

cityscapeplanning+projects

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED 2 x LOT SUBDIVISION
91 FORBES ST, EMU PLAINS

MARCH 2017

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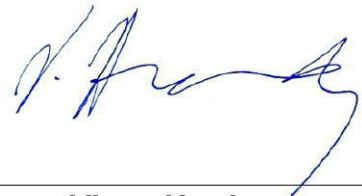
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Planning
Institute
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cityscape planning + projects, 2017

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 and its associated DCP.

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

2.0 THE SUBJECT SITE

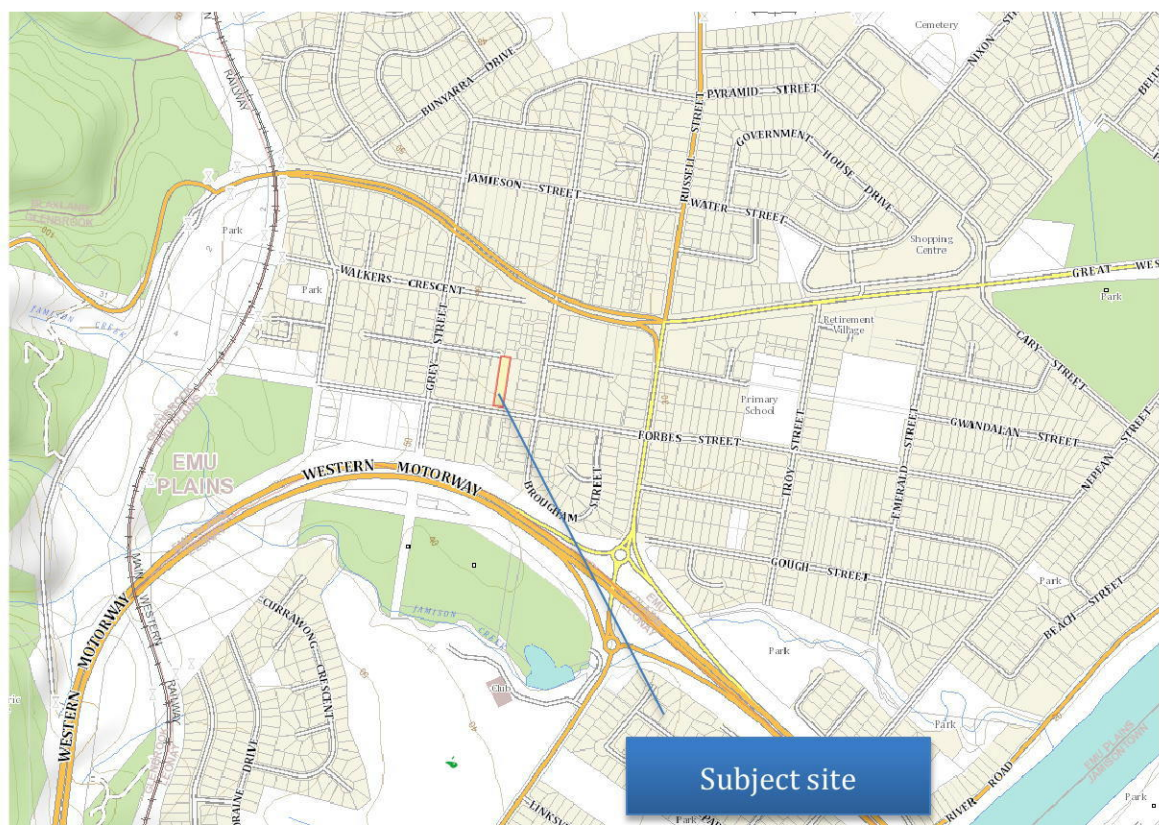
The subject site is a large rectangular shaped parcel of land located on the northern side of Forbes St approximately 100m east of its intersection with Grey St. It also has a second street frontage to Acorn St at its northern boundary.

A plan showing the locality of the site is provided at figure 1.

