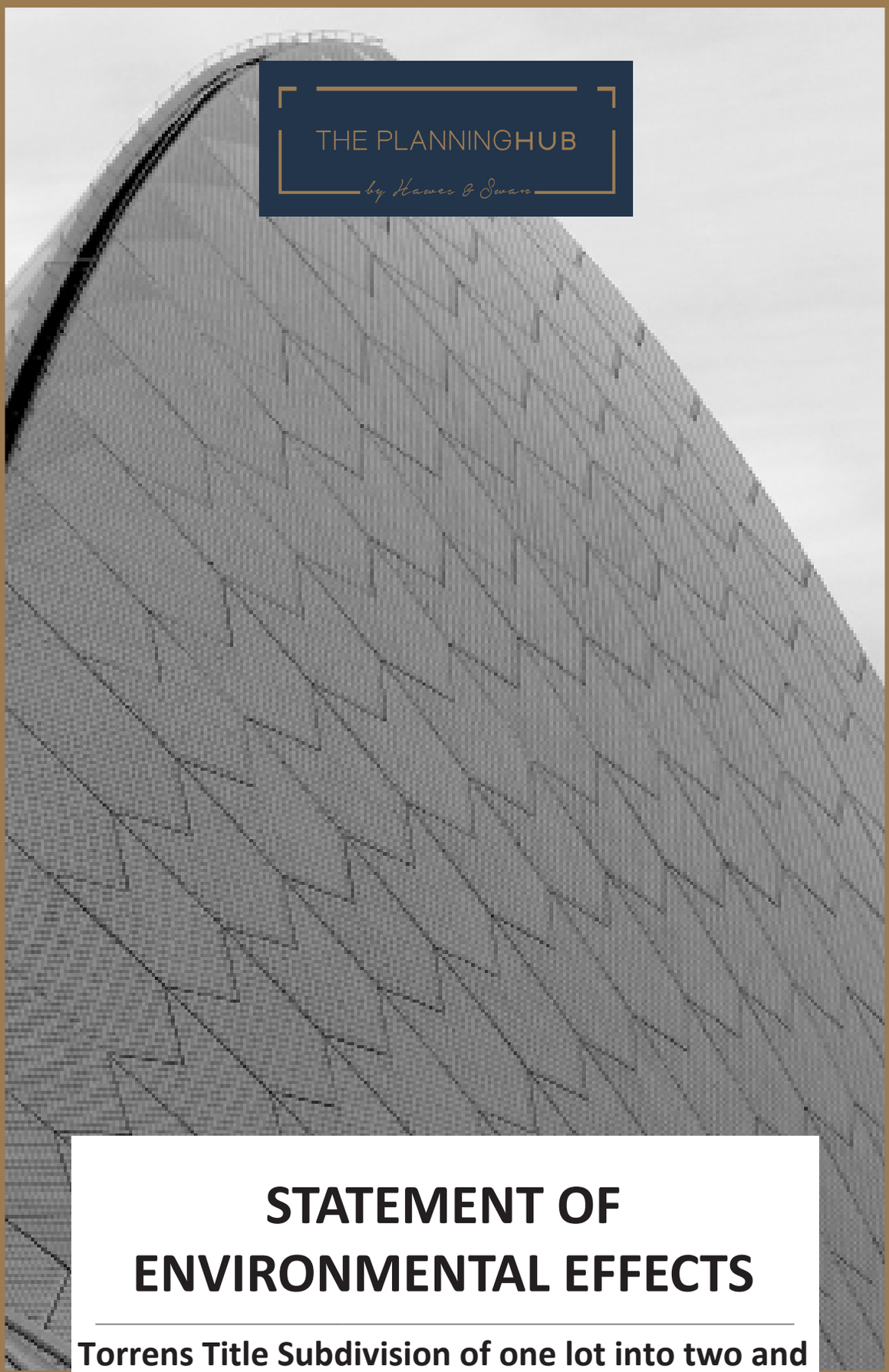

THE PLANNINGHUB

by Hawes & Swan

STATEMENT OF ENVIRONMENTAL EFFECTS

Torrens Title Subdivision of one lot into two and construction of a new dwelling on Lot 2, 1226-1232 Mamre Road, Mount Vernon

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1.0 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) submitted to Penrith City Council on behalf of Capri Building Services.

This SEE provides a detailed description of the site and the proposal and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*. That assessment has found that the proposal:

- Meets the current objectives of the LEP and DCP where applicable;
- Will not result in negative impacts on surrounding land uses and environment;
- Is responsive to site context and presents a positive visual relationship with surrounding uses; and
- Is strongly in the public interest.

The SEE forms part of a suite of documents that are submitted in support of the application attached as **Appendices A – I**.

1.1 Project Context

The site is located in Mount Vernon, on the eastern side of Mamre Road, and is situated in the Local Government Area of Penrith City Council. The land is described as 1226-1232 Mamre Road, Mount Vernon and is currently registered as Lot 45, DP 30266. The site is rectangular in shape and covers an area of 2.0232 hectares. Existing development in the area consists of a single-storey dwelling, detached garages and associated rural structures.

Details of the proposed development are provided below in **Section 3**. The proposal is generally compliant with the relevant LEP and DCP controls.

2.0 Site Analysis

2.1 Location and Context

The site sits within the Penrith City Council LGA in the suburb of Mount Vernon. The subject site is located on the eastern side of Mamre Road, which is a classified road. The site is adjacent Barden Produce Herbs Farm and is located approximately 200m from the proposed Western Sydney Airport in Kemps Creek, 2.4km from Brandown Quarries and 2.8km from Irfan College.

The surrounding area is characterised by a number of large rural lots which contain residential dwellings and large rural outbuildings. The site's locational context is demonstrated in **Figures 1 & 2** below.

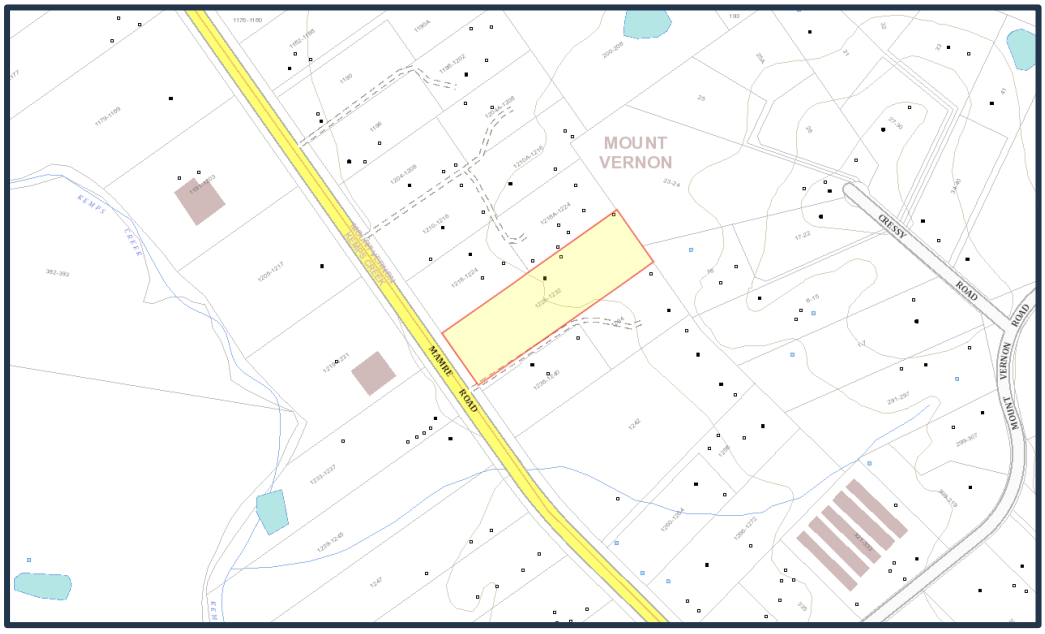

Figure 1: Locality Plan Demonstrating the Site Outlined in Yellow (Source: SIX Maps)

Figure 2: Site Aerial Demonstrating the Site Area Outlined in Yellow (Source: SIX Maps)

2.2 Site Description

The site is commonly known as 1226-1232 Mamre Road, Mount Vernon and is legally described as Lot 45, DP 30266. The site has a total area of 2.0232 hectares and has a frontage of approximately 77.42m to Mamre Road. The site area to be developed under this DA is identified as E4 Environmental Living zoned under the provisions of the Penrith Local Environmental Plan (LEP) 2010.

The site currently contains a single storey brick dwelling, detached garage, and tennis court. The site also contains a number of trees which will be retained as part of this subdivision and development.

2.3 Existing Site Conditions

Existing Structures	The site currently contains a single storey detached dwelling, detached car garage and tennis court.
Access	Vehicular access is provided off Mamre Road and the sits contains two access points with existing driveway crossovers.
Vegetation	Several trees are present on the site. These trees will be retained and incorporated as part of the proposed landscaping.
Bushfire	The rear of the site is identified as being Vegetation Buffer and within bushfire prone land.
Flood Planning	The subject site is not identified as a flood prone area.
Easements	The site is not subject to any easements or restrictions as detailed in the Survey Plan prepared by Total Surveying Solutions provided in **Appendix H**.

