

Development Application  
Statement of Environmental Effects

**LOT 178 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1120-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
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- D Landscape Plans  
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*FIRSTYLE HOMES AND URBAN GROWTH*
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- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
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- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

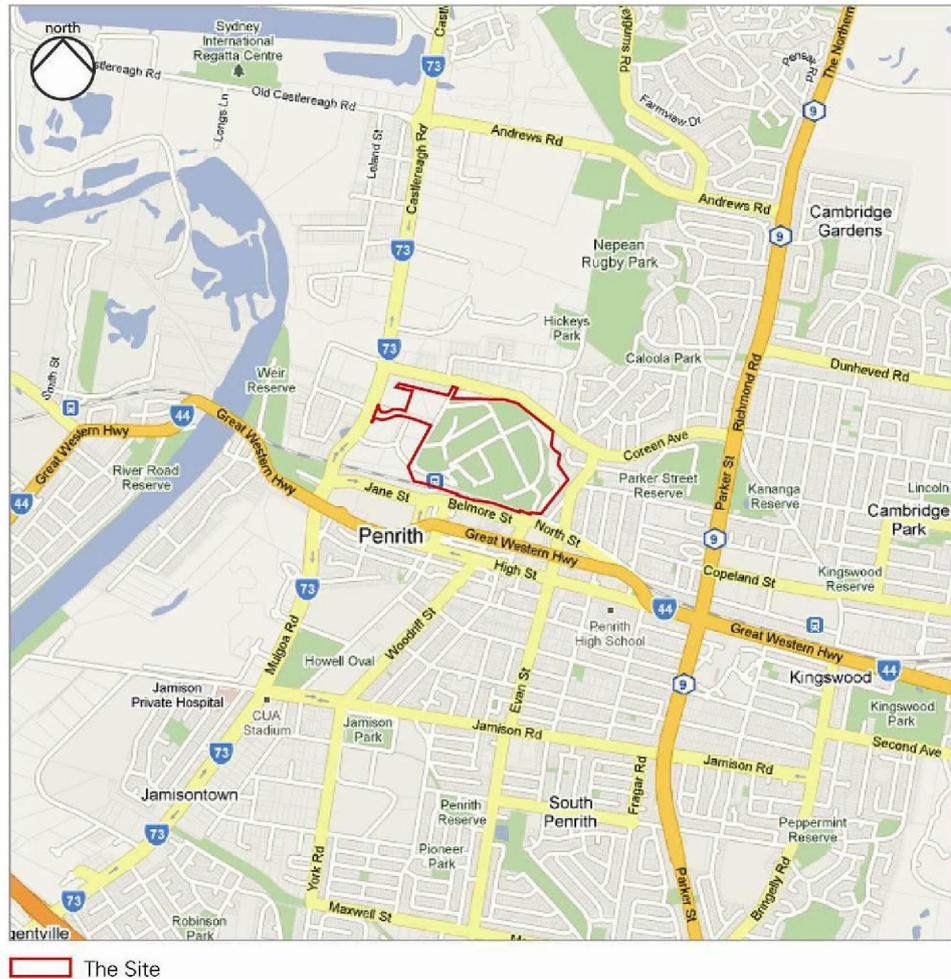
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 178 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

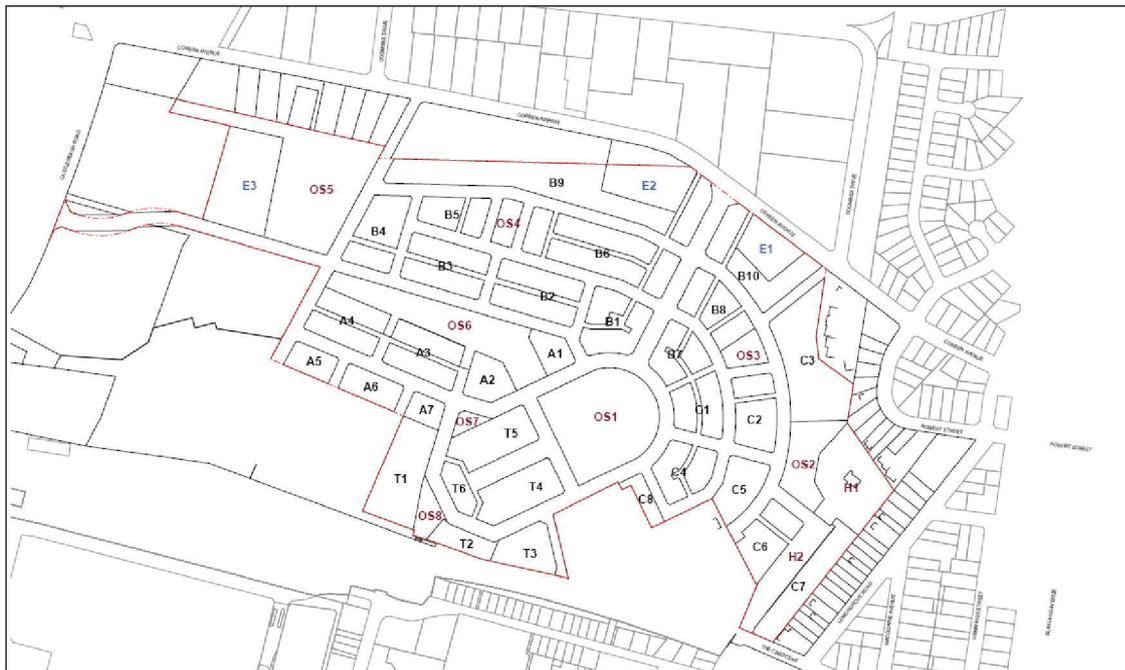


Figure 2 – Location plan

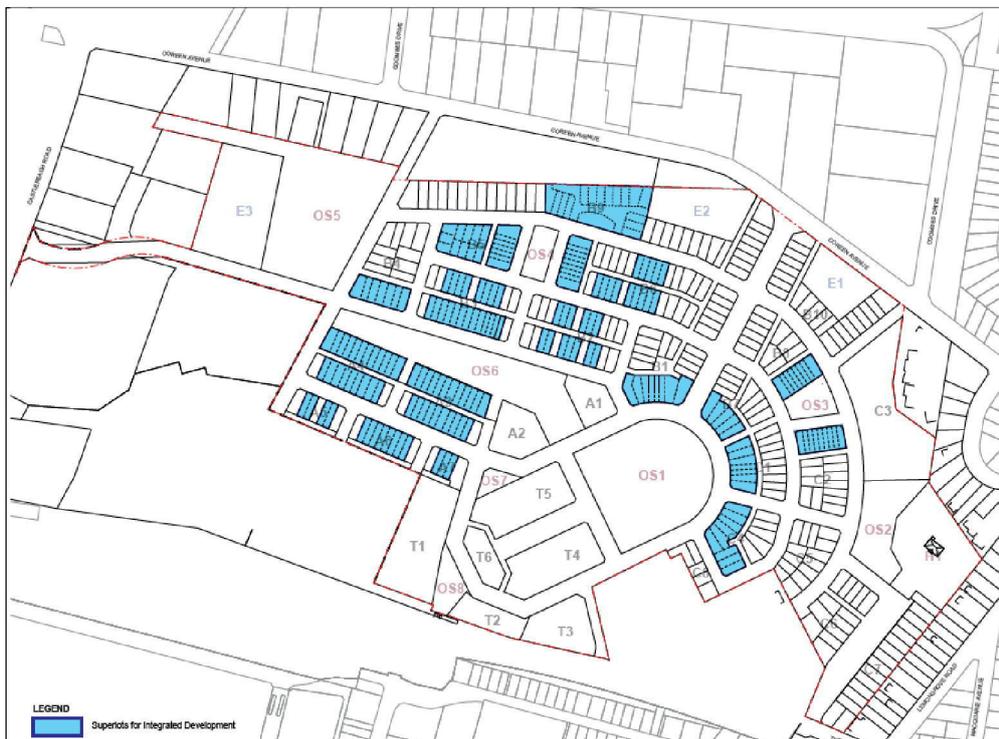


Figure 3 – Location of site

The site of the proposed development is **253.7m<sup>2</sup>** in area and is legally described as lot **193 DP 1205684** and is owned by **URBAN GROWTH**. The site of the proposed development was previously approved for subdivision under **14-0934**

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of **700mm from the South West to North East**. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	236.68m <sup>2</sup>
Height (m and storeys))	3 stories (9.5)
Front Setback (m)	4.0m
Rear Setback (m)	11.51m
Landscape Area (m <sup>2</sup> )	38.64m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	29.69m <sup>2</sup>
Car Spaces	3

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a 3 x single garages. One for every apartment.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 9.5m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 178 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 179 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1121-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

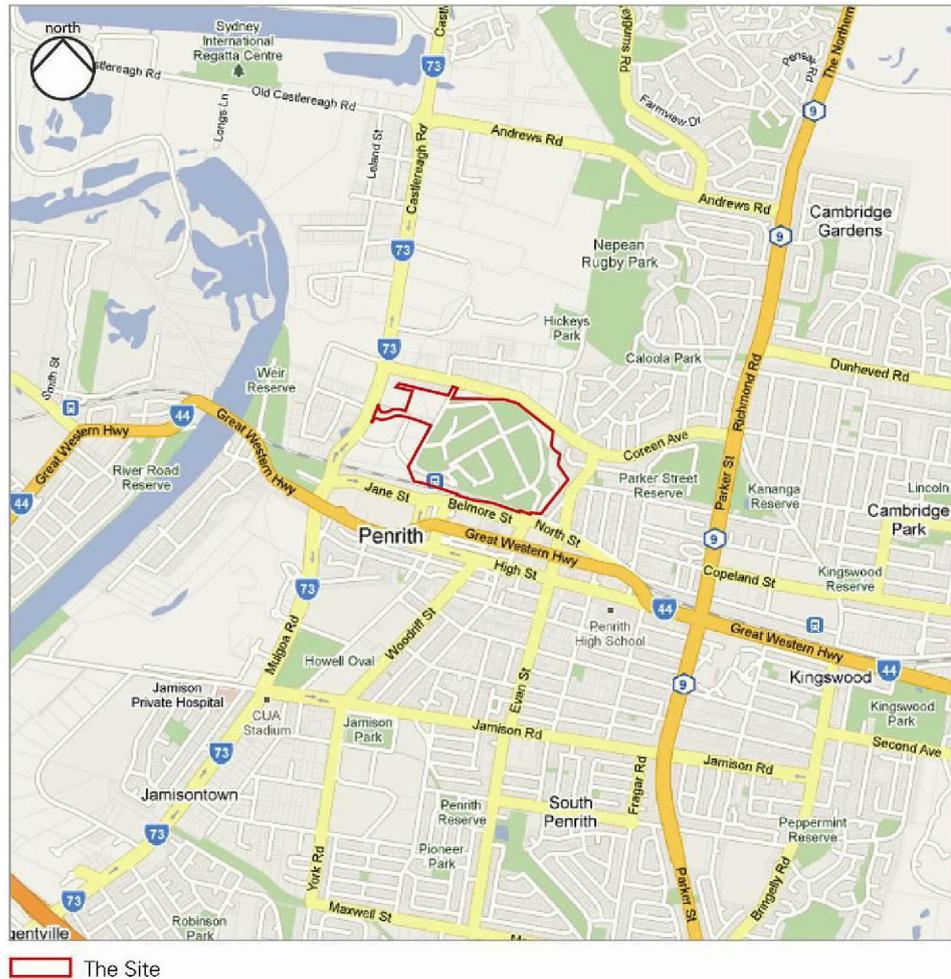
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 179 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

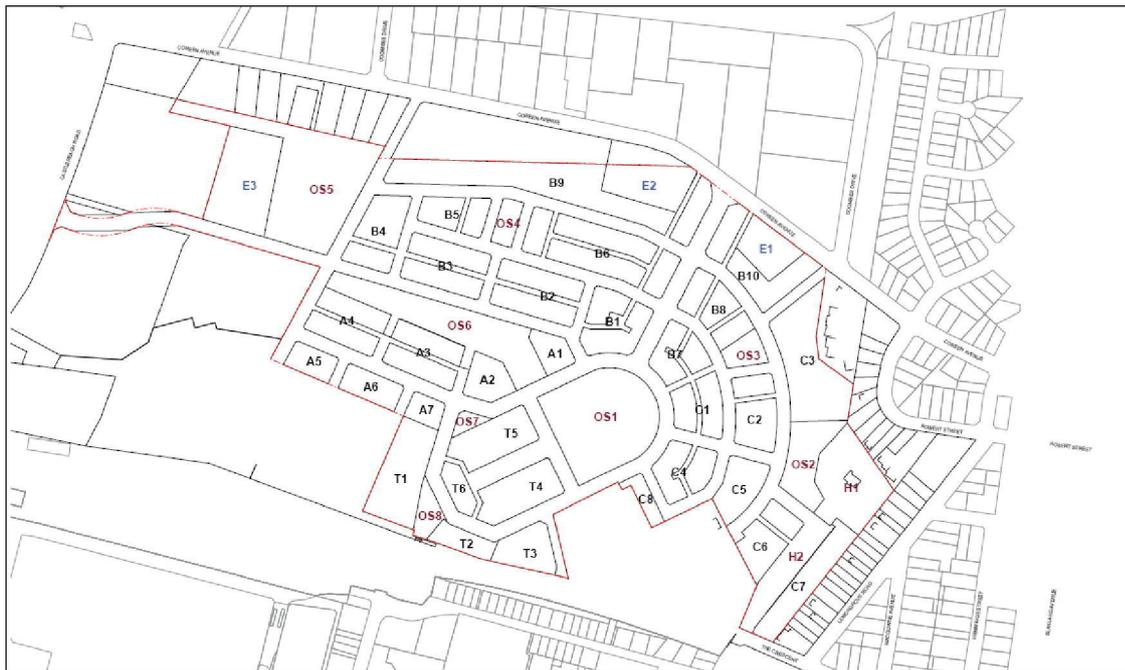


Figure 2 – Location plan

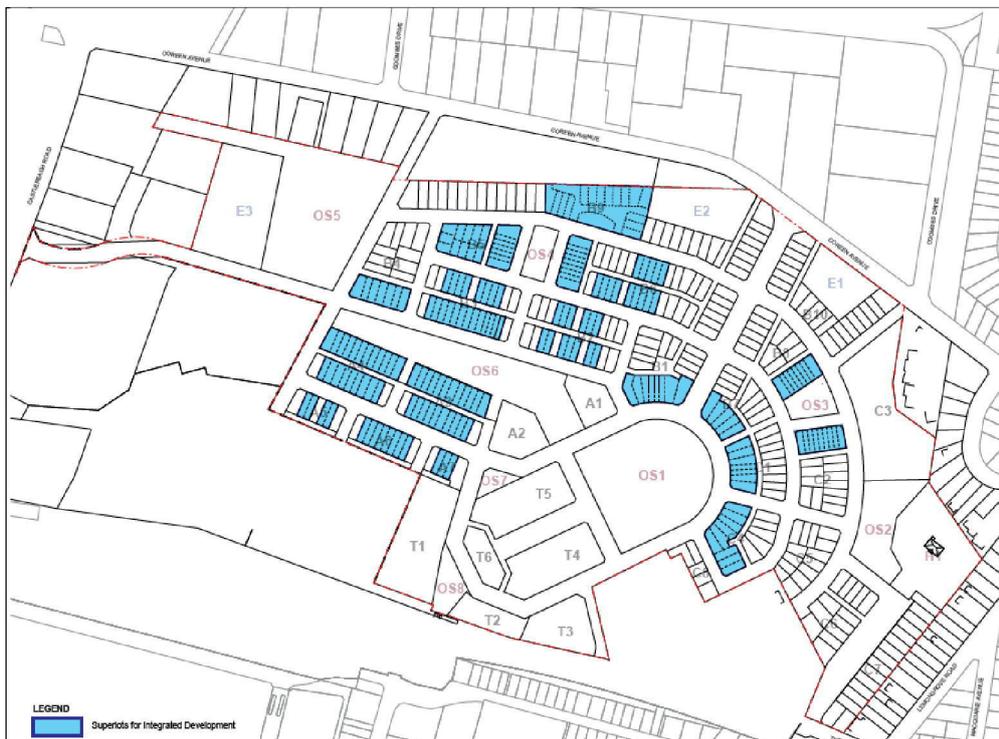


Figure 3 – Location of site

The site of the proposed development is 157.1m<sup>2</sup> in area and is legally described as lot 179 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	179.64m <sup>2</sup>
Height (m and storeys))	2 stories (7.7m)
Front Setback (m)	4.0m
Rear Setback (m)	11.62m
Landscape Area (m <sup>2</sup> )	28.61m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	31.54m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of <b>7.7m</b> and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 179 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 180 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1123-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A** Site Survey  
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- B** Architectural Drawings  
*FIRSTYLE HOMES*
- C** BASIX Certificates  
*FIRSTYLE HOMES*
- D** Landscape Plans  
*ECO DESIGN*
- E** Stormwater Plans  
*FIRSTYLE HOMES*
- F** Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G** Notification Plans  
*FIRSTYLE HOMES*
- H** Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I** Waste Management Plan  
*FIRSTYLE HOMES*
- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

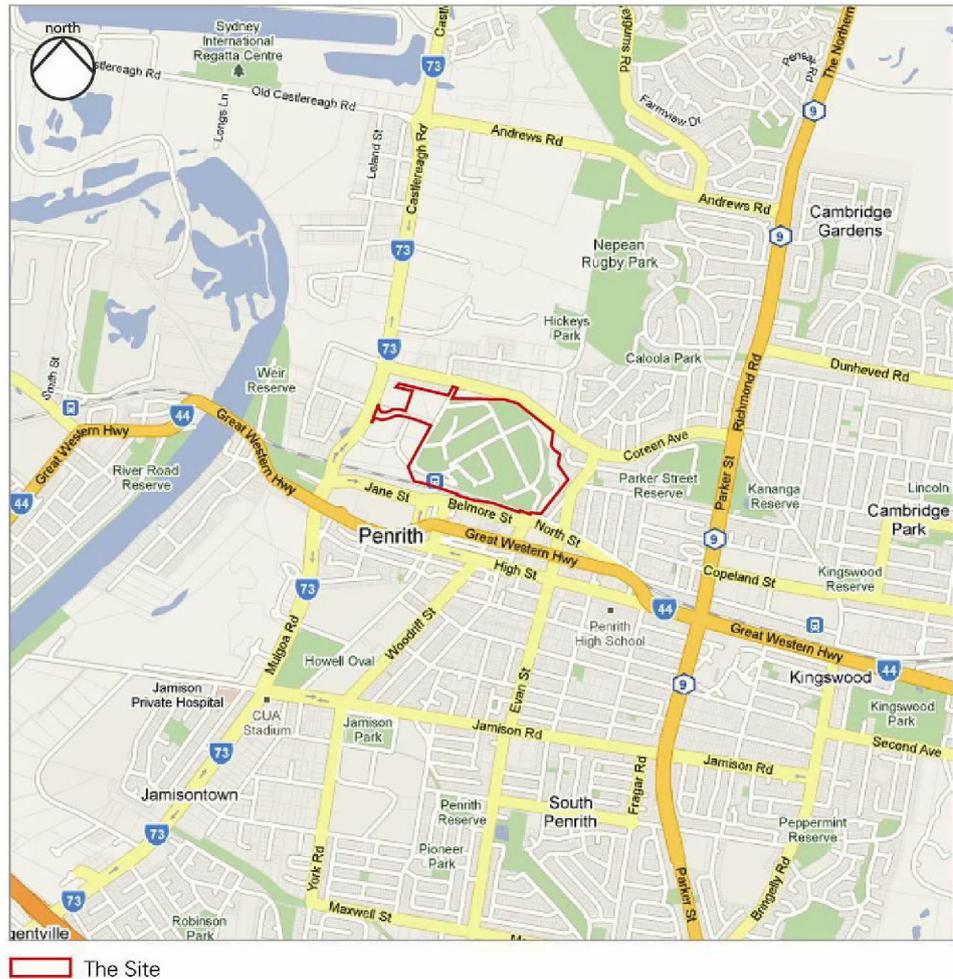
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



