

Dwelling Table of Compliance – Lot 194 DP1205685 Fernandez Lane, North Penrith

Section	Provisions	Proposal	Compliance (Y/N or N/A)
North Penrith Design Code			
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown at Figure 8. The maximum number of storeys for the site is three (3).	The dwelling will have 3 storeys – which complies with the 3 storey height limit specified in Figure 8.	Y
	(2) For all residential development (excluding residential flat buildings), the floor area of the third storey is to be no more than 60% of the second storey.	A habitable third storey will be 56.90% of the second storey, which complies with the maximum 60% specified.	Y
	(3) The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	The third storey does not prevent adequate solar access and privacy for the lot and the adjacent residential lots for the following reasons: - No living room windows face the rear yard; - The design has been staggered to allow for adequate solar access, to assist with privacy and to enhance the architectural design.	Y
	(4) Development adjacent to a laneway (i.e. ancillary dwelling) is to be no more than 2 storeys.	The proposed development adjacent to a laneway is 2 storeys.	Y
	(5) For 1 - 3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,550mm is to be provided for all ground floor living spaces. A preferred height of 2,700mm is encouraged for enhanced internal amenity.	The dwelling has a minimum ceiling height of 2.55m on the ground floor.	Y
	(6) The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front boundary is: 15m for the second storey (identified as L2 on Figures 9-10 in DCP), 12m for any third storey component of a dwelling (identified as L3 on Figures 9-10 in DCP).	The maximum depth of the dwelling from the front wall is: 15.0m for the second storey; 10.065m for the third storey.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)						
	(7) The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The depth of the ancillary dwelling is 6.05m from the rear boundary.	Y						
	(8) Front setbacks for residential development within the R1 Zone (except for residential flat buildings) are (see Figures 9 and 10 of Guideline): - between 3m and 4.5m (to the front facade line), except on the western side of H1 (Thornton Hall heritage carriageway) where the front setback from the boundary line is to accommodate tree retention and access driveway, - a minimum 5.5m (and a minimum 1m behind the front facade line) for the garage, and 0m to the secondary street (for a corner allotment) except for the first 7m of allotment which to be setback at 2m to accommodate the articulation zone requirements at Section 3.4 (see Figures 9-10).	The dwelling is set back 4.5m to the front façade line. The garage faces the laneway and is set back 0.05m As it is a corner allotment a minimum of the first seven metres of the dwellings are set back 2m from the secondary street frontage.	Y						
	(9) The rear setback for the ground floor level of a dwelling is 0.9m. This does not apply to garages and ancillary dwellings adjacent to a rear lane which may be built to the rear boundary. A rear setback of 3m is required for all allotments that back onto the existing residential allotments fronting Lemongrove Road and for Block C3.	The rear setback from the ground floor of the garage and ancillary dwelling is 0.05m. The allotment does not back onto the existing residential allotments fronting Lemongrove Road.	Y						
	(10) The minimum side setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like. <table><tr><th>Dwelling type</th><th>Minimum side setbacks</th></tr><tr><td>Dwelling houses (lots <8m wide)</td><td>0m on both sides</td></tr><tr><td>Dwelling houses (lots 8m wide and greater)</td><td>0m to 1 side 0.9m to 1 side - except for where permitted by (11) below</td></tr></table>	Dwelling type	Minimum side setbacks	Dwelling houses (lots <8m wide)	0m on both sides	Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below	The minimum side setbacks are complied with as follows: 0m on the eastern sides. 2m to the secondary boundary.	Y
Dwelling type	Minimum side setbacks								
Dwelling houses (lots <8m wide)	0m on both sides								
Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below								

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	(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply: - the dwellings are designed in a coordinated manner so as to ensure compliance with the relevant controls within this DCP, in particular, the private open space, privacy and solar access provisions; - construction of adjoining dwellings is undertaken either concurrently or sequentially, - reciprocal maintenance easements are included on adjoining allotment title (as per 3.2.3), and - compliance with the relevant aspects of the Building Code of Australia.	The dwelling is able to comply with the relevant conditions.	Y
	(12) Where a studio loft above a garage straddles a property boundary, the central maintenance setback is not required. Appropriate arrangements for maintenance are to be included within the stratum lot title for the studio loft.	The s88B will include appropriate arrangements for maintenance for studio lofts.	Y
3.4 Building Design and Articulation	(1) Particular attention is to be paid to the design quality of the front facade of a dwelling. An articulation zone is to be provided in front of the front facade line as illustrated at Figures 9 and 10. The articulation zone: - is to be setback at least 1 metre from the front boundary, - must extend at least 7m from the front boundary line along the secondary street frontage (for corner allotments), and - may extend over 2 storeys (for 2 and 3 storey development).	Articulation zones to the front façade of the dwelling has been incorporated in accordance with Figures 9 and 10 as follows: - setback from the front boundary by 3m. - setback from the secondary street frontage by 2.0m.	Y

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	(2) The front articulation zone should include at least 1 primary element or 2 secondary elements from the list below. Where a primary element is included, it should have a minimum depth of 2m. The minimum depth for a secondary element is 500mm. <table><tr><th>Primary elements</th><th>Secondary elements</th></tr><tr><td>Verandah / porch</td><td>Entry feature or porticos</td></tr><tr><td>Balcony (incl upper level balcony over garage door)</td><td>Awnings or other features over windows</td></tr><tr><td>Pergola</td><td>Eaves and sun shading</td></tr><tr><td></td><td>Window box treatment</td></tr><tr><td></td><td>Recessed or projecting architectural elements</td></tr><tr><td></td><td>Bay windows</td></tr></table>	Primary elements	Secondary elements	Verandah / porch	Entry feature or porticos	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows	Pergola	Eaves and sun shading		Window box treatment		Recessed or projecting architectural elements		Bay windows	The dwelling includes a 1.5m deep veranda/balcony over 3 floors and a recessed entry with 1.2m deep veranda over.	N/A
	Primary elements	Secondary elements															
	Verandah / porch	Entry feature or porticos															
	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows															
	Pergola	Eaves and sun shading															
		Window box treatment															
	Recessed or projecting architectural elements																
	Bay windows																
		OR															
		Y															
	(3) For corner allotments the articulation zone is to be a minimum depth of 2m from the primary and secondary frontages and may include either primary and / or secondary elements as listed above.	The site is a corner allotment with an articulation zone of a minimum of 3m and 2m from the primary and secondary street frontages, respectively. The articulation zone includes a 1.5m veranda and balcony down the entire length of the dwelling facing the secondary boundary.	Y														
	(4) For allotments located on the southern, eastern and western side of a street, the articulation zone may be designed to incorporate private open space, including principal private open space.	The proposal includes private open space within the front setback.	Y														
	(5) Consideration should be given to expressing the third storey of a dwelling in a more lighter weight manner than the structure below, through the use of material and colours and the like.	The third storey has been expressed in a more lighter weight manner than the structure below through colour change and recessing and projected elements. This is best viewed in the context of the group of terraces and not as a stand alone dwelling as per the elevations attached.	Y														
	(6) Eaves are to provide sun shading, to protect windows and doors and provide aesthetic interest. Subject to 3.2.3, eaves should have a	All living room windows have a minimum 1.5m veranda or balcony as do all of the bedroom windows facing North. The only windows	Y for living rooms and bedrooms. N														

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	minimum of 600mm overhang (measured to the fascia board). Council will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.				without an eave overhang are bathroom windows and southerly facing bedroom windows where an eave is of no benefit. The bathroom windows do not have an eave overhang due to the architectural design.	for bathrooms.																					
	(7)	Building colours, materials and finishes are to be consistent the Residential Design Palette included at Appendix C.			The building colours, materials and finishes have been designed to be consistent with the Residential Design Palette.	Y																					
	(8)	Multicoloured roof tiles are not permitted.			No multi-coloured tiles are proposed.	Y																					
3.5 Private Open Space and Landscaping	(1)	Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with the table below.				The proposal is on a lot with 8.6m wide. The proposal includes POS (house) as follows: 49.5% of site area; and 2m dimension. The proposal includes POS (studio) as follows: 4.44sqm; and 1m dimension. The proposal includes PPOS as follows: 125.6m2 of site area; and 3m dimension.	Y																				
			<table><tr><td></td><td>Studio Loft</td><td colspan="3">Dwelling houses</td></tr><tr><td>Lot width*</td><td></td><td><6m</td><td>6-10m</td><td>10m+</td></tr><tr><td>POS</td><td>Studio and 1 bed: 4m² & min dimension 1m 2+ bed: 8m² & min dimension 1m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td></tr><tr><td>PPOS</td><td>n/a</td><td>16m² & min dimension of 3m</td><td>18m² & min dimension of 3m</td><td>24m² & min dimension of 4m</td></tr></table>						Studio Loft	Dwelling houses			Lot width*		<6m	6-10m	10m+	POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m
		Studio Loft	Dwelling houses																								
Lot width*		<6m	6-10m	10m+																							
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PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m																							
(2)	The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoining dwellings, landscape features, and the preferred locations of PPOS illustrated at Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS may be located at the front of the dwelling in the form of a front garden court, veranda or balcony. PPOS located in the front of a dwelling must be useable and adjacent to a living space.				The PPOS is located at the front and side of the site in order to achieve the maximum solar access from the northern sun.	Y																					

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	(3) Where the PPOS is a balcony or roof top area, it must be provided with a fence or landscaped screen at least 1m in height, and be directly accessible from a habitable room.	The balcony / rooftop area is accessible from a habitable room and has a fence of 1m in height.	Y
	(4) The POS of the studio loft is to be located and designed so as to minimise visual and acoustic privacy impacts upon the principal dwelling and its associated POS.	The POS for the studios lofts have been designed to achieve maximum privacy for the principal dwellings.	Y
	(5) (1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). (2)"Despite Clause (5(1), at least 70% of the total number of dwellings that are proposed as part of an integrated development should receive a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice (21 June) to at least fifty per cent of the area of the PPOS of each dwelling."	Shadow diagrams have been prepared for the development. They show that at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.	Y
	(6) The first 1m of a site, measured from the front boundary, (excluding driveways, footpaths etc) is to be soft landscaped. Landscaping within the front yard is to comprise species from the Residential Design Palette included at Appendix C.	Soft landscaping is provided for a distance of 1m from the front boundary with the following species – which are from the Residential Design Palette. ▪ Michelia Summer Bronze	Y
3.6 Fencing	(1) Front fencing is required for all residential allotments. Front fencing is to: ▪ be between 700mm and 1.2m high (including feature elements), ▪ be generally open in design and may comprise a solid component that is no higher than 700mm, ▪ extend along the side boundaries to the front facade line (or at least 1m behind the front facade line for dwelling houses), ▪ extend along the secondary street frontage to match the length of the articulation zone, and ▪ are not to impede safe sight lines for pedestrians and / or traffic.	The proposal includes front fencing of 1m in height which is designed to comply with the fencing controls.	Y

