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STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED SUBDIVISION – BOUNDARY ADJUSTMENT
VARIOUS LOTS AT MARY AVE + FARRELLS LANE,
CASTLEREAGH

AUGUST 2018

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cityscape planning + projects, 2018

This report is provided to accompany a Development Application to be lodged on the subject land and is to be used for that purpose solely and for the client exclusively. No liability is extended for any other use or to any other party. Whilst the report is derived in part from our knowledge and expertise, it is based on the conditions prevailing at the time of the Report and upon the information provided by the client.

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1.0 INTRODUCTION

Cityscape Planning + Projects has been engaged to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) to be submitted on the subject site. Detailed plans and a completed DA form have been provided separately.

The SEE describes the proposed development and subject site and undertakes an assessment of the proposal against the *Environmental Planning & Assessment Act 1979*, as well as the aims, objectives and development provisions of Penrith LEP 2010, SEPP (Penrith Lakes Scheme) 1989 and the relevant DCP.

It has been compiled, through on ground investigations, research, analysis and discussion with officers of Penrith City Council.

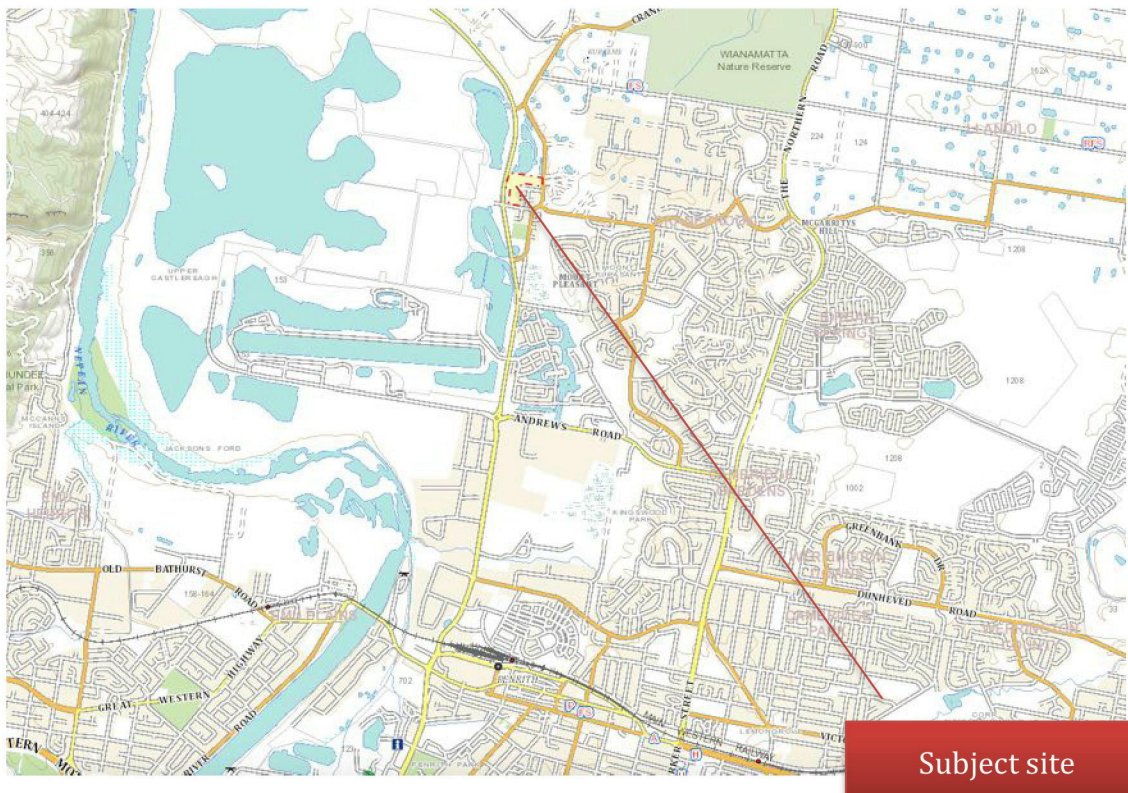
2.0 THE SUBJECT SITE

The subject site is a large, irregular shaped parcel of land located on the western side of the Cranebrook Village, with a frontage to numerous Roads including Cranebrook Rd, Mary Ave, Farrells Lane and Castlereagh Rd. A plan showing the locality of the site is provided at Figure 1.

The site is comprised of several land parcels with the following real property description:

Lot:	2	DP:	1180164
Lot:	C	DP:	375804
Lot:	60	DP:	255596
Lot:	61	DP:	255596
Lot:	18	DP:	253816

FIGURE 1: LOCATION OF SITE



3.0 SITE ANALYSIS

3.1 SITE DIMENSIONS

The site is a large irregular shaped parcel with a total site area of 4.8413 ha. It has width of 309.25m at its northern boundary and a length of approximately 290m on the north-south alignment.

3.2 TOPOGRAPHY

The site is located on the eastern edge of the Penrith Lakes Scheme, which itself forms the eastern edge of the Nepean River floodplain. As such the site is represented as a floodplain topography, which is a relatively flat and unrelieved area. The limited relief and proximity to the Nepean River is demonstrated in the topographic plan provided at Figure 2. The site does not possess any other topographical features of significance, including watercourses or rock outcrops.

