



Statement of Environmental Effects

Torrens Title Subdivision into two (2) lots

22 Ferndale Close, **CONSTITUTION HILL NSW**

Our Reference: 8957 Issue B

27 March 2024

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Definitions and Abbreviations

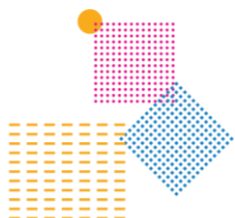
The following abbreviations are used throughout the report and are defined as:

DA – Development Application

DCP – Parramatta Development Control Plan 2023

LEP – Parramatta Local Environmental Plan 2023

‘Subject Land’ – Generally refers to the site being Lot 3 in DP229006, also known as 22 Ferndale Close, Constitutional Hill



1. EXECUTIVE SUMMARY

This SEE accompanies a Development Application which seeks approval for a 2 Lot Torrens Title subdivision and demolition of existing dwelling and garage of Lot 3 in DP229006, known as 22 Ferndale Close, Constitution Hill.

Proposed Lot 31 will have a frontage of 22.55 meters to Ferndale Close and an area of approximately 932.4m². Proposed Lot 32 will have a frontage of 27.57 meters to Michelle Drive and an area of approximately 934.6m².

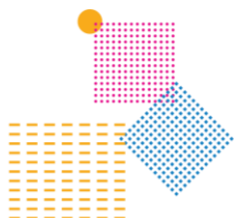
The proposed development has been assessed against the matters for consideration listed in Section 4.15 of the Environmental Planning & Assessment Act 1979 and is considered to be appropriate. The proposal also complies with the relevant matters listed within the DCP and LEP.

As part of the development application, it is intended to demolish the existing dwelling and garage within the subject land.

It is considered that the subject site is considered suitable for the proposed development and is in the public interest. The development will facilitate the provision of additional dwellings and is void of any adverse environmental impacts.

This report is to be read in conjunction with the following associated documents and plans prepared as a part of this Development Application:

PLAN/DOCUMENT	AUTHOR
Draft Subdivision Plan and Administration Sheets	SDG
Section 88B Instrument	SDG
Detail and Level Survey Plan	SDG
Site Context and Demolition Plan	SDG
Waste Management Plan	SDG
Stormwater Management Plan	Capital Engineering Consultants
Erosion and Sediment Control Plan	Capital Engineering Consultants



2. SITE DESCRIPTION

2.1. Context and Location

The subject land is located on the northern side of Cumberland Highway having two street frontages being between Ferndale Close and Michelle Drive, with Toongabbie East Public School approximately 400m from the site. Other facilities within a 2.5km proximity of the subject site include Wentworthville local shops & train station, Pendle Hill High School and Westmead Hospital.

