

# cityscapeplanning+projects

## ENVIRONMENTAL PLANNING REPORT

### PROPOSED 2 x LOT SUBDIVISION

**AUGUST 2015**

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A handwritten signature in blue ink, appearing to read 'V. Hardy', is written over a horizontal line. Below the line, the name 'Vince Hardy' is printed in bold, followed by 'BTP, MPIA CPP' and 'URBAN PLANNING CONSULTANT' on separate lines.

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This report dated 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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# SECTION 1: **SITE + DEVELOPMENT**



## 1.1 INTRODUCTION

*Cityscape Planning + Projects* has been engaged by the owner of the subject site to prepare an Environmental Planning Report to accompany a Development Application to be lodged on the subject site.

The report encompasses a broad range of matters that are pursuant to both State Government legislation and policy, and local Council planning instruments and codes.

The report therefore includes the following elements:

- Site Analysis
- Bushfire Hazard Assessment Report
- Statement of Environmental Effects

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

## 1.2 THE SUBJECT SITE

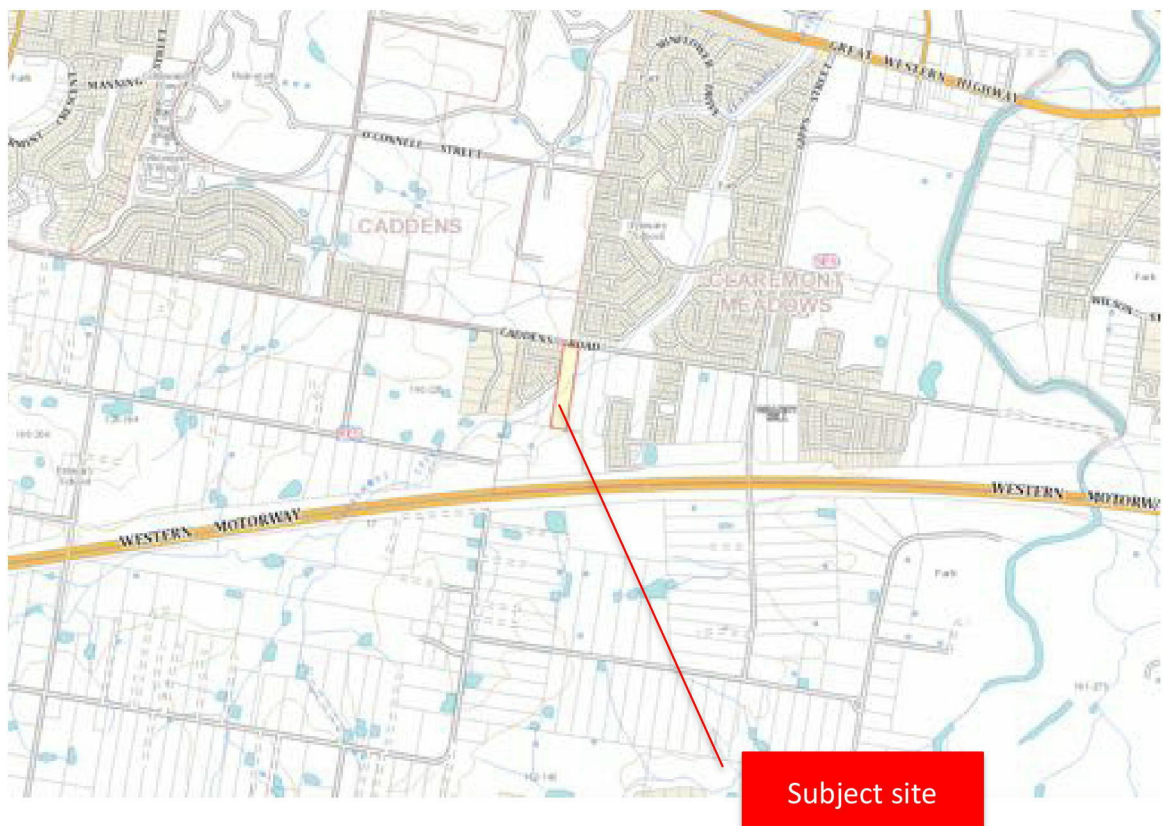
The subject site is a large irregular shaped parcel located on the southern side of Caddens Rd approximately 600m west of its intersection with Kent Rd.

The location of the subject is shown at Figure 1.

