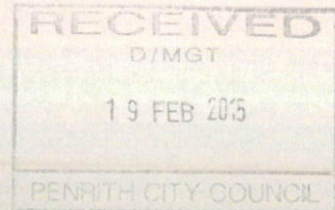


**REVISED STATEMENT
OF
ENVIRONMENTAL EFFECTS**

FOR



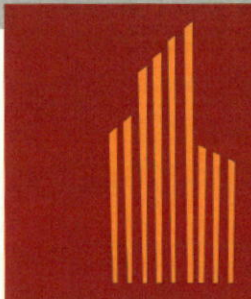
**PROPOSED S96 (1A) MODIFICATIONS TO CONSTRUCTION OF A
DUAL OCCUPANCY DEVELOPMENT INCLUDING DRIVEWAYS,
CARPARKING AND ASSOCIATED LANDSCAPE WORKS**

AT

23 GHERA ROAD, CADDENS NSW 2747

LOT 22 IN DP 1166546

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1.0 INTRODUCTION

1.1 OVERVIEW

This report has been prepared by Universal Property Group Pty Ltd to accompany a section 96 (1A) application to be lodged at Penrith City Council for the modification to the approval of a dual occupancy development, known as 23 Ghera Road, Caddens. The proposed Section 96 1(A) application is for the modification of the originally approved development (DA 14/0220). The proposed changes are being sought for modifications to the materials and finishes on the external façade are proposed. The modifications sought are generally façade changes and the natural extent of the building envelope remains unchanged.

Based upon the above assessment it is UPG's belief that the Section 96(1A) modification is of minimal environmental impact and suitable for the approved residential flat building of this scale.

Dual occupancy development is a permissible land use under Penrith City Council Local Environmental Plan 2009 (Caddens) and Development Control Plan 2006. The proposal is generally consistent with the provisions of the Penrith City Council LEP and DCP.

Dual Occupancy Development is defined as:

***dual occupancy** means 2 dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme), but does not include a secondary dwelling.*

***semi-detached dwelling** means a dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling.*

The locality is a mix of residential uses. The residential buildings in the locality are a mix of single and double storey dwellings and the proposed double storey dual occupancy development will be compatible with the existing form of housing development.

This statement will address the proposal in the context of the applicable planning legislation including the provision of:

- Penrith Local Environmental Plan 2009 (Caddens);
- Development Control Plan 2006 (Chapter 2) – Citywide
- Development Control Plan 2006 (Chapter 6) – Site and Area Specific Controls (Caddens)

1.2 PROPOSED DEVELOPMENT

The application seeks consent for alterations to the approved development as detailed in the drawings accompanying the application prepared by Universal Property Group Pty Ltd.

The Scheme proposes:

- Modification of the metal roofing to concrete roof tiles;
- Modification of the masonry brick render to a face brick;
- Modification from a metal finish to a fascia colorbond finish;
- And changes from the selected fibre cement cladding to face brick;

The proposed development provides for the construction of two (2) dwellings. The development is a design response to the orientation of the allotment and the pre-dominant low scale residential built form in the neighbourhood.

2.0 SITE LOCATION

2.1. SITE AND CONTEXT

The subject site is situated on the eastern side of Ghera Street. The subject land is located approximately 3.5 km south-east of the Kingswood railway station and 6 km south-east of Westfield, Penrith. Refer to **Figure 1** below.

The immediate locality surrounding the subject site is comprised of vacant lands and single storey dwellings. Refer to **Figure 2** below.

