

STATEMENT OF ENVIRONMENTAL EFFECTS

LOT 7, DP 21745

62 Warwick Street

Penrith, NSW, 2750

This Statement of Environmental Effects has been prepared to support a proposed dual occupancy (detached) & strata subdivision development.

November 18, 2021

HDC
Haskew de Chalain
PLANNING

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1 Introduction

This report has been prepared as a Statement of Environmental Effects in assessment of a Development Application proposing a **dual occupancy (detached) & strata subdivision**. The subject property is officially described as Lot 7, DP 21745, known as, **No. 62 Warwick Street, Penrith**.

The report is submitted in accordance with Clause 50(1)(a) of the *Environmental Planning and Assessment Regulation 2000* ("the EPAA Regulation 2000"). The purpose of this Statement of Environmental Effects is:

- To provide a description and general information about the site and the proposed development in accordance with Clause 1 of Schedule 1 of the EPAA Regulation 2000.

In accordance with Clause 2 of Schedule 1 of the EPAA Regulation 2000, to provide the following information:

- The environmental impacts of the development;
- How the environmental impacts of the development have been identified; and,
- The steps to be taken to protect the environment or to lessen the expected harm to the environment.
- To address the above statutory requirements, the report considers the following matters:
- Description of the site, surrounding development and the wider locality;
- Description of the proposed development;
- Assessment of the proposed development in accordance with all statutory controls and Council's Development Control Plan (DCP); and,
- A broader environmental assessment of the proposal, having regard to the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act 1979 (The EPA Act 1979).

The proposed residential development for a detached dual occupancy development (with strata subdivision) will occur upon land zoned R2 Low Density Residential. *Dual occupancies* is a permissible land use within this zone and the proposed building configuration meets the definition of the sub-

category 'dual occupancy (detached)'. Strata subdivision is a permissible form of subdivision which is notably excluded from the minimum lot size criteria established in clause 4.1 having regard to 4.1(4), of the Penrith LEP 2010.

"dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

Note. Dual occupancies are a type of **residential accommodation**—see the definition of that term in this Dictionary.

dual occupancy (detached) means 2 dwellings on one lot of land, but does not include a secondary dwelling.

Note. Dual occupancies (detached) are a type of **dual occupancy**—see the definition of that term in this Dictionary."

***PLEP2010 Dictionary extracts**

The subject property has a total area of 830 sqm (approximately) and development as proposed satisfies the Penrith Local Environmental Plan 2010, and the Penrith Development Control Plan requirements.

Provided with this Statement of Environmental Effects are architectural plans and the necessary supporting documentation to enable the determination of the development application. The site, proposal and development controls are discussed, and with a Section 4.15 summary assessment of the proposal, forms the required Statement of Environmental Effects.

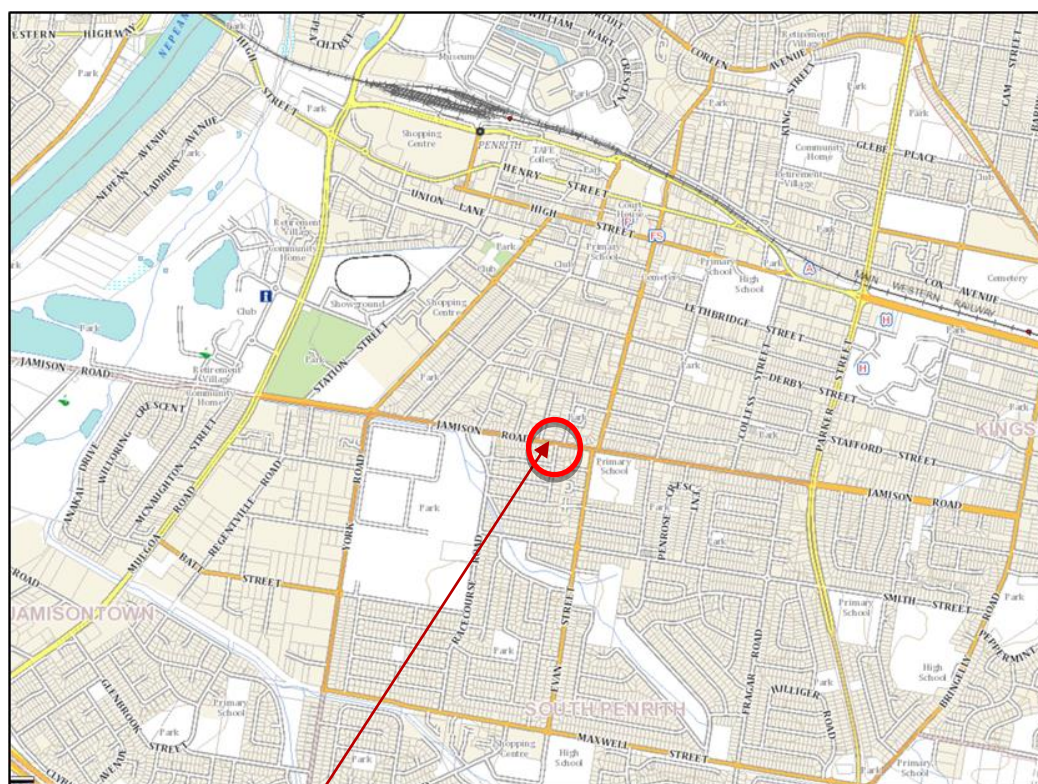
2 Site details

2.1 SITE DESCRIPTION

The subject site is situated on the northern side of Jamison Road and the eastern side of Warwick Street. The site is comprised of a single allotment which will host the proposed development. The subject site is situated on the corner of Warwick Street and Jamison Road with the immediate locality containing a mix of residential dwelling forms, including styles from multiple eras. The range of built forms results in a character in the area that is not typical with the constant being that most of the houses are moderate in scale and either single or two storey. There is additional detail regarding the character of the area and the subject dwelling and site within the HIS (heritage impact statement).

The corner site has its primary street frontage of 18 metres to Warwick Street, with secondary frontage of 46 metres to Jamison Road. The subject site has an existing two storey dwelling with garage as the primary site built improvements along with existing fencing elements. The site is relatively level and affords the proposal a building platform area appropriate for conventional construction methods which can be utilised in the construction of the new dwelling.

Figure 1 shows the site within a regional context, Figure 2 shows the site within its local context and Figure 3 provides a close up view of the site.



Subject Site

Figure 1: Site Location (Regional Context)



Figure 2: Site Location (Local Context)

Subject Site



Figure 3: Aerial Photograph (Detailed Site View)

Subject site

2.2 EXISTING DEVELOPMENT

Existing improvements over the site consist of a two-storey residential dwelling with garage, sited towards the Warwick Street front boundary, with vehicular access driveway serving the garage accessed from Jamison Road.

The existing dwelling on the site has been the subject of a recent consent issued in August, 2021 relating to a permissible 'home business' use.

Reference should be made to the following figures for a visual representation of the existing development over the subject site as viewed from the public domain.



Figure 4: Site location viewed from Warwick Street

2.3 VEGETATION

Site vegetation is comprised of predominately trees of varying height and maturity, with a significant cluster located within the street front setback area facing Warwick Street. This vegetation provides significant screening and a filtered view of the existing dwelling from Warwick Street. The site has additional trees and shrubs distributed around the site, as identified on the site plan and survey. The extent of tree retention and removal is detailed within the accompanying arborist report. It should be noted that the development design has attempted to ensure significant trees are protected and retained to the benefit of the site and the surrounding and adjoining properties. In addition to the trees and shrubs detailed in the survey

and site plan, the curtilage of the site area around the existing dwelling has lawn and low lying vegetation with very little paving or impervious hard surface areas.



Figure 5: Site location viewed from Jamison Street

2.4 SITE CONTEXT

The subject site is located within a R2 Low Density Residential zone with R3 Medium Density Residential zone precincts situated approximately 250m away to both the east and the west of the site.

Properties in the locality are typically served by soft landscaping treatments with general street front setback areas detailing various fencing materials heights and configurations, which are generally subordinate to the landscaping and established plantings of garden areas.

The site is well located in terms of access to public transport with bus stops within close proximity to the site and Penrith train station located approximately 1.3 km to the north west.

2.5 LOCAL SERVICES

A full range of services including, public transport, shopping, professional and educational facilities are accessible within the wider Penrith locality.

2.6 SUITABILITY OF THE SITE

The key opportunities from which the proposed development responds are:

- The development site is located in an area which is experiencing and will continue to experience significant redevelopment.
- The development site is of proportions able to support development of the scale proposed.
- The site is within close proximity to existing retail and commercial services which will serve the occupants of the proposed dual occupancy development suitably.
- The site is well located with regard to the localities public transport services.
- There is ample area available on the site to accommodate the proposed detached dwelling such that impacts upon amenity will be minimal and within reasonable and acceptable levels having regard to the development design.
- The bulk and scale of the development is wholly consistent with the existing development in the locality.
- The character of the built form is wholly consistent with the character of the existing development in the locality.

3 Proposed Development

3.1 OVERVIEW

This site is zoned R2 Low Density Residential. This zoning permits development of the type that is proposed. It is argued that this proposal will enable the site to be developed in accordance with the applicable development standards and satisfying zone objectives. These are comprised of the following:

- The existing sole occupancy dwelling, garage and street front boundary fencing will remain as to preserve the natural street frontage of Warwick Street and Jamison Road.
- A detached dual occupancy building (dwelling) is proposed to be erected and will have a front setback aligning (or further setback) with the established building line on both the Warwick Street and Jamison Road frontages.
- The erection of the new dual occupancy (detached) development will involve removal of minor vegetation from the yard area of the subject property, and replacement with landscaping elements.
- The proposed dual occupancy design is not inconsistent with the forms of residential development in proximity to the site and within the general locality, noting there is a range of dwelling construction and low density housing forms and styles.
- The dual occupancy configuration, siting and design inclusions are not considered to have a discernible adverse impact upon the character of development in the immediate locality and the scale and built form is considered to be both appropriate and a positive contribution to the locality and has given due regard to the corner site and secondary street (Jamison Road) and the spatial separation from properties within the site's proximity.
- The strata subdivision scheme is simple (2 lots, no common property proposed) and delineates ownership of two strata lots without being inconsistent to DCP outcomes and zoning objectives.
- The proposal is wholly consistent with the objectives and intended outcomes for the R2 Low Density Residential zone.

With respect to orderly planning outcomes, this proposal was deemed appropriate after review of the relevant planning controls for the property and the Penrith locality. This proposal is generally consistent with the objectives and requirements of the Penrith Local Environmental Plan 2010 (PLEP2010) and the Penrith Development Control Plan (PDCP).

