

Penrith City Council

**Proposed Multi-Dwelling Development
at**

86 Brisbane Street Oxley Park NSW

for

Property Innovations Group

STATEMENT OF ENVIRONMENTAL EFFECTS

and notes in support of Development Application

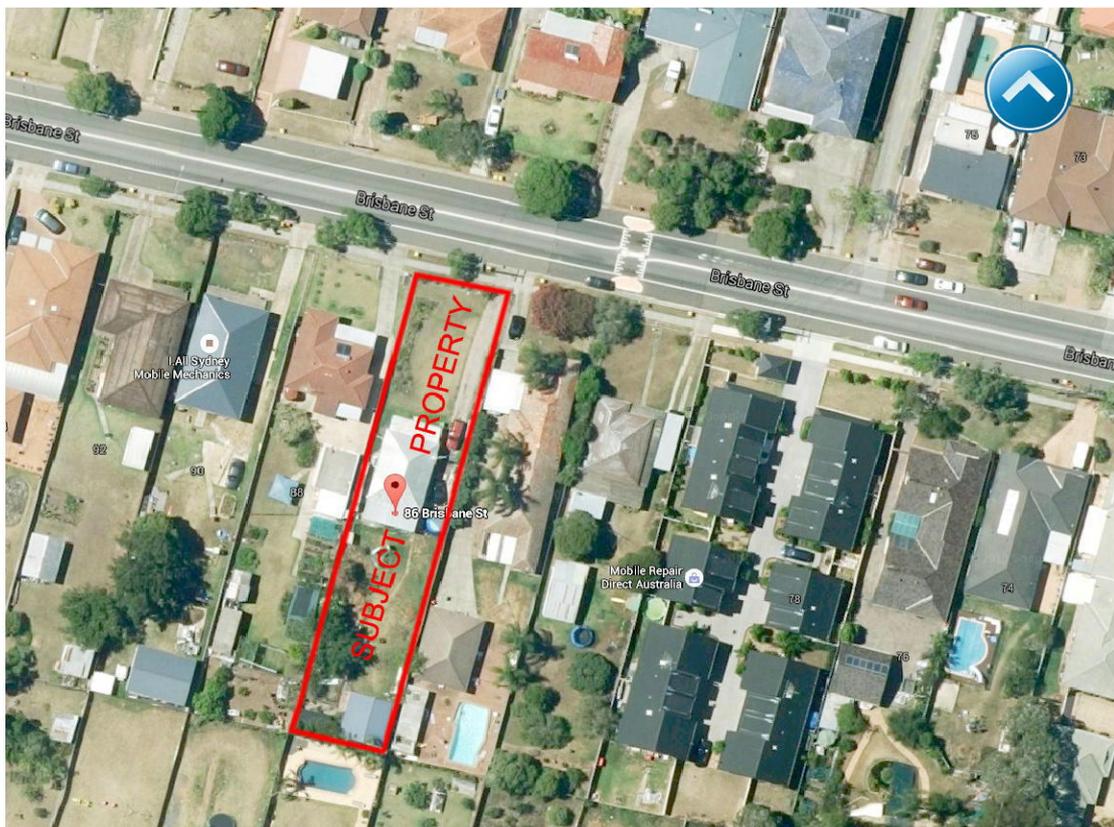
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1. SUMMARY

- 1.1 This Statement of Environmental Effects is made to Penrith City Council in support of a Development Application for the proposed Multi-Dwelling development.
- 1.2 The subject site is 86 Brisbane Street Oxley Park - Lot 366 DP 12590. Zoned R3 - Medium Density Residential under the Penrith LEP 2010.
- 1.3 The application seeks the construction of 5 x 3 bedroom townhouses, consisting of 3 buildings separated by open courtyards.
- 1.4 The site is located within close proximity to public infrastructure.
- 1.5 The proposal does not affect any flora and fauna, nor does it encroach on any easements.
- 1.6 The site is not affected by any bushfire area or affected by flooding, mine subsidence, landslip or contamination.
- 1.7 The subject site is located on the southern side of Brisbane Street, and has dimensions of 71.93m x 15.24m, with a total area of 1093m²
- 1.8 The site is bounded to the east by a similar sized residential block. To the west is a similar sized residential block. To the south is a similar sized block off Canberra Street. To the north is Brisbane Street.
- 1.9 The subject site currently contains a single storey clad dwelling. This dwelling is to be demolished, along with all the existing trees and vegetation. The remainder of the site is turf. The slope of the land is not significant with a slight fall of 350mm, south to north. Stormwater gravity drains to Brisbane Street.
- 1.10 The locale is predominately older residential dwellings, with a series of new, townhouse developments scattered throughout the area.