3.0 Proposed Development

3.1 Overview

This application seek approval for a Torrens title subdivision of 1 lot into 2 and the retention of the existing dwelling on proposed Lot 1 and the construction of a new dwelling on proposed lot 2 and associate site works at 1226-1232 Mamre Road, Mount Vernon. Specifically, the development will consist of the following:

- Creation of Proposed Lot 1 with area of 10195m^2 a depth of 261.53m and a frontage 44.92m to Mamre Road. Proposed Lot 1 will accommodate the existing dwelling structures and tennis court.
- Creation of Proposed Lot 2 with area of 10037m^2, a depth of 261.53m and a frontage 32.5m to Mamre Road. Proposed Lot 2 will accommodate the proposed sine storey dwelling which comprises:
    - Double garage and covered car port;
    - 4 bedrooms, living/dining area, study, and rumpus room;
    - Covered outdoor alfresco area, and
    - Swimming pool.
- Existing septic tanks to be removed and replaced with aerated wastewater treatment system for each lot.
- Landscaping works that include new turf, planting of trees – Japanese Maple, Snake Bark Maple, and Luscious Water Gum, and shrubs – Silver Falls, Just Right, and Japanese Box.
- Proposed 10,000L below ground rainwater tank.

3.2 Design Rationale

The development proposes a Torrens title subdivision of one lot into two lots, the retention of the existing dwelling and associate structures on the proposed Lot 1 and the construction of a new dwelling on the proposed Lot 2. The proposed subdivision layout consists of the two side by side lots, both with a frontage to Mamre Road.

Although the proposed subdivision plan does not satisfy the requirement of the maximum 4:1 depth to width ratio, 'Battle-Axe' allotments are discouraged by Council, and thus the proposed subdivision is to be considered as the most suitable design outcome. Additionally, Mamre Road runs north-west to south-east, and the subject site can be considered to be good orientation for allotments for solar access to dwellings and private open spaces whilst having a narrow frontage. Therefore, the proposed subdivision layout will contribute to minimising street length and reduce distance between utility and service related infrastructure.

Furthermore, with consideration to the location of the existing dwelling, a 'Battle-Axe' subdivision and construction of a new dwelling behind on the site would not align to Council's standards for minimum lot size. The retention of the existing dwelling also has considerable sustainability merit as it continues the use of existing infrastructure, reduces waste and ecological footprint, and minimises environmental impacts.

A precedent for similar placement of dwellings is the dual occupancy on 1120-1226 Mamre Road, Mount Vernon where two dwellings are built side by side. The proposed subdivision and new dwelling structure comply with majority of the development controls outlined by council and will not be visually dominant from Mamre Road and neighbouring properties as both dwellings are setback accordingly.

4.0 Assessment of Environmental Impacts

4.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. These are:

- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020;
- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River;
- Penrith Local Environmental Plan 2010; and
- Penrith Development Control Plan 2014.

4.1.1 State Environmental Planning Policy No.55 – Remediation of Land

SEPP 55 requires Council to consider whether the subject land of any development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or

zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose.

The subject site currently contains a dwelling house, detached garage, and tennis court. Satellite imaging shows that the location where the dwellings are proposed to sit have been used only for residential purposes and therefore the site is considered suitable for its intended use and no further investigations are required.

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

SEPP (BASIX) applies to the subject site. A NatHERS and BASIX Report has been prepared by Efficient Living Pty Ltd for the proposed development that indicates the proposal will satisfy the relevant water and energy targets. Therefore, the requirements of this SEPP are met. A copy of the BASIX Certificate and NatHERS report is attached as **Appendix D**.

4.1.3 State Environmental Planning (Infrastructure) 2007

The subject site has a frontage of 77.42m to Mamre Road which is categorised as SP2 Zoning Infrastructure and is a state classified road.

Relevant Clauses

The development is subject to Clause 101 Development with Frontage to Classified Road.

The objectives of this clause are—

- *To ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- *To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

A summary of the proposed development against the relevant clause within the Infrastructure SEPP 2007 is provided in the following table.

Table 1: Infrastructure SEPP 2007 Compliance Table			
SEPP Clause	**Requirement**	**Comment**	**Complies**
101 Development with Frontage to Classified Road	The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that— a) where practicable and safe, vehicular access to the land	Mamre Road is the only road that can provide vehicular access to the	

Table 1: Infrastructure SEPP 2007 Compliance Table			
SEPP Clause	**Requirement**	**Comment**	**Complies**
	is provided by a road other than the classified road, and	subject site. However, the road currently provides access to the site on site via two driveways and to neighbouring dwellings. As there is no change proposed to the existing access arrangements, the proposed dwelling will hence not cause any significant impacts.	✓
	b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—		
	i. the design of the vehicular access to the land, or	There are two existing driveways which can provide access from Mamre Road into the property.	✓
	ii. the emission of smoke or dust from the development, or	During the construction of the proposed works, minimal emission of smoke and dust will be produced, and there will be no ongoing impacts after the construction phase.	✓
	iii. the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	The proposed works include a single storey dwelling with a dual carport. There is no significant impact to the nature, volume or frequency of vehicles using the classified road, that would be deemed unacceptable.	✓
	c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development	The proposed dwelling has a setback of 87.54m from the classified road which is appropriately located and designed to have minimal potential traffic noise or vehicle emission impacts on the proposed use.	✓

Table 1: Infrastructure SEPP 2007 Compliance Table			
SEPP Clause	**Requirement**	**Comment**	**Complies**
	arising from the adjacent classified road.		

4.1.4 State Environmental Planning Policy (Western Sydney Aerotropolis) 2020

The proposed development does not fall within the boundary of the Western Sydney Aerotropolis SEPP 2020. However, it is identified as land within the Obstacle Limitation Surface Map 2020 and is subject to Part 3 Development Controls – Airport Safeguards Clause 24. The objectives of this clause are:

- *to provide for the effective and ongoing operation of the Airport by ensuring that its operation is not compromised by development that penetrates the prescribed airspace for the Airport, and*
- *to protect the community from undue risk from the operation of the Airport.*

This clause applies to development on land shown on the Obstacle Limitation Surface Map that is a controlled activity within the meaning of Part 12, Division 4 of the Airports Act 1996 of the Commonwealth.

The existing land use and proposed land use of the subject site remains as an ordinary domestic household activity and is thus not a controlled activity within the meaning of Part 12, Division 4 of the *Airports Act 1996.*

4.1.5 State Regional Environmental Planning Policy No 20 – Hawkesbury-Nepean River

The proposed development is consistent with the aim of the SEPP that is to protect the environment of the Hawkesbury-Nepean River system, as well as all of its planning controls.

The proposed development has been designed to ensure it will not impact on the Hawkesbury-Nepean River system through the design of a stormwater management system that manages water quality and quantity and the implementation of soil erosion and sediment controls measures (**Appendix A & E**) in accordance with the requirements of Council's Engineering Specifications.

A Soil and Site Assessment has been conducted by Harris Environmental Consulting and is provided in **Appendix E**. A Stormwater Concept Design and Sediment and Soil Control Plan has been prepared by J Mammone Architecture in support of the proposal and is provided in **Appendix A**.

4.1.6 Penrith Local Environmental Plan 2010

Permissibility

The site is situated within the Penrith City Council Local Government Authority (LGA) and is subject to the provisions of the Penrith Local Environmental Plan 2010 (LEP). The site is zoned E4 Environmental Living pursuant to the LEP, as shown in **Figure 3** below.

