

# STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:  
McDonald Jones Homes  
PO Box 7994  
BAULKHAM HILLS NSW 2153

Site Address:  
Lot 381 DP 574654  
1048-1058 Castlereagh Road  
CASTLEREAGH NSW 2749

Construction of a Single Storey Dwelling.

## INTRODUCTION

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This Statement of Environmental Effects is submitted to Penrith City Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a new single storey dwelling containing four (4) bedrooms, home theatre, office, children's activities, dining, family and living rooms, along with an attached garage and outdoor alfresco area.

The site is located on a large rural allotment, with a primary frontage to Castlereagh Road and a total land area of 2.155ha. The lot currently contains a dwelling which is to be demolished under a separate application to Council, with no vegetation requiring removal in order to site the proposed dwelling.

The site has a moderate fall to the front over the building footprint, with drainage to be directed to an approved system as per the Hydraulic details.

The neighbourhood is currently comprised of large rural style allotments with dwellings as anticipated within a rural area.

The proposed dwelling will maintain the character of the surrounding area and the streetscape of Castlereagh Road.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2015

## 4.15 EVALUATION

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(1) Matters for Consideration – general:

(a)(i) Relevant environmental planning instruments

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### Penrith Local Environmental Plan 2010

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The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned RU1 Primary Production pursuant to Clause 2.1 of Penrith Local Environmental Plan 2010.

The proposed development is defined as a 'dwelling house' being 'a building containing only one dwelling'.

A 'dwelling house' is considered a permissible form of development, subject to development consent.

#### Clause 2.3 Zone objectives and land use table

The objectives of the RU1 Zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect and enhance the existing agricultural landscape character of the land.
- To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.
- To preserve and improve natural resources through appropriate land management practices.

The proposed development is for a rural-residential dwelling being compatible with the low impact residential development of the area. The dwelling has been designed to provide a high level of amenity for adjoining residents through appropriate heights and is not anticipated to have any detrimental impact upon the site. The dwelling is not likely to have any conflict between land uses and is unlikely to have any detrimental impact upon the aesthetic values of the subject site.

The proposed development is considered to meet the objectives of the RU1 Zone.

#### 4.2A Residential development and subdivision prohibited in certain rural, residential and environment protection zones

The development of a dwelling house will not result in the closure of a road.

#### 4.6 Exceptions to development standards

The development does not contravene any development standards with in the LEP.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance, however, is adjoining a heritage item known as 'Castlereagh Road Alignment', known as having local heritage significance.

The proposed works to the dwelling will not have any detrimental impact upon the heritage listed classified road. The front façade will be designed so as to blend with the existing rural character and will not be impacted upon sightlines to or from the roadway.

The proposed dwelling will remain in keeping with the streetscape and will not detract from the significance of the heritage item due to the minimal sightlines to and from the proposed dwelling from the heritage item.

#### Clause 5.11 Bush fire hazard reduction

The subject site is identified as bushfire prone land. Please refer to accompanying Bushfire Report prepared by Local Consultancy Services Pty Ltd.

#### Clause 5.21 Food planning

The subject site has been identified as being affected by the 1% AEP overland flow-path as per Council's Flood Information Certificate dated 19/05/2021. It is understood that a minimum finished floor level of 30.47 has been provided for the proposed development.

#### Clause 7.1 Earthworks

Minor ground disturbance is required to provide footings for the proposed development.

#### Clause 7.5 Protection of scenic character and landscape values

The proposed single storey dwelling is located on an appropriate position on the site to reduce the required earthworks. The proposed dwelling is considered to have a minimal visual impact from major roads and public places. The dwelling has been appropriately designed to ensure it will have minimal impact upon any areas of scenic values.

No trees are proposed to be removed, with the remaining landscape area to be retained capable of the provision of trees following construction.

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#### Conclusion with respect to LEP requirements

The proposal is considered to satisfy all the relevant development standards relating to dwelling houses as contained within PLEP 2010.

#### Other environmental planning instruments

##### Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (SREP 20)

SREP 20 aims to protect the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context. Of most relevance to the proposal is the requirement to assess the development in terms of the impact of the development on water quality.

Subject to appropriate conditions, the proposal is anticipated to be consistent with SREP 20, particularly in relation to total catchment management, water quality and the metropolitan strategy.

#### (a)(ii) Relevant draft environmental planning instruments

There are no draft environmental planning instruments that would prevent the subject development from proceeding.

