

CITY COUNCIL This plan / document relates to:
 Development Consent
 140673

Table of Compliance – LOT 2233 WILLIAM HART CRESECENT THORNTON, North Penrith

Section	Provisions	Proposal	Compliance (Y/N or N/A)
State Environmental Planning Policy No. 55 – Remediation of Contaminated Land			
7. Contamination and remediation to be considered in determining development application	(1) A consent authority must not consent to the carrying out of any development on land unless: (a) it has considered whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	The subdivision works will undertake the necessary works to ensure the site is suitable for the proposed residential use.	Y
State Environmental Planning Policy (BASIX)			
6. Buildings to which Policy applies	(1) This Policy applies to buildings arising from the following development: (a) proposed BASIX affected development for which the regulations under the Act require a BASIX certificate to accompany a development application or an application for a complying development certificate or construction certificate,	A BASIX Certificate is provided as part of the DA.	Y
Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)			
5. General planning considerations	The general planning considerations relevant for this Part are: (a) the aim of this plan, and (b) the strategies listed in the Action Plan of the Hawkesbury-Nepean Environmental Planning Strategy, and (c) whether there are any feasible alternatives to the development or other proposal concerned, and (d) the relationship between the different impacts of the development or other proposal and the environment, and how those impacts will be addressed and monitored.	Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.	Y
6. Specific planning policies and recommended	Clause 6 sets out a suite of planning policies and strategies that relate to the following issues in the vicinity of the Hawkesbury-Nepean River system: (1) Catchment management (2) Environmentally sensitive areas	The cumulative effects of all of the development at North Penrith on the Hawkesbury-Nepean River system and catchment have been considered during	Y

strategies	(3) Water quality (4) Water quantity (5) Cultural heritage (6) Flora and fauna (7) Riverine scenic quality (8) Agriculture/aquaculture and fishing (9) Rural residential development (10) Urban development (11) Recreation and tourism (12) Metropolitan strategy	the preparation of the Concept Plan. North Penrith includes a site-wide stormwater management system to ensure the quality and quantity of stormwater from the entire site does not undermine the policies and strategies set out in this clause. This dwelling will be suitably integrated into the site-wide systems.	
11. Development Controls	This clause sets out matters for consideration and development controls for specific types of development.	Development for the purposes of residential dwellings is not specified in this clause.	N/A
Penrith City Centre Local Environmental Plan 2008			
Clause 49 - Zoning	For the purposes of this Part, land within the North Penrith site is in a zone as follows if the land is shown on the Land Zoning Map as being in that zone: (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone B2 Local Centre, (d) Zone IN2 Light Industrial, (e) Zone RE1 Public Recreation.	The site is zoned as R1 General Residential	N/A
Clause 50 - Land Use Table - Zone R1 General Residential	The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. Zone R1 General Residential 1 Objectives of zone • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents.	All kinds of residential accommodation are permissible in the R1 General Residential Zone. As such, the proposed residential dwelling is permissible. The proposal is for a residential dwelling to meet the housing needs of the community, and so is consistent with objectives of the zone.	Y

	<p>2 Permitted without consent Home businesses; Home industries; Home occupations</p> <p>3 Permitted with consent Building identification signs; Business identification signs; Child care centres; Community facilities; Exhibition homes; Exhibition villages; Food and drink premises; Neighbourhood shops; Places of public worship; Recreation areas; Recreational facilities (indoor); Recreational facilities (outdoor); Residential accommodation; Residential care facilities; Respite day care centres; Roads</p> <p>4 Prohibited Any development not specified in item 2 or 3</p>		
Clause 51 - Height of Buildings	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	The proposed development will have a maximum height of 7.500 m and therefore complies with the maximum height specified by this clause.	Y
Clause 53 – Architectural Roof Features	<p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 51 may be carried out, but only with development consent.</p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:</p> <p>(a) the architectural roof feature:</p> <p>(i) comprises a decorative element on the uppermost portion of a building, and</p> <p>(ii) is not an advertising structure, and</p> <p>(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and</p> <p>(iv) will cause minimal overshadowing, and</p> <p>(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p>	The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.	Y
Clause 54 – Heritage Conservation	<p>(5) Heritage assessment The consent authority may, before granting consent to any development:</p>	The site is not on land where a heritage item is located or in the vicinity of a	N/A

