



D-PLAN
URBAN PLANNING CONSULTANTS PTY LTD

STATEMENT
OF
ENVIRONMENTAL EFFECTS

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**TO DEMOLISH THE EXISTING
DWELLINGS WITH ASSOCIATED
STRUCTURES & CONSTRUCT A
MULTI DWELLING HOUSING
DEVELOPMENT COMPRISING 13
UNITS WITH BASEMENT PARKING**

**9-11 SYDNEY STREET, ST MARYS
(LOT 5 DP 25635 & LOT 158B DP 12590)**

13/3/2018

D-Plan Urban Planning Consultants Pty Ltd

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1. Compliance Table

1.0 EXECUTIVE SUMMARY

The subject site is located close to public transport links to Penrith CBD as well as other infrastructure, which provides good opportunity for redevelopment. This has been recognised through the current zoning of land in the general locality which allows various forms of residential development including multi dwelling housing development.

Multi dwelling housing development is an acceptable form of housing when good planning and urban design controls are established to guide the building industry. Penrith Council has comprehensive planning and urban design standards to ensure that this form of development complements existing residential areas.

Desired outcomes such as, limiting the bulk and scale of the development and streetscape amenity were prime considerations in the design option for the site.

The urban design qualities of the proposed development are complementary to the established character of Sydney Street and will substantially improve the streetscape amenity of the street by incorporating the following:

- Modern terrace style appearance by maximizing street presentation;
- A well-articulated two storey design;
- Adequate setbacks from all boundaries;
- Adequate off-street parking;
- Functional internal and external arrangement;
- Reasonable private open space areas; and
- Passive surveillance opportunities from habitable room windows and street fronting balconies.

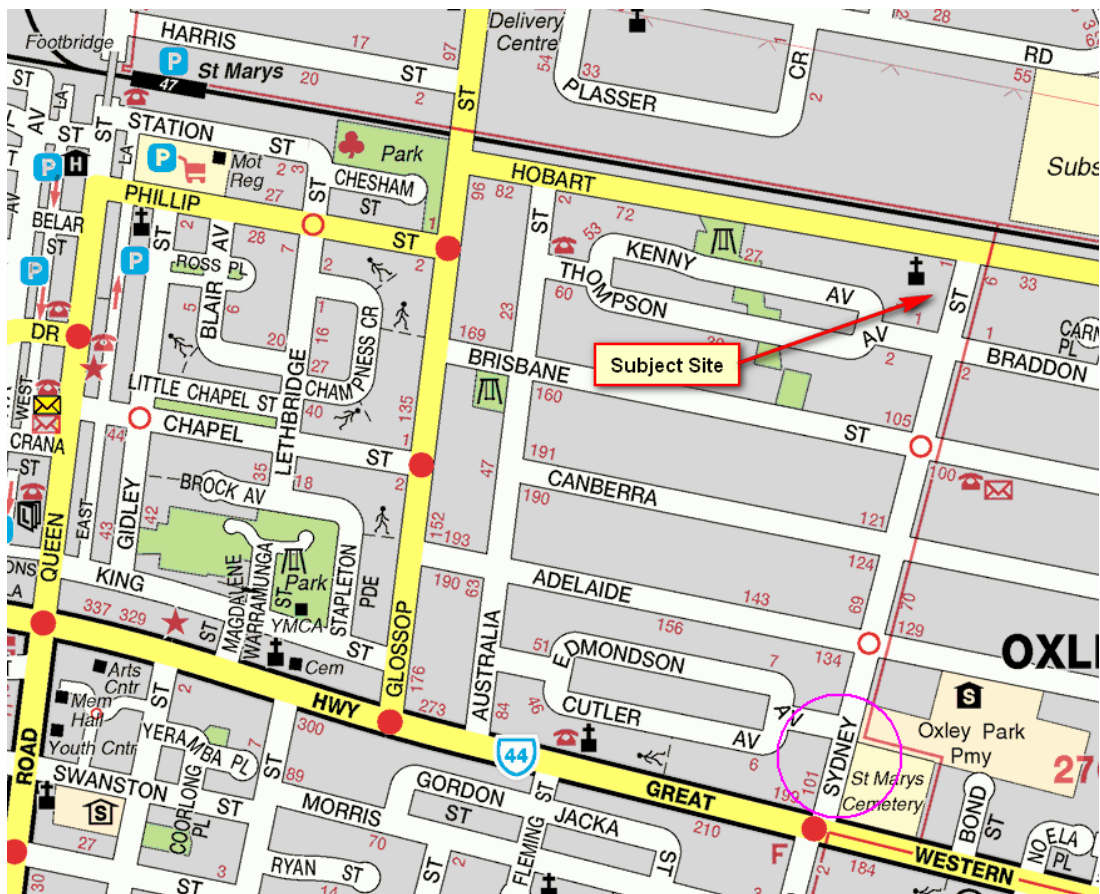
The proposed design promotes best planning practice and complies with most of Council's LEP/DCP requirements, resulting in a high-quality development that will enhance the amenity of the locality and warrants approval.

