

## **Annexure E**

# **ARCHITECTURAL & LANDSCAPE STANDARDS DEPOSITED PLAN NO 270188**

# Newington Landscape and Architectural Standards

## CONSOLIDATED BY-LAWS

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## **1.0 Introduction**

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### **1.1 Purpose of This Document**

Under By Law 2 of the Newington Stage 1 (Precinct 3) Community Management Statement (CMS), the Contractor may prescribe Architectural Standards and Landscape Standards for any Community Development Lot Once served on the Community Association, the Community Association is responsible for the Architectural Standards and Landscape Standards. This document is the Contractor's prescribed Architectural Standards and Landscaping Standards.

These standards apply to all Community Development Lots contained in the Newington Stage 1 Community Plan except for Lot 53 (this lot contains the roads proposed to be dedicated in part or whole to Auburn Council) and Lot 206 (being the central park proposed to be dedicated to Council).

Refer to By-Law 2 of the CMS for further information on these standards.

**Under By Law 3.5 of the CMS, the Executive Committee of the Community Association, in making a decision on whether to consent to an application to carry out Works (as defined In the CMS), must ensure that the works comply with the Architectural Standards and Landscaping Standards.**

### **1.2 Newington Stage 1 Design Concept**

Precinct 3 (Newington Stage 1) forms part of the overall residential development of Newington is intended to consist of 3 separate residential precincts, a mixed-use retail/commercial/community and light industrial precinct and a primary school zone.

The development is based on the concept of an "Urban Village" with clearly defined centres and edges. The focal point of Newington is the Village Centre located in the retail precinct the edges of Newington are defined by the existing light industrial development to the west and existing residential development to the south-west, the M4 Motorway to the South the proposed Millennium Parklands to the East and Holker street to the North Each residential precinct has the "Village Green" as the focal point Green corridors separate them from each other Each residential precinct consists of individual houses in the mam body of the precinct and apartment blocks generally distributed at the perimeter forming well defined urban edges to the precinct at the interface with Millennium Parklands.

## **2.0 Master Plan Codes**

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### **2.1 Ecologically Sustainable Development**

#### **2.1.1 Environmental Objectives**

An integrated design process will ensure that ESD principles are incorporated from broad scale master planning down to individual building details. The design controls contained in these standards and elsewhere are to ensure the following outcomes:

- Substantial reduction in CO2 emissions compared to similar developments
- Substantial reduction in household energy demand

- Substantial reduction in the use of PVC
- Certainty in delivering a high quality of life to residents through local employment, an accessible environment quality open space and non-car based transport strategy
- Substantial reduction in potable water usage (subject to availability)
- Substantial reduction in residential waste to landfill through recycling

### **2.1.2 Energy**

#### **Principles**

- Substantial reduction in household energy demand
- The creation of the world's largest photovoltaic residential power station

#### **Design Standards**

- 100% of all houses in Newington Stage 1 by the time of the Olympic Games in the year 2000, are to be fitted with rooftop photovoltaic cells sufficient to generate the dwelling's average household energy demand Houses built after the Olympics are encouraged to fit rooftop photovoltaic cells
- Single lot dwelling living spaces are generally to be orientated to within 20deg west of North and 30deg east of North and open directly onto north facing private open space
- Single lot dwellings are to be designed to ensure minimum of 2 hours of solar access to a minimum of 50% of the required provision of adjacent private outdoor living space (as per Built Form Controls) between 9am and 3pm midwinter
- North facing windows are to be maximised and have horizontal protection to ensure shading of glazing occurs when the Midday sun angle is 65deg or more Shading devices to north facing windows shall provide sun penetration when the midday sun angle is 34 deg or less
- Minimise window sizes where facing south, west and east or install vertical screens or solar film to west and east facing windows
- Residential insulation requirements  
Minimum R1.5 to walls  
Minimum R2.5 to roofs
- High mass materials are to be used where possible. Concrete slab on ground is to be used where topography allows Elsewhere precast or suspended concrete floors to ground floor areas
- Where practical and appropriate floors to informal living areas to be finished in materials to maximise solar heat absorption in winter
- Maximise cross ventilation

- Where practical and appropriate, skylights and/or wind-powered ventilators are to be installed to increase natural ventilation and enhance natural lighting Position stairwells to create a stack effect to enhance natural ventilation and remove warm summer air from upper floors
- Roof spaces are to be ventilated
- Five star rated appliances only are to be used
- Trees and shrubs are to be selected and positioned to maximise solar penetration in winter and minimise it in summer (deciduous plants on the north side of outdoor spaces). Plant types are to be selected to not overshadow rooftop solar collectors Positioning of planting is to assist in the enhancement of cool summer breezes and the protection from hot summer and cold winter winds
- Use predominantly lighter coloured external finishes
- All windows and doors are to be weather stripped to minimise infiltration and exfiltration
- Minimise thermal bridges and if they are necessary these are to be of low conductance materials
- Where practicable external space is to be allowed for clothes drying within each lot
- A maximum of 80MJ/m<sup>2</sup> yr heating energy requirement to 20deg C per dwelling is to apply
- Shade screen over sliding windows similar to that currently in place in the Eko Building.

### 2.1.3 Materials

#### Design Standards

- Material selection must take into account the life cycle effect of their manufacture, use and disposal to minimise the effect on the environment. The following environmental factors shall be considered in such analysis
  - Environmental impact throughout their life cycle
  - Energy use throughout their life cycle
  - Carbon dioxide emission during manufacture, use and disposal
  - Toxicity content toxin production during manufacture, use and disposal
  - Reactive organic compound content
  - Rare and non-renewable material content
  - Potential for end of life re-use or recycle
  - Re-use or recycled material content
  - Transport and distribution requirements
  - Thermal comfort
  - Maintenance
  - Durability
  - Cost

## **2.1.4 Water**

### **Design Standards**

- Potable and non-potable water supply (from Sydney Water mains and from OCA's reclaimed water system respectively) have been reticulated throughout Precinct 3
- If non-potable water facility commences operation, non-potable water supply may be connected to WC cisterns and external hose cocks within each dwelling lot. However, until after the Olympic Games potable water will be circulated through the non-potable system
- Flow reducing fittings or flow reduction valves are to be installed to all outlets other than those connected to non-potable supply
- Plant species that are drought resistant or will require minimal watering once established are to be used
- Apply water-conserving landscape practices wherever possible including soil amendments mulch irrigation zoning, limited turf areas, planting in relation to micro-climate, water scheduling and selection of plants with water needs that match site rainfall and drainage conditions
- If the non-potable water supply commences operation, non-potable water supply is to be connected to any public domain irrigation system
- Irrigation systems to the public domain are to be water efficient drip type with automatic shut-off in the event of rain

## **2.1.5 Waste**

### **Design Standards**

- Where space exists, waste bins are to be stored in a dedicated service area within the lot boundary of each house
- In multi unit developments a central garbage room is to be included to incorporate adequate bins for recyclable waste green waste and food waste and waste for disposal

## **2.2 Land Use and Density**

### **2.2.1 Precincts 1, 2 and 3 – General Residential and Supporting Uses**

Residential use is permitted in all areas of Precincts 1, 2 and 3

### **Design Standards**

- Residential areas are to be predominantly low use single unit attached and detached houses with areas of medium rise 3-4 storey apartments

## **2.3 Landscape and Open Spaces**

### **2.3.1 Landscape**

#### **Principles**

The major design objective for residential landscaping is to meet functional and amenity needs for residents while reinforcing the Village in the Park concept through the establishment of a tree canopy and streetscape character that complements the public domain