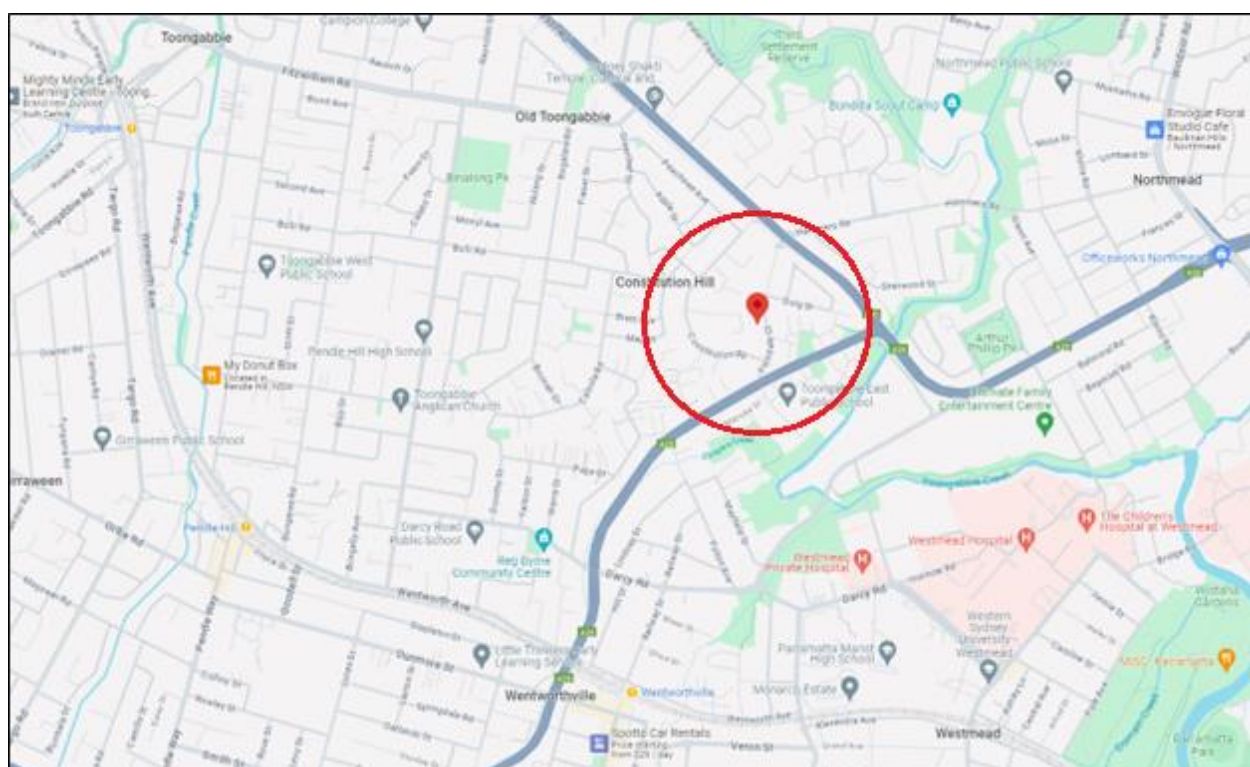


Figure 1: Site Context

The red circled area shows a 250 meter radius walking distance from the subject land.

The area surrounding the site is predominantly characterised by a low-density residential uses.

The subject land, being Lot 3 in DP229006 has a total area of approximately 1,867m². The property is bounded by Ferndale Close to the east and Michelle Drive to the west. The frontage along Ferndale Close is 22.55m and the frontage along Michelle Drive is 27.57m. Residential properties adjoin the land to the north and south.

