

10 March 2025

## DEVELOPMENT APPLICATION

### STATEMENT OF ENVIRONMENTAL EFFECTS:

#### 18 BRENNAN ROAD, YAGOONA

This letter style Statement of Environmental Effects has been prepared to support a Development Application for the use of a constructed dual occupancy development at 18 Brennan Road Yagoona as well as alterations and additions to the constructed building and site.

**This SEE has been updated following the return of the application via PAN 513393 on 6 March 2025. A discussion against the return of the application can be found on page 2 of this SEE.**

The building was largely constructed in 2022 and the development on the site is broadly described as a 2-storey attached dual occupancy development over a basement carpark as well as an inground swimming pool for each dwelling. The most recent works carried out, occurred in December 2024 and January 2025 and involved changes including to the driveways, landscaped areas and privacy screens.

Canterbury -Bankstown Council approved a dual occupancy development on the site via DA 87/2022 on 14 April 2022. The as constructed development is not entirely consistent with this development and accordingly this consent is not relied upon.

This development application should be read in conjunction with a Building Information Certificate application that is to be lodged concurrently that seeks approval to largely retain the existing structures on the site.

This BIC application outlines works that have occurred as part of the construction of the existing development that are inconsistent with DA/87/2022 to assist Council with the planning merits of this BIC.

As well as the use of the building and grounds this development applications seeks approval for works including the:

- Provision of an altered roof by replacing the existing gabled roof over the front portion of the building with a hipped roof;
- The planting of 10 additional shrubs between the privacy screens and the boundary fence as outlined above; and
- Torrens title subdivision of the development into two allotments.

The following table outlines the documents that accompany this Statement of Environmental Effects.

Appendix	Document	Prepared by
1	Survey Plan	Ensure Consulting
2	Architectural Plans	AKT Engineering and Consulting
3	Stormwater Management Plans	AKT Engineering and Consulting
4	Architectural Rectification Plans illustrating proposed works	AKT Engineering and Consulting
5	Development Cost Summary Report	AKT Engineering and Consulting
6	Waste Management Plan	AKT Engineering and Consulting

## PAN RETURN

The application was returned via PAN 513393 on 6 March 2025 for clarification. The following table outlines how this revised application provides the required clarifications.

Council Clarification	Applicants Response
<ul style="list-style-type: none"> <li>• <b>Architectural plans are to be amended to include annotations of the proposed changes in addition to the sections highlighted in red. This is sought for further clarification in assessing the plans in conjunction with the schedule of changes.</b></li> </ul>	<p>The future works proposed under this development application are limited to the roof changes that will ensure a compliant wall height and some landscaping.</p> <p>It is acknowledged that further work has been carried out since Council last inspected the property. This work was carried out, in December 2024 and January 2025 and involved changes including to the driveways, landscaped areas and privacy screens. This work reduced the scope of future works.</p>
<ul style="list-style-type: none"> <li>• <b>The plans are to be rotated to have the north point facing upwards (plans to be flipped).</b></li> </ul>	<p>The plans have been flipped to orientate north to the top of the page to reduce confusion when viewing.</p>

Given the above Council is requested to issue an invoice to allow the detailed merit assessment of this development application to occur in conjunction with the recently lodged Building Information Certificate.

## THE SITE

The site has a legal property description of lot 116 in DP 10019 but is commonly known as 18 Brennan Road, Yagoona.

The site is a regular shaped mid-block allotment located on the western side of Brennan Road with a 15.24m frontage, a depth of 53.3m and an overall site area of 812.7m<sup>2</sup>.

## SCHEDULE OF DIFFERENCES BETWEEN APPROVED AND BUILT

The following table outlines the changes between the plans approved via DA/87/2022 and the constructed development. The table will assist with the merit assessment of this development application.

Approved	As Constructed	Change	Addressing Change
Basement finished floor levels Approved RL 43.50	RL 43.25	250mm higher	Consent for use
Basement layout Dwelling A 8m length x 6.385m wide -51.08m <sup>2</sup>	8.47m length 6.42m wide 54.37m <sup>2</sup>	2.57m <sup>2</sup> additional area including area of stairs	Consent for use
Basement layout Dwelling B 8m length x 7.48m wide 59.84m <sup>2</sup>	8.47m length 7.522m wide 63.711	3.871m <sup>2</sup> additional area including area of stairs	Consent for use
Stormwater pump out pit Dwelling A -South Eastern Corner Dwelling B North Eastern Corner	Centrally located within each basement	Revised location	Consent for use
Ground Level finished floor levels Front patio RL 46.1 Front portion of dwelling RL 46.20 Rear Portion of dwelling RL 44.85 Rear Terrace 44.78	RL 45.89 RL 45.95 RL45.95 RL 45.82	210mm lower 250mm lower 1.1m higher 1.04m higher	Consent for use
Driveway grade and driveway area	Revised Driveway Grade and	Driveway grade altered and driveway area reduced	Consent for use

