



D-PLAN
URBAN PLANNING CONSULTANTS PTY LTD

**STATEMENT
OF
ENVIRONMENTAL EFFECTS**

D-PLAN URBAN PLANNING CONSULTANTS PTY LTD



**TO DEMOLISH THE EXISTING
DWELLING & ALL ASSOCIATED
STRUCTURES & SUBDIVIDE THE
EXISTING ALLOTMENT INTO TWO
LOTS**

**49 GIBBES STREET, REGENTVILLE
(LOT 114 SEC C DP 1687)**

17/11/2020

D-Plan Urban Planning Consultants Pty Ltd

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1.0 EXECUTIVE SUMMARY

Penrith Council has comprehensive planning and urban design standards to ensure that development, including subdivision, complement existing residential areas.

The Department of Planning is also instructing Councils to make changes to their planning instruments, namely the zoning provisions in the Standard Instrument Principal Local Environmental Plan, to ensure there is an adequate supply of land.

Based on the information provided on Council's webpage, viz.,

"figures from the Census data indicate that Penrith is one of the three largest local government areas in Western Sydney and the sixth largest population of any local government area in New South Wales. The City of Penrith has a young population. The population of Penrith is primarily in residential estates spreading north and south from the Great Western Highway, the M4 Freeway and the railway. In fact, 90% of Penrith residents reside in urban areas of the LGA.

The highway and M4 Freeway cross the area from east to west. There are two large areas to the north and south of the residential areas, mostly used for agricultural purposes. The Penrith Local Government Area has two Central Business Districts at Penrith and St.Marys.

Penrith is both an agricultural centre (including dairying, poultry-farming, fruits, vegetables, beef and turf farming) as well as a focal point for manufacturing industries. Its industries include the treatment of non-metalliferous mine and quarry products, saki production, the manufacture of aluminium foil, concrete and building materials, plastics, textiles, pharmaceutical, engineering and electrical products. Service industries include those of transport, storage, commerce and education. The recent redevelopment of the Penrith Plaza as a regional shopping centre, the expansion of the Nepean Hospital and the creation of the University of Western Sydney, Penrith Campus at Kingswood have further diversified the city's economic base. Recent decentralization of regional government offices, such as the Australian Taxation Office, has added new impetus to Penrith's prestige as a business centre. The continued development of the huge Panther's Club (i.e. Penrith Rugby Leagues Club), the multi-faceted entertainment and resort centre near the banks of the Nepean River, has helped initiate a boom in tourism to the area. Cultural centres such as the Joan Sutherland Performing Arts Centre, Penrith Regional Gallery and The Lewers Bequest and and the Railway St Theatre Company ('Q' Theatre) provide additional depth to the City's cultural life, complementing more commercial tourist sites such as the Museum of Fire and the natural beauty of the surrounding Nepean-Hawkesbury River, Penrith Lakes and the Blue Mountains."

Given the above factors, Council and the NSW Government is committed to developing the Penrith LGA as a major centre, and additional residential accommodation is a key component in achieving the desired goals, whilst at the same time ensuring the supply of housing reflects local conditions and community aspirations.

The subject site has a relatively wide street frontage of 30.48m and is sufficiently long (45.72m), which lends itself to a subdivision through the middle of the site (i.e., side by side) so that future dwellings both have street frontage. It should be noted that adjoining and nearby allotments vary in size and shape, in many cases being approximately half the width and area of the subject site, therefore, the proposed subdivision will not be antipathetic to the established subdivision pattern and building character.

The locality in general also provides good opportunity for re-development because of existing infrastructure, including the availability of public transport, as such, the application warrants approval.