2.0 SITE/LOCALITY DESCRIPTION

The subject land, No. 9-11 (Lot 5 DP 25635 & Lot 158B DP 12590) Sydney Street, St Marys is located on the western side of the street, between Hobart Street and Thompson Avenue. The "L" shaped site has a frontage of 29.87m and a minimum length of 41.675m, comprising a total site area of **1532.4m²**.

There are currently single storey clad dwellings with associated structures on the site which will be demolished to make way for the proposed development. The locality is characterised by the following:

- One and two storey dwelling houses of various building materials and architectural styles;
- Interspersed dual occupancy and multi dwelling housing developments;
- Relatively level terrain;
- Standard width nature strips;
- Mixture of front fencing styles and height; and
- Generally well kept front yards with small, medium and large trees and shrubs.



Locality Map



Nearby multi dwelling housing development

Emerging trend for improvement with older dwellings being replaced with multi dwelling housing and other forms of development, including larger dwellings and dual occupancies.



Nearby multi dwelling housing development

Large multi dwelling housing development.



Subject site – 9-11 Sydney Street

Existing clad dwellings to be demolished.



Streetscape

One and two storey dwellings with interspersed dual occupancy and multi dwelling housing development.

3.0 THE PROPOSAL

The proposal is to demolish the existing dwellings with associated structures and construct a multi dwelling housing development comprising thirteen (13) units with basement parking.