	(a) on land on which a heritage item is located, or (b) on land that is within the vicinity of land referred to in paragraph (a), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned.	heritage item. As such no heritage management document has been prepared.	
Clause 55 - Earthworks	(3) Before granting development consent for earthworks, the consent authority must consider the following matters: (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works. An Erosion and Sediment Control Plan has been prepared to ensure potential impacts to watercourses during construction activities are appropriately managed.	N/A
North Penrith Design Code			
3.1 Housing Density and Diversity	Between 900 and 1,000 dwellings are envisaged across the whole precinct. To ensure that a minimum of 900 dwellings is achieved as part of a subdivision application that creates more than 20 lots, the applicant is required to demonstrate that the sub-precinct dwelling target ranges shown in Figure 6 and the table below can be achieved. Subject to agreement of Council and consultation with relevant landowners, dwelling yields may be 'traded' between sub-precincts as long as it meets overall targets and objectives of this DCP.	The proposal is not for subdivision	N/A
3.2 Subdivision	The proposal is not for subdivision so the subdivision controls have not been transcribed here.	The proposal is not for subdivision	N/A
3.3 Building Envelopes	(1) The maximum number of storeys for residential development is shown	The dwelling will have 1 storey – which complies with the 3 storey height limit	Y

	at Figure 8. The maximum number of storeys for the site is three (3).	specified in Figure 8.	
(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.		N/A
(3)	The location and siting of the third storey is to ensure adequate solar access and privacy for the lot and adjacent residential lots.	No habitable third stories are proposed.	N/A
(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 1 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 ceiling height of 2.7m on the ground floor.	Y
(6)	The maximum depth of a dwelling (exclusive of roofs and privacy screens etc) from the front boundary is: <ul style="list-style-type: none"> ▪ 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). 	N/A Single storey	N/A
(7)	The maximum depth of an ancillary dwelling (exclusive of roofs and privacy screens etc) from the rear boundary is 8m.	The maximum depth of the ancillary dwelling is 6.17m 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 DCP): <ul style="list-style-type: none"> ▪ 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 	The dwelling is set back 3 m to the front façade line. The garage is set back 180mm from the rear boundary that has access to	Y

	<p>retention and access driveway,</p> <ul style="list-style-type: none"> 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). 	Stoddart Lane													
	(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 dwelling is 8.63m.	Y												
	<p>(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.</p> <table border="1" data-bbox="472 863 1352 1286"> <thead> <tr> <th>Dwelling type</th> <th>Minimum side setbacks</th> </tr> </thead> <tbody> <tr> <td>Ancillary dwellings</td> <td>0m on both sides 0m to rear lane</td> </tr> <tr> <td>Multi-unit housing, attached dwellings</td> <td>0m on both sides</td> </tr> <tr> <td>Semi-detached dwellings</td> <td>0m to 1 side 0.9m to 1 side</td> </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> </tbody> </table>	Dwelling type	Minimum side setbacks	Ancillary dwellings	0m on both sides 0m to rear lane	Multi-unit housing, attached dwellings	0m on both sides	Semi-detached dwellings	0m to 1 side 0.9m to 1 side	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	<p>The dwelling is for ancillary dwelling OR a dwelling house on a lot wider than 8m wide with the following setbacks:</p> <ul style="list-style-type: none"> 910mm on one side. 1420mm on one side. 	Y
Dwelling type	Minimum side setbacks														
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	<p>(11) Despite (3.3.10), zero setbacks on both side boundaries for ancillary dwellings and dwelling houses are permitted where the following conditions apply:</p> <ul style="list-style-type: none"> ▪ 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. 	N/A	N/A
	<p>(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.</p>	The proposal does not include a studio loft above a garage that straddles a property boundary.	N/A
	<p>(13) Variations to the building envelope controls contained within Section 3.3 are permitted where it is part of an 'Integrated Development Application' and the applicant can demonstrate that a good level of residential amenity can be achieved to both the proposed dwellings and adjacent properties.</p>	The proposal is not for an Integrated Development Application.	N/A

3.4 Building Design and Articulation	<p>(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:</p> <ul style="list-style-type: none"> ▪ 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). 	<p>Articulation zones to the front façade of the dwellings have been incorporated on the dwellings in accordance with Figures 9 and 10 as follows:</p> <ul style="list-style-type: none"> ▪ setback from the front boundary by 1.84 m. 	Y														
	<p>(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.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Primary elements</th> <th style="text-align: left;">Secondary elements</th> </tr> </thead> <tbody> <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> </tbody> </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	<p>The proposal includes porch with a depth of 2.0 m.</p>	Y
	Primary elements	Secondary elements															
	Verandah / porch	Entry feature or porticos															
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Pergola	Eaves and sun shading																
	Window box treatment																
	Recessed or projecting architectural elements																
	Bay windows																
<p>(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.</p>	<p>The site is not a corner allotment.</p>	N/A															
<p>(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.</p>	<p>The proposal does not include private open space. POS is located at the rear of the proposed dwelling</p>	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 proposal does not incorporate third storeys.	N/A																				
	(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 will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.	The eaves proposed comply with the 600mm overhang allowance. Except on the zero lot line where the eaves are at 175mm.	Y																				
	(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 border="1" data-bbox="488 880 1366 1385"> <thead> <tr> <th></th> <th>Studio Loft</th> <th colspan="3">Multi-unit housing, attached & semi-detached dwellings and dwelling houses</th> </tr> <tr> <th>Lot width*</th> <th></th> <th><6m</th> <th>6-10m</th> <th>10m +</th> </tr> </thead> <tbody> <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</td> <td>18m² & min dimension</td> <td>24m² & min dimension</td> </tr> </tbody> </table>		Studio Loft	Multi-unit housing, attached & semi-detached dwellings and 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	18m ² & min dimension	24m ² & min dimension	The proposal is on a lot with 10.0m wide. The proposal includes POS as follows: <ul style="list-style-type: none"> 20.2% of site area; and 11.1m x 3.8m dimension. The proposal includes PPOS as follows <ul style="list-style-type: none"> 18 m2 of site area; and 6m x 3m dimension. 	Y
	Studio Loft	Multi-unit housing, attached & semi-detached dwellings and 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	18m ² & min dimension	24m ² & min dimension																			