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	(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C of the Guidelines.	The design, materials and colours are consistent with the Residential Design Palette.	Y
	(3) Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. Articulated post and paling fences (with exposed posts) are preferred in these locations. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.	The design of the front fencing facing open space will consist of 1m high rendered masonry piers with 1m high powdercoated aluminium infill panels as per the detail shown on the attached Landscape Plan which will provide an attractive outlook to the open space. This continues around the side to the rear of the dwelling where the same style fence is used for privacy in the rear yards but at a height of 1.8m	Y
	(4) Timber paling or lapped / capped fencing only can be used internally between allotments. No sheet metal fencing is permitted within the project.	No sheet metal fencing is proposed.	Y
3.7 Garages, Site Access and Parking	(1) The maximum parking rates for multi-unit housing, attached and semi-detached dwellings and dwelling houses are: 1-2 bedroom: 1 space per dwelling, and 3+ bedroom: 2 spaces per dwelling.	The proposal is for a 4 bedroom dwelling and a 1 bedroom studio apartment and provides 1 car parking space for each.	Y
	(2) All visitor parking is to be provided on-street.	Parking is available on street.	Y
	(3) Parking for affordable housing and seniors housing is to be in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> and <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> respectively.	The proposal is not for affordable housing or seniors housing.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: - for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front, - for lots between 8m and 12m wide, garaging may comprise a single / tandem front loaded garage or a rear loaded, double / tandem garage, and - for lots greater than 12m wide, garaging may either comprise a double front loaded garage or a rear loaded, double / tandem garage.	The site is 8.6m wide and provides 2 single garages accessed from the rear laneway.	Y
	(5) The maximum width of a garage door is 3.2m and 6m for single / tandem and double garages respectively. Where a studio loft is included, its own garage or carport requires access from the rear lane.	All garages doors are 2.7m wide. The dwellings include a studio loft with garage access from the rear lane.	Y
	(6) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessive through use of materials, colours, overhangs and the like.	All garages have been designed specifically to match and complement the dwellings' design and materials.	Y
	(7) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the availability of on-street parking.	All driveways have been designed having regard to the dwellings' design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways comply with AS2890-2004.	Y
3.8 Visual and Acoustic Amenity	(1) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Dwellings have been designed to minimise overlooking through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Y

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	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: ▪ be obscured by fencing, screens or appropriate landscaping, or ▪ be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window, or ▪ have sill height of 1.5m above floor level, or ▪ have fixed opaque glazing in any part of the window below 1.5m above floor level.	The dwellings do not have any habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m.	Y
	(3) A screening device is to have a maximum of 25% permeability to be considered effective.	No screening device is proposed or considered necessary.	N/A
	(6) Residential development in close proximity to the railway corridor, Coreen Avenue, the east and west sides of the Boulevard, the upgraded commuter car park and those flanking the entry road from Coreen Avenue to the commuter car park, are to include design measures so as to achieve the following internal noise levels at these residences: ▪ a target internal noise level of 35 dB(A) LAeq is to apply in the sleeping areas, and ▪ a target internal noise level of 40 dB(A) LAeq in other living areas. To achieve these target levels, the acoustic performance of the most exposed facades of these residences are recommended to provide an R_w (weighted sound reduction index) + C_{tr} (spectrum adaptation factor) of not less than 50dB for the composite wall area. Reference can be made to the BCA for details on deemed-to-satisfy construction.	The proposal is not located in close proximity to the railway.	N/A

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	(4) Residential buildings further within the development (and not affected by heavy vehicle noise along the Boulevard) may achieve a construction of 10 dB less than the above specified targets.	The site is located so as not to be affected by noise from the Boulevard.	N/A
3.9 Development in Proximity to a Rail Corridor	(1) The siting and design of developments on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line is to address matters raised in the Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, incorporate any recommendations into the design of the development.	The proposal is not within 60m of the railway corridor.	Y
	(2) In assessing applications for development on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line, the consent authority is to have regard to the matters raised in the Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.	N/A	N/A
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots - A minimum building height of 2 storeys is required for all lots. A third storey is preferred on corner lots. - Dwelling facades are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Despite Section 3.7, all garaging is to be from the rear lane. - Front fencing is to generally consistent and assist in unifying the streetscape.	The site is not an entry boulevard lot.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	'Dress Circle' Park Lots - A building height of 3 storeys is encouraged for all dwellings (except for ancillary dwellings). - A high level of consistency of built form and massing is required across the dwelling frontages to achieve a harmonious streetscape and a strong urban edge to the oval. - Buildings are to take advantage of the location overlooking the oval with front balconies and terraces. - Dwellings are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Identical facades are to be limited to no more than 4 dwellings in a row. - Despite Section 3.7, all garaging is to be from the rear lane.	The site is not a 'Dress Circle' Park lot.	N/A
	Innovation Lots - Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). - Dwellings are to be single or double storey and may include 0m side and rear setbacks.	The site is not an innovation lot.	N/A
	Canal Edge Lots - A minimum building height of 3 storeys is encouraged for all residential dwellings (except for ancillary dwellings). - Building form and massing is to create a strong consistent edge to the canal. - Entrances stairs to dwellings off the canal walk are to be paired together. - The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the pedestrian boardwalk to provide privacy for the dwellings. - Detailing of front fencing and landscaping (fronting the canal) is to balance privacy and surveillance issues. The front fencing treatment is to be of high quality and consistent along the full length of the canal frontage. - The dwelling facades are to display high quality materials and finishes	The development complies with the key sites specific provisions as it: - Is 3 storeys in height; - Building form creates a strong consistent edge to the canal; - Entrance stairs off walk are paired together; - The ground floor yard/private open space is raised above the boardwalk level to provide privacy for the dwellings; - Front fence is of high quality as detailed in the Landscape Plan; - The dwelling façade display high quality materials and finishes consistent with the residential design palette;	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)										
	consistent with the Residential Design Palette (Appendix C). - Buildings are to take advantage of the location overlooking the canal and include high levels of glazing and front balconies and terraces. - Despite Section 3.7, all garaging is to be from the rear lane.	- The buildings take advantage of the location overlooking the canal with front balconies and high levels of glazing; - All garaging is from the rear lane.											
	Opportunity Site - The Opportunity Site may accommodate a variety of land uses, in addition to residential, such as commercial office, institution, education uses or the like, adjacent to the Village Centre. - Non-residential uses fronting the canal should address the canal with semi-active uses. - The road and block pattern within the site may vary in response to alternative uses. - Building heights (of up to 6 storeys) are permitted for uses on the Opportunity Site.	The site is not an opportunity site.	N/A										
3.12 Specific Provisions - Ancillary Dwellings	(1) Subdivision applications that involve the creation of a laneway are to nominate the preferred location of an ancillary dwelling so as to achieve an acceptable degree of passive surveillance within the laneway. The preferred locations for ancillary dwellings are shown at Figure 17.	The site is not for subdivision that involve the creation of a laneway.	N/A										
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table><tr><th>Element</th><th>Control</th></tr><tr><td>Setbacks</td><td>0m to sides and to laneway</td></tr><tr><td>Max. building height</td><td>2 storeys (ie 1 floor above the garage)</td></tr><tr><td>Private open space (required for studio lofts only)</td><td>Studio and 1 bed: 4m², min dimension 1m 2+ bed: 8m², min dimension 1m</td></tr><tr><td>Max car parking</td><td>Secondary dwellings - 0 spaces Studio lofts - 1 space</td></tr></table>	Element	Control	Setbacks	0m to sides and to laneway	Max. building height	2 storeys (ie 1 floor above the garage)	Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² , min dimension 1m 2+ bed: 8m ² , min dimension 1m	Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space	The ancillary dwellings comply with the controls as they: - have a building height of 2 storeys; - are for studio lofts with 4.44m2 of private open space; - have 1 car parking space.	Y
	Element	Control											
Setbacks	0m to sides and to laneway												
Max. building height	2 storeys (ie 1 floor above the garage)												
Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² , min dimension 1m 2+ bed: 8m ² , min dimension 1m												
Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space												
(3) The design and layout of studio lofts is to minimise overlooking and overshadowing of the private space of the principal dwelling and any	The studio lofts have been designed so that overlooking and overshadowing of private space of the principal dwellings and adjacent dwellings	Y											

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	adjacent dwellings.	are minimised.	
	(4) Strata title subdivision of a studio loft into a separate allotment will be permissible only where the following are provided: ▪ appropriate private open space, ▪ separate pedestrian access, ▪ one on-site car parking space, ▪ separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street, ▪ separate connections and metering for utilities, and ▪ compliance with the Building Code of Australia.	The proposal is for strata title subdivision of studio lofts which provide: ▪ appropriate levels of private open space, ▪ separate pedestrian access, ▪ on-site car spaces, ▪ separate bin storage and metering utilities; and ▪ compliance with the BCA.	Y

Dwelling Table of Compliance – Lot 195 (DP1205685) Penrith (Stage 3b Terraces)

Section	Provisions	Proposal	Compliance (Y/N or N/A)
North Penrith Design Code			
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown at Figure 8. The maximum number of storeys for the site is three (3).	The dwelling will have 3 storeys – which complies with the 3 storey height limit specified in Figure 8.	Y
	(2) For all residential development (excluding residential flat buildings), the floor area of the third storey is to be no more than 60% of the second storey.	A habitable third storey will be 59.39% of the second storey, which complies with the maximum 60% specified.	Y
	(3) The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	The third storey does not prevent adequate solar access and privacy for the lot and the adjacent residential lots for the following reasons: - No living room windows face the rear yard; - The design has been staggered to allow for adequate solar access, to assist with privacy and to enhance the architectural design.	Y
	(4) Development adjacent to a laneway (i.e. ancillary dwelling) is to be no more than 2 storeys.	The proposed development adjacent to a laneway is a 1 storey garage.	Y
	(5) For 1 - 3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,550mm is to be provided for all ground floor living spaces. A preferred height of 2,700mm is encouraged for enhanced internal amenity.	The dwelling has a minimum ceiling height of 2.55m on the ground floor.	Y
	(6) The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front enclosing wall is: 15m for the second storey (identified as L2 on Figures 9-10 in DCP), 12m for any third storey component of a dwelling (identified as L3 on Figures 9-10 in DCP).	The maximum depth of the dwelling from the front wall is: 10.45m for the second storey; 6.04m for the third storey.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)						
	(7) The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The proposal does not include development for and ancillary dwelling.	N/A						
	(8) Front setbacks for residential development within the R1 Zone (except for residential flat buildings) are (see Figures 9 and 10 of Guideline): - between 3m and 4.5m (to the front facade line), except on the western side of H1 (Thornton Hall heritage carriageway) where the front setback from the boundary line is to accommodate tree retention and access driveway, - a minimum 5.5m (and a minimum 1m behind the front facade line) for the garage, and 0m to the secondary street (for a corner allotment) except for the first 7m of allotment which to be setback at 2m to accommodate the articulation zone requirements at Section 3.4 (see Figures 9-10).	The dwelling is set back 4.5m to the front façade line. The garage faces the laneway and is set back 0.05m	Y						
	(9) The rear setback for the ground floor level of a dwelling is 0.9m. This does not apply to garages and ancillary dwellings adjacent to a rear lane which may be built to the rear boundary. A rear setback of 3m is required for all allotments that back onto the existing residential allotments fronting Lemongrove Road and for Block C3.	The rear setback from the ground floor of the garage is 0.05m. The allotment does not back onto the existing residential allotments fronting Lemongrove Road.	Y						
	(10) The minimum side setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like. <table><tr><th>Dwelling type</th><th>Minimum side setbacks</th></tr><tr><td>Dwelling houses (lots <8m wide)</td><td>0m on both sides</td></tr><tr><td>Dwelling houses (lots 8m wide and greater)</td><td>0m to 1 side 0.9m to 1 side - except for where permitted by (11) below</td></tr></table>	Dwelling type	Minimum side setbacks	Dwelling houses (lots <8m wide)	0m on both sides	Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below	The minimum side setbacks are complied with as follows: 0m on both sides.	Y
Dwelling type	Minimum side setbacks								
Dwelling houses (lots <8m wide)	0m on both sides								
Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below								

