

# PENRITH CITY COUNCIL

## MAJOR ASSESSMENT REPORT

<b>Application number:</b>	DA17/1163
<b>Proposed development:</b>	Detached Dual Occupancy
<b>Property address:</b>	11 Macadamia Court, KINGSWOOD NSW 2747
<b>Property description:</b>	Lot 24 DP 1194171
<b>Date received:</b>	16 November 2017
<b>Assessing officer</b>	Mahbub Alam
<b>Zoning:</b>	Zone R2 Low Density Residential - LEP 2010
<b>Class of building:</b>	Class 1a
<b>Recommendations:</b>	Approve

### Executive Summary

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Council is in receipt of a development application for a Dual Occupancy at 11 Macadamia Court KINGSWOOD.

The subject site is zoned R2 Low Density Residential and the proposed building will be used for “*Dual Occupancy*” which is permissible with council consent in the zone.

In accordance with Appendix F4 of the Penrith Development Control Plan 2014 – Notification and Advertising, this application was notified to nearby owners and occupiers of adjoining properties who were invited to inspect the proposal from 24 November 2017 to 4 December 2017. No submissions were received.

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

### Site & Surrounds

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The site is 1260sqm in area, located on the southern side of Macadamia Avenue adjoining a large public open space area which rises to the south / southeast towards Caddens Road. Site topography has a steady rise from west to east where the site is currently vacant.

### Proposal

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The proposed development involves:

- Construction of two storey detached dual occupancy including parking, landscaping and associated drainage works.
- Each dwelling will comprise of four bedrooms, single garage, three bathrooms, study, living room, dining room, kitchen and laundry.
- Each dwelling is provided with an area of private open space at the rear and a boundary fence is proposed for privacy between the areas.
- The materials comprise brick veneer and and cement tile roof in grey colours.
- Separate driveways are proposed to the garages.

## Plans that apply

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- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

## Planning Assessment

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- **Section 79BA - Bushfire prone land assessment**

A bushfire assessment was undertaken, which determined the appropriate BAL ratings for the development.

- **Section 79C - Evaluation**

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

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

#### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

As assessment has been undertaken of the application against relevant criteria with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. The application is accompanied by a list of commitments as to the manner in which the development will be carried out, and the carrying out of residential development pursuant to the recommended development consent or construction certificate will be subject to a condition requiring such commitments to be fulfilled.

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

To ensure sediments generated by the development will not be deposited in the Hawkesbury-Nepean River via the stormwater drainage system and to ensure compliance with Clause 5 of SREP 20 and the relevant planning policies and strategies relating to water quality and quantity, the standard condition for the provision and maintenance of erosion and sediment control measures will be imposed.

An assessment has been undertaken of the application against relevant criteria with Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application is satisfactory subject to recommended conditions of consent.

#### **Local Environmental Plan 2010 (Amendment 4)**

<b>Provision</b>	<b>Compliance</b>
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	Complies - See discussion
Clause 4.3 Height of buildings	Complies - See discussion
Clause 4.4 Floor Space Ratio	Complies - See discussion

**Clause 2.3 Permissibility**

The subject site is zoned R2 Low Density Residential under the provisions of Penrith Local Environmental Plan 2010. The proposal is defined as a dual occupancy which is a permissible land use in the zone with Council consent.

**Clause 2.3 Zone objectives**

The proposed development is consistent with the objectives of the zone specifically:

- To provide for the housing needs of the community within a low density residential environment.
- 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 ensure a high level of residential amenity is achieved and maintained.

**Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings**

Under Clause 4.1A, within the R2 Low Density Residential zone a lot is to have a minimum area of 650m<sup>2</sup> for an attached dual occupancy. The subject site complies with this requirement with an area of 1260m<sup>2</sup>.

**Clause 4.3 Height of buildings**

The Height of Buildings Map indicates that the height of a building on the subject site is not to exceed 9m. The proposal complies with this requirement with a building height of 8.4m.

**Clause 4.4 Floor Space Ratio**

The Floor Space Ratio maps indicated that a 0.5:1 ratio applies to the land. The proposed development application complies with the FSR requirements.

