

Wynne Planning



26 HAMPTON STREET CROYDON PARK

Proposed Use of Existing Building for Secondary Dwelling

Statement of Environmental Effects

December 2021

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ID SURVEY

ARCHITECTURAL PROPOSAL PLANS

BASIX

WASTE MANAGEMENT PLAN

Executive Summary

This report comprises a Statement of Environmental Effects accompanying architectural plans in relation to the change of use of an existing building to a secondary dwelling at 26 Hampton Street, Croydon Park.

The existing site currently contains a principal dwelling in the eastern portion addressing the street, and an existing built form in the western portion (to the rear of the principal dwelling) which is proposed to undergo a change of use to a secondary dwelling. It is understood that this secondary dwelling was previously used as a garage a number of years ago.

A separate Building Information Certificate (BIC) has also been submitted in relation to the previous works undertaken to the previous garage to create the secondary dwelling.

The proposed secondary dwelling is single storey, comprising a main living area with kitchen facilities, a single bedroom, and bathroom and laundry facilities at the rear. Private open space is available to the north of the secondary dwelling and between the principal and secondary dwelling. Access to this dwelling will remain via the existing driveway and hardstand area leading to the main entry of the dwelling.

No impacts will result upon vegetation, site access or parking, and the existing principal dwelling will remain as existing. Notably, the secondary dwelling is located to the rear of the principal dwelling, which limits visual impact of this built form as viewed from the street.

The proposal is permissible with development consent and performs favourably in relation to the relevant aims, objectives and development standards of the relevant environmental planning instruments and associated development control plan. In particular, it is noted:

- **Architectural design and streetscape:** The subject site is located in a leafy residential locality containing a range of dwelling types including detached dwellings, semi-detached dwellings and residential flat buildings. Built forms are of a variety of ages, bulk, scale and character, with some being recently renovated and others in essentially original condition. The proposed secondary dwelling is located in the eastern portion of the site, to the rear of the principal dwelling and well separated from the street. This limits visual impact as viewed from the street. Nevertheless, a window is included on the western elevation of the secondary dwelling allowing for passive surveillance of the driveway and hardstand area and towards the street. The secondary dwelling has a low footprint, height, bulk and scale which ensures limited visual impact as viewed from surrounding areas.
- **Height and FSR:** The proposal results in a GFA of 149.47m² and FSR 0.42:1 which easily complies with the permissible FSR of 0.75:1 under the Canterbury Local Environmental Plan 2012 (CLEP 2012). The proposal has a maximum height of well under 8.5m which complies with the permissible building height of 8.5m under CLEP 2012. The proposal also results in a site coverage and floor

area which is suitable for the scale of the site as discussed in Section 4.4.3 of this report.

- **Site area:** The subject site has an area of 354.1m², and the current Canterbury DCP 2012 notes that the site area for secondary dwellings is assessed on a merit basis. This is accordingly discussed at Section 4.4.4 of this report, with the scale of the secondary dwelling well considered in response to the size and dimensions of the site.
- **Landscaping and private open space:** The proposal does not affect any existing landscaping, with suitable landscaping retained as discussed at Section 4.5.1 of this report. Private open space for both the principal and secondary dwelling remains available between dwellings on site and to the north of the secondary dwelling and will allow for a range of outdoor recreation opportunities.
- **Setbacks:** Front, side and rear building setbacks have been demonstrated to be appropriate for the site and contribute positively to the streetscape and overall development on site as discussed within section 4.4.5 of this report.
- **Shadow, views and amenity:** The secondary dwelling is setback, integrated with site levels and screened by boundary fencing in a manner which avoids adverse privacy impacts upon surrounding development. The low height and scale of the secondary dwelling also ensures limited visual and shadow impacts to surrounding properties. The secondary dwelling will benefit from good opportunity for cross and natural ventilation as well as solar and daylight access given generous northern, eastern and western setbacks and separations which maximises amenity and minimises reliance on mechanical methods of heating and cooling.
- **Traffic, access and parking:** Vehicular access to the site will remain provided from Hampton Street via the existing driveway along the southern side boundary which will continue to provide for hardstand tandem parking for the principal dwelling. Pedestrian access to the principal dwelling will remain as existing via the pathway leading from the front boundary to the main dwelling entry, while pedestrian access to the secondary dwelling will remain via the driveway and hardstand areas leading to the secondary dwelling entry.
- **Social impact:** This report demonstrates that the proposal will not detrimentally affect the local sense of community or increase risk to public safety but will have a positive social impact, particularly through the considered scale and suitable layout to meet the needs of a range of occupants into the future. The site is located in a desirable location, and the proposed development will respond to the demand for a high level of residential amenity, with close access to local amenities and activities.

Accordingly, in the circumstances of the case and given a lack of detrimental impacts, the proposal is considered appropriate and is submitted to Council for favourable consideration.

1

Introduction

This report comprises a Statement of Environmental Effects accompanying architectural plans in relation to the change of use of an existing building to a secondary dwelling at 26 Hampton Street, Croydon Park.

The report has been prepared on behalf of the Alexandra Lalic.

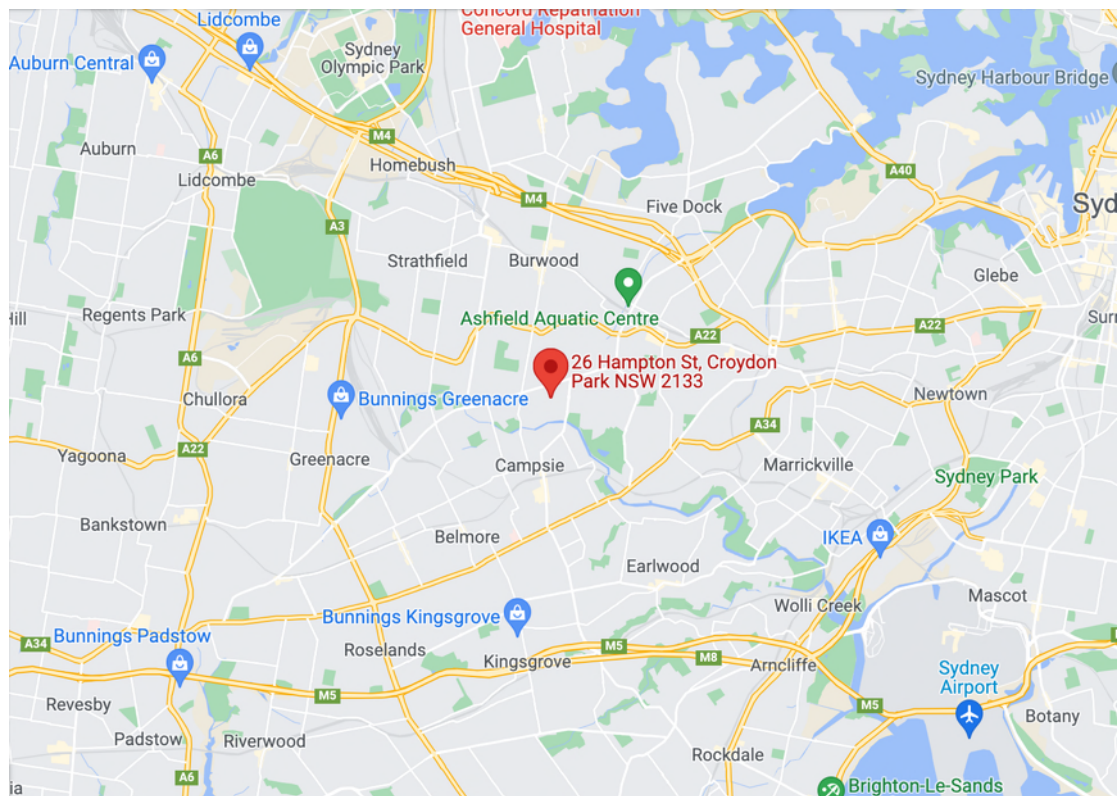
The aims are:

- To provide an assessment context by describing key elements of the site, the surrounding local environment, existing planning controls and relevant planning history;
- To describe the development proposal; and
- To assess the potential impacts and environmental effects of the proposed development of the subject site under section 4.15 of the Environmental Planning and Assessment Act 1979.

2 Context

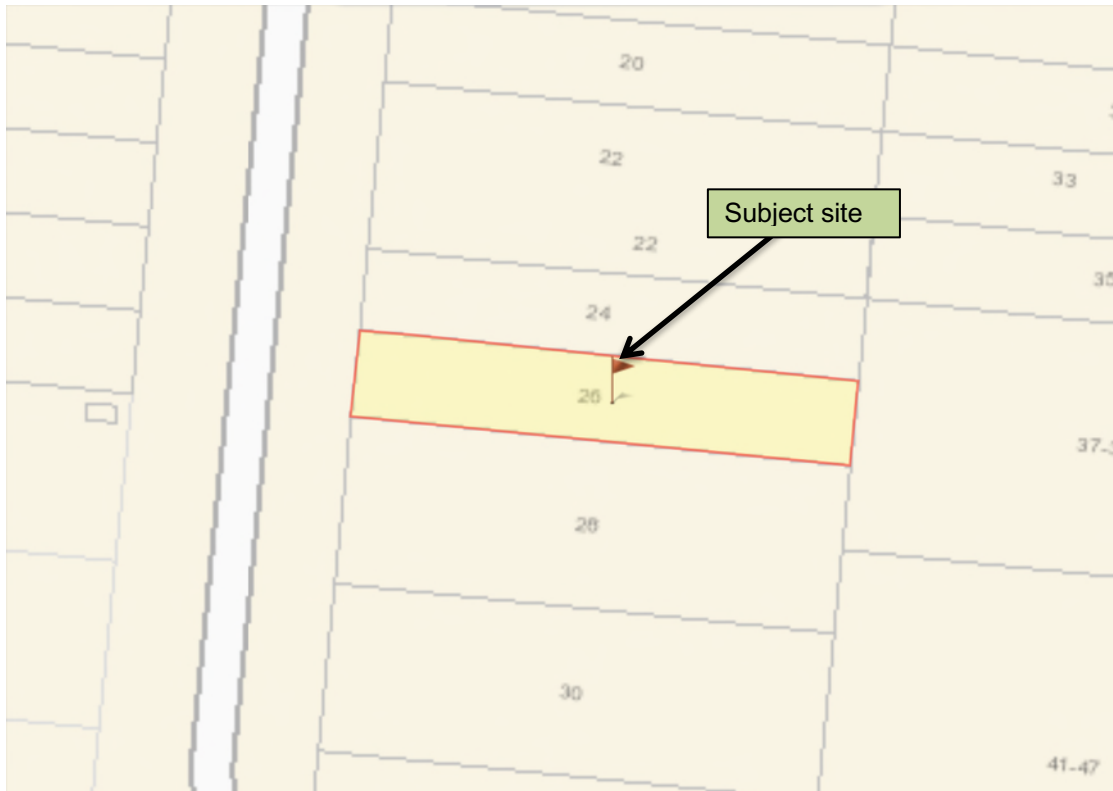
2.1 Locational Context

The subject site is located in Croydon Park in the Canterbury Bankstown Local Government Area, approximately 10km south west of the Sydney CBD. Surrounding suburbs include Campsie, Ashbury, Burwood Heights, Belfield and Enfield.. Refer Figures 1, 2 and 3.