	reduced/alterd driveway layout.		
Internal layout	Internal layout altered	Butler Pantry Removed Location of laundry and bathroom altered Internal ground floor stairs removed to kitchen etc Walk in robe added to bedroom 1 and 3 Internal layout changed to Master ensuite Revised Room dimensions/layout	Consent for use
Window location and size			Consent for use
Lounge 2400W x 900mmH	Lounge 1800W x 600mmH	Window size reduced	
Study 2400W x 900mmH	2500W x 600mmH	Window size increased Window size reduced	
Bath 600W x 900H	Bath 700mmW x 600mmH	Window size reduced	
Kitchen 1350W x 900H	1750mmW x 600mH	New Window	
	Laundry 800mmW x 600mmH	New Window	
	Living Room 1750mmW x 600mmH		
High level rear window on ground floor living room on Each dwelling		Removed	Consent for use
Rainwater tank 2000l for each dwelling	Rainwater tank 3000l provided	Increased tank size by 1000l	Consent for use
Portion of rear roof had a 2 degree roof pitch	9 degree pitch	Increased by 7 degrees	Consent for use
External BBQ provided on external wall of terrace for each dwelling	External BBQ provided adjacent to communal party wall of terrace for each dwelling	Changed location	Consent for ruse
First Floor finished floor levels			
49.2RL	49.1 RL	10mm lower	Consent for use
Balcony 49.1RL	49RL	10mm lower	Consent for use

First floor Windows			
Master Bedroom 2400mm x 700mm	Master Bedroom 1600mm x 700mm	Windows reduced in size and 2 removed.	Consent for use
Bedroom 2 2400mm x 700mm	Bedroom 2 1800mm x 700mm		
Bathroom 900mm x 700mm	Bathroom 850mm x 700mm		
Bedroom 3 (side) 2400m x 700mm	Bedroom 3 (side) 2000m x 700mm		
Bedroom 3 (rear)	Bedroom 3 (rear) Removed		
Bedroom 4	Bedroom 4 1800 x 700mm		
Roof upper level			
Approved with hipped roof	Gable roof on upper level	Increased wall height	Works via this development application
Rear side facing privacy screen from rear alfresco	Solid Wall provided	Solid wall provided instead of privacy screen	Consent for use
Ground floor side facing kitchen and dining room window in each dwelling (total four windows);	Four Window locations altered/increased and glass blocks utilised.	Opaque glass recently installed	Consent for use

### **Portions of the building that differ from approved DA plans for DA/87/2022**

Although this Development application is requested to be issued for the use of the constructed development the main portion of the development that alters from that approved via development application 87/2022 is outlined on the architectural plans (Appendix 2) and generally identified by red shading . This development application seeks approval for the use of the entire building and grounds, but the following areas are identified as being inconsistent with that approved via DA/87/2022. To assist with the merit assessment of this development application the following points outline the main differences between the approved DA and this DA.

- Hallway beyond ground floor bathroom doors, rear kitchen areas and living rooms on the ground floor of both dwellings;
- Rear ground floor terrace and access stairs down to the pool level on both dwellings.
- Revised Window sizes

- Revised driveway to dwelling B;
- Changes to elevations where windows have been removed; and
- Use of robes within bedroom one and three

### **Use of the building**

It is confirmed that the use of the existing building on the site is for an attached two storey dual occupancy development above basement parking with associated in ground swimming pools. This application seeks approval for the use of the building, swimming pool and the grounds on which the building stands.

An assessment of the development against key planning controls is now provided.

### **STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS)**

This SEPP came into effect on 1 March 2022 and incorporated the provisions of three now repealed SEPP's being:

- State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 33—Hazardous and Offensive Development; and
- State Environmental Planning Policy No 55—Remediation of Land.

Chapter 2 of the SEPP contains controls for coastal management and it not applicable to this development.

Chapter 3 of the SEPP contains controls for Hazardous and Offensive Development. This development is not for Hazardous and Offensive development and accordingly this chapter is not applicable to this development.

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

The following table considers the risk of the site being contaminated:

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?	X	
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	X	

Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?	X
acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	
Is the site listed on Council's Contaminated land database?	X
Is the site subject to EPA clean-up order or other EPA restrictions?	X
Has the site been the subject of known pollution incidents or illegal dumping?	X
Does the site adjoin any contaminated land/previously contaminated land?	X
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	NA.

