

# PENRITH CITY COUNCIL

## MAJOR ASSESSMENT REPORT

<b>Application number:</b>	DA14/0220
<b>Proposed development:</b>	Semi Detached Dwellings (2 x Two Storey) and Torrens Title Subdivision
<b>Property address:</b>	23 Ghera Road, CADDENS NSW 2747
<b>Property description:</b>	Lot 22 DP 1166546
<b>Date received:</b>	3 March 2014
<b>Assessing officer</b>	Aaron Howard
<b>Zoning:</b>	ZONE R1 GENERAL RESIDENTIAL LEP 2009 (CADDENS)
<b>Class of building:</b>	Class 1a
<b>Recommendations:</b>	Approve

### Executive Summary

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Council is in receipt of a development application for two semi-detached dwellings and torrens title subdivision at Lot 22 DP1166546, 23 Ghera Road, Caddens NSW. The subject site is zoned R1 (General Residential) under Penrith Local Environmental Plan (LEP) (Caddens 2009). The proposal is defined as *semi-detached dwellings* which is a permissible land use in the R1 zone with Council consent.

The application has been notified to adjoining properties on two occasions between 06/03/14 - 20/03/14 and 01/04/14 - 15/04/14.

An assessment under Section 79C of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval, subject to recommended conditions.

### Site & Surrounds

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The subject site is situated on the northern corner of Ghera Road and Weema Street, Caddens. The site is rectangular shaped, orientated in a east west direction with a total lot size of 453m<sup>2</sup>. The site slopes towards the north western corner of the site (rear) and is currently vacant.

The surrounding area is characterised by low density residential development. The lot is the last vacant on the north side of Weema Street with single storey dwellings completed to the north and east of the site.

### Background

The proposed development originally proposed two semi-detached dwellings fronting Ghera Road. However, due to numerous non-compliances relating to lot size, building design, access and car parking, the applicant was encouraged to withdraw or redesign the subject proposal. In turn, the applicant provided the following proposal, with one dwelling fronting Ghera Road and the other Weema Street. The new design was also re-notified to adjoining premises with no submissions received.

The applicant did not attend a pre-lodgement meeting with the Development Advisory Panel prior to lodging the development application.

## Proposal

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The proposed development involves:

- Construction of 2x double storey semi-detached dwellings. Each dwelling includes four bedrooms, study/fifth bedroom, bathroom and ensuite, laundry, living area, kitchen, alfresco area and a single attached garage,
- Torrens title subdivision from one into two lots, and
- Associated landscaping, driveways and paths.

## Plans that apply

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- Penrith Local Environmental Plan 2009 (Caddens)
- Development Control Plan 2006
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

## Planning Assessment

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### • Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

### Section 79C(1)(a)(i) The provisions of any environmental planning instrument

#### **State Environmental Planning Policy No 55—Remediation of Land**

The aim of this policy is to ensure that the land upon which development is proposed is not contaminated. Council is obliged; as a part of the development assessment process, to investigate previous land uses and determine whether potential contamination has taken place on the site.

The site is part of a residential subdivision, with the parent subdivision application containing an assessment of the land against the provisions of SEPP 55. It was determined through this assessment that the land was not contaminated and was suitable for residential subdivision. Council may therefore be satisfied that the proposal is consistent with the provisions of the SEPP and that no remediation of land is required prior to the issuing of development consent.

#### **Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River**

*Sydney Regional Environmental Plan No.20 (SREP 20)* provides an overall direction for planning to protect the environment of the Hawkesbury/Nepean River catchment. It requires that the impact of future land uses need to be considered in a regional context and that any development must be consistent with the aims of this policy.

The aims and objectives of the plan are directed towards improving the amenity of the river and protecting the lands within the river valley, including scenic quality. It is considered the proposal will not compromise the water or scenic qualities of the river environment given the satisfactory drainage arrangement. Council's development engineer has reviewed the proposed development with no objection. Additionally, appropriate conditions will be imposed to ensure erosion and sediment control measures are employed during construction to minimise sediment run-off. As such, it is considered the proposed development will have minimal impacts upon the Hawkesbury/Nepean River Catchment.