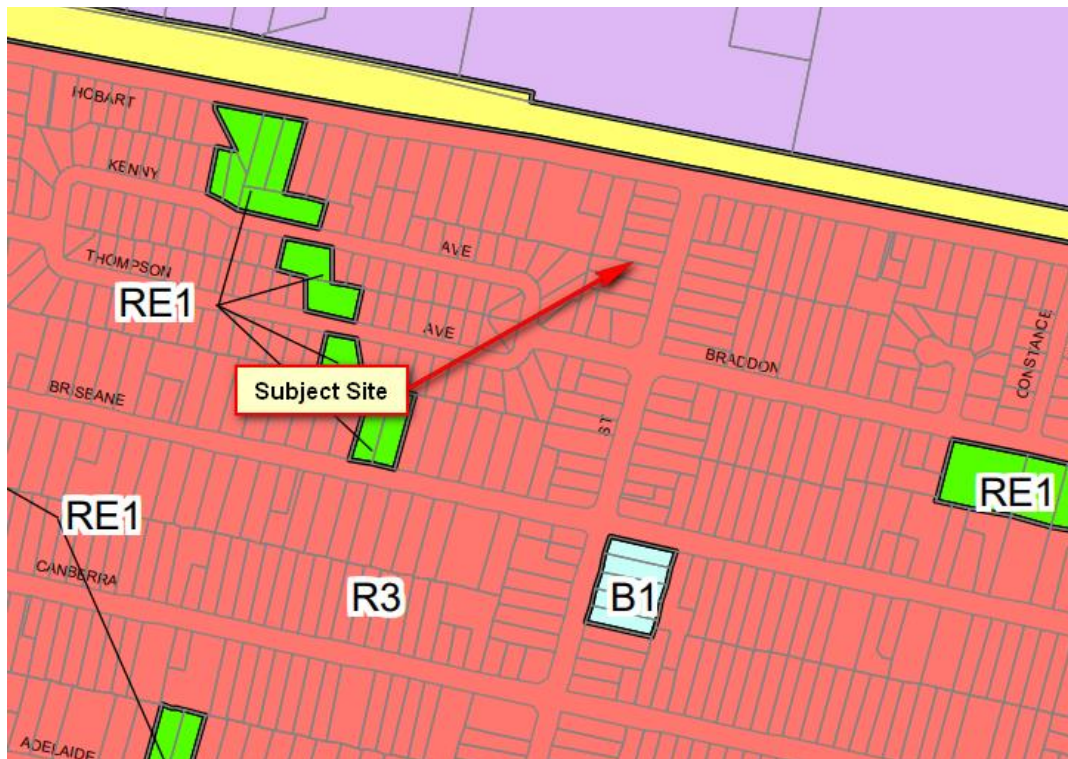
Artistic Impression

4.0 RELEVANT PLANNING CONTROLS

4.1 Penrith Local Environmental Plan 2010 (LEP)

The subject site is within Zone R3 – Medium Density Residential under Penrith Local Environmental Plan 2010 (LEP). The proposed development falls within the definition of ‘*multi dwelling housing*’ development and is permissible with the consent of Council, viz:

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.



Zoning Map

The objectives of the zone are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a concentration of housing with access to services and facilities.
- To enhance the essential character and identity of established residential areas.
- To ensure that a high level of residential amenity is achieved and maintained.
- To ensure that development reflects the desired future character and dwelling densities of the area.

The proposed residential development satisfies the zone objectives in that:

- ❖ The existing streetscape amenity and traditional suburban residential character will be preserved;
- ❖ High quality residential development is being provided on land set aside for the purpose of consolidating population and housing densities;
- ❖ The proposed development will enhance the amenity of the residential area by the provision of new medium density housing stock and landscaping;
- ❖ The development will add to the range of housing in the zone; and
- ❖ The amount of traffic generated by the proposed development will have a negligible impact on the servicing of intersections in the locality.

Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings (Clause 4.1A)

Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential	650 square metres
Dual occupancy (attached)	Zone R3 Medium Density Residential	550 square metres for a standard lot
Dual occupancy (attached)	Zone R3 Medium Density Residential	600 square metres for a battle-axe lot
Dual occupancy (detached)	Zone R2 Low Density Residential	750 square metres
Dual occupancy (detached)	Zone R3 Medium Density Residential	650 square metres for a standard lot
Dual occupancy (detached)	Zone R3 Medium Density Residential	700 square metres for a battle-axe lot
Multi dwelling housing	Zone R3 Medium Density Residential; Zone R4 High Density Residential	800 square metres for a standard lot
Multi dwelling housing	Zone R3 Medium Density Residential; Zone R4 High Density Residential	900 square metres for a battle-axe lot

The subject site comprises an area of **1532.4m²** which satisfies the requirements of the clause for multi dwelling housing development in the R3 Medium Density Residential zone.

Height of Buildings (Clause 4.3)

The Height of Building Map categorises the site within the maximum 8.5m building height limit. The proposed two storey development has a maximum height of **8.49m** which satisfies the requirements of the clause.

Exceptions to development standards (Clause 4.6)

Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. In this regard, **no** variation requests are required as the proposal complies with all development standards contained in PLEP 2010.

Heritage Conservation (Clause 5.10)

The subject site is not listed as a heritage item or located in the immediate vicinity of any heritage-listed items.

Earthworks (Clause 7.1)

The proposed site works, including excavation for the basement car parking level, is ancillary to the overall development for which development consent is being sought. Specific conditions of consent will address the relevant objectives and considerations of this clause.

