

DEVELOPMENT APPLICATION

For

Medium Density Development & Strata Subdivision

At

No. 73 Radnor Road, Bargo
Lot: 21 DP: 13127

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared By



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Disclaimer:

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1. INTRODUCTION

1.1 Brief

This Statement of Environmental Effects (Statement) has been prepared by Abode Drafting Services and should be read in conjunction with the supporting plan and documentation submitted to Council for consideration.

This Statement evaluates an assessment of the development for its compliance with the statutory controls specified in various planning instruments. This Statement demonstrates that the development is consistent with the aims and objectives of these instruments, in particular consideration of the following:

- The Environmental Planning and Assessment Act, 1979, as amended;
- The Environmental Planning and Assessment Regulation;
- Wollondilly Local Environmental Plan
- Wollondilly Development Control Plan

This Statement provides a description of the subject site and surrounds, an identification of the development proposed by this application and an assessment of the perceived impacts of this proposal for the matters contained within Section 4.15 of the Environmental Planning & Assessment Act, 1979, as amended.

This report comprehensively addresses the legislation controls applicable to the application and demonstrates that the proposed development is compliant.

2. DESCRIPTION OF THE SITE AND LOCALITY

2.1 General Description of the Site

The subject site is described as Lot 21 in Deposited Plan 13127, commonly referred to as No. 73 Radnor Road, Bargo. The site presently has an existing single storey dwelling and ancillary structures being located within an existing older established area.

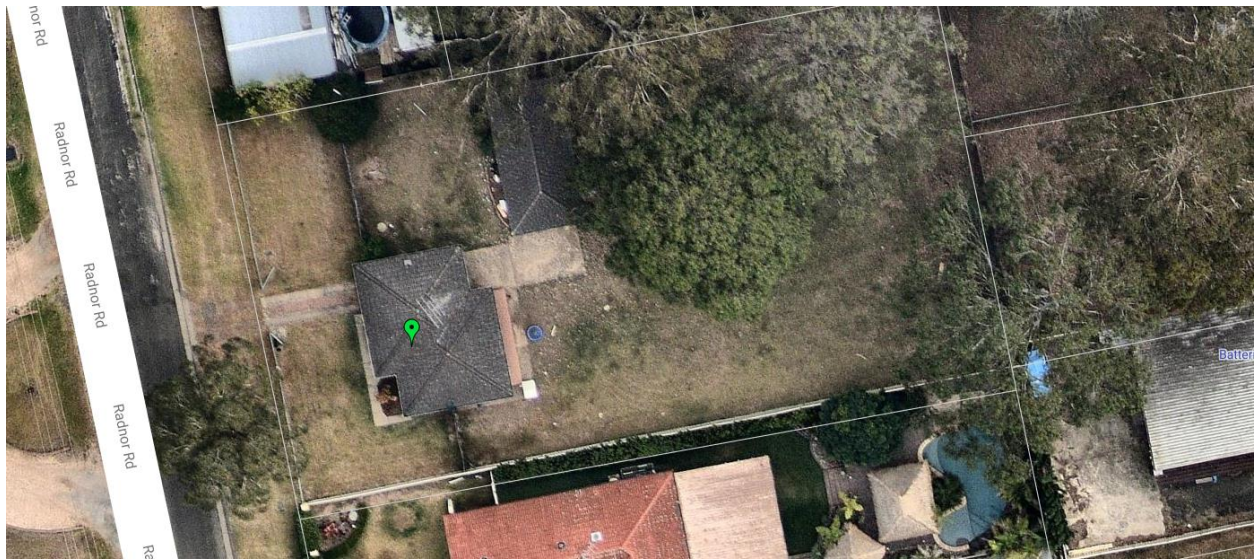
The site has a land area of 1,379m² and is zoned R3 Medium Density Residential under the Wollondilly Local Environmental Plan.

The site is identified not identified as being bushfire prone land or a flood control allotment. The site is also identified as being within a mine subsidence district with Subsidence Advisory NSW concurrence having been received for the development.

2.2 Site Context

The subject site is zoned *R3 Medium Density Residential* under the Wollondilly Local Environmental Plan and is surrounded by similar sized allotments within this older established area. The property is ideal for the proposed medium density development being within close proximity to the Bargo Commercial District.

An aerial photo of the subject site is provided in Figure 2.1A below.



Source: www.planningportal.nsw.gov.au

FIGURE 2.1A - SUBJECT SITE – No. 73 Radnor Road, Bargo

3. DESCRIPTION OF DEVELOPMENT PROPOSAL

3.1 The Proposed Development

Reference should be made to the plans prepared by Abode Drafting Services Pty Ltd submitted in conjunction with the Development Application. The proposal seeking consent for the proposed medium density development comprising of six (6) two storey dwellings and the strata subdivision of the proposed development.