3.3 FLORA & FAUNA

The site has been largely cleared as part of previous development and use of the site. However still does contain the occasional garden type planting and occasional native trees species located across the site. Further, northern sections of the site have experienced significant plantings as part of the rehabilitation strategies implemented as part of the Penrith Lakes Scheme.

The limited vegetation coverage on site is represented in the aerial photo provided at Figure 3 and Figure 6.

FIGURE 2: SITE TOPOGRAPHY



FIGURE 3: AERIAL VIEW OF SITE



3.4 HYDROLOGY

The site forms part of extensive hydrological system known as the Penrith Lakes Scheme. Figure 4 provides an extract of the approved *Penrith Lakes Water Management Plan 2012* which shows the hydrology of the lakes and its environs. This plan demonstrates that the site and broader area drains westward to the Lakes Scheme where it enters the stormwater treatment trains regime currently provided at the eastern extent of the Lakes Scheme.

The site's location on the Nepean River floodplain also exposes it to risks from flooding and the site is identified as being within a flood planning area. An extract of the relevant Council flood map is provided at Figure 5.

3.5 EXISTING DEVELOPMENT

The site currently accommodates four (4) dwelling houses located on respective parcels: single, large dwelling house together with a pool and tennis court. The location of these built forms is demonstrated in the aerial image provided at Figure 6.

3.5 ADJACENT DEVELOPMENT

The site is located on the western edge of the Cranebrook village and therefore adjoins single detached dwellings to the east and rural residential scaled development to the north. The site also adjoins regional open spaces associated with the Penrith Lakes Scheme to the north and west. This development and land use is evident in the aerial photo provided at Figure 3.

FIGURE 4: LOCAL HYDROLOGY



FIGURE 5: RELEVANT FLOOD MAP - FLOOD PLANNING AREA



Source: Nepean River Flood Study 2017 – Volume 1

FIGURE 6: EXISTING DWELLINGS



3.6 ABORIGINAL & EUROPEAN HERITAGE

A search of Council and NSW databases has confirmed that neither the subject site nor lands within the immediate vicinity of the site are identified as containing any identified items of Aboriginal or European heritage.

Further, an Aboriginal Heritage Impact Permit has also been granted over the broader Lakes Scheme site inclusive of the subject site.

3.6 SERVICES & INFRASTRUCTURE

The site forms part of an established urban area and as such enjoys access to power and communication services as well as access to *Sydney Water's* reticulated water and sewer services.