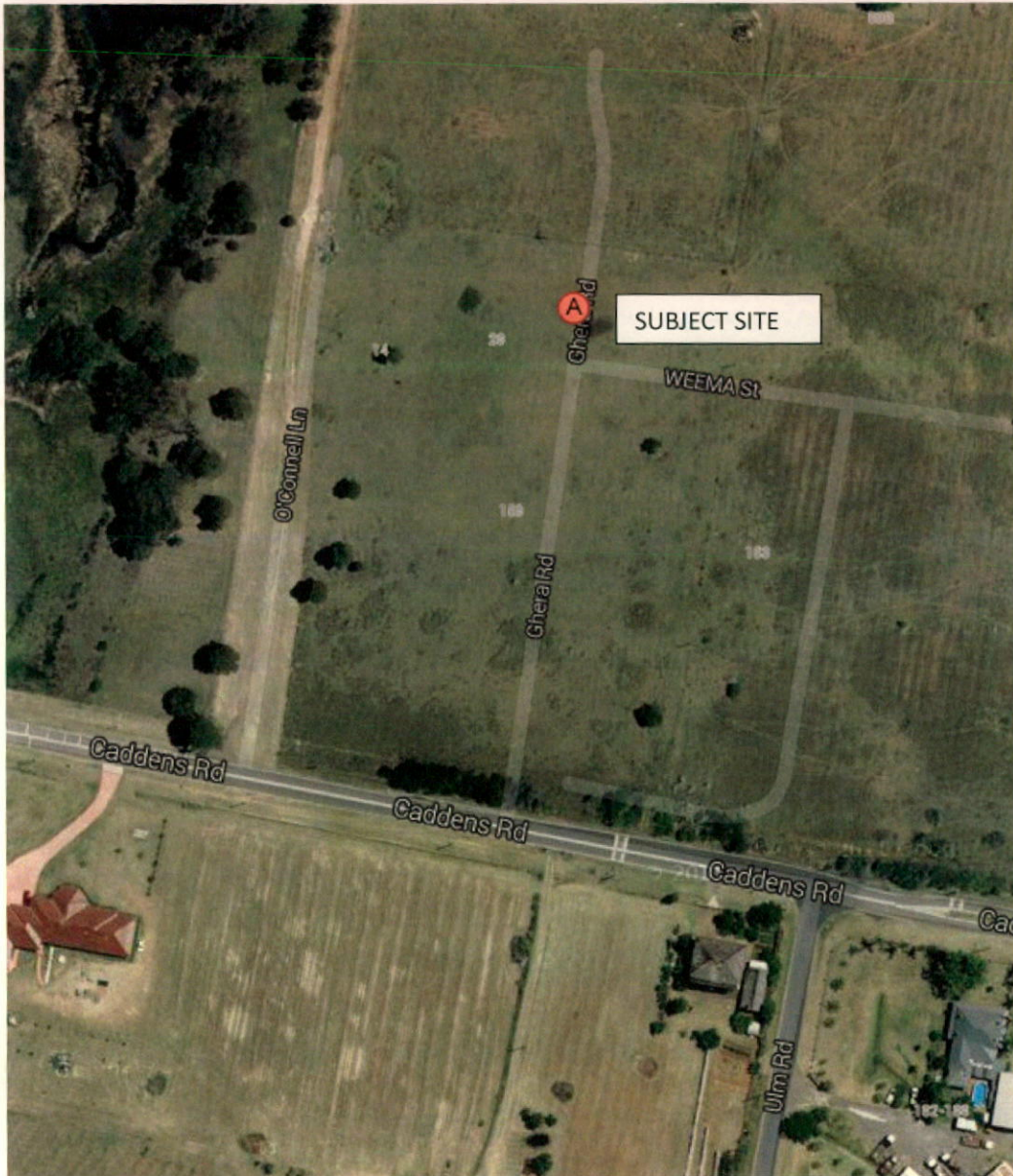


Figure 1 – Ariel View

Source: GOOGLE MAPS

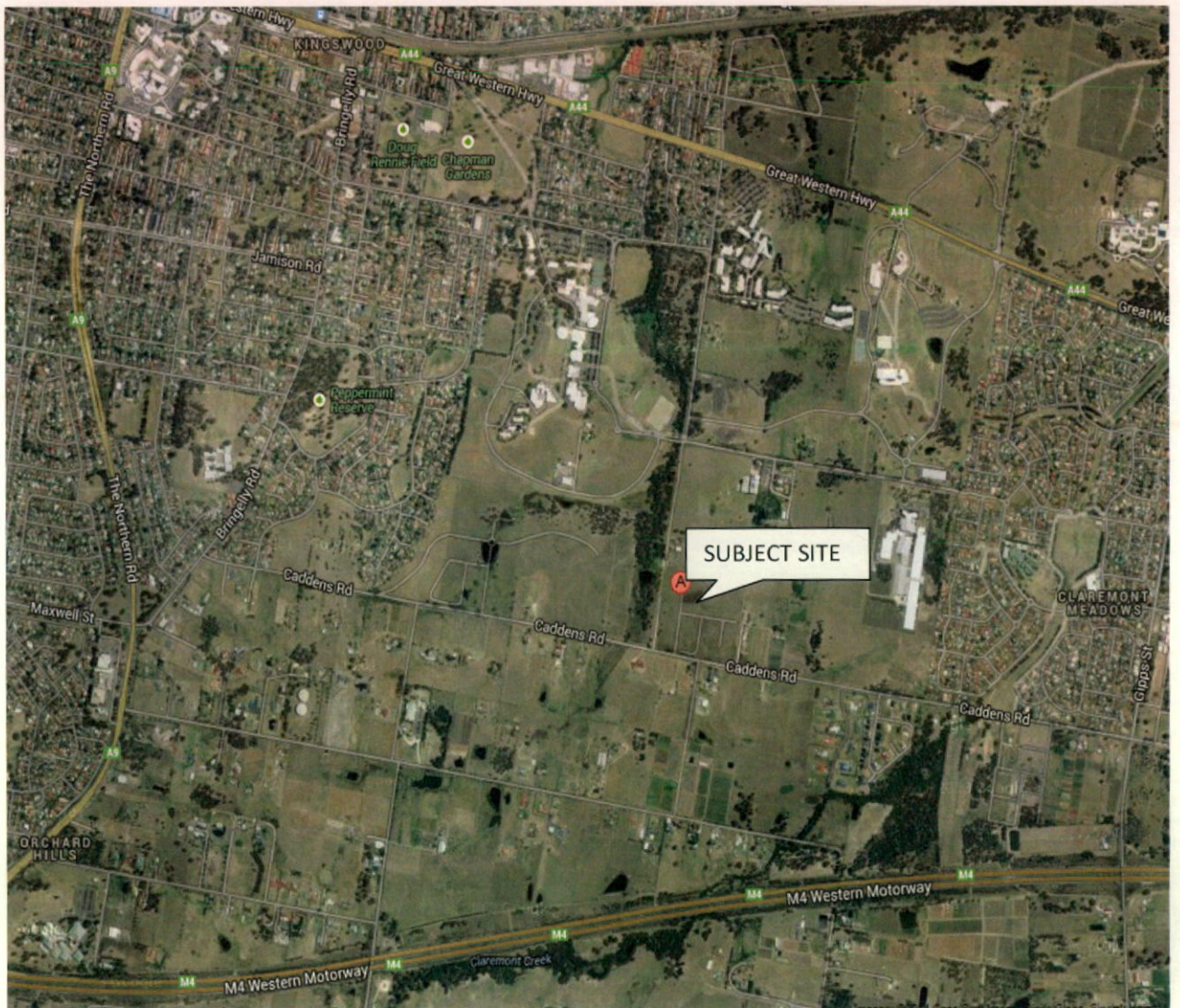


Figure 2 – Subject Site

Source: Google maps

2.2. TOPOGRAPHY

A survey included within this submission provides site contour lines, spot levels and approximate structure/tree positions. The site falls from the south-east of the site to the north-west by more than 1 meter.

The proposed site is rectangular in shape and has a site area of 453 m². The site is located on the eastern side of Ghera Street and is currently vacant. There are no trees on the site.