The existing single storey dwelling ancillary outbuilding and associated driveway will be demolished and removed in conjunction with the redevelopment of the site. The development also seeks the removal of three (3) trees.

The proposed development has been designed to meet all the requirements of Council's Local Environmental Plan and relevant Development Control Plan requirements with a summary table provided later in this Statement.

3.2 Building Work

All building work will be undertaken in accordance with the Building Code of Australia. Housing specifications have been submitted in conjunction with the proposed development.

3.3 Details on Use

The proposed development will be utilised for residential purposes.

3.4 Waste Management

A waste management plan has been submitted in conjunction with the proposed development.

4. ASSESSMENT OF RELEVANT CONTROLS AND POLICIES

4.1 Relevant Planning Instruments and Controls

The proposed assessment of the development against the following relevant planning instrument and applicable controls:

- Sydney Regional Environmental Plan No 20 Hawkesbury-Nepean River
- Wollondilly Local Environmental Plan 2011
- Wollondilly Development Control Plan 2016

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Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

The aim of this plan is 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.

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River			
<i>Clause</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Assessment</i>
Part 1 – Introduction			
2	Where this plan applies	Applicable in Wollondilly	Complies – Assessment against plan provided.
3	Aim of Plan	Proposal consistent with aims of plan.	Complies
Part 2 – General Planning Considerations, Specific Planning Policies and Recommended Strategies			
4	Application of general planning considerations, specific planning policies and recommended strategies	The proposal complies with the planning considerations, the specific planning policies and related recommended strategies.	Complies
5	General Planning Consideration	Appropriate mitigation measures to prevent erosion, sedimentation and the discharge of pollutants into the watercourse and to protect any existing aquatic flora and fauna habitats. With the implementation of these measures, the proposal is unlikely to reduce the water quality of any waterway. There are considered to be no feasible alternatives to the proposal for the achievement of the desired outcomes for this development.	Complies
6	Specific Planning Policies and Recommended Strategies	The proposed development has been assessed against the planning policies and recommended strategies and it is considered that the development will not have any significant adverse impacts on the environment or the catchment.	Complies
Part 3 – Development Controls			
8	Development Standards	The proposal complies with the relevant development standards specified in this clause.	Complies
10	Excepted Land	The subject site is not identified as excepted land.	Complies
11	Development Standards	The development complies with the development standards specified.	Complies

The proposed development is considered consistent with the general planning considerations and specific planning strategies set out in the Sydney Regional Environment Plan No 20 – Hawkesbury Nepean River.

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Wollondilly Local Environmental Plan 2011

Wollondilly Local Environmental Plan 2011 (the LEP) is the principal environmental planning instrument that applies to the land and contains all the applicable development standards for the development of the subject site. The development site is zoned *R3 Medium Density Residential* which permits the following development types within the zone:

Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential accommodation; Respite day care centres; Roads; Seniors housing; Serviced apartments; Sewerage systems; Signage; Tank-based aquaculture; Water supply systems

Comment: The proposed medium density development is permissible with consent. The development complies with the objectives of the zone by providing for a variety of housing types within the medium density residential zone and provides for additional affordable housing close to the Bargo Township.

Below is a summary consideration of the relevant Local Environmental Plan 2011 Controls applicable to the development:

Wollondilly Local Environmental Plan 2011			
<i>Clause</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Assessment</i>
Part 1 – Preliminary			
1.4	<i>Development defined in dictionary</i>	<i>Noted</i>	<i>Permissible with Consent</i>
1.9A	<i>Suspension of Covenants, Agreements and instruments.</i>	<i>This development does not seek to evoke this clause to permit the proposed development.</i>	<i>Permissible with Consent</i>
Part 2 – Permitted or Prohibited Development			
2.2	<i>Zoning of Land to Which this Plan Applies</i>	<i>The subject site is zoned R3 Medium Density Residential as already discussed in this Statement the development is permissible with consent and complies with the objectives of the zone.</i>	<i>Complies</i>
2.3	<i>Zoning and Objectives</i>	<i>The site is consistent with the zone objectives as already identified within this Statement.</i>	<i>Complies</i>
2.4	<i>Unzoned Land</i>	<i>N/A to the subject site.</i>	<i>Complies</i>

