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STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED TWO-STOREY DWELLING HOUSE,
LANDSCAPING AND POOL**

2A DUKES PLACE, EMU PLAINS

FEBRUARY 2022

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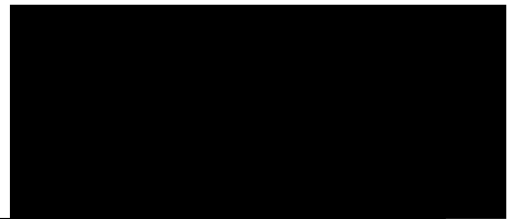
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This report is provided to accompany a Development Application to be lodged on the subject land and is to be used for that purpose solely and for the client exclusively. No liability is extended for any other use or to any other party. Whilst the report 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.

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	THE SUBJECT SITE.....	2
2.1	LOCATION + DESCRIPTION.....	2
2.2	NATURAL ENVIRONMENT	3
2.3	BUILT ENVIRONMENT	3
3.0	DEVELOPMENT PROPOSAL	7
3.1	NEW DWELLING HOUSE.....	7
3.3	VEHICLE ACCESS AND PARKING.....	7
3.3	STORMWATER.....	8
3.3	LANDSCAPE AND POOL	8
4.0	STATUTORY SITUATION	9
5.0	PLANNING ASSESSMENT	10
5.1	THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT	10
5.1.1	SEPP No 55 – REMEDIATION OF LAND	10
5.1.2	SREP No.20 – HAWKESBURY NEPEAN	10
5.1.3	PENRITH LEP 2010	11
5.2	THE PROVISIONS OF ANY DRAFT PLANNING INSTRUMENT	16
5.3	THE PROVISION OF ANY DEVELOPMENT CONTROL PLAN	16
5.4	LIKELY IMPACTS OF THE DEVELOPMENT	23
5.5	SUITABILITY OF THE SITE	25
5.6	THE PUBLIC INTEREST	25
6.0	CONCLUSION.....	26

1.0 INTRODUCTION

Cityscape has been engaged to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) to be submitted on the subject site.

The SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning & Assessment (EP& A) Act 1979*, and clause 50 of the *Environmental Planning & Assessment Regulation, 2000*.

The purpose of this SEE is to:

- Describe the proposed development and its context
- Assess the development proposal against applicable planning instruments, standards and controls
- Assess the potential environmental impacts and mitigation measures

It has been compiled, through on ground investigations, research, and analysis and the DA is to be read in conjunction with the plans prepared by *V Arch Design Studio*.