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

### Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1 Site Planning and Design Principles	Complies
C2 Vegetation Management	Complies
C3 Water Management	Complies
C4 Land Management	Complies
C5 Waste Management	Complies
C6 Landscape Design	Complies
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies
C11 Subdivision	N/A
C12 Noise and Vibration	N/A
C13 Infrastructure and Services	Complies
D2.1 Single Dwellings	N/A
D2.2. Dual Occupancies	Complies - see Appendix - Development Control Plan Compliance
D2.3 Secondary Dwellings	N/A
D2.4 Multi Dwelling Housing	N/A
D2.5 Residential Flat Buildings	N/A
D2.6 Non Residential Developments	N/A
E8 Kingswood controls	Complies - see Appendix - Development Control Plan Compliance

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

### *Fire safety*

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

The application has been referred to Council's Building Surveyors for assessment and subject to conditions complies with the requirements of the Regulations.

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

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

### **Context and Setting**

The proposal is consistent with the existing and emerging character of other development in the locality. The proposal is compatible with the surrounding and adjacent land uses and will have no major impact on the amenity of the area. The proposed building materials, external colour schedule and scale are compatible of the surrounding locality.

The proposal is in keeping with the desired residential character of the locality. Therefore the application is supported for the following reasons:

- The proposal is a permissible land use in the zone.
- The proposed dual occupancy is consistent with the surrounding built environment and other proposed developments in the area.
- The proposal is consistent with the residential character of the locality.
- The applicant has incorporated design measures in the siting, setbacks, height, bulk and external finishes of the development that complements the established streetscape.
- The proposal would have no impact on the natural environment (i.e. flooding, significant vegetation etc)
- The proposal will provide a high level of amenity for the future occupants of the dwellings and maintain the amenity of the surrounding developments.

The site is located within a developing portion of an emerging residential area. There are a number of dual occupancies proposed in the immediate area. Therefore, the new dwelling is consistent with the bulk and scale of the other development in the locality.

The proposal will not adversely affect the overall streetscape or character of the area. The roof form and materials of both dwellings of the dual occupancy are consistent with each other.

#### ***Access, traffic and transportation impacts***

The proposal will have minimal impact on local traffic and parking conditions for the following reasons:

- The proposed driveway, including width, complies with Council's requirements. Adequate onsite parking has been provided for the development and services the demands of its users;
- Macadamia Ct (being a local road) has good access the broader road network and therefore the site has the capacity to accommodate the additional traffic generated by the proposal.

The proposal will have no adverse traffic generation impacts on the local road system. The proposed vehicle access arrangement will be adequate for the proposal.

#### ***Utilities/Water and Energy***

The site has connections to all utility services. The standard conditions for obtaining a Section 73 Certificate from Sydney Water and written clearance from Endeavour Energy are recommended. The site is already serviced by water, electricity and telephone which can be utilised by the proposed development.

#### ***Drainage / BASIX***

The proposed development will manage water conservation in accordance with the BASIX requirements. It is noted the BASIX certificate requires a rainwater tank to be connected to the toilet, laundry and landscape connection.

Drainage is proposed to be discharged to the street.

The proposal includes, and will be conditioned to include, suitable measures to minimise environmental impacts in terms of the disposal of stormwater and erosion and sedimentation control, as well as waste control.

#### ***Noise and vibration***

To maintain the acoustic privacy and amenity of the surrounding developments, the standard condition restricting work hours is recommended.

#### ***Landscaping / Vegetation***

A landscape plan that accompanies this application and is in accordance with the DCP. The proposed landscaping consists of a combination of ground covers, shrubs and trees which are in accordance with the DCP requirements.

#### ***Socioeconomic impacts***

The proposal will increase local private market housing choice to satisfy local demands and is consistent with the objectives of housing need under the provisions of LEP 2010.

Accordingly, the proposed dual occupancy is in keeping with the residential nature of the area and unlikely to result in adverse impacts.

