

**STATEMENT
OF
ENVIRONMENTAL EFFECTS**

FOR

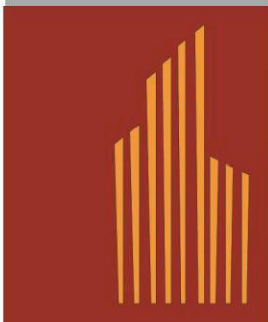
**PROPOSED CONSTRUCTION OF AN ATTACHED DUAL-
OCCUPANCY DEVELOPMENT INCLUDING DRIVEWAYS,
CARPARKING AND ASSOCIATED LANDSCAPE WORKS**

AT

20 O'CONNELL LANE, CADDENS NSW 2747

LOT 1 IN DP 1166546

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Printed May 2014

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1.0 INTRODUCTION

1.1 OVERVIEW

This report has been prepared by Universal Property Group Pty Ltd to accompany a Development Application for a dual occupancy development at Lot 1 in DP 1166546, known as 20 O'Connell Lane, Caddens.

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. Pursuant to the General Residential R1 zoning of the land, the development is classified as an attached dual occupancy development.

***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.*

The locality is zoned to be a mix of residential uses. The residential buildings to be accommodated in the locality will be a mix of single and double storey dwellings and the proposed double storey development will be compatible with this 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 the erection of a dual occupancy, as detailed in the drawings accompanying the application prepared by Universal Property Group Pty Ltd.

The scheme proposes:

- Construction of two dwellings in an attached dual occupancy development;
- One driveway to service both the dwellings;
- One carparking space for each dwelling;
- Associated landscaping as per the DCP requirements.

The proposed development provides for the construction of two 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 OConnell Lane. 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 detached dwellings. Refer to **Figure 2** below.