2.0 SITE/LOCALITY DESCRIPTION

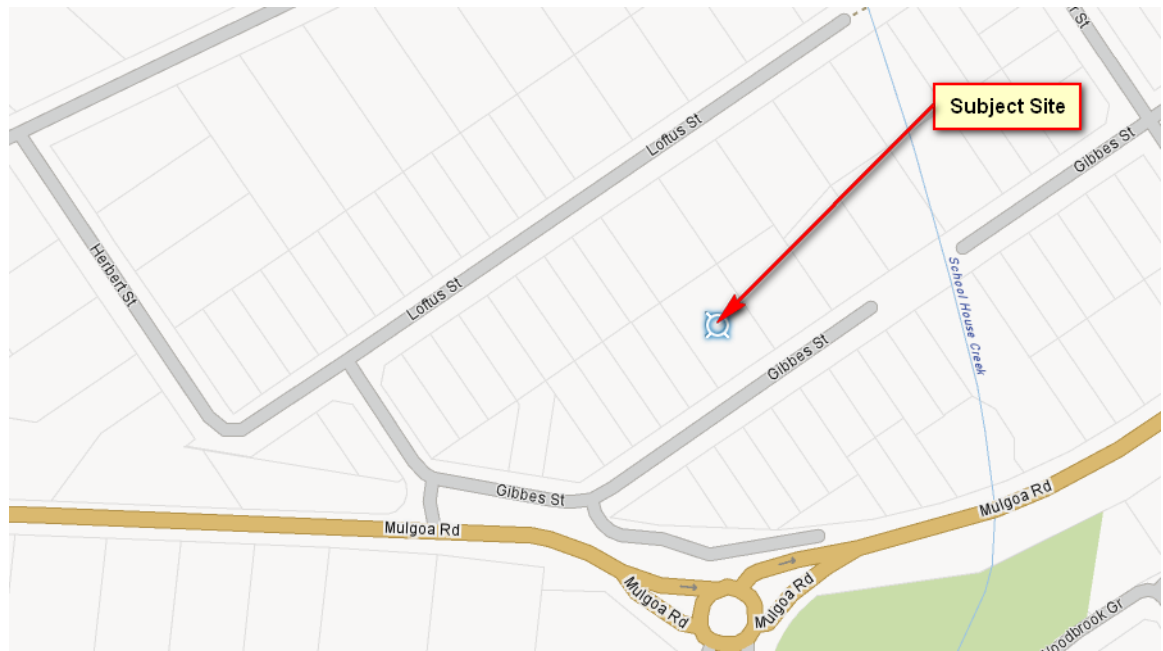
The subject land, No. 49 (Lot 114 Sec C DP 1687) Gibbes Street, Regentville is located on the northwestern side of the street, which runs off Mulgoa Road. The site is rectangular in shape, with a frontage of 30.48m and a length of 45.72m, comprising a total site area of 1,393.4m².

Currently the site comprises a single storey dwelling with associated structures, which will be demolished.

The characteristics of the immediate locality are as follows:

- Detached dwelling houses of various size and architectural style;
- Interspersed dual occupancy and multi dwelling housing development;
- Inconsistent front building line;
- No particular street tree planting theme; and
- Standard road reserve with unpaved nature strips.

The existing subdivision pattern comprises allotments that vary in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than adjoining allotments, which are approximately half the width and area.



Subdivision Pattern



Photo – existing parent allotment (location of proposed Lot 11)



Photo – existing parent allotment (location of proposed Lot 10)