2.0 THE SUBJECT SITE

2.1 LOCATION + DESCRIPTION

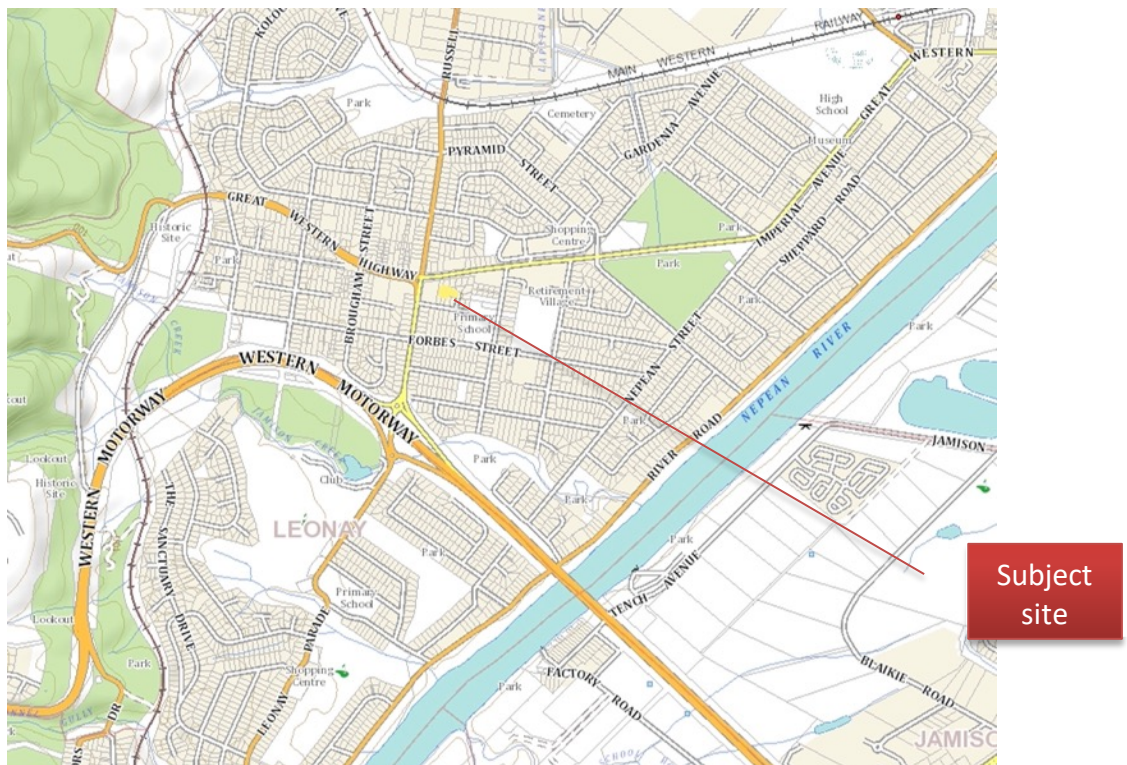
The subject site is a medium sized (451m²- excluding handle) irregular shaped, battle axe lot located on the western side of the Dukes Place cul-de-sac head. The location of the site is shown at Figure 1.

The site is known as No.2A Dukes Place, Emu Plains but has the following real property description:

LOT: 111

DP: 1239551

FIGURE 1: LOCATION OF SITE



2.2 NATURAL ENVIRONMENT

The site is located midway between the Nepean River and the Blue Mountains escarpment, but approximately 900m from both of those natural features which ensures that it is neither flood or bushfire prone. The topography of the site and local area including proximity to the Nepean River and escarpment is identified at Figure 1.

Whilst not located on the floodplain, the site experiences very limited topographical relief and appears very flat. The site does not accommodate any other significant features of topographical significance.

Similarly, most of the sites natural vegetation has been cleared as part of previous development, however it does still accommodate some two trees at its southern boundary.

2.3 BUILT ENVIRONMENT

The site is located with a suburban setting that has been developed over many decades and therefore provides a range of housing forms and type and is serviced by a full suite of urban infrastructure and services including energy and communication utilities. The site also enjoys access to *Sydney Water's* reticulated water and sewer services.

The site is currently vacant and Images of the site and its adjacent development are provided at the aerial photo at Figure 3, whilst photos of the site are provided at Figure 4-7.

FIGURE 2: CADASTRAL + TOPOGRAPHY



FIGURE 3: AERIAL VIEW OF SITE



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FIGURE 4-5: EXISTING DWELLING BATTLE-AXE HANDLE



FIGURE 6-7-8: IMAGES OF REAR YARD AREA

view south



View north



3.0 DEVELOPMENT PROPOSAL

The development seeks council consent to the following:

3.1 NEW DWELLING HOUSE

Erection of a new two storey dwelling house that provides living, kitchen bathrooms and two bedrooms and a master bedroom, living area, study etc at the upper floor.

The dwelling proposes traditional residential building forms with a metal hipped and pitched roof and mix of masonry and cladding treatments to the external elevations.

The upper storey area is stepped in from one of the side boundaries and an outdoor living area is provided at the rear of the dwelling at the ground floor together with a balcony in the front elevation at the upper floor.

An 3D render of the proposed dwelling-house is provided at Figure 9.

3.3 VEHICLE ACCESS AND PARKING

Vehicle access is provided to the dwelling via the existing battle-axe driveway and a new driveway porous turf vehicle turning area located at the north eastern corner of the site.