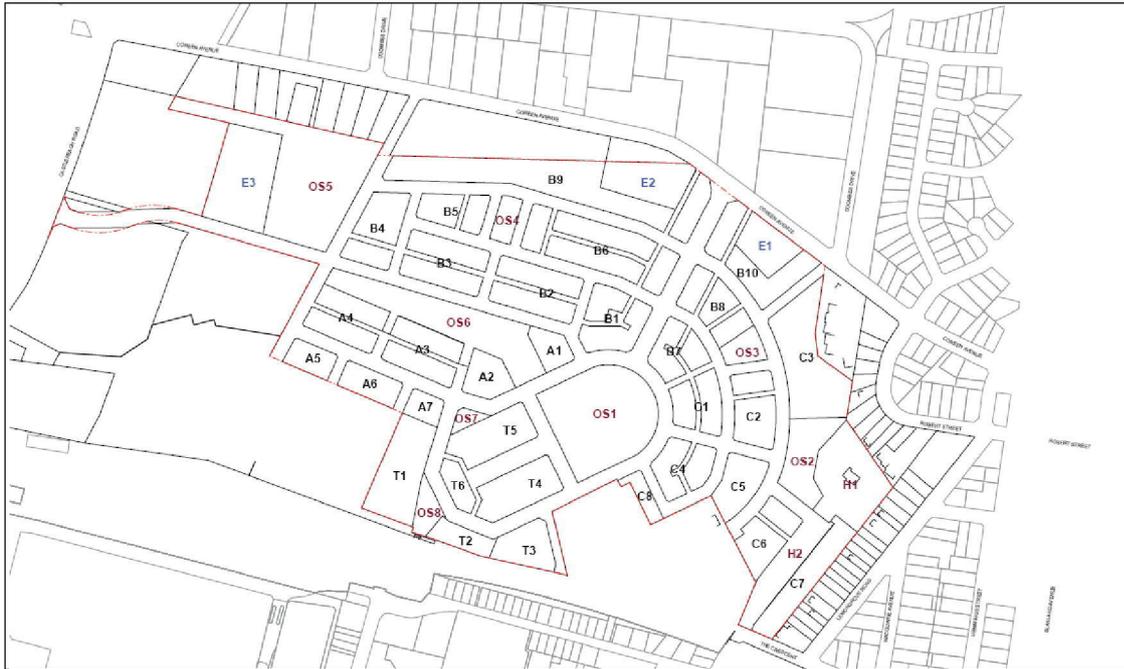
**Figure 1** – Location of North Penrith site

### 2.2 Site Description

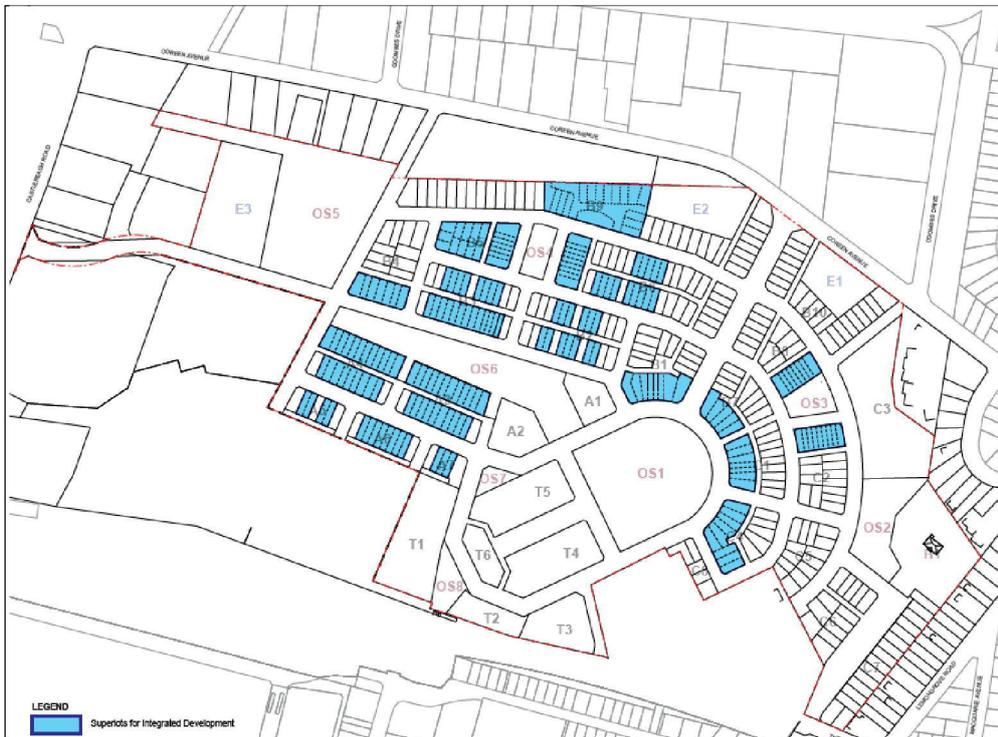
In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 180Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.



**Figure 2 – Location plan**



**Figure 3 – Location of site**

The site of the proposed development is 56.9m<sup>2</sup> in area and is legally described as lot 180 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	179.63m <sup>2</sup>
Height (m and storeys))	2 stories (7.7m)
Front Setback (m)	4.0m
Rear Setback (m)	11.62m
Landscape Area (m <sup>2</sup> )	26.09m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	31.58m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 7.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
		heritage item.
<b>North Penrith Design Guidelines 2013</b>	Clause 55 - Earthworks	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).	
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

## 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 180 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

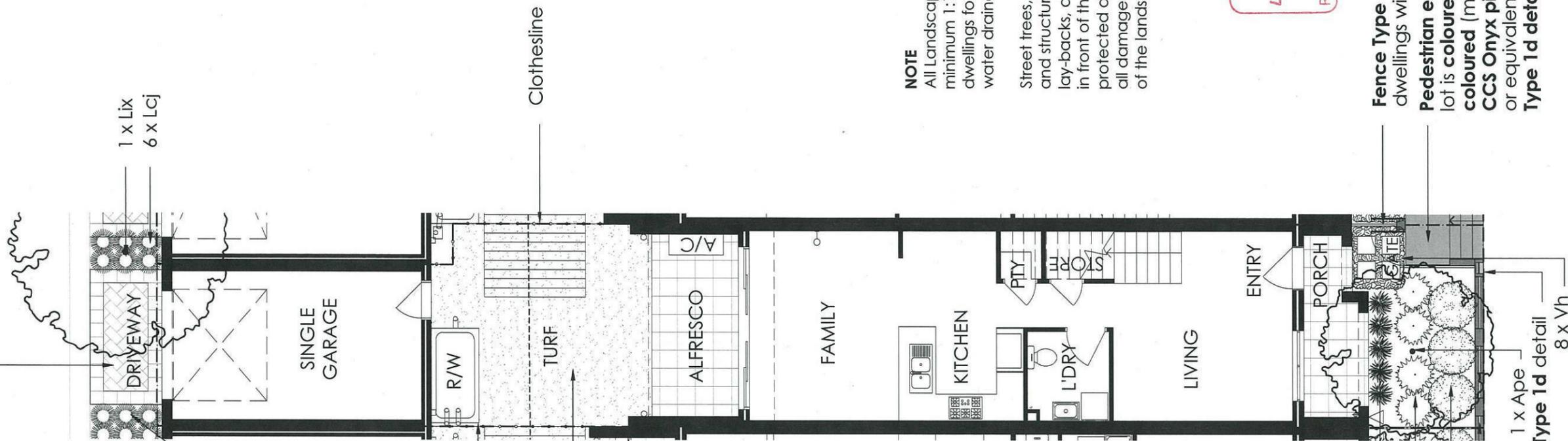
PROPOSED LANE

**VEHICLE CROSS-OVER**  
 Cross-over material to extend from the kerb to the garage.  
 Paving laid over 25mm compacted wet mortar bed of sand and cement, on top of re-inforced concrete subgrade

**Header course**  
 Concrete pavers 'Adbri Stradapave', 300x300x50mm in 'Charcoal' colour, laid in stackbond pattern. A mortar screed is to be applied to all exposed edges

**In-fill pavement**  
 Concrete pavers 'Adbri Havenbrick', 200x100x50mm in 'Brushwood' colour, laid in herringbone pattern

Refer landscape plan for Lot 182 for planting quantities



Fence Type 4a

Turf as selected

Fence not required where buildings meet the zero lot

**NOTE**

All Landscaped area to have a minimum 1:100 fall away from dwellings for possible overland water drainage.

Street trees, lawn, all vegetation and structures (including lay-backs, drains, cross-overs etc) in front of the house are to be protected during construction with all damage to be rectified as part of the landscape works

Thorton Design Review Panel  
**LANDCOM**  
 Reviewed: *[Signature]* Date: 20/5/15

Fence Type 1d between dwellings within front setback  
 Pedestrian entry path within the lot is coloured concrete integrally coloured (mixed throughout) with CCS Onyx pigment concentrate or equivalent. Refer to Fence Type 1d detail

Letterbox to Front fence Type 1d detail

THE PROMENADE → Future public domain works by UrbanGrowth contractor

REVISION	DESCRIPTION	DATE	BY	CHKD	DATE
		16/04/15	RS	MD	13/05/15
A	SUBMITTED TO CLIENT FOR COMMENT				
B	AMEND TO CLIENT MARK-UP				
PROJECT		NEW RESIDENCE			
DRAWING		LANDSCAPE PLAN			
SCALE		1:100 @ A3	DA	01	
REVISIONS		RS	RS	RS	13-05-15
PROJECT		LOT 181 THE PROMENADE, PENRITH			
CLIENT		FIRSTSTYLE HOMES			
PROJECT		PO Box 3136, Carlingford, NSW 2118 Ph: (02) 9571 7700 Fax: (02) 9522 2583 Website: www.ecodesign.com.au Member of the Australian Institute of Landscape Architects (AILA)			
NOTES		1. Do not scale from drawings. 2. All work to comply with relevant Australian Standards or NSW Council of Government Engineers (NSWCOGE) specifications. 3. All work to be performed by a suitably qualified tradesperson. 4. Copyright © ecodesign. All rights reserved. 5. Drawing remains the property of ecodesign. 6. All work to comply with relevant Australian Standards or NSW Council of Government Engineers (NSWCOGE) specifications. 7. All work to be performed by a suitably qualified tradesperson. 8. For application purposes only - NOT FOR CONSTRUCTION			



BYWORK B

# Lot 181

## PLANT SCHEDULE Prepared by ecodeSIGN Pty Ltd

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	POT SIZE	MATURE SIZE
Ape	Acer palmatum 'Elegans'	Japanese Maple	1	75L	4m
Def	Daphne 'Eternal Fragrance'	Daphne	4	200mm	0.6m
Lwf	Liriope muscari 'Monroe's White'	Liriope (white flowering)	5	200mm	0.45m
Msb	Michelia 'Summer Bronze'	Evergreen Magnolia	3	300mm	2m
Vh	Mola hederacea	Native Violet	8	140mm	0.1m

## PROPOSED LANE - Supply + installation by BUILDER

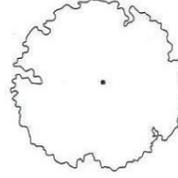
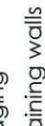
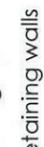
SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	POT SIZE	MATURE SIZE
Lix	Lagerstroemia 'Sioux'	Crape Myrtle	1	75L	4m
Lcj	Lomandra confertifolia 'Crackerjack'	Fine-leaved Lomandra	6	200mm	0.45m

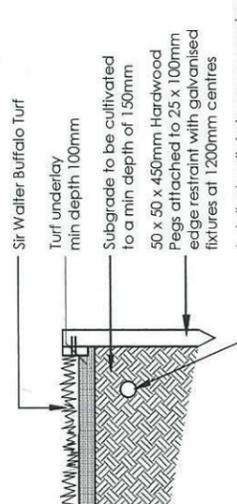
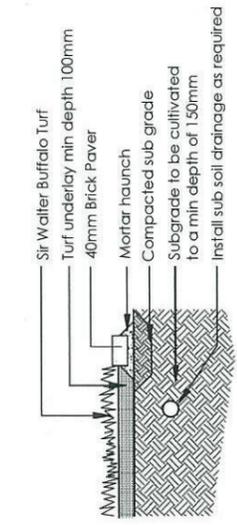
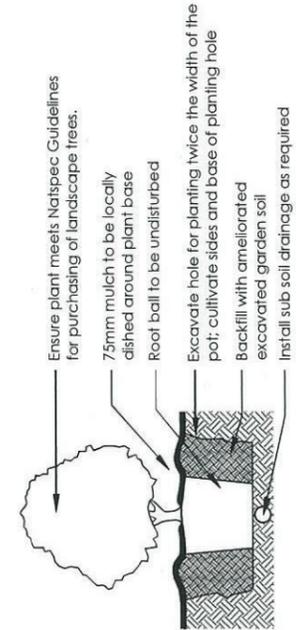
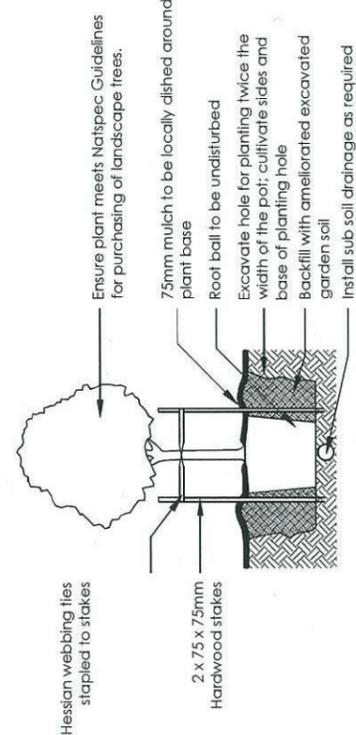
## PROPOSED LANE CROSS-OVER - Supply + construction by BUILDER

HEADER COURSE	Area m <sup>2</sup> URBANGROWTH*	Area m <sup>2</sup> BUILDER**
Concrete pavers 'Adbri S tradapave', 300x300x50mm in 'Charcoal' colour, laid in stackbond pattern	2.09	0.30
<b>N-FILL PAVEMENT</b>		
Concrete pavers 'Adbri Havenbrick', 200x100x50mm in 'Brushwood' colour, laid in herringbone pattern	2.38	-
<b>Total area</b>	<b>4.47</b>	<b>0.30</b>

\* Area's outside of the allotment boundary. \*\* Area's inside of the allotment boundary

### LEGEND

	Proposed trees - refer to plant schedule		Proposed shrubs - refer to plant schedule
	Proposed accents & grasses - refer to plant schedule		Proposed groundcovers and grasses - refer to plant schedule
	Existing levels		Existing contours
	Proposed top of wall levels		Boundary Fence
			Garden edging
			Timber retaining walls
			Masonry retaining walls
			To be removed / demolished



**LANDCOM**  
Thornton Design Review Panel  
Reviewed by: *[Signature]* Date: 20/5/15

REVISION	DESCRIPTION	DATE	BY	CHECKED
A	SUBMITTED TO CLIENT FOR COMMENT	15-04-15	MD	RS
B	AMENDMENTS TO CLIENT REQUEST	13-05-15	RS	RS

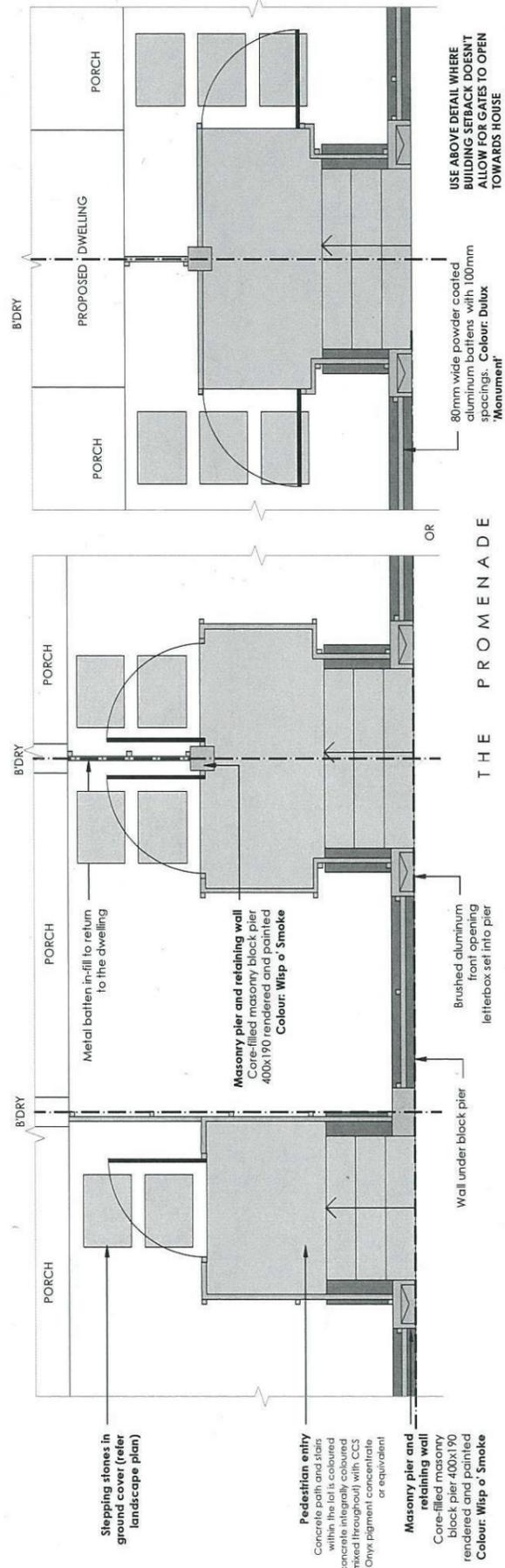
PROJECT	THORNTON ESTATE
REVISION	FENCE DETAILS
SCALE	1:100 @ A3
DATE	DA 02
REVISION	RS
DATE	13-05-15
BY	B

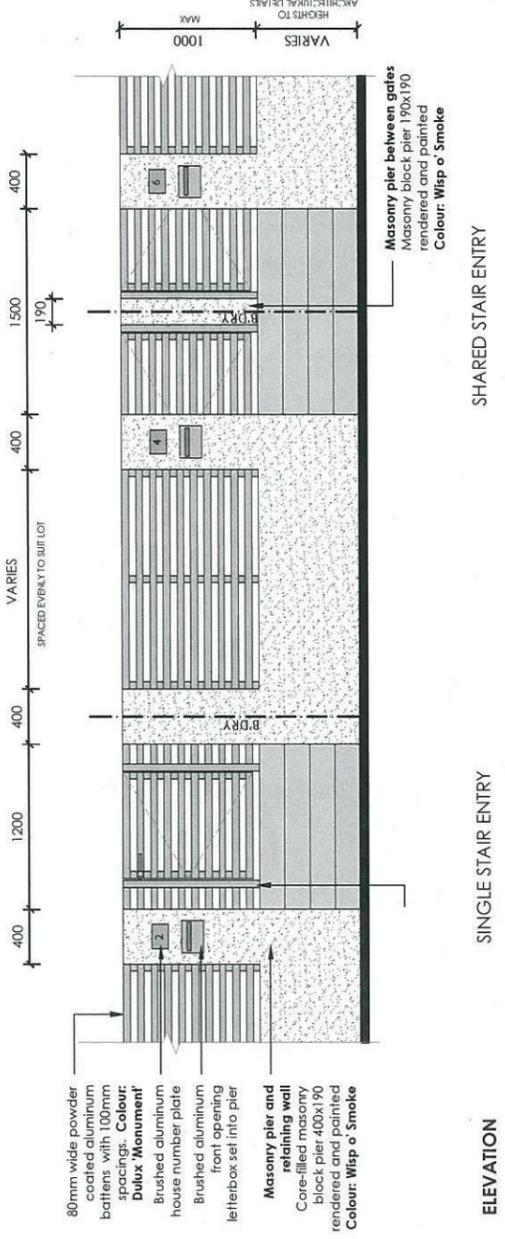
PROJECT	LOT 181 THE PROMENADE, PENRITH
CLIENT	FIRSTYLE HOMES

PO Box 3134, Campbell NSW 2118 Ph: (02) 9671 7700 Fax: (02) 9673 2863 www.ecodesign.com.au
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6. All work to comply with relevant Australian Standards or NSW legislation. 7. All work to be performed by a suitably qualified tradesperson. 8. For applications purposes only - NOT FOR CONSTRUCTION.