#### **Strategies**

- Sense of continuity created through residential precincts using broad masses of indigenous trees rather than many scattered specimens of various species
- Selection of plant materials to support ESD principles, particularly adaptation to the existing soil types sensitivity to moisture, climate, avoidance of (weed) species, and plants that may be poisonous or provoke allergenic reactions
- Choice and arrangement of landscape to enhance liveability and visual amenity of the residential environment
- Residential landscape to feature combinations of ornamental native plants in contrast to public domain
- Gardens to feature pleasant scented flowers and aromatic foliage, with the texture and colour of branches/bark to combine with seasonal variations and flowering habit.
- Emphasis to be placed on prolific flowering indigenous plants where the plants They may provide the focal point of visual interest
- Selection of species (refer plant list) is based primarily on ESD principles microclimate variations, functional and design needs

### **2.3.2 Plant Materials**

The theme adopted for plant materials is one that is distinctly Australian and will establish visual continuity of the nearby Newington woodland. It will reinforce planting themes already adopted for venues and the Homebush Olympic site

Consideration has been given to:

- creating a special character emphasising bold, simple plantings of Eucalypts and associated vegetation through the open space system
- taking full advantage of indigenous plant material in its ability to adapt to climatic and soil conditions of the site
- showcasing rare or unusual Australian plants
- expanding the cultivation and use of native evergreen canopy rainforest trees

- Select plant species for landscaping that have low water demand and high drought tolerance
- Select plant species that are non-invasive, non-poisonous, non-allergenic and attractive to native birds and other fauna
- Select plant species that will complement existing native habitats
- Use Indigenous species in preference to non-indigenous species to enhance biodiversity and promote conservation
- Bring genotypes into the Newington open space, and extend areas of woodland and grassland
- Adopt xenscape principles to landscaping in the public domain
- Predominantly use species listed in Appendix 1

### **2.3.3 Design Concepts**

#### **Planting**

Each concept is based on Australian Native vegetation associations that have distinct and recognisable floral characteristics There are four main categories

- Local
- Sydney Region
- National
- Australasian

Within each category the way in which differing themes can be related to house architecture climactic, privacy, ESD issues has been addressed. The amenity value, visual images and a brief statement as to the landscape philosophy is shown

Consideration for the use of plant materials will be given specifically to

- reduce glare and reflection
- direct and frame views
- privacy control in residential precincts
- mask undesirable traffic noise from freeway
- solar radiation/shading of solar panels
- reduction in evapo-transpiration
- prevention of soil erosion
- ameliorating heat in summer cold in winter

- reduce wind effect and provide shelter
- habitat for native fauna and birds
- pollution control filter dust and airborne particles

### **Paving**

#### ***General***

- paving patterns to be related to interior patterns
- use borders and banding of different colours and textures to define paving areas

#### ***Front yard***

- driveway paving is differentiated from street by using brick with perimeter banding
- landscape strip in driveways to decrease the amount of paved surfaces
- incorporate path to front door separate to the driveway where possible
- courtyard area relates to interior rooms/access
- materials other than pavers may be used provided they comply with the colour scheme of the community association as provided for in these architectural and landscape standards and the consent of the Executive Committee is obtained prior to using such materials.

#### ***Backyard***

- strong relationship between indoor/outdoor rooms
- soft set pavers (sand joints) rather than mortar
- clothesline area may be grassed or paved, avoid decomposed granite

#### ***Side yard***

- use soft materials such as decomposed granite, decorative gravel, or stepping stones for visual interest and cost
- access to street for rubbish/recycle bins

### **Fences**

#### ***Backyards***

- continuity of fencing at backyards = brush fences and/or timber are to match fences existing at the time of commencement of these architectural and landscape standards, though owners may alter between these two types of fences, despite what existed at the time of commencement of these architectural and landscaping standards.

### ***Side yards***

- ensure visual and acoustic privacy
  - = brick fences with painted or bagged finishes )
  - = timber tongue and groove fences ) TO MATCH EXISTING FENCES
  - = brush )
- colours to match/relate to house colours
- no greater than 1.8m in height

### ***Grading and Drainage***

- Site grading shall be kept to a minimum and necessary drainage systems shall be designed for minimum impact and alteration of natural drainage systems should be avoided
- Retaining walls may be used to reduce areas needing grading or to preserve vegetation, however such must reflect the architecture of the surrounding buildings or improvements and be well integrated into the site
- Paving buildings and drainage systems should preserve natural grade run-off and plants and trees

### ***Lighting***

- Plant lighting landscape lighting and path lighting may be used Down lighting is preferable to reduce glare Landscaping fixtures must be shielded by planting and concealed in daytime

### ***Prohibition on Planting***

- No plants trees or shrubs shall be planted on any part of the community property or over service corridors without the permission of the various service authorities providing services in those corridors

### ***Turfing***

|                        |                                                                                                                                                                                                      |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Source</b>          | use turf from a specialist grower of cultivated turf. Provide turf of even thickness free from weeds, disease and insect activity genetically pure and true to type with visually uniform appearance |
| <b>Density</b>         | high shoot density and not fall apart. Texture medium to fine leaf texture                                                                                                                           |
| <b>Growth Habit</b>    | prostrate growth habit possessing both rhizomes and stolons for designated verge and parkland areas                                                                                                  |
| <b>Colour</b>          | in full growth should have light green to leaf green colour                                                                                                                                          |
| <b>Grass Varieties</b> | Winter green couch, fescue and buffalo                                                                                                                                                               |

### ***Supply***

Deliver the turf within 24 hours of cutting, and lay it within 24 hours of cutting. Prevent it from drying out between cutting and laying

## **2.3.4 Plants**

### **PLANTING**

#### ***Plants***

General Use plants with the following characteristics

- Large healthy root systems with no evidence of root curl, restriction or damage
- Vigorous, well established, free from disease and pests, of good form consistent with the species or variety
- Hardened off, not soft or forced, and suitable for planting in the natural climatic conditions prevailing at the site

### **MULCHING**

#### ***Mulch***

**General** Use mulch that is free of deleterious and extraneous matter such as soil, weeds and sticks

**Standard** To AS 4454

**Organic mulches** Free of stones

#### ***Organic mulch types***

Pine Bark Graded in size from 15mm-25mm free from wood slivers

## **2.3.5 Miscellaneous Furnishings**

### **CLOTHESLINES**

#### ***Manufacturer***

Hills Clotheslines or equivalent wall fixed clothesline

#### ***Mounting***

Wall and ground mounting, refer to plans. Install as per manufacturer's specifications, ground mounted clotheslines to be installed with concrete footings. Clotheslines are to be located out of view or screened

## **LOCAL PARKS**

### ***Principles***

A hierarchy of local parks within each residential precinct is required. The objective is to provide a local park system with strong connections to the open space network to meet community needs for residents throughout each precinct with easy access via pathways and cycleways into the Haslam's Creek open space area and Millennium Park

### ***In general***

- Local parks are to allow for both active and passive uses
- Planting is to be developed which contributes to the overall character of a precinct
- Relationship between pedestrian links and the open space network is required

### ***Design Principles***

- Within each precinct provide major local park with children's play equipment seating areas play areas and other park amenities
- Local parks to adopt sound ESD planning principles. Refer to the Ecologically Sustainable Design Standards for requirements
- Park plant materials to have ornamental deciduous and evergreen contrasts to emphasise special areas with an overall framework of predominantly native planting
- Mass planted parkland areas to have predominantly native shrubs and groundcover with species selected on the basis of:
  - Low water requirements
  - Flowering characteristics
  - Foliage colours
  - Longevity
  - Low maintenance requirements
  - Suitability to Site soil conditions
  - Fauna habitat

## **LINEAR PARKS (Landscape Corridors)**

### ***Principles***

Linear parks have been provided at nominated locations within the Development Stage 1 area. The objective is to provide ecologically significant vegetative belts to break the continuity of residential development, to assist in the biodiversity objectives and provide pedestrian links

### ***Design standards***

- Provide green corridor breaks to the continuity of Development Stage 1 residential precinct development

- Amelioration of microclimate within precincts through significant vegetative buffers
- Introduce visually distinct evergreen tree planting spines within Development Stage 1
- Provide increased open space connectivity between Newington and the adjoining open space through the provision of accessible pathways and cycleways