The site is known as No.91 Forbes St, Emu Plains but has the following real property description:

Lot: 17 **DP:** 236214

FIGURE 1: LOCATION OF SITE



3.0 DEVELOPMENT PROPOSAL

The applicant seeks Council consent for the subdivision of the subject site to create 2 (one additional) allotments. The dimension of each lot is represented in Table 1.

The subdivision will also create a third parcel (proposed lot 172) that will represent that relevant portion of the site to be dedicated to Council to facilitate the construction of that section of the cul-de-sac head to Acorn St.

Vehicle access to proposed lot the proposed lots will be via Forbes St and Acorn St respectively.

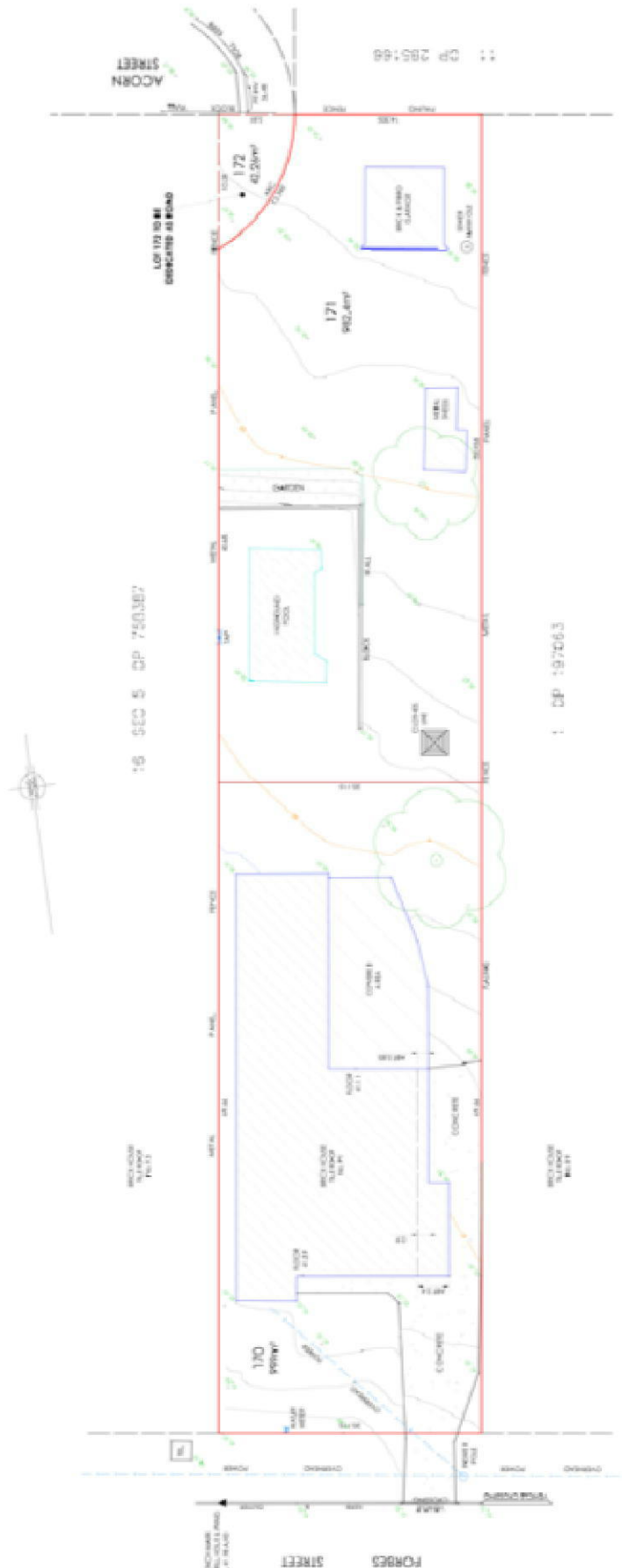
A drainage easement is also provided to facilitate drainage of stormwater under gravity to Acorn St from lot 170 across proposed lot 171.

A detailed subdivision plan accompanies the Development Application however a representation of that plan is provided at Figure 2.