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

The site is suitable for the following reasons:

- The subject site is suitably zoned for dual occupancy residential development.
- The design and siting of the buildings is considered responsive to the site attributes.
- The use is compatible with surrounding/adjointing land uses.
- The grade of the site is suitable for the design proposed.
- The site is able to drain to Council's satisfaction.

Council may be satisfied that the site is suitable for the proposed development.

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

### Community Consultation

In accordance with the Act and Regulations, consideration has been given to any necessary referrals and any submissions made.

#### *Community consultation*

In accordance with Chapter 2.7 of the Penrith Development Control Plan the application was notified for 14 days between 24 November 2017 to 4 December 2017. No submissions were received.

### Referrals

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

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions

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

The proposed development is consistent with the objectives of the *Environmental Planning and Assessment Act 1979* in so far as it promotes the co-ordinated and orderly economic use and development of the land. Furthermore, the application has been notified with suitable timeframes given for submission from members of the public. Council did not receive any submission.

## Section 94 - Developer Contributions Plans

The following section 94 contribution plans apply to the subject site:

- (a) Penrith City District Open Space Facilities Development Contributions Plan
- (b) Penrith City Cultural Facilities Development Contributions Plan
- (c) Penrith City Local Open Space Development Contributions Plan 2007

The following Section 94 calculations apply to the proposed development.

<b>CALCULATION</b>					
<b>Proposal/ category</b>					
<b>Dual occupancy</b>					
<b>No. of units</b>	<b>x</b>	<b>Rate</b>	<b>-</b>	<b>Credit for existing dwelling/s</b>	<b>Total</b>
2	x	3.1 (Open Space)	-	3.1	3.1
2	x	3	-	3	3

  

<b>AMOUNT</b>		
<b>S.94 Contribution Plan</b>	<b>Contribution Rate x Calculation rate</b>	<b>Total</b>
Cultural Facilities	3 x \$160	\$480.00
District Open Space	3.1 x \$1,906	\$5,908.00
Local Open Space	3.1 x \$689	\$2,136.00
<b>NET TOTAL</b>		<b>\$8,524.00</b>

## Conclusion

In assessing this application against the relevant environmental planning policies, being Penrith Local Environmental Plan 2010 and Penrith Development Control Plan 2014, the proposal satisfies the aims, objectives and provisions of these policies. The proposed design is site responsive, complies with key development standards and is in the public interest. Therefore, the application is worthy of support, subject to recommended conditions.

## Recommendation

That DA17/1163 for Residential-New Second Occupancy - Detached Dual Occupancy at 11 Macadamia Court KINGSWOOD, be approved subject to the attached conditions (Development Assessment Report Part B).

# CONDITIONS

## General

### 1 A001

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

Drawing Title	Drawing Reference	Prepared by	Dated
Site plan	Job No: MRZ-17-190 (Page No: 2, Issue B)	MRZ Design & Building Consultant	10.01.18
Ground Floor Plan	Job No: MRZ-17-190 (Page No: 4, Issue B)	MRZ Design & Building Consultant	10.01.18
First Floor Plan	Job No: MRZ-17-190 (Page No: 5, Issue B)	MRZ Design & Building Consultant	10.01.18
Roof Plan	Job No: MRZ-17-190 (Page No: 6, Issue B)	MRZ Design & Building Consultant	10.01.18
Front/North Elevation and Right/West Elevation	Job No: MRZ-17-190 (Page No: 7, Issue B)	MRZ Design & Building Consultant	10.01.18
Rear/South Elevation and Left/East Elevation	Job No: MRZ-17-190 (Page No: 8, Issue B)	MRZ Design & Building Consultant	10.01.18
Right/West Elevation and Left/East Elevation	Job No: MRZ-17-190 (Page No: 9, Issue B)	MRZ Design & Building Consultant	10.01.18
Section	Job No: MRZ-17-190 (Page No: 10, Issue B)	MRZ Design & Building Consultant	10.01.18
Site Management Plan	Job No: MRZ-17-190 (Page No: 11, Issue B)	MRZ Design & Building Consultant	10.01.18
Site Analysis Plan	Job No: MRZ-17-190 (Page No: 12, Issue B)	MRZ Design & Building Consultant	10.01.18
Landscape Plan	Job No: MRZ-17-190 (Page No: 13, Issue B)	MRZ Design & Building Consultant	10.01.18
Shadow projections 21 <sup>st</sup> June 9Am, 12PM and 3PM	Job No: MRZ-17-190 (Page No: 14, 15 and 16, Issue B)	MRZ Design & Building Consultant	10.01.18
Schedule of Finishes	-	-	-
Waste Management Plan	-	MRZ Design & Building Consultant	13.11.17
BASIX Certificate	876656M	-	06 November 2017
Stormwater Drainage Plan and Details	17NL308 (Rev A)	Loka Consulting Engineering	Nov 17