The site has the following real property description:

**Lot:** 4      **DP:** 27107

**FIGURE 1: LOCATION OF SITE**



## 1.3 DEVELOPMENT PROPOSAL

The applicant seeks Council consent for the subdivision of the subject site to create 2 x lots. The lots will have the following areas:

Proposed lot 41: 6763m<sup>2</sup>

Proposed lot 42: 1.347 ha

The development proposal represents a facilitating type subdivision as it is intended that the proposed larger, southern lot will be provided as part of a flora and fauna conservation area, whilst the northern lot will eventually facilitate future subdivision for residential purposes.

A Plan of the approved subdivision is provided at Figure 2.

FIGURE 2: PROPOSED SUBDIVISION



## 1.4 STATUTORY SITUATION

### 1.4.1 SITE ZONING

The subject site is zoned as follows pursuant to *Penrith Local Environmental Plan 2010*:

- Part R2 Low Density Residential
- Part E2 Environmental Conservation

### 1.4.2 SUBDIVISION

Clause 4.1 of Penrith LEP 2010 provides a minimum lot size of 550m<sup>2</sup> for the northern section of the road. An extract of that map is provided at Figure 4.

The proposed subdivision provides lots that exceed this minimum. Council can therefore consent to the proposed development.

### 1.4.3 INTEGRATED 'BUSHFIRE PRONE' DEVELOPMENT

The site is also identified as being bushfire prone on the relevant Council map. Accordingly, S91 of the *Environmental Planning & Assessment Act, 1979*, in combination with the *Rural Fires Act, 1997*, requirements for a section 100B Bushfire Safety Authority, classes the subject development proposal as Integrated Development.

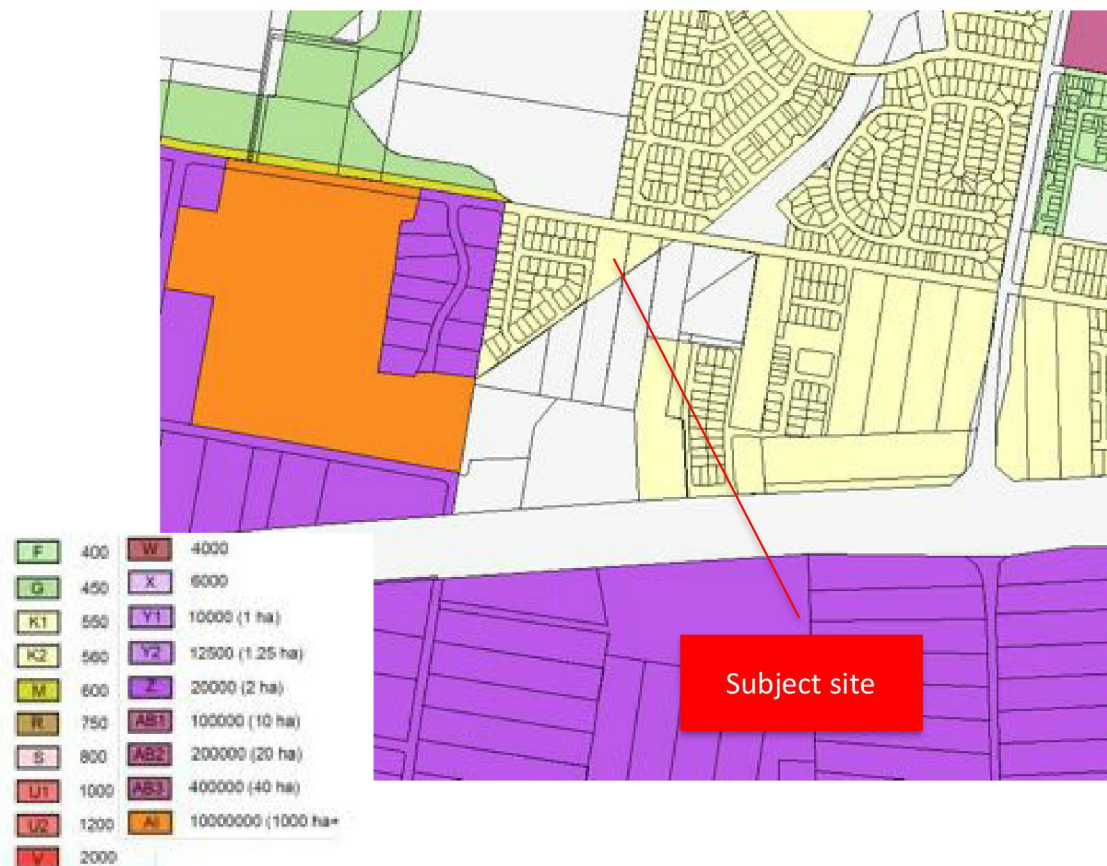
A Bushfire Attack Assessment is provided at Section 3 of this report.