#### **Penrith Local Environmental Plan 2009 (Caddens)**

Provision	Compliance
Clause 1.2 Aims of Plan	Complies

Clause 2.2 Zoning of land to which Plan applies	Complies - See discussion
Clause 2.3 Zone of objectives and land use table	Complies - See discussion
Clause 2.5 Additional permitted uses for particular land	N/A
Clause 2.6 Subdivision - consent requirements	Complies - See discussion
Clause 2.6A Demolition requires consent	N/A
Clause 2.6B Temporary use of land	N/A
Clause 4.1 Minimum subdivision lot size	Complies - See discussion
Clause 4.3 Height of buildings	Complies - See discussion
Clause 4.6 Exceptions to development standards	N/A
Clause 5.1 Relevant acquisition authority	N/A
Clause 5.2 Classification and reclassification of public land	N/A
Clause 5.3 Development near zone boundaries	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.8 Conversion of fire alarms	N/A
Clause 5.9 Preservation of trees or vegetation	Complies
Clause 5.10 Heritage conservation	Complies
Clause 5.11 Bush fire hazard reduction	N/A
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	N/A
Clause 6.1 Arrangements for designated State public infrastructure	N/A
Clause 6.2 Public utility infrastructure	N/A
Clause 6.3 Development control plan	Complies
Clause 6.4 Relationship between Part and remainder of Plan	N/A
Clause 7.1 Sustainable development	Complies
Clause 7.2 Flood planning land	N/A
Clause 7.3 Zone B2 Local Centre - floor area restrictions	N/A
Clause 7.4 Exhibition homes limited to 2 years	N/A
Schedule 1 Additional permitted uses	N/A

## **Part 2 Permitted or Prohibited Development**

### **2.2 Zoning of land to which Plan applies**

The subject site is zoned R1 General Residential under Penrith Local Environmental Plan (Caddens) 2009 (the LEP). The proposed development is defined as *semi-detached dwellings*, which is permissible with the consent of Council. The LEP provides the following definition of a semi-detached dwelling:

*“...a dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling”*

### **2.3 Zone of objectives and land use table**

The proposed development is consistent with the following objectives of the R1 General Residential zone:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To ensure that a reasonably high level of residential amenity is achieved and maintained.*
- *To ensure new development reflects the desired future character described in the Penrith Development Control Plan.*

The proposed development has demonstrated consistency with the relevant LEP development standards and applicable DCP controls. As such, it is considered the proposal provides a high level of residential amenity consistent with the desired streetscape and character of the locality.

### **2.6 Subdivision - consent requirements**

Subdivision of the proposed semi-detached dwellings is permissible under Clause 2.6(1) which states “land to which this Plan applies may be subdivided, but only with consent”.

## **Part 4 Principal Development Standards**

### 4.1 Minimum subdivision lot size

The land is proposed to be subdivided into two lots of 228m<sup>2</sup> and 225m<sup>2</sup> in area. The proposed subdivision is consistent with the objectives of this clause, being that there is no minimum lot size indicated on the Lot Size Map however it is noted that the minimum lot size for each semi detached lot is 225m<sup>2</sup> which ensures compliance.

### 4.3 Height of buildings

The subject site is identified within Area “J” on the Height of Buildings Map accompanying the LEP. This clause prescribes that development within this area must not exceed 9m.

The proposed building is compliant with Clause 4.3 with a maximum height of 7.5m.

## **Section 79C(1)(a)(ii) The provisions of any draft environmental planning instrument**

The following draft Environmental Planning Instruments (EPI's) apply to the site:

### ***Penrith City-Wide Local Environmental Plan (LEP 2010 Stage 2)***

Under the provisions of the Penrith City-Wide Local Environmental Plan the land is proposed to be zoned R1 - General Residential. It is considered the subject proposal is not inconsistent with the proposed objectives and controls of the zone and the plan.

## Section 79C(1)(a)(iii) The provisions of any development control plan

### Development Control Plan 2006

Provision	Compliance
Chapter 2.1 - Contaminated land	Complies
Chapter 2.2 - Crime prevention through environmental design	Complies
Chapter 2.3 - Engineering works	N/A
Chapter 2.4 - Erosion and sediment control	Complies
Chapter 2.5 - Heritage management	N/A
Chapter 2.6 - Landscape	Complies
Chapter 2.7 - Notification and advertising	Complies
Chapter 2.8 - Significant trees and gardens	N/A
Chapter 2.9 - Waste planning	Complies
Chapter 2.10 - Flood liable land	N/A
Chapter 2.11 - Car parking	Complies
Chapter 2.12 - On-site sewage management	N/A
Chapter 2.13 - Tree preservation	Complies
Chapter 6 - Area or site with specific controls	Complies - see Appendix - Development Control Plan Compliance

## Section 79C(1)(a)(iiia) The provisions of any planning agreement

The Caddens Planning Agreement applies to development in the Caddens estate. However, the Caddens Planning Agreement does not contain any relevant provisions that impact upon this proposal.

## Section 79C(1)(a)(iv) The provisions of the regulations

### *Fire safety*

In accordance with Section 143 of the Environmental Planning and Assessment Regulation 2000, an assessment of the fire protection and structural capacity of the proposed building is necessary.