### **2.3.6 Street Furniture**

#### **Objectives**

Selection of street furniture and fittings is important to ensure consistency, quality and long life

All street furniture must be consistent with the guidelines for sustainable development whether through appropriate materials choice and energy efficiency Street furniture must be equal to the street furniture provided by the Contractor

#### **Design Standards**

- Street furniture must be consistent throughout Development Stage 1
- Street furniture must be safe and secure for use by people of all ages and abilities
- External fittings and furniture shall be low maintenance long life and acceptable to Auburn Council
- Fittings must respond to sustainability criteria either through materials selection or energy efficiency
- Seating is to be provided in appropriate locations around the site and shall be a single integrated system whether rail or wall mounted
- Level paved areas are to be provided adjacent to seating areas for use by people in wheelchairs or children in prams

## **3.0 Residential Areas Code**

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### **3.1 General**

#### **3.1.1 Built Form**

##### **Objectives**

Residential areas are characterised by two building forms that define the architectural character of the streets, having a variety of building types and designs reinforced by landscape amenity both public and private

Dwellings conform to a building alignment zone defining the street while still allowing a transition between the public and private domain and ensuring street surveillance

Apartments may be located at the perimeter of the precinct in residential areas setbacks help with scale privacy and private open space. Networks of open space corridors connect

major open spaces at the edge of the site to community open spaces at the centre of each precinct

Building Form Design Standards outlined in the latter part of this section are structured to allow the creation of memorable streets and places with a consistency of streetscape definition and articulation and architectural expression

### **3.1.2 Block Design Standards**

#### **Principles**

The objectives of residential block design shall be to

- Provide a degree of consistency to establish a neighbourhood character allowing sufficient diversity as a secondary principle
- Have building frontage and entry readily legible from the street or access place
- Buildings reading as the dominant form with other elements such as fences, walls, garages, pergolas being secondary reinforcing the building
- Building silhouettes to be considered as a streetscape element. Elements such as solar collectors are the either be flush with the roof or otherwise integrated into the built form
- Building designs detailing and finishes are to provide an appropriate scale to the street
- Buildings are to be designed and sited to acknowledge the private open space of adjoining sites
- Consider height and scale of adjacent buildings

#### **Design Standards**

Orientation and alignment may vary due to topography and the integration into existing residential grids

In the structuring of blocks, the following controls shall be considered

- Buildings are to address the street
- Where a building is on two street frontages, it shall address the major street
- Stepped building arrangements may be available where narrow lot types reinforce the street
- Entry to multi-dwelling sites to be clearly legible
- Control 2-3 storey zones to avoid overshadowing of neighbouring private open spaces
- In car court arrangements ensure that a minimum of 60% of dwellings have garages at rear

- Where private open space is located on street frontage, 2m walls are permitted for a maximum of 60% of frontage
- Pair driveways and high fences where possible

### **3.1.3 Building Design Standards**

#### **Objectives**

Design standards for single unit dwellings and multi-unit dwellings have been developed which set the minimum standards for all housing on the site

These are further developed into a number of building types

- Detached Houses (executive and larger manor houses)
- Manor Houses
- Courtyard Houses
- Apartments

The structure of general provisions and housing types allows for both the evolution of housing types and for the control of alterations and additions by future residents through the life of Newington Star 1

### **3.1.4 Air conditioning**

The owner or occupier of a lot the Community Association or a Subsidiary Body (a Neighbourhood Association or an Owners Corporation) must not install or maintain on or in a Lot Community Property or Subsidiary Body Property any air conditioning unit

- a) which emits noise which is 5DBA above ambient background noise at any time, day or night, at the boundary of the property for houses or the Strata Lot for units
- b) in the case of a Strata Lot unless
  - (i) the installation Parameters (Appendix 3) of these standards have been complied with and
  - (ii) a certification by an electrical consultant certifying that the switchboard for the Lot has capacity to cater for the additional load resulting from that air conditioning unit has been provided to the Executive Committee, and
  - (iii) the approval of the Owners Corporation has been obtained prior to carrying out of any works

If the air conditioning unit satisfies the above, then that air conditioning unit must not be installed on or in a Lot, Community Property or Subsidiary Body Property if that air conditioning unit can be seen from outside the Lot, Community Property or Subsidiary Property

This clause does not apply to Lots 84 to 105 inclusive

### **3.1.5 Colours**

The existing house colours have been selected to create a strong streetscape of warmth and colour with touches of strong colours

To maintain this image a list of general paint colours and trim colours for the housing is attached (**Appendix 4**) Any future repainting is to use colours from the schedule

Appendix 4 refers to Dulux colours Equivalent colours from other paint suppliers can be used

For apartment buildings the selected colour schemes have a unifying colour and must be consistent for the following groups

- Lots 201, 202 & 203
- Lots 198, 199 & 200
- Lots 195, 196 & 197
- Lots 107, 106, 186 & 204 and
- Lots 192, 193, 194, 21 & 108

The external colour scheme may be amended in accordance with the by-law instrument for the relevant strata scheme without the necessity of obtaining the approval of the Community Association or Executive Committee under the Community Management Statement

### **3.1.6 Covering of balconies**

A balcony may be covered subject to:

- Compliance with any applicable architectural guideline.
- The covering being placed on top of the existing balcony structure.
- An application being made which is supported by an engineer's report and plan, and approval given pursuant to By-Law 3.

## **3.2 House Dwellings**

### **3.2.1 Dwelling MIX & Sizes**

The houses consist of a mix of two storey courtyard houses manor houses and executive houses of 3 to 4 bedrooms on lots typically ranging from 8 5x23 0 in for smaller courtyard lots 11 0x23 0 m for courtyard and some manor houses, to 15 0x20 0 m for larger detached manor and executive houses. Different types of houses are allocated to residential blocks in response to site characteristics of location topography, orientation and outlook to create building silhouettes which define the streetscapes which are varied interesting yet cohesive and consistent

### 3.2.2 Character and Form

- Built-forms** The forms of individual buildings have largely been shaped by the need to maximise solar access to the private open space and having areas and to solar panels and the need to avoid cross-viewing and overlooking of neighbouring dwellings and private open spaces, as well as urban design considerations of streetscapes and visual impacts of built-forms. The resultant forms of the houses generally consist of two parts – a two storey section where overshadowing of private open space is minimal and a single storey section where overshadowing of private open space is expected and needs to be minimised
- Windows placement** The houses have been designed to accommodate the perceived life-style that values out-door living and entertaining and a high degree of acoustic and visual privacy between dwellings. The ground floor plans generally have at least the family room with direct access to a north facing private courtyard not overlooked by neighbouring dwellings. Rooms with direct relationship with outdoor living have large glass areas with operable glass doors. Upper floor plans generally have bedroom windows facing the street and away from neighbouring private open spaces. Where balconies are provided when bedrooms face the street or public open space they have sizeable glass areas with glass doors. Otherwise, the size and proportion of bedroom windows are determined by the room size and the external architectural expression, as well as privacy consideration and orientation. Hoods protect windows pergolas or eaves to minimise sun penetration in summer and maximise it in winter. Windows (other than bathrooms) must not be placed in positions that will allow overlooking of adjacent dwellings private open space or living areas
- Roof Design** Roofs of houses are dominant architectural elements that contribute to the character and form of the buildings. Depending on particular house designs the roofs may either be pitched with expressed gable ends hipped, mono-pitched (in the same or opposing directions) flat or a combination of flat and pitched roofs. Where solar panels are integrated within the roof plane the pitch is generally 25 degrees in the northern direction. Where the architecture of the houses require the roof pitch to be less than 25 degrees, solar panels are set off the roof to the required minimum pitch. Roofs must be designed to ensure the minimum solar access to adjacent dwellings as specified in Section 2.1.2 is maintained
- Secondary Elements** Beyond the basic forms of the houses are secondary elements such as balconies, pergolas privacy screens portals sun-shading devices solar panels which together with forms, materials and colour, give the houses their individual characters as well as the character of the development as a whole