FIGURE 3: ZONE PLAN EXTRACT



FIGURE 4: MINIMUM LOT SIZE EXTRACT



## SECTION 2: **SITE ANALYSIS**



## 2.1 TOPOGRAPHY

The site and the broader area in which the site is located is generally characterised as slightly undulating land, possessing limited relief. Indeed the site accommodates a small section of Claremont Creek at its middle sections and the presence of this results in the site presenting as a flood plain type environment. The location of this creek and the limited topographic relief is shown at the topographic plan provided at Figure 5.

Nevertheless, the site therefore falls approximately 3.5m from the north to the creek in the middle section and then rises approximately 3m from the middle to the rear of the site.

The site does not possess any other topographical features of significance.

## 2.3 SOILS + GEOTECHNICAL

This 1:100 000 Soil Landscape Series Sheet for Penrith (Bannerman & Hazelton 1990) indicates that the soils is underlain by the South Creek Soil Landscape, which occurs in flood plains, valley flats and drainage depressions or channels on the Cumberland Plain.

The soil landscape is characterised by soil erosion hazard and frequent flooding.

This erosion hazard will have to be appropriately managed as part any subsequent construction phase to ensure no adverse impacts upon local or regional water quality.

## 2.4 FLORA & FAUNA

The northern section of the site has been largely cleared of all remnant vegetation other than a few isolated trees and shrubs, however the central and southern sections of the site provides large stand of remnant bushland. The vegetation coverage on site is represented in the aerial photo provided at Figure 6. Figures 12 provide images of the site and adjacent lands vegetation.

## 2.5 EXISTING DEVELOPMENT

The site is currently vacant and accommodates no built forms other than a small, fibro cottage located at the northern section of the site and several small, rural type sheds in its curtilage. An images of this cottage is shown at Figures 9.

## 2.6 ADJACENT DEVELOPMENT

The site forms part of a very newly developed urban release area and is therefore adjoined by urban to the north and west. The rear section of the site also adjoins and will ultimately form part of a flora and fauna conservation area.

Figure 6 provides an aerial photo of the site and its broader context and shows the location of that adjacent urban development. An image of that urban development to the east is shown at Figure 10.





FIGURE 7: VIEW OF SITE FROM CADDENS RD



FIGURE 8: VIEW OF SITE FROM FRONT OF SITE LOOKING NORTH



FIGURE 9: EXISTING COTTAGE



FIGURE 10: ADJACENT URBAN DEVELOPMENT TO WEST





## 2.7 ABORIGINAL & EUROPEAN HERITAGE

Neither the subject site nor lands within the immediate vicinity of the site contain any identified items of 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.

## 2.8 SERVICES & INFRASTRUCTURE

The site forms part of a recently developed urban release areas and as such enjoys access to power and communication services as well as access to *Sydney Water's* reticulated water and sewer services.

## 2.9 HAZARDS & NUISANCE

The site is identified as being bushfire prone land on the relevant Council map. An extract of that map is provided at Figure 11.

A bushfire hazard assessment is provided Section 2 of this report.

## SECTION 3: **BUSHFIRE ASSESSMENT**



## 3.1 INTRODUCTION

*Cityscape Planning + Projects* has been engaged to prepare a Bushfire Attack Assessment report for the subject site, as part of the assessment relating to a proposed subdivision and development of the site.

The report and assessment has been undertaken in a manner consistent with that identified in the relevant sections of ***Planning for Bushfire Protection 2006***, and has been compiled through research, discussions with Council officers and on-site inspections.

## 3.2 SITE ASSESSMENT

### 3.2.1 THE COUNCIL BUSHFIRE MAP

The subject site is identified as bushfire prone on the relevant map held at the Penrith City Council.

Figure 9 provides an excerpt of the map and identifies the site being categorised as being within the 'Vegetation Category 1' with a small section at the front of the site being in the 'buffer' category.

FIG 11: COUNCIL BUSHFIRE MAP



## 3.2.2 VEGETATION

### VEGETATION TYPES

The site is located within a newly emerging residential type environment that has been highly modified as part of recent urban development.

Major modifications to that local environment as part of its development include clearing of vegetation, construction of built forms and provision of urban type infrastructure and services.

Consequently, much of the local native vegetation has been removed and in some instances been replaced with built forms and exotic 'garden' type plantings.

Some nearby areas also accommodate farming lands and therefore in these instances, the native vegetation has been cleared for either grazing or commercial crops.

However, the middle and rear sections of the site form part of a significant stand of remnant bushland, which is identified as being Cumberland Plain Woodland type vegetation.

The vegetation in this area is dominated by eucalypts 10-30m tall with crowns that touch or overlap (i.e foliage cover of 20-50%) with a prominent layer of hard-leaved shrubs and ground covers.