3.0 DEVELOPMENT PROPOSAL

3.1. Design Intent

As advised in the opening to this statement, the application seeks modifications to consent for the following:

- Modification of metal roofing to concrete roof tiles;
- Modification of the masonry brick render to a face brick;
- Modification from a metal finish to a fascia colorbond finish;
- And changes from the selected fibre cement cladding to face brick.

The original plans are seeking modification as it is felt that the upgrading of the current approved application will improve the aesthetics of the development.

3.1. Site Planning and Intent

The built form is the same as the original DA and it responds well to the context, orientation and shape of the site. It proposes the construction of two storey housing in the development along with associated landscaping and carparking. Vehicular access is provided from Ghera Street. The method and manner of vehicular access has been explored in depth in conjunction with the requirements outlined in the DCP.

Internally, the built form responds well to the context, orientation and shape of the site. The design responds to the existing local streetscape which is made up of single and double storey dwellings. This provides a streetscape in keeping with other dwellings. The proposed configuration allows private courtyards to take advantage of solar access and in turn allows the soft soil zones to be located in areas which will not be impacted by building overshadowing.

The proposed building form creates a housing development that will be responsive to and compatible with the positioning of the site, the existing local residential dwellings and the future development potential in the immediate area.

The dwelling designs are proposed in an appropriate design that fits within the area, with careful consideration of open plan design for the habitable rooms and bedrooms to allow for adequate functioning of the dwellings. Setbacks have been provided in accordance with the Penrith DCP 2006 and as such are compliant.

4.0 PLANNING FRAMEWORK

4.1. LOCAL ENVIRONMENTAL PLAN

4.1.1. Penrith Local Environmental Plan

The land is currently zoned R1 – GENERAL RESIDENTIAL under Penrith City Council Local Environmental Plan 2009 (CADDENS), see **Figure 3** below. Dual Occupancy development of this nature is permissible with council consent within the R1 General Residential zone.