This proposal is considered to be consistent with the objectives and requirements of these documents, and the proposal is detailed in the architectural drawings included as part of this application.

3.2 DEVELOPMENT DATA

The project architect has provided a summary of development data as produced below.

CALCULATIONS

Site	
Area (sq/m)	832.8
FSR Proposed	
Area (sq/m)	294.782
Allowable Area (sq/m)	508.2
Landscape Proposed	
Area (sq/m)	393.187
Allowable (sq/m)	316.4
Site Coverage	
Site Coverage	266.297
Area (%)	31.976

Figure 6: Site calculations data table

The project architect has nominated the strata subdivision lots as detailed in the strata plan of subdivision.

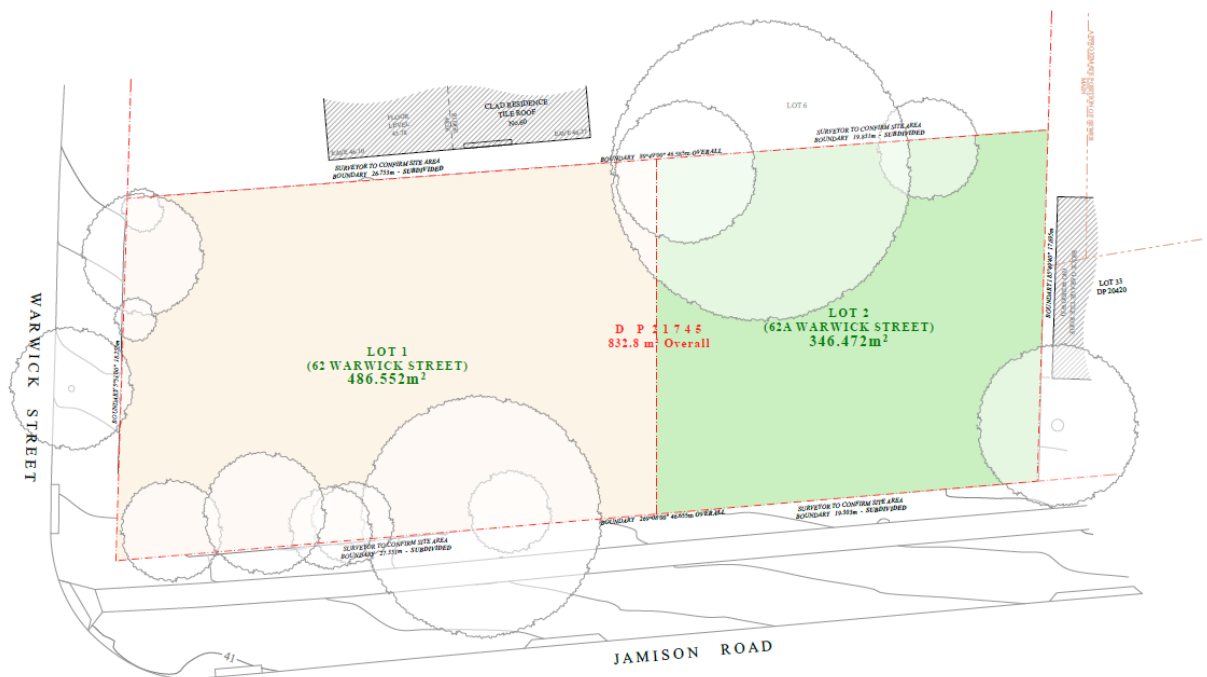


Figure 7: Site plan of proposed strata subdivision

3.3 WASTE MANAGEMENT

The design includes waste and recycling bin storage space available in the rear setback of the existing building and the proposed new dual occupancy dwelling (detached). These will also utilise access to the street (for collection) from the driveway.

3.4 ENVIRONMENTAL MANAGEMENT

This proposed development will seek to ensure the subsequent construction waste is handled, separated and sorted appropriately for best reuse, recycling and or disposal outcomes. The proposed dwelling will adopt and implement the current residential waste and recycling program serving the Penrith locality, consistent with Council's waste management practices and policies. The development proposal to erect one new dwelling which will achieve BASIX commitments represents a more efficient and sustainable long term use of the property. This development will result in the provision of high quality residential housing that is both viable and desirable in the locality, having regard to current building practices implementing BASIX requirements and objectives.

3.5 VEHICULAR ACCESS AND PARKING

The development design identifies car parking which is existing for the established dwelling adjacent Warwick Street, but which is served access via a driveway from Jamison Street. The new proposed dual occupancy dwelling has an attached carport design which is also served access via a driveway from Jamison Street. Car parking design and car space numbers are able to comply with Council's development controls. Spaces have been designed to allow for adequate maneuvering area and to comply with Australian Standards.

3.6 OVERSHADOWING

The siting, height and setbacks of the new detached dwelling, with the first floor rooms contained within the pitched roof form, is such that solar access diagrams are not required to demonstrate the compliance with Council's solar access controls. The dwelling appears as a single storey built form and has similar impacts relating to potential shadows cast by the proposed development. The building design does not unreasonably impact on the adjoining premises in the vicinity of the subject site with regard to possible overshadowing.

3.7 LANDSCAPING

The development site has had an extensive and detailed landscape design plan prepared which when fully installed and undertaken would result in significant landscape enhancements and improvements appropriate for the proposed development outcomes for the site and importantly the site's occupants. **Reference should be made to the landscape plan.**

4 Relevant Planning Controls

The relevant environmental planning instruments and development controls are outlined below and comment on compliance provided.

4.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIAL ACTION OF LAND

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no identified prior land uses. In this regard, it is considered that the site poses little or no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

4.2 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The relevant clauses of the Penrith Local Environmental Plan 2010 are addressed below.

4.2.1 Zoning

The site is zoned R2- Low Density Residential. The objectives of the zone and land use table are as follows:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.
- To enhance the essential character and identity of established residential areas.
- To ensure a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Shop top housing; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

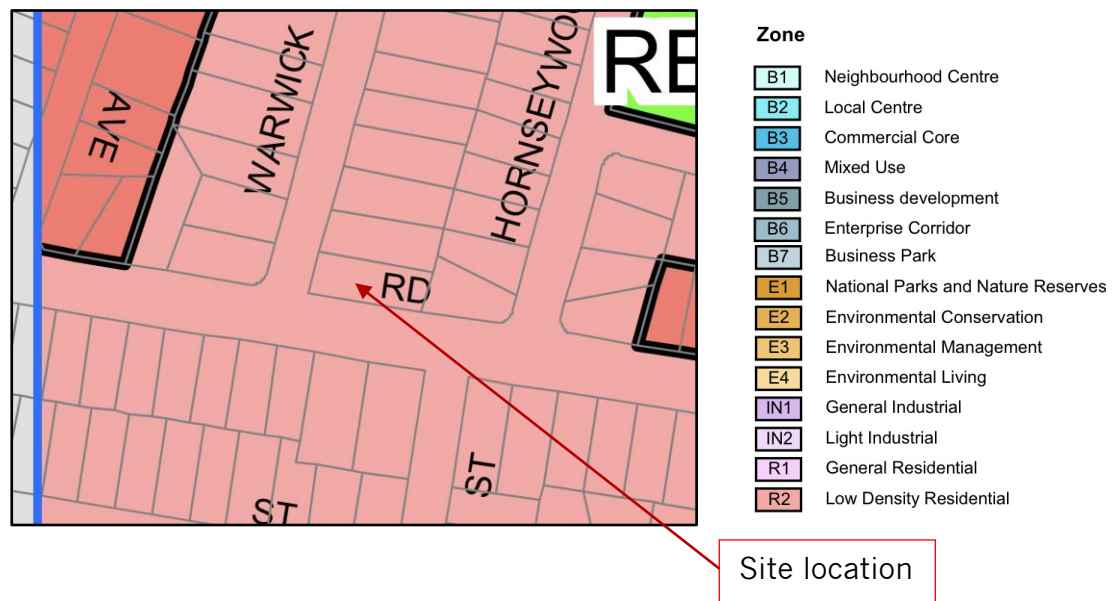


Figure 14: LEP Land use Zone Map.

4.2.2 Consistency with Zone Objectives

The objectives of the R2 Low Density Residential zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.
- To enhance the essential character and identity of established residential areas.
- To ensure a high level of residential amenity is achieved and maintained.

It is considered that the proposed development satisfies relevant zone objectives. That is, this proposal will:

- Provide for the housing needs of the community, whilst being consistent with the anticipated bulk, form and scale of the low density residential character of the area;

- Provide for the orderly development of the land through the preservation of the existing dwelling and the erection of a new dwelling.
- The two dwellings on the site, with the newly constructed building works and strata subdivision, will achieve desirable sustainable building outcomes.
- The proposed development has the opportunity to better utilise the site, provide a quality development with two residences with a site configuration which has been designed to respond well to the existing surrounding residential developments.
- The development will renew the existing landscaped improvements on site with the proposed landscaping detail looking to enhance the site and immediate locality with an increase of canopy trees of suitable species, without detriment to the site and or neighbouring residences.

4.2.3 Permissibility

Land uses permitted with consent within the R2 zone include:



*Bed and breakfast accommodation; Boarding houses; Building identification signs; Business Identification signs; Centre-based child care facilities; Community facilities; **Dual occupancies**; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Shop top housing; Tank-based aquaculture*





The proposed development is seeking approval of a *Dual occupancy* development on the subject site. As noted above, dual occupancies and attached dwellings are permissible in the R2 Low Density Residential zone.

4.2.4 PART 4 - Principal Development Standards

Part 4 of the LEP sets out Principal Development Standards. However, as detailed below, the most relevant standards are those contained in Part 6 of the LEP pursuant to Clause 6.9. Those relevant to the subject site are summarised in the following table.

LEP Development standard	Control
Height of Buildings (cl. 6.9) Maximum Building Height (m) <div style="display: flex; align-items: center; margin-bottom: 5px;"> <div style="border: 1px solid black; background-color: #e0f7fa; padding: 2px 5px; margin-right: 5px;">A</div> 0 </div> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <div style="border: 1px solid black; background-color: #bbdefb; padding: 2px 5px; margin-right: 5px;">C</div> 5 </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; background-color: #c8e6c9; padding: 2px 5px; margin-right: 5px;">I</div> 8.5 </div>	The subject site has a maximum height of building of 8.5m, as nominated by clause 4.3 via the Height of Buildings map. The proposed development identifies that it will fully comply with the maximum height limit of 8.5m, with a ridge height of approximately 8.1m.

