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Subject: Attention Anne-Marie Young Re: DA2019/1173 3 Berith St
Attachments: seniors-living-policy-urban-design-guidelines-for-infill-development.pdf;
SubmissionDW10122019.pdf;

10/12/2019
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Attention Anne-Marie Young Re: DA2019/1173 3 Berith St

I am writing this submission as DA2019/1173 3 Berith St in no way meets the required design principles set out in the **Seniors Living Policy - Urban Design Guidelines for Infill Development**, provided on the NSW Department of Planning, Industry and Environment at: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/seniors-living-policy-urbandesign-guidelines-for-infill-development.pdf> and **attached to be uploaded with this submission.**



Season's Greetings
Dot Waterhouse
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SENIORS LIVING POLICY

Urban design guidelines for infill development



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Planning and Natural Resources
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State Environmental Planning Policy (Seniors Living) 2004 - Design principles

OVERVIEW

Introduction

The NSW Government is committed to providing housing choice for seniors and people with disabilities. The Seniors Living policy promotes a balance between the need for greater housing choice and the need to safeguard the character of residential neighbourhoods.

These guidelines have been prepared to assist in the design and assessment of development applications for infill development under State Environmental Planning Policy (Seniors Living) 2004 (the 'Seniors Living policy').

Developments under the policy can vary significantly both in terms of their urban context and the built form. The guidance given in this document is intended to cover these variations; however, it is important to emphasise that all developments should adopt a contextual approach. That is, the design should respond to both neighbourhood and streetscape character, and the opportunities and constraints offered by the specific site.

The diagram and photographs used are intended to illustrate urban design principles rather than specific design solutions. Many of the diagrams show smaller scale developments; however, the principles conveyed are equally applicable to larger development sites. This document does not deal with issues related to the interior layout and design of dwellings.

Requirements of the Seniors Living policy

New development under the Seniors Living policy should achieve a high standard of urban design. The policy sets out a range of design principles which must be considered in the design and assessment of applications (Clauses 31-37; 78). The design principles have been reproduced as an appendix to this document.

Consent authorities are also required to take these guidelines into consideration when assessing applications for infill development made under the policy (Cl. 29). The onus then also falls upon applicants to be familiar with these guidelines, and to use them to ensure that new development provides a high level of amenity for both new and existing residents.

The policy also contains some development standards (Cl. 38) and a number of standards that, if met, cannot be used as grounds for refusal of an application (Cl. 81). These standards establish important criteria for achieving good quality development. These standards have been reproduced in this document at the end of the relevant section.*

How to use these guidelines

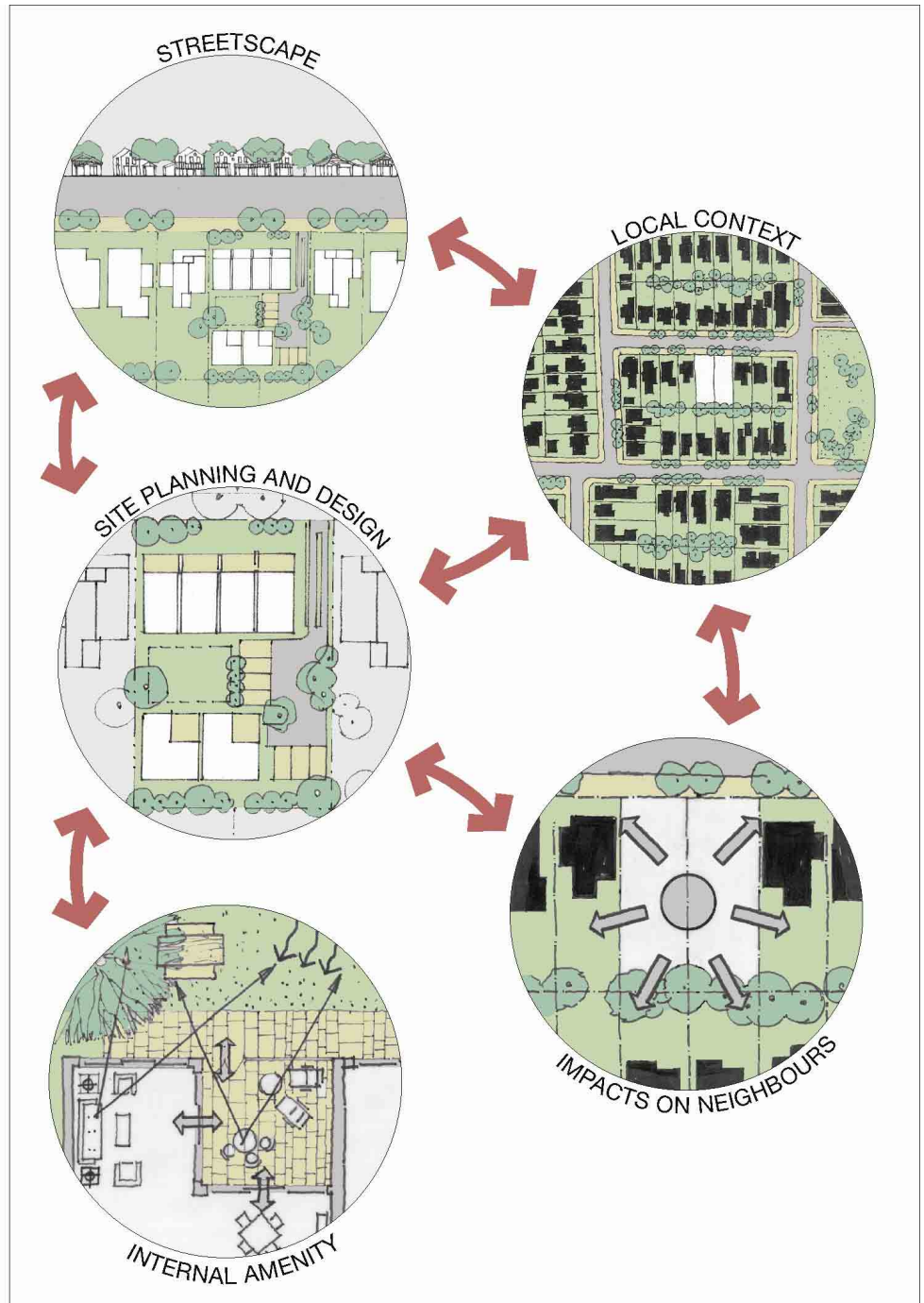
There are five sections in the document, each corresponding to a key issue when designing development under the Seniors Living policy:

- improving neighbourhood fit
- improving site planning and design
- reducing impacts on streetscape
- reducing impacts on neighbouring properties
- improving internal site amenity.