Street view



2. PROPOSAL

2.1 The proposal consists of 3 detached buildings. Facing the street, Unit 1 is a single dwelling, double storey with a single garage attached. Directly behind is a single building consisting of Units 2 & 3. This is a two story building with a single car garage for each dwelling. Directly behind Units 2 & 3 is a single building consisting of Units 4 & 5. This is a two story building with a single car garage for each dwelling. All dwellings contain 3 bedrooms.

2.2 All buildings will be constructed using a concrete slab for the ground floor, a timber framed first floor, brick veneer walls, and tiled roofs. There will be 10 car spaces on the site, 2 per dwelling.

2.3 The property is defined as "Multi Dwelling Housing" and is zoned R3 Medium Density Residential under the Penrith Local Environment Plan 2010

2.4 The proposal complies with the Penrith LEP and DCP controls as shown in the following summary -

1. landscaped area = 40%
2. Rear setback = 6.0m
3. Minimum courtyard dimensions = 5 x 4m
4. Front setback = 5.5m
5. Solar access to all Living areas and courtyards.
6. Buildings all comply to the building envelope controls (6.5m wall height)

2.5 Vehicle Access to the dwellings will be via a common driveway on the eastern side of the site allowing entry or exit in a forward direction. In accordance with Councils Car parking DCP a total of 10 spaces are provided on site. Parking to each unit is provided by the combined use of garages and an open car spaces. The additional amount of traffic likely to be generated by the development will have little or no effect on the existing road system.

2.6 Privacy and Fencing - Privacy to the adjoining dwellings will be maintained by the use of 2.1m high fencing around the perimeter of the site. Unit 1 at the front of the site will feature a 1.8m high timber slat courtyard wall. Internal fencing between units will be 1.8m high. It is proposed to build a 1.2m high brick fence along the front boundary of the site.

3. ASSESSMENT

PENRITH LOCAL ENVIRONMENT PLAN 2010

3.1 The objectives of the R3 zone under the PLEP2010 are -

Zone R3 Medium Density Residential

Part 2 - Permitted or Prohibited Development

1 Objectives of the zone

- *To provide for the housing needs of the community within a medium density residential environment.*

Proposal complies as it allows for increased housing in the area.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Proposal complies as it allows for increased facilities and services through an increased population in the area.

- *To provide for a concentration of housing with access to services and facilities.*

This objective is satisfied by increasing the housing density of the site.

- *To enhance the essential character and identity of established residential areas.*

The proposal complies as it will enhance the emerging multi-dwelling character of the area.

- *To ensure that a high level of residential amenity is achieved and maintained.*

This objective is satisfied by the introduction of 2, two storey dwellings of different design, thus promoting a variety of housing types and amenity.

- *To ensure that development reflects the desired future character and dwelling densities of the area.*

The proposal complies as it will enhance the emerging multi-dwelling character of the area.

3 Permitted with consent

- *Multi Dwelling Housing*

The proposal complies with this definition

Part 4 Principal Development Standards

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

<i>Multi dwelling housing</i>	<i>Zone R3 Medium Density Residential; Zone R4 High Density Residential</i>	<i>800 square metres for a standard lot</i>
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The proposal complies with this definition

4.3 Height of Buildings

The proposal complies with the defined maximum height of 8.5m for the zone

PENRITH DEVELOPMENT CONTROL PLAN 2014

D2 RESIDENTIAL DEVELOPMENT

2.4 MULTI DWELLING HOUSING

2.4.3 Development Site

Controls

- 1) Determine a minimum lot width for multi dwelling housing development.
 - a) adopt a minimum lot width of 15m in the R3 Medium Density Residential zone
 - b) adopt a minimum lot width of 20m in the R4 High Density Residential zone.
- 2) For the purposes of calculating lot size and lot width, the lot does not include the area of any access corridor or right-of-carriageway.