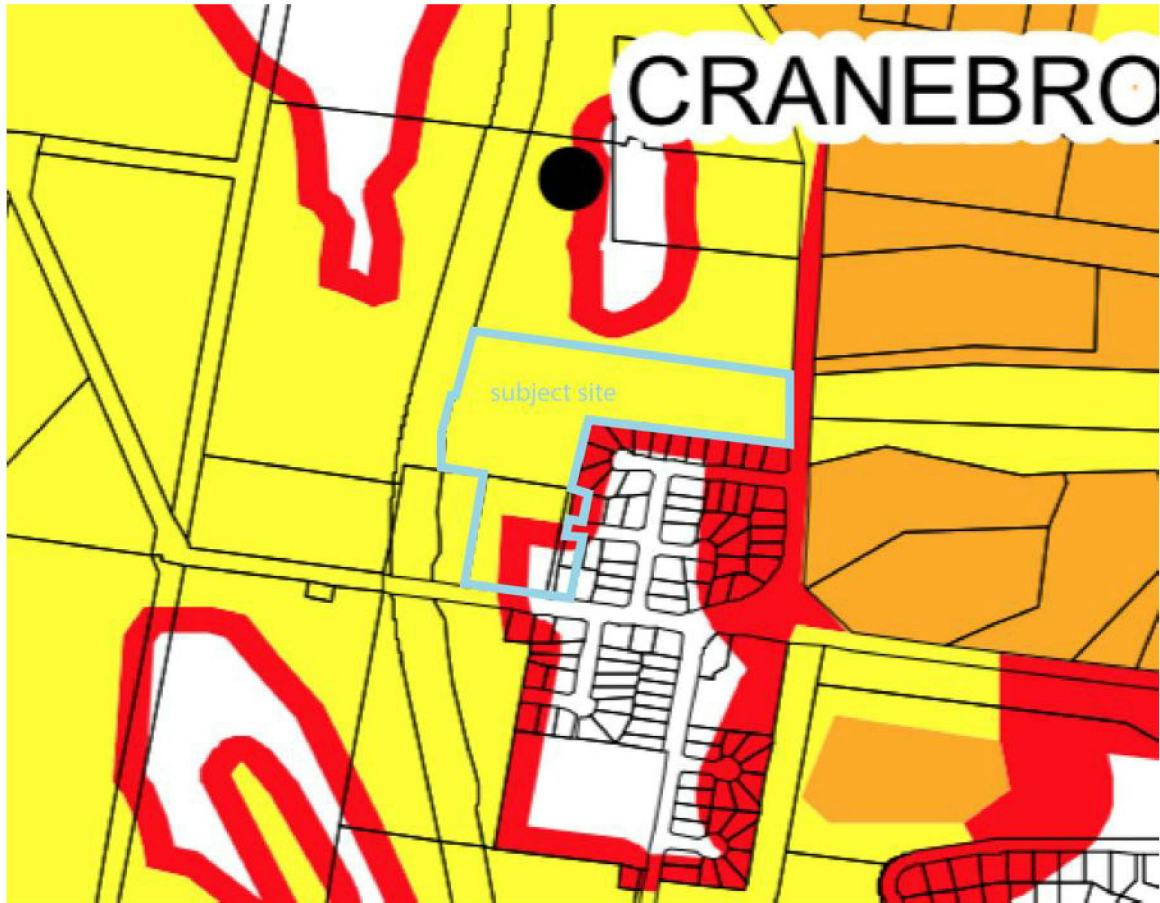
3.7 HAZARDS & NUISANCE

Sections of the site are identified as being flood prone as previously discussed at section 3.4 of this report. The site is also identified as being bushfire prone land on the relevant Council map. An extract of that map is provided at Figure 7. A bushfire assessment report accompanies the DA however the development poses no bushfire threat.




The site's proximity to Castlereagh Rd also has the potential to expose the site to adverse noise impacts.

It is not exposed to any other conceivable risk from hazard or nuisance

FIGURE 7: COUNCIL BUSHFIRE MAP



Bush Fire Prone Land

-  Vegetation Category 1
-  Vegetation Category 2
-  Vegetation Buffer

4.0 DEVELOPMENT PROPOSAL

The applicant seeks Council consent for the subdivision of the subject site to simply realign internal boundaries to reflect historic usage patterns (e.g. building and fence encroachments across various parcels) and to rationalise lot boundaries with underlying zoning under the respective Environmental Planning Instruments.

No additional allotments will be created by the development.

The dimension of each proposed lot is represented in Table 1.

The plan of subdivision also provides a 2m wide easement to drain water and a right of carriageway across proposed lots 1,2,3 and 4.

Existing vehicle access to the proposed lots shall be maintained for each respective land parcel.

A detailed subdivision plan accompanies the Development Application however a representation of that plan is provided at Figure 8.

TABLE 1: PROPOSED LOT DIMENSIONS

Proposed Lot	Area	Lot Width	Lot Depth	Vehicular Access
Lot 1	991m ²	24.14m	36.5m	Farrells Lane
Lot 2	775m ²	21.14m	36.7m	Mary Ave
Lot 3	1.021ha	79.35m	127.51m	Farrells Lane
Lot 4	787m ²	21.29m	37.38m	Mary Ave
Lot 5	3.565ha	79.97m	309.25m	Cranebrook Rd

5.0 STATUTORY SITUATION

5.1 ZONING

The subject site is zoned pursuant to two different Environmental Planning Instruments (EPI). The zoning and respective EPI for each parcel is provided at Table 2:

TABLE 2: SITE ZONING

LOT	ZONE	EPI
2	<ul style="list-style-type: none">Part R2 Low Density ResidentialPart Residential	<ul style="list-style-type: none">Penrith LEP 2010SEPP (Penrith Lakes Scheme) 1989
C	R2	Penrith LEP 2010
60	R2	Penrith LEP 2010
61	R2	Penrith LEP 2010
18	R2	Penrith LEP 2010

An extract of the relevant zoning map are provided at Figures 9-10.

Whilst Lot 2 has zonings under two different EPI's the lands subject to the proposed subdivision and boundary adjustments are wholly contained within Penrith LEP 2010.

Indeed, part of the rationale of the development is rationalise zoning and lot boundaries by excising that part of Lot 2 that is zoned under Penrith LEP 2010 and thereby leaving that resultant lot (i.e. Proposed Lot 5) fully zoned under the SEPP (Penrith Lakes Scheme) 1989.

