

# cityscapeplanning+projects

## STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DWELLING HOUSE  
259 WEST WILCHARD RD, CASTLEREAGH

MARCH 2018

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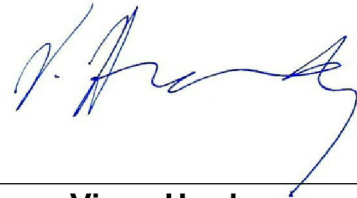
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cityscape planning + projects, 2018

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 by the owner of the subject site to prepare a Statement of Environmental Effects to accompany a Development Application to be lodged on the subject site for a new residential dwelling.

The report has been compiled, through on ground investigations, research, analysis and discussions with planning officers from *Penrith City Council* and is to be read in conjunction with the accompanying plans and reports.

Metricon Homes submitted DA16/0498 to Penrith City Council in May 2016 for this proposed residential dwelling at 259 West Wilchards Road and much of the development review has already been carried out by Council.

By agreement DA16/0498 was withdrawn in August 2017 and the applicant was requested to provide a separate DA to create the building platform for the residential dwelling which forms part of another development application DA18/0089 lodged in February 2018

## 2.0 THE SUBJECT SITE

The subject site is a large (area of 5.791ha) irregular shaped parcel of land located on the southern eastern side of West Wilchard Rd and Castlereagh Rd, Castlereagh. A plan showing the locality of the site is provided at Figure 1.

The site has historically formed part of the Penrith Lakes Scheme and represents the northern western corner of the Lakes Scheme Lands.

The site is known as 259 West Wilchard Rd, Castlereagh, but has the following real property description:

**Lots: 1      DP: 1181666**

Figure 2 and 3 provide a cadastral plan and aerial photo of the site.