Proposal complies with 15.24m lot width

2.4.4 Urban Form

Controls

- 1) For dwellings fronting the street, adopt a traditional orientation:
 - a) living rooms, verandas and the paths to entrances face the street rather than neighbouring properties; and

Proposal complies.

- b) private gardens fill the front setback area; and

Proposal complies.

- c) garages are concealed behind dwellings.

Proposal complies with all garages set behind the building lines.

- 2) Dwellings behind the street frontage should adopt similar principles:

- a) living rooms and entrances face the street, and / or the landscaped rear boundary setback; and

Proposal complies where possible. due to the arrangement and car access requirements of the dwellings, all living rooms and entrances will face the driveway.

- b) private gardens fill the rear setback area.

Proposal complies with gardens front and rear of the property

- 3) Avoid "gun-barrel" style developments with long rows of attached dwellings, long straight driveways and rows of uniform width garden courtyards:

Proposal complies with a varied stepping in the front facade of all dwellings, this exhibits identical arrangements to the Townhouse developments surrounding the property. All gardens and courtyards are varied in shape and planting.

- a) break buildings into separate blocks, each one not longer than 20m;

Proposal complies

b) provide "open space corridors" between buildings at least 4m wide across each site (this does not include front/rear setback areas);

Proposal complies with a minimum 7.8m open space between dwellings 1 & 2. The space between dwellings 3 & 4 is greater at 10.9m.

c) a combination of garden areas and parking courtyards; or

Proposal complies with a variety of garden areas and planting. Parking spaces are incorporated as to be not viewable from the street.

d) open parking spaces that are lined by an "avenue" of shady, overhanging trees;

e) along common driveways, step the alignment of buildings, and / or their external walls plus eaves;

Proposal complies, as the proposed dwellings have a variety of relief features to their facades

f) at the head of common driveways, a distinctive building or landscape feature should terminate the vista from the street.

The head of the driveway will feature an open green space, along with shrubs and trees, as nominated on the Landscape Plan.

4) "Articulate" building forms by design measures that cast deep shadows:

Proposal complies with articulate building forms that will cast deep shadows.

a) separate neighbouring buildings by irregularly-shaped garden courts that are at least 3m wide;

Proposal complies.

b) external walls should not be longer than 5m between distinct corners;

Proposal complies.

c) the upper storey surrounded by a larger ground floor plan that incorporates projecting rooms, shady verandas and carports;

Proposal complies.

d) use a variety of roof forms and pitches;

Proposal complies.

e) include windows in every elevation.

Proposal complies.

2.4.5 Front and Rear Setbacks

The DCP stipulates that the front setback should be either the average setback of the immediate neighbours or 5.5m, whichever is the greater dimension. In this proposal, a minimum 5.5m front setback is sought in lieu of the average setback of the immediate neighbours as shown on the site plan. The reason is that all lots in zone R3 and in particular Brisbane Street and its surrounds, are destined for multi dwelling housing sometime in the near future, and a 5.5m setback is appropriate for multi dwelling housing without compromising the objectives of the LEP and DCP.

Controls

1) Determine the maximum development footprint for your site:

a) adopt a 6 metre rear setback or 4 metres in the case of a single storey building;

Proposal complies with a 6m 2 storey setback.

- b) adopt an average 6 metre rear setback on irregular shaped allotments; and
- c) adopt a front setback that matches the neighbourhood character.

Proposal complies with a 5.5m front setback.

2) Within the rear boundary setback:

- a) there shall be no building encroachments either above or below ground (eaves excepted);

Proposal complies.