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2.5	<i>Additional Permitted Uses for Particular Land</i>	<i>N/A to the subject site.</i>	<i>Complies</i>
2.6	<i>Subdivision – Consent Requirements</i>	<i>The proposed development includes the Strata Subdivision of the medium density development upon completion.</i> <i>In accordance with the LEP there is no minimum lot size for strata subdivision.</i>	<i>Complies</i>
2.7	<i>Demolition</i>	<i>Demolition of the existing dwelling will be undertaken in accordance with the regulatory requirements.</i>	<i>Complies</i>
2.8	<i>Temporary Use of Land</i>	<i>N/A to the subject development.</i>	<i>Complies</i>
<i>Part 3 – Exempt and Complying Development</i>			
3.1	<i>Exempt Development</i>	<i>N/A to the subject development.</i>	<i>Complies</i>
3.2	<i>Complying Development</i>	<i>N/A to the subject development.</i>	<i>Complies</i>
3.3	<i>Environmentally Sensitive Areas Excluded.</i>	<i>The development has addressed that no negative impact on the land will be contributed by the development.</i> <i>Appropriate construction measures will be utilised during building works to mitigate any impacts.</i>	<i>Complies</i>
<i>Part 4 – Principal Development Standards</i>			
4.1	<i>Minimum Subdivision Lot Size</i>	<i>N/A to the proposed strata subdivision of the medium density development.</i>	<i>Complies</i>
4.1AA	<i>Minimum Subdivision Lot Size for Community Title Schemes</i>	<i>N/A to the proposed development.</i>	<i>Complies</i>
4.1A	<i>Minimum Subdivision Lot Size for Dual Occupancies in Residential Zones.</i>	<i>N/A to the subject development.</i>	<i>Complies</i>
4.1B	<i>Subdivision of Certain Land in Zone E4 Environmental Living.</i>	<i>N/A to the proposed development.</i>	<i>Complies</i>
4.2	<i>Rural Subdivision</i>	<i>N/A to the proposed development.</i>	<i>Complies</i>

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4.2A	<i>Erection of Dwelling Houses on land in certain residential, rural and environmental protection zones.</i>	<i>N/A to the proposed development.</i>	<i>Complies</i>
4.3	<i>Height of Buildings 9.5 metres</i>	<i>Satisfactory – two storey dwellings demonstrate compliance with the maximum height of buildings.</i>	<i>Complies</i>
4.4	<i>Floor Space Ratio</i>	<i>No floor space ratio has been adopted.</i>	<i>Complies</i>
4.5	<i>Calculation of Floor Space Ratio</i>	<i>N/A</i>	<i>Complies</i>
4.6	<i>Exemptions to Development Standards</i>	<i>N/A</i>	<i>Complies</i>
<i>Part 5 – Miscellaneous Provisions</i>			
5.1	<i>Relevant acquisition authority</i>	<i>The site is not identified as being reserved for acquisition.</i>	<i>Complies</i>
5.1A	<i>Development on land intended to be acquired for a public purpose</i>	<i>The site is not identified as being reserved for acquisition.</i>	<i>Complies</i>
5.3	<i>Development near zone boundaries</i>	<i>The application does not seek consent to activate this concessional Clause.</i>	<i>Complies</i>
5.4	<i>Controls relating to miscellaneous permissible uses –</i>	<i>No Clause 5.4 provisions relate to the subject development.</i>	<i>Complies</i>
5.5	<i>Development within the coastal zone</i>	<i>N/A to the development site.</i>	<i>Complies</i>
5.6	<i>Architectural Roof Features</i>	<i>N/A to the development site.</i>	<i>Complies</i>
5.7	<i>Development Below Mean High Water Mark.</i>	<i>N/A to the development site.</i>	<i>Complies</i>
5.8	<i>Conversion of Fire Alarms.</i>	<i>N/A to the development site.</i>	<i>Complies</i>
5.9	<i>Preservation of Trees or Vegetation</i>	<i>The proposal development does not require the removal of any vegetation or trees.</i>	<i>Complies</i>
5.10	<i>Heritage Conservation</i>	<i>The site does not contain a heritage item, nor is it located within a heritage conservation area. As such this clause is not applicable to the development.</i>	<i>Complies</i>
5.11	<i>Bush fire hazard reduction</i>	<i>The site is not identified as bushfire prone land.</i>	<i>Complies</i>

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5.12	Infrastructure Development and Use of Existing Building of the Crown.	N/A to the proposed development.	Complies
5.13	Eco-Tourist Facilities	N/A to the proposed development.	Complies
Part 6 – Urban Release Area			
6.1	Designated State Public Infrastructure	N/A - The site is not identified as a designated state public infrastructure.	Complies
6.2	Public Utility Infrastructure	Applications will be made to the relevant public utility infrastructure prior to obtaining a construction certificate approval.	Complies
6.3	Development Control Plan	Complies with requirements.	Complies
6.4	Relationship between this part and remainder of Plan	N/A to proposed development.	Complies
Part 7 – Additional Local Provisions			
7.1	Essential Services	N/A to the proposed development.	Complies
7.2	Biodiversity Protection	The proposed development is not considered to have any adverse impacts in this regard.	Complies
7.3	Water Protection	There is not considered any adverse impacts on in this regard.	Complies
7.4	Flood Planning	The site is not identified as being subject to flood control allotment.	Complies
7.5	Earthworks	Minor cut and fill will be undertaken in accordance with this development in keeping with the controls identified within Council's DCP.	Complies
7.6	Development within a Designated Buffer Area.	N/A to proposed development.	