** For the sake of brevity the entire text of these controls has not been reproduced in this document and reference should always be made to the exact wording contained in the policy. Similarly, special provisions that apply only to the Department of Housing or local government or community housing providers have also been omitted.*

Each issue is concerned with a different scale and level of detail, and they are all interrelated; consideration of any one must be balanced with consideration of the others. Site planning and design is a critical concern which relates closely to the success of other aspects of the development (see figure 1).

01: Each section of this document is concerned with one of the five interrelated issues that new infill developments must address.



With the exception of section 1, information in the guidelines is presented in the following five part format:

- **Introduction:** describes the issue and why it is important
- **Objectives:** lists what it is that development should seek to achieve
- **Design principles and better practice:** describes specific principles and approaches that might be employed to achieve the objectives
- **SEPP controls:** lists the relevant standards that are contained in the policy
- **Rules of thumb:** suggests additional controls as guidance for good design.

1. RESPONDING TO CONTEXT

Introduction

New developments that increase residential densities need not be out of character with their surroundings. Their impact can be reduced by a sensitive and responsive approach to the special visual, physical or natural qualities that contribute to the character of an area.

In a similar way, but at a smaller scale, the unique characteristics of an individual site, its opportunities and constraints, should be clearly identified in the site analysis and should generate a site specific design response.

An appreciation of neighbourhood character and good site analysis are key factors to producing quality developments under the Seniors Living policy.

Analysis of neighbourhood character

New development should contribute to the overall character of the area, or, in other words, have a good 'neighbourhood fit'. The starting point for achieving 'neighbourhood fit' is an appreciation of the defining characteristics of the neighbourhood that new development could retain or reinforce.

Often discussions about neighbourhood character focus on the existing buildings and their particular architectural style or detail, losing sight of the wider range of elements that contribute to neighbourhood character, including topography and landform, the type and function of streets, and trees and vegetation in both streets and gardens.

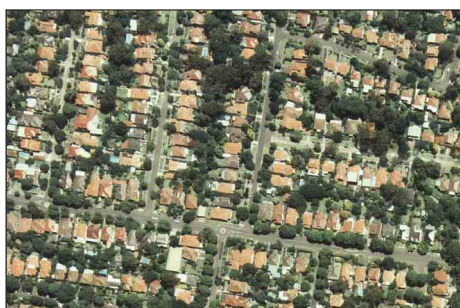
Analysis should not only be concerned with the existing neighbourhood character but also with trends and changes in the area, and their likely positive or negative impacts over time.

The key elements that contribute to neighbourhood character and therefore should be considered in the planning and design of new development are summarised below.

Street layout and hierarchy:

The legibility of a neighbourhood is related to the layout and hierarchy of the streets and the clarity with which these can be 'read'. New development should therefore be of an appropriate scale and character to reinforce these existing patterns.

- *key questions:* What is the pattern and hierarchy of streets in the local area? Are there opportunities for introducing new streets or lanes? How does the built form vary between different types of streets? What are the patterns of planting in the streets and gardens? What are the typical front setbacks and building heights? Where are there anomalies to any of these patterns and why?



Investigation of neighbouring lots, streets and blocks is required to understand the elements that contribute to neighbourhood character.

Block and lots:

Land subdivision has resulted historically in blocks and lots configured for particular uses and building types. When new building types are introduced with a different relationship to the block and lot they may have negative impacts.

- *key questions:* What are the predominant block and lot patterns? How have these changed over time (for example by subdivision and amalgamation)? What are the typical lot sizes, shape and orientation? Which lots are better for intensification and which are not? Is amalgamation necessary to support future development? Are there any corner sites, sites with two street frontages, or sites that are relatively wide or shallow and are therefore more suitable for intensification?

Built environment:

Residential neighbourhoods are often consistent in terms of built form. This includes not only the size and shape of buildings but the spaces between them. It is important that new built form, as far as possible, follows these patterns.

- *key questions:* Look for buildings that have a good relationship to the street or characteristics that contribute positively to neighbourhood character. Do buildings have a consistent scale and massing? Is there a regular rhythm of spaces between them? What are the atypical buildings? Should particular streetscapes and building types be further developed or discouraged?



Patterns of street planting, front gardens and fences, and the massing and architectural style of built form all contribute to streetscape character.

Trees:

Trees and vegetation are critical in establishing the particular character of a neighbourhood or street. Distinctive patterns of planting can often compensate for fragmented or undistinguished built form.

- *key questions:* Where are the significant trees and landscapes in the neighbourhood? Are there street trees, and if so what species and spacing? What are the patterns of planting in the front and rear gardens? Could new development protect and enhance existing vegetation?

Policy environment:

Councils' own LEPs or DCPs may describe the character of an area or identify the key elements that contribute to its unique character.

- *key questions:* What are the key characteristics of an area as identified by the Council? How might these be accommodated in the design of new development for the area? Are there any special character areas, view corridors, vistas, landscaped areas, or heritage buildings or precincts that should be considered?

Site analysis

Through site analysis further considerations are identified that should be translated into the proposed design. It is important that site analysis is seen as much more than just a data collection exercise. Information needs to be collected and synthesised, and then conclusions drawn about the opportunities and constraints offered by the site. Site analysis must not only describe the existing site conditions but explain how the design of the proposed development has taken these conditions into account.

The policy lists what must be included in the site analysis (Cl. 28). Both text and drawings should be used to describe the analysis and to explain the design response.

Particular issues that should be given considered attention in the site analysis include:

- existing streetscape elements and the existing pattern of development as perceived from the street
- patterns of driveways and vehicular crossings
- existing vegetation and natural features on the site
- existing pattern of buildings and open space on adjacent lots
- potential impacts on privacy for, or overshadowing of, existing adjacent dwellings.

Reference and further reading:

- Urban Design Advisory Service (1998) *Neighbourhood Character: An urban design approach to identifying neighbourhood character*, Department of Urban Affairs and Planning

2. SITE PLANNING AND DESIGN

Introduction

Site planning and design must respond to multiple challenges: providing new dwellings that feature a high level of amenity; respecting the privacy and amenity enjoyed by existing neighbouring properties; taking into account the existing character of the neighbourhood; and reducing environmental impacts by minimising the consumption of energy and water.

