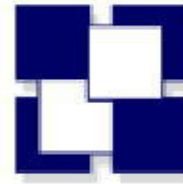


STATEMENT OF
ENVIRONMENTAL
EFFECTS



benchmark
BUILDING CERTIFIERS

SUBJECT PREMISES: Lot 6217 DP 1211124 Ninth Avenue, Jordan Springs

PROPOSAL: Construction of two storey dwelling

FOR: Galea's Carpentry Pty Ltd / Santolo Building Design

COUNCIL: Penrith City Council

DATE: October 2016

*This Statement of Environmental Effects
has been prepared by Anthony Krilich (MAIBS, B.App.Sc. (Env. Hlth)).*

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Anthony Krilich
Report No. J16-056

THE SITE:

The subject site is located at Lot 6217 DP 1211124 Ninth Avenue in Jordan Springs. The allotment is a larger 'rural-residential' allotment that has an area of 2341m².

The vacant site is a newly created allotment as part of the Jordan Springs Estate, fronting the established small lot rural areas of Llandilo. The site is located on the northern fringe of Jordan Springs, which is known as the 'The Avenue' village precinct. An aerial view of the site is shown in the aerial photographs below:



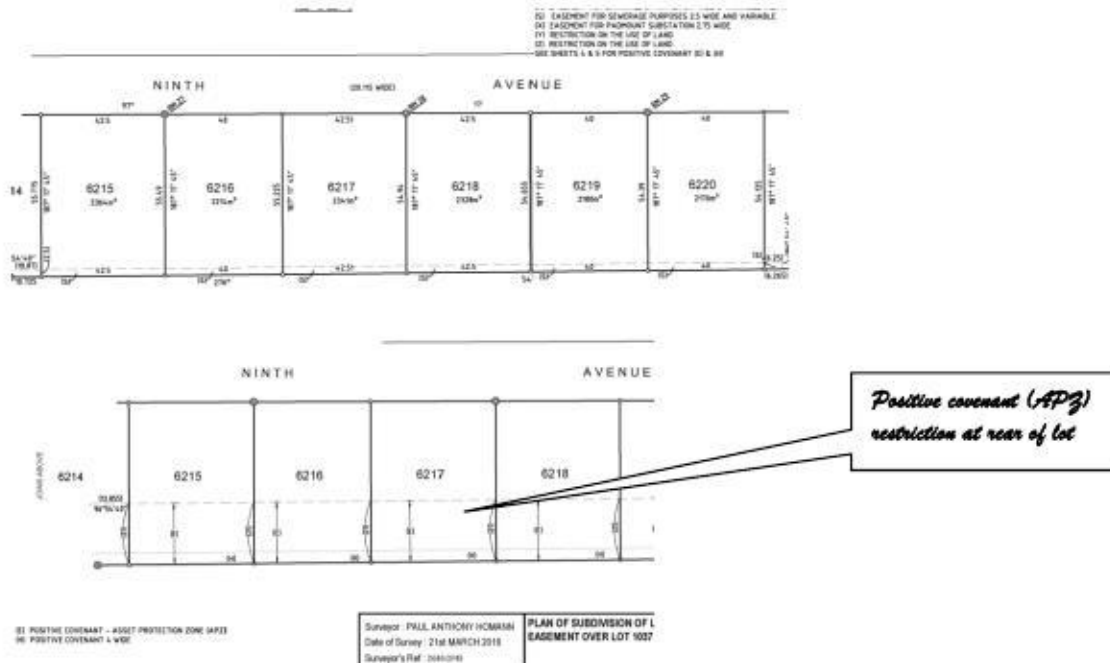
Above/Below – Aerial photo of site, lot layouts and general locality within Jordan Springs. Note – Roads not constructed yet in above aerial.



The site is a generally level site with a slight fall of the land towards the rear. No trees or other vegetation are present on the site. Front fencing of the lot is existing. The subdivision land release is very recent and no other homes have been constructed within the surrounding locality at the time of this Statement preparation.