The application was referred to Council's Building Surveyors for assessment on two occasions with the following comments being provided:

*'I have reviewed the application and plans. It is proposed to torrens title a site and construct 2 two storey dwellings. No CC has been applied for. The classification will be Class 1a Dwellings. No objection is raised to the application subject to the recommended building conditions being included should consent be granted.'*

The proposed development complies with the requirements of the Regulations.

## Section 79C(1)(b) The likely impacts of the development

Likely impacts of the proposed development as identified throughout the assessment process include:

### **Other impacts identified in assessment:**

#### **(i) Context and Setting (environmental impacts and impacts on built environment)**

This area is R1 - General Residential which is conducive to this form of permissible housing development. An assessment of the development has been undertaken and it is considered

appropriate and conducive to the low density character of the locality.

Although Caddens is noted as a new release area, it is considered the bulk and scale of the proposed development is in keeping with the desired streetscape as outlined in the DCP. Furthermore, the amended proposal is generally consistent with the requirements of the applicable LEP and DCP and as such will have negligible impact on neighbouring properties. The development has incorporated modern and contemporary building materials and finishes which reflects the ideals of the DCP in regards to street setting. The landscaping proposed within the front setback will soften the transition between the public and private interface.

It is noted the proposal complies with the DCP requirements in regards to solar access for principal private open space (PPOS) on the subject lot and adjoining lots. The subject lot is orientated in a east west direction, with the location of the PPOS on the northern side allowing strong solar access to both the space and adjoining living spaces. Any extensive overshadowing at the front of the property is a result of lot orientation rather than the scale of development.

In regards to privacy, the development as amended is unlikely to impinge on adjoining properties with windows offset and first floor windows generally low use rooms. As the development is surrounded by single storey developments, there will be no first floor cross-viewing to adjoining properties.

It is considered there will be no adverse impacts from the proposed development in regards to the natural environment. The site is unlikely to be contaminated, with an assessment undertaken at time of subdivision, and natural drainage flows will not be comprised as a result of the development. The applicant has demonstrated measures will be employed to control the erosion and sedimentation and will be conditioned to ensure compliance. In the event any relics are uncovered during construction, a condition is recommended to provide for satisfactory treatment.

On the whole, it is considered the proposal will not detrimentally impact upon the built or natural environment of the area.

#### **(ii) Access and transport**

Resident parking has been provided in accordance with Council's parking requirement. One covered space has been provided for each dwelling with one space located on the driveway.

Access to each site is via a single driveway that will service the dwellings satisfactorily. The applicant was required to address the location of the driveway during the preliminary review, with the proposed driveway location too close to the tangent of the corner. However, with the amended locations and design, Council's Development Engineer has no objection to the driveways and subject development. The proposal is now considered satisfactory.

#### **(iii) Heritage**

The property is not subject to any Heritage Order or identified as a heritage item under a planning instrument.

#### **(iv) Soil**

Adequate sedimentation and erosion controls are proposed as part of the development. This is also recommended to be conditioned to ensure compliance with the requirements of SREP 20 and Penrith DCP

2006.

**(v) Natural and Technological Hazards**

The development is not subject to flooding, subsidence or slip.

**(vi) Infrastructure**

Services including water and sewer are available to the site and conditioned as part of the original subdivision. Nevertheless, standard conditions of consent regarding the connection to these services are recommended.

**(vii) Landscaping**

The landscape plan that accompanies this application is not prepared by a consultant selected from Council's Landscape Consultant Register. Nevertheless, the plan proposed is in accordance with the provisions of Chapter 2.6 - Landscape of DCP 2006. It is noted the proposal does not include any vegetation mix along the rear and side boundary in the rear yards. While generally this is considered unacceptable, due to the smaller rear setbacks and PPOS areas, any additional landscaping will narrow the space and effect the overall usability of the area. Furthermore, landscaping will not create any additional protection (for privacy) to the dwelling to the north as the combination of a short side setback (900mm) and a proposed 1.8 metre timber rear fence will protect the southern windows of the dwelling to the north from first floor overlooking concerns. In this case, the lack of landscaping in the rear yards is deemed acceptable. On the other hand, the landscaping proposed on both frontages is considered sufficient. A mix of trees and smaller shrubs will break up the overall appearance of the brick fence - intermittently located along the frontage.

**(viii) Socio-economic impacts**

The properties in the immediate vicinity of the site were notified and Council received no submissions in response. It is considered the proposal will not generate any negative socio-economic impacts. Rather, the development will provide additional housing to help satisfy the burgeoning demand of housing availability within the Penrith LGA and wider NSW.