This turning area allows for forward ingress and egress form the single garage located within the building footprint, at the eastern extent of the dwelling, as an integrated design element of the dwelling.

3.3 STORMWATER

The concept stormwater plan proposes to harvest all roof waters within a 4000 Litre rainwater tank located at the northern edge of the dwelling and then utilise a pipe and pit system to convey all tank overflows, under gravity, to a kerb outlet at Dukes Place.

3.3 LANDSCAPE AND POOL

A landscape concept plan is provided that proposes to retain the two trees on the southern boundary as a large deep soil space. These existing plantings are supplemented with new native shrub species at the dwelling entry and turf areas around the dwelling perimeter.

The vehicle manoeuvring area at the north east corner is proposed to be finished with a permeable turf and paver system.

The development also includes a modest in-ground pool at the south eastern corner.

FIGURE 9: 3D IMAGE OF PROPOSED DEVELOPMENT (EASTERN ELEVATION)



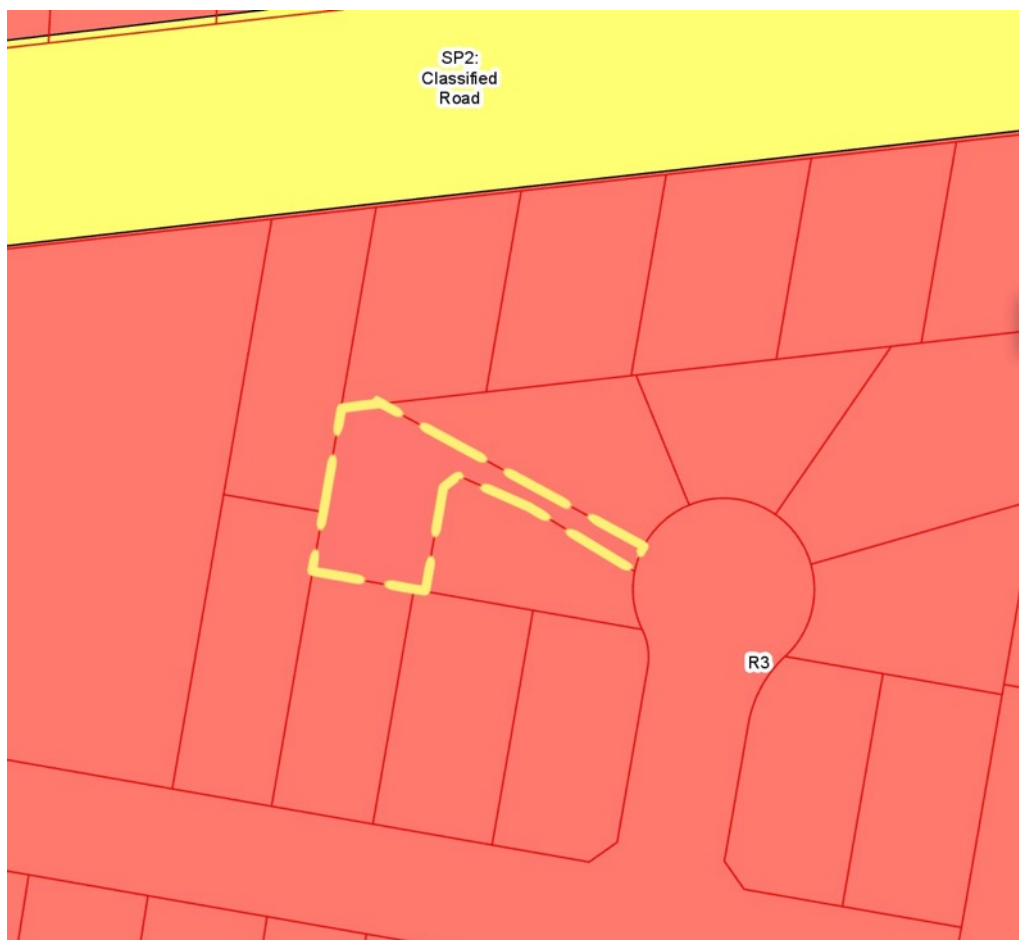
4.0 STATUTORY SITUATION

The subject site is zoned *R3 Medium Density Residential* pursuant to the Penrith Local Environmental Plan 2010 (PLEP). An extract of that zone map is provided at Figure 10

'*Dwelling houses*' are identified as a permissible land in the relevant land use table to the *R3 Medium Density Residential* Zone under PLEP.