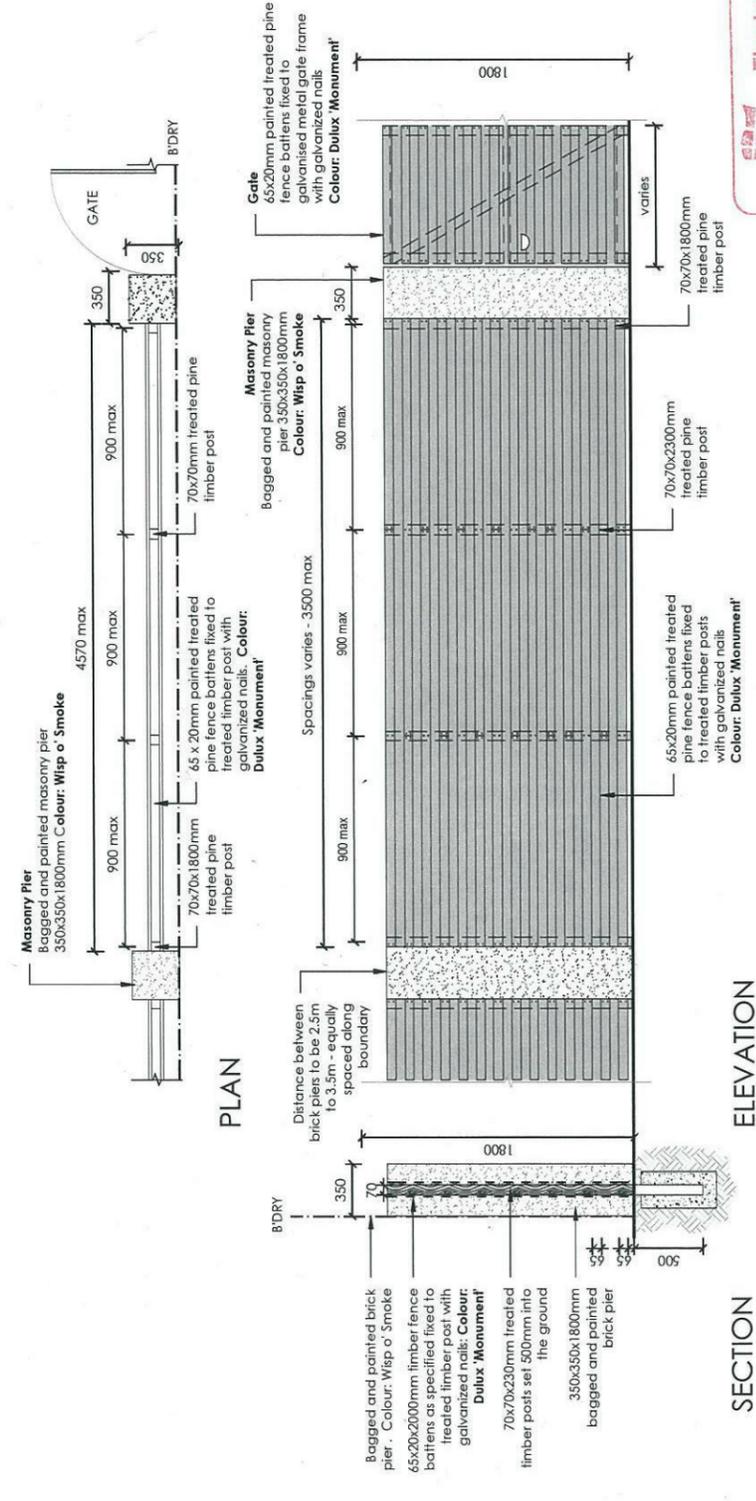


**PLAN**  
 THE PROMENADE  
 SPACED EVERY TO SUIT LOT



**ELEVATION**  
 SINGLE STAIR ENTRY  
 SHARED STAIR ENTRY

**5**  
 CANAL PRECINCT FRONT FENCE - TYPE 1D  
 1:50 Typical detail



**ELEVATION**  
 SECTION

**6**  
 FENCE TYPE 2a - Secondary Street Fencing  
 1:50 Typical detail

Thorton Design Review Panel  
 LANDCOM  
 Reviewed: [Signature]  
 Date: 20/5/15

REVISION	A	SUBMITTED TO CLIENT FOR COMMENT	RS	MD	15-04-15	DATE
	B	AMENDMENTS TO CLIENT REQUEST	RS	RS	13-05-15	DATE
PROJECT		THORNTON ESTATE		FENCE DETAILS		
SCALE		1:100 @ A3		DA	L-03	DATE
DRAWN		RS	RS	RS	RS	DATE
PROJECT		THORNTON ESTATE, PENRITH		FIRSTSTYLE HOMES		
PROJECT		THORNTON ESTATE		FENCE DETAILS		
SCALE		1:100 @ A3		DA	L-03	DATE
DRAWN		RS	RS	RS	RS	DATE



Development Application  
Statement of Environmental Effects

**LOT 182 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1125-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A** Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B** Architectural Drawings  
*FIRSTYLE HOMES*
- C** BASIX Certificates  
*FIRSTYLE HOMES*
- D** Landscape Plans  
*ECO DESIGN*
- E** Stormwater Plans  
*FIRSTYLE HOMES*
- F** Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G** Notification Plans  
*FIRSTYLE HOMES*
- H** Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I** Waste Management Plan  
*FIRSTYLE HOMES*
- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

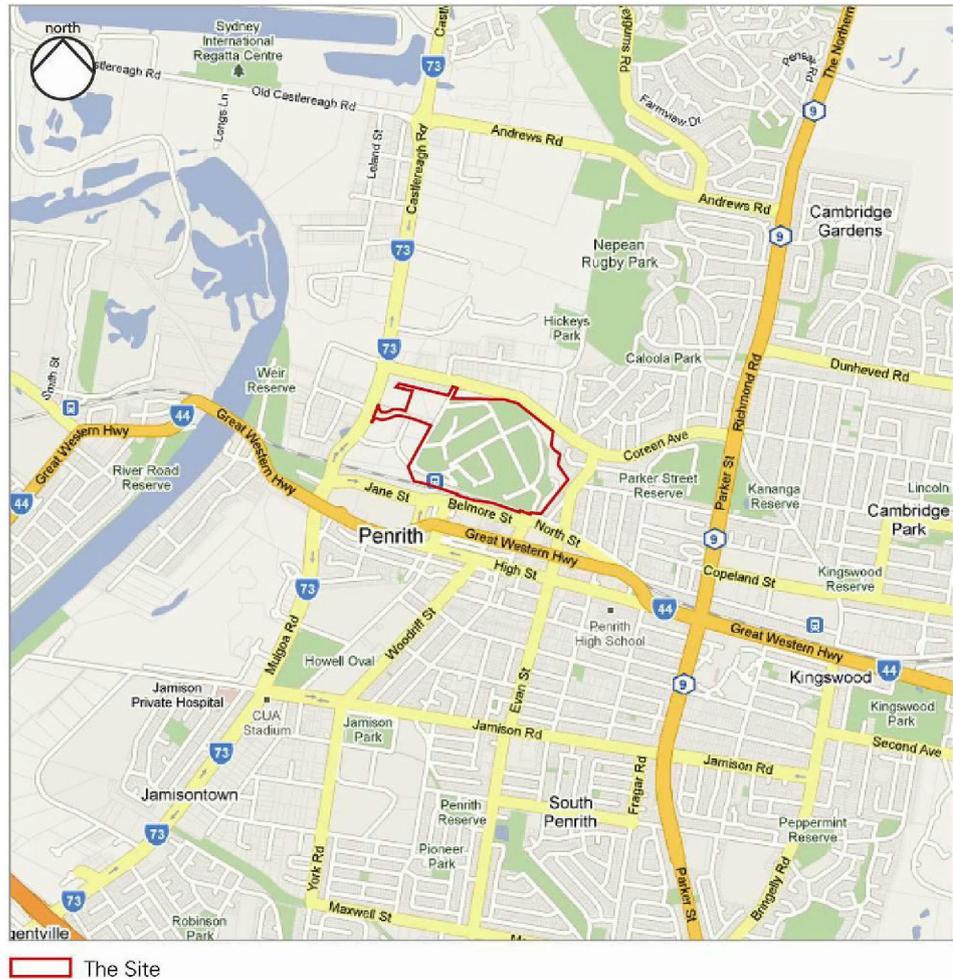
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 183 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

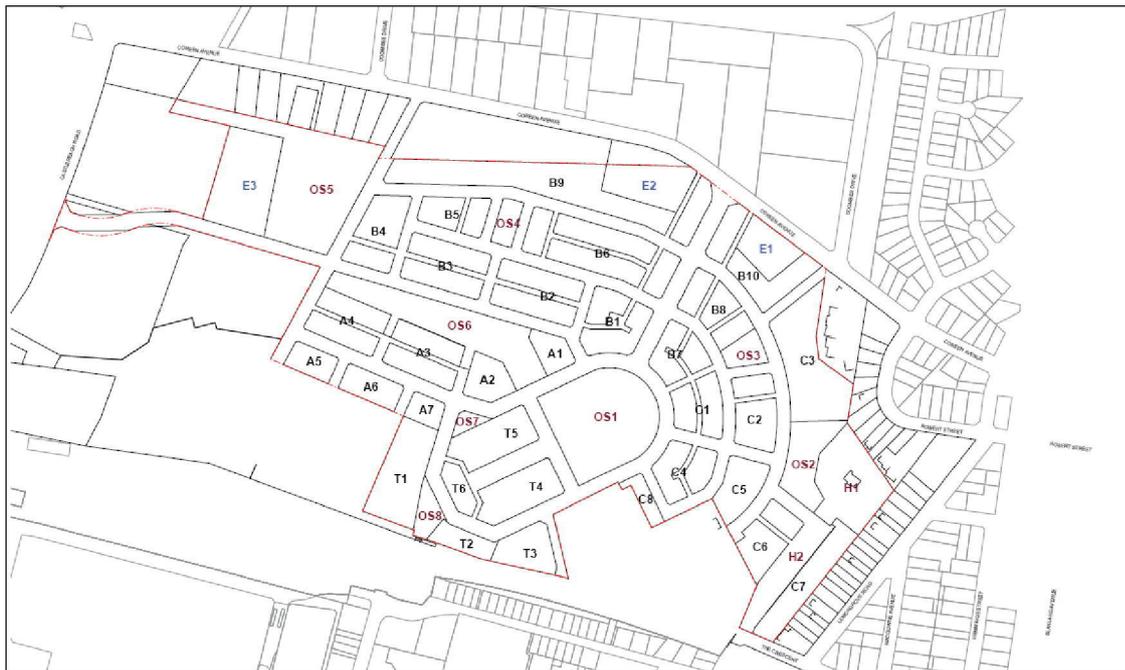


Figure 2 – Location plan

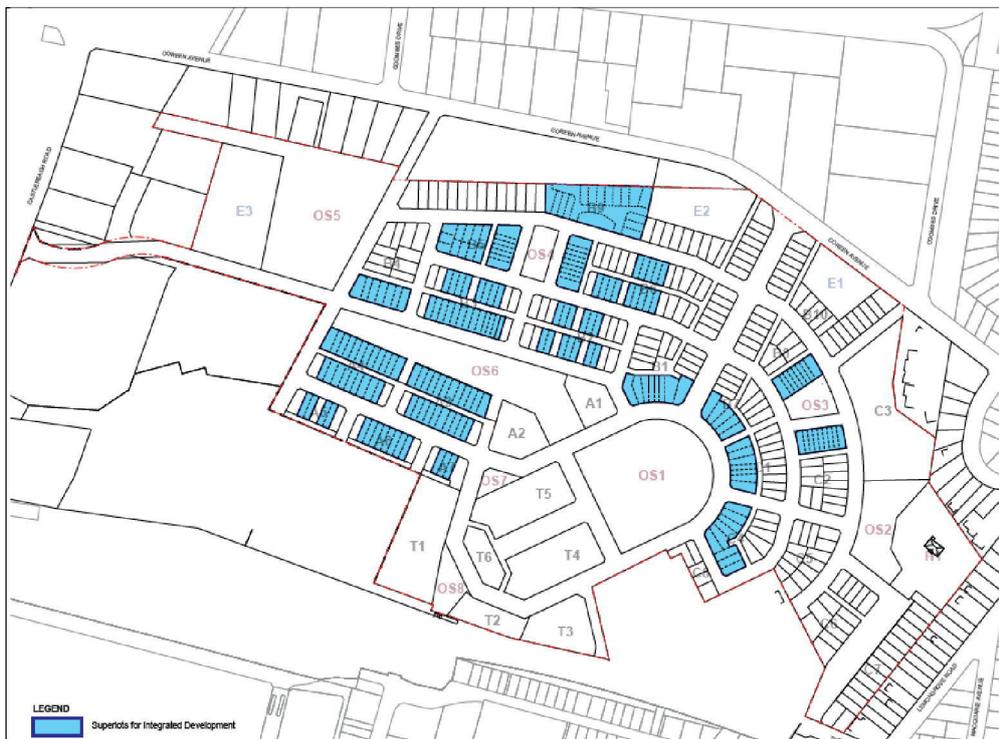


Figure 3 – Location of site

The site of the proposed development is 150.5m<sup>2</sup> in area and is legally described as lot 183 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	175.39m <sup>2</sup>
Height (m and storeys))	3 stories (7.7m)
Front Setback (m)	4.0m
Rear Setback (m)	11.61m
Landscape Area (m <sup>2</sup> )	27.03m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	31.09m <sup>2</sup>
Car Spaces	1.5

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a single garage + storage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“**Staging of construction and occupation** – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 7.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
		heritage item.
	Clause 55 - Earthworks	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
	Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 183 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 183 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1126-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## Appendices

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

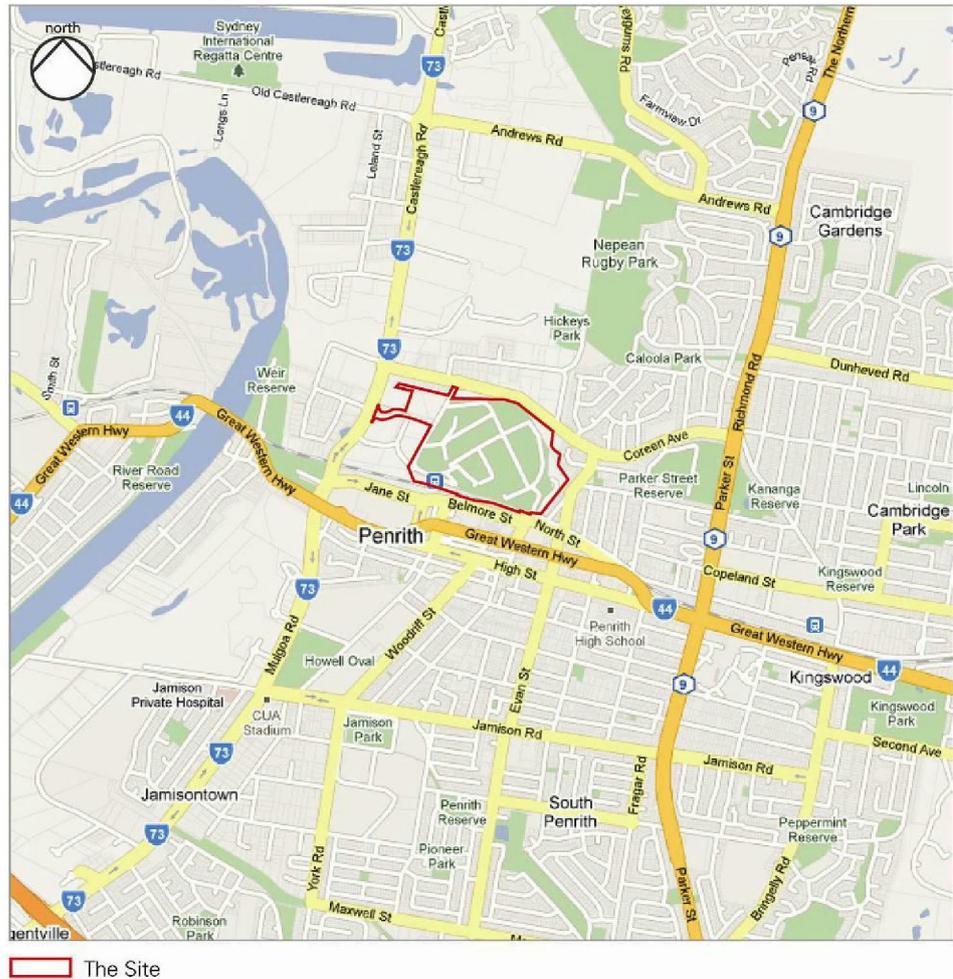
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 183 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

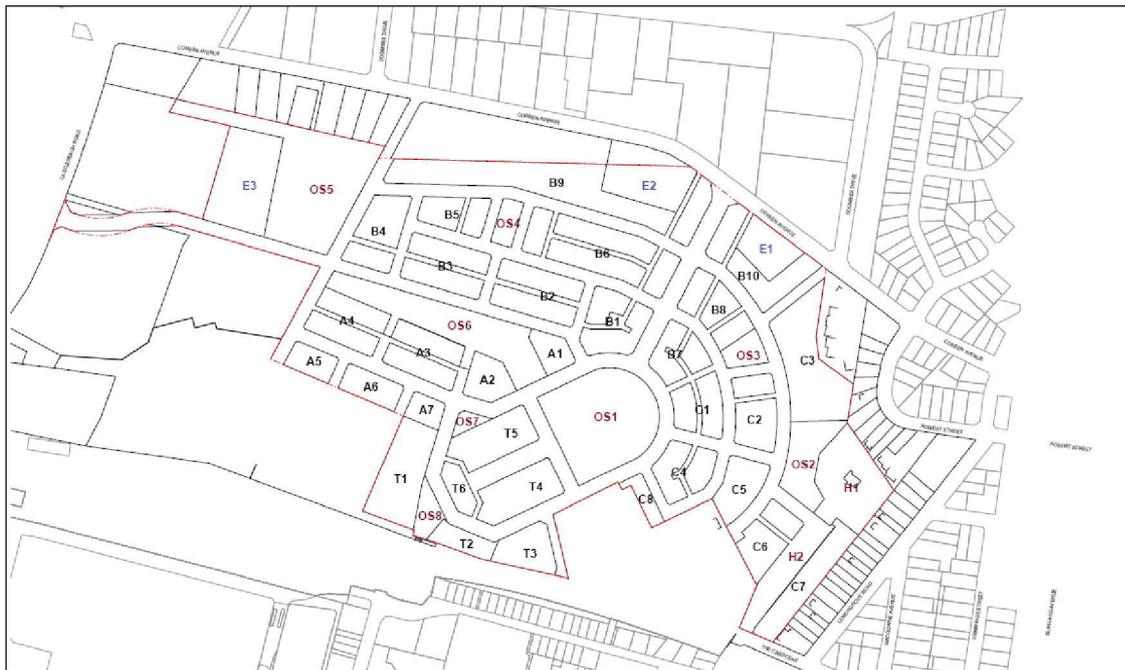


Figure 2 – Location plan

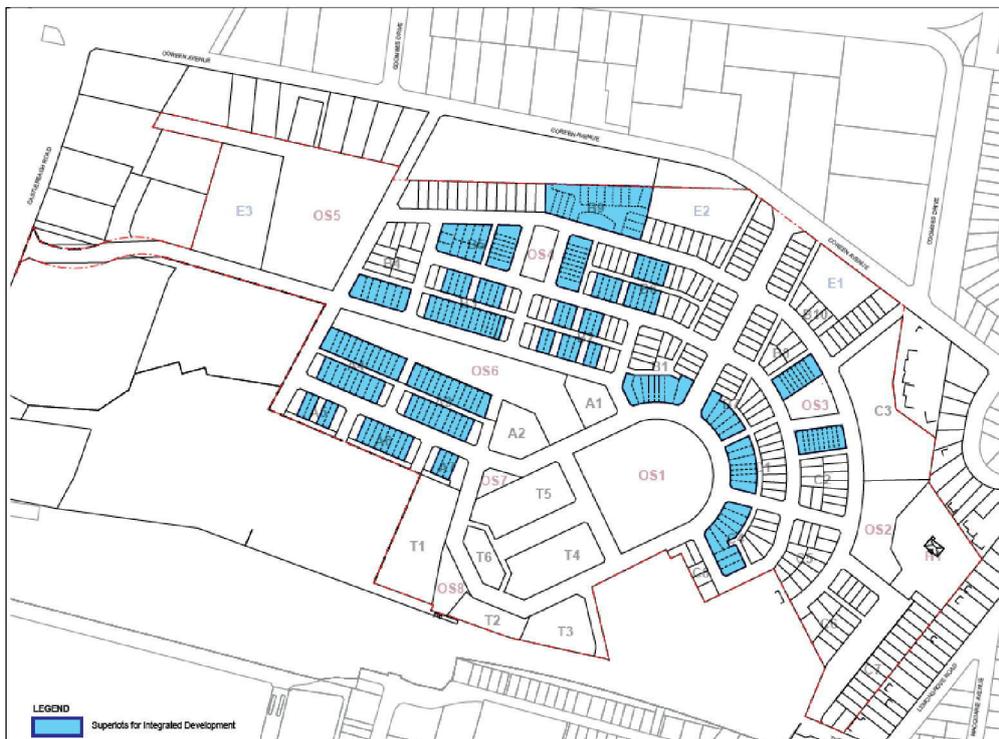


Figure 3 – Location of site

The site of the proposed development is 180m<sup>2</sup> in area and is legally described as lot 183 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	208.07m <sup>2</sup>
Height (m and storeys))	3 stories (10.05m)
Front Setback (m)	4.0m
Rear Setback (m)	11.610m
Landscape Area (m <sup>2</sup> )	32.41m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	37.39m <sup>2</sup>
Car Spaces	1.5