All development types have their share of particular challenges. For example, 'villa' style developments typically have high site coverage and are often dominated by garaging and spaces for vehicular circulation, while residential flat buildings can look out of place on the street in relation to smaller scale adjoining properties.

Although Seniors Living infill developments could take on a variety of built forms there are site design principles that can be generally employed to achieve a higher standard of design.

Objectives

The objectives of site planning and design are:

- to minimise the impact of new development on neighbourhood character
- to retain existing natural features of the site that contribute to neighbourhood character
- to provide high levels of amenity for new dwellings
- to maximise deep soil and open space for mature tree planting, water percolation and residential amenity
- to minimise the physical and visual dominance of car parking, garaging and vehicular circulation
- to provide housing choice through a range of dwelling sizes.

Design principles and better practice

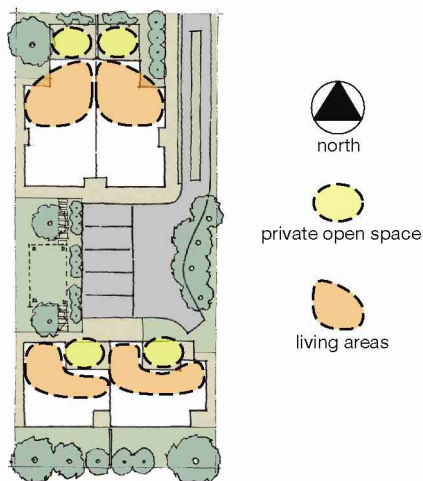
General:

- Site design should be driven by the need to optimise internal amenity and minimise impacts on neighbours. These requirements should dictate the maximum development yield.
- Cater for the broad range of needs from potential residents by providing a mix of dwelling sizes and dwellings both with and without assigned car parking. This can also provide variety in massing and scale of built form within the development.

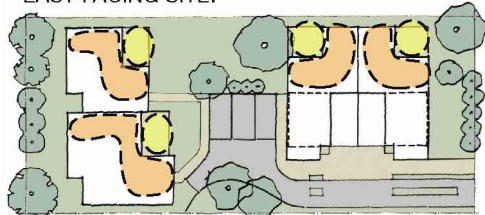
Built form:

- Locate the bulk of development towards the front of the site to maximise the number of dwellings with frontage to a public street.
- Parts of the development towards the rear of the site should be more modest in scale to limit the impacts on adjoining properties.
- Design and orient dwellings to respond to environmental conditions:
 - orient dwellings on the site to maximise solar access to living areas and private open space (see figure 2)
 - locate dwellings to buffer quiet areas within the development from noise.

NORTH FACING SITE:



EAST FACING SITE:



02: Orienting private open space and living areas to achieve maximum solar access provides amenity for residents and reduces energy consumption.



Pedestrian paths and ramps and areas of planting or grass of any dimension all contribute to the landscaped area portion of a proposed development.

Trees, landscaping and deep soil zones:

- Maintain existing patterns and character of gardens and trees:
 - retain trees and planting on the street and in front setbacks to minimise the impact of new development on the streetscape
 - retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid block deep soil planting
 - retain large or otherwise significant trees on other parts of the site through sensitive site planning
 - where it is not possible or desirable to retain existing trees, replace with new mature or semi-mature trees.
- Improve amenity by increasing the proportion of the site that is landscaped area by:
 - increasing the width of landscaped areas between driveways and boundary fences, and between driveways and new dwellings
 - providing pedestrian paths
 - reducing the width of driveways
 - providing additional private open space above the minimum requirements
 - providing communal open space
 - increasing front, rear and/or rear setbacks
 - providing small landscaped areas between garages, dwelling entries, pedestrian paths, driveways, etc.
- Provide deep soil zones for absorption of run-off and to sustain vegetation, including large trees:
 - it is preferable that at least 10% of the site area is provided as a single area at the rear of the site, where there is the opportunity to provide a mid-block corridor of trees within a neighbourhood
 - where the pattern of neighbourhood development has deep soil planting at the front of the site, it may be desirable to replicate this pattern.
- Minimise the impact of higher site cover on stormwater runoff by:
 - using semi-pervious materials for driveways, paths and other paved areas
 - using of on-site detention to retain stormwater on site for re-use.



Centralised parking courts reduce the dominance of surfaces and structures for parking and vehicular circulation...

Parking, garaging and vehicular circulation:

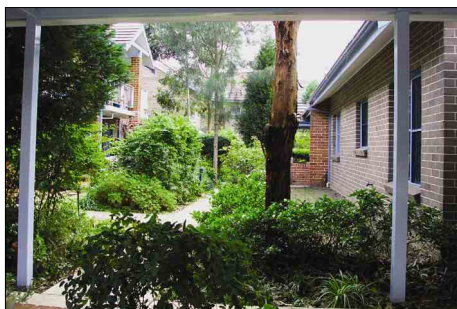
- Consider centralised parking in car courts to reduce the amount of space occupied by driveways, garages and approaches to garages.
- Where possible maintain existing crossings and driveway locations on the street.

SEPP Controls

- Minimum site area: 1000 square metres – Cl. 38(2).
- Minimum site width: 20 metres – Cl. 38(3).
- Development cannot be refused if:
 - proposed buildings do not exceed 8 metres in height – Cl. 81(a)
 - the floor space ratio does not exceed 0.5:1 – Cl. 81(b)
 - the landscaped area is a minimum of 30% of the site – Cl. 81(c)(ii)
 - the deep soil zone area is a minimum of 15% of the site (must have minimum dimension of 3 metres and it is preferable that two thirds of the deep soil area is at the rear of the site) – Cl. 81(d)
 - one visitor parking space is provided for development of 6 or less dwellings or two visitor parking spaces for development of 7 or 8 dwellings – Cl. 81(g)(i-ii)
 - 0.5 resident parking spaces per bedroom are provided – Cl. 81(h)(i).
- Additional site-related requirements regarding access to services, bush fire prone land, and water and sewerage are contained in Clauses 25 to 27.

Rules of Thumb

- The proportion of the site given to landscaped area and deep soil should be increased in less urban areas, on large lots, and in areas already characterised by a high proportion of open space and planting.



... freeing up space for communal areas, pedestrian paths, landscaping and additional private open space.

3. IMPACTS ON STREETSCAPE

Introduction

New infill developments need to achieve an harmonious fit with the existing streetscape character or desired future character. New developments should present attractively to the street and complement surrounding dwellings. Both the existing residents of an area and potential residents of the new development prefer housing that blends into the local area.