TABLE 1: PROPOSED LOT DIMENSIONS

Proposed Lot	Area (m ²)	Lot Width	Lot Depth	Vehicular Access
Lot 170	999m ²	20.115m	49.66m	Forbes St
Lot 171	982.4m ²	20.115m	50.935m	Acorn St

FIGURE 2: PROPOSED SUBDIVISION PLAN



4.0 STATUTORY SITUATION

4.1 ZONING

The subject site is zoned **R2 Low Density** pursuant to Penrith LEP 2010. An extract of the relevant zone map is provided at Figure 3.

4.2 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 4 and identifies the minimum lot size of 600m².

Table 1 demonstrates that each lot achieves the relevant development standard.

4.3 MINIMUM LOT WIDTH AND DEPTH

Clause 4.1(4A) of Penrith LEP 2010 requires that development achieve a minimum lot width of 15m. Both proposed lots provide a minimum lot width of 20.115m and therefore achieve the relevant standard.

Therefore the proposed development is therefore permissible under the statutory framework

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

FIGURE 3: EXTRACT OF ZONING MAP

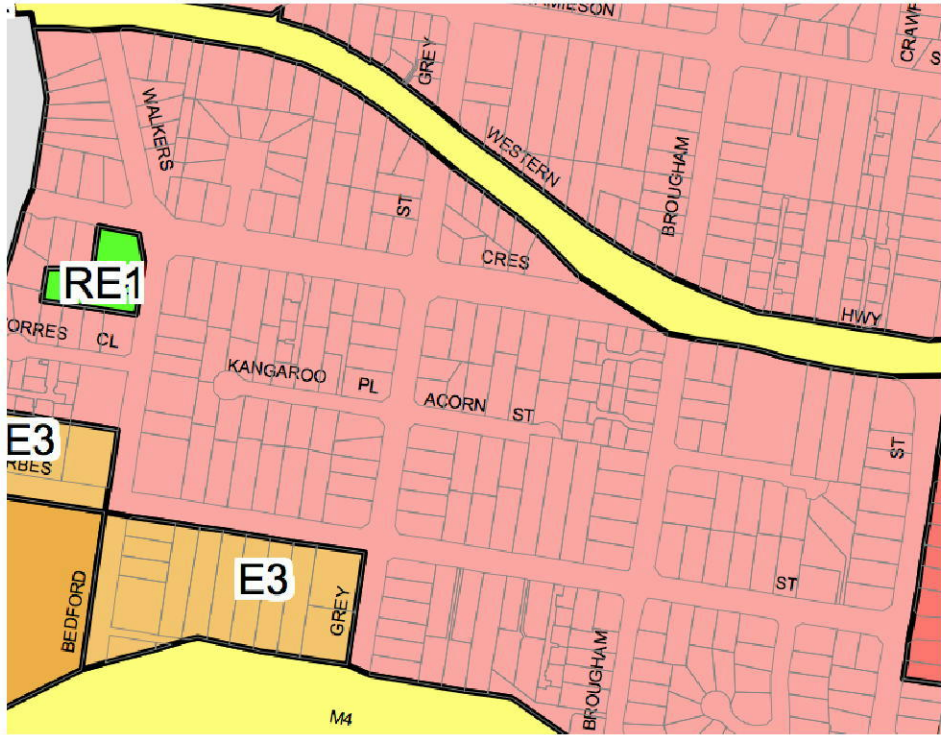
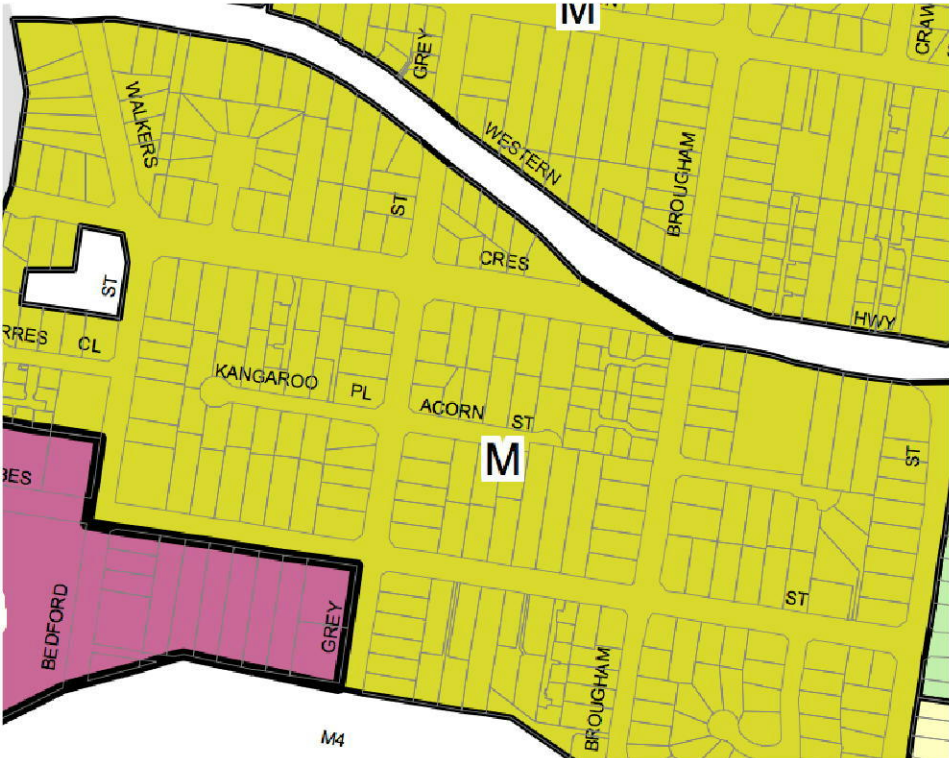