A review of aerial photographs indicates that the development site has historically been utilised for residential purposes with no known potentially contaminating activities being conducted on the site. Accordingly the site is considered suitable for the use.

It is also noted that Canterbury -Bankstown Council considered this issue as part of its assessment of the 2022 development application for the site and found it satisfactory.

## STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of four now repealed SEPP's being:

- State Environmental Planning Policy (Infrastructure) 2007;

- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy (Major Infrastructure Corridors) 2020; and
- State Environmental Planning Policy (Three Ports) 2013.

Chapter 2 – contains planning rules and controls from the former Infrastructure SEPP for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

In accordance with this chapter, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

In accordance with this chapter, the application is not required to be referred to Trains NSW as the proposal is not in the vicinity of rail infrastructure. Given the distance from Rail infrastructure and in accordance with this chapter, an acoustic and vibration report is not required to be prepared.

The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of this chapter that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

This chapter identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'. The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements. Therefore, concurrence from the RMS is not required.

## CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The subject site is zoned R2 Low Density Residential, as per the zoning map extract overleaf under the provision of the Canterbury- Bankstown LEP 2023.

*Dual Occupancies (Attached)* are permissible with consent within the subject site and the proposal is consistent with the definition contained within the LEP.

*dual occupancy (attached): means 2 dwelling on one lot of land that are attached to each other but does not include a secondary dwelling*

The proposal is consistent with the definition contained within the LEP and is also consistent with the relevant prescribed zone objectives:

- *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 allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

Figure 1: Zoning Map Extract (Source: Bankstown LEP 2023)



Subject Site

The current proposal is consistent with this emerging higher scale low density built form character along Brennan Road

The subject site is zoned R2 Low Density Residential, , under the provision of the Canterbury -Bankstown LEP 2023.

*'Dual Occupancies (Attached)'* are permissible with consent within the R2 Zone with the subject site subject to a maximum building height of 9m.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Canterbury -Bankstown Local Environmental Plan 2023 – Compliance Table			
Clause	Controls	Comment	Complies
<b>Zoning</b>	R2 – Low Density Residential	'Dual Occupancies (Attached)' are permissible with Council consent in the R2 – Low Density Residential Zone.	Yes
<b>Part 2 Permitted or Prohibited Development</b>			
<b>2.3</b>	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R2 Low Density. The proposal will contribute towards increasing housing opportunity within Yagoona by one additional dwelling.	Yes
<b>2.6</b>	Subdivision – Consent Requirements	This development application seeks approval for the Torrens Title Subdivision of the dual occupancy development.	Yes
<b>2.7</b>	Demolition Requires Consent	This development application seeks approval for limited demolition works as outlined on the architectural plans.	Yes
<b>Part 4 Principal Development Standards</b>			
<b>4.1A</b>	Minimum Lot Sizes and Special Provisions for Dual Occupancies	<p>The LEP prescribes a minimum site area of 500m<sup>2</sup> with a minimum width of 15m at the front building line for dual occupancies (attached) on lots zoned R2 Low Density Residential.</p> <p>The development complies with these controls.</p> <p>The development site is not identified as "Area 2" on the Special Provisions Map.</p> <p>Furthermore, each dwelling has a frontage to a road.</p> <p>As the site is located within area 1 and is an attached dual occupancy each proposed lot must have an area of 250m<sup>2</sup>. Each of the lots will have an area of 406.35m<sup>2</sup>. Complies.</p>	Yes
<b>4.3</b>	Height of Buildings- 9m	<p>A maximum building height of 9m is identified for the site under Bankstown Local Environmental</p> <p>The building has a maximum height of approximately 8.67m and complies with the overall building height control.</p>	Yes
	Maximum wall height- 7m	It is also noted that LEP prescribes a maximum wall height of 7m for dwelling houses or dual occupancies within the R2 Zone. The existing building has a wall height that exceeds 7m. This	Yes