LEP Development standard	Control												
	<div data-bbox="1010 488 1246 562" data-label="Text"> <p>Site location</p> </div>												
<p data-bbox="331 622 655 656">Minimum Lot Size (cl 6.9)</p>  <p data-bbox="376 1077 783 1111">Minimum Lot Size (sq m)</p> <table data-bbox="389 1144 564 1503"> <tbody> <tr> <td data-bbox="389 1144 472 1189">B</td><td data-bbox="509 1144 564 1178">225</td></tr> <tr> <td data-bbox="389 1200 472 1245">F</td><td data-bbox="509 1200 564 1234">400</td></tr> <tr> <td data-bbox="389 1267 472 1312">G</td><td data-bbox="509 1267 564 1301">450</td></tr> <tr> <td data-bbox="389 1335 472 1379">K1</td><td data-bbox="509 1335 564 1368">550</td></tr> <tr> <td data-bbox="389 1402 472 1447">K2</td><td data-bbox="509 1402 564 1435">560</td></tr> <tr> <td data-bbox="389 1469 472 1514">M</td><td data-bbox="509 1469 564 1503">600</td></tr> </tbody> </table>	B	225	F	400	G	450	K1	550	K2	560	M	600	<p data-bbox="983 640 1437 931">The subject site parameters fully comply with the minimum lot size requirements. Furthermore PLEP2010 outlines minimum lot size requirements for detached dual occupancies. In the case of the proposed development the control is 750 square meters. The site is 832.8m².</p> <div data-bbox="983 1055 1198 1122" data-label="Text"> <p>Subject site</p> </div> <p data-bbox="983 1189 1437 1368">Strata subdivision is not restricted by minimum lot size development standards and is notably excluded from the clause 4.1 provisions through 4.1, subclause (4).</p>
B	225												
F	400												
G	450												
K1	550												
K2	560												
M	600												

LEP Development standard	Control
 <p>Heritage</p> <ul style="list-style-type: none">  Conservation Area - General  Item - General  Item - Archaeological 	<p>The PLEP2010 provides a heritage identification map, the site in question whilst not being a heritage item itself it has been identified as being in a heritage conservation area. Details on how the proposed development will impact the sites heritage status have been detailed within the HIS (heritage impact statement) report which accompanies this application.</p> <div data-bbox="983 672 1201 741">Subject site</div>

5 Assessment of Environmental effects

In determining the environmental effects of a development proposal' the consent authority, is required to consider those matters relevant as listed in section 4.15 of the Environmental Planning and Assessment Act, 1979. These matters are listed below with commentary where required.

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS - SECTION 4.15(1)(A)(I)

The relevant environmental planning instruments have been identified and discussed in section 4 of this statement. This proposal is permissible subject to the provisions of the *Penrith Local Environmental Plan 2010* and it is considered that the provisions of all relevant environmental planning instruments have been satisfactorily addressed within Section 4 of this statement.

5.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS - SECTION 4.15(1)(A)(II)

At the time of preparing this application there were no draft planning instruments which would affect this site.

5.3 DEVELOPMENT CONTROL PLANS - SECTION 4.15(1)(A)(III)

The Penrith Development Control Plan applies to this proposal and it is argued that the proposal is consistent with the aims and objectives of the DCP and generally compliant with the specific controls applicable to the site and the type of development proposed. A summary of the relevant controls prescribed by the DCP and commentary is proved at appendix 1.

While the DCP is a relevant consideration when making a determination of this proposal, Council is reminded that the proclamation of the Environmental Planning and Assessment Amendment Act 2012 on 1 March 2013 confirmed the status and weight that should be placed on development control plans when making a determination of a development application. The amendments to the Environmental Planning and Assessment Act 1979 clarified the purpose, status and content of development control plans (DCPs), and how they are to be taken into account during the development assessment process.

The Amendment Act makes it clear that the principal purpose of a DCP is to provide guidance to a consent authority on land to which the DCP applies.

The Amendment Act reinforces that the provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Furthermore, it should be noted that the weight a consent authority gives to a DCP in assessing a development application will depend on a number of factors, including whether the DCP provides a sensible planning outcome.

The Amendment Act confirms that Council can confidently apply development control plans flexibly and if a development application does not comply with provisions in a DCP, a consent authority must be flexible in the way it applies the controls and also allow for reasonable alternative solutions to achieve the objectives of those standards.

Reference should be made to Appendix 1 of this statement.

5.4 ANY PLANNING AGREEMENT - SECTION 4.15(1)(A)(IIIA)

No planning agreement is proposed.

5.5 THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH) - SECTION 4.15(1)(A)(IV)

Clause 92 of the Environmental Planning and Assessment Regulation 2000 requires that in the case of development involving demolition of a building the provisions of Australian Standard AS 2601 – 2001: The Demolition of Structures need to be taken into consideration. The location of the proposed detached dwelling (dual occupancy) does not require demolition of any outbuildings or structures other than as referenced within the HIS report and in this regard any and all recommendations related to demolition are addressed within the HIS.

5.6 ENVIRONMENTAL AND SOCIAL IMPACTS - SECTION 4.15(1)(B)

Section 4.15(1)(b) requires the consent authority to consider:-

“(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.”

The relevant matters are addressed below.

5.6.1 Impacts on The Natural Environment

This proposal is thought to have a minor impact on the natural environment and its features.

5.6.2 Impacts on The Built Environment

Bulk and scale

The proposed design is of a scale which meets the objectives of Council's LEP and DCP controls which permits development at the scale proposed for this location. The proposed development will achieve the desired bulk and scale sought by Council.

The proposed building envelope is of a scale which meets the objectives of Council's LEP and DCP controls which permits development at the density and scale proposed.

Overshadowing

Noting the detached dwelling design is single storey in appearance (with the upper floor level rooms contained within the roof) and setbacks are both compliant and appreciable, solar access diagrams were not deemed necessary to demonstrate the impact of shadows cast by the proposed development. The development does not impact neighbouring properties significantly with regard to overshadowing.

Privacy and visual impacts

The proposed building envelope will not give rise to significant adverse privacy or visual impacts. The building envelopes as proposed have been established with respect to the relevant development standards within the Penrith Local Environmental Plan and Penrith Development Control Plan. The siting, orientation, and location of windows, glazed elements and private open space areas are such that privacy and visual impacts will be acceptable.

Acoustic

Development contained within the building envelope as proposed for the dual occupancy residential land use are not likely to give rise to adverse acoustic impact.

Traffic and parking

Parking provisions for the respective dwellings (detached dual occupancy) with satisfactory access is proposed.

Social and economic impacts

It is to the benefit of the local government area to develop the site with the appropriately designed detached dual occupancy residential development. An increase in residential accommodation in the locality will enhance the economy and provide housing stock opportunity in a location highly convenient to services and transport.

5.7 THE SUITABILITY OF THE SITE - SECTION 4.15(C)

Section 4.15(c) requires the consent authority to consider:

"(c) the suitability of the site for the development."

The existing development site and the adjacent sites do not provide any constraints which would render the site unsuitable for development as proposed.

5.8 SUBMISSIONS - SECTION 4.15(D)

Section 4.15(d) requires the consent authority to consider:

"(d) any submissions made in accordance with this Act or the regulations".

Any relevant submissions will require consideration by the consent authority in the determination of this proposal. The applicant will also seek the opportunity to respond to submissions if received after exhibition of this proposal.

5.9 PUBLIC INTEREST - SECTION 4.15(E)

Section 4.15(e) requires the consent authority to consider:

"(e) the public interest".

The public interest is best achieved by the orderly and economic use of land for permissible purposes that do not impact unreasonably on development and/or enjoyment of surrounding land. In this case, it is considered that this proposal represents an efficient, orderly and economic use of land while also satisfying a market demand for residential housing.

The proposal is in the public interest as it will:

- Allow for development of an appropriately zoned and serviced site;
- Allow for development of an underutilised site; and,
- It will enable the provision of a sensitively designed residential development in an area close to services and transport.

5.10 DEVELOPMENT CONTROL PLANS- SECTION 4.15(3A)

Section 4.15(3A) of the Act the Environmental Planning and Assessment Act, 1979 requires Councils to be flexible in applying any provisions that apply to a proposal and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

As detailed in this statement, the proposed development is generally compliant and does not require a flexible application of the Penrith DCP as the proposal meets the applicable objectives of the controls and will provide a high level of amenity for future occupants, without adversely impacting on the natural, social and built environments.

5.11 STRATA SCHEMES DEVELOPMENT ACT 2015 (SSDA2015)

This development application seeks approval for a strata subdivision scheme for the detached dual occupancy residential development. The dual occupancy development is able to readily satisfy Council's desired outcomes and objectives having regard to the minimum lot size and appropriate design configuration on the site. The development respects and addresses the relevant controls which determine appropriate building bulk and scale, character and context for the locality, and the new dwelling particulars have afforded both future occupants and existing occupants of the dwelling on site, and neighbouring residences, satisfactory amenity outcomes.

The proposed strata subdivision provides for delineation of the available outdoor spaces and areas for the two dwellings, and would address common site connections to all services, including water, sewer, power, gas, phone/internet/cable/NBN.

The development proposal as designed, and with the strata scheme as indicated in the proposed site strata plan of subdivision, is considered to be consistent with all applicable Council and State policy requirements and is able to be supported and approved as part of this development application.

6 Conclusion

This Development proposal is seeking consent for a **dual occupancy (detached) and strata subdivision**. This proposal is appropriate when consideration is given to the relevant development standards and controls.

The proposal results in a positive addition to the Penrith residential precinct and for the immediate locality surrounding Warwick Street and Jamison Street. The development design has been tailored to address compliance provisions, to provide for the minimisation of adverse impacts relating to the surrounding locality and properties adjoining the site. The proposed development on Lot 7, DP 21745, known as, **No. 62 Warwick Street, Penrith**, is appropriate considering all State and Council controls.

The design appearance reflects the character of the locality with comparable scale development to the site and the surrounding residential development. The design of the development has given due regard to the corner site and two street frontage lot. The existing and future desired character of the Penrith residential locality, and the range of residential development scale and built forms available through the R2 low density residential zone and planning controls sees the subject development reflect the intended outcomes for the area.

When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development satisfactorily addresses the planning development criteria and is considered worthy of Council's favourable consideration and approval.