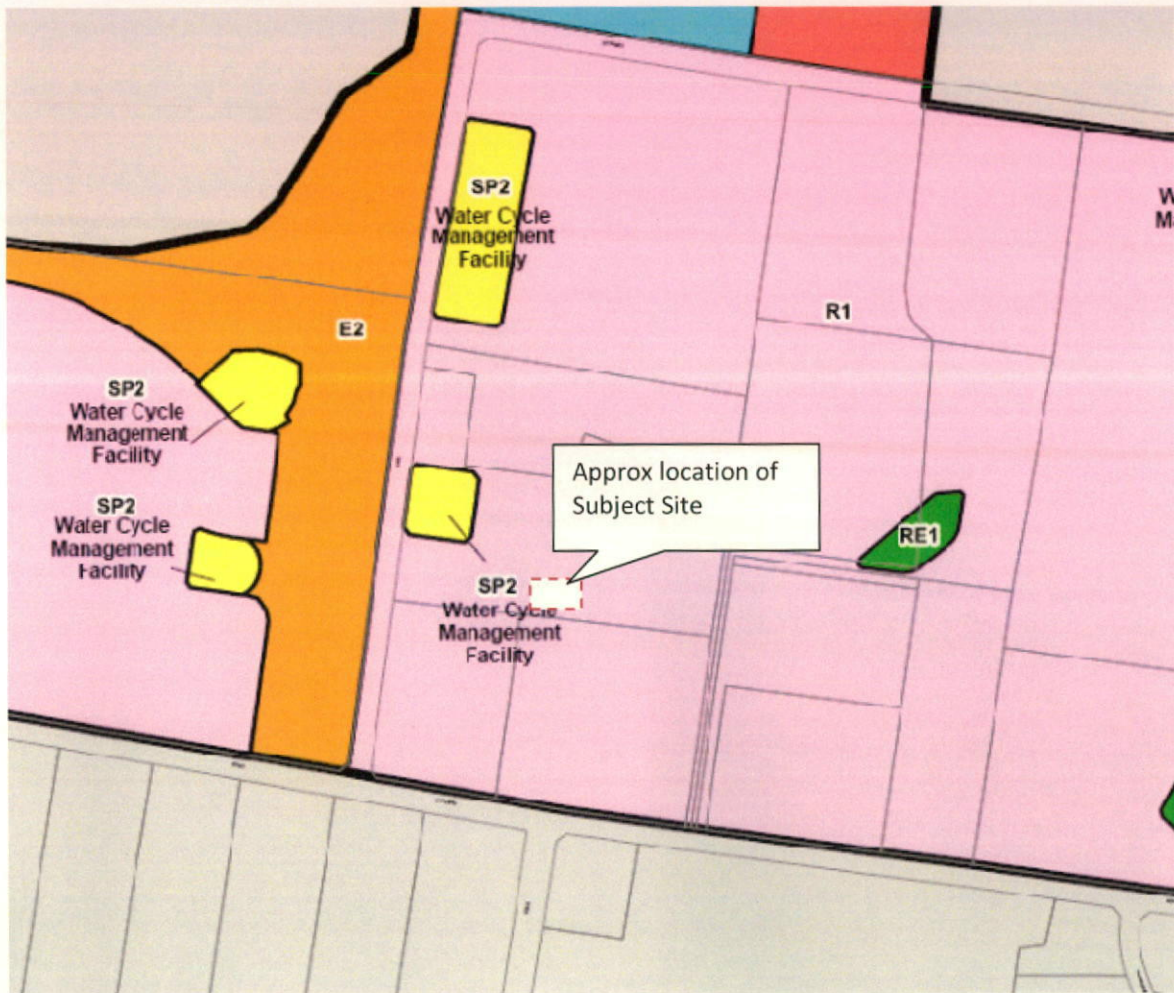


Figure 3: Subject Site R1 Residential Zoning

Source: Penrith Local Environment Plan 2009 (Caddens)

4.2. DEVELOPMENT CONTROL PLAN

The Penrith Development Control Plan 2006 was prepared and exhibited in accordance with S.72 of the Environmental Planning and Assessment Act 1979. It is a detailed document providing controls and design recommendations for all land as defined pursuant to the DCP. The DCP covers performance and design guidelines and controls related to environmental performance, social performance, amenity issues and design elements.

The subject modifications to the approved DA have been assessed against the controls and guidelines of the DCP and are considered to be compliant with the principle standards and consistent with the intent of the development standards. The findings of that assessment are tabulated in **Table 1** below.

Table 1: Compliance Table: 4.2 Streetscape, Feature Elements and Roof Design

DCP	Comment	Compliance
<p>The primary street façade of a dwelling must incorporate an entry feature or portico and at least two of the following design features:</p> <ul style="list-style-type: none"> -mix of building materials or finishes; -architectural elements which recess or project by at least 600mm; 	Porch incorporated into design.	YES
	The proposed modifications to the application provide appropriate composition of building elements, textures, materials and colours.	YES
	The porch fronting onto Weema Road consists of rendered feature walls approx. 1500mm offset from the building line wall.	YES
<p>The secondary street façade on a dwelling of a corner lot must incorporate a window from a habitable room and at least two of the following design features:</p> <ul style="list-style-type: none"> -vertical architectural elements to reduce the horizontal emphasis of the façade; architectural elements which recess or project by at least 600mm; 	A window is incorporated into the living room of the corner lot facing onto Ghera Road.	YES
	The porch fronting onto Ghera Road consists of vertical rendered feature walls approx. which provide a vertical architectural element to reduce the horizontal emphasis of the façade.	YES
	This element is 1200mm offset from	YES

	the building line.	
Proposed colours, materials and finishes are to be from a predominantly neutral palette of colours and varied across the front elevations of buildings. Bright colours are to be avoided except for architectural features;	The updated colour schedule uses predominantly neutral colours.	YES
Exact mirror-imaging of dwelling façades to form semi-detached (duplex) housing is not permitted. However, symmetrical dual occupancy design is permitted where each dwelling in the dual occupancy can satisfy two different design features (as listed under the controls for primary street facades above) and where the overall design of the dual occupancy is compatible with the streetscape in terms of design, built form, scale and bulk.	Design features for both dual-occupancies comply.	YES