Source: Google Maps

Figure 1: Regional Site Context



Source: Six Maps

Figure 2: Local Site Context

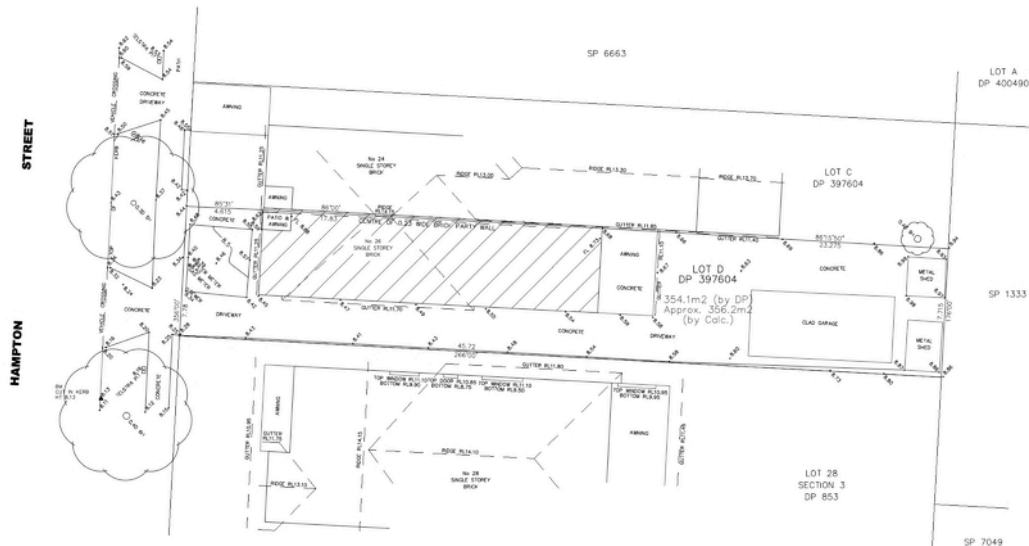


Source: Six Maps

Figure 3: Aerial Site Context

2.2 Site Description and Analysis

The subject site is legally identified as Lot D in DP 397604 and known 26 Hampton Street, Croydon Park. The site is rectangular in shape with a 7.78m frontage to Hampton Street and length of 45.72m along the southern side boundary. The site has an area of 354.1m² by DP. Refer to the survey plan extract in Figure 4 below and the survey plan under separate cover.



Source: New South Surveys

Figure 4: Survey Plan Extract

The proposed development takes into consideration the site opportunities and constraints in its streetscape context. Refer to photos in Appendix A.

2.2.1 Surrounding Development

Key characteristics of the surrounding area include:

- The surrounding area is typically characterised by detached dwellings, semi-detached dwellings and residential flat buildings. Some have been recently renovated while others are in essentially original condition. Accordingly, architectural styles as well as bulk and scale vary.
- Bowden Reserve is located approximately 70m to the south of the site, Broad Street Reserve is located approximately 200m to the south of the site, and Picken Oval is located approximately 300m to the south of the site.
- Croydon Park Public School is located approximately 450m to the north east of the site.
- Croydon Park local centre is located approximately 250m to the north of the site along Georges River Road, including grocery store, post office, cafes, restaurants, retail and petrol station.
- Bus stops are located within walking distance of the site along Georges River Road, providing services to areas including Ashfield, Mortlake, Drummoyne, Hurstville and Rockdale.
- Campsie train station is located approximately 1.4km to the south of the site.

2.2.2 Existing Site Conditions

Key characteristics of the site include:

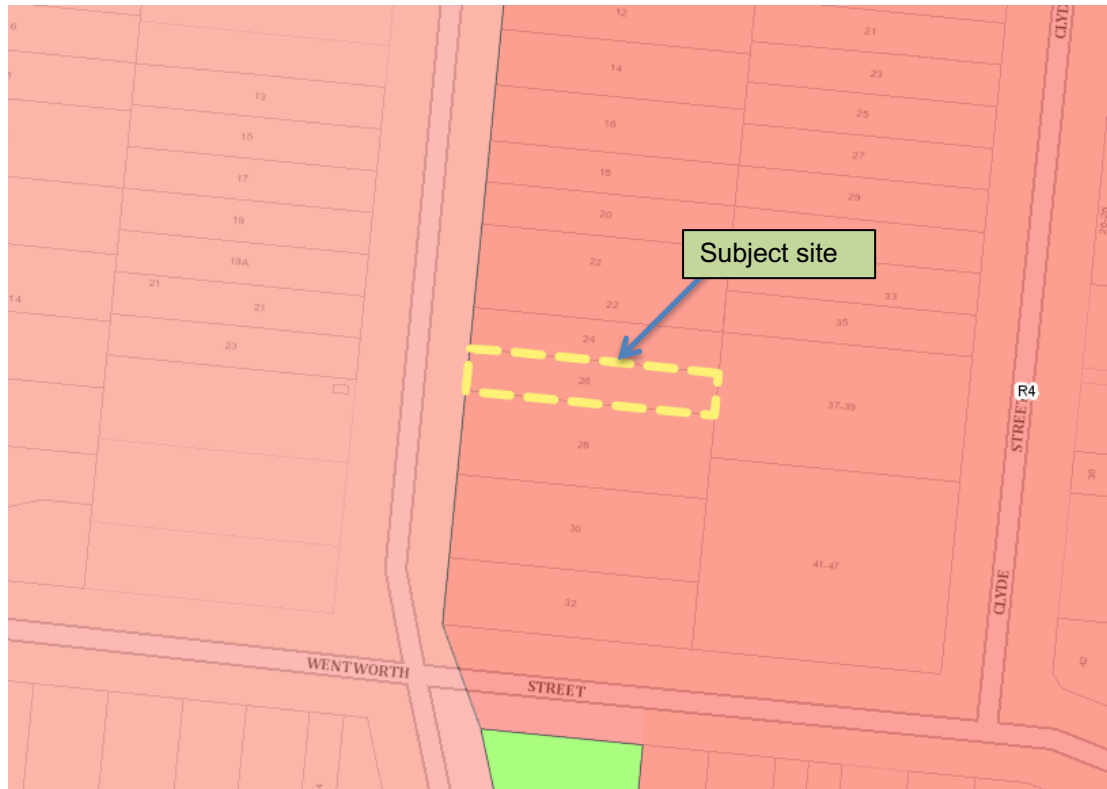
- **Existing development on site:** The subject site currently contains a single storey dwelling in the eastern portion, single storey secondary dwelling in the western portion, and small shed.
- **Pedestrian and vehicular access points:** Vehicular access to the site is currently available via the driveway leading from Hampton Street along the southern boundary of the site providing hardstand parking. Pedestrian access to the site is currently available via a path leading from the front boundary to the principal dwelling, and via the driveway leading to the secondary dwelling.
- **Existing vegetation:** The site contains vegetation in the form of existing mature trees as well as shrubs and grass areas.
- **Topography:** The subject site has very gentle topography, sloping down towards the street by approximately 0.6m.
- **Views:** Given its location and local topography, the site and dwellings do not benefit from any significant views or outlook.
- **Solar access/shadow and privacy:** The subject site receives sufficient northern sunlight access from the northern boundary as well as eastern and western front and rear aspects.
- **Services, easements and other restrictions on title:** Services such as electricity, sewer and water are all anticipated to be available to the existing development and there are no other known services constraints.
- **Surrounding noise sources:** The site is adjoined by a local roads and residential development. Accordingly, surrounding noise sources are likely to be intermittent local traffic.
- **Heritage:** The site does not contain a heritage item and is not located in a heritage conservation area. The site is not in immediate proximity to a heritage item or conservation area.
- **Other site constraints:** The site is identified as being affected by class 5 acid sulfate soils. The site is not known to be contaminated and there are no other known site constraints such as flooding or groundwater.

2.3 Pre DA History

There have been no recent development applications in relation to the subject site. A GIPA was lodged in relation to the subject site and no records of any development or building applications were found. A notice of proposed order was received from Council in relation to the secondary dwelling, which is the subject of this Development Application.

2.4 Planning Controls

The key relevant existing planning controls are Canterbury Local Environmental Plan 2012 (CLEP 2012) and Canterbury Development Control Plan 2012 (CDCP 2012). The draft Canterbury Bankstown Consolidated LEP is currently in the finalisation process, and when gazetted the Draft Consolidated Development Control Plan will also apply to the site. The subject site is currently zoned R4 – High Density Residential under CLEP 2012. Refer zoning map extract below.



Source: ePlanning Spatial Viewer

Figure 6: Zoning Map Extract

It is also noted that under the current CLEP 2012 the subject site:

- has a maximum building height of 8.5m;
- has a maximum floor space ratio of 0.75:1;
- has a minimum lot size requirement of 460m²;
- is affected by class 5 acid sulfate soils;
- does not contain and is not in immediate proximity to a heritage item or conservation area;
- is not identified on the Flood Planning Map;
- is not identified on the Key Sites Map;
- is not identified for land reservation acquisition; and
- is not identified on the Land Reclassification (Part Lots) Map.

There are no maps available on the Planning Portal website in relation to the draft Canterbury Bankstown Consolidated LEP.

It is also noted that under the draft Canterbury Bankstown Consolidated LEP (Amendment 1) documentation available on the Planning Portal the subject site (note this planning proposal is at the adequacy assessment stage):

- is not identified on the R2 Zone mapping;
- is not identified on the Lot Size Map;
- is not identified on the LCA Map;
- is not identified on the Height of Buildings Map;
- is not identified on the FSR Map.

3 Proposal

3.1 Overview

This report comprises a Statement of Environmental Effects accompanying architectural plans in relation to the change of use of an existing building to a secondary dwelling at 26 Hampton Street, Croydon Park.

The existing site currently contains a principal dwelling in the eastern portion addressing the street, and an existing built form in the western portion (to the rear of the principal dwelling) which is proposed to undergo a change of use to a secondary dwelling. It is understood that this secondary dwelling was previously used as a garage a number of years ago.

A separate Building Information Certificate (BIC) has also been submitted in relation to the previous works undertaken to the previous garage to create the secondary dwelling.

The proposed secondary dwelling is single storey, comprising a main living area with kitchen facilities, a single bedroom, and bathroom and laundry facilities at the rear. Private open space is available to the north of the secondary dwelling and between the principal and secondary dwelling. Access to this dwelling will remain via the existing driveway and hardstand area leading to the main entry of the dwelling.

No impacts will result upon vegetation, site access or parking, and the existing principal dwelling will remain as existing. Notably, the secondary dwelling is located to the rear of the principal dwelling, which limits visual impact of this built form as viewed from the street.

The architectural proposal plans accompany this report under separate cover.

3.2 Development Statistics

Table 1 below outlines the main numeric characteristics of the development.

Table 1: Proposed development statistics

Item	Proposal
Site area	354.1m ² by DP as existing
Gross Floor Area	
Principal Dwelling	Approx. 106m ²
Secondary Dwelling	31.92m ²
Shed	Approx. 11.55m ²
Total GFA	Approx. 149.47m ²

Floor Space Ratio (FSR)	Approx. 0.42:1
Site Coverage	Approx 42%
Maximum Height Principal Dwelling Secondary Dwelling	<8.5m <8.5m
Landscaping	Approx 18m ² in front setback as existing
Minimum Front Setback (West)	NA – as existing to principal dwelling
Minimum Rear Setback (East)	3.03m to secondary dwelling
Minimum Side Setback (North)	NA – as existing to principal dwelling 3.064m to secondary dwelling
Minimum Side Setback (South)	NA – as existing to principal dwelling 0.64m to secondary dwelling
Parking Spaces	2 in tandem for principal dwelling on existing driveway as existing
Private Open Space	>75m ² combined area

3.3 Building Layout

The following breakdown describes the proposed development.

Principal Dwelling

The principal dwelling is located in the eastern portion of the site and will have the same internal layout. It will remain accessed via a pedestrian path leading from the front boundary to the main dwelling entry. Vehicular access and parking will remain via the existing driveway leading from Hampton Street along the southern side boundary and will continue to allow for tandem parking upon the driveway.