FIGURE 9: EXTRACT OF SEPP ZONING MAP

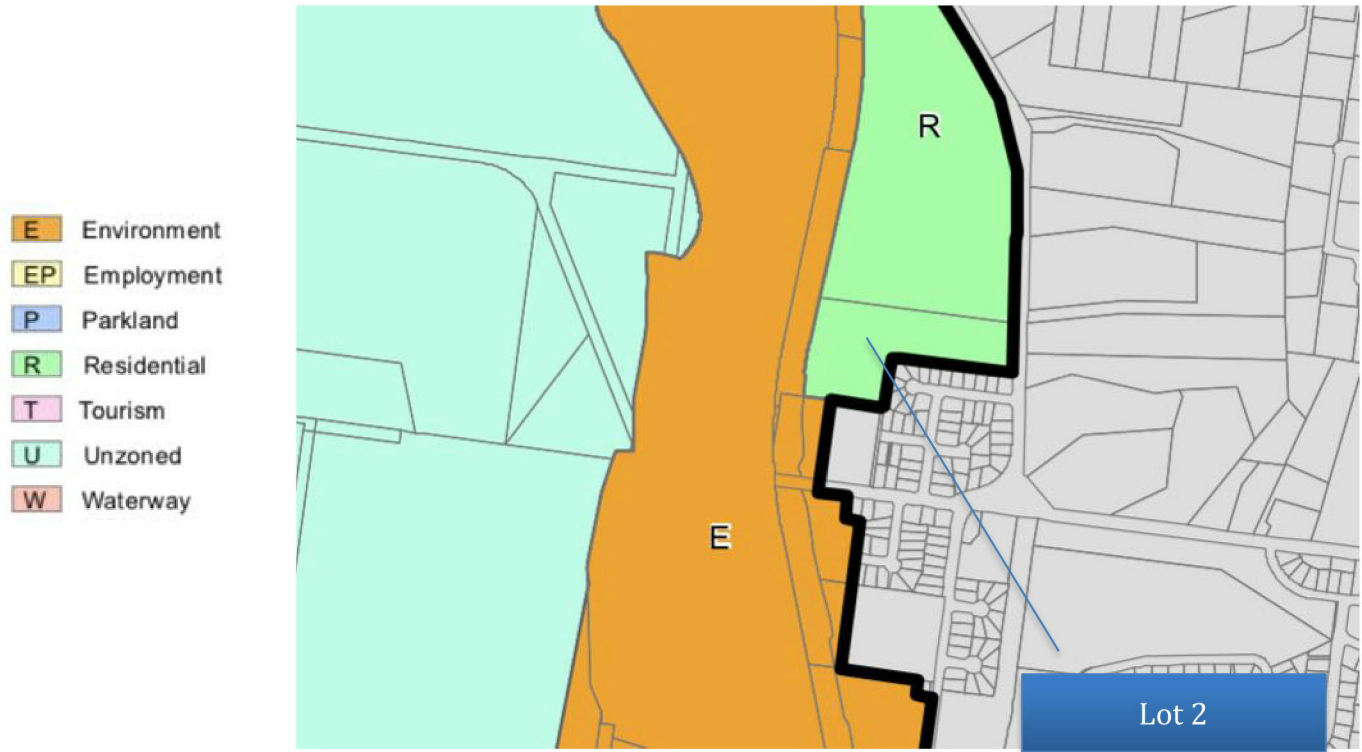


FIGURE 10: EXTRACT OF LEP ZONING MAP

Land zoning map - sheet LZN-008

- Zone
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B5 Business Development
 - B6 Enterprise Corridor
 - E1 National Parks and Nature Reserves
 - E2 Environmental Conservation
 - E3 Environmental Management
 - IN1 General Industrial
 - IN2 Light Industrial
 - IN3 Heavy Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - R4 High Density Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU1 Primary Production
 - RU2 Rural Landscape
 - RU4 Primary Production Small Lots
 - SP1 Special Activities
 - SP2 Infrastructure
 - W1 Natural Waterways
 - WSP SEPP Western Sydney Parklands



5.2 MINIMUM LOT SIZE

Clause 4.1 of Penrith LEP 2010 references the relevant map that defines the minimum lot size for subdivision of the subject land. An extract of this map is provided at Figure 11 and identifies the minimum lot size of 550m². Table 1 demonstrates that each proposed lot achieves the relevant development standard.

Clause 18 of SEPP (Penrith Lakes Scheme) 1989 requires a minimum lot size of 2 ha for any residential zoned land. Proposed Lot 5 is the only lot created within that EPI as part of this development application and Table 1 of this report demonstrates that this lot has an area of 3.565 ha.

The proposed lots therefore satisfy the respective requirements of both EPI's.

FIGURE 11: EXTRACT OF MINIMUM LOT SIZE MAP



5.3 MINIMUM LOT WIDTH AND DEPTH

Clause 4.1(4A) of Penrith LEP 2010 requires that subdivision of R2 Low Density Residential Zoned land must achieve a minimum lot width of 15m. Each of the respective proposed lots (Lots 1-4) provide a minimum lot width that well exceeds the minimum lot width requirement.

SEPP (Penrith Lakes Scheme) 1989 does not provide any minimum lot width requirement.

5.4 INTEGRATED DEVELOPMENT

The land is identified as 'bushfire prone land' on the relevant Bushfire Prone Land Map (See Figure 7). The development proposes the subdivision of land for residential purposes and therefore requires an approval pursuant to S100B of the *Rural Fires Act 1997*. The development is therefore Integrated Development under the *Environmental Planning and Assessment Act 1979*.

A bushfire assessment accompanies the Development Application and concludes that the proposed subdivision is capable of complying with the general performance provision of Planning for Bushfire Protection 2006 and AS 3959 – 2009.

6.0 PLANNING ASSESSMENT

6.1 THE PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

6.1.1 SREP NO.20 – HAWKESBURY NEPEAN

Sydney Regional Environmental Plan No 20 (SREP 20) is in place to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

It seeks to achieve this by providing a series of strategies and planning controls that all development must be considered against.

The proposed development is not in conflict with this objective, and it is considered that any risks relating to the protection of the Hawkesbury-Nepean River system would be considered and addressed through the implementation of any conditions of consent relating to erosion and sediment control, and stormwater runoff mitigation.