Photos of this vegetation are provided at Figure 12.



FIG 12: VEGETATION ON SITE



## VEGETATION DISTANCES

*Planning For Bushfire Protection 2006* requires that an assessment be made of the different vegetation communities within 140m of the subject site.

However, given that the development is only a facilitating type subdivision the 140m radius is plotted in the context of the existing cottage.

The location of the various vegetation types and coverage within the relevant radius and broader area is identified in the aerial photo at Figure 13.

This photo reveals that the bushland and therefore major fire threat is located in the lands to the south of the site.





With hot summer winds from the north and west likely to be the precursor to bushfire conditions it is from these directions that the path of future bushfire attack is most likely to emerge.

This path is also plotted at Figure 13 and demonstrates no major bushland units located in the path of those winds and the subject site.



FIGURE 13: AERIAL PHOTO & 140 METRE RADIUS



Aspect	Vegetation		Effective Slope		APZ
	Type	Distance (m)	Angle	Slope	
North	Managed properties	0-140	NA	NA	-
East	Managed properties	0-140	NA	NA	-
West	Managed properties	0-140	NA	NA	-
South	Managed properties	0-70	NA	NA	-
South	Forest	70-140	1.6°	Upslope	20m
		Subject Site			
		Existing cottage			
		140 metre radius of site			
		Prevailing winds in typical bushfire Conditions			

## VEGETATION CLASSIFICATION

The vegetation structure associated with the land to the west of the subject site can be described as remnant native vegetation. A review of *National Parks And Wildlife service* (NPWS) mapping confirms that the site is classified as both Alluvial Woodland and Shale Plains Woodland. An extract of this mapping is provided at Figure 14.

Pursuant to *Planning for Bushfire Protection*, this type of vegetation is classified as *Forest* and has an assessed fuel load of 20-25 tonnes per ha.

For the purposes of this assessment this vegetation type is identified as the predominant class.

### 3.2.3 SLOPE

The site and the broader area in which the site is located is generally characterised as slightly undulating land, possessing limited relief. This is represented by the topographic plan provided at Figure 5.

However, the land to the west that accommodates the bushfire hazard slopes up and away (approx 3.5m) over the rear 125m of this site.

This represents a grade of 2.8% which pursuant to *Planning for Bushfire Protection 2006* this translates to an upslope of grade 1.6°.



FIGURE 14: NPWS MAPPING



**Legend**

Endangered ecological communities listed under the Threatened Species Conservation Act 1995 as of 1 June 2002

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Shale/Sandstone Transition Forest</li> <li>1 - Shale/Sandstone Transition Forest (Low Sandstone Influence)</li> <li>2 - Shale/Sandstone Transition Forest (High Sandstone Influence)</li> </ul>                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>12 - Riparian Forest</li> <li>Western Sydney Dry Rainforest</li> <li>13 - Western Sydney Dry Rainforest</li> <li>Woolly Shrub Woodland</li> <li>14 - Woolly Shrub Woodland</li> <li>Sydney Turpentine-Myrtle Forest</li> <li>15 - Turpentine-myrtle forest</li> <li>43 - Turpentine-myrtle Margin Forest</li> <li>Illawarra Shale Scrub Forest</li> <li>17 - Illawarra Shale Scrub Forest</li> <li>Shale Grass Transition Forest</li> <li>103 - Shale Grass Transition Forest</li> <li>Blue Gum High Forest</li> <li>102 - Blue Gum High Forest</li> </ul> |
| <ul style="list-style-type: none"> <li>Cooks River/Castlemagh Ironbark Forest</li> <li>3 - Cooks River/Castlemagh Ironbark Forest</li> <li>Castlemagh Swamp Woodland</li> <li>4 - Castlemagh Swamp Woodland</li> <li>Apes Banks Woodland</li> <li>8 - Apes Banks Woodland</li> <li>Comberland Plain Woodland</li> <li>6 - Shale Hills Woodland</li> <li>10 - Shale Pines Woodland</li> <li>Sydney Coastal/Non-fal Forest</li> <li>11 - Alluvial Woodland</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Ecological communities not listed under the Threatened Species Conservation Act 1995 as of 1 June 2002

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>8 - Castlemagh Scrubby Gum Woodland</li> <li>21 - Sandstone Ridge-top Woodland</li> <li>22 - Upper Georges River Sandstone Woodland</li> <li>23 - Western Sandstone Gully Forest</li> <li>24 - Mangrove/Saltmarsh Complex</li> <li>25 - Riparian Scrub</li> <li>26 - Freshwater Wetlands</li> <li>27 - Eastern Gully Forest</li> <li>32 - Wooded Heath Complex</li> <li>37 - Vegetation of Volcanic Substrates</li> <li>9999 - Unclassified vegetation, or outside study area</li> <li>Re-cultive vegetation swampy</li> </ul> | <ul style="list-style-type: none"> <li>Water body</li> </ul> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|