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Wollondilly Development Control Plan

The following Development Control Plans are applicable to the development:

- Wollondilly Development Control Plan 2016 - Volume 1 General
- Wollondilly Development Control Plan 2016 – Volume 4

Consideration of the proposed development against these Development Control Plans is provided below:

Wollondilly Development Control Plan 2016 Volume 1			
<i>Clauses</i>	<i>Requirements</i>	<i>Proposed</i>	<i>Assessment</i>
Part 1 - Introduction			
1.1	<i>Name and Scope of Plan</i>	<i>Noted</i>	<i>Complies</i>
1.2	<p><i>Objectives</i> <i>To assist in the realisation of the aims of Wollondilly Local Environmental Plan, 2011.</i></p> <p><i>The specific controls and volumes of this plan each have objectives as detailed throughout this plan.</i></p>	<i>The development is consistent with these objectives.</i>	<i>Complies</i>
Part 2 - General Requirements for all Development			
2.1	<p><i>Objectives</i> 1. <i>To ensure that developments are undertaken with due regard to human safety.</i></p> <p>2. <i>To ensure that developments do not unreasonably impact on their surrounds.</i></p> <p>3. <i>To ensure that developments achieve a satisfactory level of social equity.</i></p>	<i>The proposed development complies with these requirements.</i>	<i>Complies</i>
2.2	<p><i>The consent authority shall consider the following safety and human health risks in assessing a development application under this volume:</i></p> <p>a) <i>Road and traffic hazards;</i> b) <i>Bushfire threat;</i> c) <i>Flood risk;</i> d) <i>Noise, vibration, pollution, odour, radiation or waste from surrounding land uses;</i> e) <i>Exposure to electricity transmission systems;</i> f) <i>Exposure to radiation from telecommunications infrastructure;</i> g) <i>Potential exposure to children of material (including signage) from any nearby restricted premises and/or sex services premises;</i> h) <i>Hazards from vehicles within car parking areas; and</i> i) <i>Hazard from potential contamination of the land</i></p>	<p><i>The site is not identified as being bushfire prone land with a bushfire assessment having been submitted at the time of lodgement.</i></p> <p><i>There are no other natural hazards affecting the subject property.</i></p> <p><i>No other land exemptions are known to affect the development.</i></p>	<i>Complies</i>

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	<i>The consent authority shall consider the suitability of the road network in the vicinity in assessing a development application under this volume</i>	<i>The road network remains unaffected by the proposed development.</i>	<i>Complies</i>
	<i>The consent authority must not grant consent to a development application for development within a proclaimed mine subsidence area without the concurrence of the Mine Subsidence Board.</i>	<i>The development has received the concurrence of Subsidence Advisory NSW. A copy of this approval has been submitted with this application.</i>	<i>Complies</i>
	<i>The consent authority must not grant consent to a development application for development subject to this volume on land unless it has considered the impact of the development on any system for the management of wastewater present on that land.</i>	<i>N/A to subject site.</i>	<i>Complies</i>
	<i>The consent authority must not consent to the carrying out of development within a drinking water catchment area unless it is satisfied that the proposal will have a neutral or beneficial effect on water quality.</i>	<i>N/A to subject site.</i>	<i>Complies</i>
<i>Part 3 - Variations to this plan</i>			
<i>3.1</i>	<i>Variations to this plan</i>	<i>Any DCP Variations have been identified within this Statement together with justification for the variation request having been provided.</i>	<i>Complies</i>
<i>Part 4 - Community Engagement</i>			
<i>4.1</i>	<i>Proposed development not listed on Notification Exemption List, as such requires notification.</i>	<i>Notification plans submitted with application.</i>	<i>Complies</i>
<i>Part 5 & 6 - Heritage</i>			
<i>5.1</i>	<i>Heritage Requirements General</i>	<i>Not Applicable to Development.</i>	<i>Complies</i>
<i>Part 7 – Aboriginal Heritage</i>			
<i>7.1</i>	<i>Aboriginal Heritage Requirements General</i>	<i>Not Applicable to Development.</i>	<i>Complies</i>
<i>Part 8 - Flooding</i>			
<i>8.1</i>	<i>To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property.</i>	<i>Development is not considered to be on flood prone land.</i>	<i>Complies</i>

