



D-PLAN
URBAN PLANNING CONSULTANTS PTY LTD

STATEMENT OF ENVIRONMENTAL EFFECTS

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**TO DEMOLISH THE EXISTING
DWELLING & OUTBUILDING
STRUCTURES & SUBDIVIDE THE
EXISTING ALLOTMENT INTO TWO
LOTS**

**49 GIBBES STREET REGENTVILLE
(LOT 114 SEC C DP 1687)**

17/4/2014

D-Plan Urban Planning Consultants Pty Ltd

TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY	1
2.0	SITE/LOCALITY DESCRIPTION	2
3.0	THE PROPOSAL	4
4.0	RELEVANT PLANNING CONTROLS	5
4.1	<u>Penrith Local Environmental Plan 1998 (Urban Land)</u>	5
	Clause 10 – Subdivision controls generally	5
	Clause 13 – Environmental performance	6
	Clause 28 – Preservation of trees & vegetation	6
	Clause 34 – Consent required for subdivisions	6
4.2	<u>Penrith DCP 2006</u>	7
	<u>Part 2 – City Wide General Controls</u>	7
	Contaminated Land (Section 2.1)	7
	Engineering Works (Section 2.3)	7
	Erosion & Sedimentation Control (Section 2.4)	7
	Landscape (Section 2.6)	7
	Waste Planning (Section 2.9)	7
	Tree Preservation (Section 2.13)	7
	<u>Part 4.7 – Residential – Guidelines for Subdivision</u>	8
	Design Principles	8
	Allotment Orientation	9
	Site Frontage/Allotment Dimensions	9
	Services	10
	Drainage	10
	Checklist of matters for consideration	11
4.3	<u>Other Requirements</u>	13
	Waste Controls	13
	Biodiversity Management	13
4.4	<u>Stage 2 (Draft) Penrith LEP 2010</u>	13
4.5	<u>Non-Compliance</u>	13
5.0	CONCLUSION	14

1.0 EXECUTIVE SUMMARY

Penrith Council has comprehensive planning and urban design standards to ensure that development, including subdivision, complement existing residential areas.

The Department of Planning is also instructing Councils to make changes to their planning instruments, namely the zoning provisions in the Standard Instrument Principal Local Environmental Plan, to ensure there is an adequate supply of land.

Based on the information provided on Council's webpage, figures from the Census data indicate that Penrith is one of the three largest local government areas in Western Sydney and the sixth largest population of any local government area in New South Wales. The City of Penrith has a young population. The population of Penrith is primarily in residential estates spreading north and south from the Great Western Highway, the M4 Freeway and the railway. In fact, 90% of Penrith residents reside in urban areas of the LGA.

The highway and M4 Freeway cross the area from east to west. There are two large areas to the north and south of the residential areas, mostly used for agricultural purposes. The Penrith Local Government Area has two Central Business Districts at Penrith and St.Marys.

Penrith is both an agricultural centre (including dairying, poultry-farming, fruits, vegetables, beef and turf farming) as well as a focal point for manufacturing industries. Its industries include the treatment of non-metalliferous mine and quarry products, saki production, the manufacture of aluminium foil, concrete and building materials, plastics, textiles, pharmaceutical, engineering and electrical products. Service industries include those of transport, storage, commerce and education. The recent redevelopment of the Penrith Plaza as a regional shopping centre, the expansion of the Nepean Hospital and the creation of the University of Western Sydney, Penrith Campus at Kingswood have further diversified the city's economic base. Recent decentralization of regional government offices, such as the Australian Taxation Office, has added new impetus to Penrith's prestige as a business centre. The continued development of the huge Panther's Club (i.e. Penrith Rugby Leagues Club), the multi-faceted entertainment and resort centre near the banks of the Nepean River, has helped initiate a boom in tourism to the area. Cultural centres such as the Joan Sutherland Performing Arts Centre, Penrith Regional Gallery and The Lewers Bequest and and the Railway St Theatre Company ('Q' Theatre) provide additional depth to the City's cultural life, complementing more commercial tourist sites such as the Museum of Fire and the natural beauty of the surrounding Nepean-Hawkesbury River, Penrith Lakes and the Blue Mountains.