**Vegetation Condition Classes**

- Canopy Cover > 10% (Shale Remnant) > 50% (Where Canopy Cover > 5%) (Area mapped as classes A, B, C, D)
- Canopy Cover < 10%
- Canopy Cover < 10% (Urban Areas)

Note: Condition classes are shown as a shading over the ecological community color code. The same shading is for Shale/Sandstone Transition Forest (Low Sandstone Influence).

- Study Area Boundary
- Local Government Area Boundary
- NPWS Estate Boundary

### 3.2.4 FIRE WEATHER AREA

The site is located within the Penrith LGA and therefore is determined as having a Fire Danger Index of 100.

### 3.2.5 REQUIRED ASSET PROTECTION ZONE

When the vegetation classification is considered in conjunction with the identified slope and FDI rating then Table A2.4 to *Planning For Bushfire Protection* identifies a minimum **20m** Asset Protection Zone (APZ) to the south of the existing cottage.

This is further demonstrated at the Table to Figure 13.

## 3.3 BUSHFIRE PROVISIONS

The following assessment is undertaken against Performance Based Controls identified in chapter 4 of *Planning for Bushfire Protection 2006*.

### 3.3.1 ASSET PROTECTION ZONES (APZ)

- ***radiant heat levels at any point on a proposed building will not exceed 29 kW/m<sup>2</sup>***
- ***APZs are managed and maintained to prevent the spread of a fire towards the building.***
- ***APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is negated***

This assessment has determined that development requires a 20m APZ from the bushland to the south of the site.

The subject development proposal currently provides managed properties within 60-70m of the existing cottage, which provides a suitable APZ.

This APZ will:

- Limit the opportunity for a crown fire to impact upon any future dwelling
- Provide a suitably scaled defensible space to prevent the spread of the fire towards the building
- Ensure any future dwelling will be able to achieve a BAL 29 rating under AS AS3959, 2009 – *Construction of Buildings in Bushfire Prone Areas*.

### 3.3.2 ACCESS

- *firefighters are provided with safe all weather access to structures (thus allowing more efficient use of firefighting resources)*
- *public road widths and design that allow safe access for firefighters while residents are evacuating an area.*
- *the capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles.*
- *roads that are clearly sign-posted (with easily distinguishable names) and buildings/properties that are clearly numbered.*
- *there is clear access to reticulated water supply*
- *parking does not obstruct the minimum paved width*

No new roads proposed, however the site has direct access to Caddens Rd, which is a wide dual carriageway that provides suitable vehicle from the west and east.

There are no bridges, slope, curve or other slope access constraints in the vicinity of the site and the road has a wide verge that allows for easy passing of heavy vehicles roadside parking.

This road also provides for emergency egress in the event of a bushfire.

### 3.3.3 ACCESS (2) – PROPERTY ACCESS

- *access to properties is provided in recognition of the risk to fire fighters and/ or evacuating occupants.*
- *the capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles.*
- *all weather access is provided.*
- *road widths and design enable safe access for vehicles*

The subdivision will enjoy direct vehicular access to Caddens Rd and no new dwellings will result from this development. The current dwelling is located more than 200m from these roads therefore alternative access requirement is not applicable.

### **3.3.4 ACCESS (3) – FIRE TRAILS**

Not relevant as no fire trails are proposed or required as part of the development.

### **3.3.5 AVAILABILITY OF SERVICES**

#### ***Reticulated water supplies***

- water supplies are easily accessible and located at regular intervals***

The site enjoys reticulated water supply by Sydney Water.

#### ***Non-reticulated water supply areas***

- for rural-residential and rural developments ( or settlements) in bush fire prone areas, a water supply reserve dedicated to firefighting purposes is installed and maintained. The supply of water can be an amalgam of minimum quantities for each lot in the subdivision (community titled subdivisions), or held individually on each lot.***

Not relevant.



***Electricity Services***

- ***location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings***
- ***regular inspection of lines is undertaken to ensure they are not fouled by branches.***

***Gas services***

- ***location of gas services will not lead to ignition of surrounding bushland or the fabric of buildings***

Electrical and other energy utility services can be provided from the roadway in accordance with the requirements of *Planning for Bushfire Protection 2006* as part of the service delivery of the approved development.