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply: - the dwellings are designed in a coordinated manner so as to ensure compliance with the relevant controls within this DCP, in particular, the private open space, privacy and solar access provisions; - construction of adjoining dwellings is undertaken either concurrently or sequentially, - reciprocal maintenance easements are included on adjoining allotment title (as per 3.2.3), and - compliance with the relevant aspects of the Building Code of Australia.	The dwelling is able to comply with the relevant conditions.	Y
	(12) Where a studio loft above a garage straddles a property boundary, the central maintenance setback is not required. Appropriate arrangements for maintenance are to be included within the stratum lot title for the studio loft.	The proposal does not include a studio loft above a garage that straddles a property boundary.	N/A
3.4 Building Design and Articulation	(1) Particular attention is to be paid to the design quality of the front facade of a dwelling. An articulation zone is to be provided in front of the front facade line as illustrated at Figures 9 and 10. The articulation zone: - is to be setback at least 1 metre from the front boundary, - must extend at least 7m from the front boundary line along the secondary street frontage (for corner allotments), and - may extend over 2 storeys (for 2 and 3 storey development).	Articulation zones to the front façade of the dwelling has been incorporated in accordance with Figures 9 and 10 as follows: setback from the front boundary by 3m.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)														
	(2) The front articulation zone should include at least 1 primary element or 2 secondary elements from the list below. Where a primary element is included, it should have a minimum depth of 2m. The minimum depth for a secondary element is 500mm. <table><tr><th>Primary elements</th><th>Secondary elements</th></tr><tr><td>Verandah / porch</td><td>Entry feature or porticos</td></tr><tr><td>Balcony (incl upper level balcony over garage door)</td><td>Awnings or other features over windows</td></tr><tr><td>Pergola</td><td>Eaves and sun shading</td></tr><tr><td></td><td>Window box treatment</td></tr><tr><td></td><td>Recessed or projecting architectural elements</td></tr><tr><td></td><td>Bay windows</td></tr></table>	Primary elements	Secondary elements	Verandah / porch	Entry feature or porticos	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows	Pergola	Eaves and sun shading		Window box treatment		Recessed or projecting architectural elements		Bay windows	The dwelling includes a 1.5m deep veranda/balcony over 3 floors and a recessed entry with 1.2m deep veranda over.	Y
Primary elements	Secondary elements																
Verandah / porch	Entry feature or porticos																
Balcony (incl upper level balcony over garage door)	Awnings or other features over windows																
Pergola	Eaves and sun shading																
	Window box treatment																
	Recessed or projecting architectural elements																
	Bay windows																
	(3) For corner allotments the articulation zone is to be a minimum depth of 2m from the primary and secondary frontages and may include either primary and / or secondary elements as listed above.	The site is not a corner allotment.	Y														
	(4) For allotments located on the southern, eastern and western side of a street, the articulation zone may be designed to incorporate private open space, including principal private open space.	The proposal includes private open space within the front setback.	Y														
	(5) Consideration should be given to expressing the third storey of a dwelling in a more lighter weight manner than the structure below, through the use of material and colours and the like.	The third storey has been expressed in a more lighter weight manner than the structure below through colour change and recessing and projected elements. This is best viewed in the context of the group of terraces and not as a stand alone dwelling as per the elevations attached.	Y														
	(6) Eaves are to provide sun shading, to protect windows and doors and provide aesthetic interest. Subject to 3.2.3, eaves should have a minimum of 600mm overhang (measured to the fascia board). Council	All living room windows have a minimum 1.5m veranda or balcony as do all of the bedroom windows facing North. The only windows without an eave overhang are bathroom	Y for living rooms and bedrooms. N for														

Section	Provisions	Proposal	Compliance (Y/N or N/A)																				
	will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.	windows and southerly facing bedroom windows where an eave is of no benefit. The bathroom windows do not have an eave overhang due to the architectural design.	bathrooms.																				
	(7) Building colours, materials and finishes are to be consistent the Residential Design Palette included at Appendix C.	The building colours, materials and finishes have been designed to be consistent with the Residential Design Palette.	Y																				
	(8) Multicoloured roof tiles are not permitted.	No multi-coloured tiles are proposed.	Y																				
3.5 Private Open Space and Landscaping	(1) Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with the table below. <table><tr><td></td><td>Studio Loft</td><td colspan="3">Dwelling houses</td></tr><tr><td>Lot width*</td><td></td><td><6m</td><td>6-10m</td><td>10m+</td></tr><tr><td>POS</td><td>Studio and 1 bed: 4m² & min dimension 1m 2+ bed: 8m² & min dimension 1m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td></tr><tr><td>PPOS</td><td>n/a</td><td>16m² & min dimension of 3m</td><td>18m² & min dimension of 3m</td><td>24m² & min dimension of 4m</td></tr></table>		Studio Loft	Dwelling houses			Lot width*		<6m	6-10m	10m+	POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m	The proposal is on a lot with 6.6m wide. The proposal includes POS as follows: 63.81m2 (32.77% of site area); and - Min. 2m dimension. The proposal includes PPOS as follows: 23.26m2 of site area; and - Min. 3m dimension.	Y
		Studio Loft	Dwelling houses																				
	Lot width*		<6m	6-10m	10m+																		
POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m																			
PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m																			
	(2) The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoining dwellings, landscape features, and the preferred locations of PPOS illustrated at Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS may be located at the front of the dwelling in the form of a front garden court, verandah or balcony. PPOS located in the front of a dwelling must be useable and adjacent to a living space.	The PPOS is located at the front of the site in order to achieve the maximum solar access from the northern sun.	Y																				

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) Where the PPOS is a balcony or roof top area, it must be provided with a fence or landscaped screen at least 1m in height, and be directly accessible from a habitable room.	The balcony areas are accessible from a habitable room and have a fence of 1m in height.	Y
	(4) The POS of the studio loft is to be located and designed so as to minimise visual and acoustic privacy impacts upon the principal dwelling and its associated POS.	The proposal is not for a studio loft.	Y
	(5) (1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). (2)"Despite Clause (5(1), at least 70% of the total number of dwellings that are proposed as part of an integrated development should receive a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice (21 June) to at least fifty per cent of the area of the PPOS of each dwelling."	Shadow diagrams have been prepared for the development. They show that at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.	Y
	(6) The first 1m of a site, measured from the front boundary, (excluding driveways, footpaths etc) is to be soft landscaped. Landscaping within the front yard is to comprise species from the Residential Design Palette included at Appendix C.	Soft landscaping is provided for a distance of 1m from the front boundary with the following species – which are from the Residential Design Palette. • Michelia Summer Bronze	Y
3.6 Fencing	(1) Front fencing is required for all residential allotments. Front fencing is to: ▪ be between 700mm and 1.2m high (including feature elements), ▪ be generally open in design and may comprise a solid component that is no higher than 700mm, ▪ extend along the side boundaries to the front facade line (or at least 1m behind the front facade line for dwelling houses), ▪ extend along the secondary street frontage to match the length of the articulation zone, and ▪ are not to impede safe sight lines for pedestrians and / or traffic.	The proposal includes fencing of 1m in height which is designed to comply with the fencing controls.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C of the Guidelines.	The design, materials and colours are consistent with the Residential Design Palette.	Y
	(3) Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. Articulated post and paling fences (with exposed posts) are preferred in these locations. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.	The design of the fencing facing open space will consist of 1m high rendered masonry piers with 1m high powdercoated aluminium infill panels as per the detail shown on the attached Landscape Plan which will provide an attractive outlook to the open space.	Y
	(4) Timber paling or lapped / capped fencing only can be used internally between allotments. No sheet metal fencing is permitted within the project.	No sheet metal fencing is proposed.	Y
3.7 Garages, Site Access and Parking	(1) The maximum parking rates for multi-unit housing, attached and semi-detached dwellings and dwelling houses are: 1-2 bedroom: 1 space per dwelling, and 3+ bedroom: 2 spaces per dwelling.	The proposal is for a 4 bedroom dwellings and provides 2 car parking spaces.	Y
	(2) All visitor parking is to be provided on-street.	Parking is available on street.	Y
	(3) Parking for affordable housing and seniors housing is to be in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> and <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> respectively.	The proposal is not for affordable housing or seniors housing.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: - for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front, - for lots between 8m and 12m wide, garaging may comprise a single / tandem front loaded garage or a rear loaded, double / tandem garage, and - for lots greater than 12m wide, garaging may either comprise a double front loaded garage or a rear loaded, double / tandem garage.	The site is 6.6m wide and provides a double garage accessed from the rear laneway.	Y
	(5) The maximum width of a garage door is 3.2m and 6m for single / tandem and double garages respectively. Where a studio loft is included, its own garage or carport requires access from the rear lane.	The garage door is 5.4m wide.	Y
	(6) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessive through use of materials, colours, overhangs and the like.	All garages have been designed specifically to match and complement the dwellings' design and materials.	Y
	(7) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the availability of on-street parking.	All driveways have been designed having regard to the dwellings' design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways comply with AS2890-2004.	Y
3.8 Visual and Acoustic Amenity	(1) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Dwellings have been designed to minimise overlooking through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: ▪ be obscured by fencing, screens or appropriate landscaping, or ▪ be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window, or ▪ have sill height of 1.5m above floor level, or ▪ have fixed opaque glazing in any part of the window below 1.5m above floor level.	The dwellings do not have any habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m.	N/A
	(3) A screening device is to have a maximum of 25% permeability to be considered effective.	No screening device is proposed or considered necessary.	N/A
	(6) Residential development in close proximity to the railway corridor, Coreen Avenue, the east and west sides of the Boulevard, the upgraded commuter car park and those flanking the entry road from Coreen Avenue to the commuter car park, are to include design measures so as to achieve the following internal noise levels at these residences: ▪ a target internal noise level of 35 dB(A) LAeq is to apply in the sleeping areas, and ▪ a target internal noise level of 40 dB(A) LAeq in other living areas. To achieve these target levels, the acoustic performance of the most exposed facades of these residences are recommended to provide an R_w (weighted sound reduction index) + C_{tr} (spectrum adaptation factor) of not less than 50dB for the composite wall area. Reference can be made to the BCA for details on deemed-to-satisfy construction.	The proposal is not located in close proximity to the railway.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) Residential buildings further within the development (and not affected by heavy vehicle noise along the Boulevard) may achieve a construction of 10 dB less than the above specified targets.	The site is located so as not to be affected by noise from the Boulevard.	N/A
3.9 Development in Proximity to a Rail Corridor	(1) The siting and design of developments on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line is to address matters raised in the Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, incorporate any recommendations into the design of the development.	The proposal is not within 60m of the railway corridor.	N/A
	(2) In assessing applications for development on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line, the consent authority is to have regard to the matters raised in the Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.	N/A	N/A
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots - A minimum building height of 2 storeys is required for all lots. A third storey is preferred on corner lots. - Dwelling facades are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Despite Section 3.7, all garaging is to be from the rear lane. - Front fencing is to generally consistent and assist in unifying the streetscape.	The site is not an entry boulevard lot.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	'Dress Circle' Park Lots - A building height of 3 storeys is encouraged for all dwellings (except for ancillary dwellings). - A high level of consistency of built form and massing is required across the dwelling frontages to achieve a harmonious streetscape and a strong urban edge to the oval. - Buildings are to take advantage of the location overlooking the oval with front balconies and terraces. - Dwellings are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Identical facades are to be limited to no more than 4 dwellings in a row. - Despite Section 3.7, all garaging is to be from the rear lane.	The site is not a 'Dress Circle' Park lot.	N/A
	Innovation Lots - Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). - Dwellings are to be single or double storey and may include 0m side and rear setbacks.	The site is not an innovation lot.	N/A
	Canal Edge Lots - A minimum building height of 3 storeys is encouraged for all residential dwellings (except for ancillary dwellings). - Building form and massing is to create a strong consistent edge to the canal. - Entrances stairs to dwellings off the canal walk are to be paired together. - The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the pedestrian boardwalk to provide privacy for the dwellings. - Detailing of front fencing and landscaping (fronting the canal) is to balance privacy and surveillance issues. The front fencing treatment is to be of high quality and consistent along the full length of the canal frontage. - The dwelling facades are to display high quality materials and finishes	The development complies with the key sites specific provisions as it: - Is 3 storeys in height; - Building form creates a strong consistent edge to the canal; - Entrance stairs off walk are paired together; - The ground floor yard/private open space is raised above the boardwalk level to provide privacy for the dwellings; - Front fence is of high quality as detailed in the Landscape Plan; - The dwelling façade display high quality materials and finishes consistent with the residential design palette;	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)									
	consistent with the Residential Design Palette (Appendix C). - Buildings are to take advantage of the location overlooking the canal and include high levels of glazing and front balconies and terraces. - Despite Section 3.7, all garaging is to be from the rear lane.	- The buildings take advantage of the location overlooking the canal with front balconies and high levels of glazing; - All garaging is from the rear lane.										
	Opportunity Site - The Opportunity Site may accommodate a variety of land uses, in addition to residential, such as commercial office, institution, education uses or the like, adjacent to the Village Centre. - Non-residential uses fronting the canal should address the canal with semi-active uses. - The road and block pattern within the site may vary in response to alternative uses. - Building heights (of up to 6 storeys) are permitted for uses on the Opportunity Site.	The site is not an opportunity site.	N/A									
3.12 Specific Provisions - Ancillary Dwellings	(1) Subdivision applications that involve the creation of a laneway are to nominate the preferred location of an ancillary dwelling so as to achieve an acceptable degree of passive surveillance within the laneway. The preferred locations for ancillary dwellings are shown at Figure 17.	The site is not for subdivision that involves the creation of a laneway.	N/A									
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table><tr><th>Element</th><th>Control</th></tr><tr><td>Setbacks</td><td>0m to sides and to laneway</td></tr><tr><td>Max. building height</td><td>2 storeys (ie 1 floor above the garage)</td></tr><tr><td>Private open space (required for studio lofts only)</td><td>Studio and 1 bed: 4m² min dimension 1m 2+ bed: 8m², min dimension 1m</td></tr><tr><td>Max car parking</td><td>Secondary dwellings - 0 spaces Studio lofts - 1 space</td></tr></table>	Element	Control	Setbacks	0m to sides and to laneway	Max. building height	2 storeys (ie 1 floor above the garage)	Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m	Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space	The site is not an ancillary dwelling.
Element	Control											
Setbacks	0m to sides and to laneway											
Max. building height	2 storeys (ie 1 floor above the garage)											
Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m											
Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space											

