

## North Penrith Concept Plan Approval MP 10\_0075

### Schedule of Compliance with Approved Concept Plan Conditions

Condition Number	Current Condition Wording / Requirement	Addressed in Design Guidelines
B2 – Design Guidelines (1)	The proposed Development Control Plan in Appendix B of the EA is to be renamed “Design Guidelines”.	The document is renamed “North Penrith Guidelines 2011”.
B2(2)	The Design Guidelines are to form part of the approved Concept Plan and is not a Development Control Plan made by the Director General under the provisions of Section 74C of the Act. Accordingly, Section 1.0 shall be amended to reflect the Design Guideline’s status.	Section 1.0 of the Design Guidelines has been amended to reflect the Design Guideline’s status.
B2(3)	In the event of any inconsistencies between the revised Design Guidelines and the Penrith Development Control Plan 2006 (or subsequent amendment) the Design Guidelines as modified by this concept approval prevail.	Noted.
B2(4)	The housing type referred to as "Integrated Development" in Section 3.2 shall be renamed "Integrated Housing". This type of housing should not be shown on Blocks A5, A6 and A7 in Figure 7.	The relevant references to Integrated Development housing type has been changed to ‘Integrated Housing’ throughout the document. Figure 7 has been amended to remove this type of housing on Blocks A5, A6 and A7.
B2(5)	Garages shall be located at the rear of the site for lots less than 8m in width. Figures 9 and 10 shall be amended accordingly.	Figure 9 and Figure 10 does not provide that level of detail, and in any case Figure 10 applies to lots greater than 8m wide. It should be noted that page 21 of the Design Guidelines requires that for lots less than 8m wide, all garaging is to be accessed from the rear lane (if rear loaded). If there is no rear laneway, a single / tandem garage is permitted at the front.
B2(6)	A minimum floor to ceiling height of 2.7 metres for habitable rooms on the ground floor shall be provided for residential development.	Section 3.3.5 now states: <i>For 1-3 storey residential development within the R1 zone (except for ancillary dwellings), a minimum floor to ceiling height of 2,700mm is to</i>

Condition Number	Current Condition Wording / Requirement	Addressed in Design Guidelines
		<i>be provided) for all ground floor living spaces.</i>
B2(7)	Principle private open space must not be exclusively located in the front setback area between the dwelling and the primary street. Housing types M01, M02 and M03 in Appendix B of the Design Guideline shall be deleted.	Section 3.5.2 now states: <i>The location of PPOS is to be determined having regard to allotment orientation, dwelling layout, adjoin dwelling, landscape features, and the preferred locations of PPOS illustrated in Figure 11. Where an allotment is located on the southern, eastern and western side of a street, the PPOS must not be provided exclusively within the front of the allotment between the dwelling and the primary street frontage. PPOS in the form of a garden court, verandah or balcony must also be provided within the side and/or rear setback. PPOS located in the front of a dwelling must be useable and adjacent to a living space.</i>
B2(8)	Clause 5 of Section 3.5 shall be amended so that the majority of the dwellings receive fifty percent of the area of required PPOS (of both the proposed development and the adjoining properties) should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).	Section 3.5.5 now states: <i>As a guide, The majority of dwellings within any given Development Block should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to fifty per cent of the required PPOS of both the proposed development and the adjoining properties.</i>
B2(9)	In the case of an integrated housing development, Clause 5 of Section 3.5 shall only apply to 70% of the dwellings forming the integrated housing development (previously referred to as integrated development).	Section 3.5.6 now states: <i>Despite (3.5.5), where an integrated housing development application is proposed, a minimum 70% of the dwellings proposed by that application should receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).</i>
B2(10)	Vehicle access to lots with rear lane access should only be via the rear lane.	The design of allotments and placement of dwelling is informed by solar access, the size and location of the required PPOS, and built form controls. However, this condition does not facilitate innovative design solutions that may be able to accommodate vehicular access on the front and side boundaries, particularly for corner lots. Landcom requests that the Concept Plan approval and Design Guidelines afford this flexibility and accordingly requests the deletion of this condition.
B2(11)	Where above ground parking is proposed the location of the parking area must not adversely impact on the amenity of the adjoining neighbourhood. The parking area is to: a) be located on the side or rear of the site, and is not visible from	Section 4.4.4 now states: <i>Where above ground parking is proposed, the location of the parking area must:</i>

