



STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

**Demolition of existing building and outbuildings and construction of new
single storey dwelling with basement and swimming pool**

-No.14 Mount Vernon Road, Mount Vernon

May 2021

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1.0 INTRODUCTION

Metro Planning Services has been engaged by T Benjamin and G Lozelle to prepare a Statement of Environmental Effects Report (SEE) in support of a development application which seeks consent for demolition of an existing building and outbuildings and the construction of a proposed new dwelling and ancillary swimming pool on a site located at No. 14 Mount Vernon Road, Mount Vernon.

The site is legally described as Lot 1 DP 1221353 and was recently registered with the NSW Land Registry Services on 23 April 2021.

The site is zoned E4 Environmental Living under the provisions of Penrith Local Environmental Plan 2010 (PLEP 2010) and the proposed dwelling and ancillary swimming pool are permissible with consent.

The proposed dwelling has been assessed under the relevant controls of Penrith Development Control Plan 2014 and found to be generally consistent with all relevant provisions.

The report is intended to assist Penrith City Council in its assessment of the development application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects; and
- S4.15-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

- Survey Plan prepared by Chadwick Chen;
- Architectural Plans prepared by ATJ Architects;
- Acoustic Report prepared by Acouras Consultancy;
- BASIX Certificate prepared by Insight Energy;
- Bushfire Assessment Report prepared by Bushfire Consulting Services Pty Ltd;
- Arborist Report prepared by Redgum Horticultural;
- Concept stormwater plan prepared by ATJ Architects;
- Erosion & Sediment Control plan prepared by ATJ Architects; and
- Soil and Site Assessment for On-Site Wastewater management prepared by Harris Environmental Consulting;

2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the development application.

2.1 Site Location

The subject land is located at No. 14 Mount Vernon Road, Mount Vernon as identified in Figure 1.

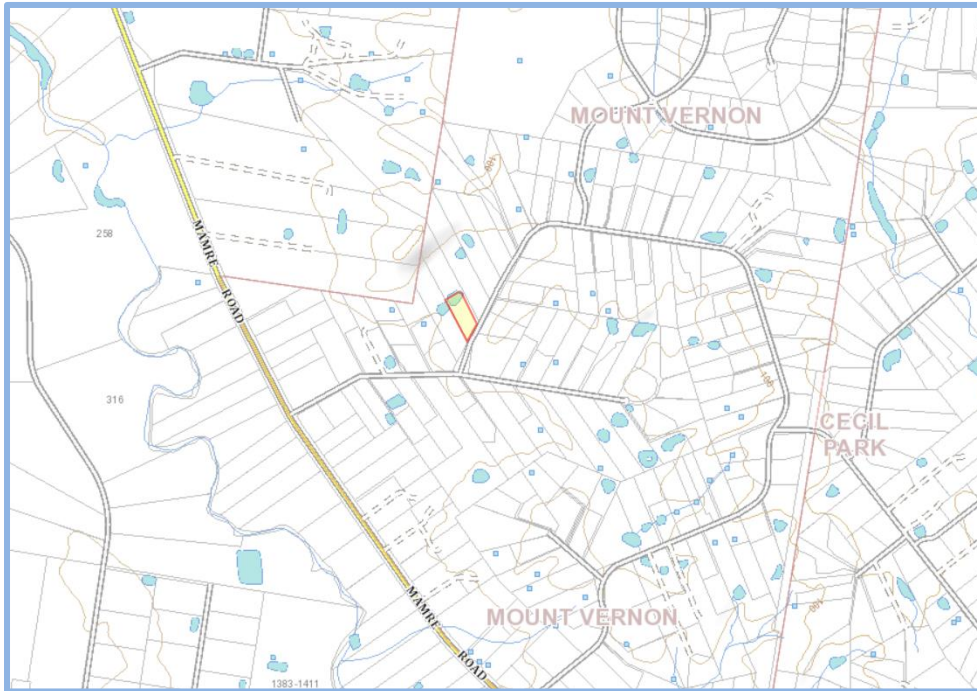


Figure 1-Site Locality Plan

2.2 Site Description

The subject land is described as Lot 1 DP 1221353. (Formerly Lot 123 DP 32140) The site was recently registered with the NSW Land Registry Services on 23 April 2021.

The site is a regular shaped allotment with an area of 9570m². The site has a frontage of approximately 74.84m to Mount Vernon Road and a depth of 122m along the eastern side boundary and 172m along the western side boundary.