6.1.2 SEPP No 55 – REMEDIATION OF LAND

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land. In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- (c) by requiring that a remediation work meet certain standards and notification requirements

Penrith Lakes Scheme lands have been subject to extensive site rehabilitation inclusive of soil testing and this has not raised any concern about the sites suitability for residential use.

Previous and existing use of the residential lands does not provide any land use or activity that would give rise to any potential for contamination.

In any event the proposed development does not seek to change the existing land use of the subject lands.

6.1.3 SEPP (STATE AND REGIONAL DEVELOPMENT) 2011

This SEPP aims to identify state and regionally significant development and the development assessment process for such development. Schedule 2 to the SEPP identifies certain sites that have been declared to provide state significant development. This schedule references the Penrith Lakes and an extract is provided below:

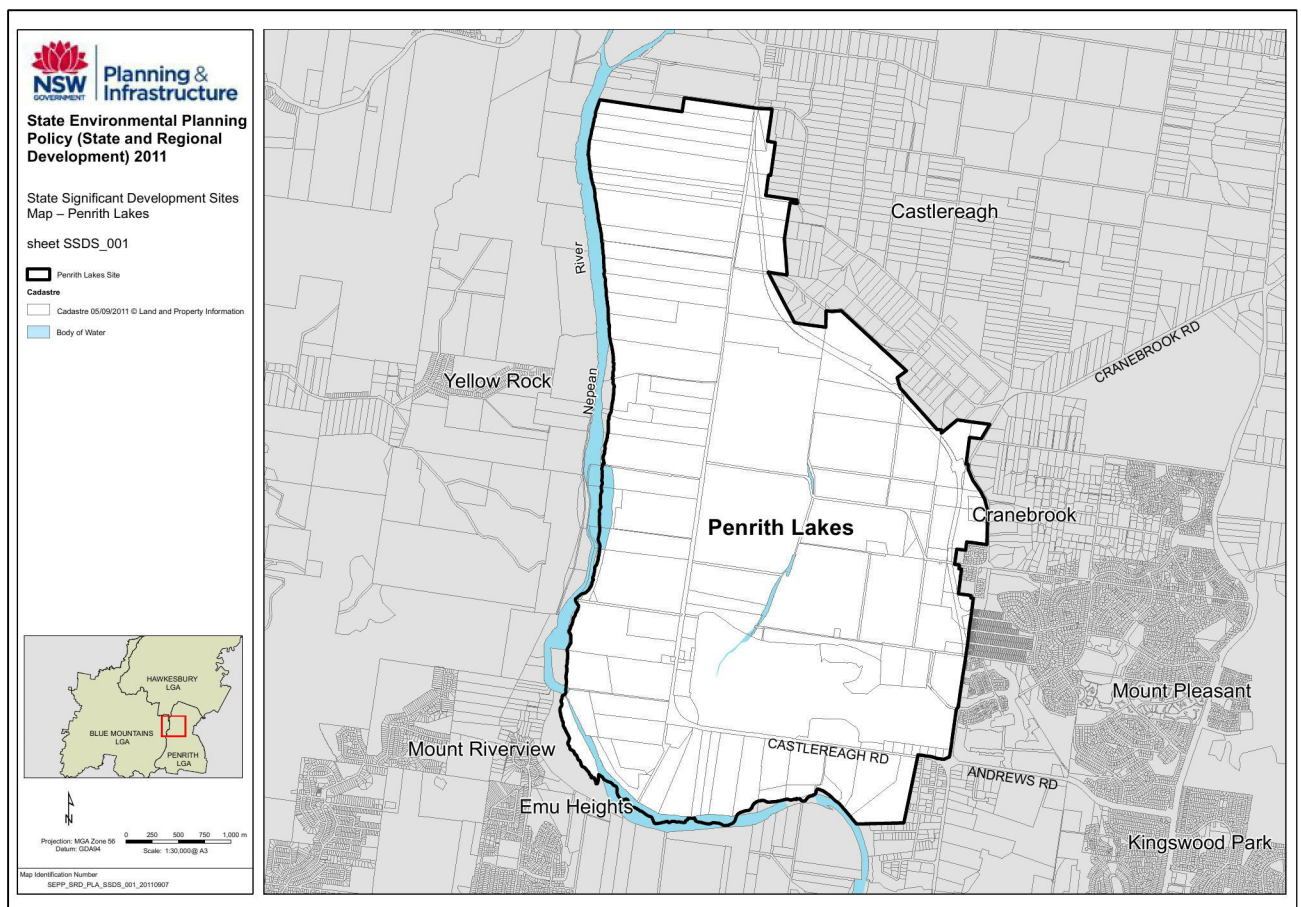
8 Development at Penrith Lakes Site

Development on land identified as being within the Penrith Lakes Site on the State Significant Development Sites Map if the development is for the purposes of extraction, rehabilitation or lake formation (including for the purposes of associated infrastructure on land located within or outside that Site).

A copy of the relevant map is provided at Figure 12:

The site is located with the identified Penrith Lakes, however the development is not for the purposes of extraction, rehabilitation or lake formation and therefore the SEPP Is not relevant to this development proposal.