### 3.2.3 Style and Language

The designs of the houses are basically modern in style and the language relies on the simple basic forms with added secondary elements in varied compositions to give the individual buildings their identity. Any future alterations and additions to the existing buildings must be compatible with the existing established style and language and must not contain references to styles of Federation, Colonial, Tudor periods and the like

### 3.2.4 Construction

|               |                                                                                                     |
|---------------|-----------------------------------------------------------------------------------------------------|
| <b>Floors</b> | Reinforced edge-beam slab with termi-mesh or similar termite barriers on the ground floor           |
|               | Timber-framed flooring on the upper floor                                                           |
| <b>Walls</b>  | Brick-veneer construction generally with stud walls where clad externally with lightweight material |
| <b>Roofs</b>  | Timber frames or trusses                                                                            |

### 3.2.5 Architectural Materials and Finishes

Refer to Appendix 5

### 3.2.6 Design Standards

#### Site Planning

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|                           |                                                                                                                                                                    |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Lot Layout</b>         | Refer design standards for specific dwelling types                                                                                                                 |
| <b>Private Open Space</b> | A minimum of 25m <sup>2</sup> contiguous open space related to living areas is to be provided on each site                                                         |
|                           | Screen major open space if at front of building                                                                                                                    |
| <b>Privacy</b>            | <b>Visual privacy</b> is required and may be achieved by:                                                                                                          |
|                           | - separation of functions by lot layout                                                                                                                            |
|                           | - placing buildings between adjoining private open spaces                                                                                                          |
|                           | - ensuring that window placement avoids overlooking from living area to living area                                                                                |
|                           | - use screening where the strategies above cannot be achieved                                                                                                      |
|                           | <b>Acoustic privacy</b> is essential and buildings must:                                                                                                           |
|                           | - separate active recreation areas from bedroom areas by a minimum distance of 9m or by solid barriers                                                             |
|                           | - dwellings close to high noise sources are to be designed to locate noise sensitive rooms and private open space away from the source or by use of solid barriers |

- minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion
- all shared floors and walls between dwellings to be constructed in accordance with noise transmission and Insulation requirements of BCA

|                     |                                                                                                                                                                                                           |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Setbacks</b>     | Refer controls for specific dwelling types                                                                                                                                                                |
| <b>Solar Access</b> | Minimum of 50% of the required private open space is to receive a minimum of 2 hours solar access in mid-winter North facing external walls to living areas to achieve 2 hours solar access in mid-winter |
| <b>Car Parking</b>  | 2 spaces on site per dwelling to be either tandem or adjacent spaces covered or uncovered. Drive through single garages permitted                                                                         |

#### **Urban Form**

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|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Building Height</b> | Building heights are to reinforce the scale and quality of the streetscape within the Newington. A maximum height of 3 storeys in this zone allow for some flexibility on sloping sites. However the houses are to be generally 2 storey                                                                                                                                                                                           |
| <b>Garages</b>         | Garages are to read as secondary to building forms and compatible with the architectural character                                                                                                                                                                                                                                                                                                                                 |
| <b>Pergolas</b>        | <p>Dimensions are to be appropriate to function</p> <p>Provide environmental control for users</p> <p>Design to be integral with architectural design of the building</p> <p><b>Minimum Height</b> 2.4m</p> <p><b>Minimum Depth</b> 2m</p> <p><b>Minimum Width</b> 2m over outdoor living areas</p> <p>Pergolas should provide shade when sun is above 65° or more (summer) and sun when the sun angle is 34° or less (winter)</p> |

|                  |                           |
|------------------|---------------------------|
| <b>Materials</b> | Refer to materials matrix |
|------------------|---------------------------|

### **3.3 Multi Unit Dwellings**

#### **3.3.1 Dwelling Mix & Sizes**

There will be a total of approximately 19 apartment blocks of varying sizes and configurations in Precinct 3 ranging from a block of 6 apartments to a block of over 30 apartments. The majority of buildings are 3-storey-walk-ups over semi-basement carpark. Three of the apartment blocks are 2 and 3 storey garden apartments partly over carpark stepped down the site with roof terraces. The apartments have either 2 or 3 bedrooms on a

single level – the 3-bedroom units being end-units. There are a number of 3-bedroom apartments on two levels (maisonettes)

### 3.3.2 Characters & Forms

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Built-forms</b>        | The forms of the buildings are generally linear or curve-linear in response to the street layouts and site configurations. Where the sites are deep and with substantial cross-falls a U-shaped stepped form is used to take full advantage of the views and outlooks and create an interesting variation to the linear and curve-linear forms. As a rule buildings are to be simple masses without applied features. The plan and the section generate the massing and façades. Blade walls between apartments are used to identify individual units as well as provide privacy between units. Together the apartment buildings form a cohesive articulated edge to Newington Stage 1 and help define the boundaries between the Newington Stage 1 and Millennium Parklands |
| <b>Fenestration</b>       | Apartment windows respond to the function of internal spaces and the orientation of the buildings. Living room windows as a rule have desirable outlooks therefore have an expansive glass area. Other rooms with access to a balcony also have full height operable glass windows. Other windows are treated as openings in walls of minimum acceptable sizes and of proportions and grouping as to create a rhythm and scale consistent with the language of the architecture                                                                                                                                                                                                                                                                                              |
| <b>Roof Design</b>        | Generally the roofs are flat to create a modern appearance. Where articulation is needed this is achieved by using the maisonettes to break up the roofline and create interest and variety                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Secondary Elements</b> | Applied elements where used are simple responses to environmental control issues such as sun control (sun screens and shading devices) and privacy Issues such as cross viewing (privacy screens) and overlooking (pergolas). In order to achieve consistency and cohesiveness in Newington Stage 1 edge design a limited palette of secondary elements is to be used                                                                                                                                                                                                                                                                                                                                                                                                        |

### 3.3.3 Style and Language

The architectural style of the apartment buildings is modern free of ornaments. There are a variety of forms yet there is a common language comprised of the sculptural quality of the massing combined with the lightness and transparency of the applied secondary elements

### 3.3.4 Construction

|               |                                                                                                                             |
|---------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Floors</b> | Carpark floor - concrete slab on ground<br>Ground floor - concrete transfer slab<br>Upper floors - concrete suspended slabs |
| <b>Walls</b>  | <u>Carpark level</u> external walls in-situ concrete generally, bagged & painted brickwork where required                   |

Internal walls 110mm brickwork generally, 140mm Calsil bricks in stairwells

Residential floors External walls brick cavity walls - bagged & painted

Internal walls 110mm concrete blocks generally 140mm Calsil bricks for stair walls – all walls rendered and painted or tiled as required

**Roofs** Concrete flat roofs typically. Some maisonette units have colorbond roof sheeting

### 3.3.5 Architectural Materials & Finishes

Refer to Appendix 5

### 3.3.6 Design Standards

#### Site Planning

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**Planning Principles** Sites should be planned to maximise northern aspect for a majority of units unless other urban principles take precedence

**Site Coverage** 60% Maximum

**Private Open Space** Ground Level – 10m2 minimum per dwelling with 3m minimum dimension

Above Ground Level – 7m2 minimum balcony with 1.8m minimum width off main living areas

**Privacy** **Visual privacy** is required and may be achieved by:

- separation of functions by lot layout
- placing buildings between adjoining private open spaces
- ensuring that window placement avoids overlooking from living area to living area
- use screening where the strategies above cannot be achieved

**Acoustic privacy** is essential and buildings must:

- dwellings close to high noise sources are to be designed to locate noise sensitive rooms and private open space away from the source or by use of solid barriers
- minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion
- all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of BCA

|                              |                                 |
|------------------------------|---------------------------------|
| <b>Car Parking Provision</b> | 1 visitor space per 7 units     |
|                              | 1 space at least per 2 bed unit |
|                              | 1 space at least per 3 bed unit |

#### **Urban Form**

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|                        |                                                                                                                                                                                                                |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Building Height</b> | Building heights are set to reinforce the scale and quality of the streetscape within the Newington. A maximum height of 4 residential storeys plus a parking level measured from any point of the ground line |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                          |                                                                                                                                                                                              |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fencing/Screening</b> | To be used to maintain privacy between balconies/terraces. No fences or screens to lot boundaries permitted unless for security or privacy purposes or to screen services areas or equipment |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Any garbage holding area to be adequately screened.