## 3.4 CONCLUSION

The site is located within a newly emerging residential environment that has been highly modified as part of recent urban development.

The subject site is identified as being bushfire prone on the relevant map held at the Penrith City Council offices.

The development is only a facilitating subdivision and will not generate any new dwelling opportunities.

Nevertheless, the existing dwelling is afforded suitable asset protection by way of the existing managed properties and direct access to Caddens Rd, which provides good vehicle access for fire fighting appliances.

All utility services including reticulated water supply is also available.

As such it is considered that the proposed development is considered to be consistent with *Planning for Bushfire Protection 2006*.



# SECTION 4: **STATEMENT OF ENVIRONMENTAL EFFECTS**

## **4.1 THE PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT**

### **4.1.1 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 subdivision 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 recommendation of any conditions of consent relating to erosion and sediment control, and stormwater runoff mitigation.

### **4.1.2 SEPP 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

No previous or existing use of the site would suggest that there is a potential for contamination.

Accordingly, the development is considered to cause no inconsistency with this planning instrument.

#### **4.1.3 PENRITH LEP 2010**

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

##### **2.2 Zoning of land to which Plan applies**

The subject site is zoned as follows RU4 – Primary Production Small Lots. An extract of the relevant zoning map is provided at Figure 17 and demonstrates the extent of each zoning on the site.

##### **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 seeks to undertake a facilitating subdivision that will create a residential zoned parcel that can be further subdivided for residential purposes as part of a subsequent development application.

The development therefore causes no inconsistency with these zone objectives.

***Zone E2 Environmental Conservation***

***1 Objectives of zone***

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
  
- *To protect, manage, restore and enhance the ecology, hydrology and scenic values of riparian corridors and waterways, wetlands,*

---

*groundwater resources, biodiversity corridors, areas of remnant indigenous vegetation and dependent ecosystems.*

*• To allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.*

**COMMENT:**

The development provides proposed lot 42, which is configured to match that of the relevant zone boundary and will allow that land to be acquired by Council so it can form part of a future flora and fauna conservation area.

**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 550m<sup>2</sup>. An extract of the relevant lot size map is provided at Figure 4.



Proposed lot 41 provides a lot with an area of 6763m<sup>2</sup> and therefore well exceeds the minimum lot size.

Accordingly, Council can approve the development

## **PART 7 ADDITIONAL LOCAL PROVISIONS**

### **7.2 Flood planning**

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

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

The subject site is likely to experience flooding from Claremont Creek, however, the development does not seek to create any new dwelling yield and therefore does not create any increased flood risk or hazard that could be considered to be inconsistent with the relevant clause objectives.

### **7.15 Claremont Meadows**

- (1) This clause applies to land identified as “Claremont Meadows” on the Clause Application Map.**
- (2) The objectives of this clause are as follows:**
  - (a) to ensure a high level of pedestrian amenity and good pedestrian linkages within the land and between the land and**

**the existing land forming Claremont Meadows estate,  
surrounding development and natural areas,  
(b) to permit a diverse housing mix that provides a wide range  
of dwelling types and choice,  
(c) to allow for multiple lot sizes that promote higher density  
around open space,  
(d) to ensure that housing located in the vicinity of a major  
road takes account of the constraints imposed by noise and  
visual impact.**

The site is identified on the relevant clause application map as being subject to the provisions of this clause. An extract of that map is provided at Figure 15. However, the development seeks only to create a residential zoned parcel and this clause is more relevant to a subsequent subdivision application.

**FIGURE 15: CLAUSE APPLICATION MAP**



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

There are no known draft planning instruments relevant to the subject site.

## **4.3 THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLANS**

### **PENRITH DCP 2014**

#### **E2 - CLAREMONT MEADOWS STAGE 2**

##### **2.2 RESIDENTIAL DEVELOPMENT**

###### **2.2.2 Traditional Residential**

###### **B. Controls**

###### **South Western Precinct**

**1) Residential development in this precinct must be set out in accordance with the indicative layout illustrated in Figure E2.3.**