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) The design and layout of studio lofts is to minimise overlooking and overshadowing of the private space of the principal dwelling and any adjacent dwellings.	The site is not a studio loft.	N/A
	(4) Strata title subdivision of a studio loft into a separate allotment will be permissible only where the following are provided: ▪ appropriate private open space, ▪ separate pedestrian access, ▪ one on-site car parking space, ▪ separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street, ▪ separate connections and metering for utilities, and ▪ compliance with the Building Code of Australia.	The proposal is not for strata title subdivision of studio lofts.	N/A

Dwelling Table of Compliance – Lot 196 (DP1205685) Penrith (Stage 3b Terraces)

Section	Provisions	Proposal	Compliance (Y/N or N/A)
North Penrith Design Code			
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown at Figure 8. The maximum number of storeys for the site is three (3).	The dwelling will have 3 storeys – which complies with the 3 storey height limit specified in Figure 8.	Y
	(2) For all residential development (excluding residential flat buildings), the floor area of the third storey is to be no more than 60% of the second storey.	A habitable third storey will be 58.34% of the second storey, which complies with the maximum 60% specified.	Y
	(3) The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	The third storey does not prevent adequate solar access and privacy for the lot and the adjacent residential lots for the following reasons: - No living room windows face the rear yard; - The design has been staggered to allow for adequate solar access, to assist with privacy and to enhance the architectural design.	Y
	(4) Development adjacent to a laneway (i.e. ancillary dwelling) is to be no more than 2 storeys.	The proposed development adjacent to a laneway is a 1 storey garage.	Y
	(5) For 1 - 3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,550mm is to be provided for all ground floor living spaces. A preferred height of 2,700mm is encouraged for enhanced internal amenity.	The dwelling has a minimum ceiling height of 2.55m on the ground floor.	Y
	(6) The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front enclosing wall is: 15m for the second storey (identified as L2 on Figures 9-10 in DCP), 12m for any third storey component of a dwelling (identified as L3 on Figures 9-10 in DCP).	The maximum depth of the dwelling from the front wall is: 10.45m for the second storey; 9.73m for the third storey.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)						
	(7) The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The proposal does not include development for and ancillary dwelling.	N/A						
	(8) Front setbacks for residential development within the R1 Zone (except for residential flat buildings) are (see Figures 9 and 10 of Guideline): - between 3m and 4.5m (to the front facade line), except on the western side of H1 (Thornton Hall heritage carriageway) where the front setback from the boundary line is to accommodate tree retention and access driveway, - a minimum 5.5m (and a minimum 1m behind the front facade line) for the garage, and 0m to the secondary street (for a corner allotment) except for the first 7m of allotment which to be setback at 2m to accommodate the articulation zone requirements at Section 3.4 (see Figures 9-10).	The dwelling is set back 4.5m to the front façade line. The garage faces the laneway and is set back 0.05m	Y						
	(9) The rear setback for the ground floor level of a dwelling is 0.9m. This does not apply to garages and ancillary dwellings adjacent to a rear lane which may be built to the rear boundary. A rear setback of 3m is required for all allotments that back onto the existing residential allotments fronting Lemongrove Road and for Block C3.	The rear setback from the ground floor of the garage is 0.05m. The allotment does not back onto the existing residential allotments fronting Lemongrove Road.	Y						
	(10) The minimum side setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like. <table><tr><th>Dwelling type</th><th>Minimum side setbacks</th></tr><tr><td>Dwelling houses (lots <8m wide)</td><td>0m on both sides</td></tr><tr><td>Dwelling houses (lots 8m wide and greater)</td><td>0m to 1 side 0.9m to 1 side - except for where permitted by (11) below</td></tr></table>	Dwelling type	Minimum side setbacks	Dwelling houses (lots <8m wide)	0m on both sides	Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below	The minimum side setbacks are complied with as follows: 0m on both sides.	Y
Dwelling type	Minimum side setbacks								
Dwelling houses (lots <8m wide)	0m on both sides								
Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below								

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply: - the dwellings are designed in a coordinated manner so as to ensure compliance with the relevant controls within this DCP, in particular, the private open space, privacy and solar access provisions; - construction of adjoining dwellings is undertaken either concurrently or sequentially, - reciprocal maintenance easements are included on adjoining allotment title (as per 3.2.3), and - compliance with the relevant aspects of the Building Code of Australia.	The dwelling is able to comply with the relevant conditions.	Y
	(12) Where a studio loft above a garage straddles a property boundary, the central maintenance setback is not required. Appropriate arrangements for maintenance are to be included within the stratum lot title for the studio loft.	The proposal does not include a studio loft above a garage that straddles a property boundary.	N/A
3.4 Building Design and Articulation	(1) Particular attention is to be paid to the design quality of the front facade of a dwelling. An articulation zone is to be provided in front of the front facade line as illustrated at Figures 9 and 10. The articulation zone: - is to be setback at least 1 metre from the front boundary, - must extend at least 7m from the front boundary line along the secondary street frontage (for corner allotments), and - may extend over 2 storeys (for 2 and 3 storey development).	Articulation zones to the front façade of the dwelling has been incorporated in accordance with Figures 9 and 10 as follows: setback from the front boundary by 3m.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)														
	(2) The front articulation zone should include at least 1 primary element or 2 secondary elements from the list below. Where a primary element is included, it should have a minimum depth of 2m. The minimum depth for a secondary element is 500mm. <table><tr><th>Primary elements</th><th>Secondary elements</th></tr><tr><td>Verandah / porch</td><td>Entry feature or porticos</td></tr><tr><td>Balcony (incl upper level balcony over garage door)</td><td>Awnings or other features over windows</td></tr><tr><td>Pergola</td><td>Eaves and sun shading</td></tr><tr><td></td><td>Window box treatment</td></tr><tr><td></td><td>Recessed or projecting architectural elements</td></tr><tr><td></td><td>Bay windows</td></tr></table>	Primary elements	Secondary elements	Verandah / porch	Entry feature or porticos	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows	Pergola	Eaves and sun shading		Window box treatment		Recessed or projecting architectural elements		Bay windows	The dwelling includes a 1.35m deep veranda/balcony over 2 floors and a recessed entry with 1.2m deep veranda over.	Y
Primary elements	Secondary elements																
Verandah / porch	Entry feature or porticos																
Balcony (incl upper level balcony over garage door)	Awnings or other features over windows																
Pergola	Eaves and sun shading																
	Window box treatment																
	Recessed or projecting architectural elements																
	Bay windows																
	(3) For corner allotments the articulation zone is to be a minimum depth of 2m from the primary and secondary frontages and may include either primary and / or secondary elements as listed above.	The site is not a corner allotment.	Y														
	(4) For allotments located on the southern, eastern and western side of a street, the articulation zone may be designed to incorporate private open space, including principal private open space.	The proposal includes private open space within the front setback.	Y														
	(5) Consideration should be given to expressing the third storey of a dwelling in a more lighter weight manner than the structure below, through the use of material and colours and the like.	The third storey has been expressed in a more lighter weight manner than the structure below through colour change and recessing and projected elements. This is best viewed in the context of the group of terraces and not as a stand alone dwelling as per the elevations attached.	Y														
	(6) Eaves are to provide sun shading, to protect windows and doors and provide aesthetic interest. Subject to 3.2.3, eaves should have a minimum of 600mm overhang (measured to the fascia board). Council	All living room windows have a minimum 1.35-1.5m veranda or balcony as do all of the bedroom windows facing North. The only windows without an eave overhang are	Y for living rooms and bedrooms. N for														

Section	Provisions	Proposal	Compliance (Y/N or N/A)																				
	will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.	bathroom windows and southerly facing bedroom windows where an eave is of no benefit. The bathroom windows do not have an eave overhang due to the architectural design.	bathrooms.																				
	(7) Building colours, materials and finishes are to be consistent the Residential Design Palette included at Appendix C.	The building colours, materials and finishes have been designed to be consistent with the Residential Design Palette.	Y																				
	(8) Multicoloured roof tiles are not permitted.	No multi-coloured tiles are proposed.	Y																				
3.5 Private Open Space and Landscaping	(1) Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with the table below. <table><tr><td></td><td>Studio Loft</td><td colspan="3">Dwelling houses</td></tr><tr><td>Lot width*</td><td></td><td><6m</td><td>6-10m</td><td>10m+</td></tr><tr><td>POS</td><td>Studio and 1 bed: 4m² & min dimension 1m 2+ bed: 8m² & min dimension 1m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td></tr><tr><td>PPOS</td><td>n/a</td><td>16m² & min dimension of 3m</td><td>18m² & min dimension of 3m</td><td>24m² & min dimension of 4m</td></tr></table>		Studio Loft	Dwelling houses			Lot width*		<6m	6-10m	10m+	POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m	The proposal is on a lot with 6.6m wide. The proposal includes POS as follows: 63.81m2 (32.77% of site area); and - Min. 2m dimension. The proposal includes PPOS as follows: 23.26m2 of site area; and - Min. 3m dimension.	Y
		Studio Loft	Dwelling houses																				
	Lot width*		<6m	6-10m	10m+																		
POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m																			
PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m																			
	(2) The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoining dwellings, landscape features, and the preferred locations of PPOS illustrated at Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS may be located at the front of the dwelling in the form of a front garden court, verandah or balcony. PPOS located in the front of a dwelling must be useable and adjacent to a living space.	The PPOS is located at the front of the site in order to achieve the maximum solar access from the northern sun.	Y																				

