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STATEMENT OF ENVIRONMENTAL EFFECTS

SITE: Lot 282 DP 270417
58 Twin Creeks Drive
Luddenham

APPLICANT: Sportszone Group
PO Box 200
OYSTER BAY NSW 2225

PROPOSAL: Construction of Tennis Court, Fencing & Associated Lighting

INTRODUCTION

This Statement of Environmental Effects is submitted to Penrith Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a tennis court with associated fencing, lighting and basketball towers.

The site is a rectangular shaped corner allotment with a frontage to Twin Creeks Drive and a secondary frontage to Halmstad Boulevard. The site contains a residential dwelling with a total site area of 4462.4sqm. No significant vegetation requires removal in order to site the tennis court.

The development entails the following components:

- Tennis Court – 33.5m x 16.5m concrete slab with synthetic grass, along with a basketball tower at each end;
- Fencing – black powder coated pvc fencing with top rail 3000mm high and galvanised posts;
- Lighting – LED tennis court lights at a maximum height of 7000mm.

Drainage is to be directed to a stormwater pit in the northern corner of the court and connected into the existing stormwater drainage system. This ensures there will be no impact by way of runoff to adjoining properties or the surrounding natural environment.

The following sections of this Statement address the likely impact of the proposal on the environment.

ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Section 79C(1) of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

Penrith Local Environmental Plan 2010

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

The subject site is zoned E4 Environmental Living pursuant to Clause 2.1 of Penrith Local Environmental Plan 2010. The proposed tennis court is ancillary to the residential use of the site.

Clause 2.3 of the Plan indicates that Council will not grant consent unless it is satisfied that the development is consistent with the objectives of the zone.

Clause 2.3 Zone objectives and land use table

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.*

The proposed tennis court is able to meet the objectives of the zone as it will not significantly impact on any surrounding land uses and will compliments the residential use of the site. As no significant vegetation is proposed to be removed, a suitable drainage system will be in place and appropriate sediment control fencing will be installed prior to any site works, there is not anticipated to be any unreasonable impact on the environment.

Clause 5.9 Preservation of Trees or Vegetation

No trees are required to be removed in order to site the tennis court.

Clause 5.10 Heritage Conservation

Site is not located in a conservation area and does not contain a heritage item.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land.

Clause 7.1 Earthworks

Minor ground disturbance is required to provide a level platform to site the building footprint.

Clause 7.21 Twin Creeks

The proposed tennis court is in keeping with the intentions and existing developments within Twin Creeks Estate. The proposal is compatible with the character of the area and has been designed to minimise the environmental impact of the development.

* * *

Conclusion with respect to LEP requirements

It is considered that the proposed tennis court satisfies the objectives and relevant clauses of PLEP 2010.

(a)(ii) Relevant draft environmental planning instruments

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

(a)(iii) Relevant development control plans

Other environmental planning instruments

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

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

Stormwater drainage can be appropriately managed to ensure that the cumulative impact of water quality for the region will be minimal. Subject to appropriate conditions, the proposal will be consistent with SREP 20, particularly in relation to total catchment management, water quality and the metropolitan strategy.

(a)(ii) Relevant draft environmental planning instruments

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

(a)(iii) Relevant development control plans

Penrith Development Control Plan 2015

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

Part C – Controls applying to all Land Uses

C1 Site Planning and Design

1.1 Site Planning

The proposed tennis court is considered to be appropriately located on the site to ensure efficient use of the land, suitable setback and minimal impact on adjoining properties.

1.2 Design Principles

The site is relatively level with minor cut and fill required to site the building footprint.

Consideration will be given to appropriate directions for lighting to ensure light spillage is minimised.

C2 Vegetation Management

2.1 Preservation of Trees and Vegetation

No trees are required to be removed as part of the proposed development.

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

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

2.3 Bushfire Management

The subject site is not bushfire prone land.

C3 Water Management

3.1 The Water Cycle / Water Conservation

Stormwater will be appropriately managed through the site in accordance with Council's requirements.

3.2 Catchment Management and Water Quality

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

3.3 Watercourses, Wetlands and Riparian Corridors

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

Part D Controls applying to Specific Land uses/ activities

D1 Rural Land Uses

1.1 Rural Character

The proposed tennis court to the rear of an existing dwelling will be compatible with surrounding developments, and is considered consistent with a typical development within the estate.

The large lots intended for residential purposes are considered most suitable for this form of development and the subject tennis court is found to give appropriate consideration to surrounding land uses.

1.2 Rural Dwellings and Outbuildings

This chapter does not specifically address development such as tennis courts, however consideration of the following matters are considered relevant:

Secondary Street Setback: A 5m setback is proposed from Halmstad Boulevard in alignment with the dwelling. This ensures a consistent streetscape and balanced site layout with minimal impact on adjoining properties.

Side Setback: A side setback of approx. 20m is proposed to the south-eastern boundary. This is a significant distance ensuring no impact on the adjoining property.

Rear Setback: No rear setback requirement is noted for dwelling houses or outbuildings. In this instance a 5m rear setback is proposed in keeping with Council's side setback controls and is considered to give an appropriate buffer to the adjoining property.

Amenity of Neighbouring Properties: The subject site a corner site, therefore having only 2 adjoining allotments. This is considered ideal with the tennis court sited toward the secondary street frontage to maximise the boundary setbacks as far as practical. The intermittent manner in which a tennis court is utilised ensure there will be minimal noise impact on the amenity of the adjoining sites.

The open nature of the structure maintains the line of sight through the property ensuring the rural residential out look can be maintained. The proposed lights can be appropriately managed and directed to ensure there is no light spillage into the adjoining dwellings.

* * *

Conclusion with respect to DCP requirements

The tennis court is considered to be appropriately sited on the allotment with adequate area surrounding the court for landscape works where deemed necessary. The development is considered to satisfy the objectives of Penrith DCP 2014.

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

The following matters are considered relevant when considering onsite impacts.

Siting and Design

The proposed tennis court is suitable for the site as adequate land area is available to enable the court to be constructed with minimal impact on the surrounding properties and natural environment.

Sedimentation Control

All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing prior to commencement of work.

(c) The suitability of the site for the development

The subject site is within a rural residential precinct and is considered suitable for a tennis court proposed to be utilised as ancillary to the residential use of the site.

As typical residential areas are generally unsuitable for tennis courts, due to small lot sizes and associated impacts on neighbours, the subject property is found to be an ideal outcome.

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

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

(e) Public interest

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

CONCLUSION

The proposed use of the site is ancillary development and therefore permissible under the provisions of Penrith Local Environmental Plan 2010. The development can satisfy the objectives within the DCP and is not expected to have any adverse impact on the surrounding natural or built environment. It is considered that the construction of a tennis court will not detract from the existing, and likely future character of this section of Luddenham.



Rebecca Goodman
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