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<i>Part 9 - Environmental Protection</i>			
9.1	<i>Environmental Protection</i>	<i>N/A - The subject site is not identified as being 'sensitive land'</i>	<i>Complies.</i>
<i>Part 10 - Tree Removal</i>			
10.3	<i>Tree Removal</i>	<p><i>The proposed development seeks the removal of three (3) trees located on the site to enable the development.</i></p> <p><i>These trees are not considered significant with offset landscaping being proposed to mitigate the tree removal required by the development as identified on the site plan.</i></p>	<i>Permissible with Consent.</i>
<i>Part 11 – Landscaping</i>			
11.1	<p><i>Objectives</i></p> <p><i>1. To encourage the planting of endemic species in landscaping.</i></p> <p><i>2. To reduce the impact of landscaping on the environment, infrastructure and human safety.</i></p> <p><i>3. To create a landscape character that is defined by native vegetation and not introduced species.</i></p>	<i>A landscape plan has been submitted in conjunction with the development application which identifies proposed landscaping to be installed onsite in conjunction with the medium density development.</i>	<i>Complies.</i>
11.2	<i>Recommended Species.</i>	<i>Recommended species by Council can be adopted onsite.</i>	<i>Complies.</i>
<i>Part 12 - Signage</i>			
12.1	<i>To provide controls for the implementation of the Advertising structures in commercial or industrial zones section of Schedule 2 of Wollondilly Local Environmental Plan, 2011.</i>	<i>N/A to development.</i>	<i>Complies.</i>

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Wollondilly Development Control Plan 2016 – Volume 4			
<i>Clauses</i>	<i>Requirements</i>	<i>Proposed</i>	<i>Assessment</i>
Part 1 – Preliminary			
1.2	Objectives	<i>The proposed development results in a positive contribution to the streetscape and as such complies with this objective.</i>	Complies
1.3	Application of DCP	Noted	Complies
1.4	Application of Volume	<i>Subject site is classified as a “Standard Residential Lot” under this Table of the DCP.</i>	Complies
Part 2 – General Requirements for All Development			
2.1	Alterations & Additions	<i>N/A to the proposed development.</i>	Complies
2.2	Residential Development in the B4 Mixed Use Zone.	<i>N/A to the proposed development.</i>	Complies
2.3	Effect to Building Envelope	<i>N/A to development no existing or proposed building envelopes.</i>	Complies
2.4	Conversion of Building <i>The development shall be assessed as though the development were being proposed as a new building.</i>	<i>N/A to the proposed development.</i>	Complies
2.5	<i>Determining what constitutes and adjoining lot under this plan (for the purpose of calculating setbacks).</i>	<i>N/A to the proposed development.</i>	Complies
2.6	Wet Bars	<i>N/A to development no wet bars are proposed.</i>	Complies
2.7	Driveways	<i>The proposed driveway location is identified on the proposed site plan compliant with AS2890.</i>	Complies
2.8	Setbacks	Noted.	Complies
2.9	Land Use Conflict	<i>N/A to development.</i>	Complies
2.10	Stormwater <i>Stormwater to developments shall be directed to either the street drainage, drainage easement or natural drainage path. Council may consider absorption trenches where the abovementioned options are unable to be achieved.</i>	<i>A stormwater concept plan has been prepared by D & M Engineering which accompanies this application.</i>	Complies

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	Where common drainage treatment methods are unable to be achieved Council may require the creation of a drainage easement over adjoining properties to carry stormwater from the site.	A stormwater concept plan has been prepared by D & M Engineering which accompanies this application.	
	The proposed dwelling and associated stormwater drainage shall account for existing drainage patterns and shall not contribute to any localised ponding, nuisance flooding on adjoining properties, or impacts to overland flow or natural drainage paths.	A stormwater concept plan has been prepared by D & M Engineering which accompanies this application.	
	Stormwater shall be in accordance with Council's Engineering Design Specifications.	A stormwater concept plan has been prepared by D & M Engineering which accompanies this application.	
2.11	Temporary Occupation	N/A to the proposed development.	Complies
Part 3 – Specific Land Use Controls			
Part 3.18 – Medium Density Development			
Density			
1	Residential development to which these provisions apply must achieve a minimum density of 25 lots per hectare rounded down to the nearest dwelling. <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Example A 1,345m² allotment is 0.1345 Ha.</p> <p>Minimum Yield = 25 × lot area in hectares = 25 × 0.1345 = 3.3625 = 3 dwellings</p> </div>	Satisfactory – Minimum yield of 3.45 dwellings is required.	Complies
2	Residential development to which these provisions apply must not exceed a maximum density of 45 lots per hectare rounded down to the nearest dwelling. <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Example A 1,345m² allotment is 0.1345 Ha.</p> <p>Maximum Yield = 45 × lot area in hectares = 45 × 0.1345 = 6.0525 = 6 dwellings</p> </div>	Satisfactory - Maximum yield of 6.2 dwellings is required.	Complies
3	In determining the density of development under these provisions land used for the following purposes is not taken into account: <ul style="list-style-type: none"> • Environmental Conservation • Public Roads • Land reserved for future development • Dedication to Council as public open space 	Satisfactory - The land area used for the abovementioned calculations does not include any of this area.	Complies