Secondary Dwelling

The layout of the secondary dwelling comprises:

- Access via driveway leading from Hampton Street and paved area to the main entry of the secondary dwelling;
- Open plan kitchen, living and dining area;
- Bedroom; and
- Bathroom and laundry facilities.

3.4 Tree Removal and Landscaping

Existing vegetation on site is primarily located within the front setback, including a garden area. This will remain as existing under the proposal. There is also a street tree within the site's frontage which will be unaffected by the proposed Development Application.

3.5 Parking and Site Access

Vehicular access to the site will remain provided from Hampton Street via the existing driveway along the southern side boundary which will continue to provide for hardstand tandem parking for the principal dwelling.

Pedestrian access to the principal dwelling will remain as existing via the pathway leading from the front boundary to the main dwelling entry, while pedestrian access to the secondary dwelling will remain via the driveway and hardstand areas leading to the secondary dwelling entry.

3.6 Stormwater

The proposed secondary dwelling is integrated with existing stormwater management arrangements on site which remain sufficient.

4

S4.15 Assessment

The following discussion provides a planning assessment having regard to the relevant matters for consideration under Section 4.15 of the Environmental Assessment Act, 1979.

4.1 State Environmental Planning Policies

Appendix B contains an analysis of potentially relevant State Environmental Planning Policies (SEPPs). A summary discussion is included below.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A valid BASIX Certificate is required with the BASIX commitments identified on the plans. A BASIX certificate has been prepared as part of this application and is provided under separate cover.

State Environmental Planning Policy No 55—Remediation of Land

This SEPP contains planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected. The site does not contain contaminated land and does not require remediation works.

State Environmental Planning Policy (Infrastructure) 2007

This SEPP includes planning controls relating to development adjoining or in close proximity to a busy road or rail corridor. The site is not in proximity to a rail corridor, and is approximately 180m distanced from Georges River Road (which experiences an Annual Average Daily Traffic of over 20,000). It is anticipated that this distance from Georges River Road is sufficient to ensure occupants of the secondary dwelling will not be unduly impacted by road noise (particularly given a number of built forms are located between the site and Georges River Road), however if applicable the relevant requirements of Clause 102 of this SEPP are considered capable of being achieved and this could be ensured by condition of consent.

State Environmental Planning Policy (Coastal Management) 2018

This SEPP contains planning controls relating to development on sites identified as being located within the Coastal Zone. The subject site not identified as being located within the Coastal Zone.

State Environmental Planning Policy (Affordable Rental Housing) 2009

This SEPP contains planning controls relating to secondary dwellings. Appendix B contains a detailed compliance table of key controls and the zone objectives. A summary table of key controls is included below.

Table 2: SEPP (ARH) 2009 Summary Table

Item	Requirement	Proposal	Compliance
Division 2 Secondary Dwellings			
Land to which Division applies CI 20	Applies to Zone R1, R2, R3, R4, R5 where dwelling house permissible on land	Site zoned R4 and dwelling house permissible under LEP on site.	✓
Development may be carried out with consent CI 22	Maximum GFA to be 60m ² or the maximum allowable under another EPI	31.92m ²	✓
	Consent authority must not refuse consent on the grounds of site area if the site area is at least 450m ²	Site area is less than 450m ² , however is considered sufficient to contain the secondary dwelling. Refer to discussion at Section 4.4.4 of this report.	NA
	Consent authority must not refuse consent on the grounds of parking if there is no additional parking provided on site	No additional parking proposed.	✓
Schedule 1 Development Standards For Secondary Dwellings			
Site Requirements Part 2	Site to have boundary with primary road of at least: (i) 12 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres, (ii) 15 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres, (iii) 18 metres, if the lot has an area of more than 1500 square metres, and	NA – lot <450m ² . Refer to discussion at Section 4.4.4 of this report.	NA
	Various requirements relating to site coverage where lot size >450m ²	NA – lot <450m ² . Refer to density discussion at Section 4.4.3 of this report.	NA
	Floor area on site to be maximum: (a) 330 square metres, if the lot has an area of at least 450 square metres but not more than 600 square metres, (b) 380 square metres, if the lot has an area of more than 600 square metres but not more than 900 square metres, (c) 430 square metres, if the lot has an area of more than 900 square metres.	NA – lot <450m ² . Refer to density discussion at Section 4.4.3 of this report.	NA

Building Heights and Setbacks Part 3	Maximum 8.5m height	Complies	✓
	Various requirements relating to street setbacks	NA – street setback as existing (principal dwelling in front of secondary dwelling and addresses street).	NA
	Side setbacks to be: (a) 0.9 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres, (b) 1.5 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres, (c) 2.5 metres, if the lot has an area of more than 1500 square metres. Rear setbacks to be: (a) 3 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres, (b) 5 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres, (c) 10 metres, if the lot has an area of more than 1500 square metres.	NA – lot <450m ² . Refer to merit discussion at Section 4.4.5 of this report. NA – lot <450m ² . Refer to merit discussion at Section 4.4.5 of this report.	NA NA
Landscaping Part 4	Landscaped area minimum: (a) 20 per cent, if the lot has an area of at least 450 square metres but not more than 600 square metres, (b) 25 per cent, if the lot has an area of more than 600 square metres but not more than 900 square metres, (c) 35 per cent, if the lot has an area of more than 900 square metres but not more than 1500 square metres, (d) 45 per cent, if the lot has an area of more than 1500 square metres.	NA – lot <450m ² . Refer to merit discussion at Section 4.5.1 of this report.	NA
	Minimum 50% landscaped area to be behind building line to primary road boundary.	NA – lot <450m ² . Refer to merit discussion at Section 4.5.1 of this report.	NA
	Landscaped area minimum 2.5m dimension	NA – lot <450m ² . Refer to merit discussion at Section 4.5.1 of this report.	NA
	Minimum 24m ² private open space required, to be adjacent habitable room other than bedroom, more than 4m in width, maximum 1:50 gradient.	Compliant area, location and gradient. Compliant area with compliant minimum dimension to west of secondary dwelling.	✓
	Private open space can be shared with principal dwelling	Complies.	✓

Draft State Environmental Planning Policy (Housing)

The Draft Housing SEPP will integrated and replace SEPP (ARH) 2009 above. The controls within this draft SEPP appear largely comparable to the existing SEPP ARH.

4.2 Canterbury Local Environmental Plan 2012

The proposal is in relation to a secondary dwelling. “*Secondary dwelling*”¹ is not listed as a permissible use within Zone R4 – High Density Residential, however Clause 20 of SEPP (Affordable Rental Housing) provides permissibility given dwelling houses are permissible under the LEP within Zone R4. The proposed development is therefore permissible.

Appendix C contains a detailed LEP compliance table of key controls and the zone objectives. A summary table of key numeric controls is included below. This planning assessment also discusses the project’s response to other LEP items.

Table 3: Canterbury Local Environmental Plan 2012 Summary Table

Item	Requirement	Proposal	Compliance
Height CI 4.3	Maximum of 8.5m	All development on site well under 8.5m in height	✓
Floor space ratio CI 4.4	Maximum of 0.75:1	Approx. 0.42:1.	✓
Miscellaneous permissible uses CI 5.4	Secondary dwelling to have max GFA of 60m ² or 5% GFA of principal dwelling (whichever the greater).	31.92m ²	✓

4.3 Canterbury Development Control Plan 2012

With the adoption of CLEP 2015 all applications are assessed under the CDCP 2012. Chapter C6, “Secondary Dwellings” is relevant to the proposed development. Appendix D contains a detailed DCP compliance table of key controls and objectives. A summary table of key numeric controls is included below. This planning assessment also discusses the project’s response to other DCP items.

Table 4: Canterbury Development Control Plan 2012 Summary Table

Item	Requirement	Proposal	Compliance
Part C6 Secondary Dwellings			
	<i>Where a development application to Council is made for a secondary dwelling, the minimum frontage required for secondary dwellings will be considered on merit taking into consideration compliance with Canterbury City Council’s</i>	Noted. Refer to Discussion at Section 4.4.4 of this report.	✓

¹ “**secondary dwelling** means a self-contained dwelling that:
(a) is established in conjunction with another dwelling (the **principal dwelling**), and
(b) is on the same lot of land as the principal dwelling, and
(c) is located within, or is attached to, or is separate from, the principal dwelling.”

	<p><i>Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295).</i></p> <p><i>All development applications for secondary dwellings will be assessed against schedule 1 of the ARH SEPP 2009.</i></p>	Refer to assessment at Appendix B of this report.	✓
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The draft Canterbury Bankstown DCP will come into effect upon the gazettal of the Canterbury Bankstown Consolidated LEP. However, this LEP has not been gazetted and as such will not apply to this Development Application. Nevertheless, the secondary dwelling appears to respond appropriately to the provisions of this draft DCP, having a low GFA, single storey height, being well integrated with ground level, having acceptable setbacks (as discussed at Section 4.4.5 of this report), orienting the living area for northern solar access, benefitting from suitable private open space, not demonstrating adverse privacy impacts, and not affecting any trees. The site size is addressed throughout this report, in particular at Section 4.4.4.

4.4 Built Environment

4.4.1 Site Context and Streetscape

The subject site is located in a leafy residential locality containing a range of dwelling types including detached dwellings, semi-detached dwellings and residential flat buildings. Built forms are of a variety of ages, bulk, scale and character, with some being recently renovated and others in essentially original condition.

The existing principal dwelling on site comprises one half of a pair of semi-detached dwellings and is located in the western portion of the site addressing Hampton Street. This dwelling will remain as existing and will continue to contribute a built form, style and landscaping in the front setback which contributes positively to the streetscape.

The proposed secondary dwelling is located in the eastern portion of the site, to the rear of the principal dwelling and well separated from the street. This limits visual impact as viewed from the street. Nevertheless, a window is included on the western elevation of the secondary dwelling allowing for passive surveillance of the driveway and hardstand area and towards the street. The secondary dwelling has a low footprint, height, bulk and scale which ensures limited visual impact as viewed from surrounding areas.

4.4.2 Height

Under Clause 4.3 of CLEP 2012 the maximum allowable height is 8.5m to the highest point of the development. The existing built forms on site are single storey and well under this maximum building height limit, and will remain as such under this Development Application. This also complies with the maximum 8.5m height applied under SEPP (ARH) 2009, and is positive in ensuring that the single storey development has a limited visual bulk and scale which also assists in minimising shadow and amenity impacts upon surrounding properties.

4.4.3 Density

Under CI 4.4 of CLEP 2012 the maximum allowable FSR on site is 0.75:1. The proposal provides for a gross floor area of approximately 149.47m² on site, corresponding to an FSR of approximately 0.42:1 on site which easily complies.

As required under SEPP (ARH) 2009 and Clause 5.4 of CLEP 2012, the secondary dwelling has a gross floor area of well under 60m² (31.92m² provided).

Maximum site coverage and floor area requirements are contained within SEPP (ARH) for secondary dwellings, however only relate to lots with an area of at least 450m². As discussed throughout this report, while the site has an area of less than 450m² the secondary dwelling has an area well under the maximum allowable under the SEPP and LEP. The existing principal dwelling on site is also small in scale. This results in the development on site having a scale which is well considered with regard to the area and dimensions of the site. Notably, the gross floor area and site coverage are low, being approximately 149.47m² and 42% respectively. This is also noted to be well under the site coverage and building footprint requirements for dwelling houses under the DCP.

4.4.4 Subdivision, Lot Size and Dimensions

The site is rectangular in shape with a 7.78m frontage to Hampton Street and length of 45.72m along the southern boundary. The site has an area of 354.1m² by DP. There is no subdivision associated with this Development Application, and the site is of a sufficient size to accommodate the proposal.