Flood Planning (Clause 7.2)

The subject site is not identified as “*flood planning land*” on the Clause Application Map.

Sustainable Development (Clause 7.4)

Consideration has been given to achieving ESD objectives at the design and development stages viz:

- A Waste Management Plan is provided with this application;
- The proposed development has been designed to achieve a satisfactory energy efficiency rating through orientation and the use of building materials with thermal properties. The nominated BASIX commitments demonstrate that the design is satisfactory in terms of this consideration;
- Public transport is within walking distance (Bus links to St Marys Railway Station);
- Soft soil areas will be available to establish native landscaping; and
- Stormwater will be collected and disposed of in a manner that complies with Council’s requirements.

4.2 Penrith DCP 2014 – (Residential-Multi Dwelling Housing)

All relevant numeric DCP requirements have been tabulated and are provided as ***Attachment 1 - Compliance Table***.

Part C – City Wide Controls

Site Planning & Design Principles

Site Analysis - a site analysis has been carried out and an appraisal of how the design of the development has regard to the site analysis forms part of the Architectural Plans.

Design Principles

Built Form, Energy Efficiency and Conservation - internal living areas and private open space areas will receive adequate solar access and the accompanying BASIX Certificate demonstrates that the proposed units will achieve a reasonable level of comfort and efficiency.

In terms of bulk and scale the proposed two storey building form is of a comparable bulk and scale to the existing dwellings in the surrounding locality, as such, the existing streetscape amenity will generally be enhanced by the proposed development.

Safety and Security (CPTED) - design guidelines outlined in the Crime Prevention through Environmental Design (CPTED) were considered and incorporated as follows:

- Well defined entry points to the street fronting units;
- Passive surveillance treatment has been provided through the provision of habitable room windows and balconies with outlook towards the street;
- Secured basement car parking;
- Suitable fencing and landscaping will produce a defensible open space at the front of the site resulting in some interaction with the public domain beyond; and
- Fencing/gates can be provided to prevent intruders from accessing the site, including common areas within the site, if Council considers it necessary.

Vegetation Management

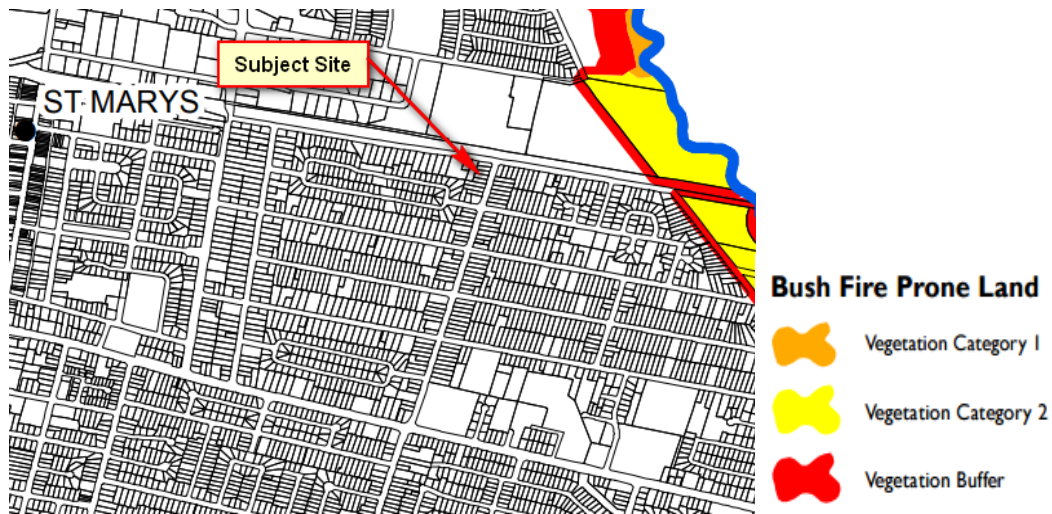
Preservation of trees and vegetation – the proposal does not involve the removal of any significant trees and it should be noted that the existing street tree will be retained.