FIGURE 4: EXTRACT OF MINIMUM LOT SIZE MAP

Minimum Lot Size (sq m)

F	400
G	450
K1	550
K2	560
M	600
R	750
S	800
U1	1000
U2	1200
V	2000
W	4000
X	6000
Y1	10000 (1 ha)
Y2	12500 (1.25 ha)
Z	20000 (2 ha)
AB1	100000 (10 ha)
AB2	200000 (20 ha)
AB3	400000 (40 ha)
AJ	1000000 (1000 ha+)
	Refer to Clause 7.16, 7.19 & 7.21



5.0 SITE ANALYSIS

5.1 SITE DIMENSIONS

The site is a large irregular shaped parcel with a total site area of approximately 2023m². It has a frontage of 20.115m to both Forbes and Acorn Streets.

5.2 TOPOGRAPHY

The site within a relatively flat and unrelieved area and as such experiences limited slope or topographic variation. Contours and spots levels are provided on the accompanying subdivision plan as well as the topographic plan provided at Figure 5.

Nevertheless, the site does experience a downslope of 3m from the south to the north.

The site does not possess any other topographical features of significance, including watercourses or rock outcrops.

5.3 FLORA & FAUNA

The site has been largely cleared as part of previous development and use of the site. However still does contain a sparse covering of vegetation including both shrubs and small trees.

The limited vegetation coverage on site is represented in the aerial photo provided at Figure 6, whilst figures 7-8 provide images of the site and its vegetation.