## **Section 79C(1)(c)The suitability of the site for the development**

The site is suitable for the following reasons:

- The site is zoned R1 - General Residential under Penrith LEP (Caddens 2009), with the development a permissible use in the zone,
- The development generally complies with the relevant LEP and DCP objectives and controls,
- The variations provided for the proposed development in response to non-compliances with the DCP are deemed satisfactory and would have minimal impact upon the natural and built environment,
- The impacts of the proposed development are considered minimal in relation to the amenity of adjoining properties, and
- The development is compatible with surrounding/adjoining residences and will not detrimentally impact upon the residential character of the locality.

Council is satisfied the proposed development is suitable for the subject site.

## **Section 79C(1)(d) Any Submissions**

### **Community Consultation**

### **Community consultation**

In accordance with Chapter 2.7 of the Penrith Development Control Plan for the City of Penrith 2006 – Notification and Advertising, the proposed development was notified to nearby and adjoining residents.

Council notified 7 residences in the area during the two exhibition periods between of 06/03/14 - 20/03/14 and 01/04/14 - 15/04/14. During both periods Council received no submissions in response.

### **Referrals**

The application was referred to the following stakeholders and their comments have formed part of the assessment:

<b>Referral Body</b>	<b>Comments Received</b>
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions

### **Section 79C(1)(e)The public interest**

The proposed development is consistent with the objectives of the *Environmental Planning and Assessment Act 1979* in so far as it promotes the co-ordinated and orderly economic use and development of the land. Furthermore, the application has been notified with suitable timeframes given for submission from members of the public. No submissions were received regarding the proposal. As a result Council may be satisfied that the development subject to conditions is consistent with the public interest.

### **Section 94 - Developer Contributions Plans**



The preceding subdivision identified specific lots as 'semi-detached' lots with Section 94 Contributions for two dwelling capability paid upfront at the time of subdivision. The subject site however was not identified and as such such Section 94 Contributions for this development are applicable.

The following Section 94 plans apply to the site:

- Section 94 - District Open Space Facilities
- Section 94 - Cultural Facilities
- Section 94 - Werrington Enterprise Living and Learning (WELL) Precinct - (However only Citywide plans apply to this application as Urban Growth have paid the WELL Precinct Contributions)

The following Section 94 calculations apply to the proposed development.

<b>Calculation for Semi-Detached Dwellings</b>					
<i>Open Space</i>					
No. of units	x	Rate	-	Credit for existing dwelling/s	Contribution rate
2	x	3.1	-	3.1	3.1
<i>City wide</i>					
No. of units	x	Rate	-	Credit for existing dwelling/s	Contribution rate
2	x	3.0	-	3.0	3.0
<b>AMOUNT</b>					
S.94 Contribution Plan		Contribution Rate x Calculation rate			Total
District Open Space		3.1 x \$1797.00			\$5571.00
Cultural facilities		3.0 x \$133.00			\$399.00
		<b>NET TOTAL</b>			<b>\$5970.00</b>

## Conclusion

In assessing this application against the relevant environmental planning policies, being SEPP 55, SREP 20, LEP (Caddens) 2009 and DCP 2006, the proposal satisfies the aims, objectives and provisions of these policies. The site is suitable for the proposed development, the proposal is in the public interest, and the proposal is unlikely to generate any negative impacts that would affect the site or the surrounding community. Therefore, the application is worthy of support, subject to recommended conditions.

## Recommendation

1. That DA14/0220 for two semi-detached dwellings and torrens title subdivision at Lot 22 DP1166546, 23 Ghera Road, Caddens NSW, be approved subject to the attached conditions (Development Assessment Report Part B).

# CONDITIONS

## General

### 1 A001

The development must be implemented substantially in accordance with the plans in the table below stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Drawing Title	Job & Drawing No.	Issue	Prepared By	Dated
Site Analysis + Subdivision Plan + BASIX Commitments	DA 01/03	R04	A.M. - Universal Property Group Pty Ltd	11/06/2014
Floor Plans + Elevations + Section	DA 02/03	R04	A.M. - Universal Property Group Pty Ltd	11/06/2014
Concept Stormwater Plan + Erosion/Sediment Control	SP 01/01	R03	D.K. - Universal Property Group Pty Ltd	24/04/2014
Concept Landscape Plan	LP 01/01	-	Universal Property Group Pty Ltd	11/06/2014
Waste Management Plan	23 Ghera Road Caddens	-	Universal Property Group Pty Ltd	28/02/2014
Colour Schedule	23 Ghera Road Caddens	A	Universal Property Group Pty Ltd	08/04/2014
BASIX Certificate	Cert No 531491M_02	-	Bathla	11/06/2014

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

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

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

### 3 A009 - Residential Works DCP (no specific section)

All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works.