The site currently contains a single storey building and two smaller sheds located in the same location as where the dwelling is proposed to be sited which are proposed to be demolished as part of this application. The building was formerly used as a dwelling until being decommissioned as a condition of Development Consent No.66.93.90 which was approved for a new dwelling at the rear of the former property, historically described as Lot 123 DP 32140. A large metal shed is also located at the rear of the site adjacent to the dam which is proposed to be retained.

The site has a moderate cross fall from east to west of 68m to 64.5m where the dwelling is proposed to be sited, as illustrated on the survey plan prepared by Chadwick Chen. The site contains a dam at the rear of the site as identified on the survey plan, prepared by Chadwick Chen Consulting Surveyors that is contained in Figure 3.

The site comprises managed grassland with scattered clusters of native and exotic vegetation across it.

Figure 2 provides an aerial depiction of the site.



Figure 2-Aerial view of site

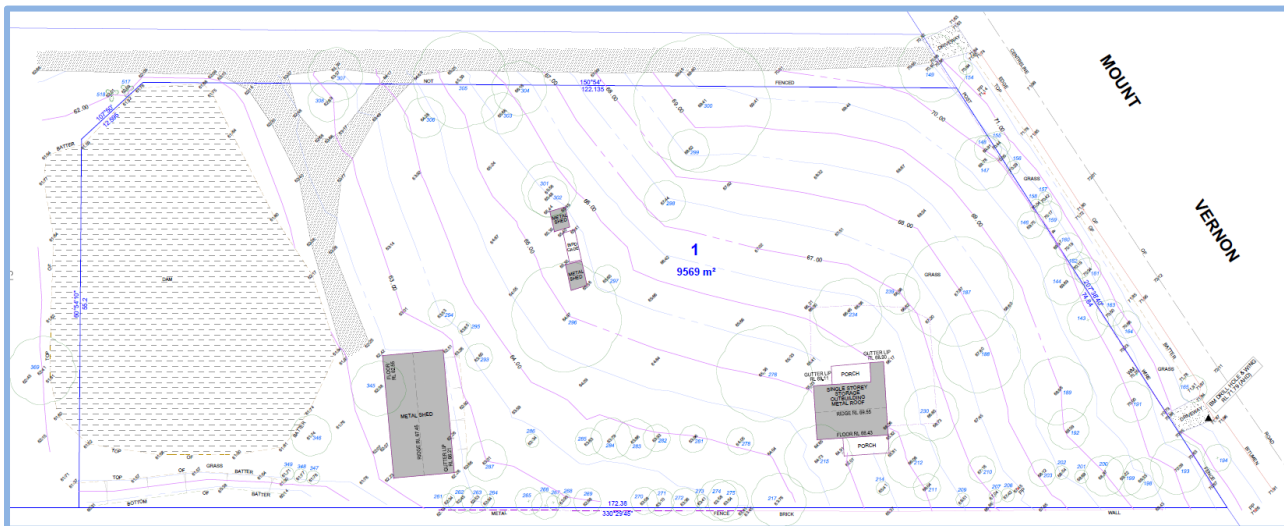


Figure 3-Survey plan

2.3 Site Context

This site is located within a rural residential area of Mount Vernon comprising a mixture of properties that are used for agricultural purposes and other properties with larger single free standing dwellings and associated outbuildings on maintained properties ranging in size from 1ha to 2ha. The site also adjoins a large cluster of industrial zoned land to the rear which forms part of the South Western Sydney industrial Aerotropolis precinct.

3.0 PROPOSED DEVELOPMENT

The development application seeks consent for the demolition of an existing building and outbuildings at the frontage of the site and the construction of a new single storey dwelling with basement and swimming pool on a rural residential property located at No. 14 Mount Vernon Road, Mount Vernon as illustrated on Architectural plans prepared by ATJ Architects.

The dwelling is proposed to be sited at the southern frontage of the site, approximately 21 metres from the front boundary where there is currently a storage building (former dwelling) that is proposed to be demolished as part of the current application. The dwelling is proposed to be sited approximately 15.3m from the eastern side boundary and 10.68m from the western side boundary as identified on the site plan prepared by ATJ Architects. Refer Figure 4.

The proposed dwelling is a split-level design that comprises a double garage and storage area on the lower ground floor level which is located on the western side of the dwelling. On the ground floor level, the dwelling comprises four (4) bedrooms, an open family, dining and kitchen room above the garage, porch, living room, bathroom, laundry, powder room, music room, and outdoor patio.