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

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

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

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

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

### 4 A039 - Graffiti

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

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

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

## Environmental Matters

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

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

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

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

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

### 7 D009 - Covering of waste storage area

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

### 8 D010 – Appropriate disposal of excavated or other waste

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

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

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

## BCA Issues

### 9 E001 - BCA compliance

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

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

(b) formulating an alternative solution which:

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

## Health Matters and OSSM installations

#### 10 [F006 - Water tank & nuisance](#)

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

### Utility Services

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

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

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

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

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

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

#### 13 [G006 -](#)

**Prior to the issue of a Construction Certificate**, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:

- The requirements of the Telecommunications Act 1997;
- For a fibre ready facility, the NBN Co’s standard specifications current at the time of installation; and
- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

**Prior to the issue of an Occupation Certificate**, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with the requirements above and the applicable legislation at the time of construction, must be submitted to the Principal Certifying Authority.

### Construction

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

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

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

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

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

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

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

## 15 H002 - All forms of construction

Prior to the commencement of construction works:

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

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

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

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

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

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

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

## 16 H022 - Survey

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

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

The rainwater tank(s) is to be:

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

Additionally, the following are to be provided:

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

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

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

## Engineering

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

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

### 23 [K201 - Infrastructure Bond](#)

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

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

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

### 24 [K202 - S138 Roads Act – Works and Structures - Minor Works in the public road DRIVEWAYS ROAD OPENINGS](#)

Prior to the issue of any Construction Certificate, a Section 138 Roads Act applications, including payment of application and inspection fees, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following:

- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
- c) Road occupancy or road closures
- d) The placement of hoardings, structures, containers, waster skips, signs etc. in the road reserve
- e) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

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

#### Note:

- a) Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- b) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.

25 **K209 - Stormwater Discharge – Minor Development**

Stormwater drainage from the site shall be discharged to the street drainage system.

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

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

26 **K222 - Access, Car Parking and Manoeuvring – General**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1 and Penrith City Council's Development Control Plan.

27 **K301 - Sediment & Erosion Control**

Prior to commencement of any works associated with the development, sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Managing Urban Stormwater series from the Office of Environment and Heritage.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

28 **K405 - Turf to Verge**

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

29 **K406 - Underground Services**

All existing (aerial) and proposed services for the development, including those across the frontage of the development are to be located or relocated underground in accordance with the relevant authorities regulations and standards.

30 **K501 - Penrith City Council clearance – Roads Act/ Local Government Act**

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.

## Landscaping

31 **L001 - General**

All landscape works are to be constructed in accordance with the stamped approved plan and Penrith Council's Development Control Plan.

Landscaping shall be maintained:

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

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

32 **L002 - Landscape construction**

The approved landscaping for the site must be constructed by a suitably qualified and experienced landscape professional.

33 **L005 - Planting of plant**

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

34 **L006 - Aust Standard**

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

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

### 35 [L008 - Tree Preservation Order](#)

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

## Development Contributions

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

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for **Cultural Facilities**. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$480.00** is to be paid to Council **prior to a Construction Certificate being issued for this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment.

The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

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

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for **District Open Space**. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$5,908.00** is to be paid to Council **prior to a Construction Certificate being issued for this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment.