		development application seeks to provide a gable roof that will ensure that the development will have a wall height of less than 7m.	
4.4	Floor Space Ratio- 0.5:1	<p>A maximum floor space ratio of 0.5:1 is identified for the site under Bankstown Local Environmental Plan 2015.</p> <p>The development proposes an FSR of 0.5:1 and as such is compliant with this control.</p> <p>See attached plans for detail. FSR calculations have been undertaken in accordance with Clause 4.5.</p>	Yes
<b>Part 5 Miscellaneous Provisions</b>			
5.10	Heritage Conservation	<p>The subject site is not identified as a heritage item nor is it located within a heritage conservation area, however there are local heritage items within the broader locality.</p> <p>The local heritage items are sufficiently separated from the development site.</p> <p>As a result, the subject site will not have any associated heritage restrictions and any further heritage investigation is not required.</p>	N/A
5.21	Flood Planning	The site is not identified as being flood prone land.	N/A
<b>Part 6 Additional Local provisions</b>			
6.1	Acid Sulfate Soils	The subject site is not identified as potentially containing Acid Sulfate Soils under the Bankstown Local Environmental Plan 2015.	N/A
6.2	Earthworks	<p>This application seeks Council consent for the lot preparation / minor excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p>	Yes

6.4	Biodiversity	The subject site is not identified as containing Biodiversity Land. Not applicable.	N/A
6.6	Limited Development on Foreshore Area	The subject site is not within close proximity to a foreshore area. Not applicable.	N/A
6.7	Development in Areas Subject to Aircraft Noise	The subject site is not affected by aircraft noise. Not applicable.	N/A

## CANTERBURY -BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 – CHAPTER 5 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN LGA)

All relevant Council controls have been considered in the following compliance table.

Canterbury -Bankstown Development Control Plan 2023– chapter 5 Residential Accommodation (Former Bankstown LGA) Compliance Table		
Controls	Comment	Complies
<b>Section 4 – Dual Occupancies</b>		
<b>Subdivision</b> For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m <sup>2</sup> per dwelling.	The development does not seek approval for both a dual occupancy and secondary dwelling.	N/A
<b>Storey Limit (2 Storeys)</b>		
The storey limit for dual occupancies is two storeys.	The development is 2 storeys.	Yes
The siting of dual occupancies, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The subject site falls away from the street however the dwelling when viewed from the street and adjoining properties will appear as a two storey building containing two dwellings. The ridge height of the building is consistent and compatible with the height of nearby dwellings.	Yes
	The development appropriately responds to its topography and manages potential privacy concerns from raised floor levels through screening, landscaping and window treatments.	Yes
<b>Fill</b>		
Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies must not exceed a height of 1m above the ground level (existing). For the purposes of this clause,	The finished ground levels at the rear of both dwellings and the associated patios are up to 1.7m above ground level. The design of the building limits overlooking opportunities from the	Variation

the ground floor perimeter includes the front porch.	areas that are greater than 1m above natural ground level and further measures are proposed to appropriately reduce opportunities for overlooking as part of the associated development application for the use and alterations to the existing building.	
Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	Levels outside of the building were not increased by greater than 600mm as part of construction works that have occurred.	Yes
<b>Setback Restrictions</b>	No animal boarding or training establishments are located within close proximity to the subject area. Not applicable.	N/A
The erection of dual occupancies is prohibited within 9m of an existing animal boarding or training establishment.		
<b>Setbacks to the Primary and Secondary Road Frontages</b>		
The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey.	The ground and first floor of the building are setback in excess of 8m from the street.	Yes
<b>Setbacks to the Side Boundary</b>		
The minimum setback for a building wall to the side boundary of the site is 0.9m. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.	The dwellings are both setback a minimum of 900mm from the side boundaries.	Yes
The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like. The intended outcome is to provide a clear path at all times for residents and visitors to access the rear yard and/or carry out maintenance works.	An indent is provided behind the laundry and ground floor bathroom to accommodate services for the development.	Yes
The basement level must not project beyond the ground floor perimeter of the dual occupancy. For the purposes of this clause, the ground floor perimeter includes the front porch.	The basement doesn't protrude beyond the ground floor perimeter of the dual occupancy.	Yes
<b>Private Open Space</b>		
Dual occupancies must provide a minimum 80m <sup>2</sup> of private open space per dwelling behind	The proposal provides private open space greater than 80m <sup>2</sup> , (Approx 140m <sup>2</sup> ) which includes a swimming	Yes