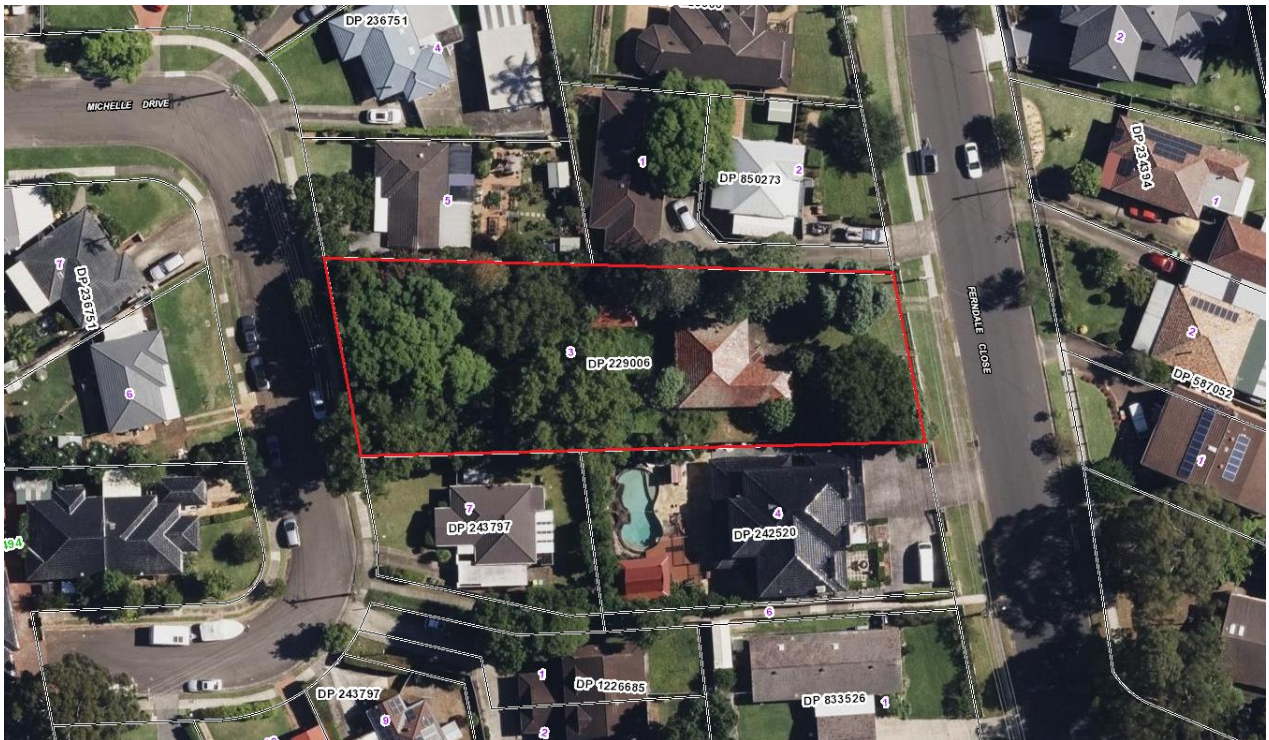


Figure 2: Site Details (Source: SIX Maps)

There is an existing single storey fibro clad residential dwelling with tile roof and a detached fibro clad garage on the site. Vehicular access is currently via Ferndale Close which extends into the subject site along the northern boundary.

The topography of the land generally slopes from Michelle Drive to Ferndale Close, in the direction of west to east at an average grade of about 7%. The land is unaffected by any flooding, bushfire, view corridor or heritage constraints.

Below are images of the street scape on either side of the site showing a low rise residential layout, with properties fronting both Michelle Drive and Ferndale Close. The surrounding properties and generally layout of the locality have been historically subdivided to have individual street frontages.

2.2. Streetscape

The following images exhibit the locality of the subject site.

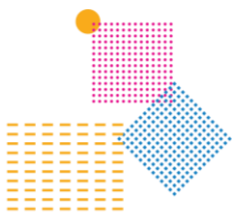




Figure 3: 22 Ferndale Close (Source: Google Street View)



Figure 4: Southerly orientation along Ferndale Street (Source: Google Street View)



Figure 5: Northerly orientation along Ferndale Street (Source: Google Street View)



Figure 6: Rear boundary of 22 Ferndale Close on Michelle Drive



Figure 7: Northerly orientation along Michelle Drive



Figure 8: Southerly orientation along Michelle Drive

3. DEVELOPMENT PROPOSAL

The proposal seeks development consent for a Two (2) Lot Torrens Title Subdivision and demolition of existing dwelling and garage of the subject land.

The proposed allotments are defined as per the proposed subdivision plan annexed. The two (2) proposed lots are:

- Proposed Lot 31 will have an area of approx. 932.4m² with a frontage of Ferndale Close
- Proposed Lot 32 will have an area of approx. 934.6m² fronting Michelle Drive

The subject land is zoned R2 Low Density Residential with a minimum lot size of 550m² as defined in the Parramatta Local Environmental Plan 2023. Subdivision is permissible under the LEP and the proposal is consistent with DCP requirements.

The existing single storey fibro clad dwelling and fibro clad garage are proposed to be demolished.

The existing vehicular crossing that services 22 Ferndale Close is proposed to be retained for access into proposed lot 31.

Suitable services and stormwater drainage will be provided for each lot in accordance with service authority and council requirements.

The proposal does not involve any building works.

The proposal does not require any approvals under any legislation that constitutes integrated development.