**FIGURE 1: LOCATION OF SITE**

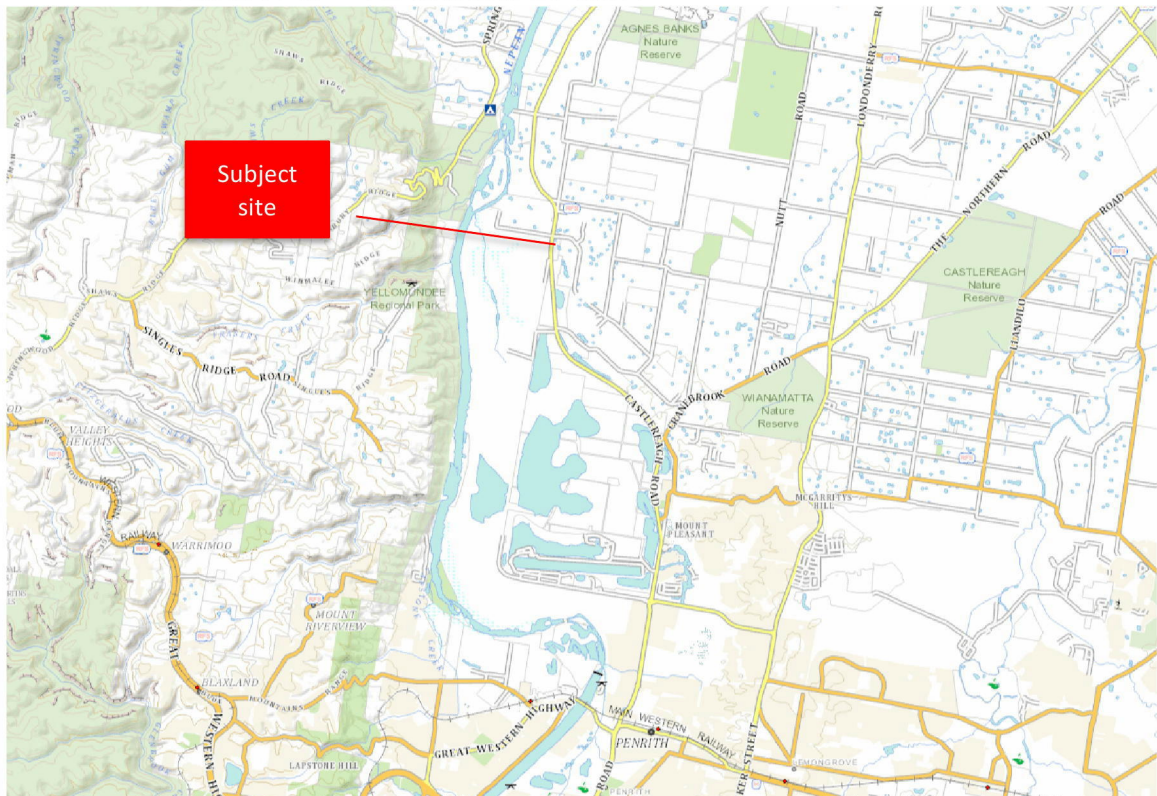


FIGURE 2: CADASTRAL + TOPOGRAPHIC PLAN

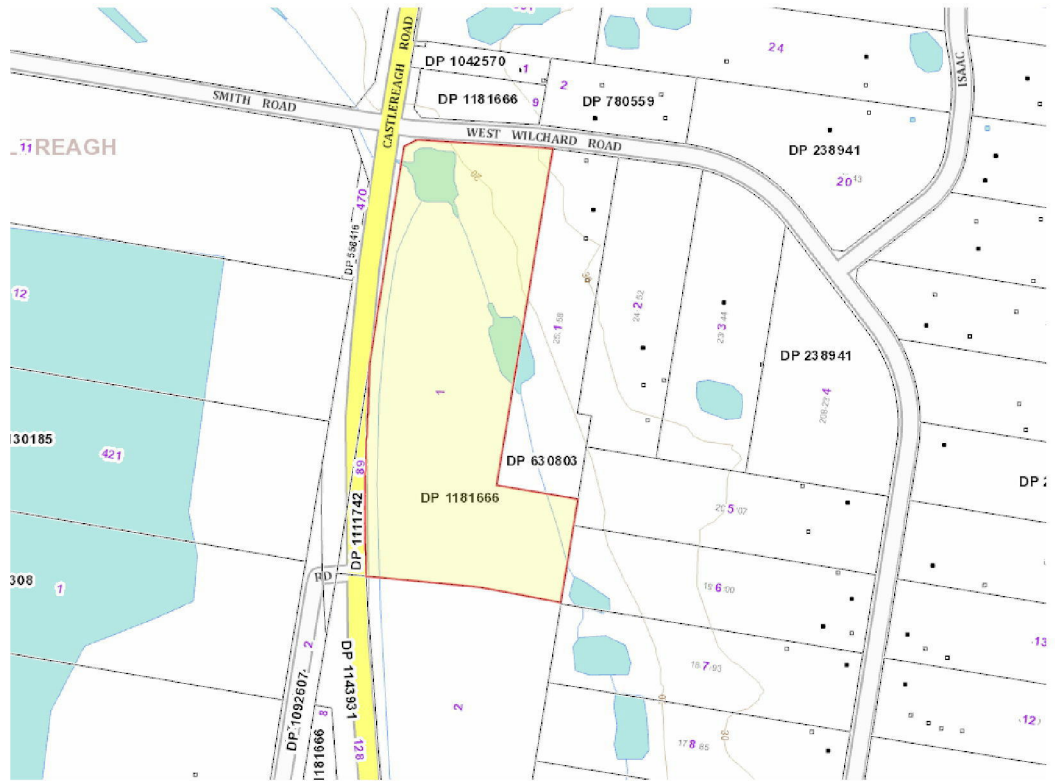


FIGURE 3: AERIAL PHOTO



## 3.0 DEVELOPMENT PROPOSAL

The applicant seeks Council consent for the erection of dwelling house at the north eastern corner of the site on lands located above the relevant flood level.

The proposed dwelling is single storey structure that provides 4 x bedrooms together with living areas and garage and workshop. It is proposed to be finished in a mix of materials and finishes but primarily a mix of brickwork, rendered painted finishes and a tiled roof.

Vehicle access to the site is proposed via a driveway provide off West Wilchard Rd and the dwelling will also be accompanied by a concept stormwater plan and On Site Waste Water Management System

Detailed architectural plans accompany the Development Application however a site plan of the development is provided at Figure 4.

The earthworks that create the building platform for the development form part of another Development Application.





## 4.0 STATUTORY SITUATION

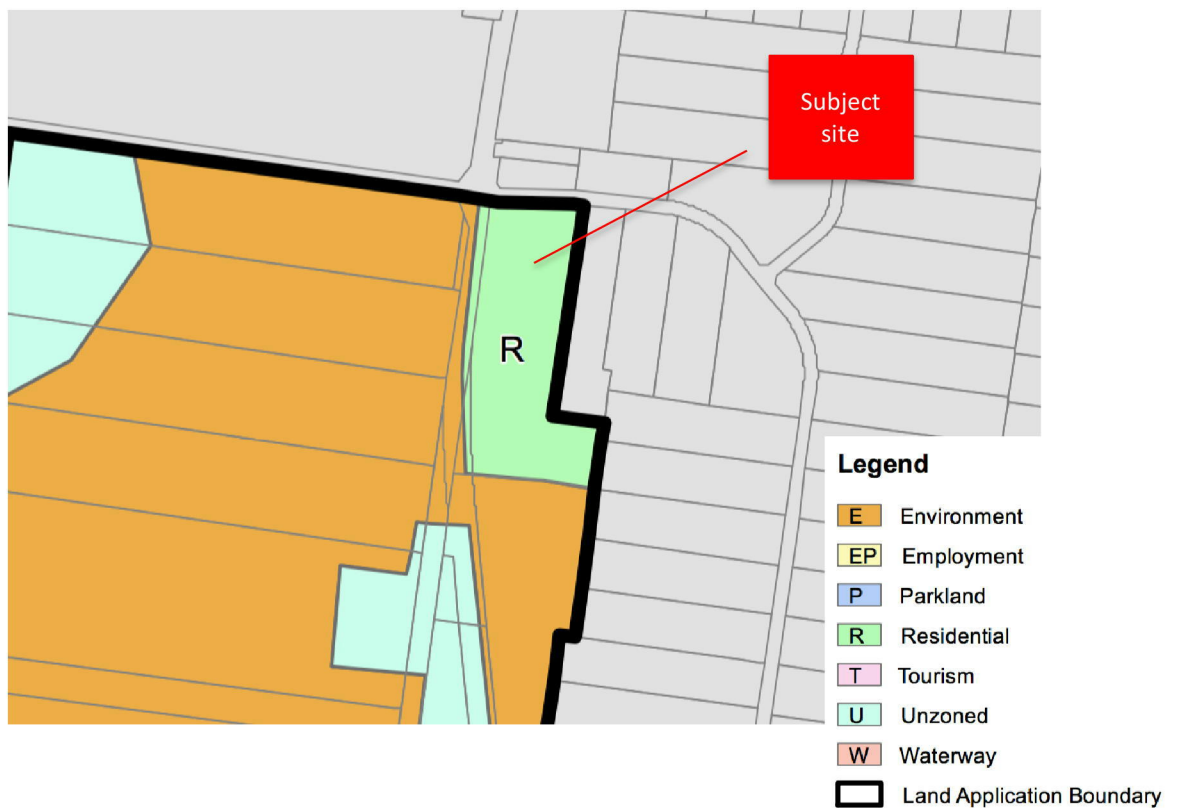
### 4.1 ZONING

The subject site is zoned 'Residential' pursuant to State Environmental Planning Policy (Penrith Lakes Scheme) 1989 as amended in January 2017. An extract of that zoning map is provided at Figure 5.

### 4.2 PERMISSIBILITY OF DWELLING

The land use table to this zone identifies a dwelling house as a permissible land use in the zone. Council can therefore approve the development proposal.

FIGURE 5: SEPP ZONING MAP



## 5.0 SITE ANALYSIS

### 5.1 SITE DIMENSIONS

The site is a large 'L' shaped parcel with a total area of 5.791 ha. It has a frontage of 110m to West Wilchard Rd and a depth of approximately 408m.