- b) maximise the amount of undisturbed soil, encouraging rapid growth of healthy trees and shrubs;

Proposal complies.

- c) where there are physical encumbrances such as open drains, increase the setback accordingly.

3) Determine an appropriate front setback:

- a) either average the setbacks of the immediate neighbours; or
- b) a 5.5m minimum whichever is the greater dimension.

Proposal complies - front setback to be 5.5m.

4) Permissible encroachments within the front setback are:

- a) verandas and pergolas only which are a 4.5m minimum setback to the face of the veranda or pergola ; and maximum 50% of elevation.

Proposal complies.

5) Garages and parking spaces are not permissible within the front setback.

Proposal complies.

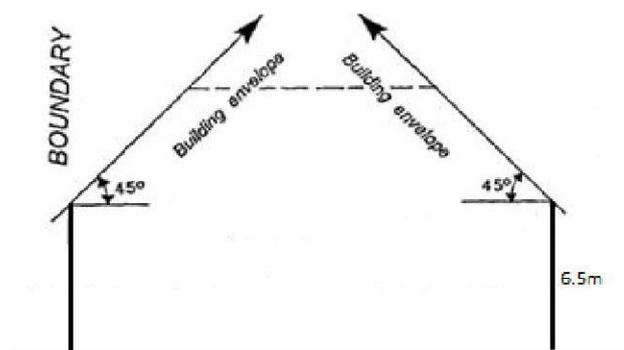
2.4.6 Building Envelope and Side Setbacks

Controls

1) Development is to comply with the building envelope for the site. The building envelope means a height plane over the site at 45 degrees from a specified height above natural ground level at the side boundaries of the site.

Proposal complies - please refer to elevation drawings for envelope details applied to the proposal

The building envelope is measured from natural ground level perpendicular to the side boundary at any given point along the wall. Penrith Development Control Plan 2014 D2 Residential Development D2 - 45



2) *The building envelope shall be measured relative to:*

- a) *Side boundaries only; and*
- b) *Existing ground level.*

3) *Only minor encroachments through the building envelope shall be permitted:*

- a) *eaves to main roofs*
- b) *chimneys and antennas*
- c) *pergolas.*

4) *Cut and fill and maximum ground floor heights:*

a) *on sloping sites provide stepping building platforms in line with existing topography with floors no higher than 1 metre above natural ground level;*

b) *restrict cut-and-fill to a maximum of 500mm; and*

Proposal complies. Cut will be restricted to the hydraulic underground tank requirements only. Fill will be restricted to within the building envelopes (under slab) and be a maximum of 500mm.

c) *provide effective sub-soil drainage.*

Proposal complies - please refer to the Hydraulic design.

5) *Pitches for main roofs are not to be in excess of 25 degrees in order to reduce the visual bulk of the building.*

Proposal complies - maximum pitch of 25 degrees is proposed

6) *Provide reasonable separation and landscaping between neighbouring buildings, consistent with the following parts of this section:*

- a) *Driveways and parking*
- b) *Landscaped area*
- c) *Solar planning; and*
- d) *Privacy and outlook.*

Proposal complies to the stated landscaping minimum areas and design.

7) *Setbacks from side boundaries should be varied to articulate walls to side boundaries:*

a) *a minimum setback of 2m, but only*

Proposal complies

b) *along not more than 50% of any boundary.*

Proposal complies

8) *Zero setbacks from the side boundary are not permissible except for single garages or carports with an open appearance according to - Garage design, not taller than 2.1 m at the boundary.*

Proposal complies

2.4.7 Driveways and Parking Areas

Controls

1) *Provide on-site parking in accordance with the parking section of this DCP.*

Onsite parking complies with - 2 car parking spaces for each 3 bedroom dwelling. One space per dwelling is provided as an enclosed garage.