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	<ul style="list-style-type: none"> Basins, wetlands and similar stormwater management systems (water tanks are to be included in the calculation). 		
<i>Building Design</i>			
4	The total portion of the site covered by all pools, buildings and paving shall not exceed 75% of the site area.	<p>Satisfactory –</p> <p>Site cover of the proposal is 64% and as such is in accordance with the DCP requirement.</p>	Complies
5	Filling of land shall not increase the natural ground level by more than 1.0m.	Satisfactory – drop edge beams have been utilised with only minimal fill being proposed.	Complies
6	Cut shall be limited to 2.0 metres below natural ground level.	Satisfactory – minimal cut only is proposed.	Complies
7	Dwellings which front the street shall adopt a traditional orientation where living rooms, front door entries, paths to entry, verandahs and the like address the street rather than neighbouring properties.	Satisfactory	Complies
8	The design of any medium density development shall ensure that the development contributes to the visual interest of the street and shall avoid long rows of attached dwellings, long straight driveways and uniform roof designs throughout the development.	Satisfactory	Complies
9	<p>The front façade of any dwelling fronting the street must actively address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p> <ul style="list-style-type: none"> an entry feature or portico; bay windows; the use of a balcony, deck, pergola, terrace or verandah along the frontage; Roof overhangs; Awnings over windows which blend with the design of the dwelling; A combination of other architectural features suitable to Council which enhance the front façade of the dwelling. 	Satisfactory	Complies
10	The front façade of any dwelling in the development must feature a personal access door.	Satisfactory	Complies
11	The front façade of any dwelling in the development must have no stretch of blank wall greater than 5.0m in length.	Satisfactory	Complies

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12	<i>A side or rear façade of any dwelling in the development must have no stretch of blank wall greater than 12.0 metres</i>	<i>Satisfactory</i>	<i>Complies</i>
13	<i>No more than 50% of the front façade of any dwelling in the development shall be garage doors.</i>	<i>Satisfactory</i>	<i>Complies</i>
14	<i>The number of garage doors forming part of any dwelling that are visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.</i>	<i>Satisfactory</i>	<i>Complies</i>
15	<i>The front façade of any dwelling which has frontage to a public road shall be provided with at least one habitable room with a window looking out onto the public road.</i>	<i>Satisfactory</i>	<i>Complies</i>
16	<p><i>Medium density developments must not:</i></p> <ul style="list-style-type: none"> <i>• Be mirror reversed;</i> <i>• Have a repeated façade;</i> <i>• Locate garages at the centre of the building's front façade; nor</i> <i>• Present an excessively bulky front façade. In medium density developments involving a large number of dwellings, repeated facades may be considered throughout the development provided that there are no repeated facades in a row of dwellings which face a public road.</i> 	<i>Satisfactory – All units comprises of different designs with no repetition of facades. The proposed external materials provide a harmonious rhythm for the overall medium density development.</i>	<i>Complies</i>
17	<i>One dwelling per five provided in a medium density development (rounded down) shall be provided as an adaptable dwelling in accordance with AS4299 Adaptable Housing. Plans which demonstrate compliance with this standard shall be submitted with any development application for a Medium Density Development.</i>	<i>Satisfactory – Unit 6 demonstrates compliance with this requirement.</i>	<i>Complies</i>
Setbacks			
18	<p><i>The minimum front setback for the dwelling closest to the street in a medium density development is 6.5 metres.</i></p> <p><i>Minor ancillary structures such as bin storage enclosures, postal box facilities etc may be located within the front setback treatment. Council may require such structures to be screened through suitable landscape planting or other means.</i></p>	<i>Satisfactory – 6.5 metre setback proposed.</i>	<i>Complies</i>
19	<i>The minimum side setback for any dwelling shall be 0.9m from land not included in the development.</i>	<i>Satisfactory</i>	<i>Complies</i>
20	<i>The minimum rear setback for any dwelling from land not included in the development shall be 8.0m for a two (2) storey dwelling and 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling. For the</i>	<i>The proposal demonstrates compliance with this control. A storey is</i>	<i>Complies</i>