The site is encumbered by an easement for sewerage purposes 2.5m wide along the rear of the lot, and an Asset Protection Zone restriction along the rear of the site. The Asset Protection Zone (APZ) restriction applies to the rear part of the lot and is 21m in width. This APZ relates to bushfire compliance for buildings (and the protection of these buildings in a bushfire) and protection from bushfire from the 'Wianamatta Regional Park' at the rear. An extract of the deposit plan showing this is provided below:

Below – Extract of deposit plan.



The Jordan Springs area is a newly established residential area. All of the homes in the area have been built within the last few years, and this development will form part of the new housing estate released within Jordan Springs.

Photographs of the site are provided for in the Appendix.

PROPOSED DEVELOPMENT:

The proposal seeks the construction of a two storey detached dwelling.

The dwelling proposes a front setback of about 10.85m to the front façade of the development. The closest side boundary setback is 7.97m to the western boundary, while the eastern boundary setback is over 11.9m.

The rear setbacks for the dwelling house is at a distance that is over 25m to the rear Alfresco area.

The construction forms for the dwelling involves concrete slab on ground construction, with a mixture of hebel walls and composite light weight walls (for example, Scyon Stria cladding and other lightweight cladding). Roofing is proposed as a skillion metal Colorbond roof. Decorative front features for the home include stone cladding and tiled fin walls.

The front façade appearance for the proposed dwelling as addressing the street is shown below:



Above – View of front façade.

This Statement of Environmental Effects will address the proposed development against the provisions of the *Environmental Planning and Assessment Act* (Section 79(c)) and relevant Penrith City Council's development standards as listed in the relevant planning documents applying to the site.

HEADS OF CONSIDERATION:

The following heads of consideration under section 79(c) of the *Environmental Planning and Assessment Act, 1979* apply:

a) "the provisions of any environmental planning instrument"

Relevant EPI: Sydney Regional Environmental Plan No. 30 – St Marys (SREP30)

Use: "dwelling house"

Zoning: Urban Zoning

Proposed Use:

The 'Urban Zone' under SREP30 permits dwelling houses with development consent.

The definition for "housing" within SREP30 is as follows:

housing means development of a nature intended to create one or more dwellings, including dwelling houses, dual occupancies, multi-unit housing, housing for older people or people with disabilities, or any combination of them.

The proposed development is considered to comply with the definition as described above as a 'dwelling house' is proposed on the lot.

Zone Objectives:

The objectives of the 'Urban Zoning' in SREP30 are as follows:

- (a) *to ensure that the buildings and works within the zone are primarily used for residential purposes and associated facilities; and*

Comment: Objective considered satisfied as the site is to be used as for residential purposes through the construction of a dwelling house. The proposed building will not be used for any other purpose.

- (b) *to limit the range and scale of non-residential uses to ensure that they are compatible with residential amenity and primarily serve local residents; and*

Comment: The proposed development is not a 'non-residential' development or use. This objective is therefore not contravened.

- (c) *to provide for local retailing and related services, including supermarkets, which will complement established centres in the Blacktown City and Penrith City local government areas and not have a significant adverse effect on viability of established retail centres; and*

Comment: The proposal is not to be used for the purposes of providing services. The objective is therefore not contravened.

- (d) *to provide for medium density residential development in locations which provide optimum access to employment, public transport and services, while ensuring residential amenity; and*

Comment: The housing development is a low density residential development. The objective is therefore considered to not be contravened. The development will also ensure that surrounding residential amenity is not affected.

- (e) *to promote home based industries where such activities are unlikely to adversely affect the living environment of neighbours; and*

Comment: The development does not propose any home based industries or activities, although these may be realised at a later date within the development (subject to separate approvals, if required). The provisions of this objective are therefore not applicable.