The Section 94 Contributions Plan for District Open space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

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

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for **Local Open Space**. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$2,136.00** is to be paid to Council **prior to a Construction Certificate being issued for this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment.

The Section 94 Contributions Plan for Local Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith

## Payment of Fees

### 39 [P001 - Costs](#)

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

## Certification

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

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

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

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

Information to accompany the Notice of Commencement

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

41 **Q05F - Occupation Certificate for Class10**

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

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

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

# Appendix - Development Control Plan Compliance

## Development Control Plan 2014

### Part C - City-wide Controls

#### C1 - Site Planning & Design Principles

Clause	Not Applicable	Complies	Does Not Comply	Comments
<b>1.1. Site Planning</b>	<input type="checkbox"/>			
1.1.1. Site Analysis	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Site is located within E8 Kingswood Precinct the land is classified as The Knoll
1.1.2. Key Areas with Scenic and Landscape Values	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	The site is not located within an area with scenic or landscape values.
<b>1.2. Design Principles</b>	<input type="checkbox"/>			
1.2.1. Application of Certification System	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
1.2.2. Built Form - Energy Efficiency & Conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	BASIX Certificate submitted.
1.2.3. Building Form - Height, Bulk & Scale	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	The height, bulk and scale of the development is consistent with the surrounding character.
1.2.4. Responding to Site's Topography and Landform	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Site has a natural fall to the north of the site.
1.2.5. Safety and Security (Principles of Crime Prevention Through Environmental Design)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
1.2.6. Maximising Access & Adaptability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>1.3. Fencing</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

#### C2 - Vegetation Management

Clause	Not Applicable	Complies	Does Not Comply	Comments
2.1 Preservation of Trees and Vegetation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	No vegetation is proposed to be removed in this proposal.
2.2 Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
2.3 Bushfire Management	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	A bushfire assessment management report has been submitted as part of the application.

#### C3 - Water Management

Clause	Not Applicable	Complies	Does Not Comply	Comments
3.1. The Water Cycle / Water Conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	BASIX certificate submitted as part of the application.
3.2. Catchment Management and Water Quality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
3.3. Watercourses, Wetlands and Riparian Corridors	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
3.4. Groundwater	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
3.5. Flood Planning	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

3.6. Stormwater Management and Drainage	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
3.7. Water Retention Basins/Dams	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
3.8. Rainwater/Storage Tanks	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

#### C4 Land Management

Clause	Not Applicable	Complies	Does Not Comply	Comments
<b>4.1 Site Stability, Excavation and Filling</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>4.2 Landfill</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>4.3 Erosion and Sedimentation</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	An erosion and sedimentation control plan has been submitted as part of this application. Appropriate controls will be implemented that the subject site is protected.
<b>4.4 Contaminated Lands</b>	<input type="checkbox"/>			
4.4.1. Preventing Contamination	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.2. Triggers for Contamination Investigation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.3. Stages of Contamination Investigation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.4. Site Audit	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.5. Remediation Procedures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.6. Clean Up Notices	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
4.4.7. Council Records and Community Information	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>4.5 Salinity</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

#### C5 Waste Management

Clause	Not Applicable	Complies	Does Not Comply	Comments
<b>5.1 Waste Management Plans</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	A waste management plan has been submitted as part of this proposal.
<b>5.2 General Controls</b>	<input type="checkbox"/>			
5.2.1. Site Management	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
5.2.2. Selection of Building Materials	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
5.2.3. Designing for Waste Minimisation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
5.2.4. Siting and Design of Waste Storage and Collection Areas	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
5.2.5. Management of Waste Storage and Collection Areas	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>5.3 Development Specific Controls</b>	<input type="checkbox"/>			
5.3.1. Residential Development Controls	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

5.3.2. Mixed Use Development Controls	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
5.3.3. Non-Residential Development Controls	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>5.4 Hazardous Waste Management</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>5.5 On-Site Sewage Management</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

### C6 Land Management

Clause	Not Applicable	Complies	Does Not Comply	Comments
C6 Landscape Design	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Landscape plan has been submitted as application.
6.1.1 Development Process	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
6.1.2 Protection of the Environment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
6.1.3 Neighbourhood Amenity and Character	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
6.1.4 Site Amenity	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
6.1.5 Construction	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