Key issues that impact on the streetscape include: the design and proportions of building facades and roof forms; fences and landscaping; design of the front setback; the size and treatment of vehicular entries; potential for retention of existing vegetation; and pedestrian and building entries.

A good fit depends on thorough analysis of the existing neighbourhood and streetscape character.

Objectives

The design objectives in relation to streetscape impacts are:

- to minimise impacts on the existing streetscape and enhance its desirable characteristics
- to ensure that new development, including the built form, front and side setbacks, trees, planting and front fences, is designed and scaled appropriately in relation to the existing streetscape
- to minimise dominance of driveways and car park entries in the streetscape
- to provide a high level activation and passive surveillance to the street.

Design principles and better practice

General:

- Respond to the desired streetscape character by:
 - locating and designing new development to be sympathetic to existing streetscape patterns (building siting, height, separation; driveway locations, pedestrian entries, etc.)
 - providing a front setback that relates to adjoining development.

Built form:

- Reduce the visual bulk of a development by:
 - breaking up the building massing and articulating building facades
 - allowing breaks in rows of attached dwellings
 - using variation in materials, colours and openings (doors, windows and balconies) to order building facades with scale and proportions that respond to the desired contextual character
 - setting back upper levels behind the front building facade
 - where it is common practice in the streetscape, locating second storeys within the roof space and using dormer windows to match the appearance of existing dwelling houses
 - reducing the apparent bulk and visual impact of a building by breaking down the roof into smaller roof elements
 - using a roof pitch sympathetic to that of existing buildings in the street
 - avoiding uninterrupted building facades including large areas of painted render.

Trees, landscaping and deep soil zones:

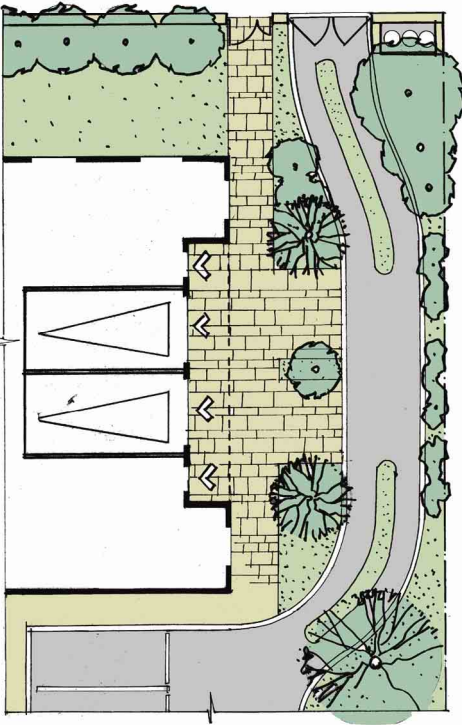
- Retain existing trees and planting in front and rear setbacks and the road reserve:
 - where this is not possible or not desirable use new planting in front setback and road reserve
 - plant in front of front fences to reduce their impact and improve the quality of the public domain.



Retention of existing trees and generous planting in front setbacks makes a positive contribution to the streetscape.



New development can blend into an existing streetscape by using similar proportions, front setbacks and roof forms to adjacent development.



03: *Trees, landscaping and variation in the alignment of the driveway reduce its visual impact on the street. Garages should be recessed behind the building line and other parking hidden from the street where possible.*

Residential amenity:

- Clearly design open space in front setbacks as either private or communal open space.
- Define the threshold between public and private space, for example by level change, change in materials, fencing, planting and/or signage.
- Design dwellings at the front of the site to address the street.
- Provide a high quality transition between the public and private domains by:
 - designing pedestrian entries where possible to be directly off the street
 - for rear residents, providing a pedestrian entry that is separate from vehicular entries
 - designing front fences to provide privacy where necessary, but also to allow for surveillance of the street
 - ensuring that new front fences have a consistent character with front fences in the street
 - orienting mailboxes obliquely to the street to reduce visual clutter and the perception of multiple dwellings
 - locating and treating garbage storage areas and switchboards so that their visual impact on the public domain is minimised.

Parking, garaging and vehicular circulation:

- Avoid unrelieved, long, straight driveways that are visually dominant by:
 - varying the alignment of driveways to avoid a ‘gunbarrel’ effect
 - setting back garages behind the predominant building line to reduce their visibility from the street
 - considering alternative site designs that avoid driveways running the length of the site.
- Minimise the impact of driveways on streetscape by:
 - terminating vistas with trees, vegetation, open space or a dwelling, not garages or parking (see figure 3)
 - using planting to soften driveway edges
 - varying the driveway surface material to break it up into a series of smaller spaces (for example to delineate individual dwellings)
 - limiting driveway widths on narrow sites to single carriage width with passing points
 - providing gates at the head of driveways to minimise visual ‘pull’ of the driveway.
- Where basement car parking is used minimise the impact of the entry by:
 - reducing the width where possible to single vehicle width rather than double
 - locating it to one side of the site, not at the centre where it is visually prominent
 - recessing it from the main building facade
 - where a development has a secondary street frontage, providing vehicular access from the secondary street
 - providing security doors to avoid the appearance of a ‘black hole’ in the streetscape
 - returning facade material into the visible area of the car park entry.
- Locate or screen all parking to minimise visibility from the street.

SEPP Controls

- For development proposed in a residential zone where residential flat buildings are not permitted:
 - the height of all buildings in the proposed development must be 8 metres or less,
 - a building that is adjacent to a boundary of the site must be not more than 2 storeys in height – Cl. 38(4)(a-b).

Rules of Thumb

- Respond to council planning instruments that specify the character or desired character for the area.
- Where there is a consistent front building alignment, new development should not encroach on the front setback.
- Driveways or basement car park entries should not exceed 25% of the site frontage.
- Garage doors should be set back a minimum of 1m metre behind the predominant building facade on both the street frontage and common driveways.

4. IMPACTS ON NEIGHBOURS

Introduction

Developments under the Seniors Living policy generally result in an increase in the number of dwellings and residents in the neighbourhood. Impacts of this intensification can be reduced amenity for neighbours (for example less visual and acoustic privacy, compromised outlook) unless the development is carefully designed.

Site analysis should reveal the existing spatial relationships between adjacent dwellings in an area, and provide clues for reducing potential impacts.

Key issues to consider include: location of living area and private open space in adjacent dwellings; overlooking and overshadowing; location of windows on existing and proposed development; and the retention of existing screening vegetation or new planting to achieve a similar level of privacy.