7 Penrith DCP Extracts

Table of relevant clauses that apply to the development application

Clause	Guidance	Comment	Compliance
C7 Culture and Heritage			
7.1. European Heritage			
7.1.3. Heritage Conservation Areas	<p>C. Controls</p> <ol style="list-style-type: none"> 1) Any Heritage Impact Statement for development that may impact on a heritage conservation area must address the following (at a minimum): <ol style="list-style-type: none"> i. The heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance; ii. The impact that the proposed development would have on the heritage significance of the heritage conservation area; iii. The compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development; iv. The measures proposed to conserve the significance to the heritage conservation area and its setting; v. Whether any landscape or horticultural features would be affected by the proposed development; vi. Whether any archaeological site would be adversely affected by the proposed development; vii. The extent to which carrying out of the proposed development would affect any historic subdivision pattern; and viii. The issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application. 2) New development within a heritage conservation area is to be sited and designed so as not to adversely impact upon the existing or original landscape and spatial qualities of the area. 3) New buildings are to complement existing buildings of significance with respect to bulk, scale and façade geometry, and be of a simple, contemporary design that avoids 'heritage style' replication of architectural or decorative detail. 	The heritage impact statement in its current form addresses all of the points listed in clause 7.1.3	Yes
7.1.4. Design Guidelines	<p>C. Controls</p> <p>1) Site Planning</p> <p>Any new development should be positioned to ensure that the visual prominence, context and significance of the existing heritage item and its setting are maintained.</p> <p>Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or heritage conservation area. Existing patterns should be maintained in new development to continue the established rhythm of buildings and spaces.</p> <ol style="list-style-type: none"> a) Development should conform to the predominant front setbacks in the streetscape. b) Development should respect side setbacks and rear alignments or setbacks of surrounding development. c) Front and rear setbacks should be adequate to ensure the retention of the existing landscape character of the 	The proposal in its current form complies with council's controls on site planning in regards to heritage development	Yes

	<p>heritage item or conservation area and important landscape features.</p> <p>d) Any significant historical pattern of subdivision and lot sizes is to be retained. Subdivision or site amalgamation involving heritage items or contributory buildings should not compromise the setting or curtilage of buildings on or adjoining the site.</p> <p>2) Alterations and Additions This section includes general provisions for alterations and additions to heritage items.</p> <p>a) Single storey additions may comprise the following forms:</p> <ol style="list-style-type: none"> Linked pavilions; Attached wings; Detached pavilions; and Attached L-shaped wings. <p>b) Additions should not extend beyond side boundary setbacks.</p> <p>c) Attached additions shall have wall indentations to clearly separate the old from the new and articulate wall length.</p> <p>3) Subdivision and Site Analysis The subdivision of land upon which a heritage building is located has the potential to isolate the building from its setting thereby reducing its cultural or historical significance.</p> <p>The setting of a heritage building is often referred to as the curtilage and may include the immediate garden, mature trees, original allotment boundaries, paddocks, fencing, outbuildings, archaeological sites, views/vistas or any other feature or space which allows a greater understanding of its historical context. The curtilage is therefore essential for retaining and interpreting the heritage significance of that building.</p> <p>a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.</p> <p>b) In determining the curtilage of a heritage building, consideration is to be given to the following:</p> <ol style="list-style-type: none"> The original form and function of the heritage building: The type of structure that constitutes the heritage building should be reflected in the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building; Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage. <p>c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:</p> <ol style="list-style-type: none"> The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit; Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained; If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and Curtilages shall be retained around all listed items sufficient to ensure that views to them and their 		
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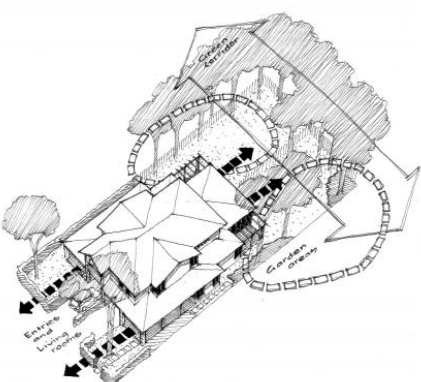
	<p>relationship with adjacent settings are maintained.</p> <p>4) Gardens, Landscaping and Fencing In many circumstances it is important to protect, not only the heritage item or conservation area itself, but also the land around it which contributes to its setting, therefore enhancing its heritage significance.</p> <p>Curtilages shall be established by evaluating the components of a site relative to the building. Key aspects of a property's curtilage include any gardens, entrances, fencing and outbuildings.</p> <p>The curtilage shall maintain the relationship between these elements so as to allow the heritage item and its site to be understood. As a result, these elements shall be used in determining a suitable curtilage and shall be retained where suitable.</p> <ul style="list-style-type: none"> a) In order to preserve and maintain an appropriate scale and the visual prominence of a heritage item, the building height of new development shall generally not exceed that of the original heritage item. New development or large additions or alterations must provide a transition in height from the heritage item. b) Development proposals, which involve large scale redevelopment and alteration to the original character of the heritage item and will negatively impact on the heritage significance of the curtilage, will not be permitted. c) The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item. d) Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired, rather than replaced. e) New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type. f) New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item. g) New development within the same curtilage as a heritage item shall generally not be larger in scale than the heritage item. Reference shall be made to the building height of the heritage item as the maximum permissible building height of alterations or additions. h) Vegetation around a heritage item shall be assessed for its value to the item and retained where required. <p>5) Garages and Carports This section includes general provisions for garages and carports on properties containing heritage items.</p> <ul style="list-style-type: none"> a) Garages and carports may comprise the following forms: <ul style="list-style-type: none"> i. Double garage or carport at the rear of the lot; and ii. Carport set behind the building line at the side of a dwelling. b) Garage and carport roof forms will depend on the setting and context of the property. c) Carports are appropriate besides a dwelling. They are to be flat roofed with fringing pergola elements which 		
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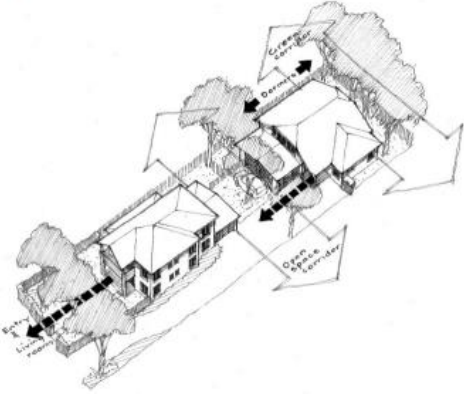
	suggest a garden structure form.		
7.1.5. Develop ment in the Vicinity of a Heritage Item or Conservat ion Area	C. Controls <ol style="list-style-type: none"> 1) A Heritage Impact Statement shall be lodged with a development application for buildings or works in the vicinity of a heritage item or heritage conservation area. This clause extends to development that: <ol style="list-style-type: none"> a) May have an impact on the setting of a heritage item or conservation area, for example, by affecting a significant view to or from the item or by overshadowing; or b) May undermine or otherwise cause physical damage to a heritage item; or c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated. 2) The following issues must be addressed in the Heritage Impact Statement: <ol style="list-style-type: none"> a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item; b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and c) Details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item. 	A heritage impact statement has been lodged in conjunction with the current proposal	Yes Refer to the HIS
7.1.6. Archaeol ogical Sites	C. Controls <ol style="list-style-type: none"> 1) Any application which proposes the disturbance or development of an 'archaeological site' listed in Schedule 5 – Environmental Heritage of Penrith LEP 2010 is to undertake an archaeological assessment and to submit that assessment as part of the Heritage Impact Statement or Conservation Management Plan. 2) The archaeological assessment is to: <ol style="list-style-type: none"> a) Evaluate the probable extent, nature and integrity of the site and determine its significance; b) Define appropriate management measures for the site having regard to its significance; and c) Is to be prepared in accordance with guidelines contained within the document entitled "Assessing Significance for Historical Sites and 'Relics'" (Heritage Branch, Department of Planning, 2009). 3) Where the development or disturbance of an archaeological site is proposed, the applicant will be required to liaise with the Heritage Division of the Office of Environment and Heritage to ensure any related statutory requirements of the Heritage Act, 1977 are complied with prior to the submission of the development application. For example, any proposal to disturb or excavate land which will or is likely to result in a relic (whether or not that relic is listed as an archaeological site under Penrith LEP 2010) being discovered, exposed, moved, damaged or destroyed requires an excavation permit to be obtained from the Heritage Council (Heritage Division of the Office of Environment and Heritage). 4) If relics are discovered during construction or operation, works should cease immediately and the Heritage Division contacted. At that time, the Heritage Division may request an archaeological assessment before any further work can commence. 	The current site hasn't been identified as an archaeological site, as such this clause is irrelevant to the current application	Yes
7.1.7. Potential Heritage Items	C. Controls <ol style="list-style-type: none"> 1) Where it is proposed to develop or demolish a building, relic or structure not listed in Schedule 5 – Environmental Heritage of Penrith LEP 2010 that is older than fifty years, Council may require the submission of a Heritage Impact Statement that addresses those issues referred to in Clause 5.10 of Penrith LEP 2010 or in this DCP, so as to enable it to fully consider the impact of the development upon the significance of the building, relic or structure. 	The existing building has been occupied as a residence in a heritage conservation area (not a heritage item). The accompanying	To be determined

