

PENRITH CITY COUNCIL

FAST LIGHT ASSESSMENT REPORT

Application number:	DA21/0666
Proposed development:	Two Storey Dwelling
Property address:	188 Forestwood Drive, GLENMORE PARK NSW 2745
Property description:	Lot 338 DP 1231225
Date received:	9 September 2021
Assessing officer	Lawrence Ligato
Zoning:	SEPP WSA - Affected by Obstacle Limitation SEPP WSA - Affected by Wildlife Buffer Zone Zone R2 Low Density Residential - LEP 2010
Class of building:	Class 1a
Recommendation:	Approve

Executive Summary

Council is in receipt of a development application for the subject development on the subject site and the proposal is a permissible land use with Council consent.

Site & Surrounds

The subject site is situated on the western side of Forestwood Drive, Glenmore Park. It is 1017m² in area, is orientated in a eastern direction and has a gentle slope from the street to the rear.

An inspection of the site was undertaken on 20/10/21 and the site is currently vacant.

The surrounding area is characterised by residential development and dwellings under construction.

Proposal

The proposed development involves:

- Construction of a two storey dwelling including parking, landscaping and associated drainage works.

Plans that apply

BUSHFIRE PRONE LAND (ENTIRELY)
CLM ACT 1997 - GENERAL MESSAGE
PENRITH DCP 2014
GENERAL LIST
EASEMENT DRAINAGE 2 METRES
EASEMENT RETAINING WALL SUPPORT 0.5M
MISCELLANEOUS EASEMENTS - SEE DEPOSITED PLANS
DEV/BLD - RATU - SEE 88B
DEV/BLD - RATU - SEE 88B
DEV/BLD - COVENANT(S)
DEV/BLD - COVENANT(S)
DCP 2014 - Tree Preservation Controls
DCP 2014 - General Information
LEP 2010/DCP 2014 - Glenmore Park Stage 2
LEP 2010/DCP 2014 - Glenmore Park Stage 2
LEP 2010/DCP 2014 - Glenmore Park Stage 2
PLAN INST - SREP NO 9 EXT IND (NO 2-1995) AA
PLAN INST - SREP NO 20 HAW NEP RIV (NO2-1997) AA
Local Environmental Plan 2010
Asbestos & Contam Land Policies
PRECINCT 2010
SEC 94 CONTRIB PLAN - CULTURAL FACILITIES
SEC 94 CONTRIB PLAN - LOCAL OPEN SPACE 2007
SEC 94 CONTRIB PLAN - GLENMORE PARK STAGE 2
SEC 94 CONTRIB PLAN - DISTRICT OPEN SPACE FACILS
SEC 7.12 CONTRIB PLAN - PENRITH CITYWIDE
STATE ENV PLANNING POLICIES - GENERAL LIST
SEPP WSA - Affected by Obstacle Limitation
SEPP WSA - Affected by Wildlife Buffer Zone
SOUTH WARD
Zone R2 Low Density Residential - LEP 2010
LEP 2010 - Additional Land Use Notes

Planning Assessment

• Section 4.14 - Bushfire prone land assessment

The development has been assessed in accordance with the matters for consideration under Section 4.14 (Consultation and development consent—certain bush fire prone land) of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following points are made:

- The property is identified as bushfire prone land.
- A review of the 88b instrument has revealed that there is no bushfire report associated with the restriction on the use of the land. Restriction 9 states that the lots are to be managed as an IPA.
- A review of the Bushfire Risk Assessment Report prepared by Ecological Australia (Reference:4723) and dated 2 August 2016 forming part of DA16/1353 only identified minimum APZ's to achieve a BAL-29 construction.
- A Bushfire Risk Assessment Report prepared by Bushfire Consulting Services (Reference: J21-0894) and dated 24/08/2021 was submitted with the subject application. The recommendations of the report state that the bush fire attack level (BAL) associated with the development of the subject building has been assessed as BAL 19 (southern, eastern and western façade) and BAL 12.5 (northern façade). In conclusion, the submitted bushfire report will be conditioned accordingly.

