

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 7051 DP 260932
3 Valleyview Crescent
Werrington Downs

APPLICANT: A1 Granny Flats

PROPOSAL: Construction of a detached single storey secondary dwelling.

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INTRODUCTION

This Statement of Environmental Effects is submitted to Penrith City Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the erection of a single storey secondary dwelling, containing two (2) bedrooms, living and dining rooms.

The subject site is located on the northern side of Valleyview Crescent and is a corner allotment with a secondary frontage to Valleyview Crescent. The lot is relatively level and has a gentle fall to the south-eastern front corner and currently contains a single storey dwelling and ancillary structures that are to be retained as part of the proposed development.

Drainage is to be directed to an approved system in accordance with the concept drainage plan.

No trees are required to be removed to allow for the proposed development to be sited. Additional planting is to be provided upon completion of the construction phase ensuring the landscape character of the area is not detrimentally impacted by the development.

All necessary services are available on the site.

The neighbourhood generally consists of a mix of one and two storey dwellings as anticipated within an established residential area.

ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied*

that the land will be remediated before the land is used for that purpose.

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.

State Environmental Planning Policy (Infrastructure) 2007

Division 17 Roads & Traffic

Subdivision 2 – Development in or adjacent to road corridors and road reservations

101 Development with frontage to classified road

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

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The subject site is not located within proximity to a classified road, and does not frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Building Sustainability Index) 2004

The proposed development has been designed with a high degree of consideration toward energy efficiency and sustainability. A BASIX Certificate has been prepared with the requirements to be implemented during construction and prior to occupation. The development is considered to achieve the aims and objectives of this policy.

Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (SREP 20)

SREP 20 aims to protect the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context. Of most relevance to the proposal is the requirement to assess the development in terms of the impact of the development on water quality.

Stormwater drainage plans have been prepared and are lodged for Council's consideration. The plans demonstrate that the cumulative impact of water quality for the region will be minimal. Subject to appropriate conditions, the proposal will be consistent with SREP 20, particularly in relation to total catchment management, water quality and the metropolitan strategy.

Penrith Local Environmental Plan 2010

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Penrith Local Environmental Plan 2010.

The proposed development is defined in the Plan as a "secondary dwelling" which means "a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

The identified zone permits the construction of a 'secondary dwelling' subject to development consent from Council.

Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are:

- *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.*

The proposed development is for low-density residential dwellings on a residential allotment. The proposed development is considered to be compatible with the existing character, style and scale of the locality. The proposed dwelling is designed to provide a high level of amenity for residents and adjoining residents whilst

considering the constraints of the site. The proposed development is considered to meet the relevant objectives of the R2 zone.

Clause 4.6 Exceptions to development standards

The proposed development does not contravene the development standards of the LEP.

Clause 5.4 Controls relating to miscellaneous permissible uses

*(9) **Secondary dwellings** If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater—*

(a) 60 square metres,

(b) 10% of the total floor area of the principal dwelling.

The proposed secondary dwelling has a floor area of 60m², complying with this requirement.

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance and is not directly in the vicinity of any heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land on Council's maps.

Clause 6.1 Acid Sulfate Soils

The subject property is not known to be affected by Acid Sulphate Soils.

Clause 6.2 Earthworks

Minor ground disturbance is required to provide a level platform to site the building footprint. The extent of earthworks is not considered excessive for the site due to the slope of the allotment, deepened edge beams, and retaining walls proposed to reduce site disturbance as much as practical on the allotment. All earthworks can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties.

Clause 7.2 Flood Planning

The subject site is not known to be located within a flood planning area however the site is understood to be identified as flood prone land. It is understood that appropriate floor levels have been provided to meet the minimum freeboard levels required by Council.

Clause 7.5 Protection of scenic character and landscape values

The proposed development is considered to be in keeping with the existing development of Valleyview Crescent, Werrington Downs. The proposed development is compatible with the character of the area and has been designed to minimise the impact upon the scenic character and the landscape values of the area. The development addresses the street frontage to the benefit of the streetscape. The proposed dwelling will not detrimentally impact the surrounding rural aesthetic and will not be visually prominent when viewed from the any major roads or public places.