### 4 A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)

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

### 5 A039 - Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

### 6 A046 - Obtain Construction Certificate before commencement of works

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

### 7 A Special (BLANK)

Satellite dishes, water tanks, air conditioning units and solar hot water tanks are not be prominent when viewed from any street

### 8 A Special (BLANK)

The concrete driveway is to be finished with a colour that compliments and blends with the established streetscape and amenity of the area

### 9 A Special (BLANK)

Metal sheet style fencing is not permitted. All fencing is to be in accordance with the stamped approved site and landscape plans and Chapter 4.8, Section 6.21 (Caddens) of Penrith Development Control Plan 2006.

### 10 A Special (BLANK)

Waste storage areas and clothes drying areas are to be concealed from the street and consistent with Part C(1) Section 2.9 Waste Planning of Penrith Development Control Plan 2006

## Heritage/Archaeological relics

### 11 C003 - Uncovering relics

If any archaeological relics are uncovered during the remaining course of the work no further work shall be undertaken until further directed by Penrith City Council or the NSW Heritage Office.

The applicant is advised that depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be recommenced in that area of the site.

## Environmental Matters

### 12 D001 - Implement approved sediment& erosion control measures

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

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

### 13 D006 - No filling without prior approval (Use always, except for bulk earthworks/ major fill operations)

No fill material shall be imported to the site until such time as a Validation Certificate(with a copy of any report forming the basis for the validation) for the fill material has been submitted to, considered and approved by Council.

The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

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

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

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

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

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

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

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

#### 15 **D009 - Covering of waste storage area**

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

#### 16 **D010 – Appropriate disposal of excavated or other waste**

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

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

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

### **BCA Issues**

#### 17 **E001 - BCA compliance**

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

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

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

#### 18 **E005 - Smoke detectors-interconnect**

The smoke alarms shall be interconnected so that the sounding of the alarm in one detector activates the alarm in all detectors.

### **Health Matters and OSSM installations**

#### 19 **F006 - Water tank & nuisance**

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

## Utility Services

### 20 [G001 - Installation of services and Service Clearances \(subdivision\)](#)

All services (water, sewer, electricity, telephone and gas) are to be installed within the proposed public roads before final inspection of the engineering works.

Prior **to the release of the linen plan**, the following service authority clearances shall be obtained:

- a Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. This is required prior to the issue of the Subdivision Certificate and
- a letter from Integral Energy stating that satisfactory arrangements have been made for electricity supply to all proposed allotments in the subdivision, including any necessary easements; and
- a letter from an approved telecommunications service provider that satisfactory arrangements have been made for underground telephone services to all proposed allotments in the subdivision, including any necessary easements.

These clearances are to be submitted to the Principal Certifying Authority.

### 21 [G002 - Section 73 \(not for](#)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate**.

### 22 [G004 - Integral Energy](#)

**Prior to the issue of a Construction Certificate**, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

## Construction

### 23 [H001 - Stamped plans and erection of site notice](#)

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

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

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

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

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

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

## 24 H002 - All forms of construction

Prior to the commencement of construction works:

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

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

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

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

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

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

## 25 H014 - Slabs/ footings

Residential slabs and footings shall be designed and certified by a qualified practising Structural Engineer or a suitably qualified person in accordance with the requirements of AS2870-1996 "Residential Slabs and Footings". Details are to be provided for consideration and approval **prior to the issue of a Construction Certificate**.

## 26 H015 - Termites

Details of the proposed termite management system shall be submitted for consideration and approval **prior to the issue of a Construction Certificate**. Council recommends that consideration be given to protection against subterranean termites in situations where termite resistant construction is used.

## 27 H030 – Roof finishes (rural property)

The external finishes of the dwelling are to be in accordance with the approved colour schedule

## 28 H041 - Hours of work (other devt)

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

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

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

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

## Engineering

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

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

- a) Provision of a vehicular crossings.
- b) Provision of private drainage connections to Council's road drainage system.
- c) Removal of redundant vehicular crossings and reinstatement of kerb and gutter.
- d) Opening the road reserve for the provision of services including stormwater.

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

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

### 30 [K202A - Infrastructure Bond](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the issue of a Construction Certificate**. The bond is based upon the estimated value of the works with a bond of \$2,500.00 payable for the subject development.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit website to obtain the form and request for final inspection.

### 31 [K208 - Stormwater Discharge \(Minor Development\)](#)

Stormwater drainage from the site shall be discharged to:

- a) The street drainage system

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

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

### 32 [K501 Roads Authority clearance](#)

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

## Landscaping

### 33 [L001 - General](#)

All landscape works are to be constructed in accordance with the stamped approved Landscape Concept Plan Numbered R04 by Universal Property Group and dated 11/06/14, Sections F5 "Planting Techniques", F8 "Quality Assurance Standards" and F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

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

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

#### 34 [L002 - Landscape construction](#)

The approved landscaping for the site must be constructed by a landscape professional listed in Council's Approved Landscape Consultants Register assuitable to construct category 2 landscape works.