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) Where the PPOS is a balcony or roof top area, it must be provided with a fence or landscaped screen at least 1m in height, and be directly accessible from a habitable room.	The balcony areas are accessible from a habitable room and have a fence of 1m in height.	Y
	(4) The POS of the studio loft is to be located and designed so as to minimise visual and acoustic privacy impacts upon the principal dwelling and its associated POS.	The proposal is not for a studio loft.	Y
	(5) (1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). (2)"Despite Clause (5(1), at least 70% of the total number of dwellings that are proposed as part of an integrated development should receive a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice (21 June) to at least fifty per cent of the area of the PPOS of each dwelling."	Shadow diagrams have been prepared for the development. They show that at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.	Y
	(6) The first 1m of a site, measured from the front boundary, (excluding driveways, footpaths etc) is to be soft landscaped. Landscaping within the front yard is to comprise species from the Residential Design Palette included at Appendix C.	Soft landscaping is provided for a distance of 1m from the front boundary with the following species – which are from the Residential Design Palette. • Michelia Summer Bronze	Y
3.6 Fencing	(1) Front fencing is required for all residential allotments. Front fencing is to: ▪ be between 700mm and 1.2m high (including feature elements), ▪ be generally open in design and may comprise a solid component that is no higher than 700mm, ▪ extend along the side boundaries to the front facade line (or at least 1m behind the front facade line for dwelling houses), ▪ extend along the secondary street frontage to match the length of the articulation zone, and ▪ are not to impede safe sight lines for pedestrians and / or traffic.	The proposal includes fencing of 1m in height which is designed to comply with the fencing controls.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C of the Guidelines.	The design, materials and colours are consistent with the Residential Design Palette.	Y
	(3) Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. Articulated post and paling fences (with exposed posts) are preferred in these locations. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.	The design of the fencing facing open space will consist of 1m high rendered masonry piers with 1m high powdercoated aluminium infill panels as per the detail shown on the attached Landscape Plan which will provide an attractive outlook to the open space.	Y
	(4) Timber paling or lapped / capped fencing only can be used internally between allotments. No sheet metal fencing is permitted within the project.	No sheet metal fencing is proposed.	Y
3.7 Garages, Site Access and Parking	(1) The maximum parking rates for multi-unit housing, attached and semi-detached dwellings and dwelling houses are: 1-2 bedroom: 1 space per dwelling, and 3+ bedroom: 2 spaces per dwelling.	The proposal is for a 4 bedroom dwelling and provides 2 car parking spaces.	Y
	(2) All visitor parking is to be provided on-street.	Parking is available on street.	Y
	(3) Parking for affordable housing and seniors housing is to be in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> and <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> respectively.	The proposal is not for affordable housing or seniors housing.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: - for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front, - for lots between 8m and 12m wide, garaging may comprise a single / tandem front loaded garage or a rear loaded, double / tandem garage, and - for lots greater than 12m wide, garaging may either comprise a double front loaded garage or a rear loaded, double / tandem garage.	The site is 6.6m wide and provides a double garage accessed from the rear laneway.	Y
	(5) The maximum width of a garage door is 3.2m and 6m for single / tandem and double garages respectively. Where a studio loft is included, its own garage or carport requires access from the rear lane.	The garage door is 5.4m wide.	Y
	(6) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessive through use of materials, colours, overhangs and the like.	All garages have been designed specifically to match and complement the dwellings' design and materials.	Y
	(7) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the availability of on-street parking.	All driveways have been designed having regard to the dwellings' design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways comply with AS2890-2004.	Y
3.8 Visual and Acoustic Amenity	(1) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Dwellings have been designed to minimise overlooking through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: ▪ be obscured by fencing, screens or appropriate landscaping, or ▪ be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window, or ▪ have sill height of 1.5m above floor level, or ▪ have fixed opaque glazing in any part of the window below 1.5m above floor level.	The dwellings do not have any habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m.	N/A
	(3) A screening device is to have a maximum of 25% permeability to be considered effective.	No screening device is proposed or considered necessary.	N/A
	(6) Residential development in close proximity to the railway corridor, Coreen Avenue, the east and west sides of the Boulevard, the upgraded commuter car park and those flanking the entry road from Coreen Avenue to the commuter car park, are to include design measures so as to achieve the following internal noise levels at these residences: ▪ a target internal noise level of 35 dB(A) LAeq is to apply in the sleeping areas, and ▪ a target internal noise level of 40 dB(A) LAeq in other living areas. To achieve these target levels, the acoustic performance of the most exposed facades of these residences are recommended to provide an R_w (weighted sound reduction index) + C_{tr} (spectrum adaptation factor) of not less than 50dB for the composite wall area. Reference can be made to the BCA for details on deemed-to-satisfy construction.	The proposal is not located in close proximity to the railway.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) Residential buildings further within the development (and not affected by heavy vehicle noise along the Boulevard) may achieve a construction of 10 dB less than the above specified targets.	The site is located so as not to be affected by noise from the Boulevard.	N/A
3.9 Development in Proximity to a Rail Corridor	(1) The siting and design of developments on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line is to address matters raised in the Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, incorporate any recommendations into the design of the development.	The proposal is not within 60m of the railway corridor.	N/A
	(2) In assessing applications for development on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line, the consent authority is to have regard to the matters raised in the Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.	N/A	N/A
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots - A minimum building height of 2 storeys is required for all lots. A third storey is preferred on corner lots. - Dwelling facades are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Despite Section 3.7, all garaging is to be from the rear lane. - Front fencing is to generally consistent and assist in unifying the streetscape.	The site is not an entry boulevard lot.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	'Dress Circle' Park Lots - A building height of 3 storeys is encouraged for all dwellings (except for ancillary dwellings). - A high level of consistency of built form and massing is required across the dwelling frontages to achieve a harmonious streetscape and a strong urban edge to the oval. - Buildings are to take advantage of the location overlooking the oval with front balconies and terraces. - Dwellings are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Identical facades are to be limited to no more than 4 dwellings in a row. - Despite Section 3.7, all garaging is to be from the rear lane.	The site is not a 'Dress Circle' Park lot.	N/A
	Innovation Lots - Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). - Dwellings are to be single or double storey and may include 0m side and rear setbacks.	The site is not an innovation lot.	N/A
	Canal Edge Lots - A minimum building height of 3 storeys is encouraged for all residential dwellings (except for ancillary dwellings). - Building form and massing is to create a strong consistent edge to the canal. - Entrances stairs to dwellings off the canal walk are to be paired together. - The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the pedestrian boardwalk to provide privacy for the dwellings. - Detailing of front fencing and landscaping (fronting the canal) is to balance privacy and surveillance issues. The front fencing treatment is to be of high quality and consistent along the full length of the canal frontage. - The dwelling facades are to display high quality materials and finishes	The development complies with the key sites specific provisions as it: - Is 3 storeys in height; - Building form creates a strong consistent edge to the canal; - Entrance stairs off walk are paired together; - The ground floor yard/private open space is raised above the boardwalk level to provide privacy for the dwellings; - Front fence is of high quality as detailed in the Landscape Plan; - The dwelling façade display high quality materials and finishes consistent with the residential design palette;	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)									
	consistent with the Residential Design Palette (Appendix C). - Buildings are to take advantage of the location overlooking the canal and include high levels of glazing and front balconies and terraces. - Despite Section 3.7, all garaging is to be from the rear lane.	- The buildings take advantage of the location overlooking the canal with front balconies and high levels of glazing; - All garaging is from the rear lane.										
	Opportunity Site - The Opportunity Site may accommodate a variety of land uses, in addition to residential, such as commercial office, institution, education uses or the like, adjacent to the Village Centre. - Non-residential uses fronting the canal should address the canal with semi-active uses. - The road and block pattern within the site may vary in response to alternative uses. - Building heights (of up to 6 storeys) are permitted for uses on the Opportunity Site.	The site is not an opportunity site.	N/A									
3.12 Specific Provisions - Ancillary Dwellings	(1) Subdivision applications that involve the creation of a laneway are to nominate the preferred location of an ancillary dwelling so as to achieve an acceptable degree of passive surveillance within the laneway. The preferred locations for ancillary dwellings are shown at Figure 17.	The site is not for subdivision that involves the creation of a laneway.	N/A									
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table><tr><th>Element</th><th>Control</th></tr><tr><td>Setbacks</td><td>0m to sides and to laneway</td></tr><tr><td>Max. building height</td><td>2 storeys (ie 1 floor above the garage)</td></tr><tr><td>Private open space (required for studio lofts only)</td><td>Studio and 1 bed: 4m² min dimension 1m 2+ bed: 8m², min dimension 1m</td></tr><tr><td>Max car parking</td><td>Secondary dwellings - 0 spaces Studio lofts - 1 space</td></tr></table>	Element	Control	Setbacks	0m to sides and to laneway	Max. building height	2 storeys (ie 1 floor above the garage)	Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m	Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space	The site is not an ancillary dwelling.
Element	Control											
Setbacks	0m to sides and to laneway											
Max. building height	2 storeys (ie 1 floor above the garage)											
Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m											
Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space											

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) The design and layout of studio lofts is to minimise overlooking and overshadowing of the private space of the principal dwelling and any adjacent dwellings.	The site is not a studio loft.	N/A
	(4) Strata title subdivision of a studio loft into a separate allotment will be permissible only where the following are provided: ▪ appropriate private open space, ▪ separate pedestrian access, ▪ one on-site car parking space, ▪ separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street, ▪ separate connections and metering for utilities, and ▪ compliance with the Building Code of Australia.	The proposal is not for strata title subdivision of studio lofts.	N/A

Dwelling Table of Compliance – Lot 197 (DP1205685) Penrith (Stage 3b Terraces)

Section	Provisions	Proposal	Compliance (Y/N or N/A)
North Penrith Design Code			
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown at Figure 8. The maximum number of storeys for the site is three (3).	The dwelling will have 3 storeys – which complies with the 3 storey height limit specified in Figure 8.	Y
	(2) For all residential development (excluding residential flat buildings), the floor area of the third storey is to be no more than 60% of the second storey.	A habitable third storey will be 57.97% of the second storey, which complies with the maximum 60% specified.	Y
	(3) The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	The third storey does not prevent adequate solar access and privacy for the lot and the adjacent residential lots for the following reasons: - No living room windows face the rear yard; - The design has been staggered to allow for adequate solar access, to assist with privacy and to enhance the architectural design.	Y
	(4) Development adjacent to a laneway (i.e. ancillary dwelling) is to be no more than 2 storeys.	The proposed development adjacent to a laneway is a 1 storey garage.	Y
	(5) For 1 - 3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,550mm is to be provided for all ground floor living spaces. A preferred height of 2,700mm is encouraged for enhanced internal amenity.	The dwelling has a minimum ceiling height of 2.55m on the ground floor.	Y
	(6) The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front enclosing wall is: 15m for the second storey (identified as L2 on Figures 9-10 in DCP), 12m for any third storey component of a dwelling (identified as L3 on Figures 9-10 in DCP).	The maximum depth of the dwelling from the front wall is: 10.45m for the second storey; 9.73m for the third storey.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)						
	(7) The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The proposal does not include development for and ancillary dwelling.	N/A						
	(8) Front setbacks for residential development within the R1 Zone (except for residential flat buildings) are (see Figures 9 and 10 of Guideline): - between 3m and 4.5m (to the front facade line), except on the western side of H1 (Thornton Hall heritage carriageway) where the front setback from the boundary line is to accommodate tree retention and access driveway, - a minimum 5.5m (and a minimum 1m behind the front facade line) for the garage, and 0m to the secondary street (for a corner allotment) except for the first 7m of allotment which to be setback at 2m to accommodate the articulation zone requirements at Section 3.4 (see Figures 9-10).	The dwelling is set back 4.5m to the front façade line. The garage faces the laneway and is set back 0.05m	Y						
	(9) The rear setback for the ground floor level of a dwelling is 0.9m. This does not apply to garages and ancillary dwellings adjacent to a rear lane which may be built to the rear boundary. A rear setback of 3m is required for all allotments that back onto the existing residential allotments fronting Lemongrove Road and for Block C3.	The rear setback from the ground floor of the garage is 0.05m. The allotment does not back onto the existing residential allotments fronting Lemongrove Road.	Y						
	(10) The minimum side setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like. <table><tr><th>Dwelling type</th><th>Minimum side setbacks</th></tr><tr><td>Dwelling houses (lots <8m wide)</td><td>0m on both sides</td></tr><tr><td>Dwelling houses (lots 8m wide and greater)</td><td>0m to 1 side 0.9m to 1 side - except for where permitted by (11) below</td></tr></table>	Dwelling type	Minimum side setbacks	Dwelling houses (lots <8m wide)	0m on both sides	Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below	The minimum side setbacks are complied with as follows: 0m on both sides.	Y
Dwelling type	Minimum side setbacks								
Dwelling houses (lots <8m wide)	0m on both sides								
Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below								