Clause 7.7 Servicing

All the listed essential services are capable of being provided to the subject site.

* * *

Conclusion with respect to LEP requirements

The proposal is considered to satisfy all the relevant development standards relating to dwelling houses as contained within PLEP 2010.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Penrith Development Control Plan 2014

The objective of this plan is to consolidate all of Council's Development Control Plans into one comprehensive document, detailing the provisions for all types of development within the Penrith area.

Part C – Controls applying to all Land Uses

C1 Site Planning and Design

1.1 Site Planning

Site Analysis Plan attached for Council's consideration.

1.2 Design Principles

Consideration has been given the energy efficiency of the proposed development. A BASIX assessment has determined that each dwelling within the development can achieve the required efficiency rating. Please see attached BASIX Certificates.

The proposed secondary dwelling has a contemporary design, particularly at the street elevation that is characteristic of the housing styles available from the residential home market and current architectural trends. Large proportionate windows provide for greater natural light penetration into the residence and assist in defining the character of the detached built forms. The front elevation of the secondary dwelling is stepped in order to minimise the prominence within the streetscape. A variety of roof forms occur over the dwelling to create interest in the design.

The site has a gentle fall to the south-eastern front corner with minimal cut and fill required to site the building footprint. Refer to the Site Plan for details of the cut/fill proposed on the subject site. Retaining walls are not required for the proposed development however future landscaping of the site is to occur upon completion of the construction phase.

Consideration has been given to the principles of the CPTED. These are to provide a safe and secure development with adequate lighting, visual access and passive surveillance along street frontages. The site will be clearly delineated as a private space to separate it from the public realm. Appropriate external and internal lighting will be provided to assist in this regard.

C2 Vegetation Management

2.1 Preservation of Trees and Vegetation

No trees are required to be removed as part of the proposed development. Additional planting and landscaping is to be provided upon the completion of the construction phase.

2.2 Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas

The subject site is not identified as being within a biodiversity corridor or area of remnant indigenous vegetation on the LEP 2010 Natural Resources Sensitivity Land Map.

2.3 Bushfire Management

The land is not identified as being bushfire prone land in accordance to Council's Bush Fire Prone Land Map.

C3 Water Management

3.1 The Water Cycle / Water Conservation

Consideration has been given to water conservation during the design of the proposed development. A BASIX assessment has determined that the dwelling can achieve the required water conservation rating. Please see attached BASIX Certificate.

3.2 Catchment Management and Water Quality

No pollutants are anticipated to be discharged from the proposed development.

3.3 Watercourses, Wetlands and Riparian Corridors

No watercourses, wetlands or riparian corridors are located on or within direct proximity to the subject site.

Consideration of the impacts of residential development on the surrounding watercourses is anticipated to have been considered during the assessment of the subdivision application for the area.

3.4 Groundwater

The proposed dwelling is not anticipated to impact upon the groundwater of the subject site.

3.5 Flood Liable Lands

The subject site is located within a flood planning area.

3.6 Stormwater Management and Drainage

Drainage from the proposed development is to be directed to an approved system. Please refer to the attached Concept Drainage Plan.

C4 Land Management

Ground disturbance will be limited to minor excavation and filling for construction of a level building platform. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or staked hay bales as specified on the site plan. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent. A stabilised access pad will be provided at the point of entry to the site to eliminate soil leaving the construction zone.

C5 Waste Management

All waste will be deposited within the waste receptacle in accordance with the attached Waste Management Plan.

C6 Landscape Design

A landscape concept plan is submitted with the development application.

C7 Culture and Heritage

The subject site is not known to contain any items of heritage significance or be within a heritage conservation area.

C10 Transport, Access and Parking

10.5 Parking, Access and Driveways

Two (2) carparking spaces are required per dwelling. The existing development includes a double carport within the dwelling to easily comply with this requirement. No additional parking requirements apply to secondary dwellings.

Part D Controls applying to Specific Land uses/ activities

D2 Residential Development

2.1 Single Dwellings

2.1.1 Residential Character

The proposed single storey development will be compatible with surrounding developments, and is considered consistent with a typical secondary dwelling within a residential area.