### C10 Transport, Access and Parking

Clause	Not Applicable	Complies	Does Not Comply	Comments
<b>10.1. Transport and Land Use</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>10.2. Traffic Management and Safety</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>10.3. Key Transport Corridors</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>10.4. Roads</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>10.5. Parking, Access and Driveways</b>	<input type="checkbox"/>			
10.5.1. Parking	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	The proposal provides two car spots for dwelling. This meets the requirements for occupancy development.
10.5.2. Access and Driveways	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
<b>10.6. Pedestrian Connections</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>10.7. Bicycle Facilities</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	

### C13 Infrastructure and Services

Clause	Not Applicable	Complies	Does Not Comply	Comments
13.1. Location of Easements for Infrastructure	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
13.2. Utilities and Service Provision	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	The subject site is surrounded by existing services. These can be extended to accommodate the development.
13.3. On Site Sewage Management	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	

13.4. Engineering Works and Construction Standards	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
13.5. Development adjacent to the Sydney catchment authority controlled areas – the warragamba pipelines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	

## D2 Residential Development

<b>D2 Residential Development (2.2 Dual Occupancies)</b>			
<b>2.2.1 Residential Character</b>	Determined by location, density, landscape, planning patterns and design	The proposal site is zoned R2 Low Density residential is for dual occupancy development.  The height, bulk and scale of the proposal are consistent with developments within the surrounding area.	Yes
<b>2.2.2 Configuration of Dual Occupancy</b>	1. Adopt key features of established suburban design  2. Two dwellings fronting the street, with their entrances, the windows to principal living rooms and private gardens facing the street or rear boundary	Both units have private courtyards and gardens to the rear of the site and have windows located within principal living areas.	Yes
<b>2.2.4 Urban Form</b>	New buildings should show characteristics of traditional suburban development: dwellings oriented to face the street, building forms stepped or articulated, and integrated with the shape of surrounding garden areas.	Both dwellings have been oriented to face the street; the building form typically illustrates a traditional suburban design that is complemented by surrounding green areas.	Yes
<b>2.2.9 Solar Planning</b>	Providing shadow diagrams prepared by a qualified technician for all two-storey buildings and additions	Shadow diagrams have been provided.	Yes

<b>2.2.10 Significant Landscapes &amp; Townscapes</b>	New development should demonstrate detailed design measures that protect and complement heritage significance or character	N/A.	N/A
<b>2.2.11 Corner Sites and Park Frontages</b>	<p>1) minimum setbacks from the secondary street frontage to external walls is to be no less than 3m</p> <p>2) minimum setbacks from the secondary street frontage to garage entrances is to be 5.5m;</p> <p>3) minimum setbacks from the secondary street frontage to veranda's is to be 3m;</p>	N/A	Yes
<b>2.2.12 Building Design</b>	New developments should appear as individual dwellings surrounded by gardens, with facades that incorporate a variety of materials and shading structures	The proposal is for an attached dual occupancy dwelling. The materials used are consistent with the surrounding streetscape, a proposed porch, private courtyard and surrounded gardens have been designed to improve the overall design.	Yes
<b>2.2.13 Energy Efficiency</b>	Dwellings shall be configured and constructed to minimize the energy required for space heating, cooling or lighting	Applicant has provided a BASIX Certificate for Multi dwelling.	Yes
<b>2.2.14 Design of Dwellings and Private Courtyards</b>	A minimum of 30m <sup>2</sup> of private open space.	Both dwellings provide over private open space (courtyard and alfresco).	Yes