Integrated Development Approval	Applicable?
Coal Mine Subsidence Compensation Act 2017	N/A
Fisheries Management Act 1994	N/A
Heritage Act 1977	N/A
Mining Act 1992	N/A
National Parks and Wildlife Act 1974	N/A
Petroleum (Onshore) Act 1991	N/A
Protection of the Environment Operations Act 1997	N/A
Roads Act 1993	N/A
Rural Fires Act 1997	N/A
Water Management Act 2000	N/A

4. PLANNING CONTROLS

The following environmental planning instruments have been considered as part of the development proposal:

- Parramatta Local Environmental Plan 2023
- Parramatta Development Control Plan 2023

The proposed development does not constitute designated development or integrated development under the Environmental Planning Act 1979.

4.1. Parramatta Local Environmental Plan 2023

The subject land is zoned R2 Low Density Residential under the LEP as shown below.

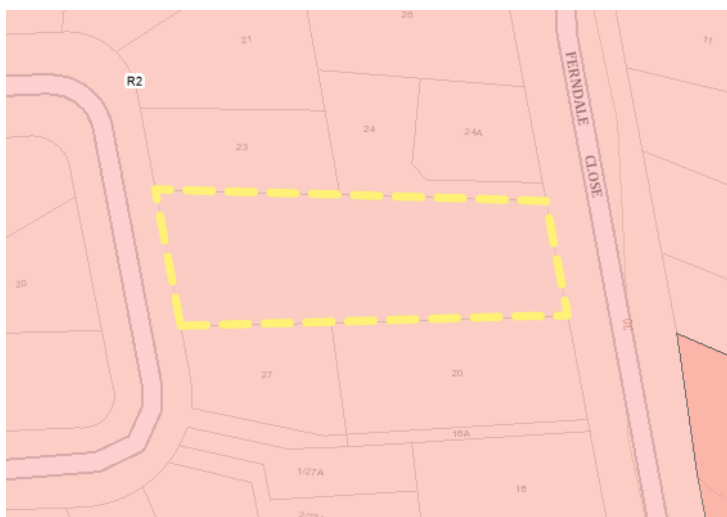


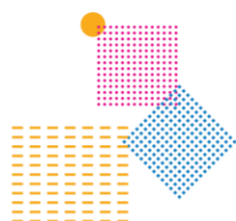
Figure 9: R2 Zoning under Parramatta LEP 2023

The objectives of the 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 maintain the low density residential character of the area
- To ensure non-residential lands uses are carried out in a way that minimizes impacts on the amenity of a low density residential environment
- To provide a range of community facilities that serve the needs of people who live in, work in and visit the area
- To protect and enhance tree canopy, existing vegetation and other natural features

The relevant clauses within the Parramatta LEP that apply to the proposed development have been addressed in the following table.

Clause	Comment	Complies
2.3 Zone objectives and Land Use Table	R2 Low Density Residential zone permits dwelling houses, dual occupancies, and other residential subdivisions. Subdivision is allowed within this zone. The proposal will increase housing opportunity whilst fulfilling objectives.	✓
2.6 Subdivision – consent requirements	Consent is sought for the subdivision development. The proposal will not result in any secondary dwelling being situated on a separate lot to any principal dwelling.	✓
2.7 Demolition requires consent	Consent is sought for the demolition of existing dwelling being known as 22 Ferndale Close, associated garage and other structures.	✓
4.1 Minimum subdivision lot size	The proposed lots are 932.4m ² and 934.6m ² both of which well exceed the minimum lot size of 550m ² .	✓
4.3 Height of buildings	The Height of Buildings Map within the LEP determines a 9m building height limit. No building works are proposed as part of the development application and existing buildings are to be demolished.	N/A
4.4 Floor space ratio	The Floor Space Ratio Map within the LEP determines a 0.5 floor space ratio. No building works are proposed as part of the development application and existing buildings are to be demolished.	N/A
5.10 Heritage conservation	The land is not identified on any DCP or LEP heritage maps as containing any heritage items or being within any heritage zones.	N/A
5.11 Bush fire hazard reduction	The land is not within a bushfire zone as per bushfire maps.	N/A
5.21 Flood planning	The land is not identified as being within a flood zone or as flood prone land.	N/A
6.1 Acid sulfate soils	The land is not identified on any acid sulfate soils map, and is not affected by this subdivision application.	N/A
6.2 Earthworks	Minor earthworks form part of this application for the construction of stormwater drainage lines and connection of services. It is considered that this will have minimal environmental impact and will not affect soil stability or flood patterns.	✓
6.3 Biodiversity	The proposal for subdivision does not seek to amend the natural environment and all trees are proposed to be retained. Any future application for dwelling/s will need to consider vegetation and trees on the site.	N/A
6.4 Riparian land and waterways	The land is not identified on any riparian land and waterways maps.	N/A