Given the above factors, Council and the NSW Government is committed to developing the Penrith LGA as a major centre, and additional residential accommodation is a key component in achieving the desired goals, whilst at the same time ensuring the supply of housing reflects local conditions and community aspirations.

The subject site has a relatively wide street frontage of 30.48m and is sufficiently long (45.72m), which lends itself to a subdivision through the middle of the site (i.e., side by side) so that future dwellings both have street frontage. It should be noted that adjoining and nearby allotments vary in size and shape, in many cases being approximately half the width and area of the subject site, therefore, the proposed subdivision will not be antipathetic to the established subdivision pattern and building character.

The locality in general also provides good opportunity for re-development because of existing infrastructure, including the availability of public transport, as such, the application warrants approval.

2.0 SITE / LOCALITY DESCRIPTION

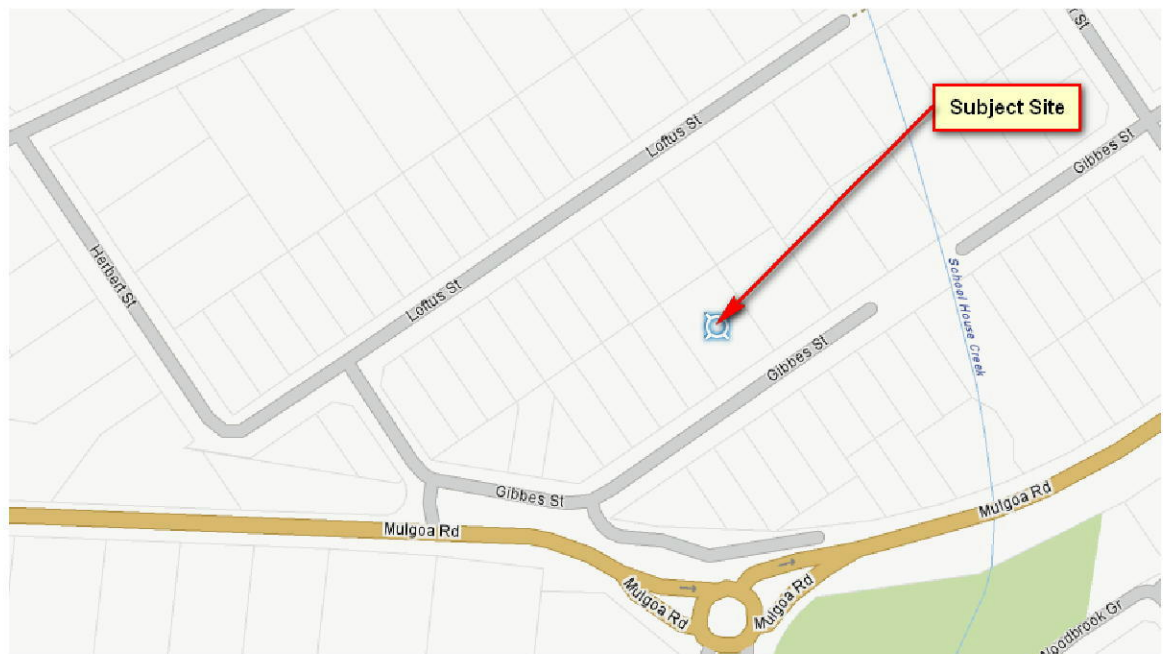
The subject land, No. 49 (Lot 114 Sec C DP 1687) Gibbes Street, Regentville is located on the northwestern side of the street, which runs off Mulgoa Road. The site is rectangular in shape, having a frontage of 30.48m and a length of 45.72m, comprising a total site area of 1,393.54m².

Currently the site comprises a single storey dwelling with associated structures, which will be demolished.

The characteristics of the immediate locality are as follows:

- Detached dwelling houses of various size and architectural style;
- Interspersed dual occupancy and villa home development;
- Inconsistent front building line;
- No particular street tree planting theme; and
- Standard road reserve with unpaved nature strips.

The existing subdivision pattern comprises allotments that vary in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than adjoining allotments, which are approximately half the width and area.



Subdivision Pattern



Photo – Existing Parent Allotment (location of proposed Lot 11)



Photo – Existing Parent Allotment (location of proposed Lot 10)



Photo – Adjoining Villa Homes Development

3.0 THE PROPOSAL

The proposal is to demolish the existing dwelling and outbuilding structures and subdivide the existing allotment into two allotments.