The proposed works identified at Section 3.0 of this report are entirely consistent with the definition of a dwelling house, including the pool which is an ancillary element to a dwelling house. Accordingly, Council is able to approve the subject development application.

FIG 10: EXTRACT OF PENRITH LEP 2010 ZONING MAP



5.0 PLANNING ASSESSMENT

5.1 THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

5.1.1 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.

The site and broader area have a long history of use as residential land and there is no known or likely potential of previous use of the site that would give rise to the potential for contamination.

Further, the development does not seek to change the residential land-use of the site and no significant ground disturbance will occur as part of the development. Accordingly, the development causes no inconsistencies with the objectives or provisions of SEPP 55.

5.1.2 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, as the development:

- Will connect to existing trunk drainage systems that suitably manage stormwater from the surrounding suburban area
- Provides a development that respond suitably to flood risks
- Does not compromise any identified scenic landscape values
- Manages potential erosion and sedimentation risks through during the construction phase through the implementation of sedimentation plan.

5.1.3 PENRITH LEP 2010

The relevant provisions of 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 R3 Medium Density Residential

Objectives of zone

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

-
- *To provide for a concentration of housing with access to services and facilities.*
 - *To enhance the essential character and identity of established residential areas.*
 - *To ensure that a high level of residential amenity is achieved and maintained.*
 - *To ensure that development reflects the desired future character and dwelling densities of the area.*

Comment:

The site is well located to retail facilities in the nearby shopping centre and also enjoys excellent proximity to regional transport linkages.

The development proposes a detached dwelling house that presents a scale and built form character that is consistent with both the prevailing and emerging built character of the local area.

The development aspect also ensures good solar access to the internal and external living areas and provides setbacks and curtilages to adjacent development that will ensure a high level of residential amenity is achieved and maintained.

PART 4: PRINCIPAL DEVELOPMENT STANDARDS

4.3 Height of buildings

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The relevant LEP map provides a maximum building height of 8.5m. An extract of that LEP map is provided at Figure 11.

FIG 11: EXTRACT OF PENRITH LEP 2010 – HEIGHT OF BUILDINGS MAP



The development proposes a two-storey development with a maximum building height of 7.25m

The development therefore readily complies with the development standard.

PART 5 MISCELLANEOUS PROVISIONS

5.21 Flood planning

The site is not identified as being flood prone.

PART 6 URBAN RELEASE AREAS

Not relevant to the site or its development.

PART 7 ADDITIONAL LOCAL PROVISIONS

7.4 Sustainable development

In deciding whether to grant development consent for development, the consent authority must have regard to the principles of sustainable development as they relate to the development based on a “whole of building” approach by considering each of the following:

- (a) conserving energy and reducing carbon dioxide emissions,*
- (b) embodied energy in materials and building processes,*
- (c) building design and orientation,*
- (d) passive solar design and day lighting,*
- (e) natural ventilation,*
- (f) energy efficiency and conservation,*
- (g) water conservation and water reuse,*
- (h) waste minimisation and recycling,*
- (i) reduction of vehicle dependence,*
- (j) potential for adaptive reuse.*

The development proposal provides relatively modest works however includes the following features that assists in achieving sustainability:

- Site responsive development that retains all existing trees
- Orientation of living areas on upper floor to the north to take advantage of excellent solar access and reduce heating demands
- Wide shady eaves to limit overheating from summer sun
- Design that allows for generous natural ventilation opportunities

-
- Retention of existing vegetation to reduce adverse impacts of the urban heat island
 - Use of rainwater tanks to harvest stormwater
 - BASIX compliant development

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 is located within an established suburban environment that enjoys access to a full suite of urban services, infrastructure and facilities.