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply: - the dwellings are designed in a coordinated manner so as to ensure compliance with the relevant controls within this DCP, in particular, the private open space, privacy and solar access provisions; - construction of adjoining dwellings is undertaken either concurrently or sequentially, - reciprocal maintenance easements are included on adjoining allotment title (as per 3.2.3), and - compliance with the relevant aspects of the Building Code of Australia.	The dwelling is able to comply with the relevant conditions.	Y
	(12) Where a studio loft above a garage straddles a property boundary, the central maintenance setback is not required. Appropriate arrangements for maintenance are to be included within the stratum lot title for the studio loft.	The proposal does not include a studio loft above a garage that straddles a property boundary.	N/A
3.4 Building Design and Articulation	(1) Particular attention is to be paid to the design quality of the front facade of a dwelling. An articulation zone is to be provided in front of the front facade line as illustrated at Figures 9 and 10. The articulation zone: - is to be setback at least 1 metre from the front boundary, - must extend at least 7m from the front boundary line along the secondary street frontage (for corner allotments), and - may extend over 2 storeys (for 2 and 3 storey development).	Articulation zones to the front façade of the dwelling has been incorporated in accordance with Figures 9 and 10 as follows: setback from the front boundary by 3m.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)														
	(2) The front articulation zone should include at least 1 primary element or 2 secondary elements from the list below. Where a primary element is included, it should have a minimum depth of 2m. The minimum depth for a secondary element is 500mm. <table><tr><th>Primary elements</th><th>Secondary elements</th></tr><tr><td>Verandah / porch</td><td>Entry feature or porticos</td></tr><tr><td>Balcony (incl upper level balcony over garage door)</td><td>Awnings or other features over windows</td></tr><tr><td>Pergola</td><td>Eaves and sun shading</td></tr><tr><td></td><td>Window box treatment</td></tr><tr><td></td><td>Recessed or projecting architectural elements</td></tr><tr><td></td><td>Bay windows</td></tr></table>	Primary elements	Secondary elements	Verandah / porch	Entry feature or porticos	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows	Pergola	Eaves and sun shading		Window box treatment		Recessed or projecting architectural elements		Bay windows	The dwelling includes a 1.5m deep veranda/balcony over 3 floors and a recessed entry with 1.2m deep veranda over.	Y
Primary elements	Secondary elements																
Verandah / porch	Entry feature or porticos																
Balcony (incl upper level balcony over garage door)	Awnings or other features over windows																
Pergola	Eaves and sun shading																
	Window box treatment																
	Recessed or projecting architectural elements																
	Bay windows																
	(3) For corner allotments the articulation zone is to be a minimum depth of 2m from the primary and secondary frontages and may include either primary and / or secondary elements as listed above.	The site is not a corner allotment.	Y														
	(4) For allotments located on the southern, eastern and western side of a street, the articulation zone may be designed to incorporate private open space, including principal private open space.	The proposal includes private open space within the front setback.	Y														
	(5) Consideration should be given to expressing the third storey of a dwelling in a more lighter weight manner than the structure below, through the use of material and colours and the like.	The third storey has been expressed in a more lighter weight manner than the structure below through colour change and recessing and projected elements. This is best viewed in the context of the group of terraces and not as a stand alone dwelling as per the elevations attached.	Y														
	(6) Eaves are to provide sun shading, to protect windows and doors and provide aesthetic interest. Subject to 3.2.3, eaves should have a minimum of 600mm overhang (measured to the fascia board). Council	All living room windows have a minimum 1.5m veranda or balcony as do all of the bedroom windows facing North. The only windows without an eave overhang are bathroom	Y for living rooms and bedrooms. N for														

Section	Provisions	Proposal	Compliance (Y/N or N/A)																				
	will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.	windows and southerly facing bedroom windows where an eave is of no benefit. The bathroom windows do not have an eave overhang due to the architectural design.	bathrooms.																				
	(7) Building colours, materials and finishes are to be consistent the Residential Design Palette included at Appendix C.	The building colours, materials and finishes have been designed to be consistent with the Residential Design Palette.	Y																				
	(8) Multicoloured roof tiles are not permitted.	No multi-coloured tiles are proposed.	Y																				
3.5 Private Open Space and Landscaping	(1) Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with the table below. <table><tr><td></td><td>Studio Loft</td><td colspan="3">Dwelling houses</td></tr><tr><td>Lot width*</td><td></td><td><6m</td><td>6-10m</td><td>10m+</td></tr><tr><td>POS</td><td>Studio and 1 bed: 4m² & min dimension 1m 2+ bed: 8m² & min dimension 1m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td><td>Minimum 20% of site area & min dimension of 2m</td></tr><tr><td>PPOS</td><td>n/a</td><td>16m² & min dimension of 3m</td><td>18m² & min dimension of 3m</td><td>24m² & min dimension of 4m</td></tr></table>		Studio Loft	Dwelling houses			Lot width*		<6m	6-10m	10m+	POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m	The proposal is on a lot with 6.6m wide. The proposal includes POS as follows: 63.81m2 (32.77% of site area); and - Min. 2m dimension. The proposal includes PPOS as follows: 29.70m2 of site area; and - Min. 3m dimension.	Y
		Studio Loft	Dwelling houses																				
	Lot width*		<6m	6-10m	10m+																		
POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m																			
PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m																			
	(2) The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoining dwellings, landscape features, and the preferred locations of PPOS illustrated at Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS may be located at the front of the dwelling in the form of a front garden court, verandah or balcony. PPOS located in the front of a dwelling must be useable and adjacent to a living space.	The PPOS is located at the front of the site in order to achieve the maximum solar access from the northern sun.	Y																				

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) Where the PPOS is a balcony or roof top area, it must be provided with a fence or landscaped screen at least 1m in height, and be directly accessible from a habitable room.	The balcony areas are accessible from a habitable room and have a fence of 1m in height.	Y
	(4) The POS of the studio loft is to be located and designed so as to minimise visual and acoustic privacy impacts upon the principal dwelling and its associated POS.	The proposal is not for a studio loft.	Y
	(5) (1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). (2)"Despite Clause (5(1), at least 70% of the total number of dwellings that are proposed as part of an integrated development should receive a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice (21 June) to at least fifty per cent of the area of the PPOS of each dwelling."	Shadow diagrams have been prepared for the development. They show that at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.	Y
	(6) The first 1m of a site, measured from the front boundary, (excluding driveways, footpaths etc) is to be soft landscaped. Landscaping within the front yard is to comprise species from the Residential Design Palette included at Appendix C.	Soft landscaping is provided for a distance of 1m from the front boundary with the following species – which are from the Residential Design Palette. • Michelia Summer Bronze	Y
3.6 Fencing	(1) Front fencing is required for all residential allotments. Front fencing is to: ▪ be between 700mm and 1.2m high (including feature elements), ▪ be generally open in design and may comprise a solid component that is no higher than 700mm, ▪ extend along the side boundaries to the front facade line (or at least 1m behind the front facade line for dwelling houses), ▪ extend along the secondary street frontage to match the length of the articulation zone, and ▪ are not to impede safe sight lines for pedestrians and / or traffic.	The proposal includes fencing of 1m in height which is designed to comply with the fencing controls.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C of the Guidelines.	The design, materials and colours are consistent with the Residential Design Palette.	Y
	(3) Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. Articulated post and paling fences (with exposed posts) are preferred in these locations. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.	The design of the fencing facing open space will consist of 1m high rendered masonry piers with 1m high powdercoated aluminium infill panels as per the detail shown on the attached Landscape Plan which will provide an attractive outlook to the open space.	Y
	(4) Timber paling or lapped / capped fencing only can be used internally between allotments. No sheet metal fencing is permitted within the project.	No sheet metal fencing is proposed.	Y
3.7 Garages, Site Access and Parking	(1) The maximum parking rates for multi-unit housing, attached and semi-detached dwellings and dwelling houses are: 1-2 bedroom: 1 space per dwelling, and 3+ bedroom: 2 spaces per dwelling.	The proposal is for a 4 bedroom dwelling and provides 2 car parking spaces.	Y
	(2) All visitor parking is to be provided on-street.	Parking is available on street.	Y
	(3) Parking for affordable housing and seniors housing is to be in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> and <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> respectively.	The proposal is not for affordable housing or seniors housing.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: - for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front, - for lots between 8m and 12m wide, garaging may comprise a single / tandem front loaded garage or a rear loaded, double / tandem garage, and - for lots greater than 12m wide, garaging may either comprise a double front loaded garage or a rear loaded, double / tandem garage.	The site is 6.6m wide and provides a double garage accessed from the rear laneway.	Y
	(5) The maximum width of a garage door is 3.2m and 6m for single / tandem and double garages respectively. Where a studio loft is included, its own garage or carport requires access from the rear lane.	The garage door is 5.4m wide.	Y
	(6) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessive through use of materials, colours, overhangs and the like.	All garages have been designed specifically to match and complement the dwellings' design and materials.	Y
	(7) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the availability of on-street parking.	All driveways have been designed having regard to the dwellings' design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways comply with AS2890-2004.	Y
3.8 Visual and Acoustic Amenity	(1) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Dwellings have been designed to minimise overlooking through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: ▪ be obscured by fencing, screens or appropriate landscaping, or ▪ be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window, or ▪ have sill height of 1.5m above floor level, or ▪ have fixed opaque glazing in any part of the window below 1.5m above floor level.	The dwellings do not have any habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m.	N/A
	(3) A screening device is to have a maximum of 25% permeability to be considered effective.	No screening device is proposed or considered necessary.	N/A
	(6) Residential development in close proximity to the railway corridor, Coreen Avenue, the east and west sides of the Boulevard, the upgraded commuter car park and those flanking the entry road from Coreen Avenue to the commuter car park, are to include design measures so as to achieve the following internal noise levels at these residences: ▪ a target internal noise level of 35 dB(A) LAeq is to apply in the sleeping areas, and ▪ a target internal noise level of 40 dB(A) LAeq in other living areas. To achieve these target levels, the acoustic performance of the most exposed facades of these residences are recommended to provide an R_w (weighted sound reduction index) + C_{tr} (spectrum adaptation factor) of not less than 50dB for the composite wall area. Reference can be made to the BCA for details on deemed-to-satisfy construction.	The proposal is not located in close proximity to the railway.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) Residential buildings further within the development (and not affected by heavy vehicle noise along the Boulevard) may achieve a construction of 10 dB less than the above specified targets.	The site is located so as not to be affected by noise from the Boulevard.	N/A
3.9 Development in Proximity to a Rail Corridor	(1) The siting and design of developments on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line is to address matters raised in the Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, incorporate any recommendations into the design of the development.	The proposal is not within 60m of the railway corridor.	N/A
	(2) In assessing applications for development on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line, the consent authority is to have regard to the matters raised in the Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.	N/A	N/A
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots - A minimum building height of 2 storeys is required for all lots. A third storey is preferred on corner lots. - Dwelling facades are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Despite Section 3.7, all garaging is to be from the rear lane. - Front fencing is to generally consistent and assist in unifying the streetscape.	The site is not an entry boulevard lot.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	'Dress Circle' Park Lots - A building height of 3 storeys is encouraged for all dwellings (except for ancillary dwellings). - A high level of consistency of built form and massing is required across the dwelling frontages to achieve a harmonious streetscape and a strong urban edge to the oval. - Buildings are to take advantage of the location overlooking the oval with front balconies and terraces. - Dwellings are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Identical facades are to be limited to no more than 4 dwellings in a row. - Despite Section 3.7, all garaging is to be from the rear lane.	The site is not a 'Dress Circle' Park lot.	N/A
	Innovation Lots - Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). - Dwellings are to be single or double storey and may include 0m side and rear setbacks.	The site is not an innovation lot.	N/A
	Canal Edge Lots - A minimum building height of 3 storeys is encouraged for all residential dwellings (except for ancillary dwellings). - Building form and massing is to create a strong consistent edge to the canal. - Entrances stairs to dwellings off the canal walk are to be paired together. - The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the pedestrian boardwalk to provide privacy for the dwellings. - Detailing of front fencing and landscaping (fronting the canal) is to balance privacy and surveillance issues. The front fencing treatment is to be of high quality and consistent along the full length of the canal frontage. - The dwelling facades are to display high quality materials and finishes	The development complies with the key sites specific provisions as it: - Is 3 storeys in height; - Building form creates a strong consistent edge to the canal; - Entrance stairs off walk are paired together; - The ground floor yard/private open space is raised above the boardwalk level to provide privacy for the dwellings; - Front fence is of high quality as detailed in the Landscape Plan; - The dwelling façade display high quality materials and finishes consistent with the residential design palette;	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)									
	consistent with the Residential Design Palette (Appendix C). - Buildings are to take advantage of the location overlooking the canal and include high levels of glazing and front balconies and terraces. - Despite Section 3.7, all garaging is to be from the rear lane.	- The buildings take advantage of the location overlooking the canal with front balconies and high levels of glazing; - All garaging is from the rear lane.										
	Opportunity Site - The Opportunity Site may accommodate a variety of land uses, in addition to residential, such as commercial office, institution, education uses or the like, adjacent to the Village Centre. - Non-residential uses fronting the canal should address the canal with semi-active uses. - The road and block pattern within the site may vary in response to alternative uses. - Building heights (of up to 6 storeys) are permitted for uses on the Opportunity Site.	The site is not an opportunity site.	N/A									
3.12 Specific Provisions - Ancillary Dwellings	(1) Subdivision applications that involve the creation of a laneway are to nominate the preferred location of an ancillary dwelling so as to achieve an acceptable degree of passive surveillance within the laneway. The preferred locations for ancillary dwellings are shown at Figure 17.	The site is not for subdivision that involves the creation of a laneway.	N/A									
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table><tr><th>Element</th><th>Control</th></tr><tr><td>Setbacks</td><td>0m to sides and to laneway</td></tr><tr><td>Max. building height</td><td>2 storeys (ie 1 floor above the garage)</td></tr><tr><td>Private open space (required for studio lofts only)</td><td>Studio and 1 bed: 4m² min dimension 1m 2+ bed: 8m², min dimension 1m</td></tr><tr><td>Max car parking</td><td>Secondary dwellings - 0 spaces Studio lofts - 1 space</td></tr></table>	Element	Control	Setbacks	0m to sides and to laneway	Max. building height	2 storeys (ie 1 floor above the garage)	Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m	Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space	The site is not an ancillary dwelling.
Element	Control											
Setbacks	0m to sides and to laneway											
Max. building height	2 storeys (ie 1 floor above the garage)											
Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² min dimension 1m 2+ bed: 8m ² , min dimension 1m											
Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space											