Objectives

The design objectives in relation to minimising impacts on neighbours are:

- to minimise impacts on the privacy and amenity of existing neighbouring dwellings
- to minimise overshadowing of existing dwellings and private open space by new dwellings
- to retain neighbours' views and outlook to existing mature planting and tree canopy
- to reduce the apparent bulk of development and its impact on neighbouring properties
- to provide adequate building separation.

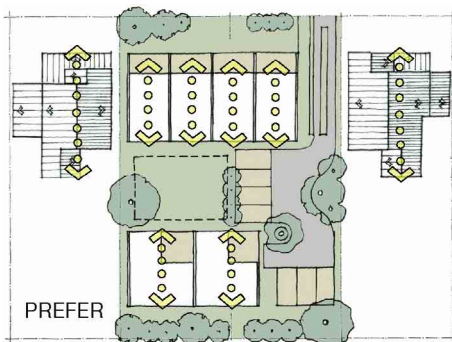
Design principles and better practice

Built form:

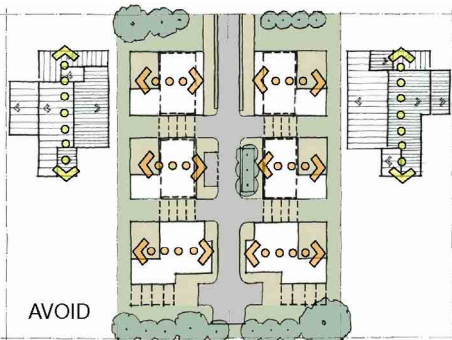
- Design the relationship between buildings and open space to be consistent with the existing patterns in the block:
 - where possible maintain the existing orientation of dwelling 'fronts' and 'backs' (see figure 4a)
 - where the dwelling must be oriented at 90 degrees to the existing pattern of development, be particularly sensitive to the potential for impact on privacy of neighbours.
- Protect neighbours' amenity by carefully designing the bulk and scale of the new development to relate to the existing residential character, for example by:
 - setting upper storeys back behind the side or rear building line.
- Reduce the visual bulk of roof forms by breaking down the roof into smaller elements, rather than having a single uninterrupted roof structure.
- Design second storeys to reduce overlooking of neighbouring properties, for example by:
 - incorporating them within the roof space and providing dormer windows
 - offsetting openings from existing neighbouring windows or doors.
- Reduce the impact of unrelieved walls on narrow side and rear setbacks by limiting the length of the walls built to these setbacks.

Trees, landscaping and deep soil zones:

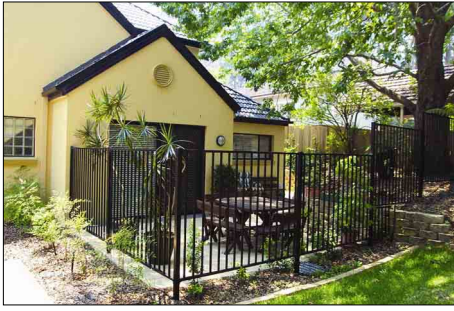
- Use vegetation and mature planting to provide a buffer between new and existing dwellings.
- Locate deep soil zones where they will provide privacy between new and existing dwellings.
- Planting in side and rear setbacks can provide privacy and shade for adjacent dwellings.
- For new planting, if possible, use species that are characteristic of the local area.



04a: Consistent patterns of dwelling fronts, sides and backs reduce the potential for overlooking and impacts on privacy.



04b: Inconsistent patterns of dwelling fronts, sides and backs can result in overlooking and reduced privacy.



Private open space can be located in front setbacks as a means of minimising impacts on neighbours and providing passive surveillance of the street.

Residential amenity:

- Protect sun access and ventilation to living areas and private open space of neighbouring dwellings by ensuring adequate building separation.
- Design dwellings so that they do not directly overlook neighbours' private open space or look into existing dwellings.
- When providing new private open space minimise negative impacts on neighbours, for example by:
 - locating it in front setbacks where possible
 - ensuring that it is not adjacent to quiet neighbouring uses, for example bedrooms
 - designing dwellings around internal courtyards
 - providing adequate screening.
- Where side setbacks are not large enough to provide useable private open space, use them to achieve privacy and soften the visual impact of new development by planting screen vegetation.

Parking, garaging and vehicular circulation:

- Provide planting and trees between driveways and side fences to screen noise and reduce visual impacts.
- Position driveways so as to be a buffer between new and existing adjacent dwellings.



Locate driveways to provide separation from neighbouring dwellings for privacy and solar access.

SEPP Controls

- In zones where residential flat buildings are not permitted, development on the rear 25% of the site must not exceed one storey – Cl. 38(4)(c).

Rules of Thumb

- Where side setbacks are less than 1.2m, a maximum of 50% of the development should be built to this alignment.
- The length of unrelieved walls along narrow side or rear setbacks should not exceed 8 metres.
- Living rooms of neighbouring dwellings should receive a minimum 3 hours direct sunlight between 9.00-3.00 in mid-winter neighbouring dwellings.
- Solar access to the private open space of neighbouring dwellings should not be unreasonably reduced.

5. INTERNAL SITE AMENITY

Introduction

Amenity within any residential development depends on key factors like privacy, safety and security, and the useability and attractiveness of the living environment.

Typically people who move into developments assessed under the policy are changing from one type of housing to another. Many are downsizing from larger, detached dwellings. A consideration for the planning and design of these developments is maintaining a high standard of amenity for multiple dwellings within the constraints of a compact site.

Key design issues include the quality of communal spaces, the size and quality of private open space, the orientation of dwellings for solar access, and achieving a sense of individuality for dwellings in the development.

Objectives

The design objectives for internal amenity are:

- to provide quality useable private and communal open spaces for all residents
- to provide dwellings that have distinct identity and safe entries
- to provide safe and distinct pedestrian routes to all dwellings and communal facilities
- to ensure adequate solar access to living areas and private open space
- to reduce the dominance of parking, garaging and vehicular circulation space on the internal character of new development.