		of 3m	of 3m	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/rear of the site in order to achieve the maximum solar access from the northern sun.	Y
(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 proposal does not include rooftop area. The balcony is at the front of the building but isn't included in the PPOS	N/A
(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.	N/A
(5)	(1) Fifty per cent of the area of the required PPOS (of both the proposed development and the adjoining properties) should receive at				Shadow diagrams have been prepared for the development. They show that	Y

	<p>least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).</p> <p>(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."</p>	<p>at least 50% of the PPOS receives at least 2 hours of sunlight on the winter solstice.</p>	
	<p>(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.</p>	<p>Soft landscaping is provided for a distance of 1 m from the front boundary with the following species – which are from the Residential Design Palette.</p> <p>▪ List our species to be used <MAKE SURE THEY ARE FROM THE DESIGN PALLAETTE> .</p>	Y
3.6 Fencing	<p>(1) Front fencing is required for all residential allotments. Front fencing is to:</p> <ul style="list-style-type: none"> ▪ be between 700m 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. 	<p>The proposal include fencing of 0.7-1.2 m in height which is designed to comply with the fencing controls.</p>	Y
	<p>(2) The design, materials and colour of front fencing is to be consistent with the Residential Design Palette included at Appendix C.</p>	<p>The design, materials and colours are consistent with the Residential Design Palette.</p>	Y
	<p>(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</p>	<p>The proposed development will not directly abut open space.</p>	N/A

	design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space.		
	(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: <ul style="list-style-type: none"> ▪ 1-2 bedroom: 1 space per dwelling, and ▪ 3+ bedroom: 2 spaces per dwelling. 	The proposal is for a 2 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
	(4) The garage arrangement is to be consistent with Figures 12 and 13 in that: <ul style="list-style-type: none"> ▪ 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 10.0 m 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.	All garages door is 4.8 m 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 design specifically to match and complement the dwelling 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 design having regard to the dwelling design and orientation.	Y
	(8) All parking and driveway access is to comply with AS 2890.1 - 2004.	Parking and driveways access 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
	(2) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m are to: <ul style="list-style-type: none"> ▪ 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 dwelling does 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
	(4) The design of attached dwellings must minimise the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.	The proposal is not for an attached dwelling.	N/A
	(5) In attached dwellings, bedrooms of one dwelling are not to share walls	The proposal is not for an attached dwelling.	N/A

	with living spaces or garages of adjoining dwellings, unless it is demonstrated that the shared walls and floors meet the noise transmission and insulation requirements of the Building Code of Australia.		
	<p>(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:</p> <ul style="list-style-type: none"> ▪ 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. <p>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.</p>	The proposal is not located in close proximity to the railway.	N/A
	(7) 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 that it is noise affected by the Boulevard, and has been designed to meet the above specified targets less 10 dBA.	Y
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	N/A	N/A

	and vibration in the planning process (RailCorp) and where appropriate, any matters raised by Rail Corporation New South Wales to the development.		
3.10 Specific Provisions - Key Sites	Entry Boulevard Lots <ul style="list-style-type: none"> ▪ 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 development: <ul style="list-style-type: none"> ▪ Is 2 storey's in height ▪ The dwelling facades incorporate face brick, bagged and painted brick, and weathertex cladding with a painted finish. ▪ All garages are to be accessed via rear lane. ▪ Front fencing will be generally consistent and assist in unifying the streetscape 	Y
	'Dress Circle' Park Lots <ul style="list-style-type: none"> ▪ 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 LOT	N/A
	Innovation Lots <ul style="list-style-type: none"> ▪ Housing is to demonstrate how compact, affordable dwellings can achieve a high level of internal amenity (see examples at Appendix B). 	The site is not an innovation lot.	N/A

	<ul style="list-style-type: none"> ▪ Dwellings are to be single or double storey and may include 0m side and rear setbacks. 		
	<p>Canal Edge Lots</p> <ul style="list-style-type: none"> ▪ 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 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 site is not a canal edge lot.	N/A
	<p>Opportunity Site</p> <ul style="list-style-type: none"> ▪ 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.	N/A										
	(2) Ancillary dwelling development is to be consistent with the controls in the table below. <table border="1" data-bbox="481 518 1310 821"> <thead> <tr> <th>Element</th> <th>Control</th> </tr> </thead> <tbody> <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> </tbody> </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.	N/A
	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 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: <ul style="list-style-type: none"> ▪ 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 a studio loft.	N/A											