Allow surveillance of the street where required

Provide privacy to ground floor private open space where it abuts the street. Surveillance via the entry and living/kitchen room windows to be maintained

Design of the wall/fence to be integral with the design of the building

Front walls/fences are to be maximum of 1.2m high unless they enclose private open space

Front wall/fences are to be a maximum 1.8m high if enclosing private residential open space with a maximum width of 60° of street frontage and a maximum unarticulated length of 12 in residential uses

Where surveillance of the street or open space is required fences shall be a maximum of 1.2m high or be permeable

## Appendix 1 – Plant Species

### Plant Species for Use in Private Domain

| TREES                   |                       | Indige<br>nous | Invasive | Aller<br>genic | Bird<br>Attrac<br>ting | End<br>emic |
|-------------------------|-----------------------|----------------|----------|----------------|------------------------|-------------|
| Acacia elata            | Cedar Wattle          | X              |          | X              | X                      |             |
| Acacia glaucesens       | Coast Myall           | X              |          | X              |                        |             |
| Acmena smithii          | Lilly Pilly           | X              |          |                | X                      |             |
| Allocasuarina glauca    | Swamp Oak             | X              |          | X              |                        |             |
| Angophora flonbunda     | Rough Barked Apple    | X              |          |                | X                      |             |
| Banksia serrata         | Old Man Banksia       | X              |          |                | X                      |             |
| Callicoma serratifolia  | Black Wattle          | X              |          |                |                        |             |
| Ceratopetalum apetalum  | Coachwood             | X              |          |                |                        |             |
| Eleocharis reticulatus  | Blueberry Ash         | X              |          |                | X                      |             |
| Eucalyptus citrodora    | Lemon Scented Gum     | X              |          |                |                        |             |
| Eucalyptus maculata     | Spotted Gum           | X              |          |                | X                      |             |
| Eucalyptus scoparia     | Tallangatta White Gum | X              |          |                |                        |             |
| Eucalyptus sideroxylon  | Mugga Ironbark        | X              |          |                | X                      |             |
| Livistona australis     | Cabbage Tree Palm     | X              |          |                | X                      |             |
| Melia azedarach         | White Cedar           | X              |          | X              |                        |             |
| Pittosporum revolutum   | Yellow Pittosporum    | X              |          |                | X                      |             |
| Pittosporum undulatum   | Sweet Pittosporum     | X              |          |                | X                      |             |
| Syncarpia glomulifera   | Turpentine            | X              |          |                |                        |             |
| <b>TALL SHRUBS</b>      |                       |                |          |                |                        |             |
| Backhousia myrtifolia   | Lemon Ironwood        | X              |          |                | X                      |             |
| Banksia ericifolia      | Heath Banksia         | X              |          |                | X                      |             |
| Banksia integrifolia    | Coast Banksia         | X              |          |                | X                      |             |
| Baurea rubioides        | Dog Rose              | X              |          |                |                        |             |
| Ceratopetalum gummifera | NSW Christmas Bush    | X              |          |                | X                      |             |
| Grevillea banksii       | Banks Grevillea       | X              |          |                | X                      |             |
| Grevillea hookeriana    | Toothbrush Grevillea  | X              |          |                | X                      |             |
| Hakea salicifolia       | Willow Leaved Hakea   | X              |          |                | X                      |             |
| Leptospermum laevigatum | Coast Tea Tree        | X              |          |                |                        |             |
| Melaleuca armillans     | Bracelet Honey Myrtle | X              |          |                | X                      |             |
| Melaleuca nesophila     | Honey Myrtle          | X              |          |                | X                      |             |
| <b>SHRUBS</b>           |                       |                |          |                |                        |             |
| Boronia serrulata       | Native Rose           | X              |          |                | X                      |             |
| Correa reflexa          | Native Fuchsia        | X              |          |                |                        |             |
| Epacris pulchella       | Coral Heath           | X              |          |                |                        |             |
| Eriostemon australasius | Waxflower             | X              |          |                | X                      |             |
| Grevillea Robyn Gordon  | Grevillea             | X              |          | X              | X                      |             |
| Grevillea seneceia      | Pink Spider Flower    | X              |          | X              | X                      |             |
| Westringia fruticosa    | Coast Rosemary        | X              |          |                |                        |             |

|                                                    |                                                    |               |                |  |   |   |
|----------------------------------------------------|----------------------------------------------------|---------------|----------------|--|---|---|
| <b>GROUNDCOVERS</b>                                |                                                    |               |                |  |   |   |
| Acacia suaveolens                                  | Sweet Scented Wattle                               | X             |                |  | X | X |
| Cissus antartica                                   | Grape Ivy                                          | X             |                |  |   |   |
| Hardenbergia violacea                              | Native Sarspirella                                 | X             | X              |  |   |   |
| Hibbertia scandens                                 | Gold Gumea Flower                                  | X             |                |  |   |   |
| Kennedia rubicunda                                 | Dusky Coral Pea                                    | X             | X              |  |   |   |
| Kenzea 'Badja Carpet'                              | Badja Carpet                                       | X             |                |  | X |   |
| Muehlenbeckia axillaris                            | Wire Plant                                         | X             | X              |  |   |   |
| Myoporum parvifolium                               | Creeping Boobialla                                 | X             |                |  |   |   |
| Viola hederacea                                    | Native Violet                                      | X             |                |  |   | X |
| <b>GRASSES</b>                                     |                                                    |               |                |  |   |   |
| Cyperus gracilis                                   | Dwarf Umbrella Grass                               | X             |                |  |   |   |
| Dianella revoluta                                  | Flax Lily                                          | X             |                |  | X | X |
| <b>FERNS</b>                                       |                                                    |               |                |  |   |   |
| Adantum aethiopicum                                | Maidenhair Fern                                    |               |                |  |   |   |
| Asplenium australasicum                            | Birds Nest Fern                                    |               |                |  |   |   |
| Blechnum nudum                                     | Hard Tree Fern                                     |               |                |  |   |   |
| Culcita dubia                                      | False Bracken                                      |               |                |  |   |   |
| Cyathea cooperi                                    | Coopers Tree Fern                                  |               |                |  |   |   |
| Doodia aspera                                      | Rasp Fern                                          |               |                |  |   |   |
| Pteris spp                                         | Jungle Brake                                       |               |                |  |   |   |
| Todea barbara                                      | King Fern                                          |               |                |  |   |   |
|                                                    |                                                    |               |                |  |   |   |
| <b>Accent Plants for Dramatic Foliage Effect</b>   | <b>Innovative Use of materials in softscape</b>    | <b>Public</b> | <b>Private</b> |  |   |   |
| Anigosanthos flavidus                              | Kangaroo Paw                                       | X             |                |  |   |   |
| Apinia caerulea                                    | Native Ginger                                      |               | X              |  |   |   |
| Araucaria cuminghamii                              | Norfolk Island Pine                                |               |                |  |   |   |
| Cordyline stricta                                  | Erect Palm Lily                                    |               | X              |  |   |   |
| Crinum pedunculatum                                | River Lily                                         |               | X              |  |   |   |
| Curculigo capitulata                               | Weevil Lily                                        |               | X              |  |   |   |
| Dendrobium speciosum                               | Native Orchid                                      |               | X              |  |   |   |
| Dicksonia antarctica                               | Soft Tree Fern                                     |               | X              |  |   |   |
| Doryanthes excelsa                                 | Gynerium Lily                                      | X             | X              |  |   |   |
| Gahnia sieberiana                                  | Slender Saw Sedge                                  | X             |                |  |   |   |
| Heimholtzia glaberrima                             | Stream Lily                                        |               | X              |  |   |   |
| Livistona chinensis                                | Cabbage Tree Palm                                  | X             | X              |  |   |   |
| Lomandra longifolia                                | Mat Rush                                           | X             |                |  |   |   |
| Macrozamia communis                                | Burrawang                                          | X             | X              |  |   |   |
| Vitex trifolia "Purpurea"                          |                                                    | X             |                |  |   |   |
| Xanthorrhoea australis                             | Grass Tree                                         | X             |                |  |   |   |
| <b>Australian Native Plants for Special Effect</b> | <b>Unique showcase of native Australian Plants</b> |               |                |  |   |   |
| Acmena smithii                                     | Blue Lilly Pilly                                   | X             | X              |  |   |   |
| Alphitonia excelsa                                 | Red Ash                                            | X             | X              |  |   |   |