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	<p><i>purposes of this control, the rear boundary of any dwelling within the development is taken to be the boundary opposite the front elevation of the dwelling</i></p>	<p>defined by the WLEP as:</p> <p>storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:</p> <ul style="list-style-type: none"> (a) a space that contains only a lift shaft, stairway or meter room, or (b) a mezzanine, or (c) an attic. <p>The proposal therefore would be defined as a single storey dwelling with attic.</p> <p>An Attic is defined as:</p> <p>attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.</p> <p>The proposed 8 metre rear setback applies to two storey designs only. As such the proposed attic design is not defined as a “storey” and as such a 3.0 metre rear setback only is required to be provided. As such the proposed development fully complies with Council’s DCP setback controls.</p>	
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21	<i>The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.</i>	<i>Satisfactory – side setbacks are compliant.</i>	<i>Complies</i>
22	<i>Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.</i>	<i>Satisfactory</i>	<i>Complies</i>
23	<i>For dwellings not fronting the street, any garage attached to the dwelling shall be located no less than 1 metre behind the front building line of the dwelling.</i>	<i>Satisfactory</i>	<i>Complies</i>
24	<i>Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road and shall not extend more than 1.5m in front of that building setback</i>	<i>Satisfactory</i>	<i>Complies</i>
25	<i>Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback</i>	<i>Satisfactory</i>	<i>Complies</i>
26	<i>For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 2.5m for a lot with an area less than 900m² and 3m for other residential lots.</i>	<i>Satisfactory – side setbacks are compliant.</i>	<i>Complies</i>
<i>Private Open Space</i>			
27	<i>A minimum principal area of private open space must be provided for each dwelling with the following characteristics:</i> <ul style="list-style-type: none"> <i>a. Gradient no steeper than 1:20 (Rise:Run)</i> <i>b. Width no less than 3 metres in any direction</i> <i>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area)</i> <i>d. Have an area no less than 24 square-metres.</i> <i>e. Must not be located in the front building setback</i> <i>f. Not be used for clothes drying, effluent disposal or garbage storage</i> 	<i>Satisfactory – POS has been nominated in yellow on the proposed site plan to make this readily identifiable.</i>	<i>Complies</i>
<i>Common Open Space</i>			

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28	<p><i>The size of the principal area of private open space for each dwelling may be reduced to 10 square-metres if an area of common open space is provided for the development with the following characteristics:</i></p> <p><i>a. Gradient no steeper than 1:20 (Rise:Run)</i></p> <p><i>b. Width no less than 6 metres in any direction</i></p> <p><i>c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees).</i></p> <p><i>d. Provided with suitable fixed embellishment comprising a minimum of:</i></p> <p><i>I. Seating and tables at the rate of 6 seats and one table per 3 dwellings rounded up to the nearest whole number.</i></p> <p><i>II. Barbeque facilities at the rate of 1 barbeque per 3 dwellings rounded up to the nearest whole number</i></p> <p><i>III. Children's play equipment</i></p> <p><i>e. Have a total area no less than 8 square-metres per dwelling</i></p> <p><i>f. Must not be located in the front building setback</i></p> <p><i>g. Not be used for effluent disposal or garbage storage</i></p> <p><i>h. Be secured from public access but available to all occupiers in the development.</i></p>	Satisfactory	Complies
Solar Access			
29	<i>Sunlight is to be available to at least 50% of the dedicated private open space area of all dwellings in the development for at least 3 hours between 9:00am and 3:00pm on 21 June.</i>	Satisfactory – Shadow diagrams compliant with this requirement have been provided.	Complies
30	<i>Any dwelling within a medium density development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00am and 3:00pm on 21 June.</i>	Satisfactory	Complies
Parking, Access & Vehicle Safety			
31	<i>A minimum of one (1) parking space shall be provided on the site for each dwelling. Such a space, or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling.</i>	Satisfactory	Complies
32	<i>An open hard stand car parking space must measure a minimum of 2.6m wide by 5.4m long.</i>	Satisfactory	Complies

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33	<i>A minimum of one (1) visitor parking space per three (3) dwellings (rounded up) must be provided wholly on the site. Such a space or spaces may be an open hard stand space or car port or a garage, whether attached to or detached from the dwelling. Visitor parking must be appropriately signposted on the site.</i>	<i>Satisfactory</i>	<i>Complies</i>
34	<i>A minimum of one (1) parking bay measuring a minimum of 2.6m by 5.4m shall be located on the site and dedicated as a vehicle wash bay. The wash bay shall be within adequate distance of a water source (i.e. a tap) and shall drain to a landscaped area on the site.</i>	<i>Satisfactory</i>	<i>Complies</i>
35	<i>Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.4m per allocated parking space.</i>	<i>Satisfactory</i>	<i>Complies</i>
36	<i>Garage doors shall have a minimum width of 2.4 metres.</i>	<i>Satisfactory</i>	<i>Complies</i>
37	<i>The width of any access driveway and the overall design of the development shall enable vehicles to enter and leave the site in a forward direction.</i>	<i>Satisfactory</i>	<i>Complies</i>
38	<i>Provision shall be made for footpaths/share paths/cycleways to be provided to the nearest available network connection to the village centre in accordance with Council's Design Specifications.</i>	<i>Satisfactory</i>	<i>Complies</i>
<i>Landscaping</i>			
39	<i>At least 10% of the area of the site shall be formally landscaped with an automated water system to be provided.</i>	<i>Satisfactory</i>	<i>Complies</i>
<i>Privacy</i>			
40	<i>Wherever possible, dwellings shall be designed to avoid overlooking the main areas, private open space areas and windows of habitable rooms of adjoining dwellings.</i>	<i>Satisfactory</i>	<i>Complies</i>
41	<i>The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.</i>	<i>Satisfactory</i>	<i>Complies</i>
42	<i>A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.</i>	<i>Satisfactory</i>	<i>Complies</i>