• Section 4.15 - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

Is the development permissible in the zone?

Complies

Is the development consistent with any requirements of environmental planning instruments relevant to this proposal (including any applicable SEPP's, SREP's and LEP's)?

Complies

Section 4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

Is the development consistent with any draft planning instruments relevant to this proposal

N/A

Section 4.15(1)(a)(iii) Any development control plan

Is the development consistent with the provisions of any development control plan relevant to this proposal?

Does not comply - See discussion

Section 4.15(1)(a)(iv) Any applicable regulations

Is the development consistent the provisions of any regulations relevant to this proposal?

Complies

Section 4.15(1)(b) The likely impacts of the development

Context and setting

Is the development consistent with the bulk, scale colour and design of other development in the locality?	Complies
Will the development have only a minor impact of the amenity of the area and the streetscape?	Complies
Is the development compatible with surrounding and adjacent land uses	Complies
Will the development have no or minimal impact on the amenity of the area in terms of:	
Sunlight (overshadowing):	Complies
Visual and acoustic privacy:	Complies
Views or vista:	Complies

Access and Transport

Will the development have no or minimal impact on the local road system	Complies
Is the existing and any proposed access arrangements and car parking on site adequate for the development?	Complies

Heritage

The property is not subject to any heritage order or is identified as heritage under a planning instrument.	N/A
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Soil

The development will have minimal impact on soil erosion and sedimentation	Complies
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Natural and Technological Hazards

The development is not subject to flooding, subsidence or slip	Complies
Land is not considered to be contaminated:	Complies
Bushfire requirements provided for the development	Complies
Acoustic requirements provided for the development	N/A

Site design

The development is sensitive to environmental conditions and site attributes.	Complies
Does the development safe guard the health and safety of the occupants	Complies

Section 4.15(1)(c) The suitability of the site for development

Was the site inspected?	Yes
Does the proposal fit locality?	Yes
Are the site attributes conducive to development?	Yes
Will the proposal have minimal social and economic impacts on the locality?	Yes
Has any applicable 88b instrument been considered?	Yes
Does the development propose the removal of trees?	N/A
Have the plans been checked by any relevant developer groups?	Yes
Has a BASIX certificate been provided?	Yes

Section 4.15(1)(d) Any submissions made in accordance with the EPA Act and Regulations?

Was the application required to be publicly notified?	Yes
Were any submissions received during the public notification period?	Yes

Section 4.15(1)(e)Public Interest

The application will have minimal impacts on public interest	Complies
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Conclusion/Summary

The site is suitable for the proposed development, the proposal is in the public interest, and there is unlikely to be negative impacts arising from the proposed development.

Therefore, the application is worthy of support, subject to recommended conditions.

Recommendation

That DA21/0666 for Two Storey Dwelling at 188 Forestwood Drive GLENMORE PARK NSW 2745, be approved subject to the attached conditions.

General

1 **A001 - Approved plans that are architecturally drawn**

The development must be implemented substantially in accordance with the plans numbered AND-30122, drawn by JM and dated 1-5-19 (Issue C), and stamped approved by Council, the application form, the BASIX Certificate and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2 **A008 - Works to BCA requirements (Always apply to building works)**

The work must be carried out in accordance with the requirements of the Building Code of Australia. If the work relates to a residential building and is valued in excess of \$20,000, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.

{Note: Residential building includes alterations and additions to a dwelling, and structures associated with a dwelling house/dwelling such as a carport, garage, shed, rural shed, swimming pool and the like}.

3 **A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)**

The development shall not be used or occupied until an Occupation Certificate has been issued.

4 **A046 - Obtain Construction Certificate before commencement of works**

A **Construction Certificate** shall be obtained prior to commencement of any building works.