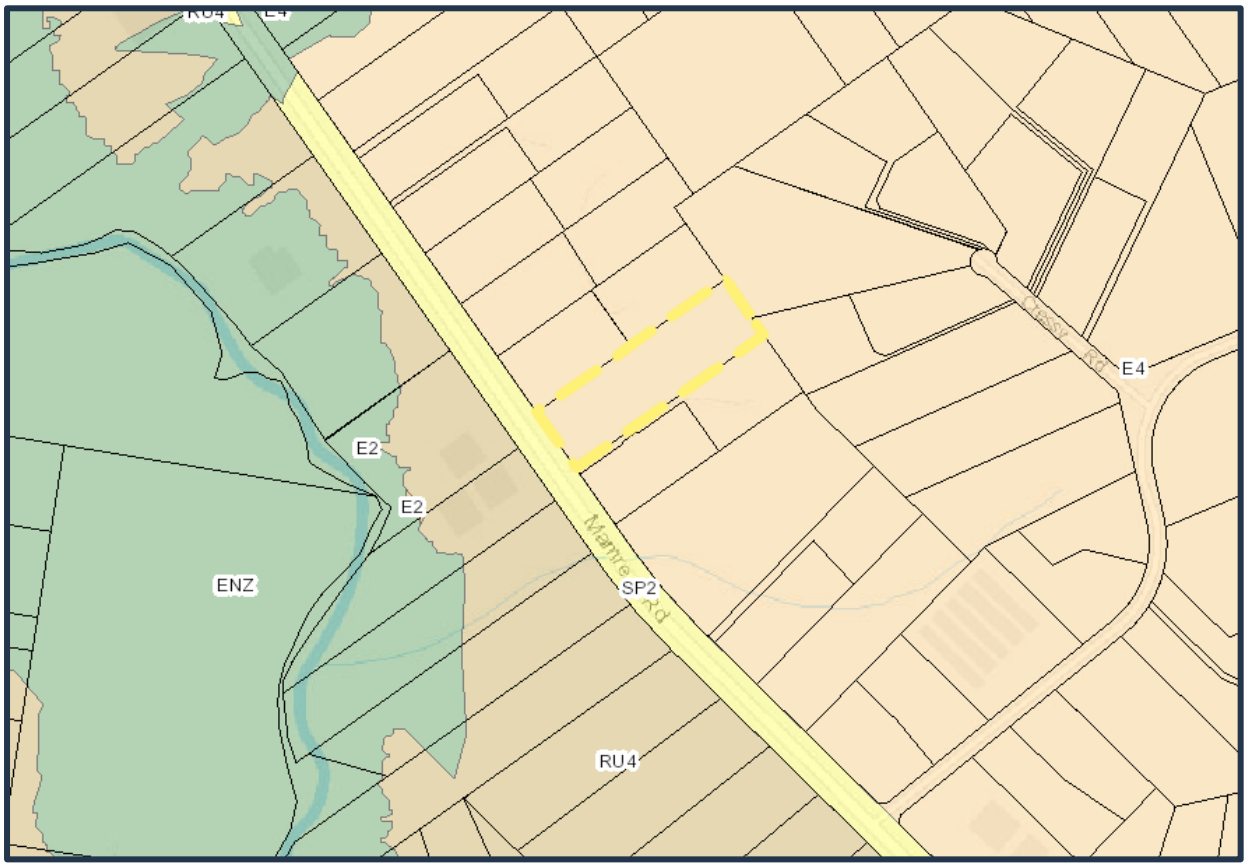

Figure 3: Land Zoning Map Demonstrating the Subject Site as Outlined in yellow (Source NSW Planning Portal)

The development proposes the subdivision of the subject land into two lots and the construction of a new single storey dwelling which is permitted with consent in the applicable E4 zone.

Zone Objectives

The objectives of the E4 Zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific, or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To ensure land uses are compatible with the available infrastructure, services, and facilities and with the environmental capabilities of the land.*
- *To preserve and improve natural resources through appropriate land management practices.*

Comment

The proposed development is consistent with the relevant objectives of the zone in that it will provide for the housing for the community through a development that is designed to reflect the desired character of the area and ensure a high level of amenity is maintained to surrounding development.

Relevant Clauses

A summary of the proposed development against the relevant clause within the Penrith LEP is provided in the following table.

Table 2: Penrith LEP Compliance Table			
LEP Clause	**Requirement**	**Comment**	**Complies**
4.1 Minimum Subdivision Lot Size	This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. 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	The subject site sits within the Y1 Lot Size category on the Penrith City Council LEP 2010 Lot Size Map and requires a minimum of 10,000 m^2 (1 ha). The proposed works include the subdivision of land which will result in two new lots. • Proposed Lot 1 – 1.0195 ha • Proposed Lot 2 – 1.0037 ha	✓
4.3 Height of Buildings	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	There is no specified maximum of height on the Penrith City Council LEP 2010 Height of Building Map. The proposed single storey dwelling has a pitched roof building height of 6.2m and a wall height of 2.7m.	✓

Table 2: Penrith LEP Compliance Table			
LEP Clause	**Requirement**	**Comment**	**Complies**
4.4 Floor Space Ratio	The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	There is no specified maximum of floor space ratio on the Penrith City Council LEP 2010 Height of Building Map. The proposed single storey dwelling has floor area of 550.6m^2 and a development footprint of 5.4% on the proposed Lot 2 area of 1.0037 ha.	✓
7.1 Earthworks	The objectives of this clause are as follows— a. to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, b. to allow earthworks of a minor nature without separate development consent.	The proposed dwelling is designed to respond to the site. Minor earthworks are proposed to facilitate the development which will ensure that the development will not have a detrimental impact on surrounding land uses or environmental functions of surrounding lands. Erosion and sediment control measures will be incorporated and implemented throughout all components of the development to minimise the impact of the development on surrounding land uses. A Sediment and Soil Control Plan has been prepared by J Mammone Architecture & Accurate Design and Drafting in **Appendix A**. The development also proposes the installation of a domestic Aerated Wastewater Treatment System for wastewater treatment, and the installation of a 695m^2 semi-fixed spray irrigation for each lot and has been designed in accordance with the recommendations from the Soil and Site Assessment Report prepared by Harris Environmental	✓

Table 2: Penrith LEP Compliance Table			
LEP Clause	**Requirement**	**Comment**	**Complies**
		Consulting and provided in **Appendix E**.	
7.4 Sustainable Development	In deciding whether to grant development consent for development, the consent authority must have regard to the principles of sustainable development as they relate to the development based on a "whole of building" approach by considering each of the following— a. conserving energy and reducing carbon dioxide emissions, b. embodied energy in materials and building processes, c. building design and orientation, d. passive solar design and day lighting, e. natural ventilation, f. energy efficiency and conservation, g. water conservation and water reuse, h. waste minimization and recycling, i. reduction of vehicle dependence, j. potential for adaptive reuse.	The proposed development is designed with sustainability considerations. The proposed new dwelling is oriented with primary habitable spaces facing north east for optimum passive solar access. Wastewater management systems and disposal areas for each lot have been proposed and a domestic Aerated Wastewater Treatment System is proposed to be installed for each lot. The existing dwelling on the proposed Lot 1 will be retained and will continue to be used as a dwelling and thus has considerable sustainability due to minimalization of waste, ecological footprint, and minimises environmental impacts. A detailed NatHERS and BASIX report has been prepared by Efficient Living Pty Ltd and provided in **Appendix D**.	✓
7.5 Protection of Science Character and Landscape Values	This clause applies to land identified as "Land with scenic and landscape values" on the Scenic and Landscape Values Map.	The subject site is identified as land with science and landscape values.	

Table 2: Penrith LEP Compliance Table			
LEP Clause	**Requirement**	**Comment**	**Complies**
	Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.	The proposed dwelling has a setback of 8.50m and 8.75m from the front boundary. It can be considered that the dwelling will not have any visual impacts from major roads and other public places. Proposed design, colours and material are mostly of a natural scheme and it sympathetic to the local area.	✓
7.6 Salinity	The objectives of this clause are as follows— a. to protect natural hydrological systems by minimizing soil disturbance and ensuring appropriate land use management, b. to avoid the adverse effects of rising salinity on land, including damage to infrastructure and buildings, loss of productive agricultural land and other adverse environmental effects.	It is not anticipated that salinity is to impact on the development and however, a condition can be imposed if deemed necessary.	✓
7.7 Servicing	Before granting development consent for development on any land to which this Plan applies, the consent authority must be satisfied that— a) the development will be connected to a reticulated water supply, if required by the consent authority, and	The subject site has an existing dwelling and is connected to a reticulated water supply. A 10,000L rainwater tank is also proposed.	✓

Table 2: Penrith LEP Compliance Table			
LEP Clause	**Requirement**	**Comment**	**Complies**
	b) the development will have adequate facilities for the removal and disposal of sewage	Existing septic tanks will be removed and replaced with an aerated wastewater treatment system on each lot for management and disposal.	✓
7.9 Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	The objective of this clause is to ensure that development in the vicinity of the proposed Badgery's Creek airport site— a) has regard to the use or potential future use of the site as an airport, and b) does not hinder or have any other adverse impact on the development or operation of an airport on that site.	The subject site is not located within the boundary of the Western Sydney Aerotropolis SEPP 2020. Although it is subject to the Obstacle Limitation Surface Map 2020, there are no specific controls on general domestic and household use of land as per the Airports Act 1996.	✓
	This clause applies to development that— a) is on land that— i. is near the proposed Badgery's Creek airport site, and ii. is in an ANEF contour of 20 or greater, and b) the consent authority considers is likely to be adversely affected by aircraft noise.	The subject site is also not within an ANEF contour zone and is not affected by the potential noise and vibration of the proposed airport.	✓

4.1.7 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2014 provides detailed provisions to supplement the Penrith LEP 2010. An assessment of the proposal against the relevant development controls applying to the subject land is provided in **Appendix B**.

Of note, the development largely complies with all DCP controls with the exception of the controls outlined below and in **Appendix B**.

- Part C11 – Subdivision
  - 11.1 General Subdivision Requirements
  - 11.3.2 Residential Subdivision – Site Frontage

- Part D1 – Rural Land Uses
  - 1.2.2 Setbacks and Building Separations

5.0 Impacts of Proposed Works

5.1 Social and Economic Impacts

The construction of the proposed development will bring with it a number of important environmental benefits for the local and wider community as outlined below.