|                           |                      |               |                |  |  |  |
|---------------------------|----------------------|---------------|----------------|--|--|--|
| Amalanthus populifolius   | Bleeding Heart       |               | X              |  |  |  |
| Archontophoenix alexan    | Alexander Palm       |               | X              |  |  |  |
| Archontophoenix cunnin    | Bangalow Palm        |               | X              |  |  |  |
| Backhousia citriadora     | Lemon Scented Myrtle |               | X              |  |  |  |
| Brachychiton acenfolius   | Illawarra Flame Tree |               | X              |  |  |  |
|                           |                      | <b>Public</b> | <b>Private</b> |  |  |  |
| Buckinhamia celcissima    | Ivory Curt Flower    |               | X              |  |  |  |
| Castabisoernyn austra     | Black Bean           | X             | X              |  |  |  |
| Cordyllne stricta         | Palm Lily            |               | X              |  |  |  |
| Cryptocarya laevigata     | Glossy Laurel        |               | X              |  |  |  |
| Cupaniopsis flagellirform | Brown Tuckeroo       |               | X              |  |  |  |
|                           |                      |               |                |  |  |  |
| Cupaniopsis foveolata     | Toothed Tuckeroo     |               | X              |  |  |  |
| Euodia elleryana          | Pink Euodia          |               | X              |  |  |  |
| Ficus benjamina           | Weeping Fig          | X             | X              |  |  |  |
| Ficus macrocarpa          | Moreton Bay Fig      | X             |                |  |  |  |
| Ficus mlcrocarpa 'Hilli'  | Hills Weeping Fig    | X             |                |  |  |  |
| Ficus rubiginosa          | Port Jackson Fig     | X             |                |  |  |  |
| Flindersia australis      | Crow Ash             | X             | X              |  |  |  |
| Flindersia schottiana     | Bumpy Ash            |               | X              |  |  |  |
| Glochidion ferdinandii    | Cheese Tree          | X             |                |  |  |  |
| Harpullia pendula         | Tulip Wood           |               | X              |  |  |  |
| Hymenospermum flaivu      | Native Frangipanni   |               | X              |  |  |  |
| Macadamia integnfolia     | Queensland Nut       | X             | X              |  |  |  |
| Plyscias elegans          | Celery Wood          |               | X              |  |  |  |
| Stenocarpus sinuatis      | Qld Firewheel Tree   |               | X              |  |  |  |
| Syzygium luehmanil        | Cherry Satinash      | X             | X              |  |  |  |
| Toona australis           | Red Cedar            | X             | X              |  |  |  |
| Tristania exiflora        | Kanuka Box           | X             | X              |  |  |  |
| Waterhousia floribunda    | Weeping Lilly Pilly  |               | X              |  |  |  |

## Appendix 2 – Definitions

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A consistent series of terms is used through the Design Code. The definition of those elements and entities is listed below

### DEFINITIONS

**Adjoining land** means any land which abuts the land subject of the development application concerned or which would abut the land if it were not separated from it by a public road

**Advertisement** means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water

**Advertising structure** means a structure used or to be used principally for the display of an advertisement

**Amusement centre** means a building or place used principally for playing

- (a) billiards, pool or other like games, or
- (b) electrically or mechanically operated amusement devices such as pinball machines, video games and the like

**Architectural roof features** means minor decorative treatments which do not enclose habitable floor space such as turrets, spires cupolas, parapets gables finials flag poles and the like

**Child care centre** means a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator) but only if the following conditions are satisfied:

- a) the children number 6 or more, are under six years of age and do not attend a government school, or a registered non-government school, within the meaning of the *Education Reform Act 1990*, and
- b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator)

**Communication device** means a satellite communication dish or similar structure, or television antenna or radio transmission mast or aerial with a maximum dimension of no more than 5 metres

**Community land** has the same meaning as in the *Local Government Act 1993*

**Contractor** means each of:

LLD Precinct 2 Pty Limited  
Mirvac Precinct 2 Pty Limited  
MVIC Finance 2 Pty Limited

**Demolish** a heritage item or any other building or structure, means to damage deface, destroy, pull down, or remove it in whole or in part.

**Department** means the Department of Urban Affairs and Planning constituted under the *Environmental Planning and Assessment Act, 1979*

**Development** has the meaning ascribed to it in section 4 of the Act

**Dwelling** means a room or a suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile

**Dwelling house** means a building capable of containing 1 but not more than 1 dwelling

**Existing height** means the height of any building at the date of adoption of this Plan

**Fence** means a wall or permeable screen up to 1.2 metres in height to the street or maximum 1.8m dividing

**Floor** means that space within a building which is situated between one floor level and the level above or, if there is no floor above, the ceiling or roof above

**Floor space area** means the sum of the gross horizontal areas of each floor of the building contained within the inner faces of the outer walls measured at a height of 1.5 metres above the floor, including the space occupied by internal walls, staircases, lobbies corridors, and toilets but excluding:

- a) the horizontal cross section area of lift shafts and vertical service ducts measured between the wall fascies internal to the lift shaft or duct,
- b) any space permanently set aside within the building for underground parking offers tenants vehicles and for the unloading or loading of vehicles, including ramps or other means of access to it;
- c) any space for the accommodation of mechanical or electrical plant or equipment servicing the building
- d) any terraces and balconies with walls less than 1.5 metres high,
- e) enclosed balconies for residential uses (not exceeding 5% of the floor space of the building, calculated on the basis that they had not been excluded)
- f) floor area set aside for communal recreational use within a residential building (not exceeding 5% of the floor space of the building, calculated on the basis that this area had not been excluded)
- g) car parking above ground level in a residential building within the first three levels of the building, and
- h) underground food or convenience retailing located on one level

**Floor space ratio** means the ratio of the floor space area of all buildings on a site to the site area (exclusive of any public road)

**Garden wall** means a wall or permeable screen up to 2 metres in height to the street when screening private open space

**General store** means a shop used for the sale by retail of general merchandise and which may include the facilities of a post office

**Health care professional** means a person who provides professional health services to members of the public, and includes:

- a) a podiatrist registered under the *Podiatrists Registration Act 1989*
- b) a chiropractor or osteopath or chiropractor and osteopath registered under the *Chiropractors and Osteopaths Act 1991*
- c) a physiotherapist registered under the *Physiotherapists Registration Act 1945*, and
- d) an optometrist registered under the *Optometrists Act 1930*

**Height of a building** means the vertical distance measured in metres at the centre of any street frontage from the average ground level of the frontage to the horizontal plane at the top of the building or structure including plant and lift overruns, but excluding architectural roof features and communication devices. For the purposes of this definition, the average ground level of the frontage is the average of the ground levels at the two ends of the frontage