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a single garage + storage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of <b>10.05m</b> and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 183 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 184 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1127-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## Appendices

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

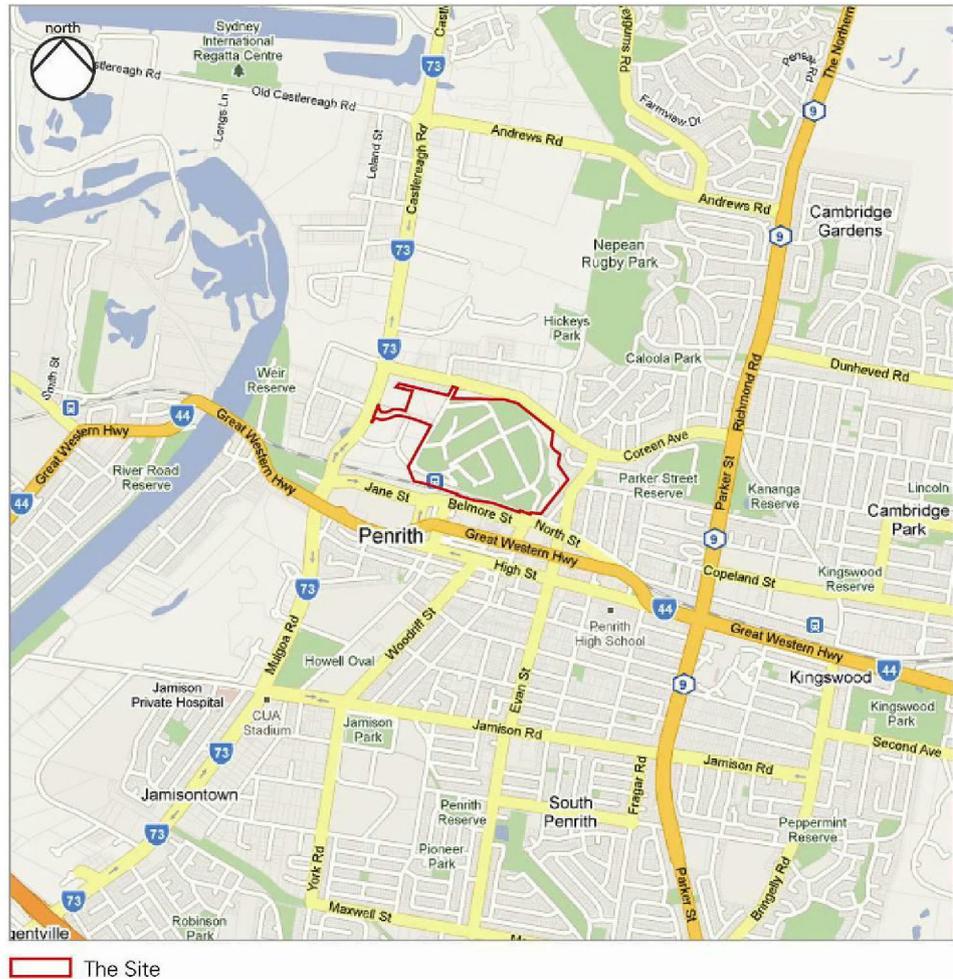
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 184 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

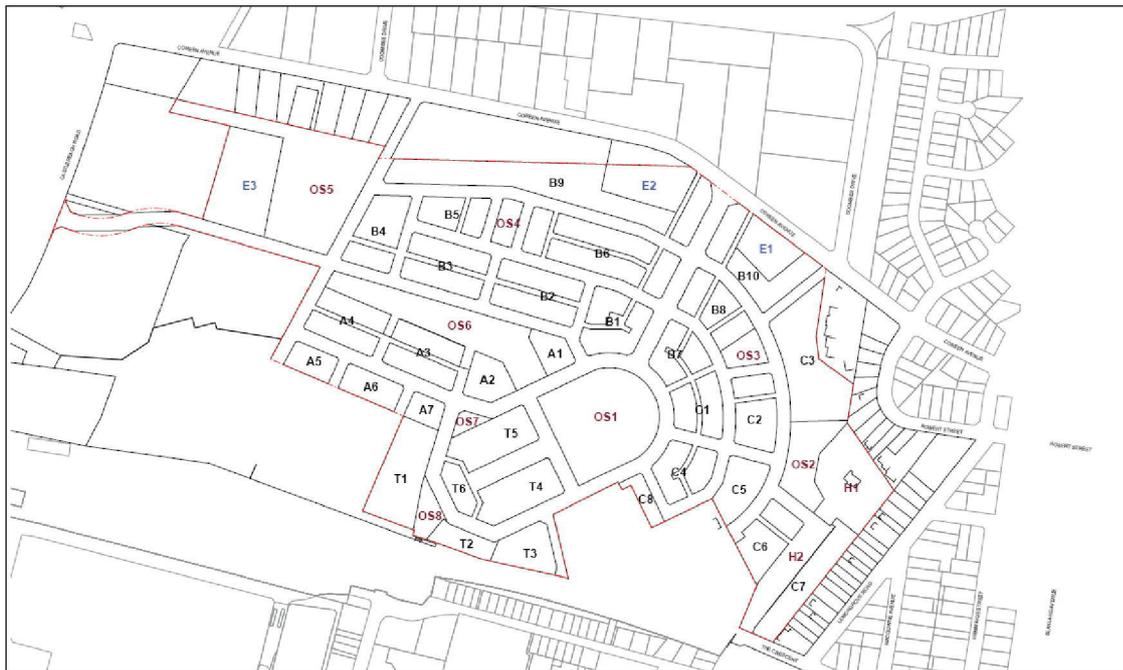


Figure 2 – Location plan

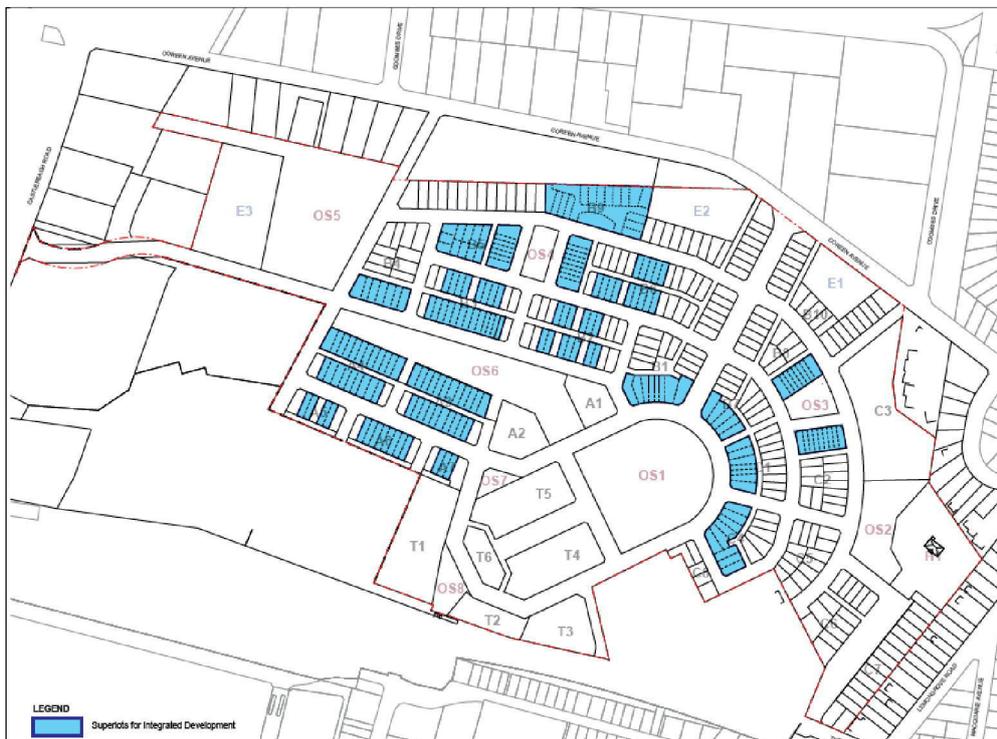


Figure 3 – Location of site

The site of the proposed development is 194.7m<sup>2</sup> in area and is legally described as lot 184 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	279.21m <sup>2</sup>
Height (m and storeys))	3 stories (10.05M)
Front Setback (m)	4.0m
Rear Setback (m)	11.06m
Landscape Area (m <sup>2</sup> )	33.3m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	40.64m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (9.0m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of <b>8.99m</b> and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage	The site is not on land where a heritage

Instrument/Strategy	Comments	
	Conservation	item is located or in the vicinity of a heritage item.
	Clause 55 - Earthworks	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	<p>The proposed site is not identified in Figure 14 of the Design Guidelines.</p> <p>ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b>).</p>
	Specific Provisions - Ancillary Dwellings	<p>The proposed development does not comprise any ancillary dwellings.</p> <p>ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b>).</p>
	Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 193 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 185 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1128-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

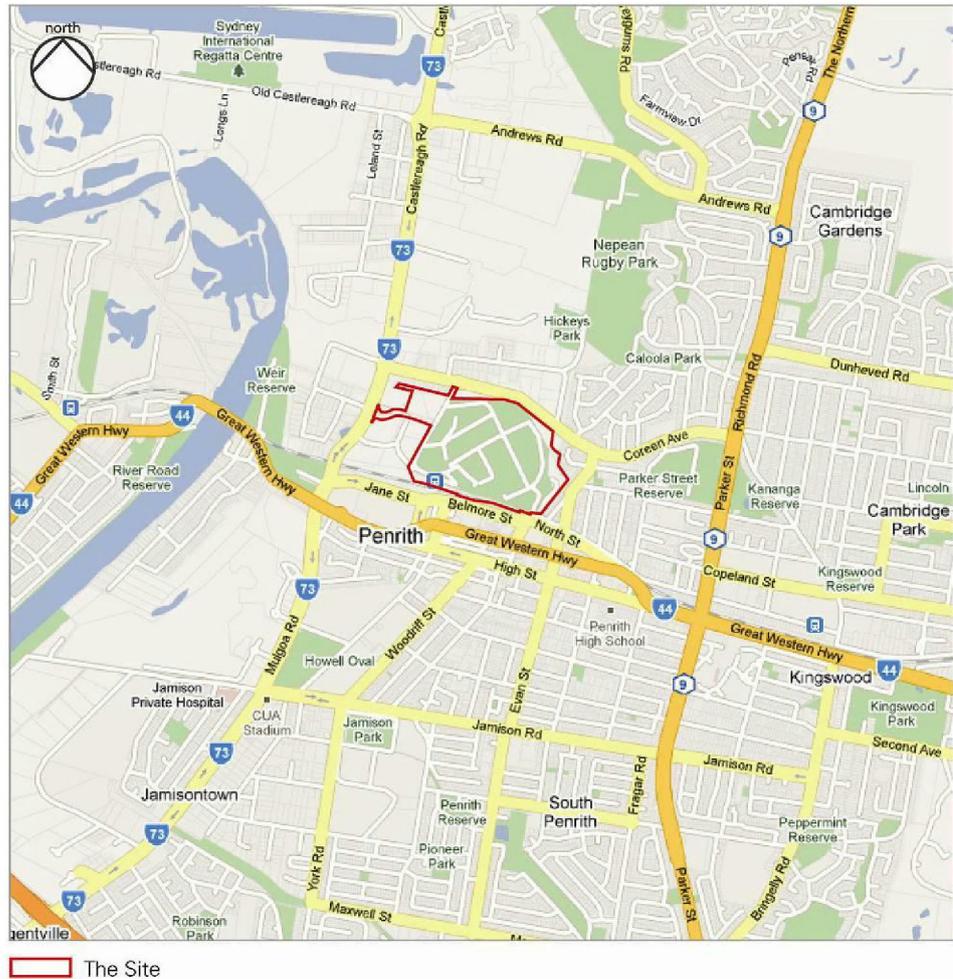
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 185 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

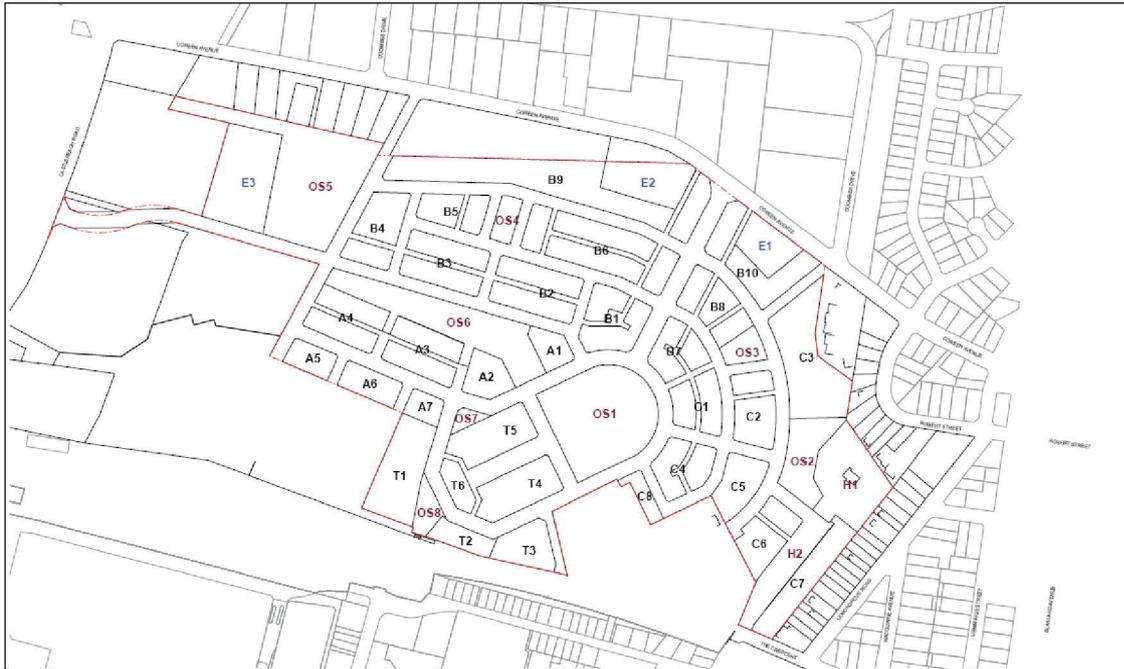


Figure 2 – Location plan

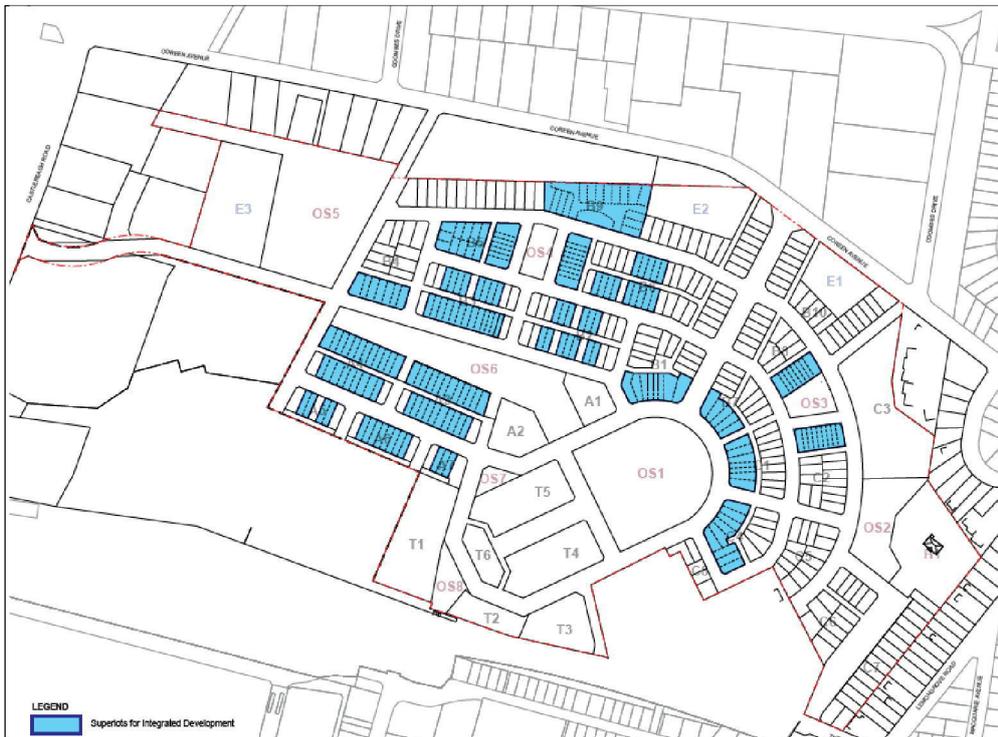


Figure 3 – Location of site

The site of the proposed development is 132.8m<sup>2</sup> in area and is legally described as lot 185 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

## 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	151.78m <sup>2</sup>
Height (m and storeys))	2 stories (7.7m)
Front Setback (m)	4.0m
Rear Setback (m)	12.93m
Landscape Area (m <sup>2</sup> )	26.84m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	30.11m <sup>2</sup>
Car Spaces	1.5

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a single garage + storage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 7.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 185 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 187 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1130-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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- A** Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B** Architectural Drawings  
*FIRSTYLE HOMES*
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- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

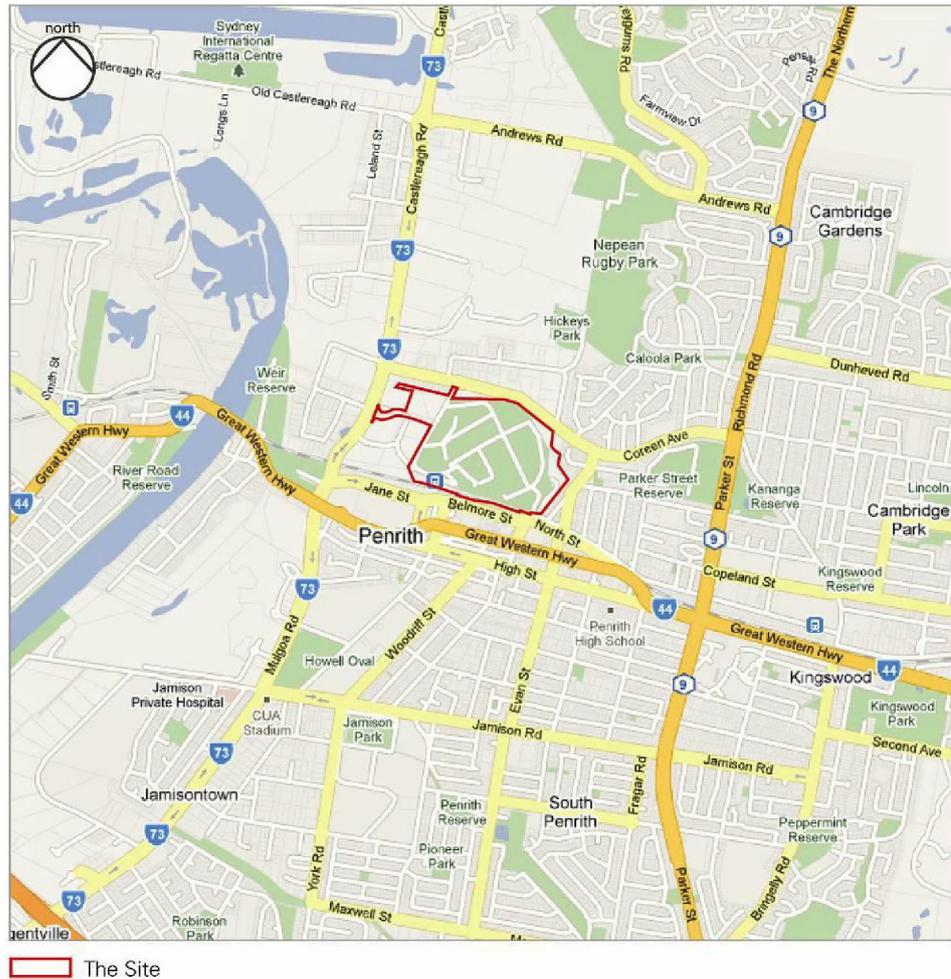
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 187 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