- Promote enhanced neighborhood safety and security through casual surveillance generated by the presence of a new dwelling and activity within the site;
- Provide short-term economic benefits through construction expenditure and employment; and
- Positively complements the existing and envisaged streetscape, character, amenity of the area thus enhancing resident quality of life and satisfaction.

5.2 Visual Impacts

Visual Landscape Character

The subject site is identified as land with scenic and landscapes value on the Scenic and Landscape Values Map from the Penrith Local Environmental Plan 2010 and categorised as a Village Bookend Gateway in the Penrith Council Development Control Plan 2014.

The adjoining lands alongside Mamre Road are subdivided into front and back lots and is categorised as low density with low-rise dwellings and ancillary structures. Mamre Road is a classified road and also serves as access into the subject site. However, the proposed development has a front setback of 87.54m and hence will not be intrusive to the streetscape of Mamre Road.

Furthermore, there are no significant natural landscape features such as ridgelines, hillsides, slopes, watercourses and vegetation on the site, and the proposed subdivision and development will not result in any substantial impacts on the existing landscapes.

Potential Visual Impacts

The existing landscape views include adjoining lots with low-rise dwellings and associated structures. The proposed development includes the subdivision of the subject lot into 2 and the construction of a new single storey dwelling. As the subject site has a gentle southern slope, the proposed development will not significantly alter the site level due to its low-rise and small-scale nature, and thus will not obstruct the visual landscape and characteristics of the site.

All existing vegetation on the site is retained, and proposed landscape plans are prepared in **Appendix A** for reference.

Visual Mitigation Measures

The design of proposed development employs natural building materials and finishes and takes into consideration of the local environment to ensure the development emulates the existing aesthetic of the streetscape and minimises any potential visual impacts on surrounding views and landscape.

The proposed materials include exterior grey-stained natural timber cladding, grey face brick and 'Monument' coloured aluminium garage door and details, which can be deemed complementary to the local area and existing visual scheme. Additionally, the roof material proposed is Colorbond Trimdek in 'Monument' which has low reflectivity and is considered to be minimally intrusive to the landscape.

Further details and visual representation of building materials are specified in the architectural plans prepared in **Appendix A**.

Bushfire

The subject site is identified as bushfire zone and a Bushfire Hazard Assessment has been prepared by Harris Environmental Consulting and is provided as **Appendix I.** The assessment concludes that the proposed works is capable of meeting BAL LOW as specified by AS3959-2018 Construction for Buildings in Bushfire Prone Areas.

The proposed internal access is designed in accordance with the recommendations from the Bushfire Hazard Assessment report and provides a minimum carriageway width of 4m and sufficient turning room for a fire tanker. Any bottled gas will be installed and maintained in accordance with AS1596 and the requirements of Penrith Council. Architectural details demonstrating compliance are provided as **Appendix A**.

5.3 Access and Car Parking

Access to site is provided by Mamre Road which is a state classified road and currently also provides access to the existing dwelling on site, and neighbouring dwellings. The site currently has two existing driveways which will continue to serve as access for each proposed lot and there is no change to the access arrangements, and therefore there will not be any increased impacts as a result of this development proposal. The proposed works will also not generate unacceptable volumes of smoke and dust emissions and will not have on-going impacts post construction phase.

Additionally, the proposed single storey dwelling will include a dual carport and will not result in a significant increase of volume and frequency of vehicles to the classified road. Furthermore, the proposed siting of the dwelling on the site is positioned to ensure there is minimal potential traffic noise or vehicle emissions impacting the future use of the dwelling.

5.4 Site Suitability

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- The zoning of the site permits the proposed uses;
- The size and dimensions of the land are appropriate for accommodating the proposal;
- It does not result in any adverse impacts on adjoining developments including overshadowing, overlooking or noise issues; and
- It will be a new dwelling that positively responds to the streetscape and are compatible in size and siting with surrounding developments.

5.5 Public Interest

The proposal will facilitate the development of the site by providing a new high-quality housing development which achieves good design. It is in the public interest to reinforce the importance of this location for high quality rural housing. Generally, the proposal provides the following public benefits:

- The development has been designed that enhances and responds sensitively to its rural setting, creating spaces that reflect the desired scale and significance of the immediate precinct.
- The proposed development provides a built form that presents as high-quality design that fits within the envisaged character of the area and responds to the site attributes and development controls applicable; and
- There are no significant adverse impacts on surrounding properties in terms of sunlight access, views, visual and acoustic privacy.

6.0 Conclusion

This proposal seeks approval for a Torrens title subdivision of 1 lot into 2 and the retention of the existing dwelling on proposed Lot 1 and the construction of a new dwelling and associated site works on proposed Lot 2 at 1226-1232 Mamre Road, Mount Vernon.

The proposal is generally consistent with the relevant environmental planning instruments, including Penrith City Council LEP 2010 and Penrith City Council Development Control Plan 2014. The proposed development has significant planning merit in the following respects:

- the proposal maintains the rural landscape character of the land; and

- there are no adverse impacts on surrounding properties.

Having regard to the above, and in light of the relevant heads of consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* the proposal is reasonable and appropriate and warrants favourable consideration.

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APPENDIX B

PENRITH DEVELOPMENT CONTROL PLAN 2014 - COMPLIANCE TABLE

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Penrith Development Control Plan 2014 – Compliance Table 1226-1232 Mamre Road, Mount Vernon			
Control	**Requirement**	**Comment**	**Complies**
Part C1 – Site Planning and Design Principles			
1.1.1. Site Analysis	Site analysis involves looking at the features of the site and the immediate surrounding area and, where possible, presenting the information in a diagrammatical plan(s). It includes the site and the immediate context – usually up to 50m or 100m in any direction from the site (depending on the scale of development, the proposed land use, and its impacts).	A Site Analysis Plan has been submitted in support of this application in **Appendix A**.	✓
1.1.2 Key Areas with Scenic and Landscape Values	**B PRINCIPLES** • Protect and enhance the visual diversity and scenic quality of gateways and view sheds within the City of Penrith, including detailed, mid, and long-range views • Protect and enhance the key regional natural features that contribute to the character of Penrith as a City, including the Blue Mountains escarpment, the Nepean River, other riparian corridors, and bushland reserves • Protect, maintain, and enhance other important natural features, including ridgelines, hillsides, watercourses and riparian corridors, vegetation, and landform • Protect, maintain, and enhance backdrops and settings that contribute to the local identity; • Protect, maintain, and enhance views and vistas from vantage points, including main road corridors and other public places.	The proposed single storey dwelling is small in scale and is minimally intrusive to the visual landscape and characteristic of the area. There are no significant natural features on site including ridgelines, hillsides, watercourses and riparian corridors, vegetation, and landform, and all existing vegetation on site will be retained. The subject site is on Mamre Road, which is a classified road, however, the proposed works do not obstruct views from vantage points. The front setback from the proposed dwelling is 87m	✓

	• Conserve and enhance historic landscapes, properties, and their curtilages. • Plan and site new development to enhance local identity. Development is to effectively integrate with the surrounding landscape so that any change as a result of the new development does not compromise the character of the landscape. Issues such as context, scale, size, built form and height, setbacks/buffers, landform, structural space (private and public), streetscape, vegetation and infrastructure are to be addressed • Strengthen local identity through consistency and/or compatibility of design. Design development to take into account issues such as scale, form, line, colour, texture, lighting, existing vegetation, open space, and landscaping • Use vegetation to frame scenic views, provide interest or change, define new space, provide backdrops, and visually connect all other elements within the setting; and • At gateways, reinforce the distinct experience of arrival or passing from one landscape character type to the next, through legible site planning and design **C CONTROLS** • New proposals on land identified in the LEP Scenic and Landscape Values Map (including gateway sites) or on land zoned E1 National Parks and Nature Reserves or E2 Environmental Conservation, are to submit a visual impact assessment with their development application. This assessment involves describing, analysing, and evaluating the visual impacts of the proposed development, and identifying measures to minimise the impacts and ensure the development is sympathetic to the scenic and landscape character of the area.	ensuring the development will not significantly impact the existing streetscape. There are no historic landscapes or heritage listed items and properties on site that require conservation. Design of the development takes in consideration of the local landscape and streetscape and uses materials and finishes such as exterior timber cladding, and Colorbond roofing, and can be considered to compliment the local area and existing aesthetic. Further details and design visualisation is prepared in the architectural plans in **Appendix A**. The subject land is identified as a Village Bookend Gateway. An assessment of visual impacts can be referred to in section **5.2** of the **Statement of Environmental Effects.**	✓