Under Clause 22 of SEPP (ARH) 2009, the consent authority must not refuse consent on the grounds of site area where a site has an area of more than 450m². Where a site has an area of less than this, this does not prevent consent from being capable of being granted. While the subject site has an area of less than 450m², the secondary dwelling has an area of well under the maximum allowable and the proposal responds suitably to other relevant planning requirements as discussed throughout this report. This ensures that the site area has been taken into consideration in the design and siting of development on site, with an appropriate scale provided for the site area.

SEPP (ARH) provides minimum lot width requirements for secondary dwellings, but only for lots 450m² or greater in size. Part B6 of CDCP 2012 discusses that the minimum frontage required for a secondary dwelling will be considered on merit. In this instance and given the discussion above, the site frontage is considered suitable. As noted, the proposal responds suitably to the relevant considerations and provides a built form and scale which is suitably designed with regard to site area and dimensions. The proposal also achieves the objectives relating to minimum site frontage for secondary dwellings within CDCP 2012 as follows:

- *“To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.”* Comment: As discussed throughout this report, the size of the secondary dwelling will suitably accommodate future occupants and provides a single bedroom as well as living, cooking, bathing and laundry facilities which are of a functional scale and design. The secondary dwelling benefits from suitable solar access and ventilation, while not having adverse

impact with regard to shadow, privacy, views or other amenity considerations as discussed throughout this report.

- *“To ensure there is adequate area for vehicle access and parking.” Comment:* No parking is proposed for the secondary dwelling. However, the existing driveway and hardstand along the southern boundary will continue to provide vehicular access and parking for the existing principal dwelling on site as existing.
- *“To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.” Comment:* As discussed throughout this report, landscaping and vegetation is not affected by the proposal. The existing vegetation on site and surrounding will remain as existing, and suitable private open space is available for both the principal and secondary dwellings.

4.4.5 Front, Side and Rear Setbacks

Front Setback

The proposed secondary dwelling is located to the rear of the principal dwelling on site. Accordingly, the secondary dwelling has no implications for the front setback. The principal dwelling will continue to present directly to the Hampton Street streetscape with deep soil landscaped area within the front setback.

Side Setbacks

Schedule 1 of SEPP (ARH) 2009 provides minimum side setback requirements for secondary dwellings, however these are typically specific to lots with an area of at least 450m². Nevertheless, it is noted that the northern side setback to the secondary dwelling is generous at minimum 3.064m and provides for generous building separation as well as allowing northern solar access into the secondary dwelling. The southern side setback to the secondary dwelling is a minimum 0.64m. Where a site has an area of 450m²-900m² a minimum side setback of 0.9m is applied, and given the site area is much lesser at 354.1m², the minimum 0.64m is considered reasonable to respond to the scale of the site.

Rear Setbacks

Similar to side setbacks, Schedule 1 of SEPP (ARH) 2009 provides minimum rear setback requirements for secondary dwellings, however these are typically specific to lots with an area of at least 450m². Nevertheless, the rear setback to the secondary dwelling is generous at 3.03m. This maintains good building separation from the property to the rear of the site and is noted to be well in excess of the minimum rear setback applied to sites with an area 450m²-900m².

Overall, the setbacks to the secondary dwelling on site are positive in minimising visual bulk and scale, providing building separation, minimising potential privacy and amenity impacts, and minimising shadow.

4.4.6 Access, Servicing, Parking and Traffic

Vehicular access to the site will remain provided from Hampton Street via the existing driveway along the southern side boundary which will continue to provide for hardstand tandem parking for the principal dwelling.

Under SEPP (ARH) 2009, it is noted that the consent authority must not refuse a DA on the grounds of parking where no additional parking is provided for the secondary dwelling. In this instance, there is no proposed parking for the secondary dwelling.

Pedestrian access to the principal dwelling will remain as existing via the pathway leading from the front boundary to the main dwelling entry, while pedestrian access to the secondary dwelling will remain via the driveway and hardstand areas leading to the secondary dwelling entry.

4.4.7 Visual Privacy

The proposed secondary dwelling does not demonstrate any adverse visual privacy impacts. It is well integrated with ground level on site, suitably separated from site boundaries, and provides considered windows and doors which will be screened from view of adjacent properties by boundary fencing. This avoids any adverse visual privacy or overlooking impacts and does not result in the need for items such as privacy screening.

4.4.8 Acoustic Environment and Vibration

As with visual privacy, the proposed secondary dwelling does not demonstrate any adverse acoustic privacy impacts. The secondary dwelling has a gross floor area well under the maximum allowable and provides a single bedroom only, limiting the number of occupants. Further, the provided setbacks, integration with ground level, considered openings and the boundary fencing all additionally assist in avoiding adverse acoustic privacy impacts.

4.4.9 Ventilation, Solar Access and Shadow

The proposed secondary dwelling is well separated from the principal dwelling as well as northern, eastern and western boundaries. This assists in maximising the available solar and daylight access from these aspects through windows and doors to the secondary dwelling. The low height and scale of the secondary dwelling also ensures limited shadow impacts to surrounding properties.

The design of the secondary dwelling provides openings on multiple aspects, ensuring suitable opportunities for cross and natural ventilation.

4.4.10 Private Open Space

Schedule 1 of SEPP (ARH) 2009 requires secondary dwellings to be provided with at least 24m² private open space, adjacent a habitable room other than a bedroom, more than 4m in width and with a maximum 1:50 gradient. It is able to be shared with the principal dwelling. Well in excess of 24m² private open space is available on site to the north and west of the secondary dwelling. It is directly accessible from the

living area of the secondary dwelling and with a gentle gradient. More than 24m² of the available private open space has a minimum 4m dimension, and generous private open space is also available to share with the principal dwelling.

4.4.11 BCA

This proposed development has been designed in accordance with the relevant BCA considerations.

4.4.12 Energy Efficiency

A BASIX certificate has been submitted under separate cover. The proposal passes the water, thermal comfort and energy criteria set out in the BASIX certificate. The proposed layout allows for internal amenity with sufficient natural light and ventilation.

4.4.13 Other Matters – Built Form

Other built form matters are assessed briefly in the table below.

Item	Assessment comment
Dwelling size and layout	The secondary dwelling is of a scale and functionality which suitably allows for occupants to sleep, eat, bathe and live. Refer to Section 3.3 of this report for a more detailed breakdown of the layout of the dwelling.
Views	The site does not benefit from any significant views or outlook.
Heritage	The subject site is not identified as containing a heritage item and is not located in a heritage conservation area. The subject site is also not located within close proximity to either of these.
Accessibility	No accessibility provisions apply to the proposed secondary dwelling.
Utilities	All services are currently available for the existing development on the site and surrounding development and will remain available to the proposal.
Waste management	Waste management will be according to Councils specifications for storage, bin size and collection.
Foreshore Land, FBL, MHW	The site is not affected by a foreshore area or FBL, and is not affected by Mean High Water Mark.
Fencing	No new fencing is proposed.

4.5 Natural Environment

4.5.1 Tree Removal, Retention and Landscaping

Existing vegetation on site is primarily located within the front setback, including a garden area. This will remain as existing under the proposal. There is also a street tree within the site's frontage which will be unaffected by the proposed Development Application.

Schedule 1 of SEPP (ARH) 2009 provides minimum landscaped area requirements, however these are for lots with an area of at least 450m². The site has an area of less than 450m² and accordingly the landscaped area is appropriate to discuss on merit. The footprint of the secondary dwelling is small in scale and accordingly has very limited effect with regard to the area of landscaping available on site. While the landscaping on site is limited, the secondary dwelling change of use does not affect existing landscaped area, particularly given prior to this change of use this existing building was a garage (i.e. the secondary dwelling is located within the pre-existing building footprint).

4.5.2 Stormwater

The proposed secondary dwelling is integrated with existing stormwater management arrangements on site which remain sufficient.

4.5.3 Landform, Cut and Fill

The subject site is not steeply sloping and does not contain any significant landforms, rather has a very gentle topography. The secondary dwelling integrates well with the landform of the site with limited impact to the natural contours.

4.5.4 Other Matters – Natural Environment

Item	Assessment comment
Acid Sulfate Soils	The site is identified as being affected by Class 5 acid sulfate soils. As the secondary dwelling is well integrated with landform and the water table will not be lowered below 1m AHD, it is considered that an acid sulfate soils management plan will not be necessary.
Soil, erosion and sedimentation	The proposal will have minimal effect on erosion and sedimentation that may occur on the site.
Ecologically Sustainable Building Design	The proposal has been designed to be energy efficient in terms of building materials and energy efficient appliances as discussed throughout this report. A BASIX certificate has been prepared and is submitted under separate cover.
Flora and fauna	The proposal will have no implications for threatened species, populations or ecological communities or their habitats.

Conservation of Land and Water Resources	The proposal will not have any effect on conserving and using valuable land resources such as productive agricultural land, mineral and extractive resources or water supply catchments.
Air and microclimate	There will be minimal potential for emissions of dust, particulates, odours, fumes, gases and pollutants as a result of the proposal. Therefore, the proposal will not result in any air pollution.

4.6 Social and Economic

The proposed development will provide for a formalised secondary dwelling on site to contribute to the range of housing types within the locality into the future, meeting the needs of a range of future occupants while minimising environmental impacts. The site is a desirable place to live, being located in a leafy locality with proximity to local amenities and activities including parks and cafes. The secondary dwelling has been designed with consideration given to the local character of the area, and has limited visual impact as viewed from the streetscape.

The proposal has been designed to ensure that it will not give rise to any unreasonable adverse environmental impacts on any nearby properties by way of overshadowing, noise, loss of privacy, or views. The proposal will contribute positively to the character and amenity of the local area, as well as the provision of housing, and accordingly the social impact of the proposal is considered to be a positive one.

4.7 Hazards

As outlined in this report, there will be no unreasonable risks to people, property or the biophysical environment as a result from the proposed development. Notably there will be no issues in relation to geotechnical matters, acid sulfate soils or flooding. It is also noted that the site is not prone to contamination.

4.8 Public Interest

The proposal will not give rise to any unreasonable adverse environmental impacts on any nearby properties by way of overshadowing, noise, loss of privacy, or views. The proposal allows for a secondary dwelling to contribute to the provision of housing in the locality and meet the needs of residents. The proposal will present positively to the locality as well as the overall amenity of the local area where housing is in demand. It is therefore considered to be in the public interest.

5

Conclusion

The proposal is in relation to the change of use of an existing building to a secondary dwelling at 26 Hampton Street, Croydon Park.

The existing site currently contains a principal dwelling in the eastern portion addressing the street, and an existing built form in the western portion (to the rear of the principal dwelling) which is proposed to undergo a change of use to a secondary dwelling. It is understood that this secondary dwelling was previously used as a garage a number of years ago.

A separate Building Information Certificate (BIC) has also been submitted in relation to the previous works undertaken to the previous garage to create the secondary dwelling.

The proposed secondary dwelling is single storey, comprising a main living area with kitchen facilities, a single bedroom, and bathroom and laundry facilities at the rear. Private open space is available to the north of the secondary dwelling and between the principal and secondary dwelling. Access to this dwelling will remain via the existing driveway and hardstand area leading to the main entry of the dwelling.

No impacts will result upon vegetation, site access or parking, and the existing principal dwelling will remain as existing. Notably, the secondary dwelling is located to the rear of the principal dwelling, which limits visual impact of this built form as viewed from the street.

The proposal is permissible with development consent and performs favourably in relation to the relevant aims, objectives and development standards of the relevant planning controls.

Accordingly, the proposal is considered appropriate and should be submitted to Council.