6.5 Stormwater management	The land falls gradually from Michelle Drive to Ferndale Close at a grade of about 7%. An easement to drain water is proposed within proposed lot 31 which will legally allow proposed lot 32 to drain water to Ferndale Close. The stormwater management plan shows the proposed stormwater lines and pits to be constructed. Any future application for dwelling/s on proposed lot 32 will need to connect to the existing stormwater pit.	
6.7 Essential services	The supply of water, electricity and telecommunications is available to the existing residential dwelling and are available along both Ferndale Close and Michelle Drive. The disposal of sewerage is available to both lots. Required utility applications with service authorities will undertaken prior to works commencing. Vehicular access is available to proposed lot 31 on Ferndale Close. A vehicular crossing to allow access into the proposed lot fronting Michelle Drive will form part of any future application for dwelling/s on that lot.	✓

Table 1: Parramatta Local Environmental Plan 2023 Compliance Table

The proposed development is considered permissible under the LEP and is consistent with the objectives of the relevant standards in terms of size and type.

4.2. Parramatta Development Control Plan 2023

The Parramatta Development Control Plan 2023 includes provisions to guide development and covers performance, design guidelines and controls related to environmental performance, social performance, amenity and design elements.

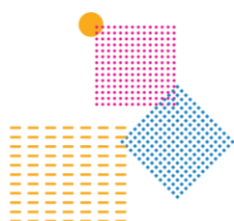
The relevant control measures within the Parramatta DCP that apply to the proposed development have been addressed in the following table.

Section	Comment	Complies
3.3 Dwelling Houses, Secondary Dwellings and Dual occupancies	The DCP specifies a minimum site frontage width of 15m. The proposed lot 31 has a 22.55m frontage to Ferndale Close and proposed lot 32 has a 27.57m frontage to Michelle Drive. The DCP states that the location and design of driveways are efficient, safe, and integrated into the design of the development. The existing driveway on Ferndale Close is proposed to be retained. There is adequate sight distance and low vehicular traffic along Michelle Drive. A vehicular crossing to allow access into the proposed lot fronting Michelle Drive will form part of any future application for dwelling/s on that lot.	✓

5.1 Water Management	The land is not within a flood zone as per the LEP. The land slopes west to east at an average grade of about 7%. A private drainage easement is proposed on lot 31 as shown on the proposed subdivision plan and engineering plans. The annexed stormwater design plan allows for the discharge of stormwater in accordance with the Council's Development Engineering Design Guidelines.	N/A
5.2.1 Control of Soil Erosion and Sedimentation	The erosion and sedimentation will be controlled as per the erosion and sediment design plan.	✓
5.2 Hazard and Pollution Management	The proposal seeks consent for demolition and construction of stormwater drainage works. It is considered that the proposal will not significantly contribute to air pollution, water pollution or noise pollution as such elements will be controlled during the construction phase. Refer to the waste management plan for details of waste removal and management during demolition. Construction will be within designated hours of specified days and will not have a significant impact on noise in the surrounding locality. The proposal is designed to create individual lots each with their own privacy measures which will be considered when dwellings are designed.	✓
5.3 Protection of the Natural Environment	The proposal will have minimal environmental impact. The waste generated by the proposal will comprise mostly of materials from the demolition of the existing dwelling and the construction of stormwater works and services. Tree removal does not form part of the proposal. All trees are to be retained.	✓
5.4 Environmental Performance	The land is not identified on any DCP or LEP heritage maps as containing any heritage items or being within any heritage zones.	N/A
6.2 Parking and Vehicular Access	Vehicular access is available to proposed lot 31 from Ferndale Close. A vehicular crossing to allow access into the proposed lot fronting Michelle Drive will form part of any future application for dwelling/s on that lot.	✓
7 Heritage and Archaeology	The land is not identified on any DCP or LEP heritage maps as containing any heritage items or being within any heritage zones.	N/A

Table 2: Parramatta Development Control Plan 2023 Compliance Table

The subject proposal has been assessed against the controls and guidelines of the DCP and is considered to be compliant with the principal standards and consistent with the intent of the development standards.