1.2.2. Built Form - Energy Efficiency and Conservation	Buildings should be designed on passive solar design principles which: i. Respond to orientation to maximise the northerly aspect and solar access in the cooler periods; ii. Reduce overheating in summer and promote solar gain in winter; and iii. Ensure there is adequate cross flow of air by utilising natural ventilation, resulting in a reduction in the use of mechanical ventilation and/or air-conditioning systems.	The proposed dwelling has been designed to increase solar access by orienting the living room and private open space to a northerly direction. Cross ventilation has provided through the provision of windows on all elevations of both the proposed dwellings.	✓
1.2.3. Building Form - Height, Bulk and Scale	a) **Context**: An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use.	The proposed one storey dwelling will provide a bulk and scale are consistent with similar residential buildings in adjoining lots. Examples of similar developments are found next door at 1218-1224 Mamre Road, Mount Vernon and 1240 Mamre Road, Mount Vernon.	✓
	b) **Character**: An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character (where relevant) considering the topography of the area, the surrounding landscape, and views to and from the site.	The proposed one storey dwelling is consistent with the existing rural character of the area. The proposed height of 6.23m, bulk and scale are designed to minimise any impacts to the existing landscape. There are no significant views which the dwelling would impact.	✓
	c) **Articulation**: Where the dimension of the building is 20m or more, an applicant must demonstrate how the building or surface has been articulated (either through built form or materials) to minimise impact on bulk and scale.	All elevations of significant length have been articulated through the provision of a variety of materials including brickwork, timber cladding and aluminium features.	✓

	d) **Overshadowing**: Building locations, height and setbacks should seek to minimise any additional overshadowing of adjacent buildings and/or public spaces where there would be a significant reduction in amenity for users of those buildings/spaces.	Existing dwelling is located at a reasonable distance from proposed dwelling and from dwellings on adjoining sites which ensures there will be no overshadowing impacts.	✓
	e) **Setbacks/Separations**: Buildings should be sufficiently set back from property boundaries and other buildings to: i) Maintain consistency with the street context and streetscape character, especially street/front setbacks; ii) Maximise visual and acoustic privacy, especially for sensitive land uses; iii) Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape character, and reducing a building's visual impact and scale; iv) Maximise permeable surface areas for stormwater management; and v) Minimise overshadowing.	The proposed dwelling maintains consistency with the existing context of the street by being designed to ensure that visual and acoustic privacy is maintained through building separation and screen planting in the landscaped area near the boundary. The lot provides an excess of landscaping which provides significant permeable area for both stormwater management and to provide adequate space which can support deep root planting.	✓
	f) **Building Façade Treatment**: The aim is to ensure that any built form will: i) promote a high architectural quality commensurate with the type of building and land use; ii) adopt façade treatments which define, activate, and enhance the public domain and street character; iii) ensure that building elements are integrated into the overall building form and façade design; iv) compose façades with an appropriate scale, rhythm and proportion that responds to the building's desired contextual character; v) design façades to reflect the orientation of the site using elements such as sun shading, light shelves, and appropriate glazing as environmental controls;	The proposed dwellings provide articulated façades which is consistent with the character of the area. The façades are of an appropriate scale considering the size of the land and the overall design of the dwellings.	✓

	vi) express important corners by giving visual prominence to parts of the façade, for example, a change in building articulation, material or colour, roof expression or building height, and vii) co-ordinate and integrate building services to improve the visual presentation. g) **Roof Design**: The roof is an important architectural element of any building and: i) the shape and form of the roof should respond to its surrounding context and minimise visual impact from any key viewpoints; and ii) should consider opportunities for incorporating 'green roofs.'	The roof shape and form of both dwellings is designed to be compatible with similar existing roofs in the area. It minimises any visual impact.	✓
1.2.4. Responding to the Site's Topography and Landform	Applicants must demonstrate how the development responds to the natural topography and landform of the site based on analysis drawings. Any built form should be located, oriented, and designed to minimise excavation, cut, and fill in accordance with the requirements of the Land Management Section of this Plan The built form should respond to the natural topography by: i) Avoiding steep slopes for buildings; ii) Aligning the built form with the contours; and iii) Utilising split level design on gentler slopes	The site is relatively flat and slopes down slightly to the south. The proposed dwelling is designed to respond to the natural topography of the site and requires little excavation and fill.	✓
Part C2 – Vegetation Management			
2.1 Preservation of Trees and vegetation	A person must not remove, clear, prune or otherwise cause harm to any tree or other vegetation prescribed by this Plan without an appropriate approval.	No trees are proposed to be removed as part of this application.	✓

2.3 Bushfire Management	**Planning for Bushfire Protection** If land is identified as 'bushfire prone land' on the Bushfire Prone Land Map, then any development application on that land must address the bush fire protection measures set out in the document *'Planning for Bushfire Protection* 2006 (PBP).	The rear of the site is identified as being bushfire prone and is classified as Vegetation Buffer Zone. A Bushfire report has been prepared by Harris Environmental Consulting and is attached as **Appendix I.** The report details that the proposed subdivision of Lot 2 can meet BAL LOW as specified by AS3959-2018 Construction for buildings in Bushfire Prone Areas. Any bottled gas will be installed and maintained in accordance with AS1596. The proposed internal access is designed in accordance with the recommendations from the Bushfire Hazard Assessment report and provides a minimum carriageway width of 4m and sufficient turning room for a fire tanker. Architectural details demonstrating compliance are provided as **Appendix A**.	✓
Part C3 – Water Management			
3.5 Flood Planning	**1) Submission Requirements** a) Where relevant, a comprehensive flood study, incorporating: i) a survey of the main watercourse; ii) a survey of the site; and iii) a detailed flood and drainage investigation which establishes the estimated 1% AEP (100-year ARI) flood level;	The site is not identified as flood prone in a flood study area. The proposed dwellings will not create a flood hazard or cause any risk to other properties.	✓

	is to be submitted with any development application on land identified as fully or partially flood affected. The levels on the survey are required to be verified during construction by a survey certificate. **2) Flood Hazard Classifications** a) Council will consider development on land subject to the flood planning provisions of the LEP but will not grant consent to new development in floodway or in high hazard areas. *Flood hazard (high) or high flood hazard* occurs when there is possible danger to life and limb; evacuation by trucks is difficult; there is potential for structural damage; and social disruption and financial losses could be high. b) Consideration will be given to such matters as depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a 'floodway', 'flood fringe area' or 'flood storage area'.	The site is not located in a floodway or high hazard area. The development area is not flood affected.	✓
3.6 Stormwater Management and Drainage	**Drainage** Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements including on-site detention, new drainage systems and the like.	A stormwater plan detailing drainage, proposed rainwater tanks prepared by J Mammone Architecture and Accurate Design and Drafting has been submitted with this application under **Appendix A**.	✓
Part C4 – Land Management			
4.1 Site Stability and Earthworks	In accordance with the earthworks provisions of the LEP, development consent is required for any earthworks unless the work is exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*; or the work is ancillary to other development for which development consent has been given.	Only minor earthworks are proposed to facilitate the proposed development.	✓

	Earthworks to create a building platform shall not be undertaken where excavation and/or filling would exceed 1m from the existing natural ground level of the site. All retaining walls proposed for the site are to be identified in the development application for the proposed development. Retaining walls are to be kept to a minimum to reduce earthworks. Use of materials that complement the natural environment is encouraged.	Only minor earthworks are proposed to facilitate the proposed development. Proposed retaining walls are detailed in the architectural plans provided in **Appendix A**	✓ ✓
4.3 Erosion and Sedimentation	All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP)	An Erosion and Sediment Control Plan has been prepared by J Mammone Architecture and Accurate Design and Drafting in support of the proposed development and is provided in **Appendix A.**	✓
4.4 Contaminated Lands	Under the *Environmental Planning and Assessment Act 1979*, Council has a duty of care, when considering development proposals, to fully consider the possibility of land contamination and the implications it has for any proposed future use of land.	The subject site currently contains a dwelling house, detached garage, and ancillary structures. Satellite imaging shows that the location where the dwellings are proposed to sit has been used only for residential purposes for at least the past 10 years and therefore the site is considered suitable for its intended use and no further investigations are required.	✓
Part C5 – Waste Management			
5.1 Waste Management Plans	Applicants are to submit a Waste Management Plan when lodging a development application for demolition or construction of buildings.	A Waste Management Plan has been prepared by J Mammone Architecture and is provided in **Appendix C**.	✓