FIGURE 12: SEPP SITES MAP



6.1.4 SEPP (PENRITH LAKES) 1989

The SEPP is the primary environmental planning instrument that applies to the subject site. The aims of this plan are as follows:

2 Aims of Policy

The aims of this Policy are as follows:

- (a) to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme,*
- (b) to identify and protect items of the environmental heritage,*
- (c) to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,*
- (d) to permit interim development that will not detrimentally impact on the implementation of the Penrith Lakes Scheme,*
- (e) to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.*

The development does not cause any inconsistency with any of these objectives.

Other key provisions of the SEPP are addressed below:

Part 2 Development Control

7 Development generally

A person shall not carry out development on land to which this Policy applies except development authorised by or under this Policy.

The developments permissibility has been demonstrated as part of previous sections of this report.

8 Development for the purposes of implementing the Penrith Lakes Scheme

(1) Development for the purposes of implementing the Penrith Lakes Scheme may, with development consent, be carried out on land to which this Policy applies.

Not relevant as the development proposal does not seek to implement the Penrith Lakes Scheme.

9 Interim development on unzoned land

Not relevant as the site is zoned Residential.

Part 3 Permitted or prohibited development on zoned land

14 Zone objectives and Land Use Table

Residential

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic value.***
- To ensure that residential development does not have an adverse effect on those values.***

- *To minimise the potential for conflict between development in residential areas and land uses within adjoining zones.*
- *To ensure that land uses are compatible with the available infrastructure, services and facilities and with the environmental capabilities of the land.*
- *To preserve and improve natural resources through appropriate land and water quality management practices.*

The development seeks to simply realign and rationalise lot boundaries, which will facilitate orderly development of the subject lands.

The development is also of scale and type that would not cause any adverse land use conflicts with any adjacent existing or future development.

The development therefore causes no inconsistency with the relevant zone objectives.

15 Subdivision—consent requirements

Land to which this Policy applies may be subdivided, but only with development consent.

The subject Development Application seeks to obtain formal Development Consent for the subdivision of the site.

Part 4 Development standards for certain zoned land

18 Minimum subdivision lot size for land zoned Residential

(1) This clause applies to a subdivision of any land zoned Residential that requires development consent and that is carried out after the commencement of this clause.

(2) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than 2 hectares.

Proposed Lot 5 is the only lot to be created within lands pursuant to this EPI and this clause. Table 1 of this report demonstrates that this lot has an area of 3.565 ha.

Part 5 Additional provisions for zoned land

25 Development on land zoned Residential

(1) Development consent must not be granted for development on land zoned Residential unless the consent authority is satisfied that the number of dwellings on all land zoned Residential will not exceed 30.

The subject development seeks simply to realign boundaries and will therefore not create any additional lots.

Accordingly, the development proposes nothing that could be expected to exceed the 30 dwelling maximum for the broader Lakes Scheme site.

(2) Development consent must not be granted for development on land zoned Residential unless the consent authority has considered the following:

(a) an Aboriginal cultural heritage assessment for the land (being a written report detailing the results of the assessment and recommendations for actions to be taken before, during and after an activity to manage and protect Aboriginal objects and declared Aboriginal places

identified by the investigation and assessment) that has been prepared by a suitably qualified person,

The site has been the subject of significant Aboriginal cultural heritage assessment as part of the Penrith Lakes Scheme works.

As a consequence of this previous assessment and consideration an Aboriginal Heritage Impact Permit (AHIP) has already been issued for the subject site.

PLDC have also previously provided an Aboriginal Cultural Management Plan (CMP) for the broader Lakes Scheme Site to the Department of Planning and Penrith City Council. The proposed development causes no inconsistency with that CMP.

The development therefore is considered to satisfy this clause of the SEPP.

(b) a geotechnical assessment that has been prepared by a suitably qualified person and demonstrates that a stable development platform exists for the development,

The development detailed geotechnical testing and reporting has been undertaken as part of the previous implementation of the Penrith Lakes Scheme. This previous analysis has concludes that all earthworks have achieved suitable geotechnical outcomes.

(c) an evacuation plan that is prepared by an emergency services organisation and endorsed by the NSW State

Emergency Service as being appropriate for the development.

There is no formal process for the preparation or even endorsement of an evacuation plan by the NSW State Emergency Service. It is therefore hard to understand how this requirement can ever be met.

Further, the proposed subdivision does not create any new lots that would create the need to amend or enhance current evacuation planning for the site or broader area.

Part 6 Miscellaneous provisions

28 Heritage conservation

The site is not identified as being a heritage item and Aboriginal cultural heritage issues have been addressed earlier in this report and demonstrated no inconsistency with these clause objectives.

31 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

No earthworks are proposed as part of the subject development

33 Flood planning

(1) The objectives of this clause are as follows:

(a) to minimise the flood risk to life and property associated with the use of the land,

(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,

(c) to avoid significant adverse impacts on flood behaviour and the environment.

The proposed subdivision does not create any new lots or development opportunities and as such does not cause any increase flood risk or hazard.

Similarly, the proposed development provides no potential to cause any impact upon flood behaviour.

The development therefore causes no inconsistency with the clause objectives.