APPENDICES

Appendix A – Photos

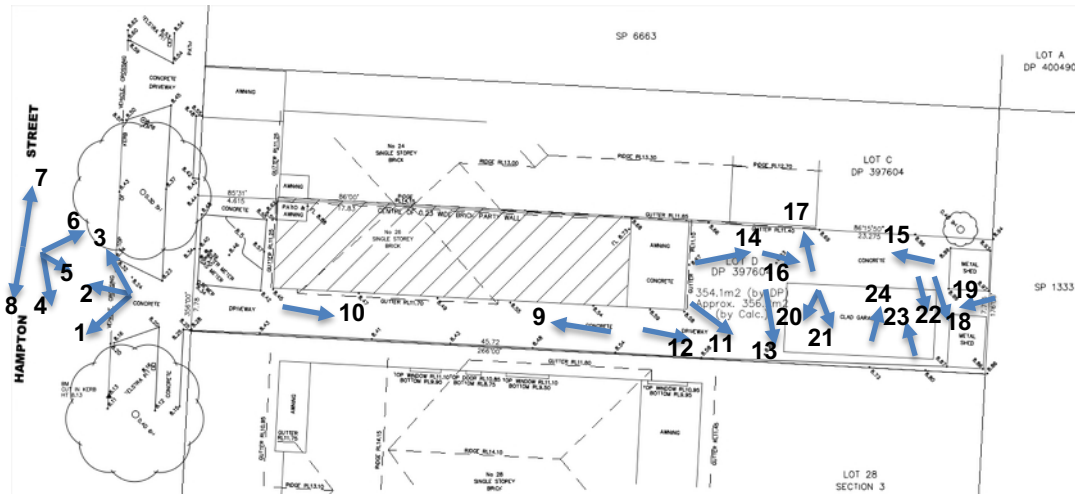


Photo Key



Photo 1: standing in front of the subject site and looking south west.



Photo 2: standing in front of the subject site and looking west.



Photo 3: standing in front of the subject site and looking north west.



Photo 4: standing opposite the subject site and looking south east.



Photo 5: standing opposite and looking at the subject site.



Photo 6: standing opposite the subject site and looking north east.



Photo 7: standing in front of the subject site and looking north along Hampton Street.



Photo 8: standing in front of the subject site and looking south along Hampton Street.



Photo 9: standing on the driveway adjacent the principal dwelling and looking west towards the street.



Photo 10: standing on the driveway adjacent the principal dwelling and looking east to the secondary dwelling.



Photo 11: standing to the west of the secondary dwelling and looking south east.



Photo 12: standing to the west of and looking at the secondary dwelling.



Photo 13: standing to the north west of the secondary dwelling and looking south.



Photo 14: standing to the west of the secondary dwelling and looking north east.



Photo 15: standing to the north of the secondary dwelling and looking west.



Photo 16: standing to the north of the secondary dwelling and looking east.



Photo 17: standing to the north of the secondary dwelling and looking north.



Photo 18: standing to the rear (east) of the secondary dwelling and looking south east.



Photo 19: standing to the rear of and looking at the secondary dwelling.



Photo 20: looking at the existing kitchen.



Photo 21: standing at the main entry to the secondary dwelling and looking at the living area.



Photo 22: existing bathroom.



Photo 23: existing laundry.



Photo 24: existing bedroom.

Appendix B – SEPP Compliance Table

Planning Control/Objective	Assessment comment	Compliance
B.1 SEPP BASIX		
A valid BASIX Certificate is required with the BASIX commitments identified on the plans	BASIX certificate has been provided under separate cover and commitments are identified on plans.	✓
B.2 SEPP 55 – Remediation of Land		
SEPP No.55 – Remediation of Land contains planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.	The subject site does not contain contamination. Accordingly the proposed use is considered suitable.	✓
B.3 SEPP Infrastructure		
Contains planning controls relating to development adjoining or in immediate proximity to a busy road or rail corridor.	NA – site not in immediate proximity to busy road or rail corridor. Refer to further discussion at Section 4.1 of this report.	NA
B.4 SEPP Coastal Management		
Contains planning controls relating to development within the coastal zone	NA – site not within Coastal Zone	NA
B.5 SEPP (Affordable Rental Housing) 2009 Management		
Division 2 Secondary dwellings 19 Definition <i>In this Division— development for the purposes of a secondary dwelling includes the following— (a) the erection of, or alterations or additions to, a secondary dwelling, (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.</i> Note— <i>The standard instrument defines secondary dwelling as follows— secondary dwelling means a self-contained dwelling that—</i>	Noted. Proposed development in relation to secondary dwelling established in conjunction with and separated from the principal dwelling, and is on the same lot of land as the principal dwelling.	✓

<p>(a) is established in conjunction with another dwelling (the principal dwelling), and</p> <p>(b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and</p> <p>(c) is located within, or is attached to, or is separate from, the principal dwelling.</p>		
<p>20 Land to which Division applies <i>This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land—</i></p> <p>(a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential, (e) Zone R5 Large Lot Residential.</p>	<p>Subject site located in Zone R4 High Density Residential.</p>	<p>✓</p>
<p>21 Development to which Division applies <i>This Division applies to development, on land to which this Division applies, for the purposes of a secondary dwelling and ancillary development (within the meaning of Schedule 1).</i></p>	<p>The proposal is for a secondary dwelling in Zone R4.</p>	<p>✓</p>
<p>22 Development may be carried out with consent (1) Development to which this Division applies may be carried out with consent.</p> <p>(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling.</p> <p>(3) A consent authority must not consent to development to which this Division applies unless— (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another environmental planning instrument, and (b) the total floor area of the secondary dwelling is no more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.</p> <p>(4) A consent authority must not refuse consent to development to which this Division applies on either of the following grounds— (a) site area if— (i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 450 square metres, (b) parking if no additional parking is to be provided on the site.</p> <p>(5) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (4).</p>	<p>Noted.</p> <p>Complies. Only principal and secondary dwelling on site.</p> <p>Complies. 137.92m²</p> <p>Complies. 31.92m²</p> <p>NA</p> <p>NA – site area less than 450m², however does not prevent consent from being granted. No additional parking provided on site.</p> <p>Noted.</p>	<p>✓</p>

23 Complying development

(1) Development for the purposes of a secondary dwelling (other than development referred to in subclause (2)) is complying development if the development—

- (a) General requirements
meets the general requirements for complying development set out in clauses 1.17A and 1.18 (1) and (2) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
- (a1) (Repealed)
- (b) Land-based requirements
is on a lot that does not include any land referred to in clause 1.19 (1) of that Policy, and
- (c) Specified development
is on land in Zone R1, R2, R3 or R4 or a land use zone that is equivalent to any of those zones, and
- (d) is on a lot that has an area of at least 450 square metres, and
- (e) does not involve the erection of a basement or alterations or addition to an existing basement, and
- (f) does not involve the erection of a roof terrace on the topmost roof of a building or alterations or addition to any such existing terrace, and
- (g) Development standards
satisfies the development standards set out in Schedule 1.

(2) Development for the purposes of a secondary dwelling that is located entirely within an existing dwelling house is complying development if the development—

- (a) General requirements
meets the relevant provisions of the Building Code of Australia, and
- (a1) (Repealed)
- (b) Land-based requirements
is on a lot that does not include any—
- (i) land that is an environmentally sensitive area within the meaning of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or
- (ii) land that comprises, or on which there is, a heritage item or a draft heritage item within the meaning of that Policy, and
- (c) Specified development
is on land in Zone R1, R2, R3 or R4 or a land use zone that is equivalent to any of those zones, and
- (d) involves no external alterations to the principal dwelling other than the provision of an additional entrance, and
- (e) does not involve the erection of a basement or alterations or addition to an existing basement, and
- (f) does not involve the erection of a roof terrace on the topmost roof of a building or alterations or addition to any such existing terrace, and
- (g) Development standards
will not result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling, and
- (h) will not result in the floor area of the secondary dwelling being more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, being more than that greater floor area.
- (2A) (Repealed)

NA – complying development not proposed.

NA

(3) If a secondary dwelling is to be built at the same time as a principal dwelling, the building of both dwellings and any ancillary development on the lot may be carried out as a single complying development if—
 (a) the building of the secondary dwelling can be carried out as complying development under this Division, and
 (b) the building of the principal dwelling and any ancillary development can be carried out as complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(4) In determining whether a principal dwelling (when built at the same time as a secondary dwelling) can be carried out as complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the secondary dwelling is not to be taken into account.

Note—

This means that the principal dwelling would be considered to be a dwelling house (a building containing only one dwelling) for the purposes of that Policy even if the secondary dwelling were within it or attached to it.

(5) A complying development certificate for development that is complying development under this Division is subject to the conditions specified in Schedule 6 to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, except that the reference in clause 11 of Schedule 6 to that Policy to a dwelling house is taken to be a reference to a principal dwelling or a secondary dwelling.

Note—

Principal and secondary dwellings will be classified as class 1a or class 2 under the Building Code of Australia depending on the configuration of those dwellings.

24 No subdivision

A consent authority must not consent to a development application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.

No subdivision proposed.

✓

Schedule 1 Development standards for secondary dwellings

Part 1 Preliminary

1 Definitions

(1) In this Schedule—

ancillary development means any of the following that are associated with a secondary dwelling and that are not exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008—

- (a) an access ramp,
- (b) an awning, blind or canopy,
- (c) a balcony, deck, patio, pergola, terrace or verandah that is attached to a principal or secondary dwelling,
- (d) a carport that is attached to a principal or secondary dwelling,
- (e) a driveway, pathway or paving,
- (f) a fence or screen,
- (g) a garage that is attached to a principal or secondary dwelling,
- (h) an outbuilding,

Noted.

✓

- (i) a rainwater tank that is attached to a principal or secondary dwelling,
- (j) a retaining wall,
- (k) a swimming pool or spa pool and child-resistant barrier.

outbuilding means any of the following that are detached from a principal or secondary dwelling—

- (a) a balcony, deck, patio, pergola, terrace or verandah,
- (b) a cabana, cubby house, fernery, shed, gazebo or greenhouse,
- (c) a carport or garage,
- (d) a rainwater tank (above ground),
- (e) a shade structure.

(2) A word or expression used in this Schedule has the same meaning as it has in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 unless it is otherwise defined in this Schedule.

(2A) A word or expression used in this Schedule and not defined in this clause or in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 has the same meaning as it has in the standard instrument (as in force immediately before the commencement of the Standard Instrument (Local Environmental Plans) Amendment Order 2011).

(3) In calculating the area of a lot for the purposes of this Schedule, the area of the access laneway is excluded if it is a battle-axe lot.

Part 2 Site Requirements

2 Lot requirements

- (1) Development for the purposes of a secondary dwelling or ancillary development may only be carried out on a lot that—
 - (a) at the completion of the development will have only one principal dwelling and one secondary dwelling, and
 - (b) if it is not a battle-axe lot, has a boundary with a primary road, measured at the building line, of at least the following—
 - (i) 12 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres,
 - (ii) 15 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres,
 - (iii) 18 metres, if the lot has an area of more than 1500 square metres, and
 - (c) if it is a battle-axe lot, has an access laneway of at least 3 metres in width and measuring at least 12 metres by 12 metres, excluding the access laneway.

- (2) A lot on which a new secondary dwelling is erected must have lawful access to a public road.

Complies.

✓

NA. Refer to discussion at Section 4.4.4 of this report.

NA

Complies.

✓

3 Maximum site coverage of all development

- (1) The site coverage of the principal dwelling, secondary dwelling and all ancillary development on a lot must not be more than the following—
 - (a) 50 per cent of the area of the lot, if the lot has an area of at least 450 square metres but not more than 900 square metres,
 - (b) 40 per cent of the area of the lot, if the lot has an area of more than 900 square metres but not more than 1500 square metres.