A rectangular shaped pool is proposed at the rear of the dwelling that is accessed via the family room sliding door to the patio.

The dwelling is proposed to be constructed using a variety of external materials, comprising heritage style brickwork, concrete breezeblocks and timber cladding walls. The roof is proposed to be constructed of colorbond metal material. Refer Figures 5-7 for perspectives of the proposed dwelling.

Access to the dwelling is proposed from the south western corner of the site via a driveway as identified on the site plan prepared by ATJ Architects.

The dwelling will be serviced with electricity, domestic tank water and on-site effluent arrangements. The electricity will be provided in accordance with the electricity service provider requirements. A minimum 5000 litre capacity tank is also proposed for domestic water purposes.

The dwelling is proposed to be serviced with an on-site aerated wastewater treatment system (AWTS) with a sub-surface treatment area of approximately 695m² to treat all wastewater generated by the proposed dwelling. The proposed on-site waste water arrangements are addressed in the On-Site Waste Water Treatment Report prepared by Harris Environmental Consulting which is submitted in support of the proposal.

The proposed dwelling and associated driveway and swimming pool necessitate removal of four (4) trees that are sited in the immediate vicinity of the proposed dwelling and seven (7) trees located along the south western side of the site where the dwelling is proposed as identified on the architectural site plan prepared by ATJ Architects. The tree species details are detailed in the Arborist report prepared by Redgum Horticultural.

The proposal also provides for stormwater disposal in accordance with the concept stormwater plan prepared by ATJ Architects which proposes for all collected stormwater being discharged to the rear of the dwelling to a minimum 5000 litre capacity domestic water tank.

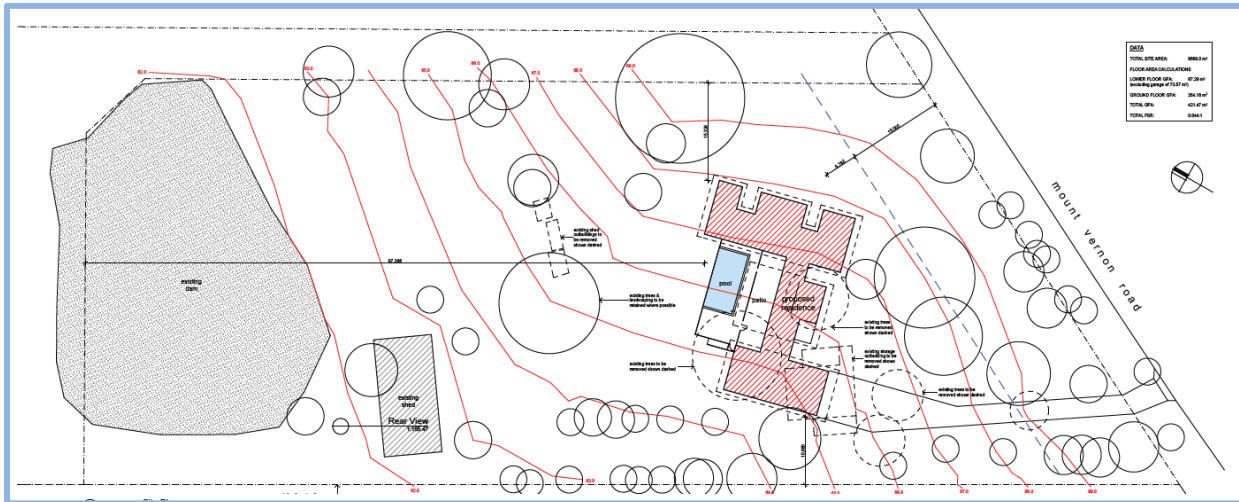


Figure 4-Site Plan



Figure 5-Perspective of the dwelling viewed from south western frontage



Figure 6-Perspective of dwelling viewed from front south eastern frontage



Figure 7-Rear perspective of proposed dwelling and swimming pool

4.0 PLANNING CONSIDERATIONS

4.1 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No 2 - 1997) (Deemed SEPP)

The proposed development is not in conflict with the objectives of Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No 2 - 1997) (Deemed SEPP) which seeks to promote the protection of the Hawkesbury Nepean River Catchment.

Soil erosion, sediment control and stormwater runoff mitigation measures will be implemented at the construction stage in accordance with the aims and objectives of Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No 2 - 1997).

4.2 State Environmental Planning Policy No.55-Remediation of Land (SEPP 55)

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

The site displays no evidence of contamination and is suitable for its continued rural residential use. On this basis, the proposal is consistent with relevant objectives and matters for consideration under SEPP 55 and suitable for its proposed residential use.