Photo – adjoining multi dwelling housing development

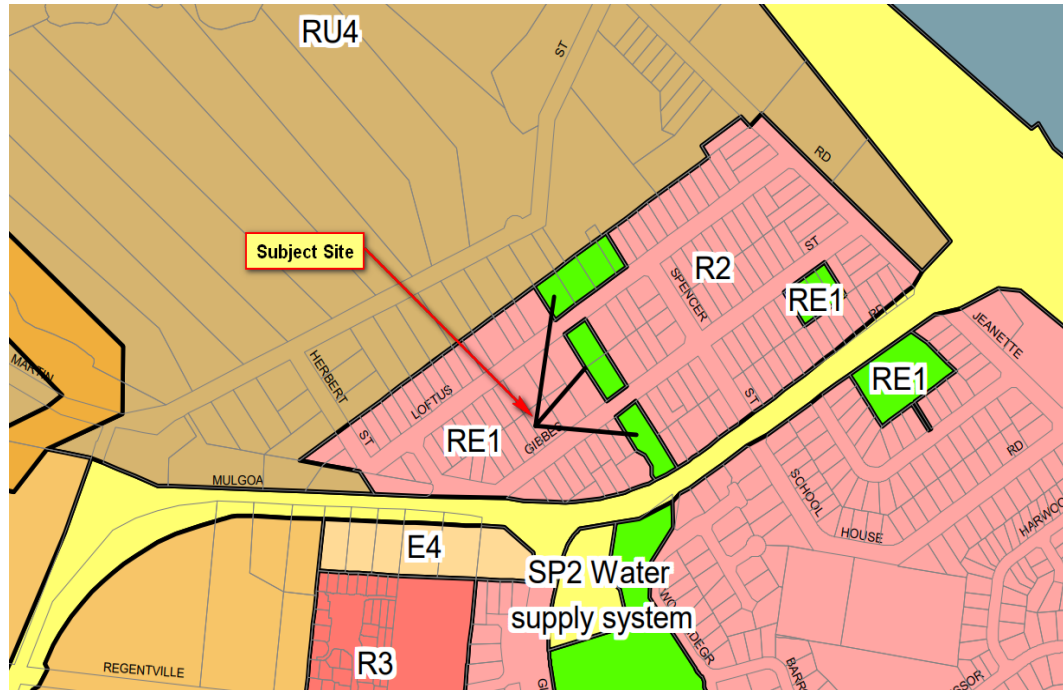
3.0 THE PROPOSAL

The proposal is to demolish the existing dwelling and all associated structures and subdivide the existing allotment into two lots.

4.0 RELEVANT PLANNING CONTROLS

4.1 Penrith Local Environmental Plan 2010 (LEP)

The subject site is within zone R2 – Low Density Residential under Penrith LEP 2010. The proposed development is permissible with the consent of Council provided that the proposal complies or meets the objectives of all relevant clauses.



Zoning Map

The objectives of Zone R2 are as follows:

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

The proposed Torrens Title subdivision of an existing allotment into two lots satisfies the abovementioned objectives and will not be antipathetic to the anticipated outcomes of the zone.

Subdivision Lot Size (Clause 4.1)

The clause stipulates the following:

(3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the **Lot Size Map** in relation to that land.*

(4A) *Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R2 Low Density Residential unless each lot to be created by the subdivision would have—*

- (a) if it is a standard lot—a minimum width of **15 metres**, or*
- (b) if it is a battle-axe lot—a minimum width of 15 metres and a minimum area of 650 square metres.*

The Lot Size Map indicates a minimum lot size of **550m²** for the subject site, which the proposed Torrens Title subdivision complies with, viz:

- Proposed Lot 10 – 696.7m²
- Proposed Lot 11 – 696.7m²

Furthermore, each lot will have a minimum width of 15.24m, which satisfies subclause (4A) and therefore, achieves the predominantly low density character of the locality.

Allotments in the immediate locality vary both in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than most adjoining and nearby allotments which are approximately half the width and area.

Exceptions to development standards (Clause 4.6)

Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. In this regard, NO variation requests are required as the proposal complies with all development standards contained in the LEP.

Heritage Conservation (Clause 5.10)

The subject site is not listed as a heritage item or located in the immediate vicinity of any heritage-listed items.

Bushfire Hazard Reduction (Clause 5.11)

The subject site is not identified as being in a bushfire prone area.

Earthworks (Clause 7.1)

Minimal site works are proposed at the subdivision stage. Further consideration will be given to this aspect with future applications for the construction of dwellings on each respective allotment.