Design principles and better practice

Built form:

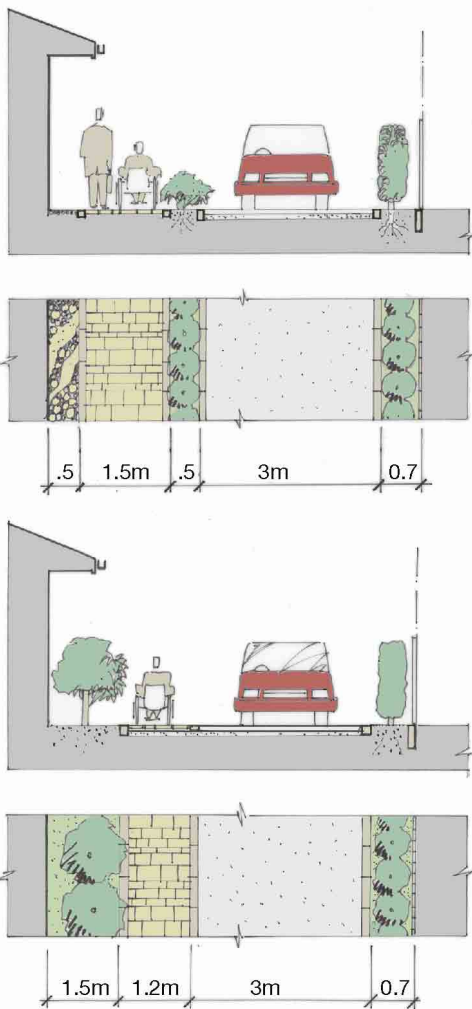
- Design dwellings to maximise solar access to living areas and private open spaces.
- In villa or townhouse style developments, provide dwellings with a sense of individual identity through building articulation, roof form and other architectural elements, and through the use of planting and building separation:
 - provide buffer spaces and/or barriers between the dwellings and driveways, or between dwellings and communal areas
 - use trees, vegetation, fencings, or screening devices to establish curtilages for individual dwellings.
- Design dwelling entries so that they:
 - are clear and identifiable from the street or driveway
 - provide a buffer between public/communal space and private dwellings
 - provide a sense of address for each dwelling
 - are oriented to not look directly into other dwellings.



Trees and landscaping at driveway edges make a pleasant environment on the site and a buffer between dwelling and vehicle noise.

Parking, garaging and vehicular circulation:

- Locate habitable rooms, particularly bedrooms, away from driveways, parking areas and pedestrian paths:
 - where this is not possible use physical separation, planting, screening devices or louvres to achieve adequate privacy.
- Avoid large uninterrupted areas of hard surface (driveways, garages, walls). Small areas of planting can break these up and soften their 'hard edge' appearance.
- Screen parking from views and outlooks from dwellings.
- Reduce the dominance of areas for vehicular circulation and parking by considering:
 - single rather than double width driveways with passing bays
 - communal car courts rather than individual garages
 - single rather than double garages
 - tandem parking or a single garage with single car port in tandem
 - the provision of some dwellings without any car parking for residents without cars.



05: Separate pedestrian paths of generous width are preferable to shared pedestrian/vehicular access ways. In either case, adequate buffering between dwellings and pedestrian paths or driveways should be considered.

Residential amenity:

- Provide distinct and separate pedestrian and vehicular circulation on the site:
 - where this is not possible shared driveway/pedestrian paths should be wide enough to allow a vehicle and a wheelchair to pass safely (see figure 5)
 - provide pedestrian routes to all public and semi-public areas including lobbies, dwelling entries, communal facilities and visitor parking spaces.
- Ensure that adequate consideration is given to safety and security by:
 - avoiding ambiguous spaces in building and dwelling entries that are not obviously designated as public or private
 - minimising opportunities for concealment by avoiding blind or dark spaces between buildings, near lifts and foyers and at the entrance to or within indoor car parks
 - clearly defining thresholds between public and private spaces (for example by level change, change in materials, fencing, planting and/or signage).
- Provide private open space that:
 - is generous in proportion and adjacent to the main living areas of the dwelling (living room, dining room or kitchen)
 - is oriented predominantly north, east or west to provide solar access
 - comprises multiple spaces for larger dwellings
 - uses screening for privacy but also allows casual surveillance when located adjacent to public or communal areas (including streets and driveways)
 - provides both paved and planted areas when located at ground level
 - retains existing vegetation where practical
 - uses pervious pavers where private open space is predominantly hard surfaced, to allow for water percolation and reduced runoff.
- Provide communal open space that:
 - is clearly and easily accessible to all residents and easy to maintain
 - incorporates existing mature trees and vegetation to provide additional amenity for all residents
 - includes shared facilities such as seating areas and barbecues to permit resident interaction.
- Site and/or treat common service facilities such as garbage collection areas and switchboard to reduce their visual prominence to the street or to any private or communal open space.

SEPP Controls

- Development cannot be refused if:
 - living rooms and private open spaces for a minimum of 70% of dwellings receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter – Cl. 81(e)
 - private open space is not less than 15 square metres and minimum dimension 3 metres for ground floor dwellings; 10 square metres and minimum dimension 2 metres for other dwellings; or 6 square metres and minimum dimension 2 metres for other dwellings with only one bedroom – Cl. 81(f)(i – ii).

Rules of Thumb

- Separation of 1.2 metres should be achieved between habitable rooms and driveway or car parks of other dwellings:
 - this can be reduced if adequate screening is provided.

SEPP (Seniors Living) 2004 - Design principles:**31 Neighbourhood amenity and streetscape**

The proposed development should:

- (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and
- (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and
- (c) maintain reasonable neighbourhood amenity and appropriate residential character by:
 - providing building setbacks to reduce bulk and overshadowing, and
 - using building form and siting that relates to the site's land form, and
 - adopting building heights at the street frontage that are compatible in scale with adjacent development, and
 - considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and
- (d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and
- (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and
- (f) retain, wherever reasonable, major existing trees, and
- (g) be designed so that no building is constructed in a riparian zone.

32 Visual and acoustic privacy

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

- (a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and
- (b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

33 Solar access and design for climate

The proposed development should:

- (a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and
- (b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.

34 Stormwater

The proposed development should:

- (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and
- (b) include, where practical, on-site stormwater detention or reuse for second quality water uses, and
- (c) be designed with regard to the scope for on-site infiltration of water by, for example, finishing driveway surfaces with semipervious material, minimising the width of paths and minimising paved areas.

35 Crime prevention

The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

- (a) site planning that allows, from inside each dwelling, general observation of the street, the site and the approaches to the dwelling's entry, and
- (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and
- (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.

36 Accessibility

The proposed development should:

- (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and
- (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.

37 Waste management

The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.