- (f) *to ensure that development adjacent to the Regional Park zone does not have a negative impact on biodiversity or conservation within that zone.*

Comment: Objective is considered to be satisfied. The proposed development is not considered to have a negative impact on the biodiversity or conservation within this zone or on any other adjoining environmentally zoned land. An Asset Protection Zone along the rear of the lot also separates the development from the rear Wianamatta Regional Park reserve area.

Relevant Development Standards of SREP30:

There are a number of relevant development standards within SREP30 that need to be considered with all development applications. These development standards are highlighted as follows:

Part 3 – Precinct Plans:

Part 3 of SREP30 advises the process for adopting of Precinct Plans for development within the SREP30 area. Precinct Plans operate in a similar manner to development control plans.

The subject site is located within the "**St Marys Western Precinct**" Precinct Plan (dated May 2009) which is available on Penrith City Council's website. This specific Precinct Plan will be addressed under the 'development control plan' section of this Statement.

Part 5 – Performance Objectives:

The "performance objectives" set out in this Part describe the desired environmental, social and economic outcomes for development on the land. Comments in relation to these performance objectives are commented upon below:

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| ECOLOGICAL SUSTAINABLE DEVELOPMENT: | ✓ The proposed housing development is an appropriate development that incorporates suitable sustainability practices in the design and construction of the development (for example, BASIX compliance). |
| AIR QUALITY: | ✓ The proposed development will have no significant impact on air quality. |
| CONSERVATION: | ✓ The proposed development will have no significant impact on conservation of the area. For example, no trees or vegetation are located on this newly created lot and all infrastructure for the development is existing. |
| HERITAGE: | ✓ The site is <u>identified as being an item of environmental heritage</u> . Refer to comments below under "heritage". |
| COMMUNITY SERVICES: | ✓ The development requires no community services to be provided. |

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| OPEN SPACE AND RECREATION: | <ul style="list-style-type: none"> ✓ The development provides for suitable open space areas on the site and will also be accessible to surrounding open space and recreation areas. |
| WATERCYCLE: | <ul style="list-style-type: none"> ✓ The housing development will have no impact on the watercycle of the area. All site drainage drains to the drainage easement at the rear of the site. ✓ A BASIX Certificate has also been prepared for the development which addresses water sustainability for housing developments in NSW. |
| SOILS: | <ul style="list-style-type: none"> ✓ The minor soil constraints are conducive to development on the site and can easily be ameliorated (for example, salinity requirements). |
| TRANSPORT: | <ul style="list-style-type: none"> ✓ No specific additional transport measures are required for the development. |
| URBAN FORM: | <ul style="list-style-type: none"> ✓ The proposed 'housing' urban form, on land that is already set aside for housing, is satisfactory. |
| EMPLOYMENT AND BUSINESS DEVELOPMENT: | <ul style="list-style-type: none"> ✓ The housing development will complement surrounding employment and business zones within the Penrith LGA. |
| HOUSING: | <ul style="list-style-type: none"> ✓ The proposed residential development on the land provides for a clear choice of housing and allotment types and sizes. ✓ A detached form of housing as promoted is being undertaken with the intended development. ✓ The proposed detached dwelling house will provide for a suitable range of housing styles and densities within the Jordan Springs area. |
| ENERGY EFFICIENCY: | <ul style="list-style-type: none"> ✓ A BASIX Certificate has also been prepared for the development and which addresses the energy efficiency provisions of the housing development. |
| WASTE MANAGEMENT: | <ul style="list-style-type: none"> ✓ The development will have appropriate waste management practices applied during construction and operation. ✓ Refer to the prepared waste management plan for the development. |

Part 7 – Heritage (Clauses 53-56):

The site is identified under SREP30 as having an 'item of environmental heritage situated on the land'. Clause 54 of SREP30 requires the following:

Consent must not be granted for development of, or in the vicinity of, an item of environmental heritage unless the consent authority has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting.

Investigation of this matter has revealed that SREP30 identified the following item on the land:



Extract of "Archaeological Assessment Western Precinct St Marys Development St Marys" by Casey & Lowe Pty Ltd (September 2008).