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<i>Waste Management</i>			
43	<i>The development shall be provided with on-site waste management facilities to allow for: a) the collection of domestic waste from each dwelling; and b) the storage of the waste out of sight of any publicly accessible place, dwelling window, area of private open space and area of common open space; and c) the collection of domestic waste from the development by waste collection vehicles; and d) An area at the front of the lot immediately adjoining the public road shall be dedicated for the Council Communal Rubbish Collection service. In this regard the area shall be void of trees/landscaping and the like to enable a suitable area for rubbish to be placed during the collection.</i>	<i>Satisfactory</i>	<i>Complies</i>

5. SECTION 4.15 – MATTERS FOR CONSIDERATION

The following is a detailed consideration of Section 4.15 of the Environmental Planning and Assessment Act:

Section 4.15 (1)(a)(i)

The provisions of the Environmental Planning Instrument.

A detailed assessment of the Wollondilly Local Environmental Plan has been provided in this Statement.

Section 4.15 (1)(a)(ii)

The provisions of any publicly exhibited Draft Environmental Planning Instruments

At the time of preparing this Statement, there were no known Draft Environmental Planning Instruments applicable to the land.

Section 4.15 (1)(a)(iii)

The provisions of any Development Control Plan

Consideration of the applicable Wollondilly Development Control Plans is provided below:

Section 4.15 (1)(a)(iiia)

The consideration of any Planning Agreement.

No planning agreement has been entered into or proposed in conjunction with this development.

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Section 4.15 (1)(a)(iv)

The consideration of any Regulations to the extent that they prescribe matters for the purposes of this paragraph).

The proposed development can demonstrate compliance with the regulations.

Section 4.15 (b)

The consideration of likely impacts of the development including consideration of the environmental impacts on both the natural and built environment and the social and economic impacts in the locality.

The proposed development will not have any environmental impacts on the natural or built environment. The proposed development will result in additional housing being provided to service the locality which will only benefit the social and economic locality with more residents being accommodated in Bargo.

Section 4.15(c)

The suitability of the site for the development.

The proposed development does not result in any adverse impacts on the site. The proposal complies with Council's requirements and is considered to pose minimal impact on the locality and amenity of surrounding properties. The development is one of the first medium density developments within this streetscape, however over time the redevelopment will result in similar medium density developments surrounding this proposal.

The development is consistent with the objectives of the zone under the Wollondilly Local Environmental Plan and the land use controls identified within the Wollondilly Development Control Plan.

The proposed use will have minimal impact on the locality and amenity of surrounding properties and will complement the existing Council approved land use and future designed land use for the area being zoned R3 Medium Density. It is evident from the above and the assessment provided within this Statement that the site is suitable for the proposed development.

Section 4.15(d)

Any submissions made in accordance with this Act or the Regulations.

The consideration of submissions cannot be made at the time of preparing this Statement. The applicant requests that an opportunity be provided to respond to any submissions that may be received.

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Section 4.15(e)

The consideration of public interest.

The proposed development land use is permissible as already approved by Council. The development is consistent with the applicable objectives of the Local Environmental Plan.

The development is in keeping with the mixed uses of the surrounding site and will not result in a negative impact on the local area.

6. CONCLUSION

The development has been assessed in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*, Wollondilly Local Environmental Plan and Wollondilly Development Control Plans.

The proposed development is permissible pursuant to the Local Environmental Plan and is consistent with the objectives of the zone.

This Statement comprehensively addresses the legislation applicable to the proposed development and demonstrates this proposal is compliant with the applicable controls. The proposed use will have minimal impact on the locality and amenity of surrounding properties and will complement the existing Council approved land use and future designed land use for the area being zoned R3 Medium Density. It is evident from the above and the assessment provided within this Statement that the site is suitable for the proposed development.

The proposed use will have minimal impact on the locality and amenity of surrounding properties. Given the above, the proposed development is considered worthy of Council's approval.

Thank you for consideration of our submission.

Graham Isaac



Sole Director