5 **A special (A041) - CONSTRUCTION IN BUSHFIRE AREAS**

The building shall be constructed in accordance with the provisions of "Planning for Bushfire Protection" November 2019, and to BAL-19 and 12.5 construction under AS3959-2018 "Construction of buildings in bushfire-prone areas.

6 **A special (A041A) - Bushfire**

The development shall be implemented in accordance with the recommendations of the stamped approved bushfire assessment report prepared by Bushfire Consulting Services (Reference: J21-0894) and dated 24/08/2021.

7 **A special privacy**

Prior to the issue of an **Occupation Certificate**, the appointed Principal Certifier is to ensure that fixed louvred privacy screen (with a maximum 25% permeability) to prevent downward looking is installed to a height of 1.7m from finished floor level on the first-floor balcony and alfresco as amended in red on the stamped approved plans. The privacy screen is to be retained for the life of the development.

Environmental Matters

8 **D001 - Implement approved sediment& erosion control measures**

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development and the land, that was subject to the works, have been stabilised and grass cover established.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

9 **D007 - Cut and fill of land requiring Validation Certificate –limited to footprint**

Cut and fill operations on the property are only permitted in conjunction with the building works as detailed on the approved plans and specifications, and shall not extend more than 2 metres past the defined building footprint.

Before any fill material is imported to site, a validation certificate issued by an appropriately qualified person is to be provided to the Principal Certifying Authority. The validation certificate must demonstrate that the fill material is free from contaminants and weeds, that it is suitable for its intended purpose and land use, and that it will not pose an unacceptable risk to human health or the environment.

If Penrith City Council is not the Principal Certifying Authority, a copy of the validation certificate is to be submitted to Council for their reference.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}

10 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

11 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

BCA Issues

12 **E001 - BCA compliance**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

Health Matters and OSSM installations

13 **F006 - Water tank & nuisance**

The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

Construction

14 **H001 - Stamped plans and erection of site notice**

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

15 **H002 - All forms of construction**

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

16 **H009 - Cut / fill details (amended from adopted Council version)**

All exposed fill that is not contained within a Dropped Edge Beam (DEB) is to be battered down to natural ground level.

17 **H022 - Survey (as amended)**

The building shall be set out by a registered surveyor. A Survey Certificate shall be undertaken and submitted to the Principal Certifying Authority when the building is constructed.

18 **H030 – Roof finishes (rural property)**

The roof of the structure is to be a dull, non-reflective surface and colour. The external finishes of the dwelling are to compliment and blend with the established streetscape and amenity of the area.

19 **H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)**

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the manufacturer's specifications, and
- Sydney Water and NSW Health requirements

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

20 **H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)**

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

21 **H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)**

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

22 **H039 - Rainwater tank pumps (Also impose H036, H037 & H038)**

The pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

23 [H041 - Hours of work \(other devt\)](#)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

24 [K026 - Stabilised access](#)

All land required for vehicular access within the site is to be stabilised.

25 [K041 - Infrastructure Bond](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

26 [K101 - Works at no cost to Council](#)

All roadworks, stormwater drainage works, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

27 [K202 - Roads Act \(Minor Roadworks\)](#)

Prior to the issue of a Construction Certificate a Roads Act application, including payment of application and inspection fees shall be lodged with Penrith City Council, as the Roads Authority, for the following works:

- a) Provision of a vehicular crossing/s.
- b) Opening the road reserve for the provision of services including stormwater.
- c) Placing of hoardings, containers, waste skips, etc. in the road reserve.
- d) Replacement of damaged kerb and gutter for the full property frontage.

All works within the road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve. Contact Council's **City Works Department** on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

28 [K209 - Stormwater Discharge – Minor Development](#)

Stormwater drainage from the site shall be discharged to the:

- a) Easement to drain water 2m wide identified as (B) in DP1231225.

The proposed development and stormwater drainage system shall be designed to ensure no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows.

The proposed method of stormwater discharge shall be detailed in the Construction Certificate issued by the Certifying Authority.