Formalised landscaping will be planted, as indicated on the Landscape Plan, which will enhance the future amenity of the site and locality in general.



Photo – depicting existing trees on the site, including a street tree which will be retained

Bushfire Management - the subject site is not identified as being in a bushfire prone area (see Map below).



Bushfire Prone Land Map

Water Management

Council's goal is to develop long term improvements to the health of waterways, which in turn enhances the ecological integrity of the system, whilst balancing the need to manage flooding, waste water and stormwater. To achieve this goal the proposed development provides the following:

- A Stormwater Concept Plan which demonstrates that stormwater will be collected, stored and discharged to the street system in a controlled manner;
- On-site stormwater detention compensates for any additional runoff resulting from the development. The storage capacity of the detention system caters for the required storm event which ensures that there will be no additional impact on natural watercourses; and
- Soft soil areas within the site also assist in reducing runoff from the site.

Land Management

Site Stability and Earthworks – as mentioned earlier, the proposal involves some site works associated with excavation of the basement and driveway, however, these, works are ancillary to the overall development and involve standard construction methods. Specific conditions of consent will address the relevant objectives and considerations of this clause.

The proposed development will not have any significant detrimental effect on adjoining properties and will be in accordance with the “*Australian Standards*” and Council's Policy.

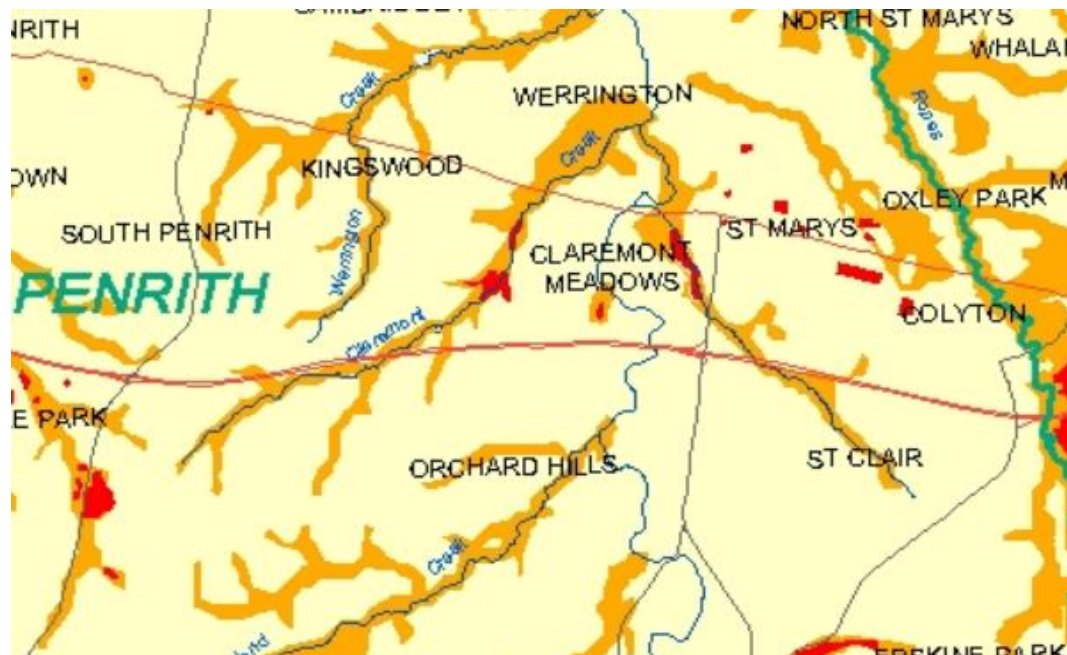
Erosion and Sediment Control - erosion and sedimentation control measures will be implemented during construction.

Contaminated Lands - it is unlikely that the subject land is contaminated as it is in a residential setting and has not been used for purposes likely to contaminate the site.