10/12/2019
Mrs Dorothy Waterhouse
56 Rose AVE Wheeler Heights NSW 2097
wheres.dot@gmail.com

Attention Anne-Marie Young

Re: DA2019/1173 3 Berith St

I am writing this submission as DA2019/1173 3 Berith St in no way meets the required design principles set out in the **Seniors Living Policy - Urban Design Guidelines for Infill-Development**, provided on the NSW Department of Planning, Industry and Environment at: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/seniors-living-policy-urban-design-guidelines-for-infill-development.pdf> and attached with this submission.

Pages mentioned in this submission are from the **Seniors Living Policy**.

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Requirements of the Seniors Living policy

New development under the Seniors Living policy should achieve a high standard of urban design. The policy sets out a range of design principles which must be considered in the design and assessment of applications (Clauses 31-37; 78). The design principles have been reproduced as an appendix to this document.

Consent authorities are also required to take these guidelines into consideration when assessing applications for infill development made under the policy (Cl. 29). The onus then also falls upon applicants to be familiar with these guidelines, and to use them to ensure that new development provides a high level of amenity for both new and existing residents.

Page 4

Analysis of neighbourhood character

New development should contribute to the overall character of the area, or, in other words, have a good 'neighbourhood fit'. The starting point for achieving 'neighbourhood fit' is an appreciation of the defining characteristics of the neighbourhood that new development could retain or reinforce.

This DA has made no attempt to fit the neighbourhood of Berith St, with its huge underground car park, and Unit Block appearance from the street.

It has been designed purely to fit the greatest number of units on the block. A better fit for Berith St would be 6 units with ground level parking, presenting as a single house frontage to the street, as can be seen at 34 Rose Ave Wheeler Heights.

NOTE

The Seniors Housing being built at 44 Rose Ave and designed by the same Architect firm, is NOT comparable to 3 Berith St, as has been suggested as a precedence for such a huge

(4.7 meters) excavation for an underground carpark, as 44 Rose Ave is at the end of a long drive way and is NOT VISIBLE from Rose Ave.

Page 6

Site planning and design must respond to multiple challenges: providing new dwellings that feature a high level of amenity; respecting the privacy and amenity enjoyed by existing neighbouring properties; taking into account the existing character of the neighbourhood; and reducing environmental impacts by minimising the consumption of energy and water.

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3. IMPACTS ON STREETSCAPE

New infill developments need to achieve an harmonious fit with the existing streetscape character or desired future character. New developments should present attractively to the street and complement surrounding dwellings. Both the existing residents of an area and potential residents of the new development prefer housing that blends into the local area.

This DA with its Unit Block style building has not taken into account the existing character of the neighbourhood at all.

All but one house in Berith St set the character of the street, which is quiet, leafy, residential, with large blocks where houses are set back a long distance from the street. If there is a garage or building in front of a house it is **one storey**.

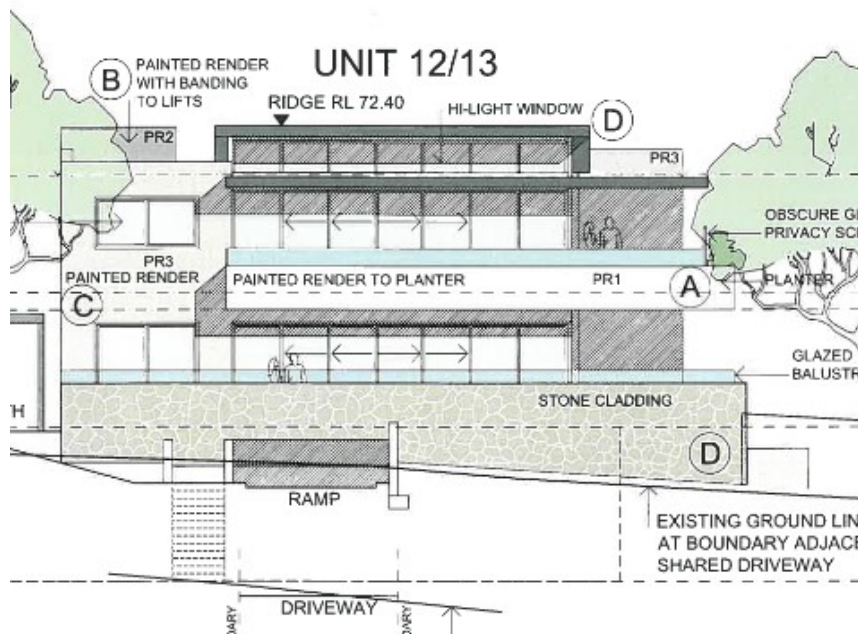


Page 2

Developments under the policy can vary significantly both in terms of their urban context and the built form. The guidance given in this document is intended to cover these variations; however, it is important to emphasise that all developments should adopt a contextual approach. That is, the design should respond to both neighbourhood and streetscape character, and the opportunities and constraints offered by the specific site.

Contrary to the Seniors Living Policy, the architectural style of this DA appears to be a '**one style fits all**' design, replicated anywhere a block large enough becomes available, with no consideration for any design principles set out in the **Seniors Living Policy**.

See the following examples by the same architect firm as this 3 Berith DA, including 44 Rose Ave Wheeler Heights and 43 Lantana Ave Wheeler Heights:



44 Rose Ave and 43 Lantana Ave (one long approved development)





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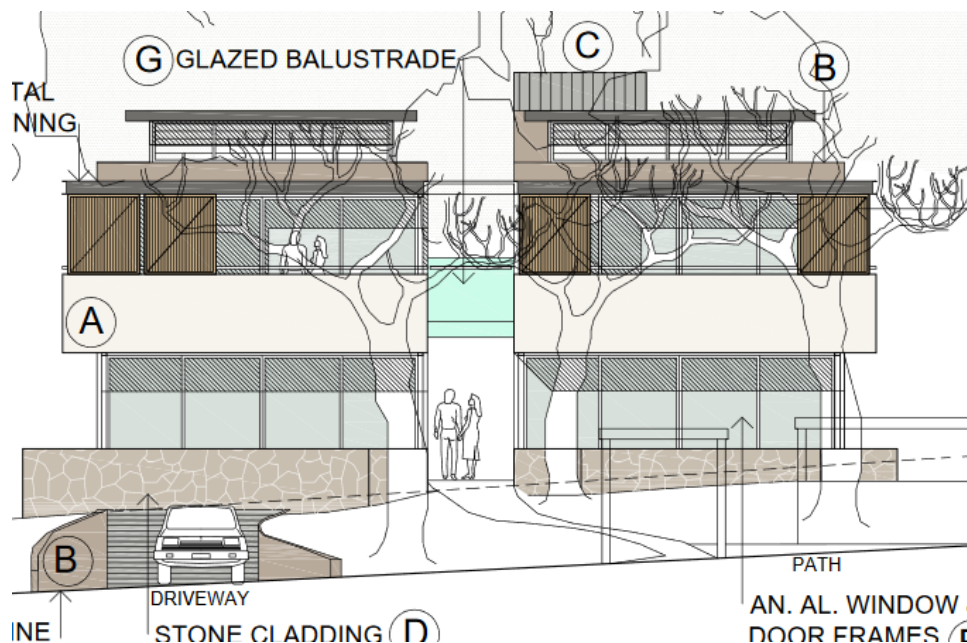
Objectives