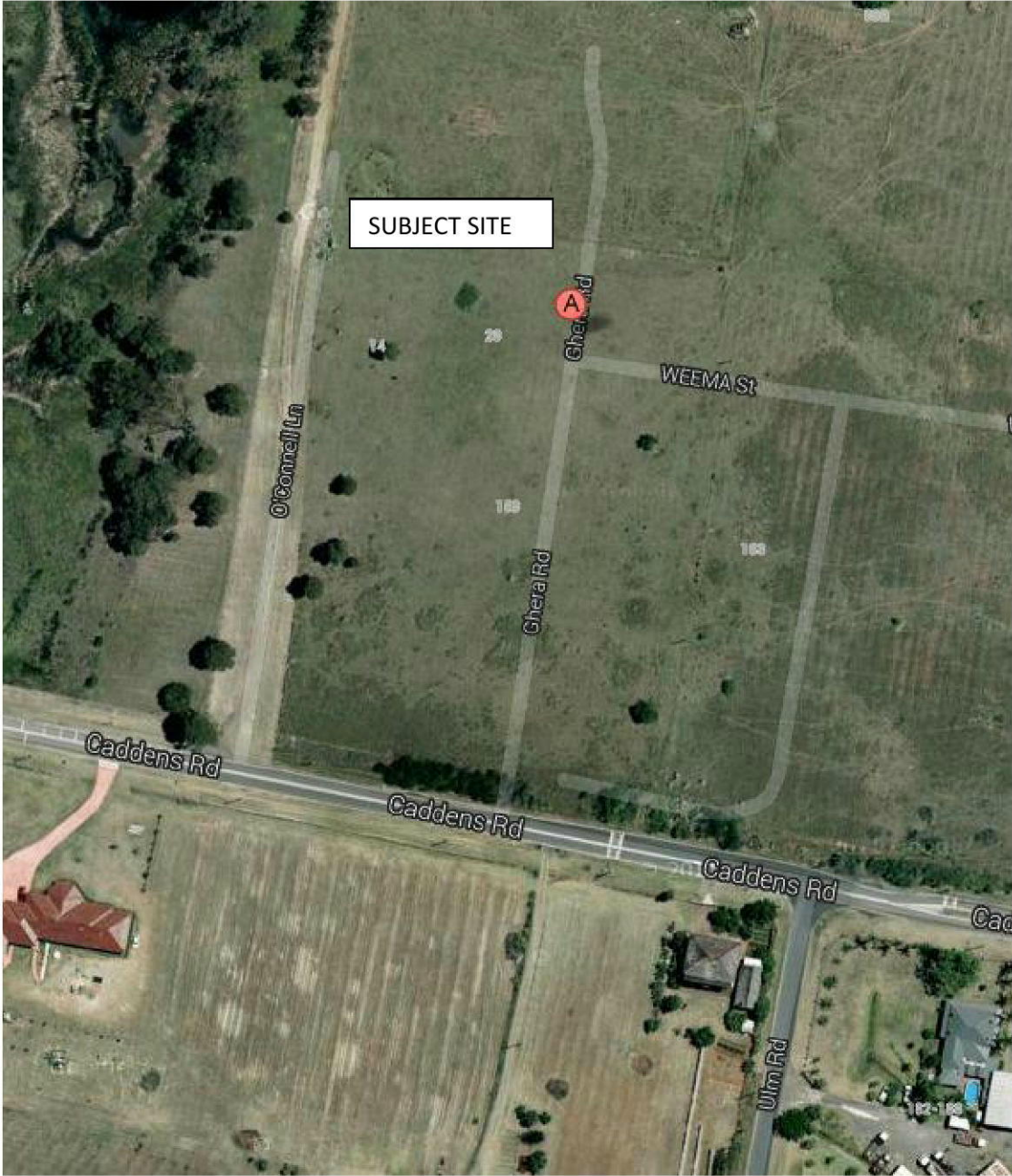


Figure 1 – Ariel View

Source: GOOGLE MAPS 2009



Figure 2 – Subject Site

Source: GOOGLE MAPS 2009

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 400 m². The site is located on the eastern side of O'Connell Lane 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 consent for the following:

- Construction of two dwellings in an attached dual occupancy development, one being 2 bedroom and the other 3 bedroom dwelling;
- One driveway to service both the dwellings;
- One carparking space for each dwelling;
- Associated landscaping as per the DCP requirements.

3.2. Site Planning and Intent

The built form responds well to the context, orientation and shape of the site. It proposes the construction of a double storey dual occupancy development along with associated landscaping and carparking. Vehicular access is provided from O'Connell Lane. The method and manner of vehicular access has been explored in depth in conjunction with the requirements outlined in the DCP and has resulted in both dwellings accommodating a single garage and one open space within the driveway setback.

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

The proposed building form creates a 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 dwellings are proposed in an appropriate design that responds to the local 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. A 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 proposal has been assessed against the controls and guidelines of the DCP and is 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: Penrith City Council Development Control Plan 2006

Development Standard	DCP	PROPOSAL	COMPLIANCE
Allotment Size (Attached)	350 sq m	400 sq m	YES
Lot Width	12.5 m	13.0 m	YES
Site Coverage	Up to 70%	45%	YES
<u>Building Setbacks</u>			
Front	4.5 m	5.5 m	YES
Secondary Frontage	n/a	n/a	-
Side (first storey)	0.9 m	1.2 m	YES
Side (second storey)	1.2 m	1.2 m	YES
Rear	4.0 m	+4.0 m	YES

<u>Landscaping</u>			
Landscaped Area	35% of lot area	35% of lot area	YES
Private Open Space	20% of lot area	20% of lot area	YES
Principal Private Open Space	24 sq m	+24 sq m	YES

Other matters of relevance for consideration as part of the assessment of a dwelling house development are addressed as follows:

Clause 4.2: Streetscape, Feature Elements and Roof Design:

The primary street facade of a dwelling must incorporate an entry feature or portico and at least two of the following design features:

- (a) balcony to any first floor element;*
- (b) a variation in scale to adjoining properties;*
- (c) architectural elements which recess or project by at least 600mm;*
- (d) open verandah;*
- (e) mix of building materials or finishes;*
- (f) bay windows or similar features;*
- (g) pergola or similar feature above garage doors.*

The design features front porch to both the dwellings accentuating the entry to the dwellings. First floor features balconies along the street front providing a mix of architectural form and materials. The attached dwellings provide different design features providing variety and differentiation in achieving an aesthetically pleasing development.

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.*

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.

Clause 4.4: Building Setbacks:

As per Table 3 of the clause, the setback controls applicable to Detached dwellings have been adopted. Garages have been set back 1 metre behind the front building façade and thus the development is compliant with this clause.

Clause 4.5: Development Forms:

<i>Controls</i>	<i>Compliance</i>
<i>1. The maximum floor space for a studio or dual occupancy is 60 square metres.</i>	60 sq m - yes
<i>2. A studio or dual occupancy must incorporate design and construction features, finishes, materials and colours similar to, or complementary with, the principal dwelling.</i>	Yes – colour schedule attached
<i>3. An application for studio or dual occupancy development is to have regard to its suitability in the context of neighbouring dwellings and local character.</i>	Yes – streetscape drawings attached
<i>4. Windows and private open spaces must not overlook the private space of any adjacent dwelling. Windows to common boundaries must either have obscured glazing, be screened or have a minimum sill height of 1.7 metres above floor level.</i>	Yes
<i>5. Design is to generally maximise solar access to internal living areas and minimise overshadowing of outdoor areas of the principal and adjacent dwellings.</i>	Yes – shadow diagrams attached
<i>6. The studio is to be located above the garage, carport or similar structure of the principal dwelling or be part of a corner lot development.</i>	n/a
<i>7. Private open space in the form of a balcony should preferably be provided in addition to the private open space area requirements for the principal dwelling.</i>	Yes