### 5.2 TOPOGRAPHY

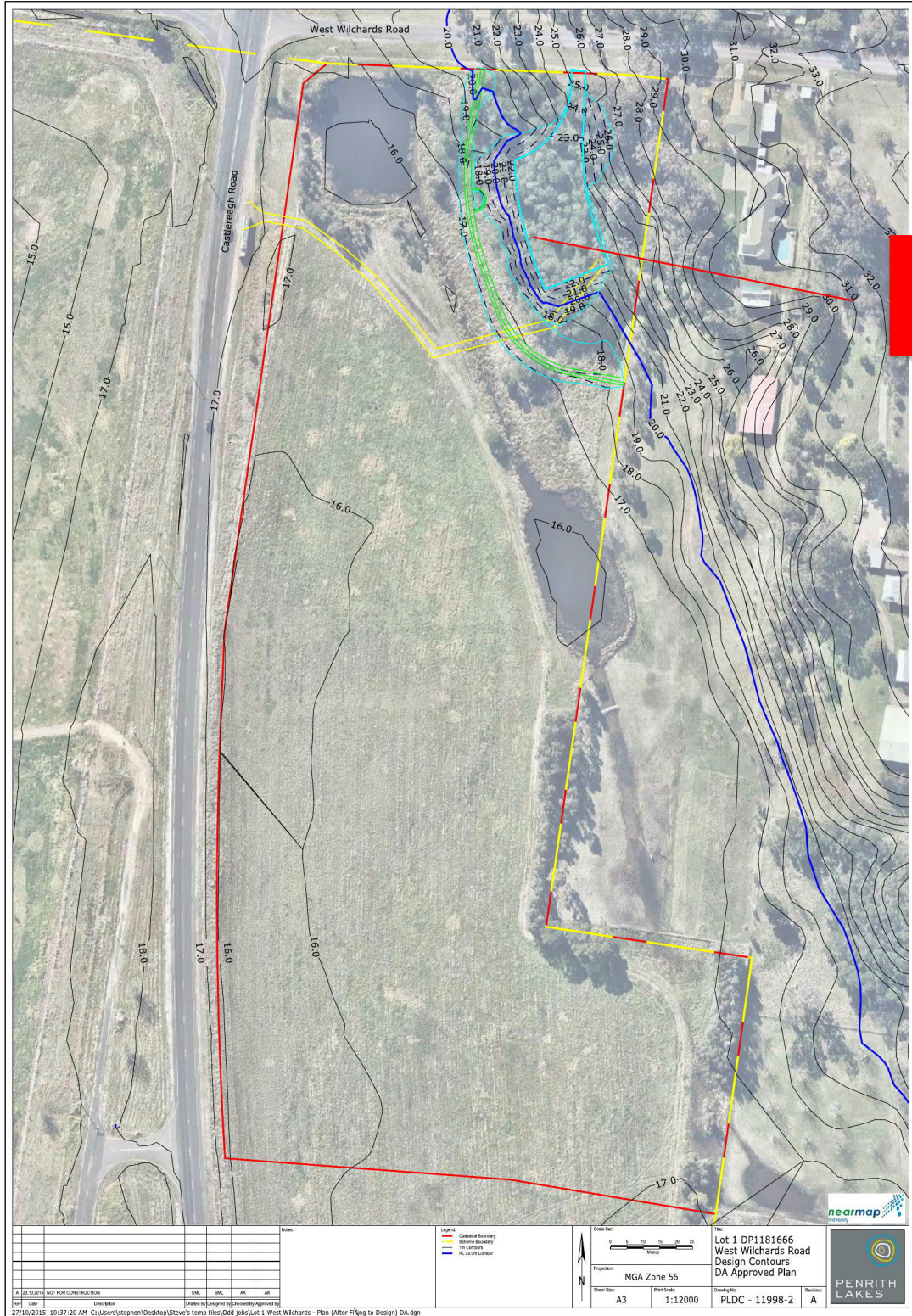
The site provides flood plain type topography at its western and southern sections before rising up steeply in its north-eastern section. A level platform area has been provided in that section. The topography of the site is represented at Figure 6 as well as the contour plans that accompany the DA. It is on this platform area in the raised section of the site where the dwelling house is proposed to be sited.

### 5.3 DRAINAGE & FLOODING

The site provides a drainage line at the northern section, which is represented as lower order stream and two rural type dams. The location of these drainage features are represented at the topographic plan provided at Figures 2 and 6.

This watercourse and the broader site drains southwards where it initially enters the Lewis Lagoon and then the Wildlife Lake stormwater treatment trains regime currently provided at the north eastern extent of the Lakes Scheme.

FIGURE 6 SITE TOPOGRAPHY



Site of  
proposed  
house

The 'Flood Planning Level' (FPL) is also defined in the *SEPP (Penrith Lakes Scheme) 1989* as the level of a 1:100 ARI flood event plus 1 metre freeboard.

Written advice from Penrith Council (See Annexure A) identifies a mainstream 1% Annual Exceedence Probability (AEP) flood level for the site of 20.6m AHD.

Alternatively, the 100 year ARI in the 2012 Stage 1 Water Management Plan, which has been approved by the Minister for future residential land is RL21.7 AHD.

Regardless of which flood level is used, the topographic plan provided at Figure 6 demonstrates that the platform area provided in the north-eastern section of the site is approximately 23m AHD, which is well above that flood level and the required freeboard.

## **5.4 FLORA + FAUNA**

The site has largely been cleared of vegetation, however does contain contains a sparse covering of vegetation in the lower sections of the site and a larger copse of trees at the higher sections. The extent of vegetation coverage can be seen in the aerial photos provided at Figure 3 and a further image is provided at Figures 7.

Vegetation in the lower sections of the site is dominated by exotic grasses as well as some native grass (*Carex appressa*). Vegetation on the hillside is consistent with that found in alluvial woodland and Castlereagh Ironbark forest.

A detailed flora and fauna review accompanies the Development Application.

## **5.5 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. Written confirmation of the absence of Aboriginal heritage is provided at Annexure B.

Further, an Aboriginal Heritage Impact Permit has also been granted over the broader Lakes Scheme site inclusive of the subject site. A copy of this permit also accompanies the development application.