FIGURE 5: SITE TOPOGRAPHY

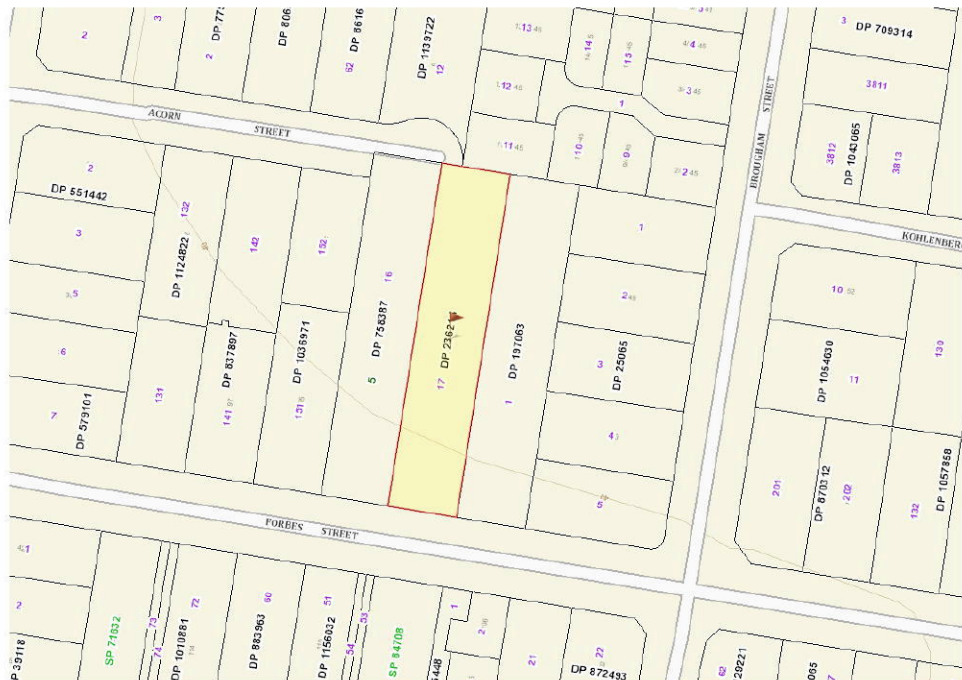


FIGURE 6: AERIAL VIEW OF SITE



5.4 EXISTING DEVELOPMENT

The site currently accommodates a large single storey building, in-ground pool and two garage type buildings, which are located at the rear of the site. Images of those buildings are also provided at Figures 8-9.

The site also currently sits within a future road reserve area that forms the cul-de-sac head of Acorn St. This is shown at Figure 7.

5.5 ADJACENT DEVELOPMENT

The site sits within an established residential environment and as such adjoins other similar suburban type residential development in all directions. This development and land use is evident in the aerial photo provided at Figure 10.

FIGURE 7: **ACORN ST**



FIGURE 8: EXISTING DWELLING



FIGURE 9: EXISTING REAR YARD AREA



5.6 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. Written confirmation of the absence of Aboriginal heritage is provided at Annexure A.

5.7 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.

5.8 LOCAL VIEWSHEDS

The site is not located within an area that is attributed with scenic landscape values but does enjoy a pleasant and open outlook.

5.9 HAZARDS & NUISANCE

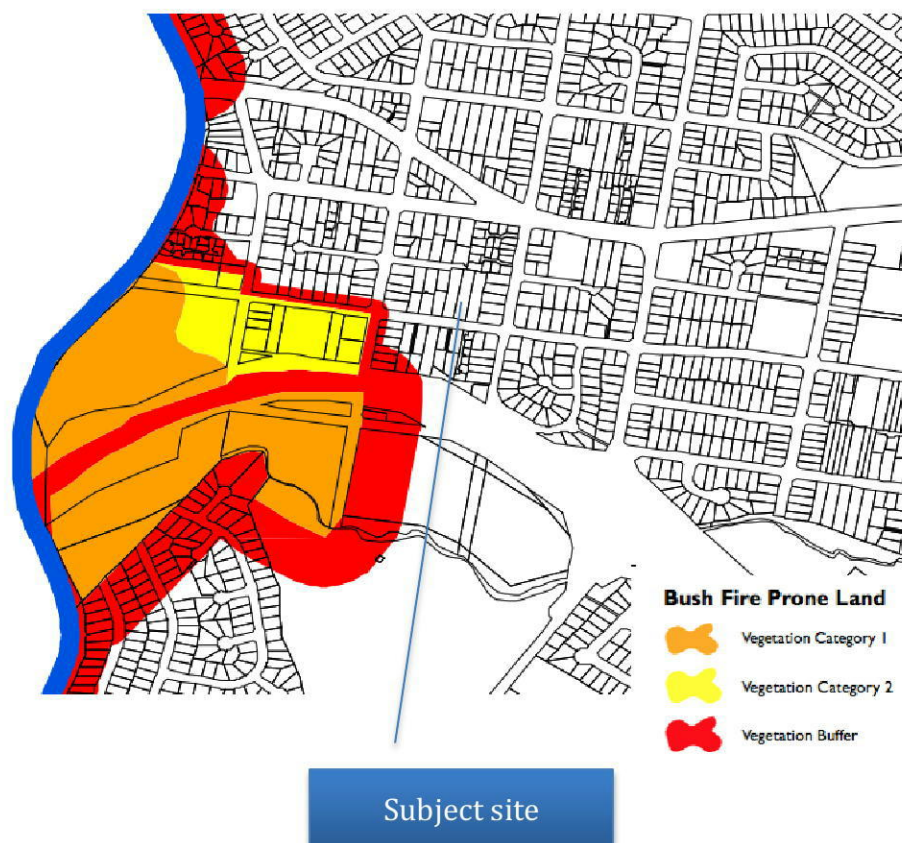
The site is not identified as being bushfire prone land on the relevant Council map. An extract of that map is provided at Figure 11.