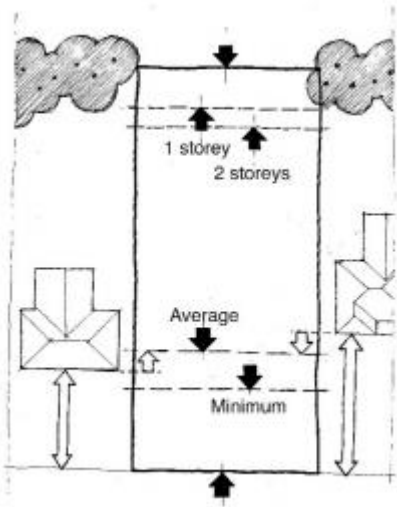
		heritage impact statement provides further detail on this matter.	
7.1.8. Demolition	C. Controls <ol style="list-style-type: none"> 1) The demolition of a heritage item is contrary to the intent of heritage listing and is considered a last resort option that will only be considered where: <ol style="list-style-type: none"> a) All other alternatives have been investigated and ruled out; b) It can be satisfactorily demonstrated that the item does not satisfy the criteria for listing established by the NSW Heritage Council, nor provide physical evidence of one of the historical developmental themes established by the Penrith Heritage Study; or c) The structure is considered incapable of repair. 2) Where consent is issued for demolition, a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished (refer to 7.1.9). This must be undertaken to Council's satisfaction prior to commencement of any demolition works. 	The existing dwelling is proposed to be retained and there are no existing structures of significance proposed for demolition.	Yes
7.1.10. Business, Office and Retail Buildings	C. Controls <ol style="list-style-type: none"> 1) Ornamental parapet detailing (such as pediments, urns and finials) are important elements of business, office and retail heritage items as they help to establish what period they were erected in. As such, their removal negatively impacts on the architectural significance of such buildings and is not permitted. 2) Structural alteration of interior features of heritage protected business, office and retail buildings is not permitted without prior consent from Council. 	Noted	N/A
7.1.11. Conservation Incentives and Fee Concessions	C. Controls <ol style="list-style-type: none"> 1) Subclause 5.10(10) 'Conservation incentives' of LEP 2010 allows Council to consider an application for the use for any purpose of a building that is a heritage item or within a heritage conservation area even though the use would otherwise not be permitted under the LEP. In assessing such an application, Council shall consider the matters listed in this subclause, and may require a detailed long term maintenance plan for the building. Fee Concessions <p>An applicant may apply, in writing, to Council to have fees refunded (partially or fully) for a development application, construction certificate or building compliance certificate for approved development for buildings or works to a heritage item or a place within a heritage conservation area under the following circumstances:</p> <ol style="list-style-type: none"> 1) Sympathetic restorations, alterations and additions to original buildings used for residential purposes; 2) Sympathetic restorations, alterations and additions to original buildings to accommodate community facilities, home activities and home businesses; or 3) Sympathetic restorations of non-building places. <p>Requests for application fee refunds will be assessed in accordance with the following criteria:</p> <ol style="list-style-type: none"> 1) Overall scale of the development; 2) Compliance with a development consent and any consent conditions; 3) Compliance with a construction certificate and any consent conditions; 4) Compliance with the provisions of this section; 5) Conservation of the original building fabric and landscape elements; and 6) Any other relevant heritage conservation matter. Other Concessions <p>In relation to an application for the use for any purpose of a building that is a heritage item or within a heritage conservation area, an applicant may apply in writing to Council to have</p>	This clause is not directly applicable to the current application	Yes

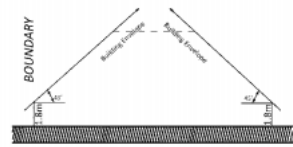
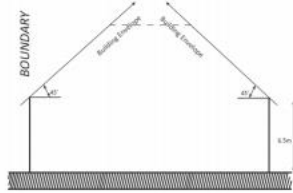
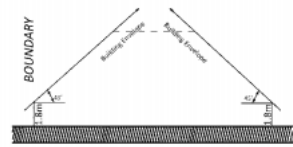
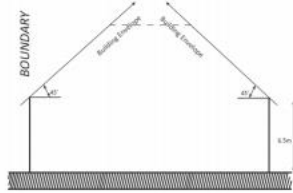
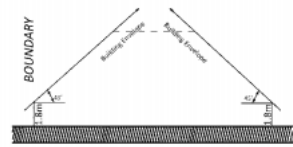
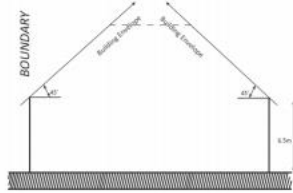
	<p>waived the following contributions or requirements associated with undertaking an approved development:</p> <ol style="list-style-type: none"> 1) Section 94 Developer Contributions under the Environmental Planning and Assessment Act 1979; 2) On-site car parking requirements; or 3) Other development requirements of Council which ordinarily would be applied to the type of proposal. <p>To obtain a concession, applicants will need to demonstrate that their development proposal will:</p> <ol style="list-style-type: none"> 1) Ensure the long-term conservation and management of the heritage values of the building or place; 2) Result in the conservation of the original building fabric, landscape elements or archaeological resources; 3) Ensure that the concession sought maintains the public interest and that the development proposal will on balance result in a net public benefit; and 4) Not result in any significant adverse impacts on the amenity of adjacent properties or the surrounding environment. <p>Requests to obtain a concession will be assessed on their merits and reported to Council for determination.</p>		
7.2. Aboriginal Culture and Heritage			
	<p>C. Controls</p> <ol style="list-style-type: none"> 1) If the development, including subdivision, but not strata subdivision, is on land identified as potentially archaeologically sensitive, an archaeological investigation is required with the development application. The Office of Environment and Heritage should be contacted for advice on survey needs and requirements. 2) Despite (a) above, an archaeological assessment is required if the site area is 5 hectares or more. The archaeological assessment should determine whether or not Aboriginal archaeological resources are present on the site, and where appropriate, identify management principles to be implemented. 3) The requirements stated in (a) and (b) above will not apply to developments where there is no: <ol style="list-style-type: none"> a) disturbance of the soil, or b) construction works on the land. For the purposes of this section, any internal or external works to an existing building is not deemed to be construction work. 	The current site isn't considered to be archeologically sensitive	Yes
7.3. Significant Trees and Gardens			
	<p>C. Controls Owner's Responsibility</p> <p>If a tree, or trees, has been identified as significant, the owner or any person proposing to do any work on that defined area has the following responsibilities:</p> <ol style="list-style-type: none"> 1) The owner shall not ringbark, cut down, top, lop, or wilfully destroy any tree, except with the consent of Council. 2) Development in the vicinity of a significant tree or garden should not result in the destruction or damage of that tree or garden. 3) The owner of any property, which has a tree or garden located on the site, should take into consideration the significance of the tree or garden and design development accordingly 	Refer to the arborists report and the landscape plan which identify the trees being retained and protected.	YES
C10 Traffic and Parking			
C.10.5.1	<p>Parking provided on site is to meet AS 2890 and where appropriate, AS 1428</p> <p>b) For any proposed development, Council will require the provision of on-site car parking to a standard appropriate to the intensity of the proposed development as set out in Table C10.2</p>	The proposal in its current form addresses councils traffic and parking controls relating to	Yes

	<p>below.</p> <p>c) Within rural zones, the range of possible uses of land is very broad. Car parking is to be provided in accordance with Table C10.2: Car Parking Rates. If parking rates for the use is not listed, it will be the applicant's responsibility to demonstrate that adequate parking is provided</p> <p>d) For commercial developments providing employment for 20 people or more, bicycle parking is to be in secure and accessible locations, and provided with weather protection. The following associated facilities are to be provided:</p> <p>i) Change and shower for cyclists and are to be conveniently located close to the bicycle storage areas.</p> <p>ii) Where the building is to be strata-titled, the bicycle storage facilities and shower/ change facilities are to be made available to all occupants of the building</p> <p>e) For existing developments, a new use must not commence or the floor area increased until the required car park spaces have been provided on the site, corresponding to the land use outlined in Table C10.2</p> <p>f) In the absence of specific requirements relevant to particular developments, the parking requirements in the RTA's "Guide to Traffic Generating Developments" (as updated) and Australian Standard AS 2890.1 and 2 - 2004 should be referred to as a guide. In the absence of all data, the applicant should revert to the use of first principles.</p> <p>g) Where relevant, development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site.</p> <p>h) Stacked parking will not be permitted for visitor spaces for any development.</p> <p>i) Stacked parking in commercial or industrial development may be permitted for employee spaces only, provided the number of stacked spaces does not account for more than 10% of the total required parking spaces.</p> <p>j) Car parking above ground level is to have a minimum floor to ceiling height of 2.8m so it may be adapted to another use in the future</p>	<p>dual occupancies. There is provision for up to 2 car spaces per dwelling.</p>	
C.10.2	<p>Dual Occupancy = 2. Spaces per dwelling (2 or more bedrooms) - stack or tandem parking acceptable</p> <p>Other Uses= In accordance with RMS Guidelines or if there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant</p>	<p>The proposal in its current form complies with councils dual occupancy parking rates. Furthermore there is ample parking available on Jamison road and Warwick street to accommodate any overflow. Each dwelling</p>	Yes

		is served by its own vehicular access driveway and both have 2 (two) stakce	
D2 Residential Development			
2.2 Dual Occupancies			
2.2.2 Preferred Configuration for Dual Occupancy Development	<p>B. Controls</p> <ol style="list-style-type: none"> 1) New development should incorporate the traditional configuration of the cottages and cottage gardens that define the character of Penrith's established neighbourhoods, because: <ol style="list-style-type: none"> a) traditional development demonstrates social and urban design benefits, particularly the orientation of dwellings and their private open spaces towards the street rather than overlooking neighbouring dwellings and gardens; b) patterns of buildings and private gardens in established neighbourhoods have visual and symbolic richness that are valued by their community; c) the use of traditional features softens the popular perception that redevelopment is changing the traditional character of Penrith City. 2) There are several possible types of dual occupancy development: <ol style="list-style-type: none"> a) attached: as semi-detached pairs fronting the street, or one dwelling set behind another; b) detached: either two dwellings fronting the street, or one dwelling set behind another. 3) In order to reflect patterns of traditional development, the preferred configuration for dual occupancies involves a "green corridor" of trees and shrubs along rear boundaries: <ol style="list-style-type: none"> a) conserving remnant vegetation; b) providing new shelter and habitat; c) contributing to streetscape; and d) providing a green outlook for dwellings 4) In order to reflect patterns of traditional development, the preferred configuration for dual occupancies involves Substantial back garden areas: <ol style="list-style-type: none"> a) adjoining neighbouring back yards; b) surrounded by stepping building forms, predominantly of a single storey. 5) In order to reflect patterns of traditional development, the preferred configuration for dual occupancies involves garages integrated with the design of buildings and front gardens: <ol style="list-style-type: none"> a) allowing living areas and entrances to remain visible from the street; b) maximising the area available for front garden plantings. <p>Figure D2.2</p> 	<p>The proposal in its current form addresses councils requirements set out in clauses 2.2.2 for detached dual occupancy. The design has proposed the retention of the significant trees on the site and the curtilage of the site will retain the key native trees. Both dwellings will have substantial trees to filter the views of the premises and the views of the public domain.</p>	Yes