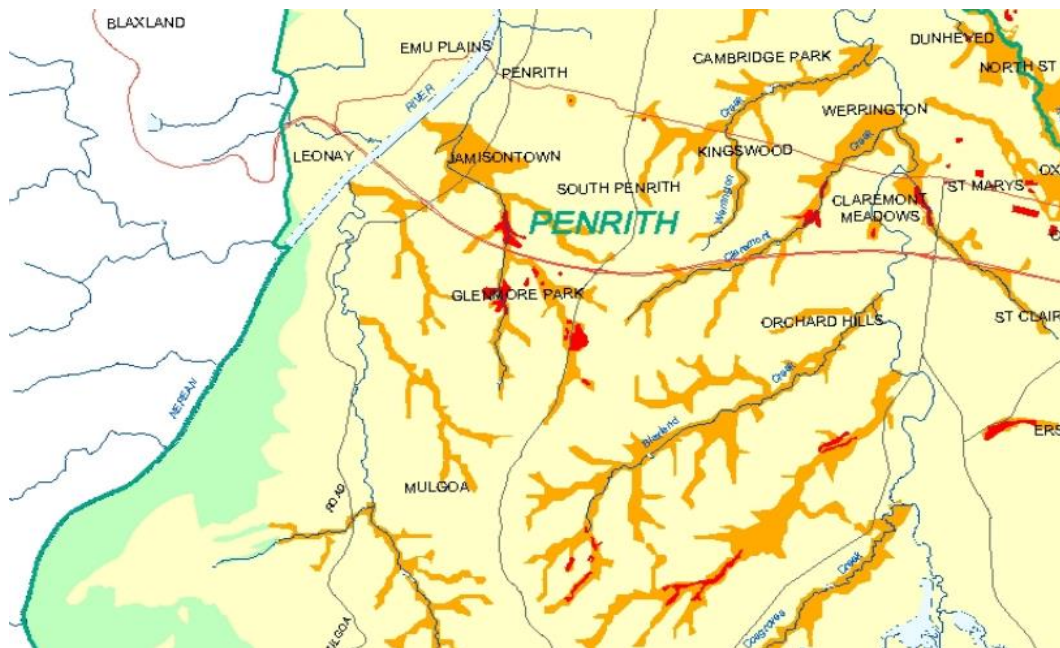
The proposal aims to achieve the highest and best use of the site, therefore, the future housing needs of the community are being accommodated for.

Excavated material taken from the site is unlikely to be contaminated, therefore, reuse would be acceptable.

Being an established residential area, it is unlikely that any relics will be found on the site. There are no natural water courses in the immediate vicinity of the subject site.

Salinity (Clause 7.6)

The subject site is identified as being of 'moderate' to 'high' salinity potential on the 'Western Sydney Salinity Potential Map' put out by The Department of Infrastructure, Planning and Natural Resources. These areas cover the remainder of the map wherever Wianamatta Group shales (Ashfield or Bringelly shales) and tertiary alluvial terraces are found. Scattered areas of scalding and salinity indicator plants have been noted but no concentrations have been mapped. Saline areas that have not yet been identified may occur in this zone. Saline areas may also occur in this zone if new risk factors arise.



Salinity Potential in Western Sydney 2002

4.2 Penrith Development Control Plan 2014

Part C – City Wide Controls

Site Planning & Design Principles

Site Analysis - a site analysis has been carried out and an appraisal of how the proposed allotments and future development has regard to the existing and likely future character of the locality.

Design Principles

Built Form, Energy Efficiency and Conservation – given the orientation of the site future dwellings will be able to easily achieve adequate solar access and satisfy the required BASIX commitments.

Safety and Security (CPTED) - design guidelines outlined in the Crime Prevention through Environmental Design (CPTED) will need to be taken into account with respect to future development on the site.

Vegetation Management

Preservation of trees and vegetation – the proposal does not involve the removal of any trees.

Landscape planting will be required with future development applications to enhance the amenity of each site and the locality in general.

Water Management

The site has some fall towards the street therefore, there is scope for stormwater to be collected, stored and discharged to the street stormwater system in accordance with Council's requirements.

Land Management

Site Stability and Earthworks - being a relatively level site, minimal site works will be required to establish drainage lines, driveways and future building platforms at the required levels. Minor excavation of the extent envisaged would not affect the structural viability of future buildings due to the existing soil conditions. The proposed subdivision will not have any significant detrimental effect on adjoining properties and will be in accordance with the "*Guidelines for Engineering Works for Subdivisions and Development*".

Erosion and Sediment Control - erosion and sedimentation control measures will be implemented during demolition and any required construction.

Contaminated Lands - it is unlikely that the subject land is contaminated as it is in a residential setting and has not been used for purposes likely to contaminate the site.

Salinity – addressed earlier in the report.

Waste Management

Waste Management Plans - a Waste Management Plan accompanies this application. The plan adopts the principles of ***Avoid Reuse Recycle and Dispose*** to minimise landfill waste.