The site is not flood prone or exposed to any other conceivable hazard.

FIGURE 10: ADJACENT LAND USE



FIGURE 11: BUSHFIRE MAP



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

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

6.1.4 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 will facilitate new, low density, residential type development opportunities on lands that immediately adjoin similar scaled development.

The new lots will each allow for appropriate scaled built forms that will provide high amenity dwelling envelopes for future dwellings and without 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 be consistent 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 600m².

Table 1 demonstrates that the subject development provides 2 x lots that each achieve that minimum size and therefore comply with the relevant standard.

PART 5 MISCELLANEOUS PROVISIONS

PART 6 URBAN RELEASE AREAS

PART 7 ADDITIONAL LOCAL PROVISIONS

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 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.

The development will also attract s94 contributions which will assist meeting demand for 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

There are no known draft Planning Instruments relevant to this development proposal.

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.

Both proposed lots provides a depth to frontage ratio of 2.5:1 which is considered to be a suitable response to the site given the prevailing lot pattern in the local and broader area.

The development is therefore 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 two lots that will create new and diverse housing opportunities, with each lot having the ability to accommodate the identified building envelope requirements, as identified by the DCP.

No 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 rely upon both Acorn St and Forbes St to provide vehicle access.

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. The development will result in two additional dwellings and therefore will likely generate 9 additional vehicle trips per day.

This is considered to be well within the capacity of the road network and will not cause any significant disruption to the performance of any intersection in the local network.

11.3.5 ROAD DESIGN + CONSTRUCTION

The development will result in partial completion of the cul-de-sac head located within St.

11.3.6 LANDSCAPING + SITE DESIGN

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

Emu Plains currently provides a suburban landscape character represented as free-standing dwellings located on regular shaped and sized lots with open front gardens and generous landscaped curtilage areas.

The subject site provides limited tree coverage and will allow for retention of majority of those trees.

The proposed development will insert only one new dwelling into the Acorn St streetscape at a scale and density consistent with the prevailing settlement pattern.

Accordingly, it is considered that the proposed subdivision will not adversely impact upon that landscape character as all key elements of the landscape inclusive of street trees, and remnant vegetation can be largely be retained as part of the subdivision and subsequent development of the site.

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 slope of the site to the street facilitates the movement of stormwater from future 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 will attract those relevant contributions and therefore payment can be expected to be levied as part of a condition of consent.

11.3.10 ENVIRONMENTAL SITE MANAGEMENT

This control seeks to avoid degradation of natural systems.

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

The development will yield only two additional dwelling in an existing village area.

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.

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 and multi dwelling houses on a mix of lot sizes with open front garden areas.

The development forms a small and logical infill subdivision that has limited ability to cause adverse impact upon the built environment.

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 future development applications for dwelling and associated built forms.

6.4.3 SOCIAL IMPACT

The proposed subdivision 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 subdivision will cause no 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 provides an opportunity to deliver a section of the incomplete cul-de-sac head to Acorn St.

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 to create 2 (one additional) residential allotments.

An assessment of the development has been made against the relevant provision of 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.

ANNEXURE A: AHIMS SEARCH



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : forbes st

Client Service ID : 269972

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

Date: 06 March 2017

AHIMS Web Service search for the following area at Lot : 17, DP:DP236214 with a Buffer of 50 meters, conducted by Vince Hardy on 06 March 2017.

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. *