Condition Number	Current Condition Wording / Requirement	Addressed in Design Guidelines
	the street and street frontage; b) be landscaped or screened so that cars parked in the parking area are not visible from adjoining buildings or the street / street frontage; and c) allow safe and direct access to the building's entry points.	<ul style="list-style-type: none"> <li>▪ <i>be located on the side or rear of the site, and not be visible from the street and street frontage;</i></li> <li>▪ <i>be landscaped or screened so that cars parked in the parking area are not visible from adjoining buildings or the street/street frontage; and</i></li> <li>▪ <i>allow safe and direct access to the building's entry points.</i></li> </ul>
B2(12)	Minimum residential dwelling targets shall not be provided within the parts of the site that are zoned B2 - Local Business (i.e. sub-precincts A3 to A7 and T1 to T5)	Section 3.1 has now been amended to not provide minimum residential dwelling targets within the parts of the site that are zoned B2 – Local Business (i.e. no minimum dwelling target are proposed for A3 to A7 and T1 to T5). It should also be noted that the condition as approved refers to Development Parcels that were not shown in the Concept Plan Preferred Project submitted by Landcom.
B2(13)	Residential flat building, multi- unit housing and mixed use development shall be indicated on block A5 and the southern parts of blocks A3 and A4.	Figure 15 nominated the key sites for residential flat development. This includes block A5 and the southern parts of blocks A3 and A4. Figure 18 also nominates the preferred land uses on these sites and shows these blocks as medium density residential.
B2(14)	A minimum rear set back of 4 metres to the ground level and 6 metres to the second storey shall be provided for all allotments that back onto the existing residential allotments fronting Lemongrove Road.	<p>Section 3.3.10 has been modified to include rear setbacks in addition to side setbacks. The condition now states:</p> <p><i>The minimum side and rear setback requirements for residential development within the R1 Zone (except for residential flat buildings) is to be consistent with the table below. Projections permitted into side and rear setback areas include sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units and the like.</i></p> <p>Further, 3.3.11 has been included and states:</p> <p><i>Despite (3.3.10), dwelling houses on allotments that back onto existing residential allotments fronting Lemongrove Road, shall achieve:</i></p> <ul style="list-style-type: none"> <li>- <i>a minimum 4m setback at the ground level; and</i></li> <li>- <i>a minimum 6m setback at the upper level.</i></li> </ul> <p>In addition Section 5.1.7 (Thornton Hall built form controls) states:</p>

Condition Number	Current Condition Wording / Requirement	Addressed in Design Guidelines
B3- Opportunity Site	<p>The Design Guidelines shall include specific controls for the opportunity site identified in Figure 14 of the Draft DCP. The controls shall promote higher residential densities and a mix of uses that achieve high levels of activity and pedestrian movement and are appropriate within 400m within a railway station.</p> <p>The Concept Plan drawings (in Appendix B of the PPR) and the figures in the Draft DCP (in Appendix of the EA) shall be amended to show this precinct as a mixed use area.</p>	<p><i>Rear setback controls for all allotments that back onto the existing residential allotments fronting Lemongrove Road are provided at Section 3.3.11.</i></p> <p>Figure 14 has been amended to indicate the opportunity site surrounding blocks A5, A4 and A3.</p> <p>Section 3.10- Key Sites have the following amendments to incorporate additional controls:</p> <p><b>The Opportunity Site</b> has added an objective that states: <i>Buildings envelopes are to provide a legible and permeable development pattern.</i></p> <p><b>Blocks A1 - A6</b></p> <ul style="list-style-type: none"> <li>- Front buildings onto streets with active uses where possible.</li> <li>- A range of retail, business, and commercial premises should be provided at the ground level to activate the street frontages within the Opportunity Site particularly.</li> <li>- Development is to include or facilitate public pedestrian/cycle connections. Public access and connections to public access is to be provided at development application stage. A staging plan showing how the proposed development will connect to the public access should be provided with each development application.</li> <li>- The ground floor level and front yard / private open space of the dwellings is to be raised above the level of the canal / street to provide privacy for the dwellings.</li> <li>- Buildings are to take advantage of the location overlooking the canal and oval with front balconies and terraces.</li> <li>- Parking should be screened from the street and canal interfaces. Underground parking is preferred.</li> <li>- Block A2 should include a ground floor cafe / neighbourhood shop adjacent to the oval.</li> <li>- Streets and lanes are to: <ul style="list-style-type: none"> <li>■ be clear and direct throughways for pedestrians with paving finishes, lighting etc. that are appropriate for a pedestrian route.</li> </ul> </li> </ul>

Condition Number	Current Condition Wording / Requirement	Addressed in Design Guidelines
		<ul style="list-style-type: none"><li>▪ provide public access at all times, and</li><li>▪ have signage indicating public accessibility.</li></ul> <p>Section 4.1.1 states:</p> <p><i>The location of preferred land uses within the Village Centre is to be generally consistent with the Figure 18. The nominated 'Opportunity Site' may be developed for commercial, educational uses and the like should the demand arise.</i></p>

3 February 2012