NA – site area less than 450m²

NA

- (c) 30 per cent of the area of the lot, if the lot has an area of more than 1500 square metres.
- (2) For the purpose of calculating the site coverage in subclause (1), the area of any of the following is not included—
- (a) an access ramp,
 - (b) that part of an awning, blind or canopy that is outside the outer wall of a building,
 - (c) a balcony, deck, patio, pergola, terrace or verandah attached to the principal or secondary dwelling that is not enclosed by a wall higher than 1.4 metres above the floor level,
 - (d) an eave,
 - (e) a driveway,
 - (f) a farm building,
 - (g) a fence or screen,
 - (h) a pathway or paving,
 - (i) a rainwater tank that is attached to the principal or secondary dwelling,
 - (j) a swimming pool or spa pool.

4 Maximum floor area for principal and secondary dwelling

(1) The floor area of a secondary dwelling (excluding any ancillary development) must not be more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.

(2) The floor area of a principal dwelling, secondary dwelling and any carport, garage, balcony, deck, patio, pergola, terrace or verandah attached to either dwelling and enclosed by a wall (other than the external wall of a dwelling) higher than 1.4 metres above the floor level on a lot must not be more than the following—

- (a) 330 square metres, if the lot has an area of at least 450 square metres but not more than 600 square metres,
- (b) 380 square metres, if the lot has an area of more than 600 square metres but not more than 900 square metres,
- (c) 430 square metres, if the lot has an area of more than 900 square metres.

(3) For the purpose of calculating the floor area in subclause (2)—

floor area means the sum of the areas of each storey of each principal dwelling or secondary dwelling and each carport, garage, balcony, deck, patio, pergola, terrace or verandah, measured at a height of 1.4 metres above each floor level, where the area is taken to be the area within the outer face of—

- (a) the external walls of the principal dwelling or secondary dwelling, and
- (b) the walls of the carport, garage, balcony, deck, patio, pergola, terrace or verandah, but excluding any of the following—
- (c) any part of an awning, blind or canopy that is outside the outer wall of a building,
- (d) an eave,
- (e) a lift shaft,
- (f) a stairway,
- (g) a void above a lower storey.

Complies. 31.92m²

✓

NA – site area <450m². Nevertheless the density on site is considered acceptable as discussed at Section 4.4.3 of this report.

NA

Noted.

✓

5 Setbacks and maximum floor area for balconies, decks, patios, terraces and verandahs

(1) The total floor area of all balconies, decks, patios, terraces and verandahs on a lot must not be more than 12 square metres if—

- (a) any part of the structure is within 6 metres from a side, or the rear, boundary, and
- (b) the structure has any point of its finished floor level more than 2 metres above ground level (existing).

(2) The balcony, deck, patio, terrace or verandah must not have any point of its finished floor level—

- (a) if it is located within 3 metres of a side, or the rear, boundary—more than 2 metres above ground level (existing), or
- (b) if it is located more than 3 metres but not more than 6 metres from a side, or the rear, boundary—more than 3 metres above ground level (existing), or
- (c) if it is located more than 6 metres from a side, or the rear, boundary—more than 4 metres above ground level (existing).

(3) A detached deck, patio or terrace (including any alterations or additions to the deck, patio or terrace) must not have a floor level that is more than 600 millimetres above ground level (existing).

Note—

Development identified in this clause may require privacy screens under clause 15.

Complies. No more than the maximum area within 6m of rear boundary.

✓

NA

NA

No such areas more than 2m above ground level

✓

No such areas more than 3m above ground level

✓

No such areas more than 4m above ground level

✓

No such areas more than 0.6m above ground level.

✓

Part 3 Building heights and setbacks

6 Building height

(1) Development for the purposes of a secondary dwelling or ancillary development must not result in a new building or a new part of an existing building having a building height above ground level (existing) of more than 8.5 metres.

Complies

✓

(2) Development for the purposes of ancillary development must not result in a new building or a new part of an existing building having a building height above ground level (existing) of more than—

- (a) if an outbuilding—4.8 metres, or
- (b) if a fence—1.8 metres.

Complies.

✓

7 Setbacks from roads, other than classified roads

(1) Development for the purpose of a secondary dwelling or ancillary development on a lot must result in a new building or a new part of an existing building having a setback from a primary road that is not a classified road of at least—

- (a) the average distance of the setbacks of the nearest 2 dwelling houses having the same primary road boundary and located within 40 metres of the lot on which the principal dwelling is erected, or
- (b) if 2 dwelling houses are not located within 40 metres of the lot—
 - (i) in the case of a lot that has an area of at least 450 square metres but not more than 900 square metres—4.5 metres, or
 - (ii) in the case of a lot that has an area of more than 900 square metres but not more than 1,500 square metres—6.5 metres, or
 - (iii) in the case of a lot that has an area of more than 1,500 square metres—10 metres.

NA – setback from street as existing (principal dwelling in front of secondary dwelling).

NA

<p>(2) Development for the purpose of a secondary dwelling or ancillary development on a lot must result in a new building or a new part of an existing building having a setback from a boundary of the lot with a parallel road that is not a classified road of at least 3 metres.</p>	NA	
<p>(3) Development for the purpose of a secondary dwelling or ancillary development on a corner lot must result in a new building or a new part of an existing building on the lot having a setback from the boundary with a secondary road that is not a classified road of at least—</p> <p>(a) if the lot has an area of at least 450 square metres but not more than 600 square metres—2 metres, or</p> <p>(b) if the lot has an area of more than 600 square metres but not more than 1,500 square metres 3 metres, or</p> <p>(c) if the lot has an area of more than 1500 square metres—5 metres.</p>	NA	
<p>(4) For the purposes of this clause, if a lot is a corner lot—</p> <p>(a) one of the boundaries that is 6m or more in length is taken to be a boundary with a primary road, and</p> <p>(b) the other boundaries are taken to be boundaries with a secondary road.</p>	NA	
<p>(5) For the purposes of this clause, if a lot has contiguous boundaries with a road or roads but is not a corner lot, the lot is taken to have a boundary only with a primary road.</p>	NA	
<p>8 Setbacks from classified roads</p> <p>Development for the purposes of a secondary dwelling or ancillary development must not result in a new building or a new part of an existing building having a setback from a boundary with a classified road of less than—</p> <p>(a) if another environmental planning instrument applying to the lot establishes a setback for a dwelling house having a boundary with a classified road, that distance, or</p> <p>(b) 9 metres in any other case.</p>	NA – site does not front classified road.	NA
<p>9 Setbacks from side boundaries</p> <p>(1) Development for the purposes of a secondary dwelling or ancillary development must not result in a new building or a new part of an existing building or any new carport, garage, balcony, deck, patio, pergola, terrace or verandah having a setback from a side boundary of less than the following—</p> <p>(a) 0.9 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres,</p> <p>(b) 1.5 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres,</p> <p>(c) 2.5 metres, if the lot has an area of more than 1500 square metres.</p> <p>(2) Development for the purposes of a secondary dwelling or ancillary development that involves the construction of a new building or additions to an existing building where the new or existing building will, at the end of the development, have a building height at any part of more than 3.8 metres must not result in the new building or any new part of the existing building or any new carport, garage, balcony, deck, patio, pergola,</p>	<p>NA – lot <450m². Refer to merit discussion at Section 4.4.5 of this report.</p> <p>NA – lot <450m². Refer to merit discussion at Section 4.4.5 of this report.</p>	NA

terrace or verandah, having a setback from a side boundary of less than the sum of—
 (a) the amount of the setback specified for the relevant sized lot in subclause (1), and
 (b) an amount that is equal to one-quarter of the additional building height above 3.8 metres.

10 Setbacks from rear boundaries

(1) Development for the purposes of a secondary dwelling or ancillary development must not result in a new building or a new part of an existing building or any new carport, garage, balcony, deck, patio, pergola, terrace or verandah having a setback from a rear boundary of less than the following—

- (a) 3 metres, if the lot has an area of at least 450 square metres but not more than 900 square metres,
- (b) 5 metres, if the lot has an area of more than 900 square metres but not more than 1500 square metres,
- (c) 10 metres, if the lot has an area of more than 1500 square metres.

(2) Development for the purposes of a secondary dwelling or ancillary development that involves the construction of a new building or additions to an existing building where the new or existing building will, at the end of the development, have a building height at any part of more than 3.8 metres must not result in the new building or any new part of the existing building or any new carport, garage, balcony, deck, patio, pergola, terrace or verandah, having a setback from a rear boundary of less than the sum of—

- (a) 3 metres, plus an amount that is equal to three times the additional building height above 3.8 metres, up to a maximum setback of 8 metres, if the lot has an area of at least 450 square metres but less than 900 square metres, or
- (b) 5 metres, plus an amount that is equal to three times the additional building height above 3.8 metres, up to a maximum setback of 12 metres, if the lot has an area of at least 900 square metres but less than 1500 square metres, or
- (c) 10 metres, plus an amount that is equal to three times the additional building height above 3.8 metres, up to a maximum of 15 metres, if the lot has an area of at least 1500 square metres.

(3) Despite subclauses (1) and (2), a dwelling on a lot that has a rear boundary with a laneway may have a building line that abuts that boundary for up to 50 per cent of the length of that boundary.

NA – lot <450m². Refer to merit discussion at Section 4.4.5 of this report.

NA

NA – lot <450m². Refer to merit discussion at Section 4.4.5 of this report.

NA

11 Exceptions to setbacks

Despite any other clause in this Part—

- (a) development for the purposes of a secondary dwelling must not result in a new building or a new part of an existing building having a setback of less than 3 metres from a boundary with a public reserve, and
- (b) side and rear setbacks do not apply to—
 - (i) any aerial, antenna, awning, eave, flue, chimney, pipe, cooling or heating appliance, any rainwater tank greater than 1.8 metres in height or any other structure associated with the provision of a utility service if it is located at least 450 millimetres from the relevant boundary, and
 - (ii) any fence, fascia, gutter, downpipe, light fitting, electricity or gas meter, driveway, pathway or paving if

NA

Noted

✓

it is located within any required setback area to the relevant boundary, and	Noted	
(c) the setback from a road does not apply to—		
(i) a driveway, fence, pathway, paving or retaining wall, or		
(ii) the articulation zone and any building element that is permitted within that zone, and	NA	
(d) the setback from a rear boundary required by clause 10 of this Schedule does not apply to a lot that has only 3 boundaries, disregarding any boundary of an access lane if the lot is a battle-axe lot.		
12 Calculating setbacks		✓
(1) For the purpose of determining the nearest 2 dwelling houses in clause 7 of this Schedule, a dwelling house located on a battle-axe lot is to be disregarded.	Noted.	
(2) For the purpose of calculating the setback of the nearest 2 dwelling houses in clause 7 of this Schedule—	Noted.	
(a) any ancillary development is not to be included, and		
(b) any building element within the articulation zone is not to be included.		
(3) For the purpose of calculating the setbacks for a battle-axe lot, the setback on the opposite side of the lot to the rear setback is taken to be a side setback.	NA	
(4) For the purpose of calculating a side or rear setback, the maximum building height of a dwelling on a sloping lot is to be used.	Noted.	
(5) A setback is to be calculated at the closest point to the boundary from the building line.	Noted.	
13 Building articulation		
(1) Development for the purpose of a secondary dwelling (other than development on a battle-axe lot) must result in either the principal dwelling or the secondary dwelling having a front door and a window to a habitable room in the building wall that faces a primary road.	Principal dwelling will remain as existing, however has front door and window facing Hampton Street.	✓
(2) Development for the purpose of a secondary dwelling (other than development on a battle-axe lot) must result in either the principal dwelling or the secondary dwelling having a window to a habitable room in the building wall that faces a parallel road.	NA	NA
(3) A secondary dwelling, other than a secondary dwelling that has a setback from a primary road of less than 3 metres, may incorporate an articulation zone that extends from the building line to a distance of 1.5 metres into the required setback from the primary road.	NA	NA
(4) Development for the purpose of a secondary dwelling on a corner lot must result in either the principal dwelling or the secondary dwelling having a window in a habitable room that is at least 1m ² in area and that faces and is visible from a secondary road.	NA	NA