The siting of the dwelling will provide generous boundary setbacks. This distance is compatible with surrounding development and will contribute to spatial separation and openness between buildings. With respect to external appearance, the design of the proposed dwelling is consistent with other contemporary residential buildings within the locality and will compliment the streetscape.

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>2.1.2 Setbacks and building Envelope</u>		
<u>Setbacks</u>		
Front setback – 5.5m or average of adjoining properties.	Existing setback unchanged.	Merit consideration
Secondary street setback – 3.0m and 5.5m to garage.	2.0m to secondary dwelling	No – See Section 2.3 below
Verandahs and pergolas permitted to encroach 1.5m beyond the adopted setback.	N/A	N/A
Side setbacks – Min. 900mm	Existing setbacks unchanged by the proposal.	Yes
Rear setback – Single Storey elements – 4m Two Storey elements – 6m	5.134m to secondary dwelling	Yes

<u>Building Envelope</u> As per Figure D2.1	The proposed secondary dwelling is entirely within the building envelope.	Yes
<u>2.1.3 Development on Sloping Land</u> Max excavation and fill – 600mm Ground floor levels – 800mm above natural ground	<600mm cut and fill <800mm above NGL	Yes Yes
<u>2.1.4 Landscape Area</u> R1 Zone – Min. 40% R2 Zone – Min. 50% R3 Zone – Min. 40% R4 Zone – Min. 35% Min. dimension 2m & includes up to 15sqm of alfresco etc. A portion of the landscape area should be connected to or directly adjacent to a living area.	49.5% Provided Provided within rear & side yards, accessible from family/dining rooms.	No – See Section 2.3 below Yes Yes
<u>2.1.5 Building Design / Site Works</u> <u>Bulk and Scale</u> Max. 8m wall length without articulation Balconies and decks >800mm above ground to incorporate privacy measures. Eg. Screening or landscaping <u>Design</u> Front door and window of habitable room to street. Garage integrated into the building façade <u>Garages</u> Setback 1m behind the building line	No walls >8m without articulation treatment. N/A Large entry and bedroom windows address the street Provided N/A – no garage proposed	Merit consideration N/A Yes Yes N/A

<p>Max width of garage doors Lots <15m wide – 4.8m Lots >15m wide – 6m</p> <p><u>Corner Lots</u> Developments to address both street frontages</p> <p><u>Parking</u> Min. 1 space behind the building alignment</p> <p>2 spaces for dwellings with 2+ bedrooms with at least 1 behind the building line.</p>	<p>N/A</p> <p>N/A</p> <p>Existing parking for the principal dwelling retained and capable of meeting Council's parking requirements.</p>	<p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
<p><u>2.1.6 Solar Planning</u> Min. 3hrs solar access to proposed and adjoining living and POS areas between 9am and 3pm on 21 June.</p>	<p>Ideal level of solar access for the orientation of the site. Living and POS receive appropriate solar access throughout the morning and afternoon. No unreasonable impact on the adjoining sites for a single storey construction and appropriate boundary setbacks.</p>	<p>Yes</p>
<p><u>2.1.7 Garden Design and Fences</u> <u>Retaining Walls</u> Max. 600mm high Min. 500mm setback from fencing and driveways</p> <p><u>Fencing</u> Meets the requirements of the Dividing Fences Act 1991.</p>	<p>Any required retaining walls are capable of complying.</p> <p>Side and rear boundary fencing does not form part of the proposed development.</p>	<p>Yes</p> <p>N/A</p>

<u>2.1.8 Significant Landscapes</u> Maintain natural topography and features	No natural features located on site.	N/A
Preserve trees where possible	Several trees, including two (2) street trees, are required to be removed as part of the proposed development. Replacement planting and additional landscaping to be provided upon completion of the construction phase.	Yes

2.3 Secondary Dwellings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>2.3.1 General controls</u> Min. Site area – 450m ²	806m ²	Yes
Max. two (2) bedrooms	Two bedrooms proposed	Yes
Building Envelope: As per Figure D2.10	The proposed secondary dwelling is entirely within the building envelope.	Yes
<u>2.3.2 Site Coverage</u> Min. landscape area R1 zone – 40% R2 zone – 50% R3 zone – 40% R4 zone – 35%	49.5%	No – See below
Min. width – 2.0m	Provided	Yes
<u>2.3.3 Siting and Design</u> <u>Setbacks</u> Must be located behind the front building line of the principal dwelling.	The proposed secondary dwelling is located behind the primary building line of the principal dwelling.	Yes