the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5m throughout.			pool and terrace per dwelling at the ground floor located behind the proposed dwellings.
<b>Access to Sunlight</b>			Yes
At least one living area of each dwelling must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	Each dwelling receives 3 hours of sunlight between 8:00am and 4:00pm during the mid-winter solstice given its lot orientation.		Yes
At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	Having regards to the sites orientation a living area on adjoining allotments will receive 3 hours of sunlight between 8am and 4pm on June 21.		Yes
A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	50% of the private open space required for the dwelling house and a minimum of 50% of the private open space of neighbouring properties receive a minimum of 3 hours of sunlight between 9:00am and 5:00pm at the equinox-.		Yes
Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	The property to the south does not contain solar panels. If they are installed give the 2 storey nature of the house the development will not overshadow them.	Yes	
<b>Visual Privacy</b>			
4.17 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5m above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or (d) use another form of screening to the satisfaction of Council.	The development has been oriented and sited to minimise potential cross-viewing to adjoining properties, with proposed setbacks, landscaping and fencing to mitigate privacy impacts between dwellings.		Yes
4.18 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:	The extent of windows at ground floor are appropriate as the fencing and proposed window treatment and privacy screens adequately screens the site from the adjoining properties.		Yes
	Within the first floor, the development minimise habitable windows to the side elevations, noting that the as built development reduces the number of windows on the first floor.		Yes

<p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5m above floor level; or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5m above floor level; or</p> <p>(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p>	<p>The development has been designed to minimise windows to each dwelling that directly look into the private open space of neighbouring properties. This includes off set and sill high windows.</p>	<p>Yes</p>
<p>Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <p>(a) does not have an external staircase; and</p> <p>(b) does not exceed a width of 1.5m throughout; and</p> <p>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p>	<p>The development does not contain rear balconies. The front street facing balconies provides increased passive surveillance of the street and architectural interest. does not have a staircase and the associated development application seeks to install privacy screening to the side.</p>	<p>Yes</p>
<p>Council does not allow dual occupancies to have roof-top balconies and the like.</p>	<p>No roof-top balconies are proposed. Not applicable.</p>	<p>N/A</p>
<p><b>Building Design</b></p>		<p>Yes</p>
<p>Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.</p>	<p>The building on the site has been recently constructed.</p>	<p>Yes</p>
<p>4.22 The design of dual occupancies must ensure:</p> <p>(a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or</p> <p>(b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and</p> <p>(c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and</p> <p>(d) the garage, driveway and front fence do not dominate the front of the building and front yard; and</p> <p>(e) the two dwellings on a corner site each face a different frontage.</p>	<p>The dual occupancy development has an asymmetrical design to provide each dwelling with an individual identity when viewed from the street. Refer to attached Architectural Plans for detail.</p>	<p>Yes</p> <p>N/A</p>
<p>4.23 The maximum roof pitch for dual occupancies is 35 degrees.</p> <p>Council may allow dual occupancies to have an attic provided the attic design:</p> <p>(a) accommodates no more than two small rooms (for the purposes of a bedroom and/or</p>	<p>The site is a mid-block allotment. N/A</p> <p>Roof pitch is less than 35 degrees. Complies.</p> <p>Attics are not proposed as part of this development. Not applicable.</p>	<p>N/A</p>

study) and a bathroom plus an internal link to the storey below; and  
(b) ensures the attic does not give the external appearance of a storey.

The design of dormers must:  
(a) be compatible with the form and pitch of the roof; and  
(b) must not project above the ridgeline of the main roof; and  
(c) must not exceed a width of 2m; and  
(d) the number of dormers must not dominate the roof plane.

Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

Dormers are not proposed as part of this development. Not applicable.

Subject site is not located within a foreshore protection area. Not applicable.

#### Building Design (Car Parking)

Yes

Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:

The development provides 1 x garage per dwelling located behind the front building line.

Yes

(a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and  
(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.

Both garages are located approximately 8m from the primary frontage.

N/A-  
Double  
Garage not  
Proposed

Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.

Garage are within the basement

4 Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:

Development does not propose a garage with more than two car parking spaces. Not applicable.

(a) the building is at least two storeys in height, and  
(b) the garage is architecturally integrated with the upper storey by:  
(i) ensuring the garage does not project more than 3m forward of the upper storey street facade; and  
(ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.

#### Landscaping

Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.	The subject site is predominantly cleared and as such does not contain any significant trees or vegetation.	N/A
Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and (b) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and (c) plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12m adjacent to the waterbody.	The front setback is to be landscaped with the exception of the driveway and entrance feature.	Yes
<b>Section 13 – Ancillary Development (Outdoor Structures)</b>		
<b>Swimming Pools and Spas</b>	Swimming pools for both dwelling are located behind the front building line.	Yes
Swimming pools and spas must locate behind the front building line.		
The minimum setback between the waterline of swimming pools/spas and the site boundary is 1 metre.	Swimming pools for both dwelling achieve a minimum setback of 1m from the allotment boundary and separated 1100mm between the two	Yes

## CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents with the exception of those discussed in detail previously in this statement. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of consent. Think Planners Pty Ltd recommends



the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Should you require any further information, I can be contacted on 9687 8899.

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