#### 35 [L005 - Planting of plant](#)

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

#### 36 [L006 - Aust Standard](#)

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

#### 37 [L008 - Tree PreservationOrder](#)

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

### Subdivision

#### 38 [M008 - Linen Plan](#)

**Prior to the issue of a Subdivision Certificate**, the submission of the original Linen Plan and ten (10) copies is required. The Linen Plan must indicate that:

All drainage easements, rights of way, restrictions and covenants are to be included on the linen plan.

All dedications of roads/drainage are to be undertaken at no cost to Penrith City Council.

The following information is to be shown on one (1) copy of the plan.

- The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council's resolutions.
- All existing services are wholly contained within the lot served and/orcovered by an appropriate easement.

#### 39 [M014 - Surveyors certificate](#)

A Surveyors Certificate is to be **lodged with the application for a Subdivision Certificate** that certifies that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.

### Development Contributions

#### 40 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$5592.00 is to be paid to Council **prior to a Construction Certificate being issued** for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

#### 41 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$405.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

### Payment of Fees



42 **P001 - Costs**

All roadworks, dedications and drainage works are to be carried out at the applicant's cost.

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

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

## **Certification**

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

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

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

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

### Information to accompany the Notice of Commencement

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

# Appendix - Development Control Plan Compliance

## Development Control Plan 2006

### Part 6 - Site and area specific controls

#### Kingswood

#### 6.21 Caddens

<b>TABLE OF COMPLIANCE</b> <b>SEMI DETACHED DWELLINGS WITHIN THE CADDENS ESTATE</b> <b>(Penrith Development Control Plan 2006 – Caddens Amendment No. 4)</b>				
CLAUSE	STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
1.3	DCP Application	Figure 1 outlines the land to which this DCP Applies	Does the site fall within DCP Figure 1: Yes	Yes
2.2	Urban Structure	Figure 2 – Structure Plan outlines the intended structure principles	Does the proposal comply with Figure 2: Yes	Yes
2.3	Caddens Road Interface  (Refer to Figure 3)	Development facing Caddens Road is to:  <ul style="list-style-type: none"> <li>· Respond to the characteristics of the semi-rural edge.</li> <li>· Maintain, where possible, the character of Caddens Road as a rural road.</li> <li>· Address the street and comprise wider lots.</li> <li>· Provide larger front setbacks, fencing and landscaping in keeping with the semi rural locality.</li> </ul>	N/A	N/A

2.3	Hilltops  (Refer to Figure 3)	Development in the Hilltop areas are to:  · Respond to the topographical constraints  · Maintain views to hilltops and ridges.  · Minimise the height, bulk and scale of dwellings on steep slopes when viewed individually and collectively both from within and outside the locality  · Provide pedestrian / cycle links to open space.	N/A - Not identified as hilltop in Figure 3	N/A
2.4	Density	15 dwellings per hectare with precinct requirements as per Table 1 and Figure 4	Considered at time of subdivision	Yes
2.4	Housing Type	Diversity in housing type In accordance with Figure 5	Semi-detached housing permissible within the subject area as indicated in Figure 5	Yes
3.8	Bushfire	20m precautionary setback to the riparian corridor (Figure 18)  Verify this was addressed at the subdivision stage.	N/A – Located over 20m from Riparian corridor	Yes
3.11	Salinity	Review Figure 22 and if salinity affected, review salinity assessment report with the subdivision and any 88B restrictions imposed.	Proposed development located outside area indicated on Figure 22.	Yes
4.1	Min Lot Size	Semi Detached: Area: 225m <sup>2</sup> Width: 7.5m-10.0m  (Semi Detached must be integrated housing and subdivision)  Built to Boundary: Area: 350m <sup>2</sup> Width: 10m-15m	453m lot size in total with 24.3m and 12.3 frontage.  Proposed lots of 228m <sup>2</sup> and 225m <sup>2</sup>	Yes