#### (a)(iii) Relevant development control plans

##### Penrith Development Control Plan 2015

The objective of this plan is to consolidate all of Council's Development Control Plans into one comprehensive document, detailing the provisions for all types of development within the Penrith area.

#### Part C – Controls applying to all Land Uses

#### C1 Site Planning and Design

#### 1.1 Site Planning

Site Analysis Plan attached for Council's consideration.

## 1.2 Design Principles

Consideration has been given the energy efficiency of the proposed dwelling. A BASIX assessment has determined that the dwelling can achieve the required efficiency rating. Please see attached BASIX Certificate.

The proposed dwelling has a contemporary design, typical of dwellings within the rural area. Large proportionate feature windows provide for greater natural light penetration into the residence and assist in defining the character of the built form. Appropriate design elements are provided to ensure the dwelling fits within the streetscape.

The site has a moderate fall to the front, with cut and fill required to site the building footprint. Refer to the Site Plan for details of the cut/fill proposed on the subject site.

Consideration has been given to the principles of the CPTED. These are to provide a safe and secure development with adequate lighting, visual access and passive surveillance along street frontages. The site will be clearly delineated as a private space to separate it from the public realm. Appropriate external and internal lighting will be provided to assist in this regard.

## C2 Vegetation Management

### 2.1 Preservation of Trees and Vegetation

No trees are required to be removed in order to site the proposed dwelling. The large number of remaining trees are to be retained, with additional landscaping to be provided post-construction.

### 2.2 Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas

The subject site is not identified as being with a biodiversity corridor or area of remnant indigenous vegetation on the LEP 2010 Natural Resources Sensitivity Land Map.

### 2.3 Bushfire Management

The subject site has been identified to be bushfire prone land. Please refer to attached Bushfire Report prepared by Local Consultancy Services Pty Ltd.

## C3 Water Management

### 3.1 The Water Cycle / Water Conservation

Consideration has been given to water conservation during the design of the proposed dwelling. A BASIX Assessment has determined that the dwelling can achieve the required water conservation rating. Please see attached BASIX Certificate.

### 3.2 Catchment Management and Water Quality

No pollutants are anticipated to be discharged from the proposed development.

### 3.3 Watercourses, Wetlands and Riparian Corridors

No watercourses, wetlands or riparian corridors are located on or within close proximity to the subject site.

Consideration of the impacts of development on the surrounding watercourses would have been considered during the assessment of the subdivision application.

### 3.4 Groundwater

The proposed dwelling is not anticipated to impact upon the groundwater of the subject site.

### 3.5 Flood Liable Lands

The subject site has been identified as being affected by the 1% AEP overland flow-path as per Council's Flood Information Certificate dated 19/05/2021. It is understood that a minimum finished floor level of 30.47 has been provided for the proposed development.

### 3.6 Stormwater Management and Drainage

Drainage from the proposed development is to be directed to an approved system as per the Hydraulic Details. Please refer to the attached Concept Drainage Plan.

## C4 Land Management

Ground disturbance will be limited to minor excavation and filling for construction of a level building platform. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or staked hay bales as specified on the site plan. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent. A stabilised access pad will be provided at the point of entry to the site to eliminate soil leaving the construction zone.

## C5 Waste Management

All waste will be deposited within the waste receptacle in accordance with the attached Waste Management Plan.

## C7 Culture and Heritage

The subject site is not known to contain any items of heritage significance or be within a heritage conservation area.

C10 Transport, Access and Parking  
10.5 Parking, Access and Driveways

Two (2) carparking spaces are required for dwelling houses. The proposed four (4) bedroom residence proposes three (3) parking spaces, complying with this requirement.

Part D Controls applying to Specific Land uses/ activities

D1 Rural Land Uses  
1.1 Rural Character

The proposed development will be compatible with surrounding developments and is considered consistent with typical rural residential development.

The siting of the dwelling will provide suitable boundary setbacks. This distance is compatible with existing development on the site and will maintain spatial separation and openness between buildings. With respect to external appearance, the design of the proposed dwelling is consistent with other developments of a similar scale within the locality and will complement the streetscape.

1.2 Rural Dwellings and Outbuildings

1.2.1 Siting and Orientation of Dwellings and Outbuildings

The proposed single storey development will be compatible with surrounding developments and is considered consistent within a rural area.

The siting of the dwelling will provide generous boundary setbacks. The distances to boundaries are compatible with surrounding development and will contribute to spatial separation and openness between buildings. With respect to external appearance, the design of the proposed dwelling is consistent with other contemporary residential buildings within the locality and will complement the streetscape.