If a site has two frontages to two or more streets, the height is not to exceed a plane created by joining the heights calculated from each street frontage. However, if a site does not have a frontage to a street 10 or more metres wide between alignments, the measurement is to be taken from the street (or if more than one street) to which it has a frontage

**Home occupation** means an occupation earned on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling house or dwelling which does not involve:

- a) the registration of the building under the *Factories Shops and Industries Act 1962* or
- b) the employment of persons other than those residents, or
- c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration smell, fumes smoke, vapour steam soot ash, dust waste water, waste products or grit, oil or otherwise or
- d) the display of goods whether in window or otherwise or
- e) the exhibition of any notice advertisement or sign (other than a notice advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of that resident), or
- f) the sale of items (whether goods or materials), or the exposure or offer for sale of items by retail

**Parking space** includes any garage or court available for use by vehicles

**Place of assembly** means a public hall, theatre, cinema, music hall concert hall dance hall open-air theatre, drive-in theatre music bowl or any other building of a like character used as such and whether used for the purpose of gain or not but does not include a place of public worship, an institution or an educational establishment

**Place of public worship** means a church chapel or other place of public worship or religious instruction or place used for the purpose of religious training

**Professional consulting rooms** means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of a dwelling-house and used by not more than three legally qualified medical practitioners or by not more than three dentists within the meaning of the *Dentists Act, 1934*, or by not more than three health care professionals, who practise therein the profession of medicine dentistry or health care respectively, and if more than one, practise partnership, and who employ not more than three employees in connection with that practice

**Public car parking** means any premises used for accommodating vehicles of members of the public on payment of a fee, but does not include a metered space (within the meaning of part 33 of the *Traffic Act 1909*)

**Public utility undertaking** means any of the following undertakings carried on or permitted or suffered to be earned on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act

- a) railway, road transport, water transport, air transport, wharf or river undertakings or
- b) undertakings for the supply of water, hydraulic power electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a council county council, Government Department, corporation firm or authority carrying on the undertaking

**Residential development** means a building which contains one or more dwellings, and in which the residential component is owner occupied or occupied by a tenant with a residential tenancy agreement under the *Residential Tenancies Act 1987*

**Residential flat building** means a building containing two or more dwellings

**Setback** means a building or place the distance from a boundary to a building alignment and does not include terraces, balconies, roof overhangs pergolas or other building attachments

**Shop** means a building or place used for the purposes of selling, exposing or offering for sale by retail goods, merchandise or materials but does not include a building or place elsewhere specifically defined in this clause, or a building or place used for a purpose elsewhere specifically defined in this clause

**Site area** means the area of land to which an application for consent under the Act relates, excluding therefrom any land upon which the development to which the application relates is not permitted by or under the local environmental plan

**Solar generating works** means a building or place used for the purpose of making or generating electricity or other forms of energy

**The Act** means the *Environmental Planning and Assessment Act 1979*

**The Council** means the Council of the City of Auburn

**Units for aged persons** means a residential flat building used to house aged persons as defined in the *Aged or Disabled Persons Homes Act 1954*, as amended of the Parliament of the Commonwealth erected or to be erected by an eligible organisation as defined in that Act the Housing Commission of New South Wales or any other Department or instrumentality of the Crown

**Utility installation** means a building or work used by a public utility undertaking but does not include a building designed wholly or principally as administrative or business premises or as a showroom

**Warehouse** means a building or place used for the storage of goods merchandise or materials pending their sale and distribution to persons engaged in the retail trade

### Appendix 3 – Installation Parameters to Apartment Air Conditioning

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If the owner of an apartment wishes to install an air conditioning system the following criteria must be adhered to and these must be addressed in the application to the appropriate Owners Corporation and the Executive Committee of the Community Association

- 1 The air conditioning may be a ducted split system or a console type split system. Once piece package units normally referred to as room air conditioners which protrude through windows or walls, are not permitted it is a requirement that no part of the installation shall be visible from outside the property Refer By-Law Clause 4 of Community Management Statement
- 2 The type and style of indoor section for the air conditioner is to the discretion of the owner it would appear to be impractical to build-in a ducted system in apartments as the cutting of openings in walls is not permitted for structural reasons in addition, the false ceiling to go under the air conditioner and ductwork to conceal it would require considerable building work and may finish up at an unacceptable low level
- 3 Console style split systems offer three options. The most popular being the high walls unit which fits on the wall close to the ceiling with minimal intrusion onto furnishings. Others are the floor standing vertical unit (if space permits) and the under ceiling horizontal unit (if ceiling height permits). Multiple console split systems to serve all rooms are acceptable provided the outdoor condensers comply with Clause 6 below
- 4 Pipework and control wiring from the indoor unit(s) to the outdoor condenser(s) must be concealed it is a requirement that the "INABA range of slimduct trunking or equal be used for all external pipework and cabling The 'INABA' range of brackets and stands or equal for condensers is also recommended as aesthetically acceptable. The use of angle iron brackets or loose bricks as supports is not acceptable. All tubing and fittings must colour match the adjacent wall. **NB Chasing of structural walls or slabs is not permitted under any circumstances**
- 5 Drainage from indoor units should be taken to the nearest suitable outlet. If taken to the outside of the residence it may be possible to feed the water to plants. Otherwise an airbreak or tundish must be utilised at sewer or drainage connections. **Again, chasing of structural walls or slabs is not permitted**
- 6 Outdoor condensers must meet the following criteria:

- If on balconies
- must operate within the limits of the available 240V in the apartment
  - dimensions of 900W x 350d x 700h shall not be exceeded
  - must have off-white or white powdercoat finish to all surfaces
  - shall not emit noise more than 5dB above the ambient background noise level at any time day or night, at the boundary of the strata lot
  - must be located so as to be against the wall section at the rear of the balcony. Not to be placed close to the balcony edge or railing

- must be drained to the stormwater floor waste to prevent water running across balcony in winter heating mode
  - must be set on anti-vibration pads to prevent transmission to adjacent apartments
  - multiple condensers on one balcony are not acceptable and
  - entry of conduits from the balcony into the strata lot shall be via drilled holes in the frame below the sliding doors and these are to be made waterproof upon completion of the installation. No holes are to be drilled in the concrete hob for structural reasons
- If in unit courtyard
- must be close to the wall not freestanding in the courtyard
  - must have off white or beige powdercoat finish to all surfaces shall not emit noise more than 5dB above the ambient background noise level at any time day or night, at the boundary of the strata lot
  - must be set on a suitable support such as concrete pad or support bracket with anti-vibration pads. **Loose bricks are not an acceptable support.**
  - Pipe connections must be concealed in duct trunking right up to the condenser casing. Exposed valves, flange nuts or insulation are not acceptable
  - entry of conduits from the courtyard into the strata lot shall be via drilled holes in the frame below the sliding doors, and these are to be made waterproof upon completion of the installation. No holes are to be drilled in the concrete hob for structural reasons