4.3 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004

A BASIX Certificate is submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.

4.4 State Environmental Planning Policy (Western Sydney Aerotropolis) 2020

The site is mapped in the ANEF contour level of 20-25 on the Noise Exposure Forecast Contour Map under State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. Refer Figure 8. Accordingly, the proposal is supported by an Acoustic Report prepared by Acouras Consultancy and the proposed dwelling has been designed with the recommendations of the Acouras Consultancy report to create a dwelling that satisfies relevant Australian and Council DCP noise requirements.

The proposal has been considered with regard to Clause 19-Aircraft Noise under the Western Sydney Aerotropolis SEPP which restricts a site to a maximum of one (1) dwelling in the 20-25 ANEF contour zone. We note that the site does not currently contain a 'dwelling' and the proposed dwelling will be the only dwelling on site. The site formerly contained a dwelling however it was converted to non-habitable purposes as required under condition No.2 of Development Consent No.66.93.90 which was issued for the

construction of a new dwelling on the former site (Lot 123 32140) and is now located on Lot 2 DP 1221353 at the rear. The former dwelling had a kitchen and laundry removed as required by Council.

On this basis, we submit that the site does not currently contain a 'dwelling' and is consistent with Clause 19 (4)(a)(i) under State Environmental Planning Policy (Western Sydney Aerotropolis) 2020.

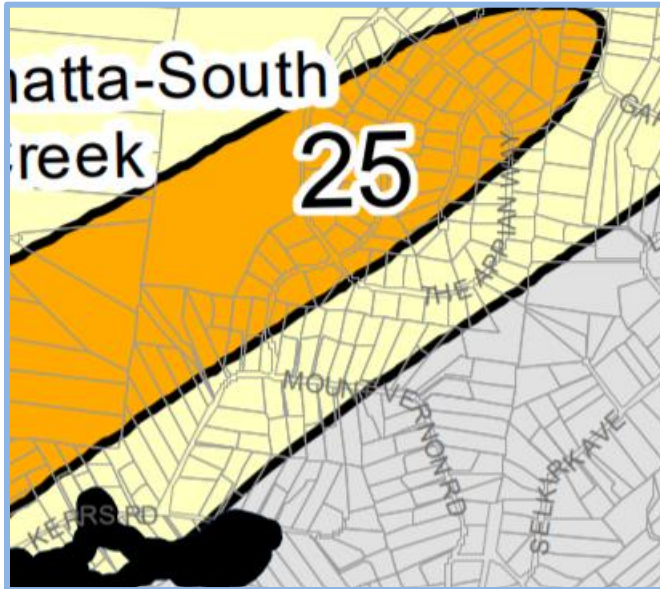


Figure 8-ANEF Noise levels

The site is also mapped with a maximum obstacle limitation surface of 190-200 which the proposal complies with.

4.5 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The proposal seeks to remove four (4) trees where the dwelling is proposed to be sited and seven (7) trees in the front south western portion of the site to facilitate construction of a new driveway as detailed in the Arborist Report prepared by Redgum Horticultural which is submitted in support of the proposal. Eighteen (18) trees are proposed to be retained on the property and on the adjacent road reserve.

The proposed dwelling has been strategically sited where there is an existing building (former dwelling) to limit clearing of vegetation. Based on the conclusions of the Arborist report, prepared by Redgum Horticultural and the high level of vegetation retention on site, it is considered that the proposal will not adversely impact any vegetation of biodiversity or visual amenity significance. On this basis, the proposal is considered to be consistent with State Environmental Planning Policy (Vegetation in Non-Rural Areas).

4.6 Penrith Local Environmental Plan 2010 (PLEP 2010)

The subject land is zoned E4 Environmental Living under the provisions of Penrith LEP 2010 and the proposal is permissible with the consent of Council.

An assessment of the proposal with relevant clauses of PLEP 2010 is addressed below in Table 1.