The development is not expected to cause any demands on any services or infrastructure that would be beyond its existing carrying capacity.

5.2 THE PROVISIONS OF ANY DRAFT PLANNING INSTRUMENT

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

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

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

5.3 THE PROVISION OF ANY DEVELOPMENT CONTROL PLAN

This section of the report identifies the relevant sections of the DCP together with an assessment of the development against those parts of the DCP.

PENRITH DCP 2014

C1: SITE PLANNING AND DESIGN PRINCIPLES

A site plan accompanies the application that identifies the key site features etc.

This plan demonstrates that the development occurs in a cleared and open section of the site that allows for retention of existing trees and well clear of all property boundaries and the adjacent dwellings.

It is therefore considered that the development provides a suitable site responsive design.

C2: VEGETATION MANAGEMENT

The development proposes to retain the two existing trees on the southern boundary and will also supplement that with new shrub plantings.

This ensure e retention of all other vegetation across the site ensures that the landscape character of the site and area is retained.

C3. WATER MANAGEMENT

All stormwater will drain to Dukes Place as per the accompanying stormwater management concept plan.

C4 LAND MANAGEMENT

Standard construction measures shall be implemented to ensure the site is protected from erosion and sedimentation during that stage of development.

The site presents no current or historical use that presents potential for contamination.

C5.WASTE MANAGEMENT

The development will not generate any significant or new wastes and suitable areas are provided for the storage of waste bins.

Waste bins will then be moved to kerbside for collection as part of Councils domestic waste service.

C6. LANDSCAPE DESIGN

The retention of both existing trees on site, supplemented with new garden plantings and compliant landscape space ensures that the development the landscape character of the site and its surrounding area.

C7. CULTURE AND HERITAGE

Not relevant as the site does not accommodate nor is located adjacent to any heritage identified at schedule 5 of the LEP.

C10. TRANSPORT ACCESS AND PARKING

Council DCP provides the following parking requirements:

2 spaces per dwelling – stacked or tandem parking acceptable

The development provides a single garage under the roof line and additional stacked parking opportunity in the driveway and therefore complies with the DCP.

C12. NOISE AND VIBRATION

The development does not propose any new noise sources nor is it located in close proximity to any activity that will generate noise nuisance.

C13. INFRASTRUCTURE AND SERVICES

The site is located in an established suburban area and as such enjoys access to full suite of urban infrastructure and services including, water, energy utilities, telecommunication.

D2 – RESIDENTIAL DEVELOPMENT

2.1 Single Dwellings

CONTROL/OBJECTIVE	COMMENT
2.1.1 Residential Character Objectives a) To establish overall guidelines for environmentally appropriate development b) To adopt the form and character of established neighbourhoods to guide environmentally appropriate design and development; and to stimulate a vibrant streetscape that preserves traces of Penrith's past. c) To ensure that new development does not detract	<p>The development proposes a detached dwelling house on a battle-axe lot which has no street frontage.</p> <p>The development has attempted to sensitively insert that new dwelling amongst six adjoining dwellings by providing generous setbacks to each boundary and recessing the two-storey element to the central section of the site to limit adverse impacts from overshadowing and overlooking.</p> <p>The built form presents a scale and built form character that is consistent with both the</p>

