪ *25 percent of kitchens with in a development should have access to natural ventilation.*	*Building depths are greater than 18 metres.* *66 percent of residential units are naturally cross-ventilated.* *Less than 25 percent of kitchens will have access to natural ventilation.*	NO YES NO	**Building depths have been reduced as a result of the increased building separation.** **Greater than 25% of apartments back of kitchens located within 8m from a window.**
Waste management	▪ *Supply waste management plans as part of the development application submission as per the NSW Waste Board.*	*Not supplied*	NO	**Included as Appendix M of the EA.**
Water conservation	▪ *Rainwater is not to be collected from roofs coated with lead – or bitumen-based paints, or form asbestos-cement roofs. Normal guttering is sufficient for water collections provided that it is kept clear of leaves and debris.*	*N/A*	N/A	