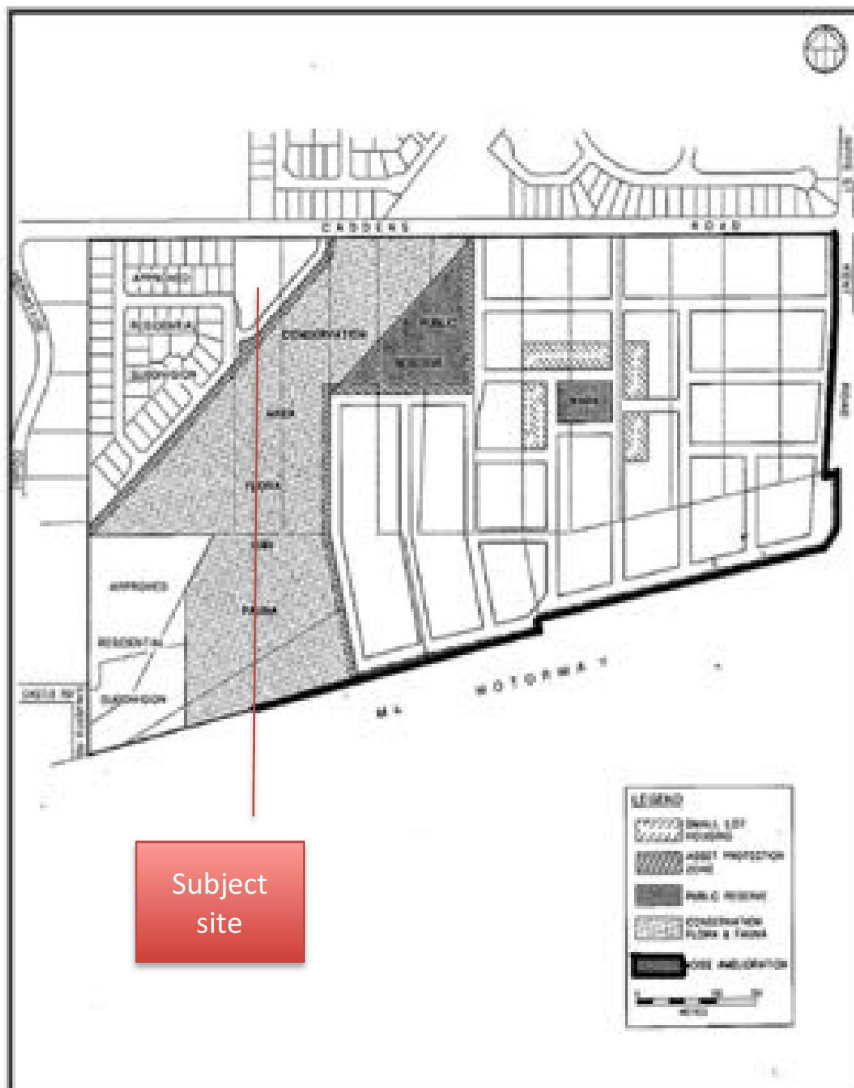
The subdivision provides new lots that directly matches the land use layout and urban structure shown in the corresponding Figure. A copy of that plan is shown at Figure 16.

**2) In general:**

- a) Small lot housing around the central park with lot sizes ranging from 250m<sup>2</sup> – 400m<sup>2</sup> (to be submitted as integrated housing for development application purposes);
- b) Conventional lots with a minimum area of 550m<sup>2</sup> and minimum width of 15m; and
- c) Large lot residential to the south west off Castle Road; and
- d) The controls specified in the Residential Development section of this Plan apply for all other requirements.

These matters will be more appropriately addressed as part of future subdivision applications pertaining to proposed lot 41.

**FIG 16: SOUTH WESTERN PRECINCT**





## **2.3 Areas of Ecological Sensitivity**

### **2.3.1 Remnant bushland**

#### **B. Controls**

a) The proposal shall demonstrate compliance with the Vegetation Management Plan for the specific precinct area;  
b) A Biodiversity Management Plan, which includes an interpretation strategy shall be prepared for the proposed development. Examples of items which could be included in a Biodiversity Management Plan and Interpretation Strategy include (and not limited to):

- a) Signage;
- b) Fencing
- c) Walking tracks;
- d) Street layout; and
- e) Street names.

**(3) Development applications shall demonstrate that the Biodiversity Management Plan and its principles have been addressed.**

The subject site accommodates remnant bushland and seeks to provide a lot that will enable that area to be form part of larger flora and fauna conservation area.

The development therefore is consistent with planned biodiversity outcomes for the broader area.

### ***2.3.2 Watercourse and Riparian Corridors***

#### ***3.2 Watercourse and Riparian Corridors***

#### ***3.3 Water Cycle***

All trunk drainage issues, including the performance criteria, were addressed as part of the structure planning, rezoning and previous development applications pertaining to adjacent development.



The subject development will facilitate future development that will ultimately augment, and then connect to that approved stormwater drainage regime.

#### **2.3.4 Salinity**

##### **A. Objectives**

- a) To ensure that saline soils, groundwater levels and salinity processes are identified, prior to finalisation of development form; and**
- b) To ensure that appropriate measures are taken to protect buildings, infrastructure and the natural environment from deterioration associated with salt attack.**

The site is not known to present any salinity issues. These issues were also addressed as part of the original rezoning process and found not to represent any constraint to urban development.