4.0 RELEVANT PLANNING CONTROLS

The following planning policies are relevant with respect to the proposed development.

- Penrith Local Environmental Plan 1998 (Urban Land)
- Penrith Development Control Plan 2006 (DCP)

4.1 Penrith Local Environmental Plan 1998 (Urban Land)

The subject site is zoned Residential 2(b) (Low Density) under the Penrith Local Environmental Plan 1998 - Urban Land (PLEP 1998). The proposed development is permissible with the consent of Council provided that the proposal complies with all relevant clauses in PLEP 1998 viz:

The objectives of Zone No. 2(b) – Residential (Low Density) are:

- (i) *to reinforce the importance of natural landscape settings and areas with heritage conservation values, and*
- (ii) *to promote the established urban and landscape character of traditional residential subdivisions by limiting the range of permissible uses, and*
- (iii) *to allow a limited range of compatible non-residential uses.*

The objective (ii) of the 2(b) zone is to identify low density residential areas and maintain that character. This is to be achieved by compliance with the LEP development standards (i.e. a minimum allotment area of 550m²).

Note: see comments in the pursuing paragraph

Subdivision controls generally (Clause 10)

The council must not grant consent to subdivision of land within Zone No 2 (a1), 2 (a), 2 (b), 2 (c), 2 (d) or 2 (e) unless the area and width of each of the resultant lots will be in accordance with the controls for the zone set out in Table 1 below:

Table 1 General Subdivision Controls				
Zone No	Standard lot		Internal lot	
	minimum area	minimum width	minimum area	minimum width
2 (a1)	600 m ²	20 m	700 m ²	20 m
2 (a)	600 m ²	15 m	700 m ²	20 m
2 (b)	550 m ²	15 m	650 m ²	15 m
2 (c)	475 m ²	12 m	525 m ²	15 m
2 (d)	400 m ²	12 m	450 m ²	15 m
2 (e)	400 m ²	10 m	450 m ²	12 m

In this regard, the Table stipulates a minimum allotment size of 550m² and a minimum width of 15m.

The proposed development complies with the area requirement being; Proposed Lot 10 – 696.77m² and Proposed Lot 11 – 696.77m² respectively. Likewise the minimum width of each lot is 15.24m, which therefore, achieves the predominantly low density character. As such, there is compliance by the development with the associated objectives for the zone.

Allotments in the immediate locality vary both in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than most adjoining and nearby allotments which are approximately half the width and area.

Provision for environmental performance in development generally (Clause 13)

The north south orientation of the site enables future dwellings to provide private open space areas with adequate solar access.

Further, each prospective dwelling will be required to achieve the required BASIX commitments and will need to demonstrate that stormwater can be drained in accordance with Councils policy.

Preservation of trees and vegetation (Clause 28)

The proposal does not involve the removal of any trees.

New landscaping will be provided in conjunction with a future Development Application for the construction of a dwelling house on each proposed lot created by the subdivision which will enhance the future amenity of the site and locality.

Consent required for subdivisions (Clause 34)

Development consent is being sought with this application.

4.2 Penrith Development Control Plan 2006

Part 2 – City Wide General Controls

Contaminated Land (Section 2.1)

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.

Engineering Works (Section 2.3)

Being a relatively level site, minimal site works will be required to establish drainage lines, driveways and future building platforms at the required levels. Minor excavation of the extent envisaged would not affect the structural viability of future buildings due to the existing soil conditions. The proposed subdivision will not have any significant detrimental effect on adjoining properties and will be in accordance with the “*Guidelines for Engineering Works for Subdivisions and Development*”.

Erosion and Sediment Control (Section 2.4)

Erosion and sedimentation control measures will be implemented during demolition and any required construction (*see Demolition Work Plan*).

Landscape (Section 2.6)

The proposal does not involve the removal of any trees.

Landscape planting will be required with future development applications to enhance the amenity of each site and locality in general.

Waste Planning (Section 2.9)

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

Tree Preservation (Section 2.13)

The proposal does not involve the removal of any trees.