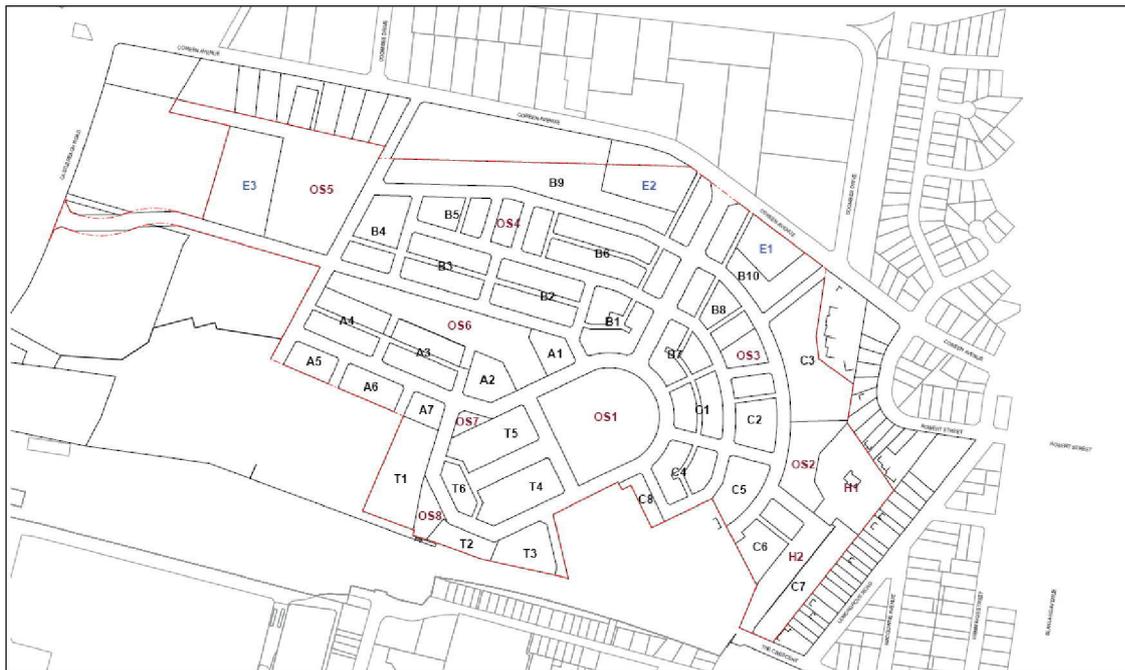


Figure 2 – Location plan

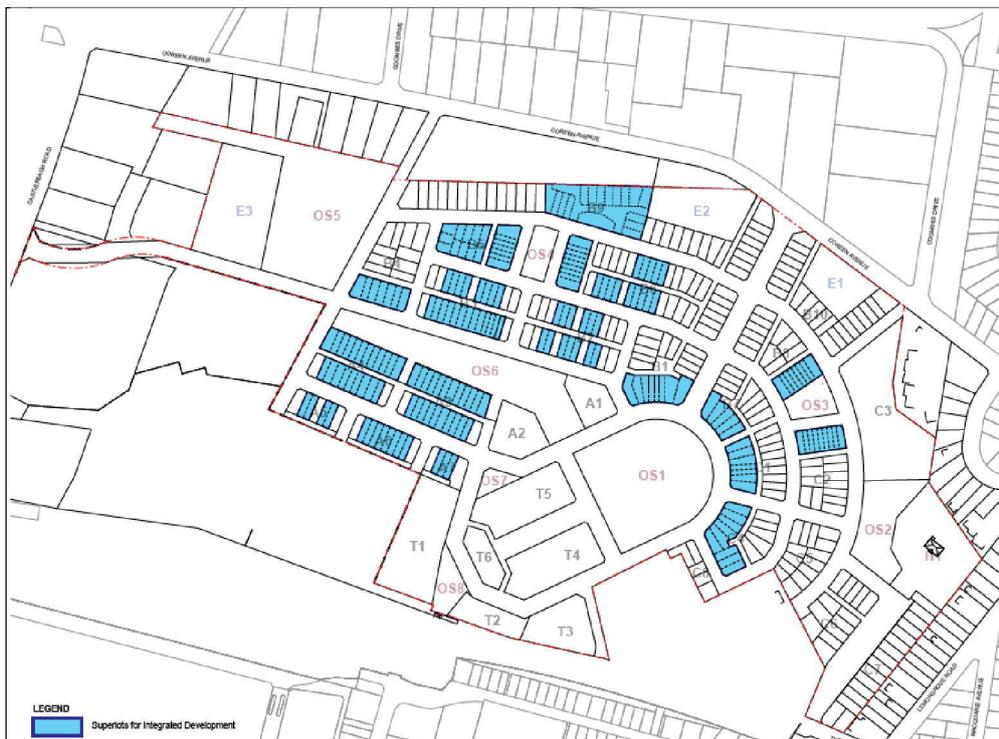


Figure 3 – Location of site

The site of the proposed development is 132.8m<sup>2</sup> in area and is legally described as lot 188 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 500mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	151.78m <sup>2</sup>
Height (m and storeys))	2 stories (7.7m)
Front Setback (m)	4.0m
Rear Setback (m)	12.92m
Landscape Area (m <sup>2</sup> )	26.5m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	30.11m <sup>2</sup>
Car Spaces	1.5

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a single + storage garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 7.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
		heritage item.
	Clause 55 - Earthworks	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
	Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 187 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 188 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1131-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

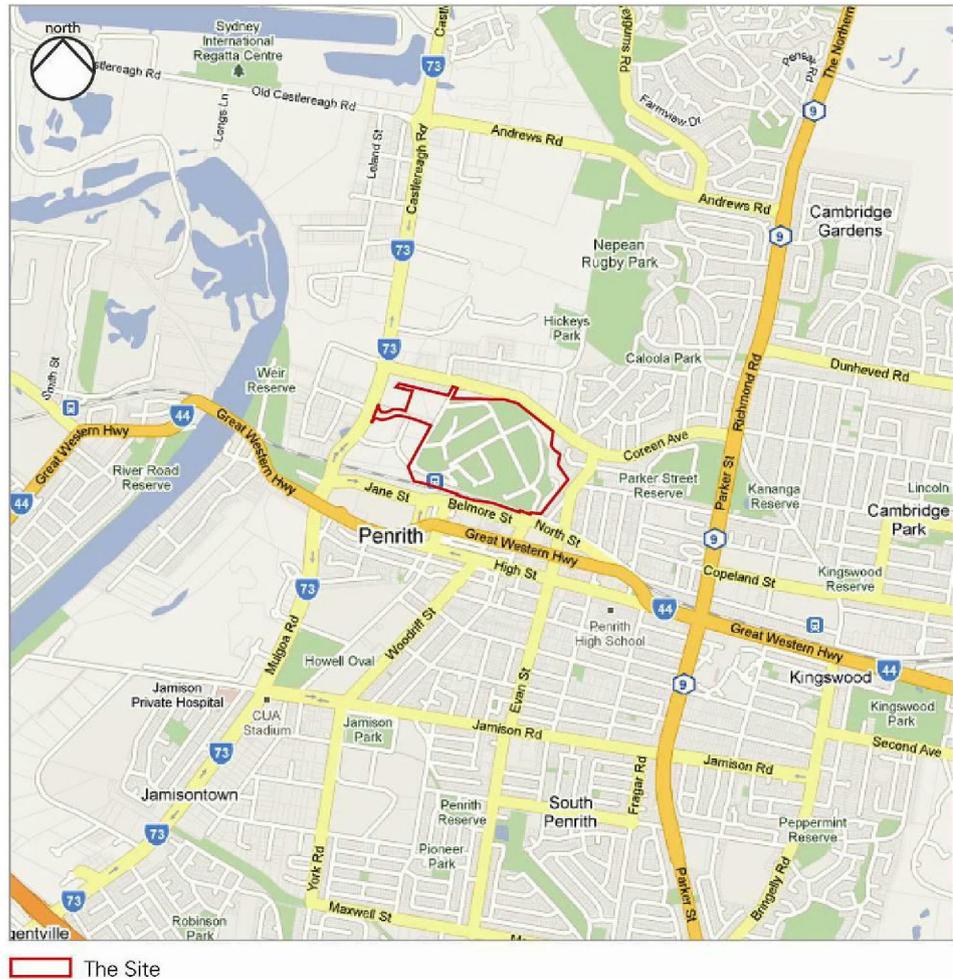
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 188 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

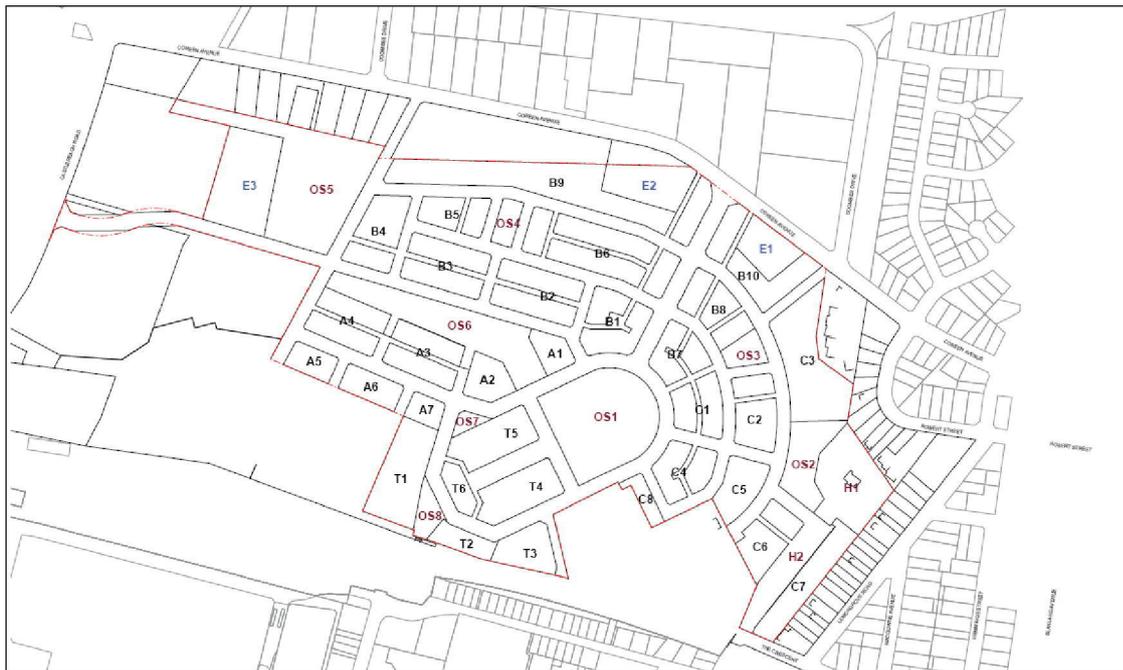


Figure 2 – Location plan

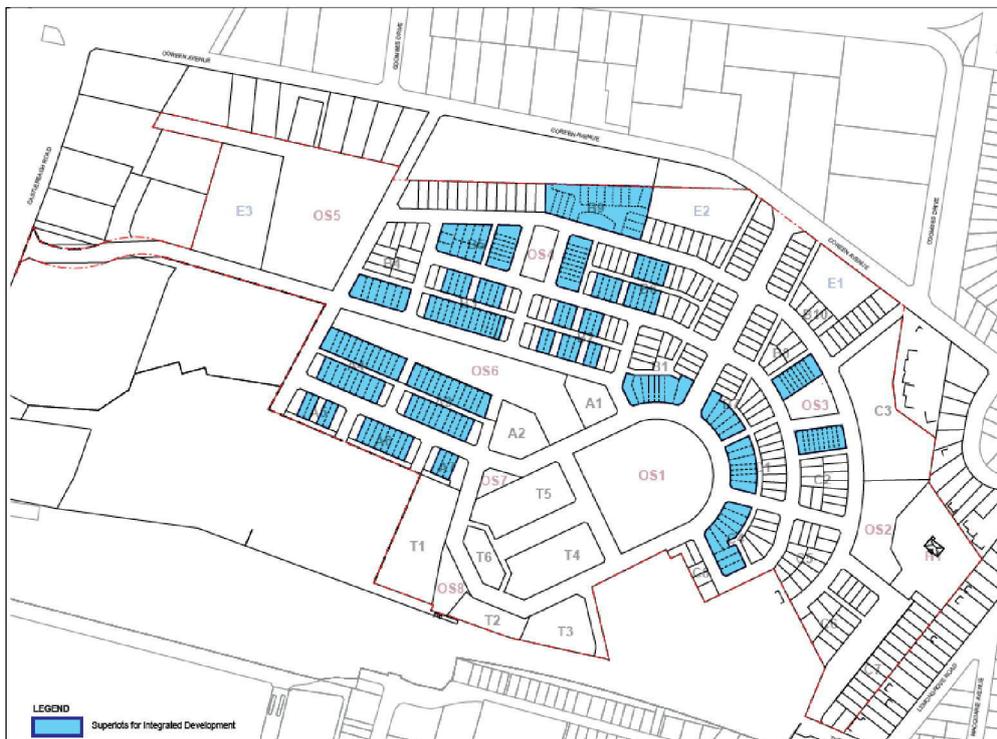


Figure 3 – Location of site

The site of the proposed development is 194.7m<sup>2</sup> in area and is legally described as lot 188 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

## 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	279.15m <sup>2</sup>
Height (m and storeys))	3 stories (10.05m)
Front Setback (m)	4.0m
Rear Setback (m)	11.050m
Landscape Area (m <sup>2</sup> )	34.32m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	40.24m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 10.05m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 188 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 189 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1132-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## Appendices

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Insert all material to be appended to the DA and who they were prepared by.

- A** Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B** Architectural Drawings  
*FIRSTYLE HOMES*
- C** BASIX Certificates  
*FIRSTYLE HOMES*
- D** Landscape Plans  
*ECO DESIGN*
- E** Stormwater Plans  
*FIRSTYLE HOMES*
- F** Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G** Notification Plans  
*FIRSTYLE HOMES*
- H** Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I** Waste Management Plan  
*FIRSTYLE HOMES*
- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

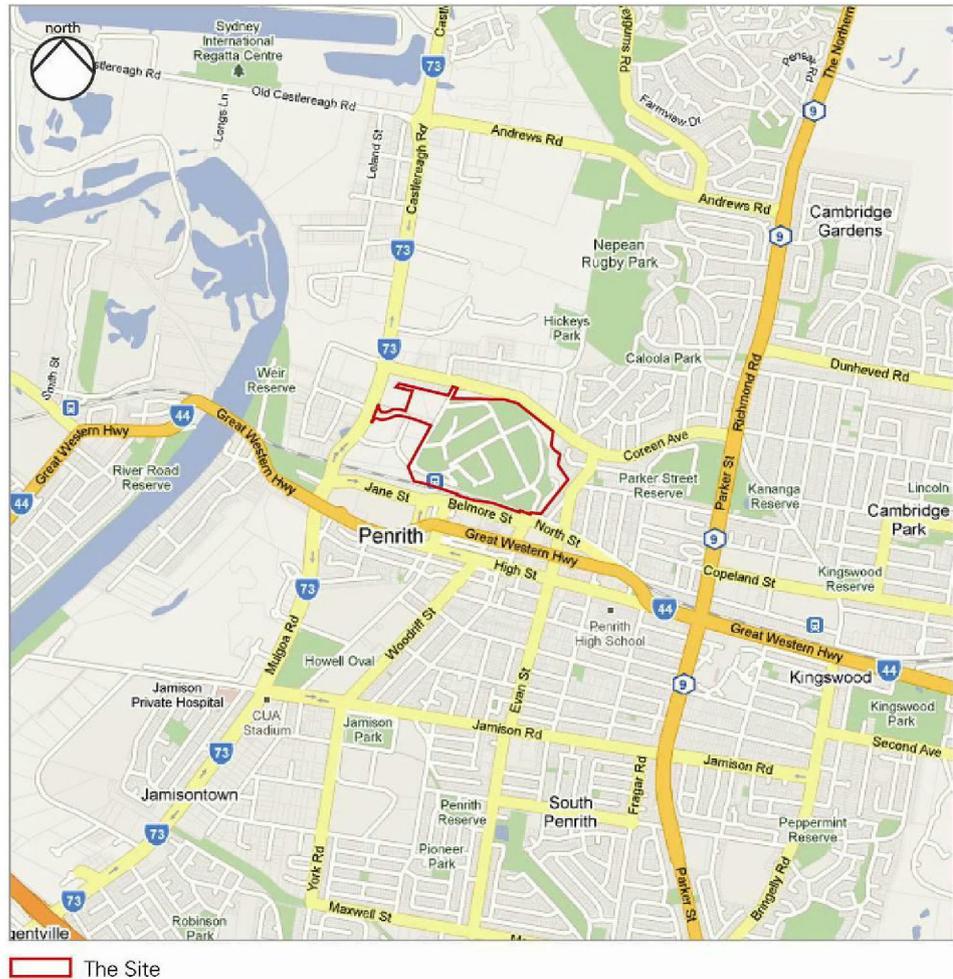
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 189 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

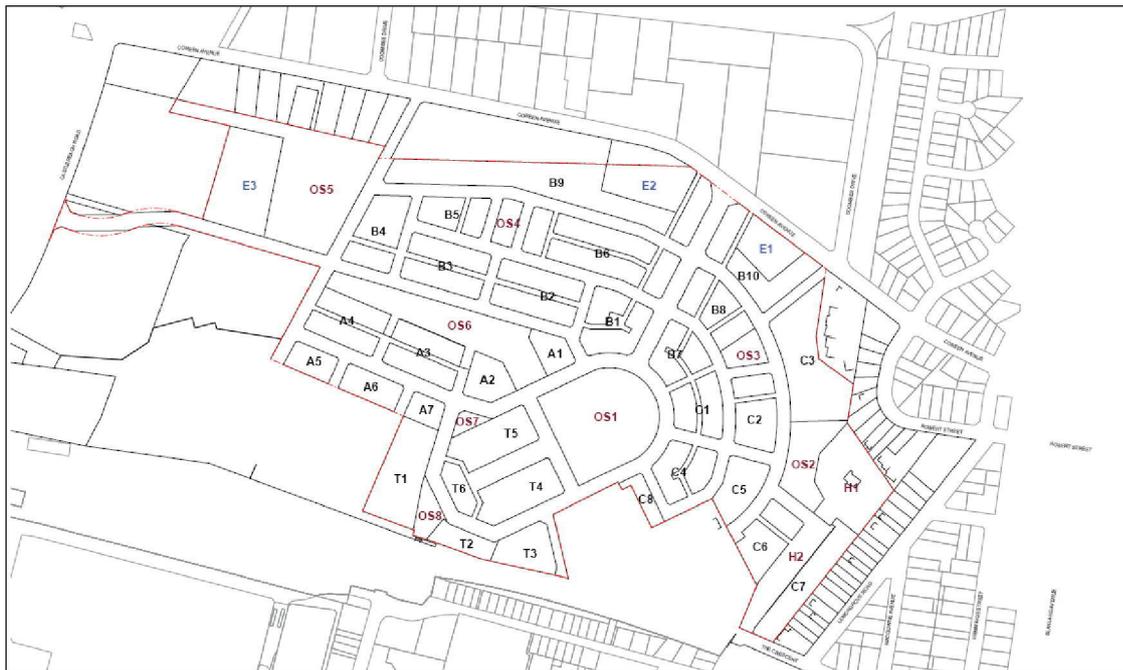


Figure 2 – Location plan

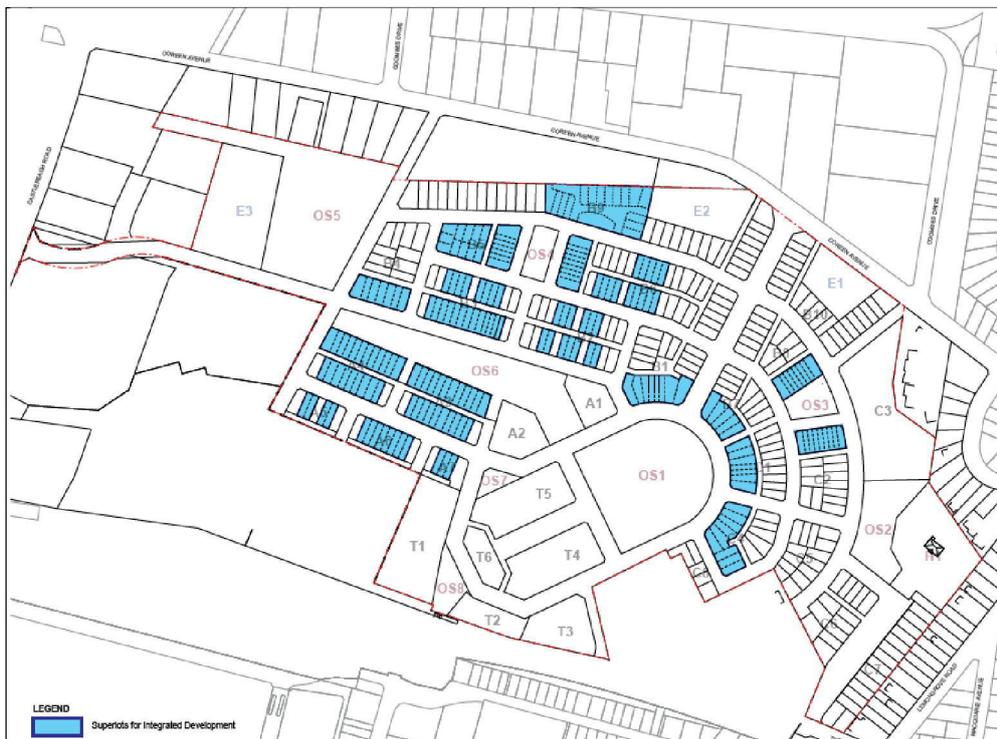


Figure 3 – Location of site

The site of the proposed development is 180m<sup>2</sup> in area and is legally described as lot 189 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