Salinity - the subject site is identified as being of 'moderate' salinity potential on the 'Western Sydney Salinity Potential Map' put out by The Department of Infrastructure, Planning and Natural Resources. These areas cover the remainder of the map wherever Wianamatta Group shales (Ashfield or Bringelly shales) and tertiary alluvial terraces are found. Scattered areas of scalding and salinity indicator plants have been noted but no concentrations have been mapped. Saline areas that have not yet been identified may occur in this zone. Saline areas may also occur in this zone if new risk factors arise.

Specific conditions can be included to ensure the construction method with the Construction Certificate application.

The proposed development does not involve extensive excavation that would affect the structural viability of the buildings due to the existing soil conditions. Minor surface excavation of this nature is unlikely to affect the water table.



Salinity Potential in Western Sydney 2002

Waste Management

A Waste Management Plan accompanies this application. The plan adopts the principles of **Avoid Reuse Recycle and Dispose** to minimise landfill waste.

Landscape Design

The proposal does not involve the removal of any significant trees covered by the Tree Preservation Order and formalised landscaping will be planted as indicated on the Landscape Plan which will enhance the future amenity of the site and locality in general.

Existing trees being retained, including the large street tree, will be incorporated with the new planting schedule.

Transport, Access and Parking

The required number of car parking spaces for a development must comply with **Table C10.2** of the DCP. In this regard, residential development requirements are broken up below:

Generation rates

Required -

1 bedroom - 1 space per Unit x 0	= 0 spaces
2 bedroom – 1.5 spaces per unit x 9	= 13.5 spaces
3 bedroom – 1.5 spaces per unit x 4	= 8 spaces

Visitors - 1 space per 5 Units	= 2.6 spaces
Total	= 24 Spaces

Provided -

Residential	= 23 spaces
Visitors	= 3 spaces
Total	= 26 spaces

Traffic Report - Motion Traffic Engineers Pty Ltd have provided a Traffic and Parking Impact Assessment Report which concludes the following:

Based on the considerations presented in this report, it is considered that:

Parking

- *The proposed residential development complies with Council's parking requirements.*

Traffic

- *The development is a low trip generator in the AM and PM peak hours.*
- *The additional development trips can be accommodated in the nearby intersection without significantly affecting the performance or creating any additional delays or queues.*
- *There are no traffic engineering reasons why construction permit for the development at 9-11 Sydney Street, in St Marys should be refused.*

Part D - Land Use Controls

Residential Development

Multi Dwelling Housing

- **Residential Character**

The surrounding neighbourhood is characterised by a mixture of single and 2-storey dwellings of various building materials and architectural styles with interspersed dual occupancies and multi dwelling housing developments.



Photo – Streetscape (Note: the streetscape and built form comprises both single and two-storey building structures and there is an obvious trend for improvement)

The proposed development will complement the existing character of the locality, with a site-specific design that respects the bulk and scale of adjoining buildings. When viewed from the street the development will have the appearance of a contemporary two storey terrace style development with excellent presentation. The design also has regard to passive surveillance opportunities of the public domain from habitable room windows and balconies.

All performance criteria items outlined in the DCP have been achieved with the proposed development. The size and shape of the subject site easily accommodates the building form with adequate land for landscaping, access and parking, outdoor recreation and clothes drying.

- **Urban Form**

The DCP requires the following issues to be considered:

- Patterns of buildings and private gardens in established neighbourhoods;
- Building height plane measured from the boundaries;
- Building form must be balanced;
- Visual impact of the driveway must be minimised;
- Garage structures must not dominate the street frontage; and
- Setbacks must match the streetscape.

COMMENTS

The DCP acknowledges that multi dwelling housing style development which incorporates good design principles can be consistent with traditional suburban design, hence the R3 Zoning.

The proposed design appropriately addresses the frontage and length of the site with an aesthetically pleasing presentation to Sydney Street, together with appropriate setbacks from all boundaries, which enables the provision of all residential amenities associated with multi dwelling housing style development.