Part 4.7 – Residential – Guidelines for Subdivision

Design Principles

Slope and orientation of land – as mentioned earlier, being a relatively level site, minimal site works will be required to establish drainage lines, driveways and future building platforms at the required levels.

Opportunities for solar and daylight access to future dwellings – the north/south orientation of the site provides scope for future development with adequate solar access to principle internal and external living areas.

Design of road and access ways (individual site access) – each allotment will be 15.24m wide, therefore, new driveways can easily be accommodated without any adverse impacts to the streetscape amenity.

Retention of special qualities or features such as trees and views – the proposed subdivision does not involve the removal of any trees. Subsequent development applications for future development will need to address any prospective tree removals. The proposed development will have no view sharing implications.

Availability of utilities – preliminary discussions with service providers indicate that all services are available to the site. Sydney Water may require a new junction point to be provided, the details of which will be given with the Section 73 Certificate Application.

Provision of adequate site drainage – the site has some fall towards the street therefore, there is scope for stormwater to be collected, stored and discharged to the street stormwater system in accordance with Council's requirements.

Possible need to retain existing subdivision character – as mentioned earlier, the existing subdivision pattern comprises allotments that vary in size and configuration due to angled road alignments of certain streets and the inclusion of cul-de-sacs. The subject site itself is wider than adjoining allotments, which are approximately half the width and area.

Heritage and archaeological conservation – the subject site is not listed as a heritage item nor is it in the vicinity of any heritage listed item.

Adequacy of each allotment considering relevant development standards such as setbacks, car parking, landscaping etc – subsequent Development Applications will need to demonstrate compliance with relevant development standards and controls. Landscape Plans will accompany the applications nominating native species of trees and shrubs to enhance biodiversity in the locality.

The relationship of the subdivision layout to adjacent land suitable for subdivision – the subject site is wider than adjoining allotments, which are approximately half the width and area. As such, the proposed subdivision will not be antipathetic to the established character of the locality.

Enhancement of existing or future subdivision character – allotment sizes that meet the minimum lot size stipulated in the LEP are considered to be consistent with the existing and future subdivision character.

Allotment Orientation

As mentioned earlier, the north/south orientation of the site provides scope for future development with adequate solar access to principle internal and external living areas.

Site Frontage/ Allotment Dimensions

As mentioned earlier, it is proposed to subdivide the development (Torrens Title). The resulting lot configurations are provided in the table below viz:

Lot	Frontage	Area
10	15.24m	696.77m ²
11	15.24m	696.77m ²

Both proposed lots are identical in configuration with relatively wide frontages of 15.24m. The allotments are of sufficient size to facilitate dwelling house development that meets the requirements of the LEP/DCP.

The immediate locality and the street block in particular, is characterised by a variety of allotment sizes and configurations, with most allotments having street frontage, but, varying in size. The block plan principle has generally been adhered to (i.e., soft soil landscaping areas located at the front and rear of the allotment). As such, the subject site, having a wide frontage of 30.48m is in effect double the standard width of allotments in the general locality.

As a general observation, most suburbs in Sydney have, as a development standard/control, a minimum frontage of between 10-18m, with some of the inner suburbs allowing much narrower allotments. A variety of allotment sizes is seen as being an acceptable approach for the provision of a variety of dwellings sizes, which is also consistent with traditionally suburban design and allotment layout.



Aerial Map - depicting subdivision pattern

Services

Preliminary discussions with service providers indicate that all services are available to the site. Arrangements will be made with service providers to co-locate (share) trenching where possible. Existing services will also be utilised to minimise costs.

Drainage

Council's goal is to develop long term improvements to the health of waterways. To achieve this goal the proposed development provides the following:

- Appropriate conditions of consent will ensure that drainage design commitments are fulfilled;
- A Hydraulic Detail Plan will need to be submitted with the subsequent dwelling house development application, which will demonstrate that stormwater can be collected, stored and discharged to the street, ensuring that there will be no adverse impact on Council's stormwater system, the development itself or adjoining properties; and
- Soft soil areas within the site will also assist in reducing runoff from the site. (Note: based on envisaged building footprints and compliance with Council's DCP requirements for permitted development, a significant portion of each allotment will remain as soft soil).