29 **K405 - Turf to Verge**

Upon completion of all works in the road reserve, all verge areas fronting and within the development are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.

30 **K501 Roads Authority clearance**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works within the road reserve have been inspected and approved by Penrith City Council.

31 **K Special - Apply if there is an EASEMENT on the site**

No earthworks including cut and fill or building works including a retaining wall, garden shed or other structures of the like are permitted within the easement. The easement is to remain at natural ground level at all times.

Landscaping

32 **L001 - General landscaping (applies to most building works)**

All landscape works are to be constructed in accordance with the stamped approved plan and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

33 **L008 - Tree Preservation Order**

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed other than those within 3 metres of the proposed building footprint or as shown on the approved plans without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

Payment of Fees

34 **P002 - Fees associated with Council land (Applies to all works & add K019)**

Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Certification

35 **Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)**

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

36 [Q05F - Occupation Certificate for Class10](#)

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the development.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Appendix - Development Control Plan Compliance

E7	Glenmore Park Stage 2	Compliance Y/N/NA	Comments
7.4.4.3.2	Double garages are the maximum garage size allowed for single dwelling houses.	No	See below.
	Where a dwelling provides vehicular access to the street the garage will be setback a minimum of 5.5m from the front boundary.	Yes	10.690/11.290m
	Garages are to be provided per AS 2890.1 Off Street Parking, including: a) Minimum width of 3.2m for single garages. b) Minimum width of 5.8m for double garages.	No	Less than although complies with AS.
7.4.4.4	Areas of Principal Private Open Space should achieve at least 3 hours of sunlight to 50% of the required private open space area between 9am and 3pm on 21 June.	Yes	
	Buildings should be designed to ensure that 40% of the Principal Private Open Space areas of adjoining dwelling sites receive a minimum of 3 hours of sunlight between 9.00am and 3.00pm on 21 June each year.	Yes	
7.4.4.5	Verandahs, awnings, etc may project forward of the front building setback line by a maximum of 1.5m.	N/A	8m setback inline with proposed building line.
	Building elements projecting forward of the front building setback are limited to a maximum of 60% of the dwelling width.	N/A	
	Development will achieve the principle of three layers of front setbacks as illustrated in Figure E7.45.	Yes	Proposed first floor sitting room cladding projects forward providing articulation to the front facade.
	Eaves are required over all walls except those on zero lot lines.	No	Compliance generally achieved except the first floor cladding. This is supported in this instance as the first floor cladding provides articulation to the front facade.
	External building materials/finishes are to be varied across front elevations of buildings.	Yes	
7.4.4.6	Windows to upper storeys to be located on front or rear facades where possible.	Yes	
	Offset second storey windows of living areas that face directly to windows, balconies or POS of adjoining properties.	Yes	
	First floor balconies not to directly overlook POS of adjoining dwellings unless suitably screened.	Yes	Condition of consent.

	Living areas and service equipment are to be located away from bedrooms or neighbouring dwellings.	Yes	First floor rumpus/siting windows area are facing the street.
	Habitable room windows with a direct line to habitable room windows in adjacent dwellings are to be avoided, however within 9m must be obscured by fencing, screens or sufficient landscaping.	Yes	
	Screening devices must have a maximum 25% permeability to be considered effective.	Yes	Condition of consent.
	Noise sensitive areas are to be located away from the noise emitting sources.	N/A	
7.4.4.7	Fences to street frontage Maximum 900mm in height. Maximum 1.2m in height where they define POS of a dwelling. Must be transparent.	N/A	
	Side boundary fence Maximum 1.8m in height. Side fences forward of the building line are treated as front fences.	Yes	
	Corner lot fences Maximum 900mm high on both primary and secondary street frontage. Maximum 1.2m high in areas in front of the built form if they define POS areas.	N/A	
	Transparent Fencing Minimum opening ratio of 50%	N/A	
	Solid acoustic fencing Where solid fences are required to satisfy acoustic abatement, these fences shall not exceed 8m in length without some articulation or detailing. Must be softened on the street side with a landscaping strip of 700mm minimum.	N/A	
7.4.5.5 Built to Boundary	Allotment Requirements Lot Size Range – 230m2 to 450m2 Lot Frontage – 9.5 to 15m	N/A	
	Principal Private Open Space Minimum Area – 40m2 Minimum Dimension – 4m	N/A	