The design objectives in relation to streetscape impacts are:

- to minimise impacts on the existing streetscape and enhance its desirable characteristics
- to ensure that new development, including the built form, front and side setbacks, trees, planting and front fences, is designed and scaled appropriately in relation to the existing streetscape
- to minimise dominance of driveways and car park entries in the streetscape

This DA would look like this - in a short, treelined quiet residential street.

It doesn't meet any of the required design objectives.



Page 7

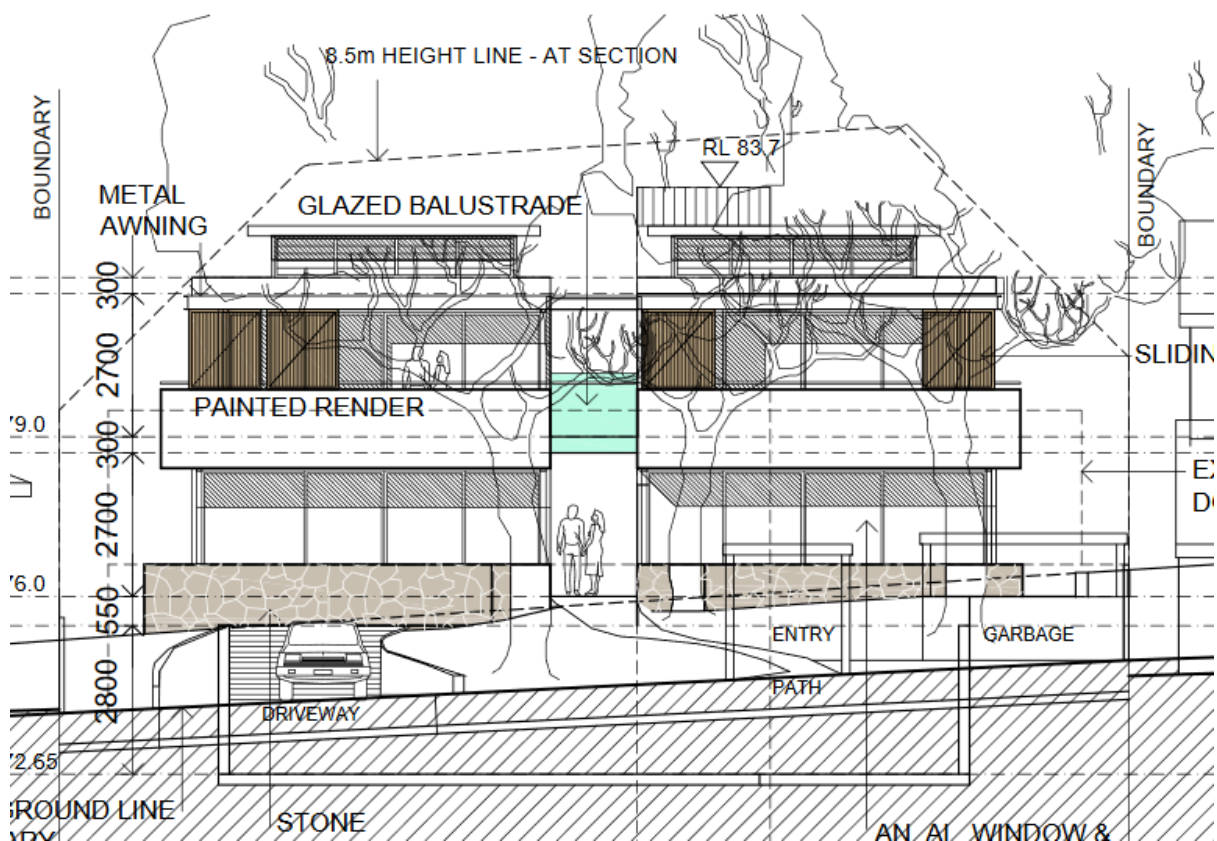
- Development cannot be refused if:
 - proposed buildings do not exceed 8 metres in height – Cl. 81(a)

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SEPP Controls

- For development proposed in a residential zone where residential flat buildings are not permitted:
 - the height of all buildings in the proposed development must be 8 metres or less,
 - a building that is adjacent to a boundary of the site must be not more than 2 storeys in height – Cl. 38(4)(a-b).

The building **clearly exceeds 8 metres in height**, and is **more than 2 storeys** adjacent to boundaries and **should be refused**.



 [Plans - External - Amended - December 2019](#)

4. IMPACTS ON NEIGHBOURS

Introduction

Developments under the Seniors Living policy generally result in an increase in the number of dwellings and residents in the neighbourhood. Impacts of this intensification can be reduced amenity for neighbours (for example less visual and acoustic privacy, compromised outlook) unless the development is carefully designed.

Site analysis should reveal the existing spatial relationships between adjacent dwellings in an area, and provide clues for reducing potential impacts.

Key issues to consider include: location of living area and private open space in adjacent dwellings; overlooking and overshadowing; location of windows on existing and proposed development; and the retention of existing screening vegetation or new planting to achieve a similar level of privacy.

Objectives

The design objectives in relation to minimising impacts on neighbours are:

- to minimise impacts on the privacy and amenity of existing neighbouring dwellings
- to minimise overshadowing of existing dwellings and private open space by new dwellings
- to retain neighbours' views and outlook to existing mature planting and tree canopy
- to reduce the apparent bulk of development and its impact on neighbouring properties
- to provide adequate building separation.

There has been no attempt to establish where the living areas are in the adjacent 5 Berith St before designing this DA.

The plan removes all existing lovely views from 5 Berith **from all living areas**.
View from deck, lounge and family rooms.