## 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	208.07m <sup>2</sup>
Height (m and storeys))	3 stories (10.1m)
Front Setback (m)	4.0m
Rear Setback (m)	11.61m
Landscape Area (m <sup>2</sup> )	32.51m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	36.29m <sup>2</sup>
Car Spaces	1.5

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a single + storage (1.5) garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 10.05m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item. The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

## 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 189 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 190 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1133-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## Appendices

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

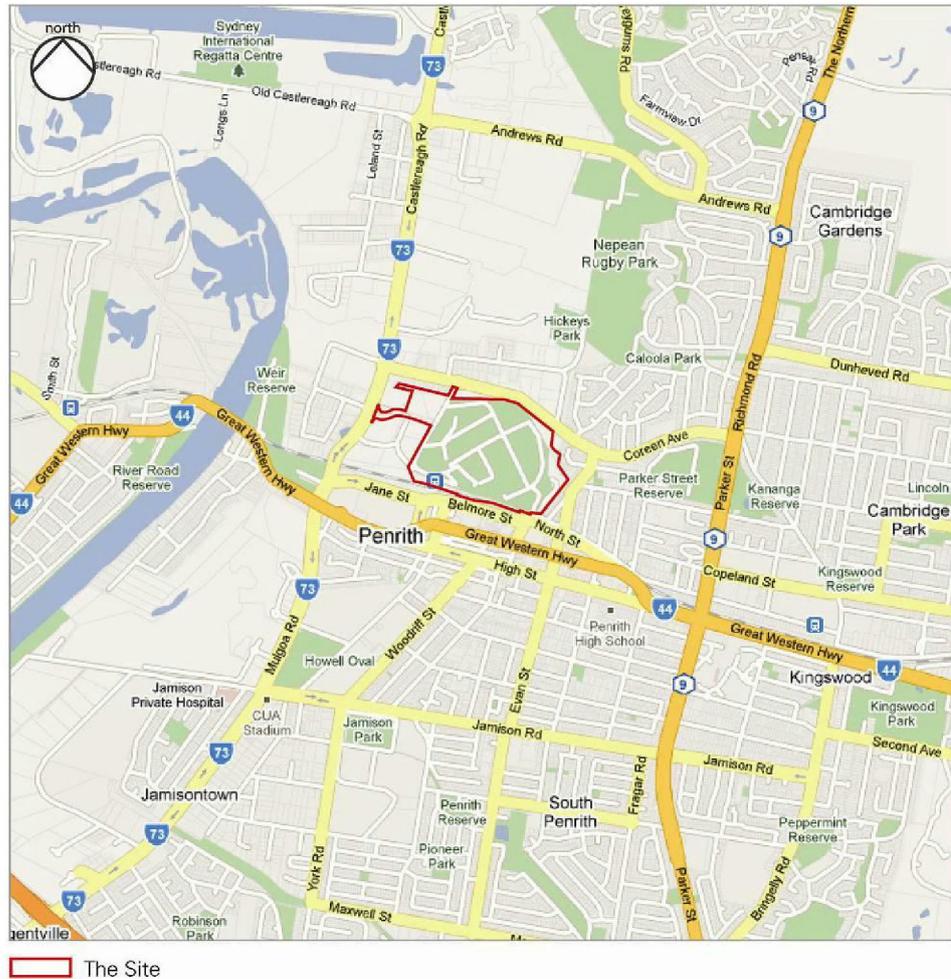
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 190 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

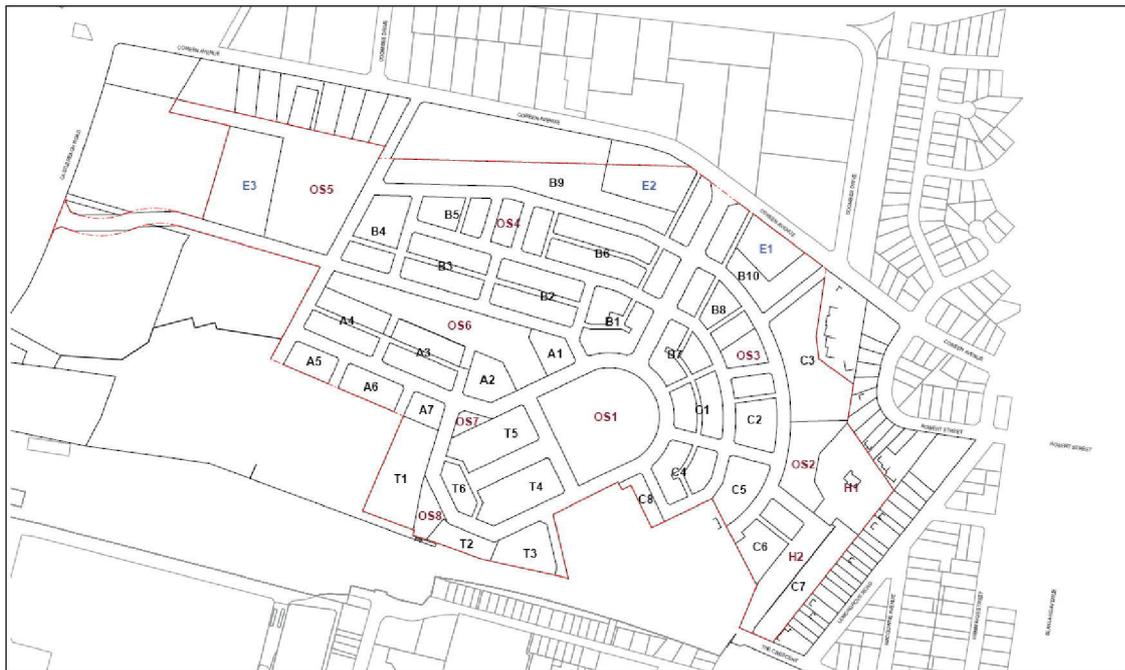


Figure 2 – Location plan

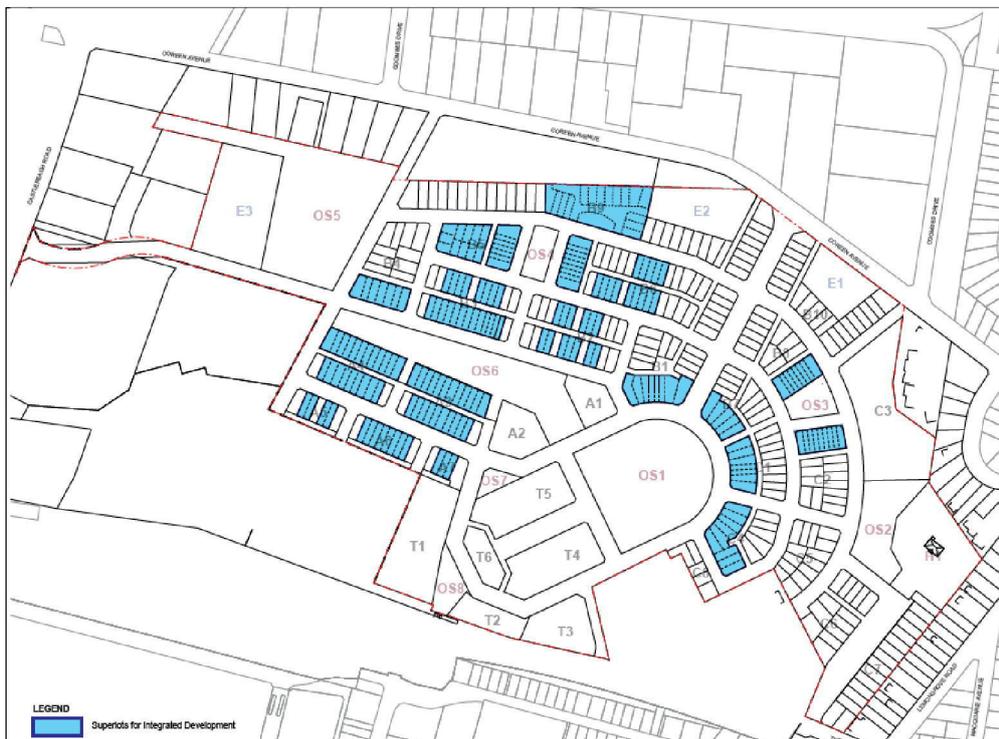


Figure 3 – Location of site

The site of the proposed development is 194.7m<sup>2</sup> in area and is legally described as lot 190 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	225.1m <sup>2</sup>
Height (m and storeys))	2 stories (8.7m)
Front Setback (m)	4.0m
Rear Setback (m)	11.34m
Landscape Area (m <sup>2</sup> )	43.94m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	41.07m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a **double** garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“**Staging of construction and occupation** – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 8.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
		heritage item.
	Clause 55 - Earthworks	The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
	Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 190 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 191 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1134-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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## Appendices

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Insert all material to be appended to the DA and who they were prepared by.

- A Site Survey  
*ASPECT DEVELOPMENT & SURVEY*
- B Architectural Drawings  
*FIRSTYLE HOMES*
- C BASIX Certificates  
*FIRSTYLE HOMES*
- D Landscape Plans  
*ECO DESIGN*
- E Stormwater Plans  
*FIRSTYLE HOMES*
- F Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G Notification Plans  
*FIRSTYLE HOMES*
- H Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I Waste Management Plan  
*FIRSTYLE HOMES*
- J Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

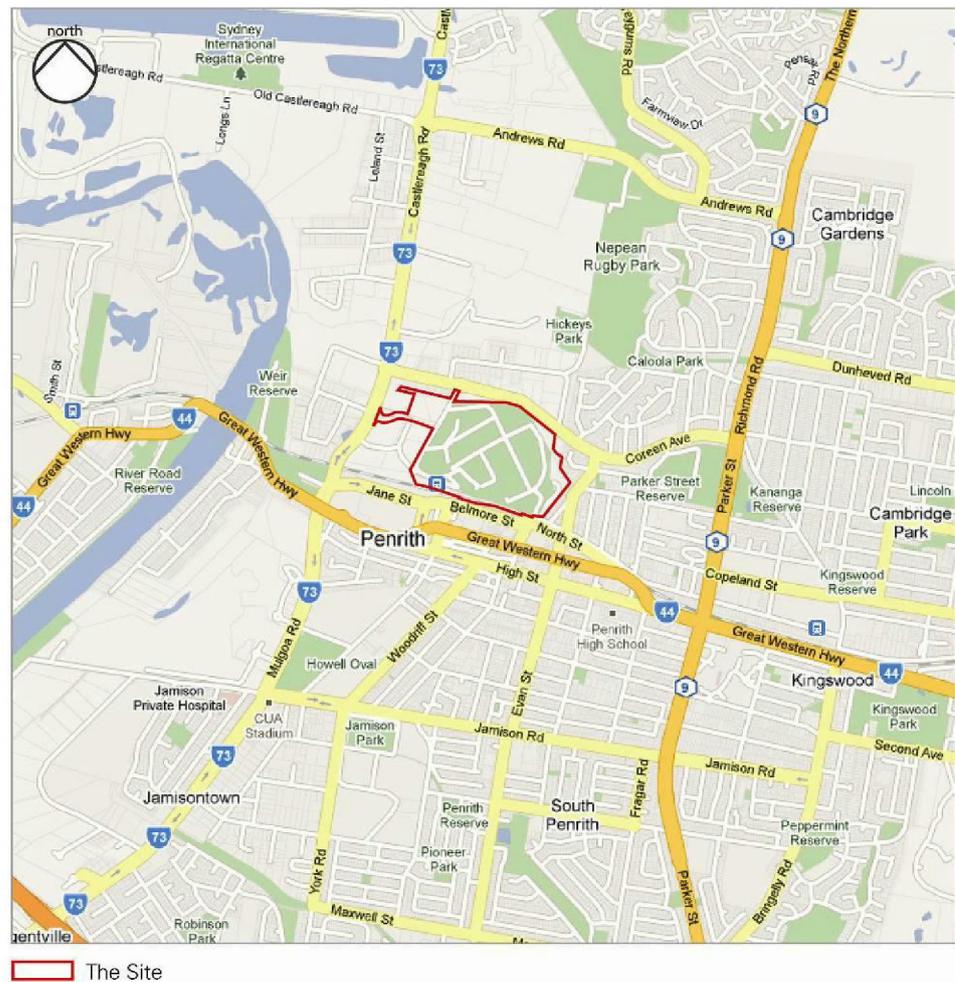
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 191 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

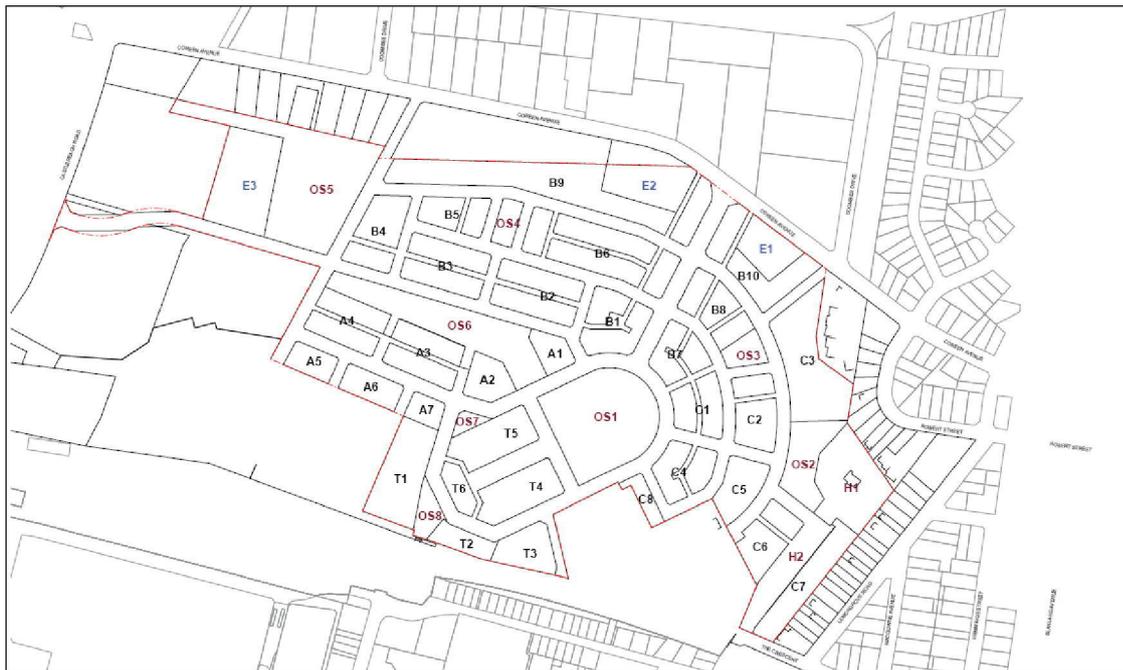


Figure 2 – Location plan

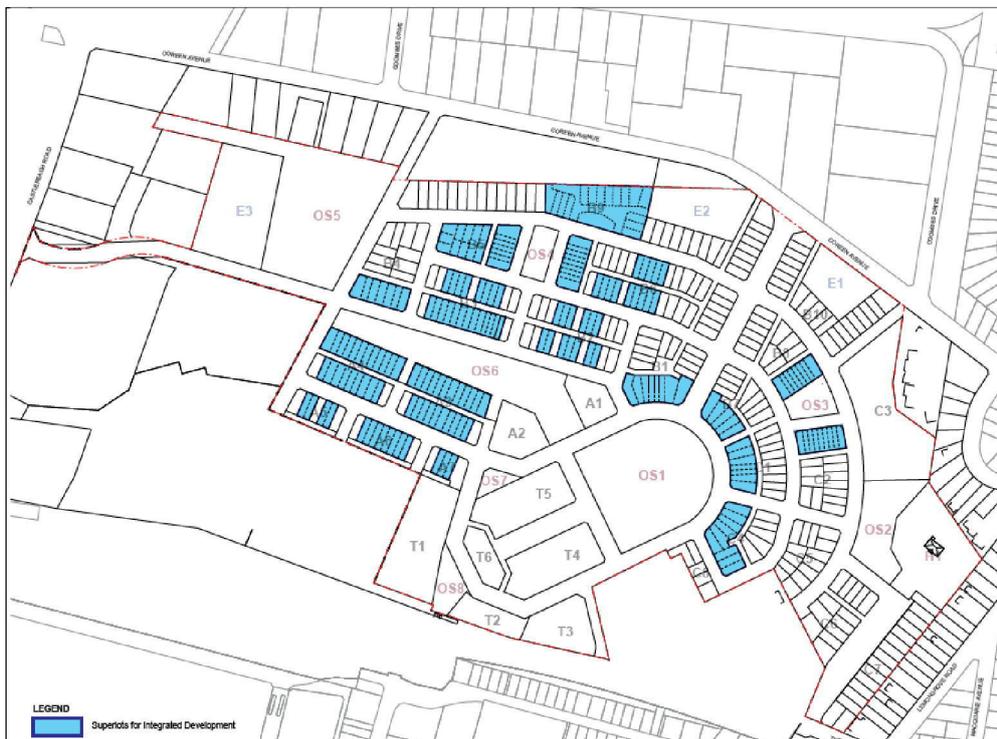


Figure 3 – Location of site

The site of the proposed development is 194.7m<sup>2</sup> in area and is legally described as lot 191 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

## 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	225.04m <sup>2</sup>
Height (m and storeys))	2 stories (8.70m)
Front Setback (m)	4.0m
Rear Setback (m)	11.34m
Landscape Area (m <sup>2</sup> )	43.84m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	40.77m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 8.7m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 191 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 192 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1135-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A** Site Survey  
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- B** Architectural Drawings  
*FIRSTYLE HOMES*
- C** BASIX Certificates  
*FIRSTYLE HOMES*
- D** Landscape Plans  
*ECO DESIGN*
- E** Stormwater Plans  
*FIRSTYLE HOMES*
- F** Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G** Notification Plans  
*FIRSTYLE HOMES*
- H** Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I** Waste Management Plan  
*FIRSTYLE HOMES*
- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

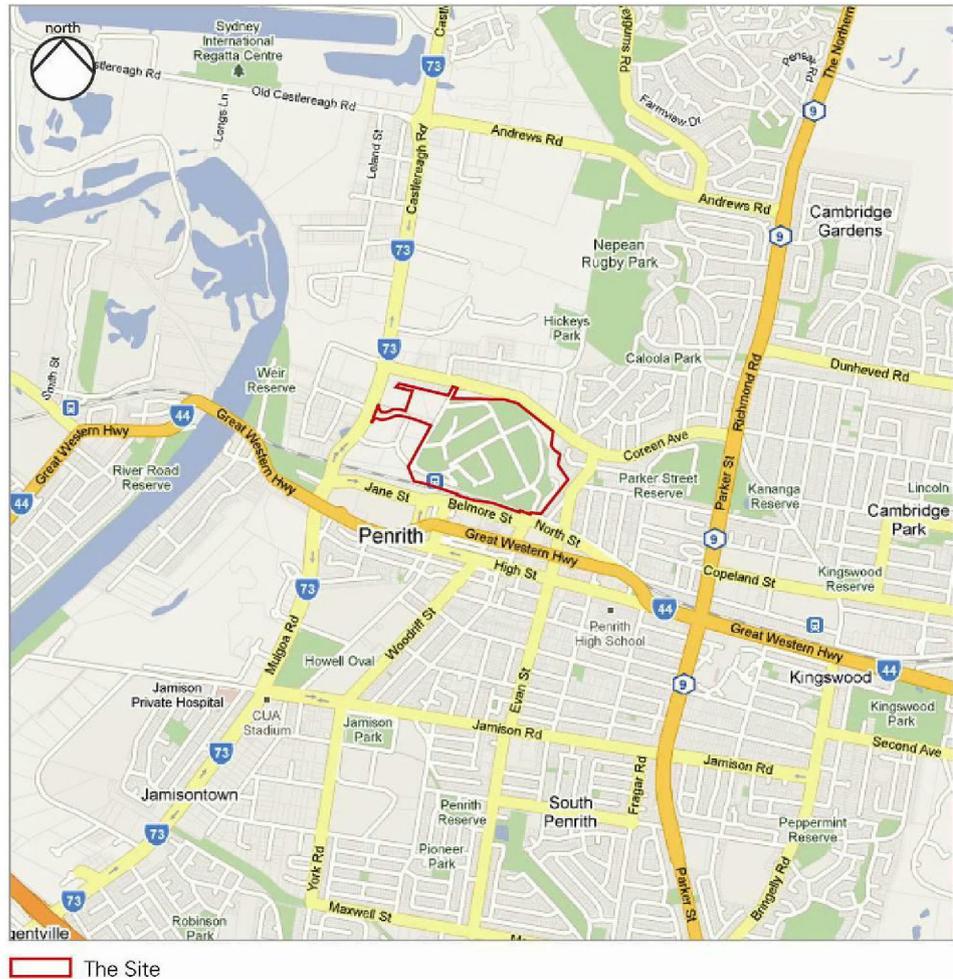
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 192 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