Clause 4.3: Dwelling Height, Massing and Siting:

This clause (3) states that *buildings should be designed to ensure that 50% of the area of the required Principal Private Open Space of both the proposed development and the adjoining properties receive at least 3 hours of sunlight between 9am and 3pm on the 21 June.*

(4) For Lots equal to, or greater than, 450 sq m, the upper (second) level of a dwelling is to be no more than 30% of the lot area.

The shadow diagrams submitted as part of this application show the development to be compliant with Clause 4.3 (3), with the development and the neighbouring properties receiving the required amount of sunlight.

The subject site being 453 sqm requires the second floor of the development to be no more than 30% of the lot area. The development is in compliance with this clause.

4.3. SECTION 79 C ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 79C of the Environmental Planning & Assessment Act, 1979 contains the broad heads of consideration related to assessment of development proposals.

This section undertakes an assessment of the proposal in the context of the heads of consideration set out in Section 79C (1) of the Environmental Planning and Assessment Act as follows:

(a) the provisions of –

(i) any environmental planning instrument, and

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

(iii) any development control plan, and

(iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Consideration of these matters is undertaken below:

4.3.1. Penrith Local Environmental Plan 2009 (Caddens)

The proposal's compliance and consistency with the provisions of the PLEP 2009 have been addressed in detail at Section 4.1 of this Statement. In general terms dual occupancy development is permissible within the existing R1 Residential zone and is consistent with the aims and objectives of the LEP and Zone.

4.3.2. State Environmental Planning Policies

The developments compliance with the provisions of relevant State Environmental Planning Policies and Sydney Regional Environmental Policies and relevant draft instruments has been addressed at Section 4.4 of this Statement. As the proposed development is on vacant land and because there have been no buildings or structures on the site, it is considered that the site is suitable for the proposed development within the requirements of SEPP 55.

4.3.3. Penrith Development Control Plan 2006

Consideration of the proposed development's compliance with the provisions of the Penrith Development Control Plan 2006 has been undertaken in detail at Section 4.2 of this Statement.

The proposed development as modified is considered to be generally consistent with the intent of the DCP and comply with the principle development standards. Upon modification to the approved DA, it is likely that the proposed development would have a beneficial impact on this locality in the quality of finish and form of re-development for this large parcel of land.

4.3.4. Suitability of the site

The subject land being a corner block has frontage to Ghera Road with secondary frontage to Weema Street with moderate through traffic flows. This promotes the site as a relatively safe site for this form of housing. The proposed modifications to development are designed with respect to the slope of the site and the proposed vegetation details are noted on updated landscape plans.

4.4. STATE ENVIRONMENTAL PLANNING POLICIES

4.4.1. State Environmental Planning Policy No 55 – Remediation

SEPP 55 requires Council to consider whether or not the subject site is contaminated and what remediation, if any, is required to make the site suitable for the proposed development. Council must be satisfied in relation to these matters before it can consent to the proposed development. As mentioned in the original application, the subject application indicates that the site is suitable for redevelopment for the residential purposes as it has not been used for purposes which will

cause contamination. On that basis, it is considered that the site is suitable for the proposed modifications to development within requirements of SEPP 55.

4.4.2. State Environmental Planning Policy (infrastructure) 2007

As previously aforementioned, SEPP does not apply to the proposed modifications, as the complex does not fall under the provisions of Traffic Generating Development identified under Schedule 1 or 2 as a matter for consideration under the Policy. The proposal is considered to be satisfactory with regard to traffic generation and car parking issues and is recommended to be supported by Council.