<p>significantly from the quality and amenity of existing dwellings and private gardens.</p>	<p>prevailing and emerging built character of the local area.</p> <p>The development also deliberately sites the building to retain all existing vegetation on site. This together with new plantings maintain the garden and landscape character of the site and surrounding area.</p> <p>As such the development presents a built form that is entirely consistent with the established local character values.</p>
<p>2.1.2 Setbacks and Building Envelope</p> <ul style="list-style-type: none"> • Front setback – 5.5m or average of adjacent • Side setback 0.9m • Rear setback – 4m for single storey and 6m for two storey • Envelope height plane 	<ul style="list-style-type: none"> • The site has no frontage to the street and therefore has no front setback requirement. Similarly, it provides no obvious rear boundary, but instead attempts to provide generous setbacks to all side boundaries in response to that unique plot configuration. The dwelling setbacks are therefore as follows: • southern boundary: <ul style="list-style-type: none"> ○ Single storey – 5.95m ○ Two Storey – 6.050m • Western boundary: <ul style="list-style-type: none"> ○ Single storey – 2.1m ○ Two Storey – 6.38m • Northern boundary: <ul style="list-style-type: none"> ○ Single storey – 0.9m ○ Two Storey – 2.8m • Eastern boundary: <ul style="list-style-type: none"> ○ Single storey – 0.9m ○ Two Storey – 4.24m • This setback response is considered to satisfy the underlying DCP objectives particularly: <ul style="list-style-type: none"> ○ Site responsive development ○ High level of visual amenity • The development also complies with the building envelope requirement of the DCP.
<p>2.1.3 Development on Sloping Land</p>	

<p>a) To ensure that development responds to topographical constraints.</p> <p>b) To minimise the bulk and scale of dwellings on steep slopes.</p> <p>c) To minimise the amount of cut and fill on sloping land.</p>	<p>The site has limited slope and proposes very limited cut and fill. Therefore, it is considered to respond appropriately to the site topography.</p>
<p>2.1.4 Landscaped Area</p> <p>Minimum landscaped area in R2 Medium Density Residential Zone = 40%</p>	<p>The development provides a landscaped area of 254m² which represents 46.2% of the total site area.</p> <p>All calculated landscaped areas have width of greater than 2m.</p> <p>The development therefore complies with the DCP requirement.</p>
<p>2.1.5 Building Design</p> <p>1) New buildings should show characteristics of established suburban neighbourhoods with;</p> <p>a) dwellings oriented to face the street,</p> <p>b) building forms that are stepped or articulated,</p> <p>c) development that relates to the shape of the surrounding garden areas, and</p> <p>d) development that does not detract significantly from the privacy and amenity of existing dwellings and private gardens.</p> <p>2) Dwellings should be surrounded by private gardens, their facades should display a variety of materials and shading structures,</p> <p>3) Garages should be integrated with the overall architectural form of the dwelling and designed so as not to dominate the street frontage.</p>	<p>The development provides several site planning and design feature that reflect the prevailing character of established development in the local area. This includes:</p> <ul style="list-style-type: none"> • Site responsive design that provides largest rear setback to the south to assist retain trees that contribute to and retain the landscape character of the local area. • The dwelling provides the pedestrian entry at the street frontage. • The upper floor areas are stepped in and located centrally to the site to limit overshadowing and overlooking. • Use of traditional hipped and pitched roof forms. • Elevation articulated through the use of a diverse palette of materials including masonry, cladding and glazing. • Garage provided under roof line of the built form. • Very limited cut and fill proposed which maintains existing site topography. • Floor planning and careful use and siting of windows maintains acoustic, visual and solar amenity and privacy of adjacent development.