"Site 9" was identified as a 'house site' within the SREP30 locality that had heritage significance when preparing the regional environmental plan.

However, in accordance with the "Archaeological Assessment Western Precinct St Marys Development St Marys" by Casey & Lowe Pty Ltd (September 2008), this site was **removed, recorded and stored** as part of the subdivision works for Jordan Springs.

Development for subdivision purposes on the site has therefore occurred and Council has granted approvals for the subdivision of the site. This subdivision approval has allowed the subsequent construction of buildings on the site (as sought with this development application).

The development as proposed will have **no effect** on the heritage significance of the item or area concerned, as this item has **been removed from the site**. The requirement for a *Statement of Heritage Impact* for the development is therefore **not required**.

The development will satisfy the Council requirement for consideration under Clause 54 of SREP30.

There are no relevant development standards under SREP30. The considerations under Part 5 of SREP30 are considered to be satisfied with the proposed development.

Other environmental planning instruments:

Relevant EPI: Sydney Regional Environmental Plan No. 20 – Hawkesbury / Nepean River

Comment: The site is not within a riverine or scenic corridor. The site is therefore not subject to the development controls under Part 3 of the plan (Clause 11 (15) & (16)).

b) "the provisions of any draft environmental planning instruments"

There are no draft environmental planning instruments applying to the site. Penrith Local Environmental Plan 2010 does not apply to the land and there are no proposals that seek the re-zoning of this land.

c) "any development control plan"**"St Marys Western Precinct" (May 2009) Precinct Plan**

The subject site is located within the "St Marys Western Precinct" (May 2009) Precinct Plan. This specific Precinct Plan lists the general planning provisions applying to the Jordan Springs locality.

Part 5 – Development Control Strategy is the relevant part of the Precinct Plan that needs to be addressed with the proposed dwelling house development.

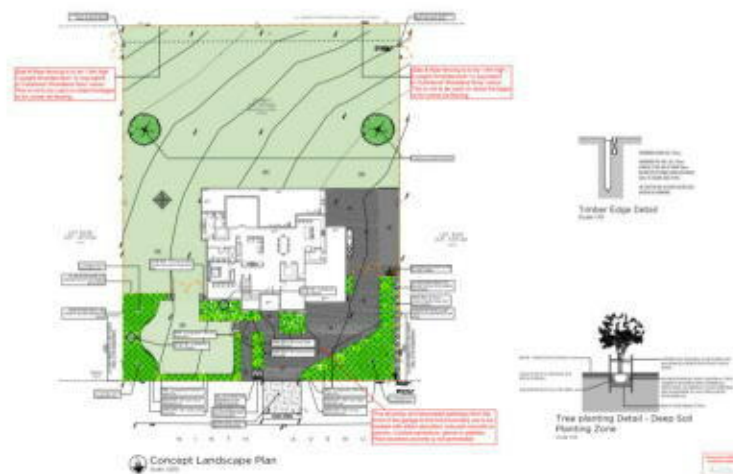
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| <u>5B – BUILT FORM HOUSING</u> | <u>5.6 – Dwelling Types</u> Part 5.6.1 advises that detached dwellings , as proposed, are a permitted dwelling type within Jordan Springs and the St Mary's Western Precinct Plan. |
| <u>5B – BUILT FORM HOUSING</u> | <u>5.7 – General Housing Siting and Design Controls</u> Part 5.7 provides for general controls for housing within the St Marys Western Precinct. These controls as relating to detached dwellings are provided below: <u>External Built Form and Materials – Private Domain</u> The proposed design of the development provides for a suitable design with varying building materials, suitable articulation and overall architectural form. |

A **schedule of external finishes** and materials has also been prepared for the development and accompanies the development application. The external finishes propose modern colours, materials and finishes that will complement those of the surrounding housing.

Landscaping

A **concept landscaping plan** has been prepared for the development and accompanies the development application (see extract below). Landscaping of the site is considered to be satisfactory and takes into consideration the bushfire hazards applying to the site.