4.2(1)	Design	<p>Comply with Figure 25 ensuring an entry feature is proposed and at least 2 additional design measures being:</p> <p>(a) balcony to any first floor element;</p> <p>(b) a variation in scale to adjoining properties;</p> <p>(c) architectural elements which recess or project by at least 600mm;</p> <p>(d) open verandah;</p> <p>(e) mix of building materials or finishes;</p> <p>(f) bay windows or similar features;</p> <p>(g) pergola or similar feature above garage doors.</p>	<p>i) Entry feature proposed: Enclosed portico feature to both dwellings</p> <p>(a) Not Provided</p> <p>(b) Provided - Proposal two storey and attached in comparison to adjoining single storey dwellings. Therefore appears greater in bulk and larger scale compared to adjoining premises.</p> <p>(c) Provided – Dwellings entry features stepped from primary building line, projecting roof elements and garages located behind primary building line</p> <p>(d) Not provided</p> <p>(e) Finishes and colour schedule provided - mix of materials with dominance of render and cladding on dwelling one and brickwork on dwelling two.</p> <p>(f) Not provided</p> <p>(g) Not provided</p>	Satisfactory - 3 design features adopted
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4.2(2)	Design - Corner Lots	<p>In addition to the above, the secondary street must include a window from a habitable room and at least two of the following:-</p> <p>(a) verandah;</p> <p>(b) vertical architectural elements to reduce the horizontal emphasis of the façade;</p> <p>(c) balcony;</p> <p>(d) an architectural element which recesses or projects from the façade by at least 600mm.</p> <p>(e) landscaping and/or fencing compatible with the treatments that have or will occur on neighbouring sites.</p>	<p>i) Window from more than one habitable room provided</p> <p>(a) Not provided</p> <p>(b) Provided – projecting entry features, patio's and pillars contribute to vertical elements and create variation on ground floor. Variation in finishes, fenestration and projecting gable-ends in roof line contribute to variation in first floor.</p> <p>(c) Not provided</p> <p>(d) Provided - No single architectural element provided however projecting entry features and patio's, recessed garages and variable first floor design all contribute to design differentiation</p> <p>(e) Satisfactory - Strong landscaping along both boundaries. Fencing style considered appropriate and sympathetic to materials of dwellings</p>	Satisfactory - 3 design features adopted
4.2(3)	Eaves	Min eave: 450mm overhang (600mm encouraged).	450mm eaves	Yes
4.2(4)	Roof Treatments	Roof clutter (solar panels, satellite dishes etc) should not be prominent from the street.	Not indicated – However recommended to be conditioned to ensure compliance	Conditioned
4.2(3)	Finishes	Predominantly neutral and varied across elevations.	Mix of materials - Dominance of render mixed with horizontal cladding and metal architectural features entry portico. Finishes predominately neutral with variation in palette across dwellings satisfactory.	Satisfactory

4.2(b)	Mirror Imaging	Exact mirror imaging is not permitted.  Minimum 2 different design features to be adopted.	Not mirror image – dwellings orientate to different frontages.  Additionally: - entry features vary in design and projection, - roof line variable across the plane, - differences in variety of window treatments, - finishes variable across both dwellings.  Two different design features have been adopted (see 4.2(1) and (2)).	Satisfactory
4.3(1)	Height	Refer to Figure 26  Generally max 2 storey	Two Storey	Yes
4.3(3)	Solar Access	Min 50% of principal private open space for both lots and adjoining properties to achieve 3hrs between 9am – 3pm on 21 June.	100% of PPOS for both dwellings/lots achieve over 3 hours solar access with orientation to the north.  Single dwelling only to north therefore proposed lots will not be subject be substantial overshadowing from existing dwelling.	Yes
4.3(4)	Upper Storey	Lots = or > 450m <sup>2</sup> (upper level to be no more than 30% of lot area)	Lots <450m <sup>2</sup>	N/A

<p>4.4(1) &amp; 4.9(2)</p>	<p>Setbacks (Table 3 and Figure 27)</p> <p>NOT FOR CADDENS ROAD / CORNER LOTS – REFER TO DCP FOR SEPERATE STANDARDS</p>	<p>Semi-detached Front: 3.0m Side: 0.9m &amp; zero Rear 4.0m</p> <p>Limited projections are permitted within side and rear setbacks.</p> <p>Garages: 1.0m behind building line <u>with a minimum 5.5m setback</u> Additional 1.0m articulation zone permitted for entry features, awnings, eaves, balcony or bay windows</p>	<p>Front: 4.5m Side: 1m and zero to side boundary Rear: 2m min - <b>Does not comply.</b></p> <p>However, following justification provided:</p> <p><i>The objectives of the setback requirement are 'to minimise the impacts of development on neighbouring properties in relation to views, privacy, and overshadowing'. the proposed development will satisfy these objectives through orientation and building design that includes stepping in of the building from the northern and eastern boundaries to reduce overlooking and overshadowing impacts and provide 'breathing space' between dwellings; and windows that are offset from adjoining windows to the north and east to minimise privacy impacts.'</i></p> <p>Variation considered worthy of support with the variation in rear setback unlikely to heighten impact of development as - Windows are offset with first floor windows generally non-habitable rooms, and - Due to orientation will not create overshadowing issues to dwelling north. Garage at least 1m behind building line with 5.5m setback.</p> <p>N/A</p>	<p>Satisfactory - variation worthy of support</p>
<p>4.5(1)</p>	<p>Built to Boundary (most appropriate for semi detached housing)</p>	<p>The zero lot line must not adversely affect solar access to an adjoining property.</p>	<p>PPOS in north of sites. Therefore zero lot boundary will not affect solar access</p>	<p>Satisfactory</p>