Requirement	Provision	Compliance
1.2.2 Setbacks and Building Separations <u>Setbacks from Roads</u> Front setback – 15m	N/A	N/A
30m front setback to classified Roads.	Min. 37.967m to Castlereagh Road.	Yes
10m front setback to Mulgoa Road.	N/A	N/A
<u>Setbacks from watercourses</u>	N/A	N/A

100m to Nepean River 75m to South Creek 40m to all other natural watercourses.		
<u>Building separations and side boundary setbacks</u> 10m for an allotment >2ha	Min. 9m	No*
5m for an allotment <2ha	N/A	N/A

\*Side Setback – The proposed side setback of 9m in lieu of the required 10m setback is considered reasonable in this instance as the rural property will not have any detrimental impact on the streetscape.

The design of the front façade, including the high degree of articulation provided ensures the dwelling does not have excessive visual bulk when viewed from the street. The high-quality design and articulation elements ensure the visual focus is the dwelling. The setback will still allow for suitable landscaping within the side setbacks to ensure the built form is softened and the landscape character is maintained.

Landscaping within the side setback will maintain the landscape buffer between the primary and adjoining dwelling, ensuring the setback would not result in a visually dominant dwelling design and would complement the existing streetscape. The landscaping will provide a differentiation from the public and private domain.

The setback is unlikely to create any detrimental impact to the overall streetscape or design of the dwelling as even with the decreased setback, the development is capable of meeting with the objectives of the control through providing a high quality visual design that is compatible with the streetscape, and will not have a detrimental impact to the amenity of neighbouring properties be that through maintaining solar access or visual privacy. The development protects significant vegetation and allows for the provision of landscaping within the front setback to further comply with the objectives of the control.

The variation to the side setback is considered reasonable in this instance as the dwelling is still capable of providing a suitable design and the setback provided will ensure no impact on the privacy and amenity of adjoining properties. Therefore, it is considered that a variation to Councils control be supported within this instance.

1.2.3 Site Coverage, Bulk and Massing		
Max. footprint of dwelling 500m <sup>2</sup>	<500m <sup>2</sup>	Yes
Overall ground floor dimension of	<45m walls, >18m walls provided	Yes

45m, max. 18m at one point. 2 <sup>nd</sup> storey max. floor space 70% ground floor of the dwelling.	with articulation. N/A	N/A
Max. 3 car spaces to face public road or place, additional garages to be setback and screened.	3 car spaces proposed to face the public road.	Yes
Max. footprint of 600m <sup>2</sup> on allotment.	<600m <sup>2</sup>	Yes
<b>1.2.4 Height, Scale and Design</b>		
<u>Height and Scale</u> Max. 2 storey.	Single Storey.	Yes
Max. ceiling height 8m.	<8m	Yes
Floor level max. 1m above NGL.	<1m	Yes
Max. cut and fill 1m.	Max. 443mm cut, max. 592mm fill.	Yes
<u>Design and Quality</u> Sympathetic in design to rural character.	Residential/rural character is maintained with the appropriate design of the dwelling.	Yes
Fencing to be of an open rural nature.	Fencing not proposed as part of this application.	N/A

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#### Conclusion with respect to DCP requirements

The proposal is considered to satisfy the objectives of the relevant development standards relating to rural dwellings as contained within Penrith DCP 2015.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts.

**Siting and Design**

The proposed single storey dwelling will be compatible in terms of height, bulk and scale with surrounding developments in the residential locality. The siting of the dwelling provides suitable boundary setbacks, contributing to spatial separation and openness between buildings. The design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

**Sedimentation Control**

Ground disturbance will be limited due to an existing level platform area being available.

**Waste Minimisation**

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

**Noise and Vibration**

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

(c) The suitability of the site for the development

The subject site is located within a rural residential area designed for low-environmental housing and the like.

The dwelling has been designed to suit site constraints and the character of the surrounding setting. The development is permissible with development consent and generally satisfies the objectives of the relevant development control plans as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

## **CONCLUSION**

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The residential use of the site is permissible with development consent under the provisions of Penrith LEP 2010 and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of the new single storey dwelling will complement and blend with the existing, and likely future character of this section of Castlereagh, being a rural-residential area containing a mixture of dwellings in a low density setting. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

**Giselle Pineda**  
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**Local Consultancy Services Pty Ltd**  
**August 2021**