5.0 DEVELOPMENT CONCEPT CONSIDERATIONS

5.1 DESIGN & PLANNING PRINCIPLES

The proposed modifications have been designed to reflect current trends and to accommodate a building form which will be compatible with the Council's vision for the locality. The design has particular regard to:

- the NSW Government policies on dual occupancy residential development form;
- the scale and form of development on nearby and adjoining lands;
- the existing form of development along Ghera Road;
- the appearance and scale of the buildings when viewed from Ghera Road and Weema Street;
- the high accessibility of the site and likely minimal amenity impacts.

The outcome of these considerations is, it is contended, a dual occupancy development which:

- will be of a high quality appearance and finish;
- presents to Ghera Road as a compatible building form, both in appearance and in practical operation;
- compliments the existing and likely scale of development on adjoining land; and
- has minimal impact on the amenity of the locality due to its positioning on site and allotment orientation.

5.2 Streetscape Appearance

The existing streetscape of this locality is one and two storey residential development along Ghera Road and in the suburb generally.

The finished elevations for the proposed buildings will be have not changed from trhe original application. They are generally compatible with mixed material finishes, brick, tile and colorbond of existing housing in this locality. The proposed housing will be compatible with the scale of built form in this locality, being one and two storey dwellings. The final design has resulted in a

housing estate which will be of a high quality finish and has interesting texture and material finish variations and variety in its openings.

5.3 Solar Access & Overshadowing

Shadow Diagrams were prepared as part of the original DA and these clearly indicate the effect from overshadowing of the proposed buildings as relatively minimal in nature. The shadow diagrams indicate that the majority of shadows cast by the buildings fall within the subject land on the proposed buildings and along public lands but do not adversely impact the overall amenity of the proposed dwellings or courtyards.

5.4 Privacy & Overlooking

The has a residential development adjoining the northern boundary and another at the rear along the eastern boundary but the proposed dwellings have been designed such that any potential overlooking has been minimised.

The design of the development has had regard to the orientation and design of adjoining buildings in determining the final built form with the intent of minimizing any potential adverse impacts for existing neighbours where possible.

5.5 Stormwater Drainage

A stormwater drainage scheme has been prepared and submitted as part of the original application. The Stormwater Concept Plan attached to the development application provides for the collection of any runoff from the roofs into rainwater tanks for re-use within the complex on landscaping.

The scheme generally entails a roofwater collection system, comprising eaves gutters designed to a 20 year ARI standard. Overland runoff water is collected in a silt arrestor before being discharged into the council's drainage network.

The engineering plans for this stormwater concept accompany this application.

5.6 General Services

5.7.1. Sewerage

Sewerage discharge will be connected to the existing Water Board sewer mains and connections will be made in accordance with the Water Boards requirements.

5.7.2. Electricity Supply

Electricity is available to the site and will be connected to the building additions in accordance with the Authority requirements.

6.0 CONCLUSION

It is concluded that the proposed modifications to the development of 23 Ghera Road, as detailed in the documentation accompanying this application, is an appropriate and compatible form of housing development when assessed under headings of consideration of S.79C of the EP&A Act 1979.

The proposal can be seen as achieving the following:

- Development in accordance with the permissible use of the Penrith LEP;
- Development in compliance with the Penrith City Council Development Control Plan;
- Development that accords with the objectives of the zoning of R 1 – RESIDENTIAL;
- Development that provides a building of appropriate height and scale given the context of the land and its situation.
- Development which has minimised its impact on neighbours.
- Development that will create an environment of high amenity for future residents and which will also greatly add to the urban design character of this part of Penrith.

In conclusion, we believe the proposed modifications to development satisfies and is generally in accordance with the general guidelines and recommendations contained in the Penrith City Council LEP & Development Control Plan and general planning policies.

Based upon the above submission and the Development Plans submitted it is recommended that Penrith City Council APPROVE the subject development.

Universal Property Group

February 2015