N/A	Sloping Land / Cut and Fill	<p>Comply with Figure 33</p> <p>Max finished floor level above natural ground of 1.0m. Split level design required if &gt;1.0m</p> <p>Maximum side boundary cut and fill of 1.0m unless lot exceeds 10% slope. Refer to DCP if this is relevant.</p> <p>Retaining walls forward of garage line must be masonry construction and compliment the house.</p> <p>On front to back slopes, rear boundary retaining walls should be a maximum 1.8 metres in height and retain a maximum cut of 1.5 metres in height, provided that there is a minimum one (1) metre wide terrace between the face of the wall and the fence line.</p> <p>Sites gradients in excess of 10% are to have specific regard to specialised design requirements in the DCP.</p>	<p>Complies with Fig 33.</p> <p>FFL 800mm above natural ground = complies</p> <p>Max side boundary cut of 200mm.</p> <p>No retaining wall proposed</p> <p>N/A - Not steep enough site for retaining wall</p> <p>Site not in excess of 10% gradient.</p>	Satisfactory
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N/A	Private Open Space	<p>Min 20% of lot area with a minimum dimension of 2m.</p> <p>The primary area should be min 16m<sup>2</sup> with minimum 3m dimension.</p> <p>Accessed off living areas and suitably private (min 1.0m fence or landscape screen)</p>	<p>20% for Lot 1 (i.e. 228m<sup>2</sup> lot) and over 30% for Lot 2 (i.e. 225m<sup>2</sup> lot) each lot with minimum dimension of 4m.</p> <p>Lot 1 private open space includes Weema Road frontage patio and enclosed area within fencing. Considered a second private open space and worthy of support</p> <p>Complies - 30m<sup>2</sup> and 45m<sup>2</sup> with 6m dimension</p> <p>Complies – accessed off dining/living areas</p>	Yes
N/A	Site Coverage	<p>Maximum 65% site coverage</p> <p><i>(not 70% as per DCP due to landscape requirements)</i></p>	Approximately 48% site coverage for both proposed lots	Yes
N/A	Landscaping	Min 35% and must be detailed on a landscape plan.	36% and 50% for both proposed lots	Yes
N/A	Ancillary Features	Garbage bin storage and clothes drying areas are to be screened from view.	Indicated on site plan – behind primary building line	Yes
N/A	Fencing  (Not Caddens Road)	<p>Secondary street fencing: min 900mm setback for lots = or &gt; 17m.</p> <p>Metal sheet fencing not permitted.</p>	<p>900mm provided with substantial vegetation</p> <p>Brick pier fence with timber infill provided</p>	Yes

N/A	Garages	<p>Front loaded double garages only permitted on frontages of 12.5m or greater.</p> <p>Max garage dimension: 50% of front facade, 6.0m in width and 2.4m in height.</p> <p>Garage and carports to be integrated into dwelling design.</p> <p>Min internal garage dimensions: Single: 3.0m Double: 5.5m</p> <p>Driveway width max: 4.5m at front boundary and 1.5m from street trees.</p>	<ul style="list-style-type: none"> <li>- Single garage only for each dwelling</li> <li>- 37% garage door across total front facade of each dwelling, less than 2.5m in width and 2.4m in height</li> <li>- Integrated into design.</li> <li>- 3m internal garage dimension</li> <li>- 3m driveway width at boundary. Greater than 1.5m from street tree.</li> </ul>	Satisfactory
N/A	Overlooking	<p>Minimum privacy loss, overlooking and ensure direct sight lines are addressed by high sill windows, obscure glazing, fencing and landscaping treatments.</p> <p>Bedrooms of one dwelling are not to share walls with living spaces or garages of the attached dwelling,</p>	<p>Not considered any notable privacy issues.</p> <p>Fencing of standard 1.8metre height.</p> <p>Ground floor windows to north have been offset with all bedroom and bathroom windows on first floor considered low use rooms. Additionally, walls stepped to northern and eastern elevations to provide greater separation between dwellings and adjoining lots.</p> <p>Bedroom 5 shares bedroom with living area, however majority of bedrooms on first floor and therefore considered satisfactory.</p>	Satisfactory
N/A		<p>Min floor to ceiling heights of 2.65m on ground and 2.4m for upper floors.</p> <p>BASIX Certificates required.</p>	<p>2.95 m proposed on ground floor and 2.45m on first floor. Reviewed by Council's building surveyor and complies with BCA.</p> <p>Basix Certificates provided and compliant as shown on plans.</p>	Yes