There is no vegetation located on the site that requires removal or replacement.



Above – Landscaping Plan extract (Lendlease comments in red).

Visual and Acoustic Privacy

Visual and acoustic privacy of the development is satisfactory mainly due to the large lot size and placement of the development on the lot.

Overlooking is minimised by the appropriate design and placement of windows on the first floor and large setbacks proposed. The first floor of the development mainly contains low-stay rooms (bedrooms or bathrooms) and balconies are proposed only on the rear central elevation (overlooking bushland to the rear) or the front street (from Master bedroom).

No noise sensitive equipment is located near noise sensitive areas, such as bedrooms.

Fences and Walls


All fencing on the site is considered to be appropriate and existing rural style post and rail front fencing is present on the site. No additional fencing is proposed.

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| | <p><u>Garages</u></p> <p>The garage is a double garage with widths that are less than 50% of the building frontage (24%). Decorative 'panel lift' garage doors area also proposed to be installed for the dwelling.</p> <p>All garages are located at setbacks that are larger than 5.5m (over 12m setback from the street).</p> <p>The garage is also recessed behind the front Porch / Study 'fin wall' feature.</p> <p><u>Safety</u></p> <p>The development proposes suitable safety measures in its design such as having suitable passive surveillance of front yard areas from living and habitable rooms, and proposing suitable external lighting for the dwelling house.</p> <p>The design of the development also results in no concealed areas being present.</p> <p><u>Solar access</u></p> <p>Solar access for the development is suitable in that internal living areas and yard areas will receive good solar access. The orientation of the allotment also results in minimal overshadowing of neighbouring properties.</p> <p><u>Energy and Water Efficiency</u></p> <p>The energy and water efficiency provisions for the development have been addressed in the BASIX Certificate that has been prepared for the development.</p> <p><u>Servicing</u></p> <p>Servicing of the development will be satisfactory and all service providers will be consulted as part of the development. Waste storage and collection on the site is also suitable and will not reduce the amenity of any surrounding lots.</p> <p><u>Adaptability</u></p> <p>Adaptability for the site is suitable, with the ground floor levels of the dwelling accessible to persons with mobility disabilities.</p> |
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"The Avenue Design Guidelines – Jordan Springs"

The site is located within "The Avenue" estate within Jordan Springs. "The Avenue" Guidelines advise that these controls are 'specific to lots less than 1000m²' and that this generally does not include Lot 6217. A specific lot plan / sales plan applies for Lot 6217 and this is shown below:

The ways in which the development complies with these controls is listed as follows:

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| <p><u>Lot 6217</u></p> | <p>The requirements for building on Lot 6217 are addressed in the lot / sales plan as shown below:</p>  |
| <p><u>THE FRONT OF YOUR HOME</u></p> | <p><u>Front Setback</u> The proposed development complies with the lot/sales plan minimum of 9m, with the front setback of 10.85m being proposed.</p> <p><u>Garages 1m behind building line</u> The proposed double garage for the dwelling is located at a setback of over 12m to the street, and more than 1.2m behind the front building line.</p> <p>The driveway access to the site is satisfactory and not restricted by any infrastructure (refer to Appendix photographs that show location of existing rural cross-over). Driveways will be of a width to suit the garage widths. Plain concrete over the footway area will be constructed as per Penrith City Council's requirements.</p> <p><u>Eaves – Generally 450mm</u> The proposed development provides for eaves or shading devices of over 450mm and complies with provisions of the Guidelines (no Building Siting Guidelines apply for this lot).</p> <p><u>Roof pitch</u> The roof pitch proposed for the dwelling is considered to be suitable (no Building Siting Guidelines apply for this lot).</p> <p><u>Front Fencing</u> The site is provided with existing rural style post and rail fencing, and no additional fencing is proposed for the development.</p> |