<p>2.2.3 Alternative Configuration for Dual Occupancy Development.</p>	<p>C. Controls</p> <ol style="list-style-type: none"> Where dual occupancy development involves two dwellings placed one behind the other a "green corridor" of trees and shrubs along rear boundaries (as shown in figure D2.3): <ol style="list-style-type: none"> conserving remnant vegetation; providing new shelter and habitat; contributing to streetscape; and providing a green outlook for dwellings. Where dual occupancy development involves two dwellings placed one behind the other buildings should be separated by a corridor of open space to: <ol style="list-style-type: none"> lined with shady trees; as garden courtyards; or open car-parking courts. Where dual occupancy development involves two dwellings placed one behind the other parking areas are to be concealed from the street to avoid the appearance of "garage architecture". Where dual occupancy development involves two dwellings placed one behind the other verandahs and private garden courts are required to fill the front garden to: <ol style="list-style-type: none"> encourages active use by residents; provides for attractive street-frontages. <p>Figure D2.3</p> 	<p>The application in its current form satisfactorily addresses clause 2.2.3 of councils DCP</p>	<p>YES</p>
<p>2.2.4 Urban form</p>	<p>B. Controls</p> <ol style="list-style-type: none"> Both dwellings should front the street, and display a traditional orientation with: <ol style="list-style-type: none"> a semi-detached configuration, and an individual architectural appearance for each dwelling (that is, non-symmetrical); and living rooms and entrances facing the street rather than neighbouring properties; and extensive private gardens to the rear adjacent to neighbouring yards; and garages integrated within the building façade, ensuring that at least one principal living room and the entry to each dwelling are visible from the street; and the size of driveways minimised, retaining sufficient area for attractive front gardens. For any dwelling behind the street frontage: <ol style="list-style-type: none"> a single storey appearance; and living rooms, entrances and any dormer windows should face the street and / or the landscaped rear boundary setback; and private gardens fill the rear setback; and conceal garages from the street Avoid "gun-barrel" style developments with long buildings, long straight driveways and rows of uniform width garden courtyards: <ol style="list-style-type: none"> for attached dwellings, use stepped walls to cast shadows and reduce apparent scale of buildings; for detached buildings that are set one behind the 	<p>The application in its current form addresses clauses 2.2.4.</p> <p>The corner lot and dual street frontage serves the design well and affords access to both dwellings and spatial separation to enhance residential amenity.</p>	<p>YES</p>

	<p>other, separate each building by an "open space corridor" at least 4m wide running across each site:</p> <ul style="list-style-type: none"> – a combination of garden areas and parking courtyards; or – open parking spaces lined by an "avenue" of shady, overhanging trees; <p>4) "Articulate" all building forms and facades by design measures that cast deep shadows across every elevation:</p> <ul style="list-style-type: none"> a) external walls should not be longer than 5m between distinct corners; b) use a variety of roof forms and pitches; c) provide windows in every elevation; d) use a variety of shady verandahs, awnings and car-ports. 		
2.2.5 Front and Rear Setbacks	<p>B. Controls</p> <p>1) Development must be within the development footprint which is determined by the maximum development footprint for your site by:</p> <ul style="list-style-type: none"> a) The minimum rear setback for a single storey building (or any single storey component of a building) is 4m. b) The minimum rear setback for a two storey building (or any two storey component of a building) is 6m. c) Adopting an average 6m rear setback on irregular shaped allotments; and d) Adopting a front setback that matches the neighbourhood character. <p>2) Within the rear boundary setback:</p> <ul style="list-style-type: none"> a) there shall be no building encroachments either above or below ground (eaves excepted); b) maximise the amount of undisturbed soil, encouraging rapid growth of healthy trees and shrubs; c) where there are physical encumbrances such as open drains, increase the setback accordingly. <p>3) Determine an appropriate front setback:</p> <ul style="list-style-type: none"> a) either average the setbacks of b) the immediate neighbours; or c) adopt a 5.5m minimum whichever is the greater dimension; d) and provide extensive landscaping within the front setback area. <p>4) Permissible encroachments within the front setback are:</p> <ul style="list-style-type: none"> a) verandahs and pergolas only; b) with a maximum 1.5m encroachment. <p>5) Garages and parking spaces are not permissible within the front setback, other than stacked parking or driveways leading to a garage.</p> 	The application in its current form satisfies clause 2.2.5	YES
2.2.6 Building Envelope	<p>B. Controls</p> <p>1) Development is to comply with the building envelope for the site. The building envelope means a height plane over the site at 45 degrees from a specified height above</p>	The application in its current form	YES

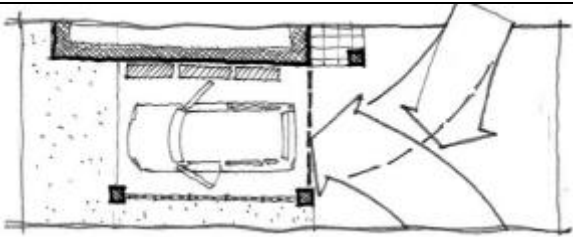
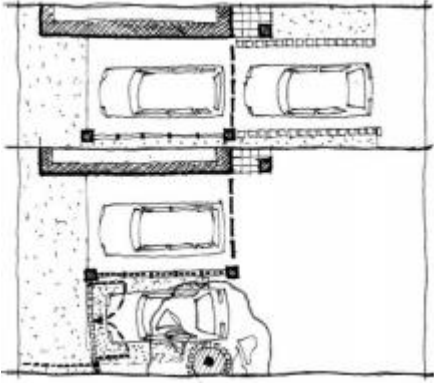
and Side Setbacks	<p>natural ground level at the side boundaries of the site, as shown in Figure D2.5.</p> <p>Figure D.2.5: The building envelope is measured from natural ground level perpendicular to the side boundary at any given point along the wall.</p> <table><tr><th>Zone</th><th>Maximum building envelope</th></tr><tr><td>R2 Low Density Residential</td><td></td></tr><tr><th>Zone</th><th>Maximum building envelope</th></tr><tr><td>R3 Medium Density Residential</td><td></td></tr></table> <div><div>2) The building envelope, and the apparent rise in storeys and external wall heights, shall be measured relative to:</div><div><div>a) side boundaries only; and</div><div>b) existing ground level.</div></div><div>3) Only minor encroachments through the building envelope shall be permitted:</div><div><div>a) eaves to main roofs;</div><div>b) chimneys and antennas;</div><div>c) pergolas.</div></div><div>4) Cut and fill and ground floor heights are restricted by the following:</div><div><div>a) provide stepping building platforms in line with existing topography with floors no higher than 1m above natural ground level;</div><div>b) restrict cut-and-fill to a maximum of 500mm;</div><div>c) provide effective sub-soil drainage.</div></div><div>5) Pitches for main roofs are to be in accordance with the following:</div><div><div>a) for single-storey dwellings: not greater than 35 degrees, providing for attic rooms;</div><div>b) for two storey dwellings: not greater than 25 degrees, in order to reduce the visual scale of buildings.</div></div><div>6) Setbacks from side boundaries should be varied to articulate walls to side boundaries by the following:</div><div><div>a) maximise setbacks (and landscaped area) beside neighbouring cottage back-yards;</div><div>b) Otherwise, a minimum 900 mm setback at ground level for walls no longer than 10m;</div><div>c) a greater set-back for second storey walls, consistent with the building envelope.</div></div><div>7) Zero setbacks from the side boundary are not permissible except for single garages with an open appearance. In addition these garages are to be no taller than 2.1 m at the boundary.</div><div>8) For any dwelling placed behind another fronting the street, attic rooms are permissible subject to:</div><div><div>a) being within the prescribed building envelope</div><div>b) within a hipped or gabled roof where the maximum roof pitch is 35 degrees</div><div>c) provided that dormer windows do not face side boundaries</div></div></div>	Zone	Maximum building envelope	R2 Low Density Residential		Zone	Maximum building envelope	R3 Medium Density Residential		satisfies clause 2.2.6	
Zone	Maximum building envelope										
R2 Low Density Residential											
Zone	Maximum building envelope										
R3 Medium Density Residential											
2.2.7 Driveways and Parking	<p>B. Controls</p> <div><div>1) Provide onsite parking in accordance with parking section of this DCP.</div><div>2) Garages for attached dwellings should:</div><div><div>a) occupy not more than 50% of any street frontage;</div></div></div>	The application in its current form satisfactorily	YES								

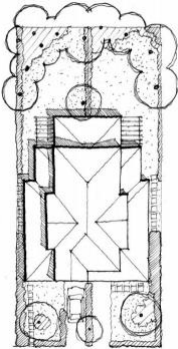
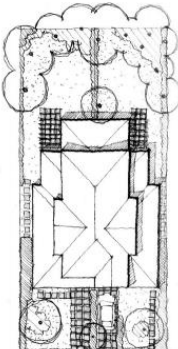
Areas	<div><div><div>b) flanked by at least one principal living room that faces the street with secondary windows facing the side boundary for light and ventilation.</div><div>3) For dwellings located one behind the other, driveways should:<div><div>a) be separated from dwellings by a landscaped verge at least 1m wide;</div><div>b) where possible, also separated from boundary fences by a landscaped verge;</div><div>c) prevent adverse long-term effect upon any vegetation that must be preserved;</div><div>d) provide for effective and healthy landscaping along all site boundaries;</div><div>e) drain by gravity to Council's stormwater network.</div></div></div></div></div>	addresses clause 2.2.7											
2.2.8 Landscaped Area	<div><div><div><div>B. Controls</div><div>1) Landscaped areas should be:</div><table><tr><th>Zone</th><th>Minimum landscaped area % of the site</th></tr><tr><td>R1 Residential General</td><td>40</td></tr><tr><td>R2 Low Density Residential</td><td>50</td></tr><tr><td>R3 Medium Density Residential</td><td>40</td></tr><tr><td>R4 High Density Residential</td><td>35</td></tr></table></div><div><div>2) Landscaped areas should provide:<div><div>a) effective separation between neighbouring dwellings; and b) healthy growth of new trees and shrubs; and</div><div>b) long-term survival of existing vegetation required by Council to be preserved (both onsite and on neighbouring properties); and</div><div>c) private courtyards for all dwellings and a green outlook; and</div><div>d) civic gardens along street frontages.</div></div></div><div>3) Landscaped areas are required to:<div><div>a) have a minimum width of 2m and serve as functional spaces;</div><div>b) should include private courtyards measuring a minimum of 30m²;</div><div>c) may include verandahs or patios that open directly to private courtyards;</div><div>d) do not include substantially-paved areas such as buildings, driveways and covered garages;</div><div>e) that part of any easement exceeding 10% of the site area shall not be included in the landscaped area calculation.</div></div></div></div></div></div>	Zone	Minimum landscaped area % of the site	R1 Residential General	40	R2 Low Density Residential	50	R3 Medium Density Residential	40	R4 High Density Residential	35	The application satisfactorily provides landscaped area as per clause 2.2.8	YES
Zone	Minimum landscaped area % of the site												
R1 Residential General	40												
R2 Low Density Residential	50												
R3 Medium Density Residential	40												
R4 High Density Residential	35												
2.2.9 Solar Planning	<div><div><div><div>B. Controls</div><div>1) The applicant must demonstrate that dwellings meet acceptable solar standards and that existing neighbouring and proposed private open spaces receive adequate solar access by:<div><div>a. Providing shadow diagrams prepared by a qualified technician for all two-storey buildings and additions;</div><div>b. Illustrating the impacts of proposed development upon existing neighbouring dwellings and their open space areas;</div><div>c. Demonstrating shadows cast by neighbouring buildings;</div><div>d. Maximising potential for solar gain by placing windows in all exterior walls that are exposed to northern sun;</div><div>e. Ensuring that the proposed development provides a minimum of 3 hours sunlight between 9am and 3pm on 21 June, to living zones (ie areas other than bedrooms, bathrooms, kitchen and laundry) of each dwelling, and the living zones of any adjoining dwellings;</div><div>f. Ensuring that the proposed development provides a minimum of 3 hours sunlight between 9am and 3pm</div></div></div></div></div></div>	The application in its current form satisfies clause 2.2.9	YES										