The urban design qualities of the development incorporate good planning principles, taking into consideration the opportunities and constraints of the site and minimise the impact on adjoining properties by the following design considerations:

- ❖ Maximised street presence with a two storey contemporary design that takes advantage of the wide frontage (**Note: two storey building forms up to a height of 8.5m is the envisaged bulk and scale for the locality**);
- ❖ The development will be constructed in predominately solid contemporary materials with low pitched (flat) rooflines. This will hopefully start a trend for improvement away from the dull, boring architecture of previous eras (i.e., predominately single storey high pitched roof designs and dormer style windows).
- ❖ The proposed contemporary design incorporates the effective use of decorative elements such as; steps leading up to the entry porticos to produce a well-defined entry area to each street fronting unit; and
- ❖ Adequate landscaping is proposed to achieve specific objectives, such as, beautification and enhancement of the streetscape, minimising the impact of the hard-standing areas within the development and to provide privacy screening between adjoining properties.



Sydney Street Elevation

- **Front and Rear Setbacks**

The objective behind the requirement is:

Setbacks are to reflect the character of established garden suburbs, and provide for development of flora and fauna corridors.

The proposed development provides a front setback varying between 4.5m and 5.5m due to the angled front boundary. Although it doesn't strictly meet the numeric requirement, Council should take into account:

1. The future character of the locality;
2. Style of development (i.e., it aims to have a modern terrace style appearance by maximising street presentation) **Note: traditionally, terrace style developments have a direct relationship with the street, rather than a large heavily landscaped setback;**
3. Adjoining development comprises aging dwellings and any development on the adjoining sites should also be encouraged to maximise street presence; and
4. Quality landscaping will soften any perceived visual impact of the development.

In regards to the rear setback, Unit 13 does not comprise any first floor windows facing the rear boundary and the communal open space provides sufficient spatial relief.

A green open space corridor is provided adjacent to the rear boundary which satisfies the objectives behind the consideration.

- **Building Envelope and Side Setbacks**

The proposal complies with the building envelope and side boundary offset requirements (i.e., 2m (min) and there are sufficient breaks between building groups. (*Note: two storey construction with compliant setbacks generally satisfies the intent of the control per-say*).

- **Driveways and Parking**

In addition to the previous comments, the application is accompanied by a Carpark Certification of Proposed Residential Development summary prepared by Motion Traffic Engineers Pty Ltd.

- **Landscaped Area**

The amount of open space available and the selection of planting nominated on the Landscape Plan will achieve the objectives outlined in the DCP as follows:

- Screening between adjoining properties;
- Softening the visual impact of hard surface areas and access ramp;
- Appropriate species selection for the climate; and
- Enhancement of the streetscape amenity.

All units have adequately sized Private Open Space areas (i.e., at least **25m²**), given that there is a relatively large Common Open Space area provided and ample outdoor open spaces between building groups to incorporate benches. A landscaped area is provided at a rate of **40%** however, the actual available landscaped area significantly exceeds the DCP requirement (see Landscape Plan).

Indoor and outdoor living areas relate well, with direct access from internal living areas of all units into the private open space area. The proposed landscaping will enhance the future amenity of the subject site and the immediate locality.

- **Solar Planning**

Habitable rooms in the development have been appropriately orientated to receive access to natural sunlight. Courtyards and most living areas will receive sunlight during winter in accordance with the minimum requirements stipulated in the DCP (i.e., 3hrs of sunlight between 9am and 3pm to at least 40% of the private courtyard on 21 June). Given the orientation of the site, each unit in the development receives adequate solar access.

Daylight to living rooms and secluded open spaces in adjacent dwellings will not be significantly reduced by the proposed development, given the offsets from all boundaries.

- **Energy Efficiency**

There are two major components to consider when thinking about energy efficient building design. Firstly, the impacts of the building design on the indoor temperature, natural light levels and ventilation and secondly, the fixtures used in the building and their energy consumption or influence on household efficiency. The BASIX Certificate demonstrates that the energy efficiency and thermal comfort levels within each unit achieve the desired outcome.