## **5.6 SERVICES & INFRASTRUCTURE**

The site enjoys access to *Sydney Waters* reticulated water but not sewer services. Power and communication services are also available to the site.

## **5.7 PREVIOUS DEVELOPMENT**

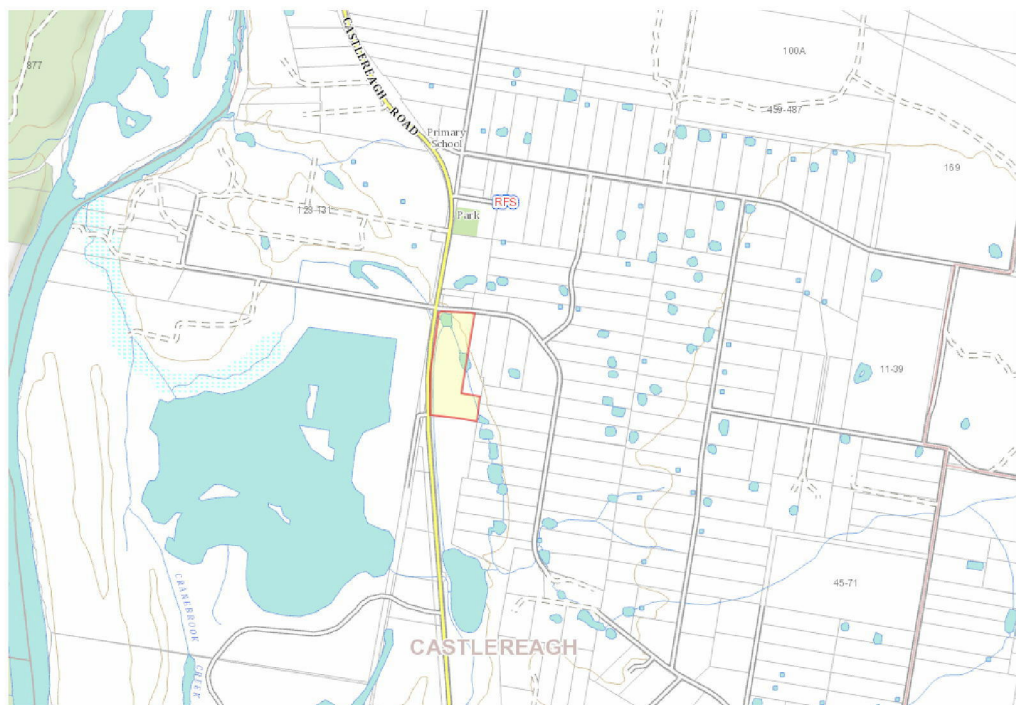
The site has formerly been part of the Penrith Lakes Scheme and as such has experienced sand and gravel extraction pursuant to DA4 of The lakes Scheme, which was issued on 9 September 1988.

## **5.8 ADJACENT DEVELOPMENT**

Lands to the west of the subject site accommodate the Penrith Lakes Scheme. Adjoining lands to the north, south and east provide rural

scaled lots and development of a similar scale and type to that ultimately proposed to be developed on the subject site. This development land fragmentation pattern is evident at the cadastral plan provided at Figure 7.

FIGURE 7: PREVAILING LAND FRAGMENTATION PATTERN



## 5.9 HAZARDS & NUISANCE

Only the lower sections of the site are identified as being flood prone as previously discussed at section 5.3 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 8. A bushfire assessment report accompanies the DA however, the development poses no bushfire threat.

FIGURE 8: COUNCIL BUSHFIRE MAP



## 6.0 PLANNING ASSESSMENT

### 6.1 THE PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

#### 6.1.1 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

A Site Audit Statement and Final Validation Report have been taken for the site and adjacent Lakes Scheme lands. The site audit concludes that remediation and validation works have been appropriately implemented and in conjunction with the investigation works that were previously conducted. The auditor also considers that the site is suitable for residential land use with access to soil, including less sensitive land uses such as recreational, park and open space.



A Virgin Excavated Natural material (VENM) report for all imported material has also been undertaken and accompanies the DA. This report concludes that only natural VENM materials have been placed on site and therefore presents no significant risk to human health or the environment.

This information has been reviewed by Council and found to be satisfactory as part of their previous assessment of DA16/0498.

Attached to this report in Annexure C is a geotechnical site classification for the house pad at the subject property that recommends a Class M classification be adopted for the house pad for a residential dwelling in accordance with AS2870-2011.

### **6.1.2 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).*

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.

### 6.1.3 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***

### ***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 provide a single dwelling house in an unconstrained section of the site that is most suited to potential development.

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

All works will be undertaken utilising appropriate land and water quality management measures.

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

#### **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 site seeks simply to facilitate future residential development of a single dwelling house on one of the few residential zoned parcels of land within the SEPP.

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. This AHIP accompanies the DA.

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,***

Detailed geotechnical testing has been undertaken for the subject site and accompanies the DA. This testing concludes that the earthworks comply with the landform specifications for urban land.

***(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.

Nevertheless, Molino Stewart Pty Ltd is an environmental and natural hazards consultancy, which has been involved in flood emergency planning in the Hawkesbury Nepean Valley since the company's inception in 1995. This consultancy has prepared a flood evacuation strategy for all of the properties zoned Residential in the SEPP and this advice has been provided to Council to explain the subject land and other adjacent residential

zoned lands within the SEPP can safely evacuate in an extreme flood.

In summary, the evacuation plan for the subject property is to evacuate by vehicle within the ample warning period (at least 7 hours) and if not then occupants can walk/drive out on rising grade on West Wilchards Road above the flood and to stay with neighbours until the flood subsides.

In addition Flood Emergency Response Plan and Action Guide accompanies the development application.

## **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. All earthworks to create the building platform form part of a separate development application.

### **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 'Flood Planning Level' (FPL) is also defined in the *SEPP (Penrith Lakes Scheme) 1989* as the level of a 1:100 ARI flood event plus 1 metre freeboard.