PENRITH LOCAL ENVIRONMENTAL PLAN 2010		
Clause	Comment	Compliance
1.0-PRELIMINARY		
1.2 Aims of Plan	Proposal consistent with aims of the plan.	Yes
2.0-PERMITTED OR PROHIBITED DEVELOPMENT		
2.1 Land use Zones	The site is zoned E4 Environmental Living.	Yes
2.3 Zone Objectives E4 Environmental Living	<p>The proposal represents a single detached dwelling which is a permissible use in the E4 Environmental Living zone and is also consistent with the objectives of the E4 Environmental Living zone as stated below. The dwelling is a low impact split level construction building that has been selectively sited on a relatively unconstrained portion of the site that already comprises an existing building in order to minimise impacts upon the natural environment.</p> <ul style="list-style-type: none"> • <i>To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.</i> • <i>To ensure that residential development does not have an adverse effect on those values.</i> • <i>To minimise conflict between land uses within the zone and land uses within adjoining zones.</i> • <i>To ensure land uses are compatible with the available infrastructure, services and facilities and with the environmental capabilities of the land.</i> • <i>To preserve and improve natural resources through appropriate land management practices.</i> 	Yes
2.7 Demolition requires development consent	Consent is sought for demolition works as identified on the architectural plans prepared by ATJ Architects.	Yes
4.0-PRINCIPAL DEVELOPMENT STANDARDS		
4.3 Height of Building 8.5m	<8.5m	Yes
4.4 Floor Space Ratio	Site not mapped with an FSR requirement.	Yes
5.0-MISCELLANEOUS PROVISIONS		
5.9 Preservation of trees and vegetation	Repealed.	Yes
5.10 Heritage Conservation	The site does not contain any European heritage items and not in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes

7.0-ADDITIONAL LOCAL PROVISIONS		
7.1 Earthworks	The proposed split-level dwelling has been sensitively sited and designed to minimise earthworks. The works are not envisaged to detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Yes
7.2 Flood Planning	The site is not mapped as flood prone land.	Yes
7.3 Development on natural resources sensitive land	The site is not mapped with natural resources or sensitive land.	
7.4 Sustainable development	The proposed development is consistent with sustainable development principles.	Yes
7.5 Protection of scenic character and landscape values	The site is mapped in an area of scenic character and landscape value. Refer Figure 9. The proposed split level dwelling has been selectively designed to minimise impacts upon the natural environment. The external material and colour scheme is also considered to complement the surrounding rural residential context of the area. No adverse impacts are foreseen upon the scenic character and landscape values of the site or surrounds.	Yes
7.6 Salinity	The site is not mapped in area of high level salinity.	Yes
7.9 Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	The subject site is mapped in a flight path reserved for the Badgerys Creek Airport. In particular, the site is near the proposed Badgerys Creek airport site and is in an ANEF contour of 20-25. Accordingly, the proposed dwelling is supported by an acoustic report prepared by Acouras Consultancy and designed to meet AS 2021—2000 with respect to satisfying interior noise levels.	Yes

Table 1-Penrith LEP 2010



Figure 9- Clause 7.5 Protection of scenic character and landscape values mapping

4.6 Penrith Development Control Plan 2014

The proposed dwelling has been designed and sited in accordance with the relevant provisions of Penrith Development Control Plan 2014. A compliance table of relevant controls is contained in Table 2 below.

PENRITH DEVELOPMENT CONTROL PLAN 2014			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
Part C - City-wide Controls			
C1 Site Planning and Design Principles	Site Planning Site Analysis Plan required. Is site mapped in an area of Scenic and Landscape Value.	Proposal is supported by a site survey and site analysis plan which illustrates all the natural features of the site and surrounds. The site is mapped in a scenic and landscape values area however the proposal is not foreseen to adversely impact upon the scenic qualities of the surrounding area.	Yes
	Design Principles 1.2.2. Built Form - Energy Efficiency and Conservation	Proposal is supported by a compliant Basix Certificate.	Yes
	1.2.3. Building Form - Height, Bulk and Scale	The proposed dwelling is in keeping with the surrounding rural residential context and character of the area. The dwelling is suitably sited away from the property boundaries to minimise amenity impacts upon adjoining properties. The dwelling displays a high level of architectural merit given its level of building articulation both in regards to façade treatments and variation of external finishing materials and colours.	Yes
	1.2.4. Responding to the Site's Topography and Landform	Proposed dwelling is a split-level construction design in order to minimise earthworks and impacts upon the natural landform of the site.	Yes
	1.2.5. Safety and Security (Principles of Crime Prevention through Environmental Design)	N/A	N/A