- **Visual and Acoustic Privacy**

Privacy concerns are addressed by; minimising the number of window openings facing the side boundaries, positioning low impact rooms, such as bedrooms and bathrooms on the first-floor level, together with adequate side and rear boundary setbacks.

It should be noted that Unit 13 has no window openings facing the rear boundary, therefore, there are no privacy issues as a consequence of the minor non-compliance with the rear setback control.

- **Accessibility and Adaptability**

The Architectural Plans clearly detail provisions and access for people with disabilities. In this regard, disabled parking, a lift and adaptable units satisfy the requirements of this consideration.

The development application is accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995). In this regard, Vista Access Architects have provided an Access Compliance Report to assist Council in the assessment of the application. The report discusses all relevant industry and legislative requirements and makes appropriate recommendations.

Vista's assessment of the proposed development has been undertaken to the extent necessary to issue Development Consent under the Environmental Planning and Assessment Act.

- **Storage & Services**

The DCP requires at least 10m³ of storage space to be provided for each dwelling which has been provided in the basement.

4.3 Non-Compliance

Apart from the setback requirements discussed earlier in the report, the proposal appears to satisfy all other LEP and DCP requirements.

Council's attention is drawn to the EP&A Act 1979, viz:

74BA Purpose and status of development control plans

(1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*

- a. *giving effect to the aims of any environmental planning instrument that applies to the development,*
- b. *facilitating development that is permissible under any such instrument,*
- c. *achieving the objectives of land zones under any such instrument.*
- d. *The provisions of a development control plan made for that purpose are not statutory requirements.*

79C (3A) Development Control Plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) *if those provisions set standards with respect to an aspect of the development and the development application complies with those standards-is not to require more onerous standards with respect to that aspect of the development, and*
- (b) *if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards-is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- (c) *may consider those provisions only in connection with the assessment of that development application.*

5.0 CONCLUSION

It is considered that the current strategy of Penrith Council to provide a variety of housing choice in the locality is being promoted by the development. Council's DCP requirements and good planning principles have been incorporated in the design of the development which has resulted in a high-quality development that will enhance the locality.

Minor non-compliance issues have been addressed in the Statement and it is considered that the variations from the DCP are warranted given that the proposed development integrates well with the existing streetscape without adversely affecting adjoining properties.

Consideration has been given to matters listed in Section 79C of the Environmental Planning and Assessment Act 1979, concluding that the development warrants approval.



.....
David Bobinac
Town Planner

ATTACHMENT 1

COMPLIANCE TABLE MULTI DWELLING HOUSING

Control	LEP/DCP Requirement	Development Proposal	Complies
Site Area	800m ² (min)	1532.4m ²	Yes
Width	15m (min)	29.87m	Yes
Landscaped Area Communal Open Space	40% (min) 10% of Landscaped Area	40% 11.9%	Yes Yes
Floor Space Ratio	N/A	N/A	N/A
Building Height	8.5m	8.49m	Yes
Building Length	20m (max)	< 20m	Yes
Space Between Buildings	4m (min)	4m (min)	Yes
Setbacks Front	Average of adjoining OR 5.5m (min)	4.5 – 5.5m (due to angled front boundary)	No
Side	2m for 50% of any boundary Building Envelope compliance (6.5m at boundary & 45°)	2m for 69% No encroachments	No Yes
Rear	Single storey – 4m Two-storey - 6m	5.549m	No
Private Open Space Outdoor Siting	25m ² (min) 4m x 5m (min)	25m ² each unit Provided	Yes Yes
Parking	2 bed – 1.5 spaces 3 bed - 2 spaces Visitor – 1 per 5 units	7 x 1.5 = 10.5 spaces 6 x 2 = 12 spaces 13 ÷ 5 = 2.6 spaces Required – 22.5 spaces Provided – 26 spaces	Yes Yes Yes Yes
Storage Area	10m ³ per unit	10m ³ per unit	Yes
Roof Pitch	25° (max)	0 - 15°	Yes