<p>8. Access to the studio or dual occupancy is to be separate from the principal dwelling and is to front a public street, lane or shared private accessway, either at or above ground level.</p>	<p>Yes</p>
<p>9. Strata title subdivision into a separate allotment will be permissible only where the following are provided:</p> <p>(a) The studio or dual occupancy comprises one dwelling located substantially above the other dwelling; or</p> <p>(b) One of the dwellings has a floor area that does not exceed 60m² and is located above the garage, carport or similar structure of the principal dwelling; and</p> <p>(c) private open space of 8 square metres with a minimum dimension of 2 metres; and</p> <p>(d) separate access; and</p> <p>(e) one separate on-site car parking space; and</p> <p>(f) separate services for mail delivery and waste collection, and an on-site garbage storage area which is not visible from public street; and</p> <p>(g) separate connections and metering for utilities (electricity, water, gas, telecommunications etc).</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Clause 4.6: Private Open Space:

For the lot width >10-15m the private open space provided should be minimum 20% of lot area and principal private open space is to be 24 sq m. The development is compliant with this clause and provides for total private open space of about 145 sq m and 24 sq m of principal private open space for each dwelling.

Clause 4.7: Site Cover and Landscaped Areas:

Site coverage on lots smaller than 450 square metres will be treated on merit but is to be no greater than 70% and is to demonstrate compliance with the private open space and solar access requirements of this DCP.

The development achieves site coverage of 45% and is also compliant with private open space and solar access requirements as discussed above.

Clause 4.9: Garages and Access:

Where a carport or garage entry forms part of the front façade of a dwelling, it is to be set back a minimum of 5.5m from the front boundary and at least 1m behind the building façade (as set out in Section 4.4).

The garages in the development are set back 5.5 m from the front boundary and achieve the minimum dimensions as per AS2890.1. Thus the development is compliant 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 PLEP2009 have been addressed in detail at Section 4.1 of this Statement. In general terms the development is permissible within the existing R1 General 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 is 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 proposal is considered to be generally consistent with the intent of the DCP and complies with the principle development standards. Upon completion 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 parcel of land.

4.3.4. Suitability of the site

The subject land has frontage to O'Connell Lane and orientates to the road. This promotes the site as a relatively safe site for this form of housing. The proposed development is designed with respect to the slope of the site and the proposed vegetation details are noted on landscape plans.

4.3.5. The Public Interest

This matter would generally relate to the submissions raised by the general public during Council's public exhibition of the development proposal. Any issues raised would have been generally dealt with in the body of this report and if not the Applicant would welcome opportunity to respond to such issues.

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. The subject application is suitable for redevelopment for the residential purposes as the land has not been used for purposes which will cause contamination. On that basis, it is considered that the site is suitable for the proposed development within the requirements of SEPP 55.

4.4.2. State Environmental Planning Policy (infrastructure) 2007

SEPP 2007 does not apply to the proposed development 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 development has 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 proposed on nearby and adjoining lands;
- the existing form of development along O'Connell Lane;
- the appearance and scale of the buildings when viewed from O'Connell Lane;
- 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 O'Connell Lane 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 new one and two storey residential development along O'Connell Lane and in the suburb generally.

The finished elevations for the proposed buildings will be generally compatible with mixed material finishes, brick, tile, colorbond and cladding 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 housing 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 have been prepared 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 proposal has a residential development adjoining the eastern and southern boundary but the proposed dwelling has been designed so that any potential overlooking has been minimised.

The design of the development has 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 Waste Management

Household refuse will be disposed of in approved Council containers and it is envisaged that no adverse waste material will be generated considering the residential nature of the development. It is proposed that garbage storage will be provided in the rear courtyards, as illustrated in the development plans, and this will be easily serviced and accessible for the occupants.

All builders waste during the construction phase will be removed from the site at regular intervals and disposed of at an approved waste dump in accordance with the waste management plan attached to this development application. The site will be kept clean and tidy at all times.

5.6 Stormwater Drainage

A stormwater drainage scheme has been prepared and submitted as part of the development plans for this proposal. The Stormwater Concept Plan attached to the development application provides for the collection of any runoff from the rooves 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.

The engineering plans for this stormwater concept accompany this application.

5.7 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 dual occupancy development of 20 O'Connell Lane, 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 – GENERAL 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 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
29 May 2014