	1.2.6 Maximising Access and Adaptability	Proposed dwelling is accessible from the front and via garage.	Yes
C2 Vegetation Management	2.1 Preservation of Trees and Vegetation 2.2. Biodiversity Corridors and Areas of Remnant Native Vegetation in Non-Urban Areas	Proposal is supported by an Arborist Report prepared by Redgum Horticultural which advises that four (4) trees are required to be removed for the dwelling and seven (7) trees to facilitate the driveway. On the basis of the Arborist Report, it is considered that the minor tree removal can be undertaken without any adverse impacts upon vegetation.	Yes
	2.3. Bushfire Management	Proposal is supported by a Bushfire Assessment Report prepared by Bushfire Consulting Services Pty Ltd.	Yes
C3 Water Management	3.1. The Water Cycle/Water Conservation 3.2. Catchment Management and Water Quality 3.3. Watercourses, Wetlands and Riparian Corridors 3.4. Groundwater 3.5 Flood Planning 3.6. Stormwater Management and Drainage 3.7. Water Retention Basins/Dams	The proposal is supported by a Soil and Site Assessment for On-Site Wastewater management Report, prepared by Harris Environmental Consulting which addresses the impacts of on-site wastewater treatment upon water management for the site and surrounds. No adverse impacts are foreseen upon natural drainage lines or dam located at the rear of the site.	Yes
C4 Land Management	4.1. Site Stability and Earthworks	Site stability suitable.	Yes
	4.2 Landfill	Minimal filling proposed.	Yes
	4.3. Erosion and Sedimentation	Erosion and sediment controls will be provided at the construction stage as detailed on the Sediment & Erosion Control Plan prepared by ATJ Architects.	Yes
	4.4. Contaminated Lands	Site displays no evidence of contamination.	Yes
	4.5. Salinity	Site is not mapped in a high salinity risk area.	Yes

C5 Waste Management	5.1 Waste Management Plans	The proposal is supported by a Waste Management Plan that details management at the demolition and construction stage.	Yes
C6 Landscape Design	6.1.1. Development Process	Proposal supported by a site analysis plan, plan of survey and arborist report.	Yes
	6.1.2 Protection of the environment.	Proposal will not adversely impact the natural environment.	Yes
	6.1.3 Neighbourhood amenity and character.	Proposal is in keeping with the rural residential amenity and character of the area.	Yes
	6.1.4 Site amenity	Proposal is consistent with site amenity considerations and will make a positive contribution to amenity of the site and surrounds.	Yes
	6.1.5 Construction	Consistent with construction requirements for landscaping.	Yes
C7 Culture & Heritage	European Heritage and Cultural heritage.	The site is not mapped as containing a heritage item or in the vicinity of any heritage items or in a Heritage Conservation Area. Neither does the site contain any cultural heritage items.	Yes
C8 Public Domain		Proposal will make a positive contribution to the streetscape of Mount Vernon and wider public domain.	Yes
C10 Transport, Access & Parking	Traffic Management & safety, parking, access and driveways.	Proposal involves construction of a new driveway as illustrated on the site plan prepared by ATJ Architects. The proposal will generate minimal domestic vehicles that can enter and exit the site in a forward direction without compromising the safety and efficiency of the local road network.	Yes
Part D - Land Use Controls			
D1 Rural Land Uses			
1.2 Rural Dwellings and Outbuildings			