5.2.2 Residential Development Controls	The kitchen of each dwelling should be designed with sufficient space (or an alternate location) for the interim storage of organic waste, other recyclable waste, and non-recyclable waste. It should be of sufficient size to hold at least a single day's waste and to enable source separation of garbage, recyclables, and compostable materials. Waste containers are to be stored in a suitable and easily accessible location on site: a) with unobstructed access to Council's usual collection point; and b) to avoid vandalism, nuisance, and visual clutter.	The proposed kitchen of dwelling has been designed to provide sufficient space for waste storage. The site allows for waste containers to be stored in a location accessible to the collection point and avoids visual clutter.	✓ ✓
5.3.1 Site Management	Proposals involving demolition and/or construction (including earthworks) are to include a Waste Management Plan.	A Waste Management Plan has been prepared by J Mammone Architecture and is provided in **Appendix C**.	✓
Part C6 – Landscape Management			
6.1.1 Development Process	Landscape plans must be prepared by a suitably qualified consultant. Landscape design consultants who are members of accredited organisations should be engaged to ensure professional standards are achieved. Accredited organisations include Australian Institute of Landscape Architects and Australian Institute of Landscape Designers and Managers.	A Landscape Plan for proposed subdivision and single storey dwelling has been prepared by Accurate Design and Drafting and J Mammone Architecture which is provided in **Appendix A.**	✓
6.1.2 Protection of the Environment	**Environmentally Sustainable Design** a) Planting deciduous trees - These are best planted on northern and western aspects. This will allow the sun in during winter, and provide shelter from the sun in summer and morning sun year-round adding to energy efficiency; b) Selecting low water/low maintenance plants, including drought tolerant species; c) Planting native or indigenous plants – These plants have lower water requirements and have evolved to cope best with the existing conditions, hence reducing maintenance, fertilising, and watering requirements;	A Landscape Plan for proposed dwelling has been prepared by Accurate Design and Drafting and J Mammone Architecture which is provided in **Appendix A.**	✓

	d) Using irrigation systems that utilise drip irrigation systems; e) Using recycled and biodegradable products in the landscape design - Such elements could include recycled soils and other hard paving features; f) Allowing for composting, mulching and worm farms on site; g) Using quality, long lasting materials; and h) Using soils and mulches manufactured with recycled waste	Proposed trees include Japanese Maple, Snake Bark Maple, and Luscious Water Gum.	
6.1.3 Neighbourhood Amenity and Character	Landscape design should reinforce the identified natural attributes of the site including, but not limited to, watercourses, landmark elements, landforms, views and vistas, significant trees, vegetation patterns and historic buildings.	The proposal reinforces the natural attributes of the site by retaining all existing vegetation. The proposal is designed to reflect the bulk and scale of the local residential lots and minimise any conflict between residential and other land uses.	✓
	Remnant native vegetation should be retained, managed, and incorporated into landscape designs to conserve the natural biodiversity across the landscape.	There is no native vegetation on site.	✓
	Landscape design should enhance the amenity and visual quality of the site. Landscaping solutions are to be used to screen and enhance visually obtrusive land uses or building elements within their setting.	The proposed landscaping will enhance the visual setting of the proposed development and accentuate the proposed built form, see Landscape Plan **Appendix A.**	✓
	All sites contribute to the streetscape by way of the design of any structures or vegetation. Therefore, any landscape submission must include an assessment of the streetscape.	The proposed dwelling contributes to the streetscape by retaining substantial landscaped area and existing trees.	✓
	Landscape designs must comply with the safety and crime prevention controls in the 'Site Planning and Design Principles' section of this DCP.	The public and private open spaces of the development incorporate appropriate landscaping that maximise	✓

		opportunities for casual surveillance whilst providing adequate privacy, solar access, and shade.	
	Landscape designs must comply with fencing controls required by this DCP.	The existing frontage and side fences and driveway gate to be retained.	✓
	All retaining walls are to be constructed of masonry or concrete material. Timber retaining walls are not permitted.	Retaining walls are proposed and can be conditioned to be constructed of masonry or concrete material.	✓
6.1.4 Site Amenity	Landscape designs should seek to screen development, particularly from the sides and rear of an allotment.	Landscaping to be retained and enhanced, particularly at the rear and front of the dwelling as well as at the boundary.	✓
	Landscape design should maximise the area of a deep soil zone, especially around existing trees to provide sufficient soil depth for roots.	The landscape design proposed provides significant deep soil area for the planting of trees.	✓
Part C10 – Transport, Access, and Parking			
10.3 Key Transport Corridors	**Character of Key Transport Corridors** a) Applicants need to ensure that the proposed development is in character with each of the key transport corridors. b) Access driveways and development in proximity to the key transport corridors need to protect the landscape character and any heritage values and ensure traffic safety. **Development Setbacks from Transport Corridors**	Subject site is on Mamre Road which is identified as a key transport corridor in the DCP. Proposed development design contributes and compliments existing landscape and street aesthetic and provides a frontage setback of 85-87m from Mamre Road.	✓

	a) A minimum setback of 30m is required from all other key transport corridors where development is proposed in rural or environmental zones.		
10.5.1 - Parking, Access, and Driveways	Dwelling House - 2 spaces per dwelling – stack or tandem parking acceptable 2 spaces per dwelling (2 or more bedrooms) – stack or tandem parking acceptable. For all residential development at least one car parking space for each dwelling shall be covered the second space may be "stacked" or "tandem" or located on a driveway.	Existing dwelling already has a dual garage. Proposed new dwelling provides a dual carport. Additional parking for new dwelling on the hardstand surface in front of the carport is also available. Proposed dwelling provides 2 covered car parking spaces.	✓ ✓ ✓
10.5.2 – Access and Driveways	The road access to the site should provide for safe entry to and exit from the site. All vehicles must enter/exit the site in a forward direction. The entry and exit from the site should provide for appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles, respectively. Driveway widths must comply with the relevant Australian Standards New allotments must have direct access to dedicated public roads.	Compliant access and driveway designs have been prepared by Accurate Design and Drafting and J Mammone Architecture which is provided in **Appendix A.** Driveway widths proposed are 4m and are compliant with the Australian standards. New subdivision will have direct access to dedicated public road, Mamre Road.	✓ ✓ ✓
Part C11 – Subdivision			
11.1 General Subdivision Requirements	**Site Planning**	The proposed subdivision and design take in consideration the principles of	✓

	a) Any proposed subdivision must demonstrate how the proposed subdivision design has considered the principles set out in Section C1 'Site Planning and Design Principles' of this DCP. This includes, but is not limited to: ○ Site analysis and response to the site context; ○ Social impact of the proposed subdivision; ○ Economic assessment of the proposed subdivision; ○ Environmental assessment of the proposed subdivision; ○ Urban design assessment of the proposed subdivision; ○ Compliance with the provisions of this DCP relating to specific land uses; ○ The allotment size, shape, and orientation; ○ The alignment of roads with the natural topography; ○ Potential energy and water savings from subdivision design and allotment orientation; and ○ The ability of proposed allotments to operate efficiently for the proposed use and potential future development. b) As part of any site analysis, the proposed subdivision must demonstrate its integration with the natural and physical features of the site including, but not limited to: ○ Slope and orientation of land; ○ Opportunities for solar and daylight access to dwellings (if applicable); ○ Design of roads and access ways (individual site access); ○ Retention of special qualities or features such as trees or views; ○ Availability of utilities; ○ Provision of adequate site drainage; ○ Possible need to retain the existing subdivision character; ○ Heritage and archaeological conservation; ○ Adequacy of each allotment considering relevant development standards for the proposed future use of the land; ○ Relationship to adjacent subdivision patterns; and	the Site Planning and Design Principles of the Penrith DCP aims to minimise potential impacts on the local environment. The siting of the subdivision and new dwelling has been designed to ensure sufficient solar access to habitable rooms, and that bulk and scale of the development does not pose negative impacts to the natural landscape, topography, and neighbouring dwellings. Further assessment of the proposed subdivision and dwelling has been prepared and provided in the **Statement of Environmental Effects**. The proposed subdivision integrates the natural topography of the land and is positioned on site to ensure there is sufficient natural light and solar access to the most used spaces of the dwelling. Utilities, services, and adequate drainage are provided and is further visually represented in **Appendix A**. There are no heritage items on site, but the proposed subdivision takes in consideration of the potential scenic and landscape values of the area by ensuring the proposed dwelling is not visually intrusive from the street view. There are no potential land use conflicts with adjacent lands. A detailed site analysis plan has been prepared by Accurate Design and Drafting and J	✓

	○ Potential land use conflicts with adjacent lands. c) Existing vegetation and natural drainage lines should be retained and enhanced, wherever possible. d) Existing dams should be retained, where possible. e) Long and narrow allotments should be avoided. Allotments should have a maximum of 4:1 depth to width ratio. f) 'Battle-axe' allotments are discouraged by Council. No more than two allotments shall be served by a shared access corridor. Where a corridor is shared, reciprocal rights of way and easements for drainage shall be granted over the access corridor for the benefit of both allotments.	Mammone Architecture which is provided in **Appendix A.** All existing vegetation is retained. N/A The development proposes a Torrens title subdivision comprising of Lot 1 with area of 10195m^2 a depth of 261.53m and a frontage 44.92m to Mamre Road and Lot 2 with area of 10037m^2, a depth of 261.53m and a frontage 32.5m to Mamre Road. Although the proposed lots exceed the 4:1 depth to width ratio, a variation should be considered as the subdivision is not a 'Battle-Axe' allotment which is discouraged by Council. Furthermore, both subdivisions have an existing driveway each and will not need to be served by a shared access corridor. The proposed dwelling is also positioned to ensure the privacy of adjoining properties and for optimum solar access and is setback accordingly to ensure there are no significant visual impacts to the streetscape. In addition, the proposed subdivision layout is the most suitable design outcome as it allows for the existing dwelling on site to be retained and thus reducing	✓ **N/A** **Merit Assessment**