<b>2.2.15 Garage Design</b>	Garages should be designed to serve a variety of purposes, and their appearance should contribute to the overall diversity of building form and design	The proposed garages are integrated into the design of the house and located behind the building line.	Yes
<b>2.2.16 Garden Design</b>	Gardens should be landscaped according to the function of each area, and should provide a backdrop that is appropriate to each adjacent room	Refer to landscape design.	Yes
<b>2.2.17 Paving Design</b>	Design driveways and paved areas as attractive and functional components of development, complementing the designs of garden areas and buildings, and providing effective management for stormwater run-off.	The proposal will include a new driveway for both dwellings which will connect to the proposed garages.	Yes
<b>2.2.18 Fences and Retaining Walls</b>	Fences should be no taller than:  a) 1.8m generally; and  b) 2.4m on sloping sites, including the height of any retaining wall	1.8m boundary fence is provided.	Yes
<b>2.2.19 Visual and Acoustic Privacy and Outlook</b>	Provide an outlook from dwellings and their private open space, and achieve levels of acoustic and visual privacy that is reasonable for a residential neighbourhood.	The proposed dwelling has been designed with appropriate setbacks to the site boundaries to protect the amenity of the neighbouring properties and provision of private open space with the character of the area.	Yes

<b>2.2.20 Safety and Security</b>	Achieve a high level of passive security within and surrounding dwellings.	The proposed development is two storey in height and incorporates a 1.8m high fence that will achieve a high degree of passive security.	Yes
<b>2.2.21 Accessibility and Adaptability</b>	Ensure that dwellings are accessible to persons with impaired sight or partial mobility.	The development has steps at the front of the house, however cannot be avoided due to topography of the land. The dwelling and outdoor alfresco is accessible.	Yes
<b>2.2.22 Storage and Services</b>	Ensure that each dwelling has reasonable private storage space and waste management areas/facilities, and that meters, service cupboards and aerials are integrated with the Design of buildings.	Designated storage space under the stairs, deep garages, pantry and linen closets. All services such as water, sewer, and electricity currently service this site.	Yes

## E8 Kingswood

<b>E8 Kingswood – Residential Development</b>			
<b>DEVELOPMENT STANDARD</b>	<b>REQUIREMENT</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<b>8.3.4.2 Streetscape, Feature Elements and Roof Design</b>	<p>1) Primary street façade of a dwelling to incorporate at least one of the following building elements to articulate its presentation to the street:</p> <ul style="list-style-type: none"> <li>a) an entry feature</li> <li>b) awnings or louvres or other sunshade devices over windows</li> <li>c) open verandah</li> <li>d) bay windows</li> <li>e) balcony at first floor</li> <li>f) other decorative architectural features</li> </ul>	The proposed unit has incorporated a front porch, and landscaping in the primary street façade; in additions the living room and study have been designed to have windows that face the street.	Yes

	2) Secondary street façade on corner lots include at least a window off a habitable room and particular design features (e.g. verandah, balcony or landscaping).	N/A	Yes
	3) Eaves to be provided to all roofs with a minimum overhang of 400mm.	Minimum 400mm eaves provided.	Yes
	4) Garages and parking spaces are to be sited behind the front building line of dwelling or integrated into the façade of the dwelling for garages that are situated at basement or sub-ground floor level.	The proposed garages are integrated into the design of the house and located behind the building line	Yes
<b>8.3.4.3 Dwelling Height, Massing and Siting</b>	1) Dwellings are to be a maximum of two storeys in height	The proposed dual occupancies are 2 storey in height.	Yes
	2) Maximum external wall height for all dwellings is 7m from the natural ground level.	External wall height for unit 1 and 2 is less than 7m, with the exception of a column architectural feature.	Yes
	3) At least 3 hours of direct sun between 9am and 3pm onto 50% of principal private open space should be achieved for new dwellings and their adjoining properties.	A shadow diagram has been submitted as part of the application.  The alfresco and courtyards have been positioned at the rear of the proposed dwellings. The design ensures that these areas received over 50% of direct sunlight.	Yes
<b>8.3.4.4 Building Setbacks</b>	1) Dwellings are to be sited in conformity with the numeric controls specified in Table E8.1. Frontage with 15 and less ( Front 4.5m, Side 0.9m and Rear 4m single and 6m first floor)	Front Setback – 6m (except porch which is permitted) Side Setback – 2.1m and increases due to shape of the land Rear Setback – 3.4m to 10.8m	<b>Variation</b> <b>Setback</b> <b>respect t</b> <b>of the ou</b> <b>alfresco</b> habitable meets the requirements unavoids the angle the land a design ha responde stepping ensuring complies
	2) Secondary frontages for all corner sites are to be provided in accordance as follows: (2m for dwellings on lots 18m and wider)	N/A	Yes