Written advice from Penrith Council (See Annexure A) identifies a mainstream 1% Annual Exceedence Probability (AEP) flood level for the site of 20.6m AHD.

Alternatively, the 100 year ARI in the 2012 Stage 1 Water Management Plan, which has been approved by the Minister for future residential land is RL21.7 AHD.

Regardless of which flood level is used, the proposed dwelling is to be located on the platform area provided in the north-eastern section of the site is approximately 23m AHD, which is well above that flood level and the required freeboard.

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***

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***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 site is a single and isolated residential parcel of land with one dwelling entitlement. It is therefore minor in nature and is also clearly consistent with the objectives of the zones as previously identified in this report.

## **6.2 THE PROVISIONS OF ANY DRAFT PLANNING INSTRUMENT**

Penrith City Council exhibited Draft LEP 2010 – Stage 2 (DLEP) on 13 May 2013. The exhibited Draft includes the entire Penrith Lakes Lands inclusive of the subject site.

However, the Lakes Scheme were subsequently excluded from that Draft LEP and therefore there are no Draft LEP's relevant to the subject site or its development.

## 6.3 THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLANS

### PENRITH DCP 2014

#### **PART C – SITE PLANNING AND ENVIRONMENTAL MANAGEMENT**

All matters pertaining to site constraints, environmental planning matters have been addressed as part of previous sections of this report.

Importantly, the development proposes a finished Floor Level of 22.88m AHD, which is well above the 1% AEP flood level of 20.6m AHD and the required 500mm freeboard.

Further, the following detailed reports accompany the Development Application and address relevant environmental issues:

- Detailed flora and fauna review
- Landform Appraisal – Geotechnical
- Site Audit Report
- Final Validation Report
- On-Site Waste Water Management Report

### **D1 RURAL LAND USES**

#### **1.1 Rural Character**

##### **General Objectives**

- a) *To preserve the rural character of the City of Penrith, including its scenic and landscape qualities;*

- b) To retain and protect each of the elements that make up the rural character of Penrith; and*
- c) To address the visual impact assessment requirements for major applications, as required.*

**Comment:**

The subject development is a relatively modest scale form and provides a land use and building type that is already well represented in the local area. Accordingly, the development can be expected to readily absorbed into the rural landscape without adverse visual impact and actually contribute to and enhance the prevailing rural character of the site and local area.

**1.2 Rural Dwellings and Outbuildings**

**1.2.1 Siting and Orientation**

**C. Controls**

**1. Site Planning**

- a) Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of:
  - i) Protecting the privacy of proposed and existing buildings;*
  - ii) Providing flood-free access to the dwelling and a flood free location for the dwelling itself;*
  - iii) Minimising risk from bush fire by considering slope, orientation and location of likely fire sources;*
  - iv) Maximising solar access;*
  - v) Retaining as much of the existing vegetation as possible; and*
  - vi) Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6).**
- b) The design of the development must consider all components including fencing, outbuildings, driveways and landscaping.*
- c) Where practical, all buildings on a site, including dwellings and outbuildings, should be clustered to improve the visual appearance of the development in its landscape setting and reduce the need for additional access roads and services.*

The site analysis undertaken at section 2 of this report reveals that the site is constrained by slope, bushfire, flood and ecological resources.

However, the proposed dwelling has been located in that part of the site that has the least exposure to these constraints (i.e. a cleared level platform located above the flood level) and also incorporates design features and measures (Asset Protection Zones and On-Site Waste Water Management System) that serve to mitigate against any adverse environmental impact.

No outbuildings are proposed as part of the development.

## **2. Landscape / Scenic Character**

- a) Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline.***
- b) Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible.***
- c) Where practical, buildings should be sited to take advantage of existing vegetation to provide privacy from passing traffic and public places, screening from winds and a pleasant living environment.***
- d) Roads should be designed and located to run with the contours of the land.***
- e) Rooflines and ridgelines should reflect the setting of the dwelling, incorporating simple shapes to step a building down with a sloping site or level change.***
- f) Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard.***

## **C. Controls**

The development is sited mid slope on a cleared and level platform area. This siting serves to reduce the dwelling visual presence when viewed from Castlreagh Rd and the broader flood plain environs.

The dwelling proposes a simple, traditional pitched and hipped roof form, which reflects the prevailing built character of the local area. The proposed roof ridge has a height of 28.532m AHD.

The adjacent dwelling to the east has a floor level of approximately 32m AHD. Therefore residents of this existing dwelling will look out over the proposed dwelling house and therefore continue to enjoy unobstructed views to the Penrith Lakes and Blue Mountains.

### **1.2.2 Setbacks And Building Separation**

#### **C. Controls**

##### **1. Setbacks from Roads**

- a) A minimum setback of 15 metres from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback.***
- b) A variety of setbacks will be encouraged to prevent rigidity in the streetscape.***
- c) A minimum setback of 30 metres is required to all classified roads (except Mulgoa Road), Luddennam Road, Greendale Road and Park Road. In some cases, larger setbacks may be required. Please contact Council to discuss.***
- d) A minimum setback of 100 metres is required to Mulgoa Road for all dwellings and outbuildings (except in the Mulgoa Village).***

The subject site has a frontage to Castlreagh Rd, however proposed dwelling has a setback of over 80m to that road. It also has a setback of 20m to West Wilchard Rd and therefore complies with the relevant development control.

##### **2. Setbacks from Watercourses**

- a) A minimum setback of 100 metres is required from the Nepean River. This is measured from the top of the bank. The river includes all elements, such as lagoons and backwaters. Council***

*will determine the minimum setback required if the “bank” is difficult to define.*

*b) A minimum setback of 75 metres is required from South Creek for all dwellings and outbuildings.*

*c) A minimum setback of 40 metres is required from any other natural watercourses for all dwellings and outbuildings to minimise impacts on the watercourse.*

The development is set back approximately 40m from the watercourse. However, the site is located well above that watercourse and as such should have no adverse impact upon that watercourse.