	<p>on 21 June, to 40% of the main private open spaces of the dwelling and main private open spaces of any adjoining dwellings; and</p> <p>g. In situations where the existing overshadowing by buildings and fences reduces sunlight to less than the minimums noted above, the development is to not further reduced sunlight to the specified areas by more than 20%.</p>		
2.2.10 Significant Landscapes & Townscapes	<p>C. Controls</p> <p>2) Development of sites located in areas of landscape significance are to:</p> <ol style="list-style-type: none"> maintain natural topography and features such as rock outcrops; preserve established trees, preferably as blocks or corridors of several trees; ensure that long term survival of established trees is not affected by the location of buildings and pavements or construction works; incorporate new plantings that reinforce the visual and habitat values; use split-level building designs that step up hillside sites: and ensure that the lowest floor level is not higher than 1m above natural ground; on sloping sites, garages and parking areas may be located at street-level within the front set-back, subject to an "open" design similar to a screened carport; in general, new plantings should be species indigenous to the local soil type, reinforcing visual and habitat values <p>2) In neighbourhoods with townscape significance, new development should:</p> <ol style="list-style-type: none"> conserve vegetation that has visual or historical significance; adopt the predominant width, height, scale and stepping of floor plans demonstrated by existing buildings; adopt roof pitches and forms that match neighbouring buildings; minimise the width and area of driveways visible from public frontages, and conceal garages from public frontages (corner sites excepted); incorporate simple detailing of building forms and openings, rather than attaching "stuck-on" details to gable ends and verandahs. <p>3) Redevelopment of sites with an existing cottage within a significant landscape or townscape areas are to:</p> <ol style="list-style-type: none"> maintain the existing dwelling wherever possible; and locate a new dwelling within the former back-yard; emphasise the use of verandahs and awnings around all elevations to reduce the scale of long walls. 	The site is not located within a significant landscape or townscape area, however it provides ample mature and proposed landscape elements to better address the control objectives and will enhance the residential amenity for both occupants and neighbouring residents.	YES
2.2.11 Corner Sites and Park Frontages	<p>B. Controls</p> <ol style="list-style-type: none"> measure the building envelope relative to the longest common residential boundary; and the rear setback and the averaged front setback may be measured relative to the shortest residential boundary; minimum setbacks from the secondary street frontage to external walls is to be no less than 3m minimum setbacks from the secondary street frontage to garage entrances is to be 5.5m; minimum setbacks from the secondary street frontage to verandahs is to be 3m; living rooms, dwelling entrances and verandahs may face either street frontage; garages should have an "open" design (similar to screened carports or verandahs), and should architecturally divide each development into two individual dwellings; development should appear as two buildings, with facades to both buildings not longer than 20m facing either street (excluding attached garages of an "open" design); 	The application in its current form satisfies clause 2.2.11.	YES

	<ul style="list-style-type: none"> 9) dormer windows to attic rooms may face either street frontage, but should not overlook a side boundary, 10) the area of driveways visible from the street should be minimised, providing for maximum front garden areas; 11) garden areas facing the street should be landscaped as private courtyards attached to dwellings. 		
2.2.12 Building Design	<p>C. Controls</p> <ul style="list-style-type: none"> 1) Dormer windows apply traditional design practices including: <ul style="list-style-type: none"> a) capped by hipped or gabled roofs, within the building envelope, and no taller than the ridgeline of the building's principal roof; b) appear predominantly glazed, or open and have a vertical proportion; c) occupy not more than 25% of any roof measured in elevation; d) meet guidelines for privacy and solar planning; and e) dormer face to sit above the roof plane, i.e. not to rise continuous from ground level. 2) Development should demonstrate a variety of architectural features: <ul style="list-style-type: none"> a) to express the street frontage as two individual dwellings: attached features such as balconies and verandahs; b) to down-play the appearance of garages awnings and balconies that overhang garage entries are to be used and the garage shutters used should incorporate windows, or semi-transparent screens of lattice, battens or similar materials; c) to minimise scale and bulk the alignment of walls should be stepped and corners should be overhung by verandahs or awnings, or broken by windows and doors; d) to accentuate articulation of building forms incorporate a variety of windows and doors in all visible walls, use a range of projecting roofs, awnings and verandahs and provide a combination of building materials: painted and face brickwork, and light-weight cladding. 	<p>The application satisfies clause 2.2.12</p> <p>The new detached dwelling design includes architectural interest and forms which make the appearance of the building contribute positively to the character of the locality.</p>	YES
2.2.13 Energy Efficiency	<p>B. Controls</p> <ul style="list-style-type: none"> 1) All new dual occupancy development should employ construction techniques that provide appropriate thermal mass such as: <ul style="list-style-type: none"> a) ground floor: slab-on-ground; b) walls: masonry internal walls to ground floor are desirable. 2) All new dual occupancy development should adopt an appropriate orientation for rooms and windows including: <ul style="list-style-type: none"> a) living areas - facing within 30 degrees of solar north is desirable; b) windows - at least 50% of glazing facing solar north is desirable, unprotected glazing facing east, west or south shall be avoided and for every habitable room, windows in two external walls are desirable; 3) All new dual occupancy development should provide effective shading from summer sun including: <ul style="list-style-type: none"> a) Overhanging eaves: at least 450mm wide; b) Adjustable exterior shading devices for windows and doors to habitable rooms, and to skylights; c) Pergolas over courtyards. 4) All new dual occupancy development should employ effective glazing including: <ul style="list-style-type: none"> a) for any large south-facing window: high performance glass e.g. double glazing in thermal break frames; b) windows and doors facing east, south or west: high performance glass e.g. Double glazing in thermal break frames; c) all windows and external doors: weather-stripping should be used. 5) All new dual occupancy development should adopt a configuration for dwellings that promotes cross-ventilation including: 	<p>The application complies with clause 2.2.13</p>	YES

	<ul style="list-style-type: none"> a) living areas and bedrooms with two external walls for windows; b) particularly important for attic rooms. 		
2.2.14 Design of Dwellings and Private Courtyards	<p>B. Controls</p> <ul style="list-style-type: none"> 1) A reasonable area of private open space should be provided for each dwelling: <ul style="list-style-type: none"> 1) a minimum of 30m²; 2) including one area measuring at least 6m by 4m, suitable for outdoor dining; and 3) located immediately next to, and level with, living or dining rooms; and 4) also incorporating an area for outdoor clothes-drying at least 2m wide, exposed to sunlight and breeze, screened from view by a fence or wall at least 1.8m tall; and 5) with access direct to the street or a common driveway through a courtyard at least 2m wide; or via a carport with an open design. 2) Landscaped areas should maximise the area available for private courtyards and gardens: <ul style="list-style-type: none"> a) the front and rear boundary setbacks should be used for private residential gardens; b) common open space should be restricted to the verges of any shared driveway. <p>C. Controls</p> <ul style="list-style-type: none"> 1) Rooms within a dual occupancy development should have dimensions and an area that: <ul style="list-style-type: none"> a) can accommodate the range of furniture typically associated with their function; and b) recognise that furnishing options may be restricted by the location of windows and doors; c) acknowledge that access and furnishing options may be restricted by raked attic ceilings; d) provide flexibility to meet the needs of future occupants: for example home business activities and aged residents. 	The application complies with clause 2.2.14	YES
2.2.15 Garage Design	<p>B. Controls</p> <ul style="list-style-type: none"> 1) Garage and parking areas should be planned to: <ul style="list-style-type: none"> a) minimise disruption to traditional or established streetscapes by concealing from the street; b) provide flexible accommodation for vehicles, domestic pets, storage, and covered areas for outdoor recreation (as shown in figure D2.6); c) minimise transmission of noise to adjoining dwellings; d) provide secure parking; e) allow for maintenance access to rear garden courtyards; and f) provide for effective and healthy landscaping along verges and boundaries. g) permit all turning movements, full opening of vehicle doors as defined by AS 2890.6-2009; 2) For dwellings that require two spaces: <ul style="list-style-type: none"> a) provide at least one covered space; b) for dwellings located one behind the other: the second space may be an open court facing the side driveway; or c) for paired dwellings facing the street: the second space may be stacked on the driveway in front of the covered space. Please refer to figure D2.7. 3) Garages and parking spaces are not permissible within the front setback <p>Figure D2.6: Dimensions permit turns, opening of doors and storage</p>	The application in its current form complies with clause 2.2.15	YES

	 <p>Figure D2.7: Two spaces – one covered plus one open, either stacked or paired</p>  <p>C. Controls</p> <ol style="list-style-type: none"> 1) Design of covered garages to consider the following: <ol style="list-style-type: none"> a) low, open appearance similar to a wide verandah; b) if exposed at the end of a building, enclosed by semi-transparent screens that provide for natural ventilation and effective security (rather than surrounded by masonry walls); c) with shutters that have windows, or are semi-transparent screens providing natural ventilation and effective security. 		
2.2.16 Garden Design	<p>B. Controls</p> <ol style="list-style-type: none"> 1) The rear boundary setback should provide: <ol style="list-style-type: none"> a) private garden courtyards; b) a corridor of habitat, and a green backdrop that is visible from the street; c) conservation for any existing corridor of mature trees; or d) an interlocking canopy of low to medium-height trees and shrubs; e) predominantly species indigenous to the soils of Penrith City. 2) Alongside boundaries, provide: <ol style="list-style-type: none"> a) small-to medium height canopy trees for sun-shading and privacy separation between dwellings; b) within the verges to any common driveway: hedges fronting windows to any dwelling; 3) Alongside boundaries within private courtyards provide: <ol style="list-style-type: none"> a) feature plantings of ground covers and shrubs growing to fence height at maturity; b) a level area of well-drained turf, or an alternative water-permeable material such as river pebbles. 4) Street frontage plantings should provide: <ol style="list-style-type: none"> a) private gardens for street-front dwellings; b) a civic garden frontage appropriate to the established neighbourhood character; and c) mixed species of trees, shrubs, and accent plantings including flowers and ground covers; d) level areas of well-drained turf; and e) along noisy thoroughfares: noise attenuation with an interlocking canopy formed by at least two rows of trees underplanted with dense hedges 	<p>The application complies with clause 2.2.16</p> <p>Refer to the landscape plan</p>	YES