<b>8.3.4.7 Private Open Space</b>	1) Each dwelling must be provided with an area of private open space.	Both dwellings provide over private open space (courtyard and alfresco)	Yes
<b>8.3.4.8 Site Coverage and Landscaped Area</b>	1) A 3m landscaped setback will be provided at the rear of properties which are adjacent to existing residents (as illustrated in Figure E8.5). This will be provided in addition to standard building setbacks detailed in section E8.3.4.4 Building Setbacks.	N/A	N/A
	2) Landscaped area in any part of a site, at ground level, that is permeable and consists of soft landscaping, turf or planted areas and the like. On lots 450m2 and greater, 35% of the lot area must be landscaped.	Landscape area provided is 53%	Yes
	3) A landscape plan is to be submitted with all development applications for residential development. The development application must indicate the location and other requirements for landscaping contained in this DCP.	Landscape plan has been submitted as part of the development application.	Yes
	4) The front setback area of a dwelling is to be landscaped with the treatment to clearly delineate between the private and public domain. The front setback is to incorporate two trees. The rear garden must include at least one tree that will achieve a height of 6m at maturity. These may include existing trees that are to be retained.	Landscape plan has been submitted as part of the development application.  The landscape plan ensures that the setback area of each dwelling includes extensive landscaping which separates the existing road from the proposed dwelling.	Yes
	5) Garbage bin storage and clothes drying areas are to be concealed from view and shown on site plans	The garbage bin storage and clothes drying areas are located behind the dwelling.	Yes
<b>8.3.4.9 Fencing</b>	1) The design of front fences is to take reference from, and complement, the architectural style of the dwelling on the site and dwellings on adjacent sites in terms of style, height and materials	The proposed fences use colours and materials that complement the existing character of the area.	Yes
	2) Maximum height of 1.2m for front fences	N/A	Yes
	3) Maximum height of 1.8m for side and rear boundary fences.	A 1.8m high lapped and capped fencing has been proposed along the side and rear boundary.	Yes
<b>8.3.4.10 Garages and Access</b>	1) Off-street parking spaces should be provided in accordance with within the Transport, Access and Parking Section of this DCP.	Dual occupancy developments required 2 spots per dwelling. Each dwelling has been designed to include a double garage.	Yes

	2) All car accommodation including garages must be sympathetic in architectural character to the dwelling and not visually dominate or adversely impact on the existing built or landscape character of the street.	The proposed garages have been incorporated in the overall building design of the proposed dwelling. The building materials and colours proposed are consistent with the surrounding streetscape and character of the area.	Yes
	3) Where a carport or garage entry forms part of the front façade of a dwelling, it is to be set back a minimum of 5.5m from the front boundary and at least 1m behind the building façade.	The proposed garages have a setback of 7m from the front boundary.	Yes
	4) Parking spaces are to comply with AS 2890.1 off street parking, including:  a) Minimum internal width between main walls of 5.5m for a double garage.	The proposed garages satisfy the internal width.	Yes
	5) Where practical driveways and car parking facilities for corner lots are to be accessed off a secondary street	N/A	Yes
<b>8.3.5.1 Visual and Acoustic Privacy</b>	a) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.	A BASIX certificate has been provided for Dual Occupancy.	Yes
<b>8.3.5.2 Safety and Surveillance</b>	a) Dwelling design should encourage overlooking of primary and secondary streets as well as other public or communal areas, including the Hill Top Park. This is to be achieved by siting at least one living room to the front of the dwelling (which has an aspect to a primary street) and at least one habitable room to the side or rear (which has an aspect to a secondary street or public open space).	Living room and bedrooms have been designed to overlook the street. They provide passive surveillance.	Yes