### **3. Building Separations and Side Boundary Setbacks**

*a) Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions.*

*b) The minimum side setback for dwellings is 10 metres where the allotment is 2 hectares or larger.*

*c) The minimum side setback for dwellings is 5 metres where the allotment is less than 2 hectares.*

*d) Dwellings on one allotment should be separated as much as reasonably possible from any farm buildings or other buildings on adjacent allotments where there is potential for noise generation from those farm buildings/other buildings.*

*Minimum separations depend on the nature of the farm buildings/activity occurring on the adjacent allotment. Minimum setbacks are set out in other sections of this chapter for agricultural and other types of development.*

The proposed buildings have a minimum side setback of 15m to the eastern boundary, which well exceeds the minimum requirement.

The new dwelling is also well removed from any adjacent farm buildings or activity that is likely to cause any disturbance or loss of amenity.

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### **1.2.3 SITE COVERAGE, BULK AND MASSING**

#### **C. Controls**

- 1) Dwellings shall have a maximum ground floor footprint of 500m<sup>2</sup> (including any undercover car parking areas).**

The proposed dwelling has a gross floor area of 412.8m<sup>2</sup> and therefore complies with this control.

- 2) Dwellings shall have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.**

The dwelling has a total length of 38.75m, with a maximum length of 11.41m at any one point

- 3) The maximum floor space of any second storey is to be 70% of the floor space of the lower storey of the dwelling.**

No second storey component is proposed for the development.

- 4) No more than three (3) undercover car parking spaces can face towards a public road or place. Any additional garages should be setback behind the building line and screened.**

The development provides a 2 x space garage with an address to West Wilchard Rd.

- 5) A maximum ground floor footprint of 600m<sup>2</sup> will be permitted on any one allotment, including the dwelling and all associated structures, but excluding 'farm buildings' and any 'agricultural**



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*or non-agricultural development' referred to in other parts of this chapter.*

No additional structure or buildings are proposed or currently exist on site.

#### **1.2.4 HEIGHT SCALE AND DESIGN**

##### **C. Controls**

###### **1. Height and Scale**

*a) Dwellings shall be no more than two storeys in height, including garage and storage areas.*

*b) If liveable rooms are located in the area immediately below the roof then this level will be counted as a storey.*

*c) The maximum height of the ceiling of the top floor of all buildings should not exceed 8 metres above natural ground level.*

*d) On sloping sites, split level development is preferred. The floor level of the dwelling at any point should not be greater than 1m above or below the natural ground level immediately below the floor level of that point. Cut and fill should be limited to 1m of cut and 1m of fill as shown in Figure D1.7.*

The proposed dwelling has a single storey scale and appearance with a maximum height of 6.032m above the Finished Ground level.

No cut or fill is required as part of the development.

###### **2. Design and Quality**

***The design of dwellings and associated structures should be sympathetic to the rural character of the area.***

The proposed dwelling seeks to utilise a design theme that is reflective of traditional rural Australian homesteads. This includes the use of a low horizontal emphasis built forms, shallow sloping pitched roof and generous wide eaves and shaded verandas.

The development also proposes contemporary rural type materials inclusive of roof tiles and a mix of brick and rendered masonry wall finishes.

## **6.4 IMPACTS OF DEVELOPMENT**

### **6.4.1 NATURAL ENVIRONMENT**

The site accommodates significant topographic features inclusive of flood prone lands, a watercourse, slopes, and native vegetation.

However, the development seeks to site the proposed building in a cleared and level platform part of the site that is well above the flood level.

Some limited clearing of undergrowth vegetation at the eastern section of the site is required to provide an Asset Protection Zone (APZ) for the proposed dwelling. However, this vegetation in this area is of limited value and the selective clearing will not cause any significantly adverse impacts.

The development is also accompanied by a waste-water report that demonstrates that all waste water can be suitably managed on site without adverse impact upon the local environment.

Further, the development will drain stormwaters to the Penrith lakes Scheme, which has been designed to accommodate and manage stormwaters inclusive of water quality and quantity, from both the site and the surrounding area.

As a consequence, it can be ultimately 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 rural type environment that provides 2ha scaled lots of varying shapes however presents a predominance of long narrow lots.

The proposed development seeks to reflect this prevailing settlement pattern with a rural style built form that will comfortably sit within the character of that rural landscape.

The RTA document, *Guide to Traffic Generating Developments (2002)*, states that a single dwelling house is likely to generate an average of 9 vehicle trips per day.

These vehicles trips will access the local road network at West Wichard Rd and the access point provides lengthy and clear site lines to ensure a safe road traffic environment is maintained.

The volume of additional traffic generated by the development is limited and well within both the design and operating capacity of the local road network.

The dwelling is located over 80m from Castlereagh Rd and this distance will adequately mitigate any adverse acoustic or visual impacts from Castlereagh Rd.

The siting of the development also allows for maintenance of views from neighbouring lots to the Penrith Lakes and Blue Mountains.

Accordingly, it can be concluded that the development will not cause adverse impact upon the built environment.

#### **6.4.3 SOCIAL IMPACT**

The proposed development will create an additional housing opportunities in the local area. This is considered to be a positive social impact.

#### **6.4.4 ECONOMIC IMPACT**

The proposed development is not of a scale that will cause any economic impacts to the local or broader area.

### **6.5 SUITABILITY OF THE SITE**

The subject site is appropriately zoned and has long been planned to provide future urban outcomes. The development will also cause no adverse impacts to the built or natural environment.

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 development has no significantly adverse negative outcomes and hence the public interest is best served by approval of the development.

## 6.7 BUSHFIRE ASSESSMENT

Section 4.14 of the EP& A Act requires that development for a dwelling on bushfire prone land must conform to the specifications and requirements of the document entitled *Planning for Bush Fire Protection* prepared by the NSW Rural Fire Service.

A bushfire assessment has been undertaken which accompanies this report and demonstrates that the development is able satisfy the requirements of *Planning for Bushfire Protection 2006*.

## 7.0 CONCLUSION

The application seeks approval to new residential dwelling with minimal earthworks and trenching for an on-ground concrete slab.

An assessment of the development has been made against the relevant provision of SEPP (Penrith Lakes Scheme) 1989 and Penrith DCP 2014 and demonstrates that the development generally complies with all the identified planning objectives and development requirements.