	<p style="text-align: center;">Figure D2.08</p>  <p>Figure D2.8 above depicts:</p> <ul style="list-style-type: none"> • Thickly planted rear gardens • Courtyard shade and screening • Median planting dividing driveways • Civic street frontage. 		
2.2.17 Paving Design	<p>B. Controls</p> <ol style="list-style-type: none"> 1) Hard paved surfaces should: <ol style="list-style-type: none"> a) maximise the area available for landscaping and gardens; b) impose no adverse long term effect on any vegetation that Council requires preserved. 2) Driveways and associated parking courts should: <ol style="list-style-type: none"> a) provide an attractive "address" for any dwellings without a direct frontage to the street; b) minimise the area and width of driveways along the street-frontage; c) be overlooked by continuously-occupied rooms such as kitchens and living rooms; d) be divided into panels by bands of contrasting materials or pavers; e) provide barrier-free access continuous from the street to the entrance of each dwelling; f) provide for landscaping as continuous verges along both sides, or as a verge beside dwellings with plantings in pavement cut-outs along a boundary fence; g) incorporate materials and a profile that maximise the potential for direct infiltration of rainfall (other than in areas of recognised high soil salinity); h) collect and channel run off into grated sumps located strategically and integrated with the design of surface pavement. 3) Courtyard paving should be provided: <ol style="list-style-type: none"> a) at the threshold to each doorway leading from a dwelling: at least 1m wide; b) beneath clothes lines; c) where outdoor storage of garbage bins is proposed; d) in the form of widely spaced pavers, or porous unit paving, maximising direct infiltration of rainfall. <p style="text-align: center;">Figure D2.9</p>  <p>Figure D2.9 above diagram depicts:</p> <ol style="list-style-type: none"> a) Courtyard paving – a threshold at least 1m wide outside each doorway and beneath clothes lines b) Driveways - Step around verge plantings alongside 	<p>Complies</p> <p>Refer to the landscape plan</p>	<p>YES</p>

	<p>dwellings or trees planted into pavement cut-outs or median plantings</p> <p>c) c)Feature paving at the threshold to the stre</p>		
2.2.18 Fences and Retaining Walls	<p>B. Controls</p> <ol style="list-style-type: none"> 1) Be sympathetic to the natural setting and character in form, materials and colour. 2) Maximise natural surveillance from the street to the building and from the building to the street. 3) Be structurally adequate, in accordance with the Building Code of Australia, and meets the Dividing Fences Act. 4) Fences should be no taller than: <ol style="list-style-type: none"> a) 1.8m generally; and b) 2.4m on sloping sites, including the height of any retaining wall. 5) Fences along boundaries forward of the front building alignment: <ol style="list-style-type: none"> a) should not be taller than 1.2m, or if taller, of see-through construction; b) should not be constructed of metal panels; c) walls of solid construction and taller than 1.2m (such as courtyard walls) should be set back at least 2m from the front boundary (to allow for landscaping) and should not occupy more than 50% of the allotment width. 6) Fences along boundaries along driveways and separating existing multi-unit housing, or fronting a public park should be 1m tall, or if taller, of see-through construction; 7) Fences along boundaries around private courtyards should minimise cross-viewing and the transmission of noise; 8) Fences along boundaries in any location that can be seen from the street or a public park frontage should not be constructed of metal panels; 9) Fences along boundaries fronting noisy thoroughfares: <ol style="list-style-type: none"> a) solid masonry walls are acceptable to a maximum of 1.8m; and b) incorporating corners and planting beds every 5m; 10) Where fencing affects easements or stormwater flow paths: consult with Council and the relevant authority. 11) Fencing of a "see-through" construction includes: <ol style="list-style-type: none"> a) panels set into a timber frame or between brick piers; where b) any solid base is not taller than 1m; and c) panels are spaced pickets or palings, or lattice. 12) Retaining walls: <ol style="list-style-type: none"> a) generally should be no taller than 500mm; b) should not cut through roots of any tree required by Council to be preserved; c) should be separated from any associated fence by a planter-bed at least 500mm wide, minimising the apparent overall height of fencing; d) should provide drainage for any associated planter-bed; e) should be separated from any driveway by a landscaped verge at least 500mm wide, to prevent impact damage from vehicles. 	<p>Fencing is consistent with the clause criteria.</p>	<p>YES</p>
2.2.19 Visual and Acoustic Privacy and Outlook	<p>B. Controls</p> <ol style="list-style-type: none"> 1) Demonstrate a package of measures that achieves reasonable privacy: <ol style="list-style-type: none"> a) for adjacent dwellings: at least 3m between any facing windows, screened by landscaping or other means including courtyard walls, or pergolas to prevent cross viewing from first storey windows; b) dormer windows generally to be oriented to face the street or the rear boundary; c) private courtyards should be screened by pergolas and masonry walls to prevent direct cross-viewing and excessive transmission of noise; d) screening measures, including: <ol style="list-style-type: none"> i. offsetting of windows; or ii. oblique orientation for windows; or iii. external screens to windows; or iv. courtyard walls and pergolas; 	<p>The application complies with clause 2.2.19.</p> <p>The site configuration, dwelling design and spatial setbacks serve to provide a compliant arrangement for the</p>	<p>YES</p>

	<ul style="list-style-type: none"> v. note that landscaping (other than established trees and shrubs that are proposed to be retained) should not provide the principal means of screening; e) rooms other than bedrooms should have any windows facing a driveway screened by landscaped verges at least 2m wide; f) bedroom windows facing a driveway should be screened by masonry walls at least 1.5m tall located at least 1m from the face of the window; g) All balconies and decks higher than 800mm above existing ground level shall incorporate privacy measures such as screening or landscape planting. h) for windows of habitable rooms with a direct outlook onto windows of habitable rooms of adjacent dwellings: <ul style="list-style-type: none"> i. are offset by a distance sufficient to limit views between windows; or ii. have sill heights of 1.7 m above floor level; or iii. have fixed obscure glazing in any part of the window below 1.7 m. <p>2) Demonstrate measures that protect dwellings from external noise sources:</p> <ul style="list-style-type: none"> a) windows to ground-level living rooms screened by landscaped verges at least 2m wide; b) within any dwelling, bedrooms should not adjoin the garage or living rooms of a neighbouring dwelling; internally, bedrooms should be segregated and separated from living areas by hallways, stairs or service rooms; c) sound resisting construction of separating walls, floors and windows, in accordance with BCA; d) zoning of dwellings into active living areas and passive sleeping areas, separated by corridors and/or service zones; e) plant and equipment should be effectively screened and located away from sleeping areas; f) along frontages to noisy arterial roads or the rail corridor: <ul style="list-style-type: none"> i. locate habitable rooms and private open spaces away from noise sources and if required protect with appropriate noise shielding devices; ii. comply with the requirements of relevant noise and vibration guidelines published by the NSW Government. The NSW Government sets standards in relation to acceptable noise levels for all operations and land uses through the Environment Protection Authority's Environmental Noise Control Manual. These standards apply in all cases. iii. provide a detailed acoustic design report that demonstrates compliance with the above requirements; iv. provide a certificate of compliance at completion of construction; v. under extreme circumstances identified by Council, employ fixed glazing with airconditioning for street-frontage bedrooms. 	detached dual occupancy.	
2.2.20 Safety and Security	<p>B. Controls</p> <ul style="list-style-type: none"> 1) Encourage a sense of community: <ul style="list-style-type: none"> a) dwelling entrances, the window to at least one continuously-occupied room and private courtyards should face the street and/or a common driveway; b) fences should be designed to facilitate glimpses or filtered views from dwellings and private courts to the street and to driveways. 2) Ensure that at least one continuously-occupied room in each dwelling (a kitchen or living room) overlooks: <ul style="list-style-type: none"> a) the front street; b) driveways and garage forecourts. 3) Prevent concealment of intruders by: <ul style="list-style-type: none"> a) uniform lighting levels across common areas such as 	Complies with clause 2.2.20	YES

	driveways; b) planning which does not provide hidden recesses; c) along common pathways: selection of appropriate plant species according to height and density.		
2.2.21 Accessibility and Adaptability	B. Controls 1) Demonstrate that planning and design measures do not prevent access by people with disabilities: a. access pathways should slope gently and evenly, with a non-slip finish and no steps between the street frontage and principal building entrances; b. stair nosings should have a distinctive colour and texture; c. dwellings should have: i. dimensions consistent with AS 1428.1-Design for access and mobility. ii. hallways at least 1m wide. iii. circulation areas in bathrooms at least 1m wide. 2) Demonstrate that dwellings have been designed to meet the needs of an ageing population: a) incorporate design measures which are appropriate to people with disabilities; and b) employ lever-type door handles and traditional cruciform tap-handles; and c) provide for future low-cost modifications to bathrooms: i. future removal of hobs from shower recesses; ii. provision for future attachment of grab-rails to walls. d) provide for future low-cost modifications to kitchens including replacement of underbench shelves with drawers & attachment of grab-rails. e) provide appropriate levels and location of lighting.	Details to be provided at CC stage of the development, noting the dwelling is not adaptable nor required to be accessible being a conventional class 1a dwelling, notwithstanding the requirements of clause 2.2.21	YES
2.2.22 Storage and Services	B. Controls 1) Provide storage for household items: a) at least 10m³ per dwelling; either b) as cupboard space within the dwelling in addition to wardrobes; or c) within a lockable garage, not encroaching upon the parking space; or d) in weather-proof lockers that are not visible from the street. 2) Letter boxes should be provided according to Australia Post specifications: a) adjacent to the front boundary; b) located conveniently for residents entering the site (by car or on foot); c) integrated with the design of landscaped areas, fences and buildings. 3) Demonstrate that dwellings have been designed to accommodate home-based telecommunications facilities and information technologies by allowing for: a) additional telephone lines and outlets; b) additional electrical outlets; c) satellite or cable-based reception.	The application complies with clause 2.2.22	YES