## Appendix 4 – Schedule of Approved External Paint Colours

Schedule attached

| <b>EXISTING EXTERNAL HOUSE COLOURS</b><br>Note All Paint colours are from the DULUX Colour Range |                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>GENERAL PAINT COLOURS FOR HOUSES</b>                                                          | <b>TRIM COLOURS (incl pergola, balustrade &amp; doors)</b>                                                                                                                                                                       |
| SEED PEARL 40YY 75/084                                                                           | Connecticut Blue 90BG 17/090<br>Cognac Brandy 20YY 40/337<br>Blueberry Hill 50BB 14/169<br>Conservatory 30BG 02/086<br>Andiron 50BG 11/03B<br>Purple Brown<br>70RB 08/037                                                        |
| WATER CHESTNUT 30YY 62/127                                                                       | Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Sahara Gold                                                                                                    |
| DESERT VALLEY 30YY 52/207                                                                        | Connecticut Blue 90BG 17/090<br>Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Sahara Gold<br>Andiron 50BG 11/038<br>Purple Brown                             |
| HEMP GOLD 30YY 43/264                                                                            | Connecticut Blue 90BG 17/090<br>Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Equinox 50BG 10/019<br>Andiron 50BG 11/038<br>Purple Brown<br>Village Charcoal |

|                             |                                                                                                                                                                                                                                                 |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESERT CASTLE 20YY 53/124   | Connecticut Blue 90BG 17/090<br>Cognac Brandy 20YY 40/337<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Equinox 50BG 10/019<br>Andiron 50BG 11/038<br>Village Charcoal                                 |
| TRADITIONAL TAN 20YY 47/145 | Connecticut Blue 90BG 17/090<br>Blueberry Hill 50BB 14/169<br>Conservatory 30BG 02/086<br>Andiron 50BG 11/038<br>Purple Brown<br>70RB 08/037<br>Equinox 50BG 10/019<br>Mary Janes 30BB 07/041<br>Village Charcoal<br>50RB 08/029<br>Sahara Gold |
| BROWN BAG 10YY 35/196       | Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Sahara Gold<br>Purple Brown<br>Andiron 50BG 11/038<br>Equinox 50BG 10/019<br>Village Charcoal                                 |
| GREY GHOST 50BG 83/004      | Connecticut Blue 90BG 17/090<br>Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>50RB 08/029<br>70RB 08/037<br>Cognac Brandy 20YY 40/337<br>Andiron 50BG 11/038<br>Purple Brown                              |

|                              |                                                                                                                                                                                                                   |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SILVER CLAMSHELL 30YY 49/071 | Connecticut Blue 90BG 17/090<br>Blueberry Hill 50BB 14/169<br>Mary Janes 30BB 07/041<br>Conservatory 30BG 02/086<br>70RB 08/037<br>Equinox 50BG 10/019<br>Andiron 50BG 11/038<br>Purple Brown<br>Village Charcoal |
| SORREL 30YY 24/177           | Blueberry Hill 50BB 14/169<br>70RB 08/037<br>Equinox 50BG 10/019<br>Village Charcoal                                                                                                                              |
| SILVERLAWN 90YY 40/058       | Mary Janes 30BB 07/041                                                                                                                                                                                            |

## Appendix 5 – Architectural Materials and Finishes

Schedule attached

### ARCHITECTURAL MATERIALS AND FINISHES

|                              | Material                                                                                                          | Shape and Size                                       | Colour and Other Requirements                                                                                                                                                                                                                                                                                                                     |
|------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Window and Glass Door</b> | Timber and metal framing and shading. No reflective or tinted glass.                                              | No maximum limit appropriately shaded glazing        | All rooms including bathrooms and kitchens to have minimum window opening area to meet BCA for natural ventilation and natural light. <i>Weather strips to all windows. All windows to have external shading to exclude 100% midday midsummer sun and allow maximum penetration of midday midwinter sun.</i> Colour of frames to be accent colour |
| <b>Balcony</b>               | <b>Floor</b> timber pavers (pre-cast, brick or unit) or tiles.<br><b>Balustrade</b> mild steel, timber or masonry | Refer detail building controls                       | Screened to prevent overlooking. To be timber trellises, lattices, shutters, fabric screens                                                                                                                                                                                                                                                       |
| <b>Deck</b>                  | <b>Floor</b> As for balcony.<br><b>Balustrade</b> mild steel, timber or clay brick                                | Min 1.2m max 3m deep. Min 2.5m wide                  | Do not shade min. required windows midday midwinter. Screened to prevent overlooking. Screen materials as per balcony.                                                                                                                                                                                                                            |
| <b>Front Fence</b>           | Mild steel timber or masonry (Finishes as per walls)                                                              | Min 0.9m. Max height 1.2m                            | At least 50% transparent.                                                                                                                                                                                                                                                                                                                         |
| <b>Garden Wall</b>           | Clay brick, earthen construction or timber. No metal.                                                             | Min height 1.5m. Max height 2.0m                     | Opaque up to 1500 high.                                                                                                                                                                                                                                                                                                                           |
| <b>Pergola</b>               | Timber or clay brick posts. Metal or timber beams.                                                                | Min 2.1m high max 2.5m high. Min 1m deep max 3m deep | Do not shade min required windows midday midwinter provide shade midday midsummer                                                                                                                                                                                                                                                                 |

|                                     | <b>Material</b>                                                                    | <b>Shape and Size</b>                                                                      | <b>Colour and Other Requirements</b>                                                 |
|-------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Porch</b>                        | Clay brick, earthen construction, timber or glass                                  | Roofed cover to front door<br>Min 1m max 2m deep. Min 2m max 4m wide.<br>Max 1 storey high |                                                                                      |
| <b>Terrace</b>                      | <b>Floor</b> As for balcony.<br><b>Balustrade</b> mild steel, timber or clay brick | Min 2m deep.<br>Min 2.5m wide                                                              | Screened to prevent overlooking.                                                     |
| <b>Verandah</b>                     | <b>Posts</b> timber or clay brick<br><b>Paving</b> As for balcony.                 | Min 1.2m deep.<br>Min 3m wide                                                              | Do not shade windows min required midday midwinter. Screened to prevent overlooking. |
| <b>Carports &amp; Garages</b>       | Walls to timber or rendered or bagged and paint finish masonry                     | Refer detail building controls                                                             | Masonry to be off white to earth tones. Timber can have colour accents               |
| <b>Front Door</b>                   | Timber and glass (max 50%)                                                         |                                                                                            | Weather strips required. Any colour allowed. To be visible from the street           |
| <b>Plumbing</b>                     | No exposed sanitary plumbing                                                       |                                                                                            | Vent pipes and other roof protrusions<br>See Roof Additions                          |
| <b>Hot Water/Photovoltaic cells</b> |                                                                                    | Solar panels mounted flush onto roofing or incorporated into building form.                | Storage tank to be remotely located at ground level.                                 |
| <b>External Paving</b>              | Permeable materials preferred                                                      | Position to minimise site coverage                                                         |                                                                                      |

|                                                       | Material                                                                                                                                                                                                                                    | Shape and Size                                                                                               | Colour and Other Requirements                                                                                                                                                                                                                      |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Roof</b>                                           | Terracotta or pre-finished concrete tile or metal                                                                                                                                                                                           | North facing pitch to be sufficient in area for solar collectors                                             | Highly reflective surfaces not allowed. Colour range generally light colours including greys, terracotta, light earth tones.<br><i>Overhang to shade windows midday midsummer and allow maximum penetration to windows of midday midwinter sun</i> |
| <b>Roof Additions (ie. Satellite Dish, TV aerial)</b> |                                                                                                                                                                                                                                             |                                                                                                              | Not to be visible from the street.                                                                                                                                                                                                                 |
| <b>Skylight</b>                                       |                                                                                                                                                                                                                                             |                                                                                                              | <i>Shaded to exclude 100% midday midsummer sun and allow maximum penetration of midwinter sun.</i>                                                                                                                                                 |
| <b>Wall</b>                                           | <b>Ground Level</b> rendered or bagged and paint finish masonry.<br><b>Upper Level</b> As for ground or mixture of rendered or bagged and paint finish masonry and light weight cladding including FC sheet/shingles/timber/timber boarding | Front wall parallel to front property boundary except for articulation elements and lots less than 10m width | Wall colour to range from off-white to earth tones 20% of light weight upper-level walls can be an accent colour                                                                                                                                   |

The common seal of the Community Association Deposited Plan No. 270188 was affixed hereto on the 06 day of September 2023 in the presence of:

SAILESH SHAKYA \_\_\_\_\_ and \_\_\_\_\_

Signature(s) \_\_\_\_\_



being the person(s) authorised by section 235 Community Land Management Act 2021 to attest to the affixing of the seal.