<p>1.2.1. Siting and Orientation of Dwellings and Outbuildings</p>	<p>a) Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of:</p>		
<p>1) Site Planning</p>	<p>i) Protecting the privacy of proposed and existing buildings;</p> <p>ii) Providing flood-free access to the dwelling and a flood-free location for the dwelling itself;</p> <p>iii) Minimising risk from bush fire by considering slope, orientation and location of likely fire sources;</p> <p>iv) Maximising solar access;</p> <p>v) Retaining as much of the existing vegetation as possible; and</p> <p>vi) Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6).</p>	<p>No adverse visual or acoustic privacy impacts foreseen.</p> <p>Dwelling sited on flood free portion of site.</p> <p>Dwelling suitably sited in regard to bushfire hazard. Proposal is supported by a bushfire hazard assessment report.</p> <p>Living rooms sited on northern side to maximise solar access opportunities.</p> <p>Proposal sited in an area containing an existing building to minimise vegetation removal.</p> <p>Split level construction dwelling to minimise excavation.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>2) Landscape/ Scenic Character</p>	<p>a) Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline.</p> <p>b) Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible.</p> <p>c) Where practical, buildings should be sited to take advantage of existing vegetation to provide privacy from passing traffic and public places, screening from</p>	<p>Dwelling sited so as to minimise visual impacts upon the natural environment.</p> <p>Dwelling not sited on ridgeline.</p> <p>Dwelling suitably setback from Mount Vernon Road to minimise acoustic privacy impacts.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>winds and a pleasant living environment.</p> <p>d) Roads should be designed and located to run with the contours of the land.</p> <p>e) Rooflines and ridgelines should reflect the setting of the dwelling, incorporating simple shapes to step a building down with a sloping site or level change.</p> <p>f) Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard.</p>	<p>N/A</p> <p>Flat contemporary style of roof which is in keeping with the surrounding semi-rural context.</p> <p>Satisfactory.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p>1.2.2. Setbacks and Building Separations</p>	<p>1) Setbacks from Roads</p> <p>a) A minimum setback of 15m from public roads is required for all dwellings and outbuildings.</p> <p>3) Building Separations and Side Boundary Setbacks</p> <p>a) Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions.</p> <p>b) The minimum side setback for dwellings is 10m where the allotment is 2 hectares or larger.</p> <p>c) The minimum side setback for dwellings is</p>	<p>20.182m</p> <p>Dwelling setback extensively from adjoining development to maintain amenity.</p> <p>Site has an area of 9570m² and the dwelling is proposed to be sited approximately 15.3m from</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	5m where the allotment is less than 2 hectares.	the eastern side boundary and 10.68m from the western side boundary.	
1.2.3 Site Coverage, Bulk and Massing	1) Dwellings shall have a maximum ground floor footprint of 500m ² (including any undercover car parking areas). Note: 'Ground floor footprint' is the area measured from the external face of any wall of any dwelling, outbuilding (other than a farm building), dual occupancy dwelling, garage or undercover car parking area, animal house or garden shed.	Proposed dwelling has ground floor footprint of <500m ² .	Yes
	2) Dwellings shall have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.	Less than 45m overall dimension and 18m at any one point.	Yes
	3) The maximum floor space of any second storey is to be 70% of the floor space of the lower storey of the dwelling.	No second storey	N/A
	4) No more than three (3) undercover car parking spaces shall face towards a public road or place. Any additional garages shall be setback behind the building line and screened.	Two (2)	Yes
	5) A maximum ground floor footprint of 600m ² will be permitted on any one allotment, including the dwelling and all associated structures, but excluding 'farm buildings' and any	<600m ²	Yes

	'agricultural or non-agricultural development' referred to other parts of this chapter.		
1.2.4 Height, Scale and Design	<p>1) Height and Scale</p> <p>a) Dwellings shall be no more than two storeys in height, including garage and storage areas.</p> <p>b) If liveable rooms are located in the area immediately below the roof then this level will be counted as a storey.</p> <p>c) The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.</p> <p>d) On sloping sites, split level development is preferred. The floor level of the dwelling at any point should not be greater than 1m above or below the natural ground level immediately below the floor level of that point. Cut and fill should be limited to 1m of cut and 1m of fill as shown in Figure D1.7.</p> <p>2) Design and Quality</p> <p>a) The design of dwellings and associated structures should be sympathetic to the rural character of the area.</p> <p>b) Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or</p>	<p>Split level design with lower ground level garage and storage.</p> <p>N/A</p> <p><8m</p> <p>Split level construction proposed. FFL is not more than 1m above or below the NGL. Maximum fill is 0.6m.</p> <p>The dwelling design is sympathetic to the rural character of the surrounding area.</p> <p>Noted. Fencing to be of an open rural nature.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	entry fencing should be sensitive to the rural environment.		
1.2.8. Land in the Vicinity of Proposed Second Sydney Airport	1) New dwellings (or significant alterations and/or additions to existing dwellings) within the 20-25 Australian Noise Exposure Forecast (ANEF) zone shall be designed to achieve the requirements discussed in the section on 'Aircraft Noise' in the 'Noise and Vibration' section of this Plan.	Site located in 20-25 ANEF zone. Accordingly, the proposed dwelling has been designed to achieve aircraft noise requirements as identified on the architectural plans and is supported by an Acoustic Report prepared by Acouras Consultancy.	Yes
	2) New dwellings (or significant alterations and/or additions to existing dwellings) will not be permitted on land where the ANEF exceeds 25.	20-25 ANEF zone.	Yes

Table 2-Penrith DCP 2014

5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.

(a)(i) – The Provisions of any Environmental Planning Instrument

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned E4 Environmental Living under Penrith Local Environmental Plan 2010 and the proposal is permissible with development consent.

The proposal is also consistent with relevant State Environmental Planning Policies.

(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation

There are no applicable Draft Planning instruments subject to public consultation.