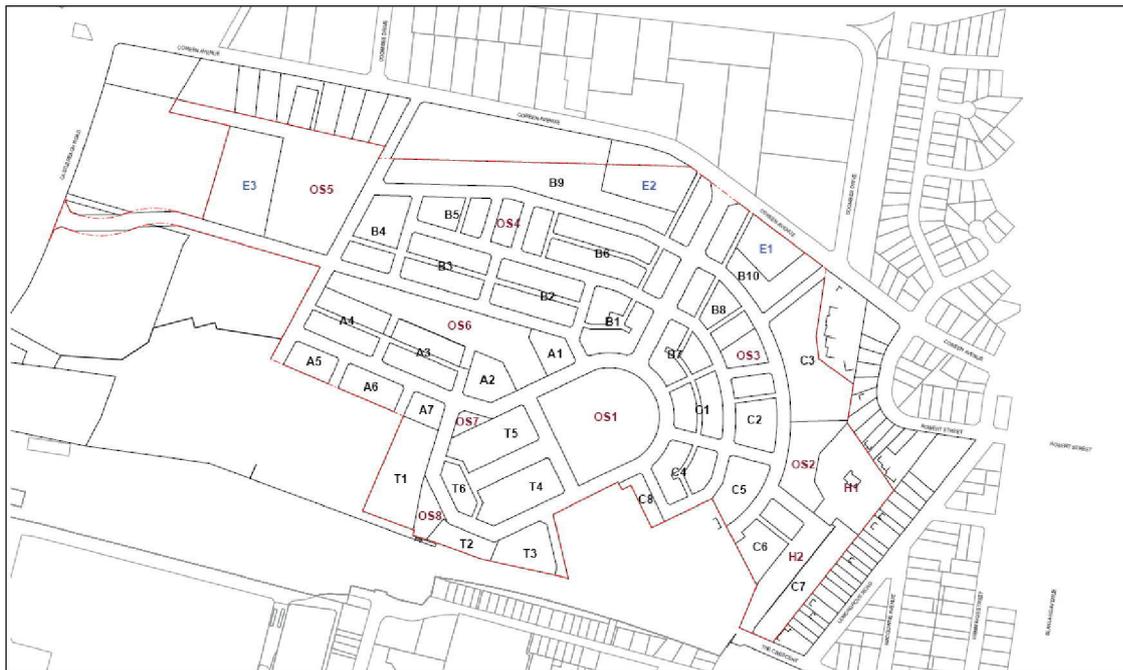


Figure 2 – Location plan

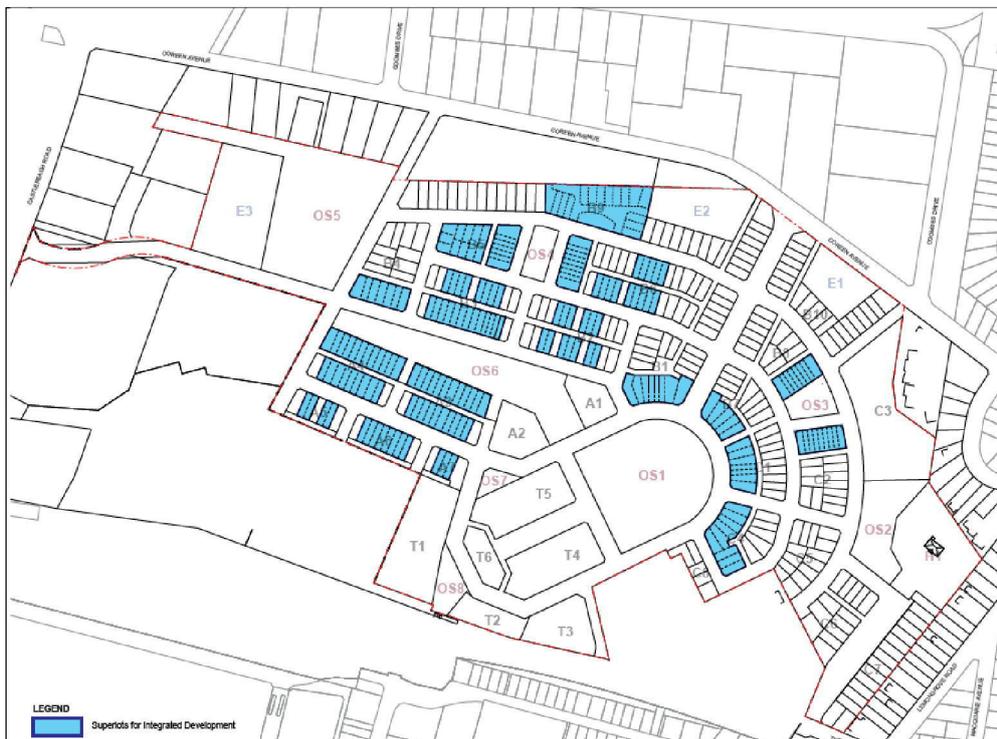


Figure 3 – Location of site

The site of the proposed development is 194.7m<sup>2</sup> in area and is legally described as lot 192 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	225.09
Height (m and storeys))	2 stories (8.800mm)
Front Setback (m)	4.0m
Rear Setback (m)	11.34m
Landscape Area (m <sup>2</sup> )	43.76m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	41.07m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments	
<b>State Planning Instruments and Controls</b>		
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.	
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.	
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .	
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>	
<b>Local Planning Instruments and Controls</b>		
<b>Penrith City Centre LEP 2008 (Part 7)</b>	Clause 49 - Zoning	The site is zoned as R1 General Residential
	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.
	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 8.8m and therefore complies with the maximum height specified by this clause.
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>
	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 192 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Development Application  
Statement of Environmental Effects

**LOT 193 PROMENADE, NORTH PENRITH  
2750 NSW.**

Submitted to Penrith City Council  
On Behalf of Urban Growth

AUG 2015 ■ Proj No 1136-15

# Instructions on how to complete the following Statement of Environmental Effects (SEE) Template

- This Statement of Environmental Effects (SEE) template includes a number of 'help boxes' located throughout the document to provide instructions on how to assist you with preparing and filling in the SEE for your project.
- Simply follow the advice in the box and then delete each box before finalising the SEE document ready for lodgement with the DA.
- Each section of the SEE template includes text that is highlighted in grey. These sections are to be replaced with specific information about the project (e.g. site area, lot numbers, etc.) or are to be amended to suit the development, or can be utilised if the text is considered an appropriate response.
- The SEE template has been prepared to cover a range of key and potential issues and may address matters which are not relevant to the application. Where matters are not deemed relevant, these should either be deleted or stated that these are not relevant.
- Key sections that must be completed include Sections 1.0 (Introduction), 2.0 (Site Analysis), 3.0 (Description of Proposed Development) and 4.0 (Conclusion). These sections have been prepared so that you need to insert relevant information specific to your specific development.
- Section 4.0 includes a range of key assessment matters that relate to the development. Please amend to suit the DA and add any additional written assessment as maybe relevant to the SEE.
- It is important to start with a fresh template each time an SEE is prepared in order to ensure that all the relevant matters are tailored to each DA/project
- The checklist included at the end of this SEE template provides a comprehensive list of what documents and plans are required to be submitted with each DA – these are also referenced as appendices throughout the SEE to assist Council in their assessment of each DA.

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Insert all material to be appended to the DA and who they were prepared by.

- A** Site Survey  
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- B** Architectural Drawings  
*FIRSTYLE HOMES*
- C** BASIX Certificates  
*FIRSTYLE HOMES*
- D** Landscape Plans  
*ECO DESIGN*
- E** Stormwater Plans  
*FIRSTYLE HOMES*
- F** Signed DA Form & Owners Consent  
*FIRSTYLE HOMES AND URBAN GROWTH*
- G** Notification Plans  
*FIRSTYLE HOMES*
- H** Sediment and Erosion Control Plan  
*FIRSTYLE HOMES*
- I** Waste Management Plan  
*FIRSTYLE HOMES*
- J** Tables of Compliance  
*FIRSTYLE HOMES*

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for small lot housing as part of the North Penrith project.

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for.

Specifically this DA seeks approval for construction of an attached dwelling and associated landscaping and parking;

The SEE has been prepared by FIRSTYLE HOMES and is based on the Architectural Drawings provided by FIRSTYLE HOMES (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 1.1 Planning Background

On 9 November 2011, the Minister for Planning approved a concurrent Concept Plan (MP 09-04536) and Project Application (MP 10-0078), which was followed by the gazettal of an amendment to the *Penrith City Centre Local Environmental Plan 2008* for the redevelopment of the North Penrith site.

#### 1.1.1 Concept Plan and State Significant Site Listing

The Concept Plan and the Schedule 3 amendment were intended to facilitate the development of a transit oriented and cohesive mixed uses development incorporating residential, retail, commercial, business, civic, community, industrial and recreation uses.

The statutory elements of the approved Concept Plan are contained in the Instrument of Approval and the amendment to Schedule 3 of State Environmental Planning Policy (Major Development) 2005.

The Schedule 3 amendment replaced the former local environmental planning instruments applying to the land and rezoned the land to R1 General Residential, B2 Local Centre, B4 Mixed Use, IN2 Light Industrial, RE1 Public Recreation and R2 Low Density Residential (Thornton Hall and curtilage). The Amendment also identified:

- principal development standards that broadly guide yield and density of future development across the site;
- heritage items and nominated matters for consideration for future development to, on or within the vicinity of the heritage items must address; and
- the future consent role and approvals requirements/responsibilities.

The Concept Plan Approval included the following:

- land use type and distribution;
- approximately 900 – 1,000 dwellings, comprising a minimum of:
  - 100 seniors living/aged care dwellings;
  - 44 affordable/social housing dwellings; and
  - 44 adaptable dwellings;
- a range of dwelling typologies, building heights and densities;

- a Village Centre located adjacent to the Penrith Railway Station and centred around a public square;
- up to approximately 13,500m<sup>2</sup> of retail, business and commercial floor space;
- the retention and protection of land for Thornton Hall, a 19<sup>th</sup> Century homestead building and its associated curtilage;
- appropriate interpretation of the European and Aboriginal heritage values of the site including retention of Thornton Hall;
- an open space network (including water bodies) of approximately 7ha including the general location, level of embellishment and function of passive and active areas to serve the future residential and worker population;
- a road network and hierarchy for the site and a pedestrian, cycle and public transport network;
- a water cycle management strategy for the development; and
- strategies for the provision of other associated infrastructure including water and sewer (including a new sewer pumping station), power, telecommunications and gas.

### 1.1.2 Project Application

The Stage 1 Project Application granted approval for:

- subdivision to create 108 lots comprising:
  - 84 future residential lots;
  - 1 Village Centre lot;
  - 16 super lots;
  - 3 future open space lots, including 1 lot to accommodate the community centre;
  - 1 future industrial lot;
  - 1 sewer pumping station lot; and
  - 2 residue lots;
- site establishment and perimeter security measures;
- establishment of environmental and safety controls and traffic control measures;
- preparatory works, including small building demolition, trees/shrub removal, topsoil stripping and stockpiling for later reuse and the disposal of unsuitable topsoil material, and taking up and stockpiling existing concrete and asphalt hardstands and roads for later reuse in other stages of the construction works;
- bulk earthworks – cut and fill, including the importation of material to raise levels;
- sections of the retaining wall next to the Penrith Training Depot;
- roads and road intersections;
- drainage and stormwater management infrastructure;
- utilities servicing infrastructure, viz electrical, sewerage (including a sewer pumping station), telecommunications, potable water and gas;
- lots formation;
- minor works external to the site, such as footpaths;
- construction of the community pavilion;
- landscaping;
- erecting informative signage; and

- site de-establishment and handover.

### 1.1.3 Repeal of Part 3A

The NSW Government repealed Part 3A of the EP&A Act in October 2011. However, Schedule 6A of the EP&A Act sets out the transitional arrangements for projects that were subject the now repealed Part 3A. Clause 3B of Schedule 6A provides for development that is subject of a Part 3A Concept Plan approval. The relevant provisions of Clause 3B are:

- if Part 4 of the EP&A Act applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),
- any development standard that is within the terms of the approval of the concept plan has effect,
- a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,
- any order or direction made under section 75P (2) when the concept plan was approved continues to have effect.

### 1.1.1 Amendment of North Penrith LEP

In November 2011 the NSW Minister for Planning made the State Environmental Planning Policy Amendment (North Penrith) 2011 which amended the Penrith City Centre Local Environmental Plan 2008 to include provisions that relate to North Penrith.

## 1.2 Project Background

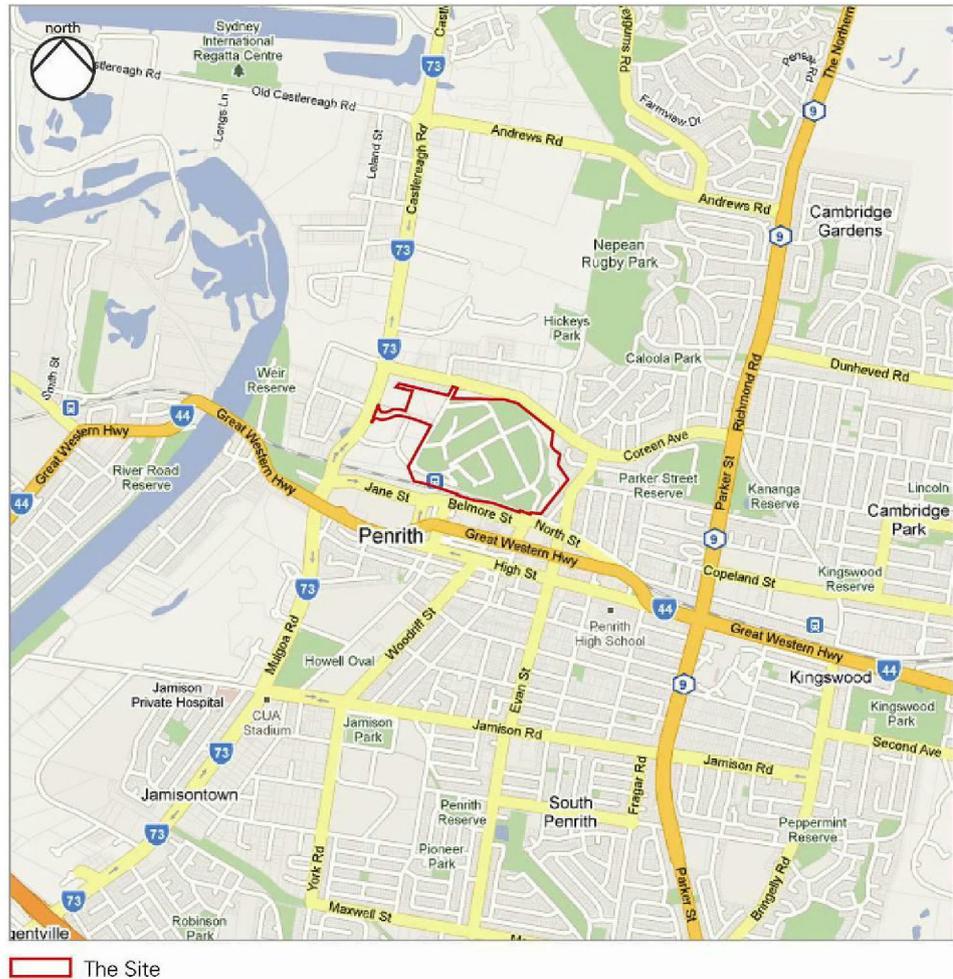
If appropriate insert further background information that is relevant to the proposed development including but not limited to:

- matters discussed in any pre-DA and agency meetings;
- which sections of the SEE address these matters; and/or
- site / concept plan specific history.

## 2.0 Site Analysis

### 2.1 Site Location and Context

The North Penrith site is located approximately 50 km to the west of Sydney CBD on the northern side the Penrith CBD. The North Penrith site's southern boundary adjoins the Penrith Railway Station. The North Penrith site is between Lemongrove Road to the east and Castlereagh Road to the west both of which are accessible via Coreen Avenue to the north – see **Figure 1**.



**Figure 1** – Location of North Penrith site

### 2.2 Site Description

In the Site Description section identify the following:

- the address and general location of the site within the North Penrith site;
- the size, shape and topography of the lot; and
- the legal property description (Lot and DP) and owner.

The proposed development site is located at lot 193 Promenade, North Penrith. The location of the site of the proposed development is within residential precinct A4 as established within the Concept Plan and shown in **Figure 2**. The site is shown on the Location Plan at **Figure 3**.

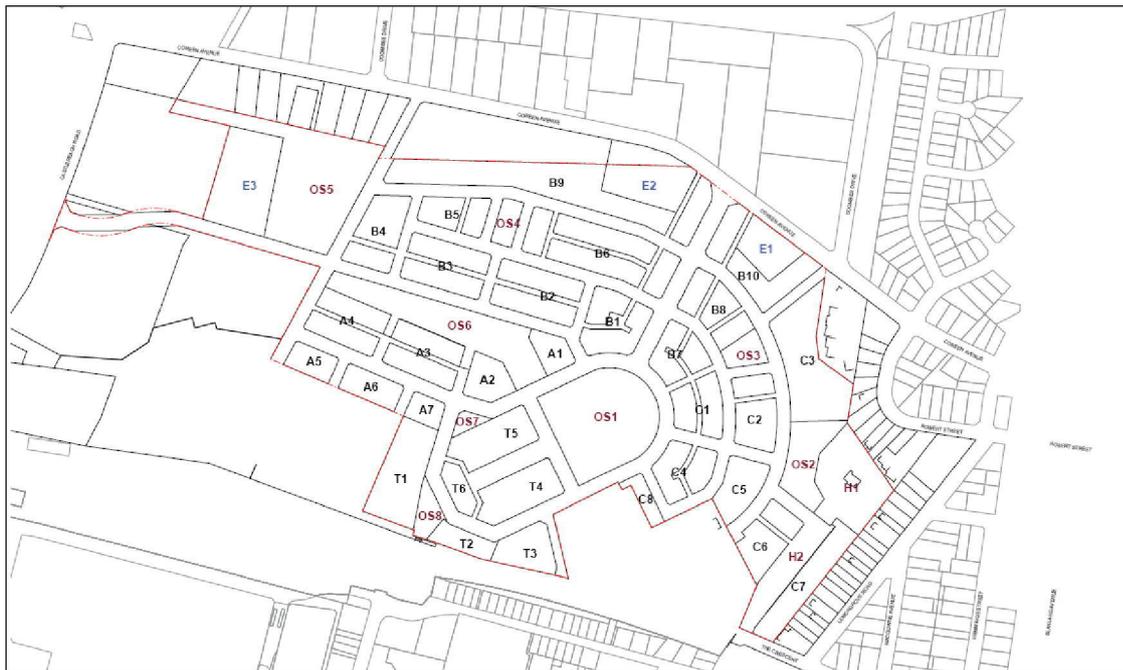


Figure 2 – Location plan

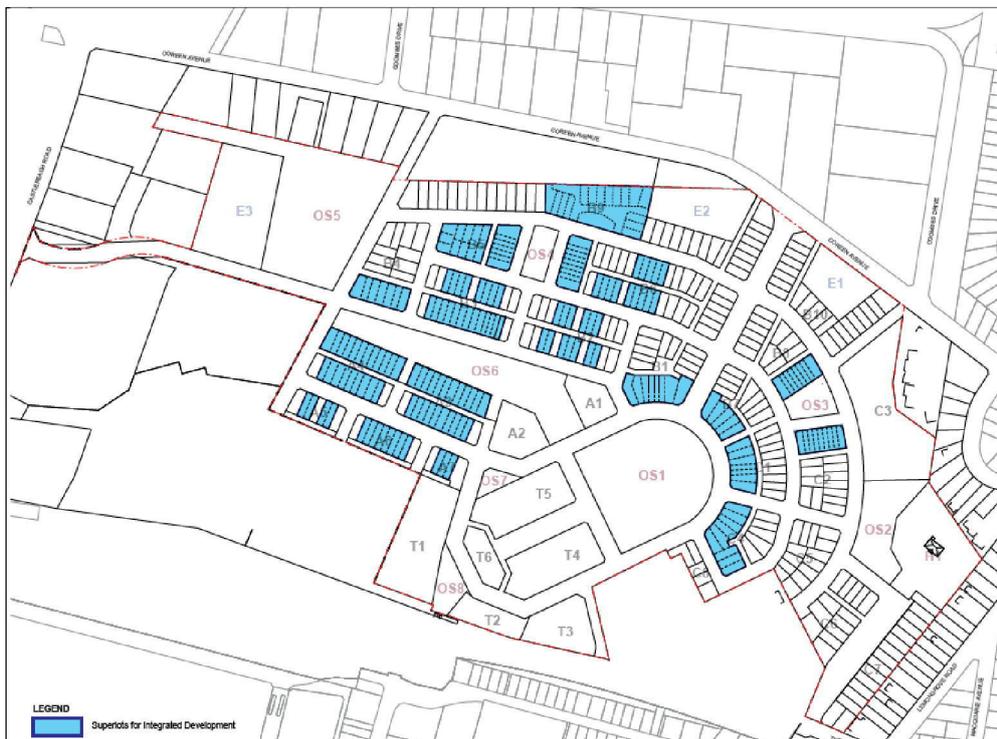


Figure 3 – Location of site

The site of the proposed development is 253.7m<sup>2</sup> in area and is legally described as lot 193 DP 1205684 and is owned by URBAN GROWTH. The site of the proposed development was previously approved for subdivision under 14-0934

The site's levels have been prepared as part of the Stage 1 Project Application earth works. Once completed the site will have a gradual slope of 700mm from the South West to North East. The site is cleared of existing vegetation and does not contain any existing structures.