Checklist of matters for consideration

- **Suitability of the land for development. Consider flooding, drainage, tidal inundation, land slip, soil erosion, mine subsidence, bushfire and similar risks** – there are no affectations burdening the site.
- **Proposed vehicle access and egress. Adequacy for any loading, unloading, turning or parking** – as discussed earlier in the report, standard residential driveway crossings will be provided in accordance with Council's specifications. An appropriate condition of consent can be included.
- **Proposed landscaping of the site and whether any existing trees should be preserved** - the proposal does not involve the removal of any trees. Landscape planting will be required with future development applications to enhance the amenity of each site and the locality in general.
- **The physical character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of the development** – this consideration is not specifically relevant to the proposed subdivision application, but will however, be considered with future applications for subsequent development.
- **The siting of any building or works on the land and their relation to development on neighbouring land (especially consider overlooking and over shadowing)** – N/A
- **Impact on the landscape, streetscape or scenic quality for the locality** – future residential development will complement the streetscape character and enhance the amenity of the locality.
- **The existing and likely future amenity of the neighbourhood** – the future amenity of the locality will be enhanced with new residential development and formalised landscaping. The existing subdivision pattern and building character will not be compromised as the parent allotment is approximately double the size of the established minimum specified in the DCP and most adjoining/nearby allotments, and in fact, the subdivision will produce lots more consistent with the established character and context of adjoining development.
- **The amount of traffic likely to be generated, particularly in relation to the adequacy of existing roads and present volumes of traffic carried – the likely traffic volumes to be generated by future development** - Gibbes Street does not carry large volumes of traffic and there is sufficient sight distance available to view on coming vehicles, therefore, reverse maneouvers from future development are considered to be safe.

The additional traffic likely to be generated by the future development will have a negligible impact on the existing traffic conditions and the servicing of intersections in the immediate locality.

- **Whether public transport will be necessary to serve the development, and present availability and adequacy of public transport** – bus links are readily available within walking distance along Mulgoa Road.
- **Whether existing utility services are adequate to serve the development (i.e. water, sewerage, power, stormwater drainage, telephone) or, in rural areas, whether services are available on site** – discussed earlier in the report.
- **The impact on the natural environment** - discussed earlier in the report. (Note: the subject site is relatively level and prospective development will closely follow the natural topography of the site. The proposed driveways will be designed to minimise excavation, resulting in grades that closely follow the natural ground level).

Erosion and sedimentation control measures will be implemented during construction.

- **The impact on the building environment or items of natural heritage** – N/A
- **Social and economic effects of the development** – the provision of additional allotments for housing is seen as a positive social and economic outcome. The low scale nature of the proposed development will not place any pressure on existing social infrastructure such as, schools, shops and recreation facilities and will enhance the cohesion of the local community.
- **Any special heads of consideration specified in an environmental planning instrument (e.g. relating to heritage and conservation, scenic protection, wetlands, water catchment areas, escarpments, etc)** – N/A
- **Any special circumstances relating to the site or the locality** – N/A

4.3 Other Requirements

Waste Controls

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

Biodiversity Management

The proposed development provides allotments that are large enough to accommodate soft soil zones. This in turn promotes the objectives of biodiversity management:

- Native landscaping can be planted in the soft soil zones; and
- Minimal impact on local drainage patterns.

4.4 Stage 2 (Draft) Penrith LEP 2010

The subject site is within the R2 – Low Density Residential Zone under the draft, which was recently exhibited and contains a savings provision.

A full analysis of the draft LEP is considered unnecessary as the draft standards are neither certain nor imminent. Regardless, it is understood that the proposed development will remain permissible under the draft LEP with identical numeric requirements for the various forms of development and Council Staff have advised that the current LEP will be used as the assessment criteria.

4.5 Non Compliance

The proposed subdivision satisfies all development standards and controls.

5.0 CONCLUSION

It is considered that the current strategy of Penrith Council to promote a variety of housing choice in the locality is being achieved by the proposed subdivision. In summary, the proposed subdivision simply enables a currently large, under utilised site, to realise its full potential by accommodating the future construction of contemporary dwellings.

A comprehensive site analysis and consideration of various development options has concluded that a side by side subdivision pattern best suits the existing character and pattern of development in the locality.

It is considered that the proposed subdivision will meet the local Community expectations for development in the locality. As such, the application warrants approval.



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