Part 7 Urban release area

34 Arrangements for designated State public infrastructure

(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.

The development does not rely upon any state public infrastructure such as regional roads, interchanges, regional open space etc

35 Public utility infrastructure

(1) Development consent must not be granted for development on land in an urban release area unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

All services and infrastructure are currently available to the site and as such it does not rely upon the provision of any new works to support the development proposal.

36 Development control plan

(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.

Subclause (4) of this clause states that subclause (2) does not apply if:

(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

The development seeks simply to realign lot boundaries and will not create any new dwelling entitlement. It is clearly therefore minor in nature and is also clearly consistent with the objectives of the zones as previously identified in this report.

6.1.5 PENRITH LEP 2010

The relevant provisions of the Penrith LEP 2010 are provided below together with an assessment of the development against those provisions.

PART 2 PERMITTED OR PROHIBITED DEVELOPMENT

2.3 Zone objectives and land use table

Zone R2 Low Density Residential

1 Objectives of zone

- **To provide for the housing needs of the community within a low density residential environment.**
- **To enable other land uses that provide facilities or services to meet the day to day needs of residents.**
- **To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.**

- **To enhance the essential character and identity of established residential areas.**
- **To ensure a high level of residential amenity is achieved and maintained.**

COMMENT:

The development does not change the prevailing site density or built character, but rather maintains low density, residential type development opportunities on lands that immediately adjoin similar scaled development.

The newly configured lots will each allow for the retention of the existing dwellings and as such will not cause adverse impact to existing and adjacent development.

The site and broader area also enjoy access to a range of urban services and facilities and is not expected to exceed the capacities of any of those services.

Accordingly the development is considered to cause no inconsistency with the relevant zone objectives.

2.6 Subdivision—consent requirements

(1) Land to which this Plan applies may be subdivided, but only with consent.

The subject Development Application seeks to obtain formal Development Consent for the subdivision of the site.

PART 4 PRINCIPAL DEVELOPMENT STANDARDS

4.1 Minimum subdivision lot size

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

The Lot Size Map identifies the subject site as having a minimum lot size of 550m². Table 1 demonstrates that the subject development provides four (4) lots that each achieve that minimum size and therefore comply with the relevant standard.

PART 6 URBAN RELEASE AREAS

Not relevant to the subject site.

PART 7 ADDITIONAL LOCAL PROVISIONS

7.2 Flood planning

(1) The objectives of this clause are as follows:

- (a) to minimise the flood risk to life and property associated with the use of the land,**
- (b) to limit uses to those compatible with flow conveyance function and flood hazard,**
- (c) to manage uses to be compatible with flood risks,**
- (d) to enable safe and effective evacuation of land,**
- (e) to ensure the existing flood regime and flow conveyance capacity is not compromised,**
- (f) to avoid detrimental effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or waterways.**

Penrith Councils most recent flood study identifies the subject site as forming a flood planning area as consequence of mainstream flooding from the Nepean River.

The development does not seek to create any new or additional lots but simply seeks to realign internal boundaries within the subject site.

It is therefore considered that the development does not create any new flood risk or hazard.

Further, any new dwellings shall be able to provide habitable floor spaces above the flood level and the scale of development would not cause any would detrimental impact or significant change to the existing flood regime or conveyance of waters.

Accordingly, the development is not considered to cause any inconsistency with the clause objectives.

7.7 Servicing

(1) The objective of this clause is to ensure that development of land to which this Plan applies reflects the availability of services.

(2) Before granting development consent for development on any land to which this Plan applies, the consent authority must be satisfied that:

(a) the development will be connected to a reticulated water supply, if required by the consent authority, and

(b) the development will have adequate facilities for the removal and disposal of sewage, and

(c) if the development is for seniors housing, the development can be connected to a reticulated sewerage system, and

(d) the need for public amenities or public services has been or will be met.

The site forms part of an established suburban area and as such enjoys access to power and communication services as well as access to *Sydney Water's* reticulated water and sewer services.

The development will not create any additional development or lot yield and as such will not generate any demand for new local amenities and services.

PART 8 LOCAL PROVISIONS – PENRITH CITY CENTRE

PART 9 PENRITH PANTHERS SITE

Not relevant to the subject site.

6.2 THE PROVISIONS OF ANY DRAFT PLANNING INSTRUMENT

The Department of Planning & Environment have recently released a Draft SEPP (Environment) that seeks to protect and management the natural environment. This Draft SEPP applies to the subject site.

However, the Draft SEPP does not necessarily seek to introduce new planning controls but rather simply seeks to consolidate several SEPP's including SREP 20 – Hawkesbury Nepean.

There are no other known draft planning instruments relevant to the site or its proposed development.

6.3 THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLANS

PENRITH DCP 2014

C11 – SUBDIVISION

11.3 RESIDENTIAL SUBDIVISION

The abovementioned section of DCP identifies the following controls for residential subdivision:

11.3.1 ALLOTMENT ORIENTATION

This control seeks to achieve lot layouts with opportunities for good solar access and energy efficient dwelling design. To best achieve this it identifies a preferred allotment orientation of 20° either side of north.