	<p>Minimum Dwelling Setbacks Front – 4.5 (5.5m to garage)</p> <p>Side:</p> <ul style="list-style-type: none"> - 0m on defined boundary - 0.9m from other boundary <p>Rear:</p> <ul style="list-style-type: none"> - Ground floor 4m - Upper floor 6m <p>Garage to Rear Lane – 6m</p>	N/A	
	<p>Height Maximum height of 2 storeys</p>	N/A	
7.4.5.6.1 Surveyors Creek Catchment	<p>Allotment Requirements</p> <p>Lot Size Requirements – 360m² to 600m²</p> <p>Lot Frontage – 12m to 15m</p>	N/A	
	<p>Principal Private Open Space</p> <p>Minimum Area - 50m²</p> <p>Minimum Dimension – 4m</p>	N/A	
	<p>Minimum Dwelling Setbacks</p> <p>Front – 4.5m (5.5m to garage)</p> <p>Secondary Frontage – 2m</p> <p>Side – 0.9m</p> <p>Rear:</p> <ul style="list-style-type: none"> - Ground Floor 4m - Upper Floor 6m <p>Garage to rear lane – 0m</p>	N/A	
	<p>Height</p> <p>General maximum height of 2 storeys.</p> <p>3 storey development will only be permitted on land:</p> <ul style="list-style-type: none"> - Located at key intersections within a precinct, as identified part of an approved Concept Plan, and where they provide built to form with that shown in Figure E7.51. - With slopes with a grade greater than (1:8) when they achieve built form consistent with that shown at Figure E7.55. 	N/A	

7.4.5.6.2 Mulgoa Creek Catchment	Allotment Requirements		
	Lot Size Range- 600m2 to 1000m2	Yes	
	Lot Frontage – 20m	Yes	
	Principal Private Open Space	Yes	
	Minimum Area – 100m2		
	Minimum Dimension – 5m		
	Minimum Dwelling Setbacks	Yes	
	Front:	N/A	
	6m (lots up to 1000m2)	Yes	8m
	Secondary Frontage – 4m	N/A	
	Side – 0.9m	Yes	1325m/939mm
	Rear Ground- 4m Rear First - 6m	Yes	10m rear ground 14m rear first
	Height		
	Maximum height of 2 storeys	Yes	

Penrith Local Environmental Plan 2010 - Height of Buildings:

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,
- (c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,
- (d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

The maximum permissible height as shown on the height of building maps is 12.5m. Proposed building height is less than 12.5m and complies with this control.

Penrith Development Control Plan 2014 E7 Glenmore Park:

7.4.4.3.2 Garages and Parking

A. Objectives

- a) To provide sufficient and convenient parking for residents and visitors.*
- b) To reduce the visual impact of garages, carports, and parking areas on the streetscape and improve dwelling presentation.*
- c) To promote safe public domain areas.*

Double garages are the maximum garage size allowed for single dwelling houses. The proposal incorporates a three car garage. The width of the lot will determine the maximum size of garage provided in either street frontage or rear lane locations as demonstrated at Figure E7.42. This diagram only shows a double garage to a street frontage of a maximum of 15m. The subject site has a street frontage of 24.1m. It is considered that a three car garage facing the street is considered appropriate as the proposed garages take up only 35% of the

lot width. The third garage door is set back 500mm from the double garage door and the garage doors are setback 2.360m from the front porch. Landscaping will also be planted as shown on the stamped approved landscape plan to reduce the impact of the garage doors on the street frontage. Therefore, three garage doors facing the street is considered acceptable due to the design, lot width, integration and landscape proposed in this instance.