2) Driveways should:

a) have a minimum paved width of 3m providing one-way movement;

Proposal complies with minimum width of 3m.

b) incorporate passing-bays and queue space at the street frontage where more than 5 dwellings are served, and driveways are longer than 30m;

Not required - 5 dwellings only.

c) minimise the paved area within the front setback;

Proposal complies

d) be separated from dwellings by a landscaped verge at least 1m wide;

Proposal complies.

e) where possible, also separated from boundary fences by a landscaped verge;

Not feasible due to width of lot and 6.5m garage to boundary requirement.

f) prevent adverse long-term effect upon any vegetation that must be preserved;

Proposal complies - majority of landscaped area is turf at the moment

g) provide for effective and healthy landscaping along all site boundaries;

Proposal complies where feasible.

h) provide for landscaping as continuous verges along both sides, or as a verge beside dwellings with plantings in pavement cut-outs along a boundary fence;

Proposal complies where feasible.

i) drain by gravity to Council's stormwater network.

Proposal complies - please refer to the Hydraulic Engineers design

The proposal complies to the turning circles and gradients stipulated in AS2890.1-1993. The garages are set back a minimum of 6.5m from the outside of the driveway kerb.

3) Garages and parking spaces should:

a) not be located in the front setback;

Proposal complies

b) should not directly face the street;

Proposal complies

c) be setback at least 6.5m from the outside driveway kerb.

Proposal complies

2.4.8 Landscaped Area

Controls

1) Landscaped areas should provide:

a) effective separation between neighbouring dwellings;

b) healthy growth of new trees and shrubs;

c) long-term survival of existing vegetation required by Council to be preserved;

d) private courtyards for all dwellings and a green outlook;

e) front gardens that contribute to an attractive streetscape; and

f) where more than 10 dwellings are proposed, a centrally located communal open space area that is accessible and available to all residents of the development, comprising 10% of the minimum landscaped area requirement.

Proposal complies

2) Landscaped area must meet the following requirements:

a) Landscaped areas should be: 40% for R3 (2c) zone

Proposal complies - 40% proposed

b) have a minimum width of 2m – with no basement encroachment; and containing unexcavated soil to promote landscaping that is effective and healthy;

Proposal complies

c) may include terraces and patios located not higher than 0.5m above ground and pedestrian pathways to building and dwelling entrances;

Proposal complies - please refer to nominated landscaped area on site plan.

d) do not include substantially-paved areas such as buildings, driveways and covered garages;

Proposal complies

e) should include verges that surround car parking areas and open driveways;

Proposal complies

f) should provide a reasonable area of private open space in accordance with the part within this section on design;

Proposal complies

g) where more than one building is proposed, that part of any easement exceeding 10% of the site area shall not be included in the landscaped area calculation.

Proposal complies - site contains no easements

2.4.9 Solar Planning Controls

1) The applicant must demonstrate that dwellings meet acceptable solar standards and that existing neighbouring and proposed private open spaces receive adequate solar access by:

a) Providing shadow diagrams prepared by a qualified technician for all two-storey buildings and additions;

Proposal complies - refer to the Shadow Study DA.14

b) Illustrating the impacts of proposed development upon existing neighbouring dwellings and their open space areas;

c) Demonstrating shadows cast by neighbouring buildings;

d) Maximising potential for solar gain by placing windows in all exterior walls that are exposed to northern sun;

Proposal complies

e) Ensuring that the proposed development provides a minimum of 4 hours sunlight between 9am and 3pm on 21 June, to living zones (ie areas other than bedrooms, bathrooms, kitchen and laundry) of each dwelling, and the living zones of any adjoining dwellings;

Proposal complies

f) Ensuring that the proposed development provides a minimum of 3 hours sunlight between 9am and 3pm on 21 June, to 40% of the main private open spaces of the dwelling and main private open spaces of any adjoining dwellings;

Proposal complies

g) In situations where the existing overshadowing by buildings and fences reduces sunlight to less than the minimums noted above, the development is to not further reduce sunlight to the specified areas by more than 20%.

Proposal complies

h) Applications shall include:

i) Shadow diagrams for two-storey buildings or additions prepared by a qualified technician for 9am, 12 noon and 3pm on June 21 and any other time required by Council.