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) The design and layout of studio lofts is to minimise overlooking and overshadowing of the private space of the principal dwelling and any adjacent dwellings.	The site is not a studio loft.	N/A
	(4) Strata title subdivision of a studio loft into a separate allotment will be permissible only where the following are provided: ▪ appropriate private open space, ▪ separate pedestrian access, ▪ one on-site car parking space, ▪ separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street, ▪ separate connections and metering for utilities, and ▪ compliance with the Building Code of Australia.	The proposal is not for strata title subdivision of studio lofts.	N/A

Dwelling Table of Compliance – Lot 198 (DP1205685) Penrith (Stage 3b Terraces)

Section	Provisions	Proposal	Compliance (Y/N or N/A)
North Penrith Design Code			
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown at Figure 8. The maximum number of storeys for the site is three (3).	The dwelling will have 3 storeys – which complies with the 3 storey height limit specified in Figure 8.	Y
	(2) For all residential development (excluding residential flat buildings), the floor area of the third storey is to be no more than 60% of the second storey.	A habitable third storey will be 56.26% of the second storey, which complies with the maximum 60% specified.	Y
	(3) The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	The third storey does not prevent adequate solar access and privacy for the lot and the adjacent residential lots for the following reasons: - No living room windows face the rear yard; - The design has been staggered to allow for adequate solar access, to assist with privacy and to enhance the architectural design.	Y
	(4) Development adjacent to a laneway (i.e. ancillary dwelling) is to be no more than 2 storeys.	The proposed development adjacent to a laneway is a 1 storey garage.	Y
	(5) For 1 - 3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,550mm is to be provided for all ground floor living spaces. A preferred height of 2,700mm is encouraged for enhanced internal amenity.	The dwelling has a minimum ceiling height of 2.55m on the ground floor.	Y
	(6) The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front enclosing wall is: 15m for the second storey (identified as L2 on Figures 9-10 in DCP), 12m for any third storey component of a dwelling (identified as L3 on Figures 9-10 in DCP).	The maximum depth of the dwelling from the front wall is: 15.0m for the second storey; 8.44m for the third storey.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)						
	(7) The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The proposal does not include development for and ancillary dwelling.	N/A						
	(8) Front setbacks for residential development within the R1 Zone (except for residential flat buildings) are (see Figures 9 and 10 of Guideline): - between 3m and 4.5m (to the front facade line), except on the western side of H1 (Thornton Hall heritage carriageway) where the front setback from the boundary line is to accommodate tree retention and access driveway, - a minimum 5.5m (and a minimum 1m behind the front facade line) for the garage, and 0m to the secondary street (for a corner allotment) except for the first 7m of allotment which to be setback at 2m to accommodate the articulation zone requirements at Section 3.4 (see Figures 9-10).	The dwelling is set back 4.5m to the front façade line. The garage faces the laneway and is set back 0.05m	Y						
	(9) The rear setback for the ground floor level of a dwelling is 0.9m. This does not apply to garages and ancillary dwellings adjacent to a rear lane which may be built to the rear boundary. A rear setback of 3m is required for all allotments that back onto the existing residential allotments fronting Lemongrove Road and for Block C3.	The rear setback from the ground floor of the garage is 0.05m. The allotment does not back onto the existing residential allotments fronting Lemongrove Road.	Y						
	(10) The minimum side setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like. <table><tr><th>Dwelling type</th><th>Minimum side setbacks</th></tr><tr><td>Dwelling houses (lots <8m wide)</td><td>0m on both sides</td></tr><tr><td>Dwelling houses (lots 8m wide and greater)</td><td>0m to 1 side 0.9m to 1 side - except for where permitted by (11) below</td></tr></table>	Dwelling type	Minimum side setbacks	Dwelling houses (lots <8m wide)	0m on both sides	Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below	The minimum side setbacks are complied with as follows: 0m on both sides.	Y
Dwelling type	Minimum side setbacks								
Dwelling houses (lots <8m wide)	0m on both sides								
Dwelling houses (lots 8m wide and greater)	0m to 1 side 0.9m to 1 side - except for where permitted by (11) below								

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply: - the dwellings are designed in a coordinated manner so as to ensure compliance with the relevant controls within this DCP, in particular, the private open space, privacy and solar access provisions; - construction of adjoining dwellings is undertaken either concurrently or sequentially, - reciprocal maintenance easements are included on adjoining allotment title (as per 3.2.3), and - compliance with the relevant aspects of the Building Code of Australia.	The dwelling is able to comply with the relevant conditions.	Y
	(12) Where a studio loft above a garage straddles a property boundary, the central maintenance setback is not required. Appropriate arrangements for maintenance are to be included within the stratum lot title for the studio loft.	The proposal does not include a studio loft above a garage that straddles a property boundary.	N/A
3.4 Building Design and Articulation	(1) Particular attention is to be paid to the design quality of the front facade of a dwelling. An articulation zone is to be provided in front of the front facade line as illustrated at Figures 9 and 10. The articulation zone: - is to be setback at least 1 metre from the front boundary, - must extend at least 7m from the front boundary line along the secondary street frontage (for corner allotments), and - may extend over 2 storeys (for 2 and 3 storey development).	Articulation zones to the front façade of the dwelling has been incorporated in accordance with Figures 9 and 10 as follows: setback from the front boundary by 3m.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)														
	(2) The front articulation zone should include at least 1 primary element or 2 secondary elements from the list below. Where a primary element is included, it should have a minimum depth of 2m. The minimum depth for a secondary element is 500mm. <table><tr><th>Primary elements</th><th>Secondary elements</th></tr><tr><td>Verandah / porch</td><td>Entry feature or porticos</td></tr><tr><td>Balcony (incl upper level balcony over garage door)</td><td>Awnings or other features over windows</td></tr><tr><td>Pergola</td><td>Eaves and sun shading</td></tr><tr><td></td><td>Window box treatment</td></tr><tr><td></td><td>Recessed or projecting architectural elements</td></tr><tr><td></td><td>Bay windows</td></tr></table>	Primary elements	Secondary elements	Verandah / porch	Entry feature or porticos	Balcony (incl upper level balcony over garage door)	Awnings or other features over windows	Pergola	Eaves and sun shading		Window box treatment		Recessed or projecting architectural elements		Bay windows	The dwelling includes a 1.5m deep veranda/balcony over 3 floors and a recessed entry with 1.2m deep veranda over.	Y
Primary elements	Secondary elements																
Verandah / porch	Entry feature or porticos																
Balcony (incl upper level balcony over garage door)	Awnings or other features over windows																
Pergola	Eaves and sun shading																
	Window box treatment																
	Recessed or projecting architectural elements																
	Bay windows																
	(3) For corner allotments the articulation zone is to be a minimum depth of 2m from the primary and secondary frontages and may include either primary and / or secondary elements as listed above.	The site is not a corner allotment.	Y														
	(4) For allotments located on the southern, eastern and western side of a street, the articulation zone may be designed to incorporate private open space, including principal private open space.	The proposal includes private open space within the front setback.	Y														
	(5) Consideration should be given to expressing the third storey of a dwelling in a more lighter weight manner than the structure below, through the use of material and colours and the like.	The third storey has been expressed in a more lighter weight manner than the structure below through colour change and recessing and projected elements. This is best viewed in the context of the group of terraces and not as a stand alone dwelling as per the elevations attached.	Y														
	(6) Eaves are to provide sun shading, to protect windows and doors and provide aesthetic interest. Subject to 3.2.3, eaves should have a minimum of 600mm overhang (measured to the fascia board). Council	All living room windows have a minimum 1.5m veranda or balcony as do all of the bedroom windows facing North. The only windows without an eave overhang are bathroom	Y for living rooms and bedrooms. N for														