		potential waste and ecological footprint.	✓
	g) Applications for subdivision need to demonstrate that each of the proposed allotments can support the proposed development/buildings by providing a Potential Development Area Plan. This Plan (based on a survey diagram) shall show the potential development area of each allotment (after considering setbacks that may be required to meet built form or environmental controls in this DCP). h) Applications should be accompanied by landscape plans indicating proposed landscaping (including streets and how they are positioned so as not to compromise the effectiveness of street lighting) and parking arrangements.	A Potential Development Area Plan, and Landscaping Plans have been prepared by Accurate Design and Drafting and J Mammone Architecture which is provided in **Appendix A.**	
	New allotments should be located so as to protect, enhance, or conserve areas of high scenic or recreational value. Council may consider subdivisions/buildings in these higher value areas where ridgelines, vistas and other geographic features are not interrupted or where building materials that blend with the environment are to be used.	The subject site is identified as land of scenic and landscape value however proposed subdivision and development does not interfere with ridgelines, vistas, or other significant geographic features. The proposed dwelling is considered to be minimally intrusive to the landscape as it is a one storey development and uses natural materials and finishes to complement the local character and natural environment.	✓
	Vegetation Management a) Any subdivision proposal is required to address the objectives and controls set out in the Vegetation Management and Landscape Design sections with particular focus on the protection of existing vegetation.	All existing vegetation is to be retained as set out in the Landscaping Plans prepared by Accurate Design and Drafting and J Mammone Architecture, provided in **Appendix A.**	✓ ✓

	b) Not more than 10% of the vegetation on any site shall be cleared (or required to be cleared) as a result of any subdivision proposal. c) The design of any subdivision layout must ensure that the potential development pattern supported by the proposed subdivision design will be consistent with the existing landscape character of the area. d) A subdivision application on land identified as or adjacent to 'bushfire prone land' will need to address the controls set out in the Vegetation Management Section relating to bushfire protection and the provision of asset protection zones. Where possible, removal of significant vegetation is to be minimised. **Water Management** a) Any subdivision proposal is required to address the objectives and controls set out in the Water Management Section. The subdivision design should consider the following and incorporate measures to address: ○ The potential impacts of any future development on water catchments and surface water quality; ○ The potential impacts of any future development on watercourses, riparian corridors and wetlands or other environmentally sensitive areas. Lot design may need to facilitate the fronting onto riparian land to facilitate surveillance and prevent degradation of these areas; ○ The potential for flood risk and damage to life and property and the need to provide safe emergency access/egress from the site; ○ Issues arising from stormwater and drainage requirements; and ○ The potential for the site design to incorporate features of water sensitive urban design. b) Council will not support the subdivision of any land located in a floodway or areas of high flood hazard	Proposed new landscaping is consistent with the existing landscape and natural character of the area. The subject site is identified as bushfire prone – vegetation buffer zone, and there is no removal of vegetation on site. The subject land is not identified as a flood prone area and is not near any catchments, water corridors, wetlands, or other environmentally sensitive areas. The subject site is appropriate for the proposed subdivision and new dwelling as there are no significant slopes and is	✓ ✓ ✓

	Land Management a) Any subdivision proposal is required to address the objectives and controls set out in the Land Management section with particular focus on ensuring that the proposed subdivision is appropriate taking into consideration: ○ Site instability due to geology, slope, or landfill; ○ The need for excavation and fill to create developable allotments; ○ The potential for erosion and sedimentation; and ○ The potential for salinity. b) Any subdivision application must address whether the proposed site has any potential for contamination (in accordance with the Contaminated Land Management Act 1997), other than by normal grazing activities. If required by Council, the land will need to be remediated in accordance with legislative requirements before subdivision can be permitted. **Access and Transport** a) Any subdivision proposal is required to address the objectives and controls set out in the Transport, Access, and Parking section with particular focus on ensuring that the proposed subdivision is appropriate taking into consideration ○ The appropriate location of land uses to minimise transport requirements; ○ Likely traffic generation; ○ Safe access and egress to the site; and ○ Appropriate lot sizes to provide facilities for cars, pedestrians, and bicycles.	not comprised of landfill. The proposed dwelling is designed to respond to the natural topography of the site and requires little fill and minor excavations to facilitate the development. The subject site currently contains a dwelling house, detached garage, and ancillary structures. Satellite imaging shows that the location where the dwellings are proposed to sit has been used only for residential purposes for at least the past 10 years and therefore the site is considered suitable for its intended use and no further investigations are required. The proposed subdivision includes a dual carport to facilitate future occupants and thus will generate significant traffic impacts. Proposed driveway emulates the existing access and egress to the site and is to be considered safe. The proposed subdivision will create a site frontage of 44.92m for Lot 1 and 32.5m for Lot 2.	✓ ✓ ✓ ✓

	b) Site frontage must be sufficient to permit vehicular and pedestrian access to the site. c) A minimum allotment frontage of 25m must be provided when the allotment has a vehicle access point to a collector or major road. **Noise and Vibration** Any subdivision proposal is required to address the objectives and controls set out in the Noise and Vibration section with particular focus on designing lots so sensitive buildings (especially dwellings) will have sufficient setbacks or noise mitigation measures to minimise noise and vibration impacts. **Infrastructure and Services** a) Council will not approve of any subdivision of new lots where requirements for effluent/waste water disposal cannot be adequately met on each individual lot. b) Council will not approve of any subdivision of new lots where the provision of services, such as electricity, telephone, and other centralised services, would result in additional costs not paid for by the applicant. c) Satisfactory arrangements will be required to be made with Sydney Water in conjunction with the submission of the subdivision application. Documentary evidence will be required of the consultation which has been undertaken.	An acoustic report has been prepared by Koikas Acoustics and provided in **Appendix G** Proposed new subdivision includes the provision of new septic tanks and services to facilitate the new dwelling and existing services will continue to facilitate the existing dwelling on site. A Section 73 Certificate will be obtained from Sydney Water post determination of the DA.	✓ ✓ ✓
11.3.1 Residential Subdivision – Allotment Orientation	Staggering of allotments and extensive use of landscaping are encouraged to reduce adverse wind impacts and achieve maximum exposure to cooling breezes in summer and create streetscape variety and interest. The allotment orientation shall consider:	Existing vegetation at the front of the lot will be retained at achieve streetscape variety and interest. Proposed landscaping plans have been prepared J Mammone Architecture and can be referred to in **Appendix A**.	✓

	a) The various types of dwellings which may be constructed on them. In this regard, potential living and private open space areas of any dwelling can be oriented to the north.	The private open space and living room of proposed new dwelling is oriented north.	✓
	b) The possible overshadowing impact on existing and/or future adjoining buildings.	Due to the positioning and scaled of the proposed one storey dwelling, it can be considered that there is no significant overshadowing impact on existing dwelling on site and adjoining neighbouring dwellings.	✓
	c) Road orientation, which is an important factor in influencing allotment orientation to achieve energy efficient subdivision. ○ Roads running close to east-west provide for good orientation of allotments for solar access to dwellings and private open space, while maintaining a narrow allotment frontage. This will contribute to minimising the street length and reduce lengths of utility and service-related infrastructure. ○ On roads running north-south, allotments may need to be widened to provide solar access and prevent overshadowing of dwellings and private open space.	The lot sits with frontage to Mamre Road and runs north-west to south-east, and the proposed subdivision layout is two lots side by side. By allowing a variation, the proposed allotments will contribute to minimising street length and reduce distance between utilities and service infrastructure. The proposed positioning of the new dwelling will also ensure there is optimum solar access and private open space, and prevention of overshadowing of other dwellings.	✓
11.3.2 Residential Subdivision – Site Frontage	Site frontage shall be sufficient to permit vehicular and pedestrian access to the site. Access to major roads may be restricted and can potentially affect the proposed subdivision layout.	The proposed subdivision will create a site frontage of 44.92m for Lot 1 and 32.5m for Lot 2.	✓

	Along collector and major roads, it is desirable to reduce the number of vehicle access points. In such situations, a minimum allotment frontage of 25m is preferred. While minimum frontage requirements are not specified in this section, each new lot created shall have satisfactory depth-to-frontage ratio and long narrow lots will be discouraged. Allotments with double road frontage (i.e., front and rear) are discouraged.	There are no new vehicle access points proposed as there is one existing driveway on site each lot. Although the proposed subdivision does not satisfy the maximum depth-frontage ratio, the proposed lots have ample frontage to Mamre Road and will not create significant impacts. Proposed subdivisions only have one road frontage.	✓ ✓ ✓
11.3.3 Residential Subdivision – Allotment Dimensions	For Residential lots greater than 400m² Allotment dimensions shall be capable of containing a rectangle suitable for building purposes measuring 10m x 12m or 8m x 15m behind the building line.	Proposed subdivisions are able to meet the required dimensions.	✓
11.3.6 Residential Subdivision – Landscaping and Design	Landscaping shall be designed to enhance the natural features of the site and adjoining areas. Existing landscape elements such as rock formations, vegetation or water courses shall, where possible, be preserved. In established areas, landscaping shall relate to the scale of other elements of the streetscape and the landscaping of adjoining development. Where possible, landscaped areas shall adjoin landscaped areas of adjoining allotments.	The proposed landscaping reflects the local area and natural landscape. Existing vegetation is retained, and additional vegetation is also proposed. A Landscape Plan for proposed dwelling has been prepared by Accurate Design and Drafting and J Mammone Architecture which is provided in **Appendix A.**	✓