The site has direct frontage to the Promenade and has rear access via Fernandez Lane.

## 2.3 Surrounding Development

Provide a general description of the future / existing surrounding development under the Concept Plan / Project Applications:

- There are to be future developments proposed on neighbouring Lots to the East and south Boundary.
- Lots 194 to 209 will be similar in size with a contrast façade, materials & finishes.

To the north of the site is a public reserve with manmade lake, to the East is Radcliffe Place, to the South is Fernandez Lane reserve and to the south is lot 192

The broader surrounding land uses to North Penrith as shown in **Figure 1** comprise residential, business and industrial uses including:

- industrial development north of Coreen Avenue and east ;
- the Penrith Railway Station and the Penrith Town Centre CBD to the south; and
- the existing residential suburb of Lemongrove to the east.

### 3.0 Description of Proposed Development

The following description of the development has been provided as a guide and should be amended as appropriate to the specific DA. It is important to list all the elements of the project you are seeking approval for. Ensure this section is consistent with the description in Section 1.0.

This chapter of the report provides a detailed description of the proposed development. Architectural drawings showing the proposed dwellings are located at **Appendix B**. Landscape plans showing the proposed landscape works are located at **Appendix D**.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking.

### 3.1 Development Overview

The proposed development seeks approval for the construction of an attached dwelling. **Table 1** provides an overview of the key development information.

The proposed development will connect to the electricity, stormwater, water, sewer, gas and telecommunication services within the road reserve which were provided as part of the Stage1 Project Application.

**Table 1** - Key development information

Component	Proposal
GFA (m <sup>2</sup> )	71.57m <sup>2</sup>
Height (m and storeys))	3 stories (10.470mm)
Front Setback (m)	4.0m
Rear Setback (m)	10.96m
Landscape Area (m <sup>2</sup> )	71.57m <sup>2</sup>
Private Open Space (m <sup>2</sup> )	62.32m <sup>2</sup>
Car Spaces	2

### 3.2 Development Form and Orientation

The architectural character of each of the proposed dwellings have been designed in accordance with the development principles included in the North Penrith Design Guidelines. As such the proposed dwellings:

- are of contemporary architectural style and character;
- are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- relate well to and form a good interface with the overall subdivision, road and open space layout approved for the North Penrith site;
- incorporate appropriate durable and high quality materials, textures, forms and colours that will also complement the local landscape;
- include opportunities for indoor/ outdoor relationships; and
- incorporate energy efficient measures.

The predominant bulk of each of the dwellings is situated within the front half of the allotment facing the street and has family rooms to the rear, opening directly onto the rear outdoor courtyards and open space.

### 3.3 External Materials and Finishes

The proposed external materials and finishes are shown on the plans at **Appendix B** have been selected from the Residential Design Palette included in the North Penrith Design Guidelines to provide a contemporary appearance and ensure use of modern and lightweight materials.

### 3.4 Landscape and Open Space

The proposed landscape treatment is shown in the Landscape Plans at **Appendix D** and has been designed to contribute to the overall form of the dwellings and to provide versatile and functional outdoor living areas.

### 3.5 Access and Parking

The dwellings will be accessed from The Promenade. The site also has access via Fernandez Lane.

The development has a double garage.

### 3.6 Stormwater

The drains will connect to the stormwater drainage infrastructure within the road, as approved as part of the Stage 1 Project Application. The lots will drain directly to Fernandez Lane. All stormwater will ultimately drain into the overall integrated stormwater management system for the broader North Penrith site.

### 3.7 Utility Services

Telephone, electricity, gas, water and sewer services will be installed underground within each of the adjoining road reserves. These services will be installed within trenches in the road reserves.

### 3.8 Erosion and Sediment Control

Erosion and sedimentation control measures will be implemented during construction in accordance with the erosion and sediment control plan included at **Appendix H**.

### 3.9 Separate Construction and Occupation Certificates

To facilitate staged construction and occupation of each of the proposed dwellings, we request that Council insert the following as a condition of consent into the approved written consent for the development:

*“Staging of construction and occupation – Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the development and approved by this consent for each approved dwelling, provided that all conditions of consent the relevant to that dwelling have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that dwelling.”*

## 4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

A number of planning issues which would usually be considered as part of a DA were addressed as part of the Concept Plan and Project Application Environmental Assessments. As the proposed development is consistent with the Concept Approval these issues do not require further assessment (see Section 4.2). These issues include:

- Social and Economic Issues
- Community Services and Facilities
- Transport and Accessibility
- European Heritage
- Indigenous Heritage
- Geotechnical, Soil and Contamination
- Biodiversity
- Visual Impact
- Water and Hydrology
- Ecological Sustainable Development
- Utilities and Infrastructure
- Crime and Public Safety

Pursuant to Section 75P(1)(a) of the EP&A Act, Schedule 3 of the North Penrith Concept Approval sets out specific future environmental assessment requirements that apply to future development under Part 4 of the EP&A Act.

Accordingly, the assessment provided in this SEE includes the aforementioned matters in addition to other potential planning issues which are relevant to the detailed design of the building under the Concept Approval.

### 4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (State and Regional Development Development) 2005 (S&R SEPP);
- State Environmental Planning Policy (BASIX) 2008 (SEPP BASIX);
- Sydney Regional Environmental Plan Hawkesbury Nepean River;
- Penrith City Centre Local Environmental Plan 2008; and
- North Penrith Design Guidelines 2013.

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below and in the detailed Tables of Compliance at **Appendix J**. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sub-sections of this environmental assessment.

Before completing the North Penrith Design Guidelines section of Table 2, review the proposal's compliance against the relevant controls in Sections 4.3 onwards. If the proposal complies, use the provided text in the comments box and remove the specific section from later in the report. If non-compliances exist, deal with them under the separate section and reference it within the table, ie.'see Section 4.X'.  
When justifying non-compliances refer to the relevant objectives in the Design Guidelines and demonstrate that the proposal will still achieve these objectives.

**Table 2 – Summary of consistency with key strategic and statutory plans and policies**

Instrument/Strategy	Comments										
<b>State Planning Instruments and Controls</b>											
<b>SEPP 55</b>	The Stage 1 Project Application will undertake the necessary works to ensure the site is suitable for the proposed residential use.										
<b>S&amp;R SEPP</b>	Clause 11 of Schedule 2 sets out certain types of development in North Penrith that is State Significant Development. The proposed development is not a type of development specified. As such it would not be State Significant Development and is therefore a DA to Council.										
<b>SEPP (BASIX)</b>	BASIX Certificate is included at <b>Appendix C</b> .										
<b>SREP No. 20 Hawkesbury Nepean River</b>	<p>The proposed development complies with the broad aims and objectives of the SREP in that it will not have any direct impact on any environmentally sensitive areas, or the water quality or quantity of the aquatic ecosystem on the site, which the SREP seeks to preserve.</p> <p>Consideration of the impacts of proposed development has been undertaken in accordance with the aims of the SREP and its strategies.</p> <p>Impacts of this proposal were considered Concept Plan and Stage 1 Project Application before the preparation of this application.</p>										
<b>Local Planning Instruments and Controls</b>											
<b>Penrith City Centre LEP 2008 (Part 7)</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Clause 49 - Zoning</td> <td>The site is zoned as R1 General Residential</td> </tr> <tr> <td>Clause 50 – Land Use Table – Zone R1 General Residential</td> <td>All kinds of residential accommodation are permissible in the R1 General Residential Zone.</td> </tr> <tr> <td>Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)</td> <td>The proposed development will have a maximum height of 10.47m and therefore complies with the maximum height specified by this clause.</td> </tr> <tr> <td>Clause 53 – Architectural Roof Features</td> <td> <p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p> </td> </tr> <tr> <td>Clause 54 – Heritage Conservation</td> <td>The site is not on land where a heritage item is located or in the vicinity of a</td> </tr> </table>	Clause 49 - Zoning	The site is zoned as R1 General Residential	Clause 50 – Land Use Table – Zone R1 General Residential	All kinds of residential accommodation are permissible in the R1 General Residential Zone.	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 10.47m and therefore complies with the maximum height specified by this clause.	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>	Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a
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	Clause 5.1 - Height of Buildings (32m - Check SEPP Map for height limit at specific lot)	The proposed development will have a maximum height of 10.47m and therefore complies with the maximum height specified by this clause.									
	Clause 53 – Architectural Roof Features	<p>The development does not include an architectural roof feature that exceeds the height limit set out in clause 51.</p> <p>ALTERNATIVE TEXT - The dwelling includes an architectural roof feature that complies with the requirements of this clause (see also Table of Compliance at <b>Appendix J</b>).</p>									
Clause 54 – Heritage Conservation	The site is not on land where a heritage item is located or in the vicinity of a										

Instrument/Strategy	Comments	
	Clause 55 - Earthworks	heritage item.  The proposal does not include substantive earthworks, which have been completed as part of the subdivision works.
<b>North Penrith Design Guidelines 2013</b>	Building Envelopes	The proposed development complies with the building envelope controls in Section 3.3 of the Design Guidelines. See Section 4.3.3 below.
	Building Design and Articulation	The proposed development complies with the Building Design and Articulation controls in section 3.4 of the Design Guidelines. See Section 4.3.1 below.
	Private Open Space and Landscaping	The proposed development complies with the Private Open Space and Landscaping controls in section 3.5 of the Design Guidelines. / See Section 4.4 below.
	Fencing	The proposed fencing has been provided in accordance with Section 3.6 of the Design Guidelines.
	Garages, Site Access and Parking	The proposed development complies with Section 3.7 of the Design Guidelines.
	Visual and Acoustic Amenity	The proposed development complies with Section 3.8 of the Design Guidelines.
	Specific Provisions - Key Sites	The proposed site is not identified in Figure 14 of the Design Guidelines.  ALTERNATIVE TEXT _ The proposal complies with the specific provisions controls (see also Table of Compliance at <b>Appendix J</b> ).
	Specific Provisions - Ancillary Dwellings	The proposed development does not comprise any ancillary dwellings.  ALTERNATIVE TEXT _ The proposal complies with the ancillary dwelling controls (see also Table of Compliance at <b>Appendix J</b> ).
Residential Design Palette	All proposed material and finishes for the proposed dwellings have been selected from the Residential Design Palette at Appendix C of the Design Guidelines.	

## 4.2 Consistency with the Concept Plan

The North Penrith Concept Plan Approval established the vision and planning framework to be used by Penrith Council to assess the detailed design of the future buildings on the site. The Concept Plan Approval contains:

- Terms of Approval;
- Future Environmental Assessment Requirements;
- Statement of Commitments; and

- North Penrith Design Guidelines.

Development for the purposes of residential dwellings is consistent with the Concept Plan Terms of Approval and Statement of Commitments.

## 4.3 Urban Design and Built Form

The proposed design and layout for development is considered suitable given that:

- the provision of more compact and efficiently shaped allotments enables affordable, yet amenable dwelling designs to be constructed;
- the pattern of development maximises the opportunity for a greater number of dwellings to obtain views across the public open space and the public domain; and
- the dwelling designs endeavour to ensure that a high quality product continues to be delivered within the North Penrith site.

### 4.3.1 Design Quality

The proposed dwelling design is a high quality product that generally accords with the objectives and outcomes sought by the North Penrith Design Guidelines. The proposed dwelling will have a positive impact upon the built environment and streetscape in that:

- the proposed dwellings are sympathetic in terms of scale, height, bulk and design in accordance with that envisaged in the Design Guidelines;
- the dwellings are appropriately designed to respond to the microclimate including sun, shade, breeze and general weather;
- the dwellings offers the ability to form a good interface with the public domain;
- the dwellings incorporate appropriate materials, textures, forms and colours that complement the local landscape and other future residential development;
- the dwellings incorporate energy efficient measures; and
- the dwellings have private outdoor spaces in the form of courtyards, balconies or soft landscaped areas.

### 4.3.2 Streetscape

As shown in the proposed architectural drawings at **Appendix B**, the proposed design for the dwellings will have a positive impact on the North Penrith site as a whole and the local streetscape for the following reasons:

- the proposed designs will contribute to an attractive and varied streetscape;
- the proposed designs are of a high quality contemporary architectural design which will contribute to the character of the local environment and provide an attractive visual outlook;
- the proposed dwellings will use high quality and durable finishes to ensure that it fits in with the residential character of the estate and provides visual amenity for this part of the North Penrith site;
- the dwellings are designed to address the street frontages;
- the driveway colour finishes match external border paving of the dwellings; and
- the use of architectural elements help define dwelling entries and facades.

### 4.3.3 Building Envelopes

The proposed dwelling fully complies with the minimum required building envelope controls at Section 3.3 of the North Penrith Design Guidelines.

#### 4.3.4 Overshadowing

The Architectural Plans at **Appendix B** include shadow diagrams depicting the shadows cast by each dwelling at 9am, 12noon and 3pm during the winter solstice. These diagrams show that 70% of the dwellings will receive at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June).

The reduced provision of solar access to is considered acceptable for the following reasons:

- the other private open space areas on each lot receives adequate solar access between 9am and 3pm during the winter solstice;
- the private open space areas are directly accessible from the living rooms, maximise privacy for the occupants and neighbours and are suitably positioned away from the road;
- the proposed dwelling design complies and exceeds the minimum provision requirements for landscape open space and private open space; and
- the aims and objectives of the Design Guidelines are not compromised.

#### 4.3.5 Privacy

The proposed dwellings have been designed to minimise the potential for adverse visual and acoustic privacy impacts on the adjacent dwellings. The dwellings have also been designed to ensure windows are off-set against windows of neighbouring dwellings.

Furthermore, the main living rooms are located on the ground floor – opening to the rear of the lot - and bedrooms are located on the first floor.

The dwellings provide adequate setbacks, (as discussed above) so as not to impact on the visual privacy of neighbouring dwellings.

#### 4.3.6 Internal Amenity

The internal layouts of the dwellings provides open plan layouts for ease of movement and efficient use of space. All bedrooms are adequately sized, have built in storage and have easy access to bathrooms.

#### 4.3.7 Energy Efficiency

A BASIX certificate has been prepared for the proposed dwellings and this is included at **Appendix C**. The certificate indicates that the BASIX scores meet or exceed the BASIX target rates for water, thermal comfort and energy.

The BASIX commitments that form part of this proposal include the use of water efficient fixtures and energy efficient cooling, heating and ventilation systems and appliances, and the provision of a rainwater tank and insulation.

### 4.4 Landscape Design

Each dwelling will be landscaped in accordance with the Landscape Plans included at **Appendix D**. These plans have been designed in accordance with the development controls for private open space and landscaping included at Section 3.5 of the North Penrith Design Guidelines.

Based on the site's characteristics and proposed dwelling design, the landscape design is appropriately structured to take into consideration:

- views;
- northerly aspects;
- prevailing westerly winds; and
- the location of easements and on-site services.

As a result of these considerations the development includes:

- gardens that are compatible in scale and form with the dwellings;
- integrated outdoor and internal living areas, allowing outdoor areas to act an extension of the internal living areas;
- reduced stormwater runoff, increased water infiltration and beneficial air and water exchange to tree roots through the use of porous and permeable paving solutions such as gravel;
- a microclimate suited to seasonal conditions;
- reduced water consumption through
  - the provision and use of rainwater tanks that can be used for garden watering; and
  - the use of water efficient plants; and
- integration with the proposed landscaping for public areas and road reserves.

## 4.5 Construction and waste management

Construction activity involves disturbing soils during construction of dwellings and landscaping. Accordingly, there is some potential for unconsolidated soils to be eroded by water and wind action.

The sediment and erosion plan submitted and included at **Appendix H**, will provide the necessary measures to ensure that soil and sediment remains on site and is prevented from entering the broader stormwater system for the North Penrith site.

Further, all waste material resulting from construction on the site will be disposed of, recycled or reused in accordance with the parameters set out in the Waste Management Plan included **Appendix I**.

## 4.6 Stormwater management

Stormwater will run into the broader integrated stormwater system for the North Penrith site as approved under the respective Project Application. This integrated approach to the stormwater management will:

- protect natural systems – including the rehabilitated lake system and further downstream, the protected wetland and the greater Hawkesbury- Nepean Catchment;
- integrate stormwater management with the provision of open space;
- protect water quality – by filtering stormwater from the urban environment prior to draining to the lake system;
- reduce run-off and peak flows – through localised detention measures; and
- add value while maintaining development costs in its construction and long term maintenance.

## 4.7 Contamination

Investigations undertaken as part of the Concept Plan assessment have concluded that the site is suitable for the proposed development without need for further investigations or remediation. Hence, the site is suitable for the proposed development with regard to the issue of contamination.

## 4.8 Social and Economic Impacts

This proposal will further commence the transformation of vacant and disused land into a functioning and attractive residential community.

During construction, construction personnel are likely to patronise local shops and services - providing a temporary economic benefit to these businesses. New residents will also patronise local shops and services and start to develop a residential community as envisaged.

## 4.9 Site Suitability

The site is considered suitable for the proposed development on the basis that it:

- does not contain any heritage items, nor is it associated with heritage values;
- contains the necessary services to support development such as water, sewer reticulation, electricity and telecommunications;
- will include the necessary infrastructure to support residential development including the provision of roads and stormwater measures.

The proposed development is suitable for the site in that it:

- is permissible with consent pursuant to SEPP Major Development;
- adds to the diversity of residential development to be delivered throughout the North Penrith site;
- provides a more affordable housing typology to that of single freestanding dwellings;
- will provide diversity in the design outcomes for the streetscapes throughout the North Penrith site;
- the development generally complies with the relevant built form development controls within the North Penrith Design Guidelines; and
- will provide additional housing choice for local populations.

## 4.10 Public Interest

The development proposed in this application will contribute to the overall delivery of a unique residential development that will complement and support the Penrith Town Centre as envisaged by the approved Concept Plan and North Penrith DC. Hence, no element of the proposal will be detrimental to the public interest.

## 5.0 Conclusion

Conclusion is to:

- Include a brief statement about the proposed development.
- Identify any non-compliances and why variation to standards should be supported.
- Identify any key planning issues and how they are being addressed.
- Provide overview of why the project has merit / public benefit and should be approved.

The following provides a template of what this section may include and can be amended to suit your proposed development.

This DA seeks approval for construction of an attached dwelling and associated landscaping and parking; and Lot 193 Promenade, North Penrith as part of the North Penrith Project.

The proposed development is consistent with the approved Concept Plan. Furthermore, the development:

- is consistent with the objectives of SREP No.20 – Hawkesbury – Nepean River;
- is generally consistent with the provisions of SEPP Major Development and the North Penrith Design Guidelines ;
- will implement suitable sediment and erosion measures will be used during construction to ensure minimal impact to stormwater quality;
- will further progress the transformation of predominantly vacant land into a functioning and attractive residential community which will have economic and social benefits to the wider community;
- has a design that is of a high quality contemporary architectural design and generally complies with Design Guidelines built form development controls; and
- will add to the varied and diverse streetscape within North Penrith site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.