<p>14 Building elements within the articulation zone to a primary road</p> <p>(1) The following building elements are permitted in an articulation zone in the setback from a primary road—</p> <ul style="list-style-type: none"> (a) an entry feature or portico, (b) a balcony, deck, patio, pergola, terrace or verandah, (c) a window box treatment, (d) a bay window or similar feature, (e) an awning or other feature over a window, (f) a sun shading feature. <p>(2) A building element must not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the building.</p> <p>(3) The maximum total area of all building elements within the articulation zone, other than a building element listed in subclause (1) (e) or (f), must not be more than 25% of the area of the articulation zone.</p>	NA	NA
<p>15 Privacy</p> <p>(1) A window in a new secondary dwelling, or a new window in any alteration or addition to an existing principal dwelling for the purpose of a new secondary dwelling, must have a privacy screen for any part of the window that is less than 1.5 metres above the finished floor level if—</p> <ul style="list-style-type: none"> (a) the window— <ul style="list-style-type: none"> (i) is in a habitable room that has a finished floor level that is more than 1 metre above ground level (existing), and (ii) has a sill height that is less than 1.5 metres above that floor level, and (iii) faces a side or rear boundary and is less than 3 metres from that boundary, or (b) the window— <ul style="list-style-type: none"> (i) is in a habitable room that has a finished floor level that is more than 3 metres above ground level (existing), and (ii) has a sill height that is less than 1.5 metres above that floor level, and (iii) faces a side or rear boundary and is at least 3 metres, but no more than 6 metres, from that boundary. <p>(2) Subclause (1) does not apply to a window located in a bedroom where the window has an area of not more than 2 square metres.</p> <p>(3) A new balcony, deck, patio, terrace or verandah for the purpose of a new secondary dwelling and any alteration to an existing balcony, deck, patio, terrace or verandah of a secondary dwelling that has a floor area of more than 3 square metres must have a privacy screen if the balcony, deck, patio, terrace or verandah is—</p> <ul style="list-style-type: none"> (a) within 3 metres of a side or rear boundary and has a floor level that is more than 1 metre above ground level (existing), or (b) between 3 metres and 6 metres of a side or rear boundary and has a floor level that is more than 2 metres above ground level (existing). 	<p>NA</p> <p>NA</p> <p>Noted.</p> <p>NA</p> <p>NA</p>	NA

<p>(4) Any privacy screen required under subclause (3) must be installed—</p> <p>(a) to a height of at least 1.7m, but not more than 2.2m, above the finished floor level of the balcony, deck, patio, terrace or verandah, and</p> <p>(b) at the edge of that part of the development that is within the areas specified in subclause (3) (a) or (b) and is parallel to or faces towards the relevant side or rear boundary.</p>	NA	
<p>Part 4 Landscaping</p> <p>16 Landscaped area</p> <p>(1) A lot on which development for the purposes of a secondary dwelling or ancillary development is carried out must have a landscaped area of at least the following—</p> <p>(a) 20 per cent, if the lot has an area of at least 450 square metres but not more than 600 square metres,</p> <p>(b) 25 per cent, if the lot has an area of more than 600 square metres but not more than 900 square metres,</p> <p>(c) 35 per cent, if the lot has an area of more than 900 square metres but not more than 1500 square metres,</p> <p>(d) 45 per cent, if the lot has an area of more than 1500 square metres.</p> <p>(2) At least 50 per cent of the landscaped area must be located behind the building line to the primary road boundary.</p> <p>(3) The landscaped area must be at least 2.5 metres wide.</p>	<p>NA – lot <450m². Refer to merit discussion at Section 4.5.1 of this report.</p> <p>NA – lot <450m². Refer to merit discussion at Section 4.5.1 of this report.</p> <p>NA – lot <450m². Refer to merit discussion at Section 4.5.1 of this report.</p>	NA
<p>17 Principal private open space</p> <p>(1) A lot on which development for the purposes of a secondary dwelling is carried out must have more than 24 square metres of principal private open space.</p> <p>(1A) The principal private open space may be shared by both the principal dwelling and secondary dwelling and may be in the form of a balcony or deck.</p> <p>(2) In this clause, principal private open space means an area that—</p> <p>(a) is directly accessible from, and adjacent to, a habitable room, other than a bedroom, and</p> <p>(b) is more than 4 metres wide, and</p> <p>(c) is not steeper than 1:50 gradient.</p>	<p>Complies.</p> <p>Noted.</p> <p>Complies</p> <p>Compliant dimension to west of dwelling Appears compliant</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>Part 5 Earthworks and Drainage</p> <p>18 Earthworks, retaining walls and structural support</p> <p>(1) Excavation for the purposes of a secondary dwelling or ancillary development must not exceed a maximum depth, measured from ground level (existing), of—</p> <p>(a) if located not more than 1m from any boundary—1m, and</p> <p>(b) if located more than 1m but not more than 1.5m from any boundary—2m, and</p> <p>(c) if located more than 1.5m from any boundary—3m.</p>	Complies. No excavation necessary.	✓

(2) Despite subclause (1), the excavation must not exceed a maximum depth, measured from ground level (existing), of 1m if the land is identified as Class 3 or 4 on an Acid Sulfate Soils Map or is within 40m of a waterbody (natural).	NA	NA
(3) Fill Fill must not exceed a maximum height, measured from ground level (existing), of— (a) if the fill is for the purposes of a secondary dwelling—1m, and (b) if the fill is for the purposes of ancillary development—600mm.	Complies	✓
(4) Despite subclause (3), the height of fill contained wholly within the footprint of a secondary dwelling or ancillary development is not limited.	Noted	✓
(5) Fill that is higher than 150mm above ground level (existing) and is not contained wholly within the footprint of a secondary dwelling or ancillary development is limited to 50% of the landscaped area of the lot.	NA	NA
(6) The ground level (finished) of the fill must not be used to measure the height of any secondary dwelling or ancillary development under this code.	Noted.	✓
(7) Retaining walls and structural supports Support for earthworks more than 600mm above or below ground level (existing) must take the form of a retaining wall or other structural support that— (a) a professional engineer has certified is structurally sound, including the ability to withstand the forces of lateral soil load, and (b) has been designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and (c) has adequate drainage lines connected to the stormwater drainage system for the site, and (d) does not result in a retaining wall or structural support with a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is more than the height of the associated excavation or fill, and (e) is separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally, and (f) has been installed in accordance with any manufacturer's specifications, and (g) if it is an embankment or batter—must have its toe or top more than 1m from any side or rear boundary. Note— Fill and excavation that is not associated with a building may be exempt development under clauses 2.29 and 2.30 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	NA	NA
19, 20 (Repealed)	NA	NA
21 Drainage (1) All stormwater collecting as a result of development for the purposes of a secondary dwelling or ancillary development must be conveyed by a gravity fed or charged system to— (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Designed to comply.	✓

(2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must—

(a) if an approval is required under section 68 of the Local Government Act 1993, be approved under that Act, or

(b) if an approval is not required under section 68 of the Local Government Act 1993, comply with any requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.

Noted.

22 Setbacks of secondary dwellings and ancillary development from a protected tree

(1) Development for the purpose of a secondary dwelling, all ancillary development and any associated excavation on a lot, must have a setback from any protected tree on the lot of at least 3 metres.

Secondary dwelling suitably separated from trees.

✓

(2) Despite subclause (1), the following ancillary development is permitted within that setback if the development does not require a cut or fill of more than 0.15 metres below or above ground level (existing)—

Noted.

(a) an access ramp,

(b) a driveway, pathway or paving,

(c) an awning, blind or canopy,

(d) a fence, screen or child-resistant barrier associated with a swimming pool or spa pool.

(3) In this clause—

Noted.

protected tree means a tree that requires a separate permit or development consent for pruning or removal, but does not include a tree that may be removed without development consent under this Policy.

Note—

A separate permit or development consent may be required if the branches or roots of a protected tree on the lot or on adjoining land are required to be pruned or removed.

Appendix C – CLEP 2012 Compliance Table

Planning Control/Objective	Assessment comment	Compliance
C.1 Permissible Landuse		
Dwelling house permissible within Zone R4 – SEPP (ARH) 2009 provides permissibility for secondary dwelling.	The subject site is located in Zone R4 High Density Residential under CLEP 2012. The proposal is in relation to a secondary dwelling, which is permissible on site under SEPP (ARH) 2009.	✓
C.2 Zone Objectives		
<i>To provide for the housing needs of the community within a high density residential environment.</i>	The proposal provides a secondary dwelling, contributing to the housing needs of the community within the high density residential environment.	✓
<i>To provide a variety of housing types within a high density residential environment.</i>	The proposed secondary dwelling will add to the range of housing types in the locality.	✓
<i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>	NA – proposal residential however will not affect the future provision of other uses on site or on sites surrounding.	NA
C.3 Height		
Maximum of 8.5m (CI 4.3)	<8.5m	✓
C.4 Floor Space Ratio		
Maximum of 0.5:1 CI 4.4(2) (2A) Despite subclause (2), the maximum floor space ratio for a building that is a dwelling house or a semi-detached dwelling is as follows— (a) 0.65:1—if the site area is less than 200 square metres, (b) 0.55:1—if the site area is at least 200 square metres, but less than 600 square metres, (c) 0.5:1—in any other case.	0.42:1	✓

C.5 Exceptions to Development Standards

Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

NA – proposal complies with all development standards.

NA

C.6 Miscellaneous Permissible Uses

Secondary dwelling area to be no more than:

- (a) 60 square metres,
- (b) 10% of the total floor area of the principal dwelling.

Complies

✓

C.7 Heritage Conservation

Consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.

NA – no heritage items on or near the site.

NA

C.8 Acid Sulfate Soils

Where work is proposed on land that may be subject to acid sulfate soils. In such cases:
"Development consent must not be granted under this clause for the carrying out of works unless:
 (a) *an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority, and*
 (b) *the consent authority is satisfied that any disturbance of acid sulfate soils resulting from the works will be managed so as to minimise adverse impacts on natural waterbodies, wetlands, native vegetation, agriculture, fishing, aquaculture and urban and infrastructure activities."* (cl.6.1)

Site affected by class 5 acid sulfate soils, however proposal will not lower the watertable below 1m AHD.

NA

C.9 Earthworks

(3) *Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*
 (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
 (b) *the effect of the development on the likely future use or redevelopment of the land,*
 (c) *the quality of the fill or the soil to be excavated, or both,*
 (d) *the effect of the development on the existing and likely amenity of adjoining properties.*

NA – no earthworks proposed. Additionally, the secondary dwelling is well integrated with the levels of the site, which are not significantly sloping.