	Rear fences fronting public roads are discouraged. For all subdivisions, street tree planting or a contribution for street tree planting at the following rate shall be provided: a) For allotments greater than 400m2, a contribution for one (1) super advanced tree per 10m road frontage. Subdivision design shall maintain existing mature trees where possible. Council has in force a Tree Preservation Order which requires Council's consent to the removal or looping of any tree The slope from any proposed dwelling to a street shall be such as to allow recreational use and the provision of a footpath where required.	There are no rear fencing fronting public roads. The proposed subdivision will create a site frontage of 44.92m for Lot 1 and 32.5m for Lot 2 and a street tree can be planted should this be required. Existing matures trees will be retained. Space between the proposed dwelling to the street is landscaped for both recreational use and access.	✓ ✓ ✓
11.3.8 Residential Subdivision – Drainage	The piped drainage system shall be designed to control minor stormwater flows under normal operating conditions for an Average Recurrence Interval (ARI) of five (5) years. The drainage system shall be designed to control major stormwater flows under normal operating conditions for an ARI of 100 years. The design of the drainage system shall comply with the NSW Environment Protection Authority standards for urban run-off Allotment drainage shall discharge to the roadway gutter wherever possible.	A stormwater plan detailing drainage, proposed rainwater tanks prepared by J Mammone Architecture and Accurate Design and Drafting has been submitted with this application under **Appendix A**.	✓
Part D1 – Rural Land Uses			
1.1 Rural Character	To preserve the rural character of the City of Penrith, all major development should seek to retain and protect the scenic, landscape and rural character of the City (where the relevant land uses are permissible within the zone and in accordance with the controls in Penrith LEP 2010 and this DCP). Major development applications may be required to provide more detailed studies including, but not limited to, a Visual Impact Assessment	The subject land is identified as a Village Bookend Gateway. The proposed works is not considered to be a major development and thus does not warrant a Visual Impact Assessment. An analysis of visual impacts can be	✓

		referred to in section **5.2** of the **Statement of Environmental Effects.**	
1.2.1 Siting and Orientation of Dwellings and Outbuildings	**Site Planning** a) Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of: i. Protecting the privacy of proposed and existing buildings;	The proposed dwellings are situated to take advantage of the land. The privacy of the new dwelling is ensured by providing considerable distance from the boundaries. It is also located south of the existing dwelling on site and does not pose any privacy disadvantages to the existing dwelling and neighbouring dwellings.	✓
	ii. Providing flood-free access to the dwelling and a flood-free location for the dwelling itself;	The site is not identified as flood prone.	✓
	iii. Minimising risk from bush fire by considering slope, orientation, and location of likely fire sources;	The site is within the bushfire vegetation buffer zone. The site has a gentle slope and is not subject to any potential fire sources or hazards.	✓
	iv. Maximising solar access;	The dwelling is generally oriented in a north easterly direction to maximise solar access.	✓
	v. Retaining as much of the existing vegetation as possible; and	All existing vegetation is all to be retained.	✓
	vi. Minimising excavation, filling, and high foundations by avoiding steep slopes (greater than 1 in 6).	Only minor excavation and fill has been proposed to facilitate the development of this dwelling.	✓

	b) The design of the development must consider all components including fencing, outbuildings, driveways, and landscaping.	Elements such as fencing, driveways and landscaping are to be considered compliant and visual detail and representation can be referred to in the Architectural Plans in **Appendix A**.	✓
	c) Where practical, all buildings on a site, including dwellings and outbuildings, should be clustered to improve the visual appearance of the development in its landscape setting and reduce the need for additional access roads and services	From the streetscape, the existing dwelling is positioned behind existing mature trees, and the new dwelling is setback 85m front the front boundary. This thus ensures the subdivision and proposed dwelling will not detract from the streetscape or character of the area, ensures privacy is maintained for both the dwellings, is consistent with similar approved developments in the area and is suitable given the context of the site and scope of the proposal.	✓
	Landscape / Scenic Character a) Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline. b) Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible. c) Where practical, buildings should be sited to take advantage of existing vegetation to provide privacy from passing traffic and public places, screening from winds and a pleasant living environment.	The proposal will not intrude into the skyline as the subject site is generally flat with a soft southerly slope and there are no ridgelines or hill peaks. It is consistent in design to similar dwellings in the local area. The dwelling takes advantage of existing vegetation and does not propose to remove any of the trees on the site. Instead, these trees are incorporated as part of the landscape plan (see **Appendix A**). This creates an environment which provides	✓

		privacy and a pleasant living environment.	
	d) Rooflines and ridgelines should reflect the setting of the dwelling, incorporating simple shapes to step a building down with a sloping site or level change. e) Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard.	The proposed roof is simple in design and proposes a pitch of 30 degrees. This ensures that it will not become a fire hazard as a result of twigs and leaves building up.	✓
1.2.2 Setbacks and Building Separations	**Setback from Roads** a) A minimum setback of 15m from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback. b) A variety of setbacks will be encouraged to prevent rigidity in the streetscape. c) A minimum setback of 30m is required to all classified roads	Subject site is on Mamre Road which is identified classified road. The proposed dwelling has a road frontage setback of 85-87.5m from Mamre Road.	✓
	Building Separations and Side Boundary Setbacks a) Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions.	The location of dwellings on adjacent dwellings has been taken into consideration. The proposed dwelling is located so that the privacy of all existing dwellings is maintained.	✓
	b) The minimum side setback for dwellings is 5m where the allotment is less than 2 hectares	The proposed dwelling has a south east setback of 6.39-7m and is thus compliant. On the north west boundary, the proposed setback is 2.2m as this is to ensure there is sufficient setback from the neighbouring property on the south east boundary. Due to the staggered positioning of the proposed dwelling in	**Merit Assessment**

		relation to the existing dwelling, the proposed 2.2m setback will not negatively impact on the existing dwelling on Lot 1 in regard to solar access and privacy concerns. Furthermore, the dwelling on Lot 1 is appropriately screened by existing mature landscaping to ensure the privacy of both lots.	
1.2.3 Site Coverage, Bulk and Massing	No more than three (3) undercover car parking spaces shall face towards a public road or place. Any additional garages shall be setback behind the building line and screened.	The proposed dwelling only includes two undercover car parking spaces facing the public road.	✓
1.2.4 Height, Scale and Design	Dwellings shall be no more than two storeys in height, including garage and storage areas.	The proposed dwelling is only single storey	✓
	If liveable rooms are located in the area immediately below the roof, then this level will be counted as a storey.	No liveable rooms are proposed immediately below the roof.	✓
	The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.	The proposed height of 6.23m and the ceiling does not exceed 8m above the natural ground level.	✓
	The design of dwellings and associated structures should be sympathetic to the rural character of the area.	The proposed dwellings are designed to be sympathetic to the existing rural character of the area. The existing stone fencing is retained gate is consistent with similar fences found in the local area. The existing	✓

	Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or entry fencing should be sensitive to the rural environment.	fencing is considered to be sensitive to the rural environment and contributes towards the rural streetscape but including masonry features and hedging.	✓
1.2.7 Materials and Colours	Colours of external finishes should be in keeping with the natural surroundings, be nonreflective and utilise earthy tones, unless it can be demonstrated that the proposed colours and finishes will have no visual impact or will complement the rural character	The design of proposed development uses natural building materials and finishes and takes in consideration of the local environment to ensure the development emulates the existing aesthetic of the streetscape. The proposed materials include exterior grey-stained natural timber cladding, grey face brick and 'Monument' coloured aluminium garage door and details, which can be deemed complementary to the local area and existing visual scheme.	✓
	Building materials with reflective surfaces such as large expanses of glass, unpainted corrugated iron, concrete blocks, sheet cladding or similar finishes should be avoided. Where these materials are unavoidable, they should be screened with landscaping to minimise visual impact	The roof material proposed is Colorbond Trimdek in 'Monument' which has low reflectivity and is considered to be minimally intrusive to the landscape. All aluminium details are to be painted in 'Monument' and there are no large expanses of glass proposed in the design. Further details and visual representation of building materials are	✓

		specified in the architectural plans prepared in **Appendix A**.	
1.2.8 Land in the Vicinity of Proposed Second Sydney Airport	New dwellings (or significant alterations and/or additions to existing dwellings) within the 20-25 Australian Noise Exposure Forecast (ANEF) zone shall be designed to achieve the requirements discussed in the section on 'Aircraft Noise' in the 'Noise and Vibration' section of this Plan. New dwellings (or significant alterations and/or additions to existing dwellings) will not be permitted on land where the ANEF exceeds 25.	Subject Site is not within the ANEF Zone as outlined by the Western Sydney Aerotropolis SEPP 2020.	✓