Proposal complies - refer to the Shadow Study DA.14

2.4.12 Building Design

Controls

1) Development should incorporate a variety of architectural features to minimise the apparent scale and bulk of two storey buildings;

a) stepped alignment of walls;

Proposal complies - the majority of walls less than 5m in length. Only side walls exceed this length.

b) projections in the ground floor plan:

Proposal complies

c) rooms that extend beyond the upper storey;

Proposal complies

d) attached verandas and carports;

Proposal complies

e) a variety of shadow-casting roofs:

Proposal complies

f) wide eaves;

Proposal complies - all 500mm

g) projecting verandas and awnings;

Proposal complies

h) pergolas.

2) Development should incorporate features that are typical of housing in established areas:

a) stepped walls and articulated roof-forms;

b) windows and doors inserted into all visible walls;

c) a variety of materials including lightweight cladding and brickwork both face and painted.

Proposal complies

3) Variety in architectural features should be apparent in all visible facades:

a) facing the street;

b) facing side driveways; and

c) facing neighbouring residential properties.

Proposal complies

2.4.14 Private Courtyards

B. Controls

- 1) A reasonable area of private open space should be provided for each dwelling:
- a) a minimum of 25m²;
 - b) including one area measuring at least 5m by 4m, suitable for outdoor dining; and
 - c) located immediately beside, and level with, living or dining rooms; and
 - d) also incorporating an area for outdoor clothes-drying at least 2m wide, exposed to sunlight and breeze, screened from view by a fence or wall at least 1.8m tall; and
 - e) with access direct to the street or common driveway:
 - f) through a courtyard at least 2m wide; or
 - g) via a carport with an open design.

Proposal complies to all controls within the section.

- 2) Landscaped areas should maximise the area available for private courtyards and gardens:
- a) the front and rear boundary setbacks should be used for private gardens,
 - b) common open space should be restricted to driveway verges.
- 3) Rooms within a villa development should have dimensions and an area that:
- a) can accommodate the range of furniture typically associated with their function; and
 - b) recognise that furnishing options may be restricted by the location of windows and doors;
 - c) acknowledge that access and furnishing options may be restricted by raked attic ceilings;
 - d) provide flexibility to meet the needs of future occupants: for example home business activities and aged residents.

Proposal complies to all controls within the section.

2.4.15 Garage Design

Controls

- 1) Garage and parking areas should be planned to:
- a) minimise disruption to traditional or established streetscapes by concealing from the street;

Proposal complies

- b) provide flexible accommodation for vehicles, domestic pets, storage, and covered areas for outdoor recreation;

Proposal complies

- c) minimise transmission of noise to adjoining dwellings;

Proposal complies with garages placed mid-point of dwellings to minimize noise to adjoining dwellings.

- d) provide secure parking;

Proposal complies

- e) allow for maintenance access to rear garden courtyards; and

Proposal complies

- f) provide for effective and healthy landscaping along verges and boundaries.

Proposal complies

- g) permit all turning movements, full opening of vehicle doors as defined by AS 2890.1-1993;

Proposal complies - turning circles shown on site plan.

- 2) For dwellings that require two spaces:

a) provide at least one covered space;

Proposal complies

b) for dwellings located one behind the other: the second space may be an open court facing the side driveway; or

c) for paired dwellings facing the street: the second space may be stacked on the driveway in front of the covered space;

3) Garages and parking spaces are not permissible within the front setback.

Proposal complies

Design of covered garages to consider the following:

a) low, open appearance similar to a wide veranda;

Proposal complies

b) if exposed at the end of a building, enclosed by semi-transparent screens that provide for natural ventilation and effective security (rather than surrounded by masonry walls);

c) with shutters that have windows, or are semi-transparent screens providing natural ventilation and effective security.