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| | <p><u>Materials and colours</u> All materials and colours will be in accordance with the colour palette for Jordan Springs and are considered to be satisfactory.</p> |
| <u>THE SIDE OF YOUR HOME</u> | <p><u>Side setback</u> The proposed development complies with the lot/sales plan minimum of 4m, with the closest side setback of 7.97m being proposed.</p> |
| <u>THE BACK OF YOUR HOME</u> | <p><u>Rear setback</u> The proposed development complies with the lot/sales plan minimum of 21m (and also as established by the APZ restriction for the lot), with the closest rear setback of 25m being proposed to the Alfresco.</p> <p><u>Private open space</u> Private open space for the development complies with the all Building Siting Guideline controls.</p> <p>The private open spaces also have good solar access and are accessible from the Living areas of the dwellings. The Alfresco areas also provides for a very usable private open space area with a connection to internal areas.</p> <p><u>Retaining walls</u> Due to generally flat/level nature of the site and large boundary setbacks, no significant retaining wall construction is required or proposed for the development. Any retaining walls required will be of a suitable material (such as timber or masonry).</p> <p><u>Swimming pools</u> No swimming pool is proposed with the development.</p> <p><u>Privacy</u> The privacy impacts for the dwellings are considered to be satisfactory and will have minimal impact on surrounding neighbours.</p> |
| <u>FIBRE TO THE HOME</u> | <p><u>Fibre to the Home</u> The development will incorporate the use of fibre for all relevant communications.</p> |

d) "any planning agreement entered into"

The development is not associated with any planning agreement or any draft planning agreement entered into under section 93F of the *Environmental Planning and Assessment Act, 1979*.

e) "the regulations"

The development is not subject to the Government's Coastal Policy. No masterplans or 'demolition' are applicable for the development.

f) "the likely impacts of that development"

The development will have minimal impact on the environment, neighbourhood and locale. The likely impacts of the development are further expanded on the following pages.

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| <u>CONTEXT & SETTING</u> | The proposed development will be located within a suitable area on the site and will accord with the general area building guidelines and site specific lot/sales plan. The impact on the context and setting of the locale is therefore considered minimal. |
| <u>ACCESS, TRANSPORT & TRAFFIC</u> | Proposed access provisions for the dwelling is satisfactory (rural concrete cross-over is existing in the front footway area). No specific transport provision is required for the development. No increase in traffic will occur for the development. |
| <u>PUBLIC DOMAIN</u> | The development will not impact on the public domain. |
| <u>UTILITIES</u> | Water, telephone, sewer, recycled water and electricity are available to the site. |
| <u>HERITAGE</u> | <p>As described previously, the site is identified as having an item of environmental heritage on the site, which included the location of an existing 'house site'.</p> <p>This item was removed with the subdivision works on the land.</p> <p>The development proposal for a new dwelling house on the lot will therefore have no effect on the heritage significance of the item or area concerned, as this item has been removed from the site. The requirement for a Statement of Heritage Impact or for further consideration for this development proposed is also not required.</p> |
| <u>OTHER LAND RESOURCES</u> | The development will not impact on the value of the land in terms of agricultural potential or other land resources. |
| <u>WATER</u> | No significant impact on water resources or water conservation. The BASIX assessment for the development also lists proposed water conservation techniques in accordance with the NSW State Governments targets for sustainability. |