Section	Provisions				Proposal	Compliance (Y/N or N/A)		
	will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.				windows and southerly facing bedroom windows where an eave is of no benefit. The bathroom windows do not have an eave overhang due to the architectural design.	bathrooms.		
	(7)	Building colours, materials and finishes are to be consistent the Residential Design Palette included at Appendix C.				The building colours, materials and finishes have been designed to be consistent with the Residential Design Palette.	Y	
	(8)	Multicoloured roof tiles are not permitted.				No multi-coloured tiles are proposed.	Y	
3.5 Private Open Space and Landscaping	(1)	Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with the table below.				The proposal is on a lot with 6.1m wide. The proposal includes POS as follows: 51.85m2 (28.81% of site area); and - Min. 2m dimension. The proposal includes PPOS as follows: 27.45m2 of site area; and - Min. 3m dimension.	Y	
			Studio Loft	Dwelling houses				
		Lot width*		<6m	6-10m			10m+
	POS	Studio and 1 bed: 4m ² & min dimension 1m 2+ bed: 8m ² & min dimension 1m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m	Minimum 20% of site area & min dimension of 2m			
	PPOS	n/a	16m ² & min dimension of 3m	18m ² & min dimension of 3m	24m ² & min dimension of 4m			
	(2)	The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoining dwellings, landscape features, and the preferred locations of PPOS illustrated at Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS may be located at the front of the dwelling in the form of a front garden court, verandah or balcony. PPOS located in the front of a dwelling must be useable and adjacent to a living space.				The PPOS is located at the front of the site in order to achieve the maximum solar access from the northern sun.	Y	

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) Where the PPOS is a balcony or roof top area, it must be provided with a fence or landscaped screen at least 1m in height, and be directly accessible from a habitable room.	The balcony areas are accessible from a habitable room and have a fence of 1m in height.	Y
	(4) The POS of the studio loft is to be located and designed so as to minimise visual and acoustic privacy impacts upon the principal dwelling and its associated POS.	The proposal is not for a studio loft.	Y
	(5) (1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). (2)"Despite Clause (5(1), at least 70% of the total number of dwellings that are proposed as part of an integrated development should receive a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice (21 June) to at least fifty per cent of the area of the PPOS of each dwelling."	Shadow diagrams have been prepared for the development. They show that at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.	Y
	(6) The first 1m of a site, measured from the front boundary, (excluding driveways, footpaths etc) is to be soft landscaped. Landscaping within the front yard is to comprise species from the Residential Design Palette included at Appendix C.	Soft landscaping is provided for a distance of 1m from the front boundary with the following species – which are from the Residential Design Palette. • Michelia Summer Bronze	Y
3.6 Fencing	(1) Front fencing is required for all residential allotments. Front fencing is to: ▪ be between 700mm and 1.2m high (including feature elements), ▪ be generally open in design and may comprise a solid component that is no higher than 700mm, ▪ extend along the side boundaries to the front facade line (or at least 1m behind the front facade line for dwelling houses), ▪ extend along the secondary street frontage to match the length of the articulation zone, and ▪ are not to impede safe sight lines for pedestrians and / or traffic.	The proposal includes fencing of 1m in height which is designed to comply with the fencing controls.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C of the Guidelines.	The design, materials and colours are consistent with the Residential Design Palette.	Y
	(3) Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. Articulated post and paling fences (with exposed posts) are preferred in these locations. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.	The design of the fencing facing open space will consist of 1m high rendered masonry piers with 1m high powdercoated aluminium infill panels as per the detail shown on the attached Landscape Plan which will provide an attractive outlook to the open space.	Y
	(4) Timber paling or lapped / capped fencing only can be used internally between allotments. No sheet metal fencing is permitted within the project.	No sheet metal fencing is proposed.	Y
3.7 Garages, Site Access and Parking	(1) The maximum parking rates for multi-unit housing, attached and semi-detached dwellings and dwelling houses are: 1-2 bedroom: 1 space per dwelling, and 3+ bedroom: 2 spaces per dwelling.	The proposal is for a 4 bedroom dwelling and provides 1 car parking spaces.	Y
	(2) All visitor parking is to be provided on-street.	Parking is available on street.	Y
	(3) Parking for affordable housing and seniors housing is to be in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> and <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> respectively.	The proposal is not for affordable housing or seniors housing.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: - for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front, - for lots between 8m and 12m wide, garaging may comprise a single / tandem front loaded garage or a rear loaded, double / tandem garage, and - for lots greater than 12m wide, garaging may either comprise a double front loaded garage or a rear loaded, double / tandem garage.	The site is 6.1m wide and provides a single garage accessed from the rear laneway.	Y
	(5) The maximum width of a garage door is 3.2m and 6m for single / tandem and double garages respectively. Where a studio loft is included, its own garage or carport requires access from the rear lane.	The garage door is 2.7m wide.	Y
	(6) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessive through use of materials, colours, overhangs and the like.	All garages have been designed specifically to match and complement the dwellings' design and materials.	Y
	(7) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the availability of on-street parking.	All driveways have been designed having regard to the dwellings' design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways comply with AS2890-2004.	Y
3.8 Visual and Acoustic Amenity	(1) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Dwellings have been designed to minimise overlooking through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: ▪ be obscured by fencing, screens or appropriate landscaping, or ▪ be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window, or ▪ have sill height of 1.5m above floor level, or ▪ have fixed opaque glazing in any part of the window below 1.5m above floor level.	The dwellings do not have any habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m.	N/A
	(3) A screening device is to have a maximum of 25% permeability to be considered effective.	No screening device is proposed or considered necessary.	N/A
	(6) Residential development in close proximity to the railway corridor, Coreen Avenue, the east and west sides of the Boulevard, the upgraded commuter car park and those flanking the entry road from Coreen Avenue to the commuter car park, are to include design measures so as to achieve the following internal noise levels at these residences: ▪ a target internal noise level of 35 dB(A) LAeq is to apply in the sleeping areas, and ▪ a target internal noise level of 40 dB(A) LAeq in other living areas. To achieve these target levels, the acoustic performance of the most exposed facades of these residences are recommended to provide an R_w (weighted sound reduction index) + C_{tr} (spectrum adaptation factor) of not less than 50dB for the composite wall area. Reference can be made to the BCA for details on deemed-to-satisfy construction.	The proposal is not located in close proximity to the railway.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(4) Residential buildings further within the development (and not affected by heavy vehicle noise along the Boulevard) may achieve a construction of 10 dB less than the above specified targets.	The site is located so as not to be affected by noise from the Boulevard.	N/A
3.9 Development in Proximity to a Rail Corridor	(1) The siting and design of developments on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line is to address matters raised in the Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, incorporate any recommendations into the design of the development.	The proposal is not within 60m of the railway corridor.	N/A
	(2) In assessing applications for development on land sited on or within 60m of an operating rail corridor or land reserved for the construction of a railway line, the consent authority is to have regard to the matters raised in the Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.	N/A	N/A
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots ▪ A minimum building height of 2 storeys is required for all lots. A third storey is preferred on corner lots. ▪ Dwelling facades are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). ▪ Despite Section 3.7, all garaging is to be from the rear lane. ▪ Front fencing is to generally consistent and assist in unifying the streetscape.	The site is not an entry boulevard lot.	N/A

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	'Dress Circle' Park Lots - A building height of 3 storeys is encouraged for all dwellings (except for ancillary dwellings). - A high level of consistency of built form and massing is required across the dwelling frontages to achieve a harmonious streetscape and a strong urban edge to the oval. - Buildings are to take advantage of the location overlooking the oval with front balconies and terraces. - Dwellings are to display high quality materials and finishes consistent with the Residential Design Palette (Appendix C). - Identical facades are to be limited to no more than 4 dwellings in a row. - Despite Section 3.7, all garaging is to be from the rear lane.	The site is not a 'Dress Circle' Park lot.	N/A
	Innovation Lots - Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). - Dwellings are to be single or double storey and may include 0m side and rear setbacks.	The site is not an innovation lot.	N/A
	Canal Edge Lots - A minimum building height of 3 storeys is encouraged for all residential dwellings (except for ancillary dwellings). - Building form and massing is to create a strong consistent edge to the canal. - Entrances stairs to dwellings off the canal walk are to be paired together. - The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the pedestrian boardwalk to provide privacy for the dwellings. - Detailing of front fencing and landscaping (fronting the canal) is to balance privacy and surveillance issues. The front fencing treatment is to be of high quality and consistent along the full length of the canal frontage. - The dwelling facades are to display high quality materials and finishes	The development complies with the key sites specific provisions as it: - Is 3 storeys in height; - Building form creates a strong consistent edge to the canal; - Entrance stairs off walk are paired together; - The ground floor yard/private open space is raised above the boardwalk level to provide privacy for the dwellings; - Front fence is of high quality as detailed in the Landscape Plan; - The dwelling façade display high quality materials and finishes consistent with the residential design palette;	Y

Section	Provisions	Proposal	Compliance (Y/N or N/A)									
	consistent with the Residential Design Palette (Appendix C). - Buildings are to take advantage of the location overlooking the canal and include high levels of glazing and front balconies and terraces. - Despite Section 3.7, all garaging is to be from the rear lane.	- The buildings take advantage of the location overlooking the canal with front balconies and high levels of glazing; - All garaging is from the rear lane.										
	Opportunity Site - The Opportunity Site may accommodate a variety of land uses, in addition to residential, such as commercial office, institution, education uses or the like, adjacent to the Village Centre. - Non-residential uses fronting the canal should address the canal with semi-active uses. - The road and block pattern within the site may vary in response to alternative uses. - Building heights (of up to 6 storeys) are permitted for uses on the Opportunity Site.	The site is not an opportunity site.	N/A									
3.12 Specific Provisions - Ancillary Dwellings	(1) Subdivision applications that involve the creation of a laneway are to nominate the preferred location of an ancillary dwelling so as to achieve an acceptable degree of passive surveillance within the laneway. The preferred locations for ancillary dwellings are shown at Figure 17.	The site is not for subdivision that involves the creation of a laneway.	N/A									
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table><tr><th>Element</th><th>Control</th></tr><tr><td>Setbacks</td><td>0m to sides and to laneway</td></tr><tr><td>Max. building height</td><td>2 storeys (ie 1 floor above the garage)</td></tr><tr><td>Private open space (required for studio lofts only)</td><td>Studio and 1 bed: 4m², min dimension 1m 2+ bed: 8m², min dimension 1m</td></tr><tr><td>Max car parking</td><td>Secondary dwellings - 0 spaces Studio lofts - 1 space</td></tr></table>	Element	Control	Setbacks	0m to sides and to laneway	Max. building height	2 storeys (ie 1 floor above the garage)	Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² , min dimension 1m 2+ bed: 8m ² , min dimension 1m	Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space	The site is not an ancillary dwelling.
Element	Control											
Setbacks	0m to sides and to laneway											
Max. building height	2 storeys (ie 1 floor above the garage)											
Private open space (required for studio lofts only)	Studio and 1 bed: 4m ² , min dimension 1m 2+ bed: 8m ² , min dimension 1m											
Max car parking	Secondary dwellings - 0 spaces Studio lofts - 1 space											

Section	Provisions	Proposal	Compliance (Y/N or N/A)
	(3) The design and layout of studio lofts is to minimise overlooking and overshadowing of the private space of the principal dwelling and any adjacent dwellings.	The site is not a studio loft.	N/A
	(4) Strata title subdivision of a studio loft into a separate allotment will be permissible only where the following are provided: ▪ appropriate private open space, ▪ separate pedestrian access, ▪ one on-site car parking space, ▪ separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street, ▪ separate connections and metering for utilities, and ▪ compliance with the Building Code of Australia.	The proposal is not for strata title subdivision of studio lofts.	N/A