#### **2.3.5 Contaminated land**

##### **A. Objectives**

- a) To ensure that contaminated land is identified, prior to finalisation of development form; and**
- b) To ensure that a remedial action plan is prepared for any identified areas of contamination.**

This has been addressed previously in this report and demonstrates the site is suitable for residential use.

#### **2.3.6 Bushfire Hazard**

##### **A. Objective**

- a) To ensure that dwellings are adequately protected from bushfire risk.**

A bushfire hazard assessment is provided at section 3 of this report and demonstrates that the required APZ's can be readily provided for as part of the development.

### **3.7 Air Quality**

#### **Performance Standards**

**1) Use of solid fuel heaters is prohibited; and**

No solid fuel heaters are proposed as part of the development.

**2) The area of land available for soft landscaping should be maximised.**

This matter will be addressed as part of future development applications.

## **2.4 COMMUNITY SERVICES AND RECREATION**

### **2.4.1 Neighbourhood Parks**

#### **Objective**

**(a) To ensure that parks are adequately sized, located and equipped to meet the needs of the anticipated population of the precinct.**

The urban structure plan does not require the site to provide neighbourhood parks or recreation areas.

## **2.5. RECOGNITION OF SURROUNDING LAND USES**

### **5.1 Major roads (Werrington Arterial, Great Western Highway and the M4 Motorway)**

The site is sufficiently removed from these land uses to ensure that it will not be adversely impacted by any of those roads.

### **2.5.2 Integration with Claremont Meadows Stage 1**

#### **A. Objectives**

**a) To ensure that adequate pedestrian and cycle linkages are provided between Claremont Meadows Stage 2 and the existing estate; and**

**b) To ensure that planning for Claremont Meadows Stage 2 maximises the benefit of those locations closest to accessing the services in the existing estate.**

These matters will be more appropriately addressed as part of future development applications pertaining to lot 41.

## **2.6. PUBLIC DOMAIN**

## **2.7. INFRASTRUCTURE**

These matters will be more appropriately addressed as part of future development applications pertaining to lot 41.

# **4.4 IMPACTS OF DEVELOPMENT**

## **4.4.1 NATURAL ENVIRONMENT**

The subject accommodates a small section of Claremont Creek, and remnant bushland and at the southern and central sections of the site.

All ecological and natural resource conservation issues have been dealt with and resolved as part of broader structure planning, rezoning and previous adjacent development.

The proposed development delivers flora and fauna conservation outcomes consistent with that identified in the statutory planning framework.

All necessary services and infrastructure are currently available to the broader area, including sewer and stormwater management

services. The availability of this infrastructure will ensure that subsequent development would have no adverse impact upon the water quality of the local or broader catchments.

#### **4.4.2 BUILT ENVIRONMENT**

The local character of the area is represented as a newly emerging urban release area that provides predominantly single dwelling houses on large lots.

The proposed subdivision will facilitate the development of similar development outcomes that is entirely consistent with structure planning for the precinct and the emerging built character of the area.

It is therefore expected that this additional development could be inserted comfortably within the built landscape without any adverse impact upon the existing qualities of the local built environment.

#### **5.4.3 SOCIAL IMPACT**

The proposed subdivision will facilitate opportunities for numerous new housing opportunities.

As such the development is considered to represent a positive social impact.

#### **4.4.4 ECONOMIC IMPACT**

The proposed development and subsequent subdivision will generate new employment opportunities throughout the construction phase



and therefore that phase of the development will generate positive economic impacts.

Otherwise the development is not expected to cause any economic impact in the local broader area.

## **4.5 SUITABILITY OF THE SITE**

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

All structure planning for the precinct has contemplated the exact type of development proposed as part of this application

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

## **4.6 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.

## SECTION 5: **CONCLUSION**

## CONCLUSION

The application seeks approval to the subdivision of the site to create 2 x lots that will facilitate future urban development and flora and fauna conservation outcomes.

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.

The report also provides a Bushfire Hazard Assessment, which reveals that the development will cause no inconsistency with *Planning for Bushfire Protection 2006*.

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

# ANNEXURE A: **AHIMS** **SEARCH**





**AHIMS Web Services (AWS)  
Search Result**

Purchase Order/Reference : caddens wolf  
Client Service ID : 187096

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

Date: 25 August 2015

**AHIMS Web Service search for the following area at Lot : 4, DP:DP27107 with a Buffer of 50 meters, conducted by Vince Hardy on 25 August 2015.**

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:

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