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| <u>SOILS</u> | <p>No significant impact on soils will occur. Erosion and sediment controls to be provided in accordance with Council's DCP.</p> <p>There are no known acid sulfate problems with the soil. The potential for land contamination on this site is minimal. The required earthworks for construction of both dwellings are considered to be satisfactory.</p> <p>Salinity management as required by Council will be implemented for the development (if required).</p> |
| <u>AIR & MICROCLIMATE</u> | The development will have no significant impact on air and microclimate. |
| <u>FLORA & FAUNA</u> | The development will have no impact on flora or fauna (site does not have any vegetation on the site). |
| <u>WASTE</u> | A waste control container to be provided on site during construction. All waste generation and disposal will occur in accordance with the waste management plan prepared for the development. |
| <u>ENERGY</u> | The development will have no significant impact on energy. A BASIX Certificate has been prepared for the development that addresses the energy efficiency provisions for residential development in New South Wales. |
| <u>NOISE/VIBRATION</u> | The development will have no significant impact from noise or vibration. The development will also not cause any significant noise or vibration. |
| <u>TECHNOLOGICAL HAZARDS</u> | No technological hazards pose a risk for the development. |
| <u>SAFETY, SECURITY AND CRIME PREVENTION</u> | Satisfactory measures to be employed for residential premises. |
| <u>SITE DESIGN AND INTERNAL DESIGN</u> | The site design and internal design is considered to be satisfactory and in accordance with the relevant Guidelines applying to the site. |
| <u>SOCIAL IMPACT</u> | There will be no significant social impact. The development will be occupied by the owners of the land and hence add to their social well being. The social impact upon adjoining land owners is also minimal as the site will be owner occupied. |
| <u>ECONOMIC IMPACT</u> | The development will have a positive impact on locale and will not significantly affect property values. Being of a higher class of residential development, the economic impact on adjoining owners would be very positive. |
| <u>CONSTRUCTION</u> | All construction is to be done in accordance with development consent, prescribed conditions of the <i>Environmental Planning and Assessment Regulation 2000</i> , and the <i>Building Code of Australia (Housing Provisions)</i> . A construction certificate would be required to construct the dwelling. |

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| <u>NATURAL HAZARDS</u> | <p>The site is bushfire prone land.</p> <p>The site is identified as a BAL29 level on the lot/sales plan for Lot 6217 (as applying to the area where you can build the dwelling house). This level reduces to BAL12.5 at the front of the site (however the higher BAL level would apply to the development).</p> <p>All construction will be in accordance with this BAL29 level of construction, and compliance with AS3959-2009 will be achieved. The asset protection zone encumbering the site at the rear will also be maintained as required for bushfire protection.</p> <p>A fire hydrant is also located opposite the front of the site (refer to photograph in Appendix).</p> <p>The site is not flood affected or subject to slip or subsidence. No other natural hazards pose a threat to the development.</p> |
| <u>CUMULATIVE IMPACTS</u> | There are no significant cumulative impacts for the development. |

g) "the suitability of the site for the development"

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| <u>DOES THE PROPOSAL FIT THE LOCALITY</u> | The development proposal is considered to fit the locality well. The development has been designed in accordance with all the planning provisions applying to the site and will therefore be incorporated well into the locale. |
| <u>ARE SITE ATTRIBUTES CONDUCTIVE TO DEVELOPMENT</u> | The positive site attributes combined with the appropriate siting of the development are considered to be conducive to development. |

h) "the public interest"

Although the public interest for the development will most probably be gauged by neighbour notification, the development will have minimal impact on public infrastructure as a whole and on the surrounding neighbourhood. The development will also not significantly affect any neighbouring properties in terms of privacy, overshadowing, amenity, economic loss or any other impacts.

CONCLUSION:

As shown in this statement of the environmental effects, the proposed two storey dwelling house is considered to be a satisfactory proposal.

The statement of environmental effects has addressed all of the planning controls applying to the site and has found the proposal to be in compliance with these controls. Provisions such as zoning, land use, waste generation, design and construction have all been addressed and found to be satisfactory.

As addressed in this statement, the proposal will also have minimal environmental impact on the surrounding locale and the merits of the proposal are very positive.

Based on these positive merits, it is therefore hoped that approval for dwelling house development will be granted.

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Appendix – Photos



Above – Front view of site, looking towards east. Note existing rural style post and rail fencing.

Below – Front view of site, looking towards west. Existing rural driveway access point visible to far right.





Above – View of neighbouring sites towards west along Ninth Avenue.

Below – View of neighbouring sites along Ninth Avenue to east. Note location of yellow street hydrant opposite site.





Above/Below – View of site from fencing line/front boundary and driveway access point, looking east and west. Note woodland to rear as part of the Wianamatta Regional Park.