For these reasons we can see good reason for Council to approve the proposed residential dwelling development.

## **ANNEXURE A: COUNCIL FLOOD ADVICE**



Our reference: ECM7003542  
Contact: Ratnam Thilliyar  
Telephone: 4732 7988

15 September 2015

Mr Vince Hardy  
Cityscape  
PO Box 127  
GLENBROOK NSW 2773

Dear Mr Hardy

**Flood Level Enquiry**  
**Lot 1 DP 1181666 No. 259 West Wilchard Road Castlreagh**

I refer to your Flood Information Application dated 3 September 2015, please find below the flood information for the above site.

The mainstream 1% AEP (*Annual Exceedance Probability – The chance of a flood of this size occurring in any one year*) flood level in the vicinity of the above property was previously estimated to be 20.6m AHD (*Australian Height Datum – A standard level datum used throughout Australia, approximately equivalent to mean sea level*) based on the information contained within the Nepean River RUBICON flood model (Water Board Study 1994). Please note however since 1994, the floodplain characteristics have changed and as such you should make your enquiries as to the present level of flooding relevant to this site.

The property is located in the close proximity of the Penrith Lakes Scheme and hence the flood behaviour (including the flood levels) in the vicinity of the subject site is predominantly influenced by the Lakes Scheme design. Accordingly, Council is aware that the Department of Planning are considering substantial amendment to the previously approved Penrith Lakes Scheme. Until such time as this is resolved, Council is not in a position to confirm the flood information relevant to your land.

I would also like to inform you that Council is currently reviewing this flood information and is subject to change.

Should you require any further information please do not hesitate to contact me on 4732 7988.

Yours sincerely

Ratnam Thilliyar  
**Engineering Stormwater Co-ordinator**

Penrith City Council  
PO Box 60, Penrith  
NSW 2751 Australia  
T 4732 7777  
F 4732 7958  
penrithcity.nsw.gov.au



## **ANNEXURE B: AHIMS SEARCH**



## AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : west wilchard  
Client Service ID : 222499

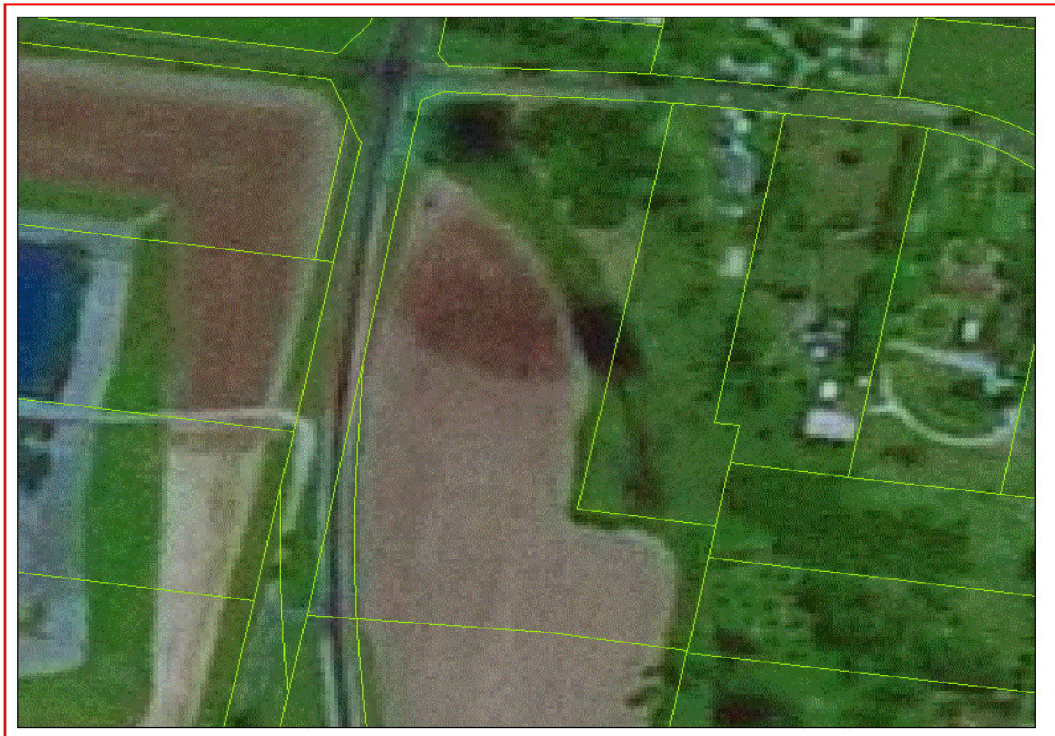
Vince Hardy  
16 Alexandra Cres  
GLENBROOK New South Wales 2773  
Attention: Vince Hardy  
Email: vhardy@cityscape.net.au

Date: 26 April 2016

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP1181666 with a Buffer of 50 meters, conducted by Vince Hardy on 26 April 2016.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location.*

## **ANNEXURE C: GEOTECHNICAL SITE CLASSIFICATION**



**Pells Sullivan Meynink**  
Engineering Consultants  
Rock-Soil-Water

G3 56 Delhi Road  
North Ryde NSW 2113  
P: 61-2 9812 5000  
F: 61-2 9812 5001  
mailbox@psm.com.au  
www.psm.com.au

Our Ref: PSM2541-180L

24 February 2017

Urban Planning Consultant  
Cityscapeplanning+projects  
PO Box 127  
GLENBROOK NSW 2773

ATTENTION: MR VINCE HARDY  
By email: vhardy@cityscape.net.au

Dear Vince

**RE: LOT 1 IN DP1181666 - 259 WEST WILCHARDS ROAD, CASTLEREAGH –  
SITE CLASSIFICATION**

This letter provides the site classification for the house pad at 259 West WilcharDS Road, Castlereagh. The site classification has been undertaken in accordance with AS2870-2011. Figure 1 presents the site survey including the extents of the house pad.