(a)(iii) – The Provisions of any Development Control Plan

Also as discussed earlier in the report, the site is subject to assessment under Penrith Development Control Plan 2014. The proposal generally complies with relevant objectives and controls of PDCP 2014 which are detailed in Section 4.6 of this report.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The proposal is consistent with relevant Regulations.

(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

The proposal is not inconsistent with any coastal zone management plan.

(b) – The likely impacts of that Development

- **Context and Setting**

The site is located in a rural residential area comprising lots ranging from approximately 1ha to 2ha that contain large scale single and two storey dwellings with expansive landscaped gardens. The proposed dwelling is not out of context with the existing and envisaged rural residential character of the surrounding area.

- **Tree Removal**

The proposal necessitates the removal of four (4) trees that are sited in the immediate vicinity of the proposed dwelling and also seven (7) trees located along the south western side of the site where the driveway is proposed as detailed in the Arborist Report prepared by Redgum Horticultural. Eighteen (18) trees are proposed to be retained on the property and on the adjacent road reserve.

The proposed dwelling has been selectively sited in a relatively cleared location where there is an existing dwelling in order to minimise tree clearing. The Arborist report also recommends that the trees required to be removed are replaced with species that are locally indigenous and suitable to the site.

On the basis, of the recommendations of the Arborist report and the minimal tree removal proposed in the context of vegetation on the site, the proposal is not considered to adversely impact the biodiversity significance of the site.

- **Bushfire Hazard**

The proposal is supported by a Bushfire Assessment Report prepared by Bushfire Consulting Services Pty Ltd which concludes that the proposal complies with Planning for Bushfire Protection 2019 requirements.

- **On-Site Waste Water**

The proposed on-site waste-water arrangements are addressed in a Soil and Site Assessment for On-Site Wastewater management prepared by Harris Environmental. Effluent from the dwelling is proposed to be treated with on-site waste means involving an aerated wastewater treatment system (AWTS) capable of treating 1200L/day and the installation of 695m² subsurface irrigation.

The Soil and Site Assessment for On-Site Wastewater management prepared by Harris Environmental concludes that the proposed on-site waste-water arrangements comply with Council and Australian Standards.

- **Access**

Access to the dwelling is proposed via a new driveway from Mount Vernon Road located in the south western corner of the site. The proposed access point represents a safe location with an acceptable level of site distance in both directions and is capable of servicing the envisaged minimal traffic generation from the development.

On this basis, it is considered that the proposed dwelling can be suitably accessed in accordance with Council requirements.

- **Sediment and Erosion Controls**

The proposal is supported by a sediment and erosion control plan prepared by ATJ Architects. Appropriate sediment and erosion control measures will be implemented at the construction stage to ensure no adverse impacts upon the Nepean and Hawkesbury River Catchment are generated.

- **Stormwater Drainage**

The proposal is supported by a concept stormwater plan prepared by ATJ Architects. Stormwater from the proposed dwelling is captured from the roof guttering system and then transferred via downpipes to a minimum 5000 litre water tank adjacent to the dwelling. Any overflow from the tank will naturally disperse into the soils.

- **Utilities**

The proposed dwelling will be serviced with reticulated electricity, domestic tank water and effluent disposal arrangements in accordance with relevant service authority requirements.

- **Social & Economic Impacts**

It is considered that the development will provide for a new dwelling without any detrimental impact on the environment, social and economic status of the locality.

(c) – Suitability of the Site for Development

The site is of a suitable size and configuration to accommodate the proposed dwelling. The subject site is zoned E4 Environmental Living and the construction of a new dwelling house in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

On this basis, the site is considered suitable for the proposed development.

(d) – Any submissions made in accordance with this Act or Regulations.

Any submissions received will be considered by Council.

(e) – Public Interest

The proposal will provide for housing needs of the community within a low density residential environment and is in the public interest.

6.0 CONCLUSION

The subject land is zoned E4 Environmental Living under Penrith Local Environmental Plan 2010 and the proposed dwelling is permissible with the consent of Council. The proposal is also found to be consistent with the E4 zone objectives and other relevant clauses for consideration.

The proposal has been found to be generally consistent with relevant matters for consideration under Penrith Development Control Plan 2014.

The application before the Council provides no unreasonable impacts to adjoining and adjacent rural residential properties. The proposal is also in keeping with the existing rural residential character of the locality and no adverse amenity or environmental impacts are foreseen.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly, it is recommended that Council support the proposal and grant development consent subject to conditions of consent.