Landscape Design

The proposal does not involve the removal of any trees.

Landscape planting will be required with future development applications to enhance the amenity of each site and the locality in general.

Subdivision

Site Frontage/ Allotment Dimensions

As mentioned earlier, it is proposed to subdivide the development (Torrens Title). The resulting lot configurations are provided in the table below viz:

Lot	Frontage	Area
10	15.24m	696.7m ²
11	15.24m	696.7m ²

Both proposed lots are identical in configuration with relatively wide frontages of 15.24m. The allotments are of sufficient size to facilitate dwelling house development which meets the requirements of the LEP/DCP.

The immediate locality and the street block in particular, is characterised by a variety of allotment sizes and configurations, with most allotments having street frontage, but, varying in size. The block plan principle can be adhered to (i.e., soft soil landscaping areas are able to be located at the front and rear of each allotment). As such, the subject site, having a wide frontage of 30.48m is in effect double the standard width of allotments in the general locality.

As a general observation, most suburbs in Sydney have, as a development standard/control, a minimum frontage of between 10-18m, with some of the inner suburbs allowing much narrower allotments. A variety of allotment sizes is seen as being an acceptable approach for the provision of a variety of dwellings sizes, which is also consistent with traditional suburban design and allotment layout.



Aerial Map - depicting subdivision pattern

General Subdivision Requirements

Engineering Works – both lots are able to discharge to the street, as such, only minor engineering works associated with stormwater drainage will be required.

Site Planning – the proposed two lot subdivision with allotments in excess of the minimum lot area and width requirements, satisfies ALL of the EP&A Act objectives and considerations (i.e., social impact, economic impact, the prospective new dwellings will be subject to a separate application whereby urban design can be considered. Further, the size/configuration of the proposed lots can accommodate dwellings that comply with the provisions of the DCP).

Slope and orientation of land – as mentioned earlier, being a relatively level site, minimal site works will be required to establish drainage lines, driveways and future building platforms at the required levels.

Opportunities for solar and daylight access to future dwellings – the north/south orientation of the site provides scope for future development with adequate solar access to principle internal and external living areas.

Design of road and access ways (individual site access) – each allotment will be 15.24m wide, therefore, new driveways can easily be accommodated without any adverse impacts to the streetscape amenity.

Retention of special qualities or features such as trees and views – the proposed subdivision does not involve the removal of any trees. Subsequent development applications for future development will need to address any prospective tree removals. The proposed development will have no view sharing implications.

Availability of utilities – preliminary discussions with service providers indicate that all services are available to the site. Sydney Water may require a new junction point to be provided, the details of which will be given with the Section 73 Certificate Application.

Possible need to retain existing subdivision character – as mentioned earlier, the existing subdivision pattern comprises allotments that vary in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than adjoining allotments, which are approximately half the width and area.

Heritage and archaeological conservation – the subject site is not listed as a heritage item nor is it in the vicinity of any heritage listed item.

Adequacy of each allotment considering relevant development standards such as setbacks, car parking, landscaping etc – subsequent Development Applications will need to demonstrate compliance with relevant development standards and controls. Landscape Plans will accompany the applications, nominating native species of trees and shrubs to enhance biodiversity in the locality.

The relationship of the subdivision layout to adjacent land suitable for subdivision – the subject site is wider than adjoining allotments, which are approximately half the width and area. As such, the proposed subdivision will not be antipathetic to the established character of the locality.

Enhancement of existing or future subdivision character – allotment sizes that meet the minimum lot size stipulated in the LEP are considered to be consistent with the existing and future subdivision character.

Services

Preliminary discussions with service providers indicate that all services are available to the site. Arrangements will be made with service providers to co-locate (share) trenching where possible. Existing services will also be utilised to minimise costs.

Water Management

Council's goal is to develop long term improvements to the health of waterways. To achieve this goal the proposed development provides the following:

- Appropriate conditions of consent will ensure that drainage design commitments are fulfilled;
- A Hydraulic Detail Plan will need to be submitted with the subsequent dwelling house development application, which will demonstrate that stormwater can be collected, stored and discharged to the street, ensuring that there will be no adverse impact on Council's stormwater system, the development itself or adjoining properties; and
- Soft soil areas within the site will also assist in reducing runoff from the site. (**Note: based on envisaged building footprints and compliance with Council's DCP requirements for permitted development, a significant portion of each allotment will remain as soft soil**).