In assessing the site classification we have relied on:

1. Conditions observed by a PSM geotechnical engineer during his site visit during placement of the house pad fill in May 2016.
2. Review of the following earthworks control and survey documents:
  - a. STS Earthwork Control Testing – West Wilchard Road Castlereagh, NSW – Certification of Earthworks between 22/04/2016 and 27/05/2016 – dated 9/06/2016 – Ref No. L3884E
  - b. STS Earthwork Control Testing – West Wilchard Road Castlereagh, NSW – Certification of Earthworks for 13/02/2017– dated 15/02/2017 – Ref No. L3884E

These documents from STS verify that the earthworks comply with landform specifications for urban land for the Penrith Lakes Scheme.

On the above basis, we assess the house pad to comprise of:

1. 0.6 m thick layer of sandstone fill placed at a compaction ratio between 98% and 103.5% SMDD and between 2% dry and 2% wet of OMC, overlying
2. Up to 5 m of shale/shaley clay fill placed at a compaction ratio between 98% and 102% SMDD and between 2% dry and 2% wet of OMC, overlying
3. Natural ground.

Having given consideration to the above, we recommend that a Class M classification be adopted for the house pad for a residential dwelling in accordance with AS2870-2011. This is based on the following considerations:

1. Strictly speaking the site is a Class P site (due to the presence of fill across the site).
2. The reactivity of the shale and sandstone fill would place it in Class S/Class M classification.
3. The presence of up to 5 m of fill and movements associated with that means that appropriate caution is to classify as a Class M site.

Please do not hesitate to contact the undersigned should you have any queries.

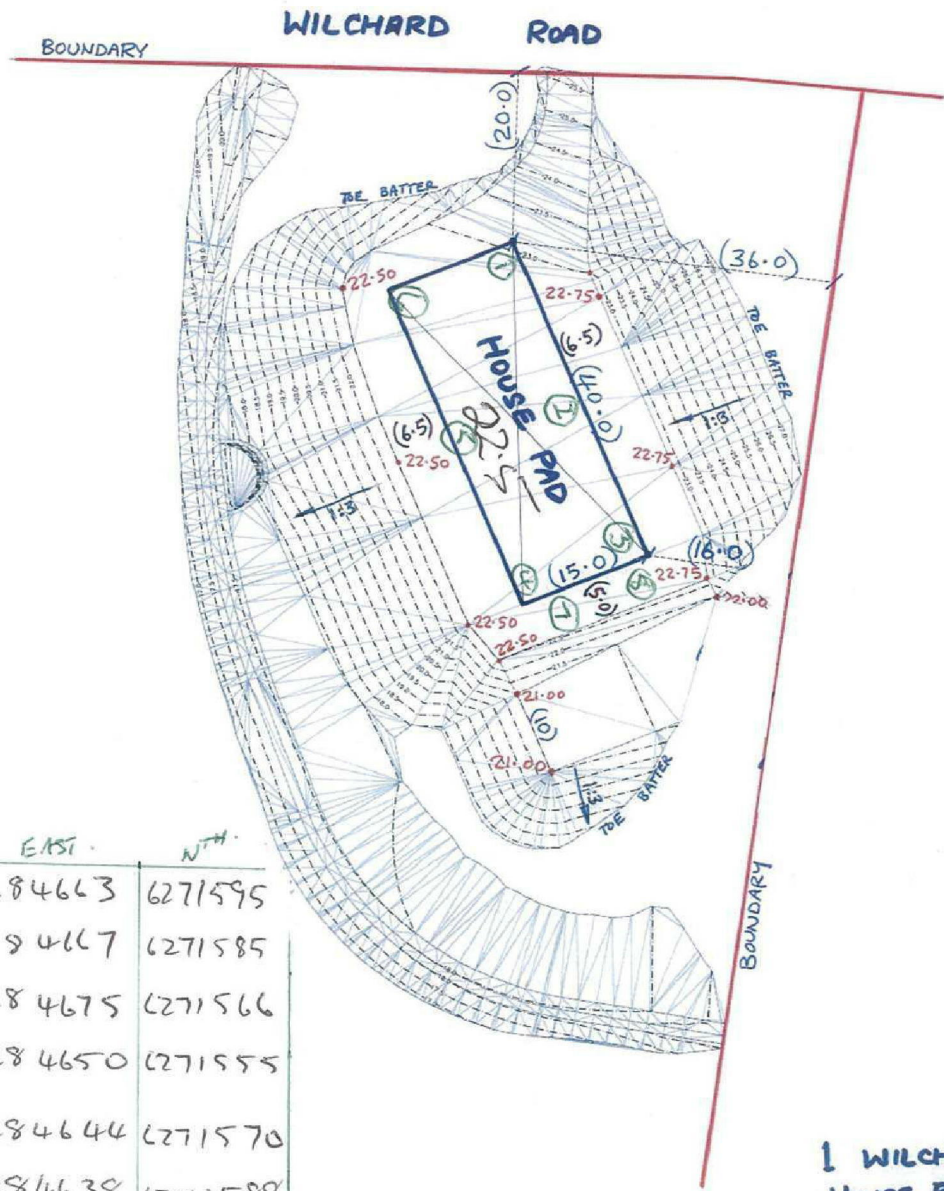
For and on behalf of  
PELLS SULLIVAN MEYNINK



DAVID PICCOLO  
Principal

Encl. Figure 1 Work as executed site survey

N.



	R.L.	EAST.	NTH.
①	22.79	284663	6271595
②	22.72	284667	6271585
③	22.65	284675	6271566
④	22.47	284650	6271555
⑤	22.46	284644	6271570
⑥	22.51	284638	6271588
⑦	21.69	284655	6271548
⑧	21.69	284666	6271552

1 WILCHARD ROAD  
 HOUSE PAD AND  
 BUILDING PLATFORM  
 110088/SK 50  
 1:500  
 13/4/16

**PENRITH LAKES  
 RESIDENTIAL DEVELOPMENT  
 WEST WILCHARD ROAD CASTLEREAGH  
 WORK AS EXECUTED SITE SURVEY**



**Pells Sullivan Meynink Pty Ltd**

**PSM2541-180L**

**Figure 1**

Q:\PSM2541\Eng\EARTHWORKS\Residential Development\Figure 1 - Site Survey.xls\standard figure border - NEW