Secondary street setback – 3.0m Side setbacks – Min. 900mm Rear setback – 3.0m	2.0m N/A 5.134m	No – See below N/A Yes
<u>2.3.4 Private Open Space</u> Min POS – 24m ² with a minimum dimension of 4m Living area to be connected to the POS areas.	>24m ² provided with a minimum dimension of 4m POS directed accessible from dining room.	Yes Yes
<u>2.3.5 Design and Materials</u>	Material and Colours schedule accompanies the application.	For Council's consideration
<u>2.3.6 Facilities</u> Secondary dwellings to include: - Kitchen - Bathroom - Living area; and - a bedroom A common laundry may be provided servicing the principal and secondary dwelling.	Provided Provided Provided Provided Laundry provided within the proposed bathroom of the secondary dwelling.	Yes

Variations

Landscape Area – Council's policy requires 50% of the allotment area to be landscaped area. The proposed development includes 49.5% landscape area therefore a minor variation is requested to Council's control to permit the proposed development.

It is understood that the objectives of the landscape requirement is to ensure that the landscape character is retained and enhanced along with providing increase amenity, improve privacy and improve microclimates.

Extensive consideration has been given to providing as much landscaped area as possible to the development with hard surface areas minimised as much as practical for the design. The proposed development has been provided with high quality landscape area throughout the site and the minor nature of the non-compliance is not anticipated to detract from the landscape character of this area of Werrington Downs.

Providing high quality landscaping and a suitable drainage system to the development is considered to outweigh the impact of the reduced landscape area and is considered to result in a suitable outcome for the site which currently contains minimal quality landscape planting.

In this instance the reduced landscaped area will not result in any impact beyond that of a compliant proposal and it is therefore considered reasonable and appropriate for the variation to be supported.

Secondary Street Setback – The setback to the secondary street frontage is required by Council to be 3m, the proposed dwelling requires a variation to the control to allow for a setback of 2.0m to a small portion of the secondary street facade.

The proposed secondary dwelling will complement the streetscape patterns and maintain the high quality design seen throughout Valleyview Crescent. The secondary frontage of the secondary dwelling is appropriately articulated and provides a high quality design which addresses the secondary street frontage without creating excessive visual bulk.

The proposed secondary dwelling is in keeping with the contemporary character of the area, and landscaping of the site following construction will ensure the landscape character is maintained. Further to this, landscaping along the secondary street frontage is capable of softening the development as seen from the street and will further reduce the impact of the encroachment into the setback area.

Despite the numerical non-compliance to the secondary street setback provisions, the proposed development is still capable of complying with the objectives of the control and is not anticipated to have an impact beyond that of a complaint proposal. It is therefore requested a variation be favourably considered in this instance.

* * *

Conclusion with respect to DCP requirements

The proposal is considered to satisfy the relevant development standards relating to dwellings as contained within DCP 2014.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts:

Siting and Design

The proposed secondary dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides suitable boundary setbacks in keeping with the surrounding area, contributing to spatial separation and openness between dwellings. The articulated design will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements along with a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control

Due to the topography of the site, minor earthworks will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential precinct and is close to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed dwellings and subdivision, the subject of this application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding locality.

The residential use of the site is permissible with development consent under the provisions of the Penrith Local Environmental Plan 2010, and satisfies the objectives of the Penrith Development Control Plan 2014.

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

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Penrith Local Environmental Plan 2010 and can satisfy the objectives and design provisions of the Penrith Development Control Plan 2014. Support of the proposed works is based upon the proposals ability to be in context with the character of the area and the means to have minimal impact on the adjoining properties.

It is considered that the construction of a secondary dwelling will complement and blend with the existing character of the established area within Werrington Downs. The proposal is not expected to have an adverse impact on the natural or built environment.



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