<p>4) Development responds to topography of the site and minimizes site disturbance.</p>	<ul style="list-style-type: none"> High quality privacy outcomes are achieved by the recessing of the upper floor area and use of obscure glass in windows of all elevations (as shown on the plans).
<p>2.1.6 Solar Planning</p> <p>a) Improve the energy efficiency of dwellings and achieve a high standard of residential amenity.</p> <p>b) To ensure adequate residential amenity through the provision of sunlight access and good solar amenity to the living spaces and private open space areas of dwellings.</p> <p>c) To recognise the reasonable expectation for a dwelling to have the ability to access sunlight.</p>	<p>The development has been deliberately provided external POS areas to the south to retain existing vegetation. This makes solar planning and access challenging.</p> <p>However, the floor planning allows for ground floor living areas to receive western sun and upper floor living areas enjoying a northern aspect. But the dwelling incorporates wide shady eaves to limit the adverse impact of summer sun.</p> <p>The solar study of the POS of the proposed dwelling demonstrates that the POS will receive solar access greater than 50% in morning and afternoon periods in mid-winter.</p> <p>The shadow diagrams also demonstrate that the development causes overshadowing to five (5) of the adjacent sites.</p> <p>However, the shadow diagram also demonstrates that the overshadowing still allows for the POS of those sites to enjoy solar access to over 40% of that POS in mid-winter.</p> <p>The development therefore causes no significantly adverse loss of solar amenity to those sites.</p>
<p>2.1.7 Garden Design and Fences</p> <p>Gardens should be landscaped, surrounded by fences that enable surveillance of public places and are compatible with neighbourhood character.</p>	<p>The site is a battle-axe lot and therefore has no address to the street.</p> <p>The development does not propose any front fences or changes to the front garden area.</p> <p>Further, the development retains all trees and will provide a generous garden curtilage in the rear sections of the site.</p>
<p>2.1.8 Significant Landscapes</p>	

In areas of particular significance to natural conservation or high environmental character, new development should demonstrate detailed design measures to protect that conservation significance or character.	Not relevant to the site or its development.
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5.4 LIKELY IMPACTS OF THE DEVELOPMENT

5.4.1 NATURAL ENVIRONMENT

The subject site is located within an established suburban environment and does not accommodate any features of topographical or ecological significance.

The proposed development seeks only to insert a single dwelling house on a vacant site and will retain both existing trees on site.

All necessary services and infrastructure are currently available to the broader area, that will suitably manage all waste waters.

Accordingly, the development will have no adverse impact upon the natural environment.

5.4.2 BUILT ENVIRONMENT

The development includes numerous site planning and design responses that reflect the prevailing character of established development in the local area. This includes:

- Site responsive design that provides largest rear setback to the south to assist retain trees that contribute to and retain the landscape character of the local area.
- The dwelling provides the pedestrian entry at the street frontage.
- The upper floor areas are stepped in and located centrally to the site to limit overshadowing and overlooking.
- Use of traditional hipped and pitched roof forms.
- Elevation articulated through the use of a diverse palette of materials including masonry, cladding and glazing.
- Garage provided under roof line of the built form.
- Very limited cut and fill proposed which maintains existing site topography.
- Floor planning and careful use and siting of windows maintains acoustic, visual and solar amenity and privacy of adjacent development.

As such it is considered that development proposal will ensure that no adverse impact is caused to the built environment.

5.4.3 SOCIAL IMPACT

The development is not of a scale or type that is considered to cause any significant social impact upon the local area.

5.4.4 ECONOMIC IMPACT

The development is not of a scale or type that is considered to cause any significant impact upon the local or regional economy.

5.5 SUITABILITY OF THE SITE

The subject site is located within an established suburban environment and suitably responds to all natural and topographic site characteristics. Further, it causes no adverse impacts to local amenity, character or built environment values. The subject site is therefore considered to be well suited to the proposed development.

5.6 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 negative outcomes and hence the public interest is best served by approval of the development.

6.0 CONCLUSION

This SEE has been prepared as part of a development application which seeks approval to the demolition of an existing approval and construction of a new two storey dwelling.

The SEE has assessed undertaken an environmental assessment of the proposal against all relevant environmental planning instruments including Penrith LEP 2010 and its associated DCP.

In summary this assessment demonstrates that the proposal is considered to:

- Inserts a new dwelling house on a vacant lot.
- Represents an appropriate response to the context, setting, planning instruments, controls and guidelines and other considerations outlined in Section 4.15(1) of the *Environmental Planning & Assessment Act, 1979*.
- Respond well to the site topography
- Retains all trees on site
- Have no significantly adverse impacts upon the natural or built environment.

The benefits provided by the development outweigh any potential impacts and it is therefore considered to be in the public interest. The proposal will deliver a suitable and appropriate development that is worthy of approval.