The proposed lot layout identified at Figure 2 reveals that all lots will have excellent solar access being provided with an opportunity to provide a direct northern aspect to both internal and external living areas.

The development is therefore considered to clearly satisfy this element of the DCP.

11.3.2 SITE FRONTAGE

This control seeks to allow the development of small sites and requires that site frontage is sufficient to permit vehicular and pedestrian access to the site and discourages deep, narrow lots.

Each lot provides a lot width that well exceeds the minimum lot width as required by the LEP.

The development actually seeks to provide wider lot frontage or maintain existing arrangements and therefore must be considered to readily satisfy this element of the DCP.

11.3.3 ALLOTMENT DIMENSIONS

This section seeks to provide a diverse range of housing types to meet the increasingly diverse housing demands of the community.

For lots greater than 400m² it requires the provision of a 10m x 12m or 8m x 15m building envelope to be provided behind the building line.

The subject subdivision proposal provides 5 lots that will simply rationalise existing lot boundaries and therefore will increase each lots ability to accommodate the identified building envelope requirements, as identified by the DCP.

No new battle-axe lots are proposed as part of the development.

The development is therefore considered to satisfy these elements of the DCP.

11.3.4 ROAD NETWORK

The development does not propose any new roads but will simply continue to rely upon existing arrangements to provide vehicle access.

No new dwelling yield is generated so no additional traffic generation shall be created.

Accordingly, the development must be considered to be within the existing capacity of the road network and will not cause any disruption to the performance of any intersection in the local network.

11.3.5 ROAD DESIGN + CONSTRUCTION

Not relevant.

11.3.6 LANDSCAPING + SITE DESIGN

This control seeks to maintain and enhance the existing streetscape and landscape character of areas.

No new lots, dwellings or vegetation removal will be caused by the proposed development.

Accordingly, the development causes no changes or adverse impacts to the landscape character of the site or broader area.

11.3.7 SERVICES

11.3.8 DRAINAGE

Not necessarily relevant as the objective and controls relate to larger scale subdivisions.

Regardless, the site enjoys the availability of all necessary urban services including the street drainage network. Further, the subdivision plan provides easements that facilitates the movement of stormwater from development to the existing street network.

11.3.9 PUBLIC OPEN SPACE

The control seeks to ensure appropriate allocations of open space are provided. For established areas it requires that subdivision be accompanied by developer contributions to fund such allocations.

The development does not generate any additional lots and therefore does not generate any development contributions.

Nevertheless, the site enjoys excellent access to the open space network associated with the local Cranebrook Village and Penrith Lakes Scheme.

11.3.10 ENVIRONMENTAL SITE MANAGEMENT

This control seeks to avoid degradation of natural systems.

The subject site is located in a suburban environment that does not accommodate any items of natural or ecological significance.

The development will not yield any additional dwellings in that suburban environment.

The subject development therefore is consistent with this DCP objective.

6.4 IMPACTS OF DEVELOPMENT

6.4.1 NATURAL ENVIRONMENT

The site does not accommodate any features of natural or ecological significance, but is located on the eastern extent of the Penrith Lakes Scheme and the Nepean River floodplain and is therefore exposed to flooding hazards.

However, the development will not result in any increase in the dwelling development potential and therefore no increase risk or flood hazard is caused.

The site also enjoys access to a full range of urban services and utilities including water, sewer and stormwater drainage that will further mitigate adverse impacts upon local or regional water quality.

As a consequence, it can be safely concluded that the development will not cause adverse impact upon the natural environment.

6.4.2 BUILT ENVIRONMENT

The local character of the area is represented as a suburban residential environment that provides single dwelling houses on a mix of lot sizes with open front garden areas.

The development forms a small and logical boundary adjustment that has limited ability to cause adverse impact upon the built environment, including that of the adjacent heritage item.

Lot sizes area of a type and scale that is consistent with the established land fragmentation pattern of the local area and the development will not generate traffic beyond the capacity of the local network.

Suburban character issues will be further considered as part of any future development applications for dwellings and associated built forms.

6.4.3 SOCIAL IMPACT

The proposed subdivision is not of scale or type to cause any social impact.

6.4.4 ECONOMIC IMPACT

The proposed subdivision will cause no significant economic impacts to the local or broader area.

6.5 SUITABILITY OF THE SITE

The subject site is appropriately zoned and serviced to accommodate the proposed subdivision and will cause no adverse impacts to the built or natural environment.

The site also already enjoys a nominal development potential of five dwellings.

The subject site is therefore ideally suited to the proposed development.

6.6 THE PUBLIC INTEREST

The public interest is best served when the outcomes from development represents positive benefits as distinct from negative benefits.

The proposed subdivision has no negative outcomes and hence the public interest is best served by approval of the development.

7.0 CONCLUSION

The application seeks approval to the subdivision of the subject site in a manner that will just rationalise and realign the internal boundaries of the subject site.

An assessment of the development has been made against the relevant provision of SEPP (Penrith Lakes Scheme) 1989, Penrith LEP 2010 and the relevant sections of Penrith DCP 2014. This assessment demonstrates that the development generally complies with all the identified development standards and criteria.

For these reasons we can see no reason why Council should not approve the proposed subdivision.