4.3 Other Considerations

- **Suitability of the land for development. Consider flooding, drainage, tidal inundation, land slip, soil erosion, mine subsidence, bushfire and similar risks** – there are no affectations burdening the site.
- **Proposed vehicle access and egress. Adequacy for any loading, unloading, turning or parking** – as discussed earlier in the report, standard residential driveway crossings will be provided in accordance with Council's specifications. An appropriate condition of consent can be included.
- **Proposed landscaping of the site and whether any existing trees should be preserved** - the proposal does not involve the removal of any trees. Landscape planting will be required with future development applications to enhance the amenity of each site and the locality in general.
- **The physical character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of the development** – this consideration is not specifically relevant to the proposed subdivision application, but will however, be considered with future applications for subsequent development.
- **Impact on the landscape, streetscape or scenic quality for the locality** – future residential development will complement the streetscape character and enhance the amenity of the locality.
- **The existing and likely future amenity of the neighbourhood** – the future amenity of the locality will be enhanced with new residential development and formalised landscaping. The existing subdivision pattern and building character will not be compromised as the parent allotment is approximately double the size of the established minimum specified in the DCP and most adjoining/nearby allotments, and in fact, the subdivision will produce lots more consistent with the established character and context of adjoining development.
- **The amount of traffic likely to be generated, particularly in relation to the adequacy of existing roads and present volumes of traffic carried – the likely traffic volumes to be generated by future development** - Gibbes Street does not carry large volumes of traffic and there is sufficient sight distance available to view on coming vehicles, therefore, reverse manoeuvres from future development are considered safe.

The additional traffic likely to be generated by the future development will have a negligible impact on the existing traffic conditions and the servicing of intersections in the immediate locality.

- **Whether public transport will be necessary to serve the development, and present availability and adequacy of public transport** – bus links are readily available within walking distance along Mulgoa Road.
- **Whether existing utility services are adequate to serve the development (i.e. water, sewerage, power, stormwater drainage, telephone) or, in rural areas, whether services are available on site** – discussed earlier in the report.
- **The impact on the natural environment** - discussed earlier in the report. (Note: the subject site is relatively level and prospective development will closely follow the natural topography of the site. The proposed driveways will be designed to minimise excavation, resulting in grades that closely follow the natural ground level).

Erosion and sedimentation control measures will be implemented during construction.

- **Social and economic effects of the development** – the provision of additional allotments for housing is seen as a positive social and economic outcome. The low scale nature of the proposed development will not place any pressure on existing social infrastructure such as, schools, shops and recreation facilities and will enhance the cohesion of the local community.

Waste Controls

A Waste Management Plan accompanies this application. The plan adopts the principles of *Avoid Reuse Recycle and Dispose* to minimise landfill waste.

Biodiversity Management

The proposed subdivision provides allotments that are large enough to accommodate soft soil zones. This in turn promotes the objectives of biodiversity management:

- Native landscaping can be planted in the soft soil zones; and
- Minimal impact on local drainage patterns.

4.4 Non-Compliance

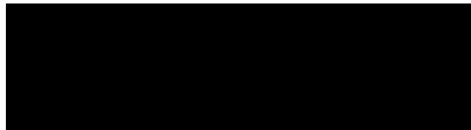
The proposed subdivision satisfies all development standards and controls.

5.0 CONCLUSION

It is considered that the current strategy of Penrith Council to promote a variety of housing choice in the locality is being achieved by the proposed subdivision. In summary, the proposed subdivision simply enables a currently large, under utilised site, to realise its full potential by accommodating the future construction of contemporary dwellings.

A comprehensive site analysis and consideration of various development options has concluded that a side by side subdivision pattern best suits the existing character and pattern of development in the locality.

It is considered that the proposed subdivision will meet local Community expectations for development in the locality. As such, the application warrants approval.



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David Bobinac
Town Planner