4.3. State Environmental Planning Policy (Resilience and Hazards) 2021

The proposed development is not in a coastal area and does not involve any hazardous or offensive development. Chapters 2 and 3 of the SEPP do not apply.

In relation to remediation of land (chapter 4 of the SEPP), a review of historical aerial photographs indicates that the subject land has been used for residential purposes historically with no known potential sources of contamination. Furthermore, there are no nearby potential sources of contamination as residential properties surround the subject land to the north and south.

4.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021

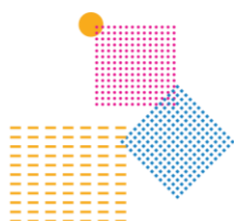
Chapter 2 of the SEPP refers to vegetation in non-rural areas, and it applies to land within the City of Parramatta including land zoned R2 Low Density Residential. The proposed development does not include any clearing of vegetation or removal of trees for the purpose of subdivision. Any future dwelling/s proposed are required to obtain consent for the clearing of any vegetation.

Chapters 3, 4 and 5 of the SEPP relating to koala habitat protection and river murray lands are not applicable to this development.

Chapter 6 of the SEPP relates to water catchments. The proposed works are minor in nature and will ensure stormwater is properly managed prior to exiting the site and entering the council stormwater system. The demolition, construction of stormwater works and connection of services are deemed to have minimal to no impact on the stormwater run-off from the site as part of this development which will have negligible impact on the catchment and flooding. The site is not located within 100m of a natural waterbody.

4.5. State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 of the SEPP relates to infrastructure. Development controls listed are not applicable to the proposal for subdivision and demolition.



4.6. Section 4.15 Environmental Planning and Assessment Act 1979

This section undertakes an assessment of the proposal in the context of the matters of consideration set out in Section 4.15 (1) of the Environmental Planning and Assessment Act as follows:

Heads of Consideration	Comment	Satisfied
The provisions of any environmental planning instrument, development control plan, planning agreement, or regulations that apply to the land	The proposal's compliance and consistency with the provisions of the Parramatta LEP 2023 have been addressed in detail in Section 5 of this Statement.	✓
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	See section 5 for an assessment of the planning controls and the likely environmental impacts relevant to the development.	✓
The suitability of the site for the development	The suitability of the site for the proposed development has been addressed in the above sections of this report. There are no prohibitive constraints posed, there are adequate facilities and services available, and the legislation/planning controls are satisfied.	✓
The public interest	The subdivision development provides additional lots for the subsequent construction of dwellings, addressing the increased housing needs of the community. The locality of the development allows the public a safe, coherent and efficient use of land within an area with surrounding services within close proximity.	✓

Table 4: Environmental Planning and Assessment Act 1979 Section 4.15 Compliance Table

5. CONCLUSION

The proposed development for a 2 lot Torrens Title Subdivision and demolition of existing structures will not impose any significant adverse impacts on the natural and or built environments and has been assessed against the matters for consideration listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. It is considered that the subject site is considered appropriate and is in the public interest.

The proposal is consistent with the objectives of the Parramatta Local Environmental Plan 2023 and is permissible in the R2 low density residential zone with development consent. The proposal also complies with the Parramatta Development Control Plan 2023 and is considered suitable as addressed in the previous sections of this report.

As this application is for subdivision only, the material impact on adjoining properties, the local environment and the streetscape arising from the subdivision is minimal.

Approval is recommended.

If this subdivision proposal raises any further queries, please contact our office.