2.4.16 Garden Design

Garden design will be incorporated in accordance with the objectives set out in the PDCP2014 and as required by Penrith City Council

2.4.17 Paving Design

Paving will be incorporated in accordance with the objectives set out in the PDCP2014 and as required by Penrith City Council

2.4.18 Fences and retaining walls

Fencing will be incorporated in accordance with the objectives set out in the PDCP2014 and as required by Penrith City Council

2.4.19 Visual and Acoustic Privacy

The proposal will not result in unreasonable visual or acoustic privacy impacts to surrounding properties. The design of the development has incorporated all of living areas on the ground floor level which will not overlook the properties immediately adjacent, by virtue of the screening provided by the side boundary fence and landscape works. The first floor design has also minimised overlooking by locating the bedrooms on this floor. The design has actively attempted to minimise glazing on the first floor (at the rear), as well as offsetting direct facing windows.

2.4.20 Safety and Security

Controls

1) Encourage a sense of community:

a) dwelling entrances, the window to at least one continuously-occupied room and private courtyards should face the street and/or a common driveway;

Proposal complies with the new living areas to both proposed dwellings facing the common driveway.

b) fences should be designed to facilitate glimpses or filtered views from dwellings and private courts to the street and to driveways.

Proposal complies with minimal fencing at heights relevant to residential use.

2) Ensure that at least one continuously-occupied room in each dwelling (a kitchen or living room) overlooks:

a) the front street;

Proposal complies with all living areas facing both the common driveway, with views to the street.

b) driveways and garage forecourts.

Proposal complies

3) Prevent concealment of intruders by:

c) uniform lighting levels across common areas such as driveways;

Proposal complies

d) planning which does not provide hidden recesses;

Proposal complies

e) along common pathways: selection of appropriate plant species according to height and density.

Proposal complies - refer to the Landscape plan

2.4.22 Storage and Services

All dwellings will have storage cupboards and wardrobes in all bedrooms. In addition, storage will be provided under the stairs. All services, post boxes, electrical meters, TV and communication connections will be provided in accordance with these controls.

4. IMPACTS

Character and Design

The proposal is consistent with the scale of, and compliments the character of other buildings in the area, and maintains existing residential amenities and views. The gabled roof form is consistent with most other buildings in the street, and is sympathetic to other adjoining multi-dwelling developments located in Brisbane Street.



Context

The proposal is within an established residential area that features many Townhouse developments. The bulk and scale of the proposal is appropriate to the locale. The proposed building setbacks are all consistent with the LEP and DCP controls.

Heritage

No heritage controls are applicable to the site or area

Public Domain

The public domain will not be affected by the proposal

Water

The development will have no significant impact on the water resources of the area. The attached BASIX certificate demonstrates the proposed conservation and use of water on the site. Roof water runoff is detailed in the attached Stormwater design drawing.

Erosion and Sediment Controls

The proposal provides for erosion and sediment control measures during construction, including sediment control fencing and site access point soil control.

Utilities

Sewer, electricity, water and telephone services are all currently available at the site. All service providers will be contacted and involved in the connection of services to the proposed dwellings.

Flora and Fauna

The site is to be cleared of all major trees and vegetation. The additional landscaping and gardening, as shown on the Landscape drawing, will be implemented during construction.

Noise

There will be no impact to or from the site in regard to noise production, after the completion of construction. The locale is a relatively quiet street, so road noise to the dwellings will be below average.

Safety and Security

Safety, crime prevention and security measures will be employed for all residences. The front dwelling has a good view of the street. All dwellings will overlook the common access driveway. All dwellings feature private courtyards.

Bushfire and Flood

The site is not within a bushfire or flood zone

Social and Economic

The proposal will have no significant social impacts other than bringing additional residents to the area. The high level of construction and design will have a positive impact. Economic impacts will be positive, as the development will bring employment to the area during construction and possible local business resources in the new residents.

5. CONCLUSION

The proposed development is consistent with the current planning controls that apply to the site.

This Statement of Environmental Effects has demonstrated compliance to the majority of development controls, through a compatible design that will have minimal impact on the amenity of the area.

We trust that this statement provides sufficient information to enable an assessment of the application. Should you have any queries about this matter, please do not hesitate to contact me on 0413 604 092, or email info@obriendesign.com.au.

Yours Faithfully,

Adam O'Brien
Director