NA

- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Appendix D – CDCP 2012 Compliance Table

Planning Control/Objective	Assessment comment	Compliance
D.1 Transport and Parking		
Part B1 of CDCP 2012		
Various requirements	NA – no changes to vehicular access or parking proposed. No parking proposed for secondary dwelling. 2 car parking spaces remain available for principal dwelling in tandem on driveway.	NA
D.2 Landscaping		
Part B2 of CDCP 2012		
Various requirements	NA – no proposed works to landscaping. No trees will be affected.	NA
D.3 Tree Preservation		
Part B3 of CDCP 2012		
Various requirements	NA – no trees will be affected by the proposal.	NA
D.4 Accessible and Adaptable Design		
Part B4 of CDCP 2012		
Various requirements	NA – no requirements for adaptable or accessible dwellings where secondary dwelling proposed.	NA
D.5 Stormwater and Flood Management		
Part B5 of CDCP 2012		
Various requirements	NA – stormwater will remain as existing under proposed DA. Site not known to be affected by flood.	NA
D.6 Energy and Water Consumption		
Part B6 of CDCP 2012		
B6.2.1 Shading and Glare <i>Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</i>	The secondary dwelling benefits from numerous openings to ensure suitable access to light and ventilation.	✓

Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.	Suitable overhangs etc provided.	✓												
Provide horizontal shading to north facing windows and vertical shading to east or west windows.	Proposal achieves BASIX and is considered suitable.	✓												
Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.	Proposal achieves BASIX and is considered suitable.	✓												
Avoid reducing internal natural daylight or interrupting views with shading devices.	Suitably designed	✓												
Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.	Proposal achieves BASIX and is considered suitable.	✓												
Use high performance glass with a reflectivity below 20%.	Proposal achieves BASIX and is considered suitable.	✓												
Minimise external glare by avoiding reflective films and use of tint glass.	Proposal achieves BASIX and is considered suitable.	✓												
B6.2.2 Insulation and Thermal Mass Maximise thermal mass in floor and walls in northern rooms of the building.	Proposal achieves BASIX and is considered suitable.	✓												
Provide insulation in the roof, ceiling, walls and floors in accordance with the following table: <table border="1"> <thead> <tr> <th></th><th>Other Development</th><th>Industry</th></tr> </thead> <tbody> <tr> <td>Roof</td><td>Minimum 2.0 R-value</td><td>Minimum 2.5 R-value</td></tr> <tr> <td>Walls</td><td>Minimum 1.0 R-value</td><td>Minimum 1.5 R-value</td></tr> <tr> <td>Floor</td><td>Minimum 1.0 R-value</td><td>Minimum 1.0 R-value</td></tr> </tbody> </table>		Other Development	Industry	Roof	Minimum 2.0 R-value	Minimum 2.5 R-value	Walls	Minimum 1.0 R-value	Minimum 1.5 R-value	Floor	Minimum 1.0 R-value	Minimum 1.0 R-value	Proposal achieves BASIX and is considered suitable.	✓
	Other Development	Industry												
Roof	Minimum 2.0 R-value	Minimum 2.5 R-value												
Walls	Minimum 1.0 R-value	Minimum 1.5 R-value												
Floor	Minimum 1.0 R-value	Minimum 1.0 R-value												
Table B6.1: Insulation Note: R-value indicates how effective insulation is in blocking the transmission of heat. Insulation with an R-value of 3 is three times as effective as insulation with an R-value of 1. Thermal mass means a material's capacity to store heat.														
B6.2.3 Ventilation Incorporate features to facilitate natural ventilation and convective currents such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).	Proposal allows for suitable cross and natural ventilation.	✓												
Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.	NA	NA												
B6.3.1 Water Conservation Use 3 and 4 star rated devices in the bathroom and kitchen respectively.	Proposal achieves BASIX and is considered suitable.	✓												

Install water-saving devices, such as flow regulators.	Proposal achieves BASIX and is considered suitable.	✓
B6.3.2 Energy Conservation Hot Water Systems Installation of solar hot water systems boosted by gas is encouraged.	Proposal achieves BASIX and is considered suitable.	✓
Electric hot water systems that are not as efficient as gas or gas-solar heaters are discouraged.	Proposal achieves BASIX and is considered suitable.	✓
For industrial development hot water systems must have a minimum energy rating of 4 stars and be located close to the main areas of use.	NA	NA
For all other development, hot water systems must have a Greenhouse Rating of 3.5 or greater and should meet the needs of the development.	Proposal achieves BASIX and is considered suitable.	✓
Fittings and Appliances Maximise the efficiency of appliances by selecting an energy source with minimum greenhouse emissions.	Proposal achieves BASIX and is considered suitable.	✓
Use washing machines, clothes driers and dishwashers that have a Greenhouse Energy Star Rating of no less than 3.5 stars.	Proposal achieves BASIX and is considered suitable.	✓
Use a range of low energy lamps, ballasts and fittings.	Proposal achieves BASIX and is considered suitable.	✓
Use lower energy lightings such as: a. Compact fluorescent or tubular fluorescent lamps; b. Electronic ballast instead of magnetic ballast in fluorescent lights; c. Compact fluorescent or low voltage tungsten halogen lights instead of tungsten spotlights; d. Solar powered, metal halide or sodium discharge lamps for outdoor areas, such as car parks; and e. Energy efficient starters.	Proposal achieves BASIX and is considered suitable.	✓
Use automatic control systems that turn lights on and off when needed.	Proposal achieves BASIX and is considered suitable.	✓
Use motion detectors for common areas, lighting doorways and entrances, outdoor security lighting and car parks.	Proposal achieves BASIX and is considered suitable.	✓
Provide heating/cooling systems to target only those spaces that need heating or cooling – use zone system and isolate those areas that are difficult to heat.	Proposal achieves BASIX and is considered suitable.	✓
Consider the installation of active solar energy systems.	Proposal achieves BASIX and is considered suitable.	✓
In residential and mixed use buildings: a. Allow entries to open into lobbies or vestibules that are isolated from areas within the apartment; b. Provide gas bayonets to living areas; c. Provide reversible-ceiling fans for improving air movement in summer and for distributing heated air in winter; and d. Provide or plan for future installation of solar collectors and photovoltaic panels	Proposal achieves BASIX and is considered suitable.	✓

D.7 Crime Prevention and Safety

Part B7 of CDCP 2012

B7.2.1 CPTED Principle: Surveillance

Avoid blind corners in pathways, stairwells, hallways and car parks through:

- Designing and locating pathways so they are direct, with permeable features, such as landscaping and fencing;*
- Considering the installation of mirrors to allow users to see ahead of them and around corners; and*
- Installing glass panels in stairwells where appropriate.*

Provide natural surveillance for communal and public areas, including:

- Position active uses or habitable rooms with windows adjacent to main communal/public areas (playgrounds, swimming pools, gardens, car parks);*
- Design and locate communal areas and utilities (laundries and garbage bays) where they are easily seen;*
- Use open style or transparent materials on doors and walls of elevators and stairwells;*
- Locate waiting areas and entries to elevators and stairwells close to areas of active uses, and to be visible from the building entry; and*
- Locate seating in areas of active uses.*

Provide clearly visible entries, through:

- Locating entrances in prominent positions.*
- Designing entrances to allow users to see in before entering.*

Design the fence to maximise natural surveillance from the street to the building, and from the building to the street, and minimise opportunities for intruders to hide. Consider:

- Using front fences that are predominantly open in design (such as pickets and wrought iron) or low in height;*
- Light coloured fencing that can increase a sense of privacy; and*
- Any high solid front fence has open elements above 1m.*

Avoid landscaping that obstructs natural surveillance, including:

- Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs (1 - 1.2m high). Creepers, ground covers or high-canopied trees are good for natural surveillance;*
- Space trees that have dense low growth foliage or have the crown raised to avoid a continuous barrier;*
- Use low ground cover or high-canopied trees, clean trunked to a height of 2m around children's play areas, car parks and along pedestrian pathways;*
- Minimise possible places for intruders to hide;*
- Avoid vegetation that conceals the building*

Suitable paving, sight lines and passive surveillance opportunities available.

✓

Principal dwelling remains oriented to street and secondary dwelling has west facing window to street.

✓

Entries to site and dwellings on site readily identifiable.

✓

NA

NA

NA – no landscaping proposed.

NA

<p>entrance from the street; and</p> <p>f. When planting is provided within 5m of a pedestrian pathway, it is to be lower than 1m or thin trunked with high canopy.</p>		
<p>Ensure lighting does not produce glare or dark shadows.</p>	Capable of compliance.	✓
<p>Entrances, exits, service areas, pathways, car parks are to be well-lit after dark when they are likely to be used. Design considerations include:</p> <p>a. Use diffused floodlights and/or movement sensitive lights. Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points;</p> <p>b. Use lighting that has a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. As a guide, the areas are lit to enable users to identify a face 15m away; and</p> <p>c. Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.</p>	Noted.	✓
<p>Where permitted, provide appropriate mixed uses within buildings to increase opportunities for natural surveillance. Design considerations include:</p> <p>a. Locate shops and businesses on lower floors and residences on upper floors. In this way, residents can observe the businesses after hours while the residences can be observed by the businesses during business hours and</p> <p>b. Incorporate car wash services, taxi ranks and shop kiosks within car parks. Include kiosks and restaurants in parks.</p>	NA	NA
<p>Security measures allow for natural observation and are sympathetic to the style of the building. Design considerations include:</p> <p>a. Security grilles and security doors should be visually permeable. Avoid solid shutters on front windows and doors.</p>	NA	NA
<p>B7.2.2 CPTED Principle: Access Control</p> <p>Ensure buildings, dwellings and other premises are clearly identified by street numbers which:</p> <p>b. Are at least 7cm high, and positioned between 0.6m and 1.5m above ground level on the street frontage;</p> <p>c. Are made of durable materials, preferably reflective or luminous, and unobstructed (by foliage); and</p> <p>d. Provide location maps and directional signage for larger development.</p>	Capable of compliance.	✓
<p>Provide clear entry points, including:</p> <p>a. Entrances that are easily recognisable through design features and directional signage; and</p> <p>b. Minimise the number of entry points.</p>	Site entries clearly and logically identifiable.	✓
<p>Use vegetation as barriers to deter unauthorised access.</p>	Proposal considered acceptable given secondary dwelling proposed.	✓

<p>Avoid large trees/shrubs and building works that could enable an intruder to access a dwelling, or a neighbouring dwelling. Include landscaping that:</p> <ol style="list-style-type: none"> Uses prickly plants as effective barriers. Species include bougainvillea, rose, succulents, and berries; and Avoids large trees, carports, skillion extensions, fences, and downpipes in locations that could provide a means of access to second storey windows or balconies. 	Noted.	✓
<p>Use security hardware and/or human measures only where required to reduce opportunities for unauthorised access, including:</p> <ol style="list-style-type: none"> Install quality locks on external windows and doors; Install viewers on entry doors; If security grilles are used on windows ensure they can be opened from inside in case of emergencies; Ensure skylights and/or roof tiles cannot be readily removed or opened from outside; Consider monitored alarm systems; Provide lockable gates on side and rear access ways; and Consider building supervisors or security guards. 	Noted.	✓
<p>B7.2.3 CPTED Principle: Territorial Reinforcement Create a 'cared for' image through:</p> <ol style="list-style-type: none"> Ensuring the speedy repair or cleaning of damaged or vandalised property; Providing for the swift removal of graffiti; and Providing information advising where to go for help and how to report maintenance or vandalism problems. 	Capable of compliance.	✓
<p>Use materials that reduce the opportunity for vandalism, including:</p> <ol style="list-style-type: none"> Strong, wear resistant laminate, impervious glazed ceramics, treated masonry products, stainless steel materials, anti-graffiti paints and clear over sprays will reduce the opportunity for vandalism. Avoid flat or porous finishes in areas where graffiti is likely to be a problem. Where large walls are unavoidable, consider the use of vegetation or anti-graffiti paint. Alternatively, modulate the wall, or use dark colours to discourage graffiti. Use external lighting that is vandal resistant. High mounted and/or protected lights that are less susceptible to vandalism. Use communal/street furniture that is made of hardwearing, vandal resistant materials and secured by sturdy anchor points, or removed after hours. 	Suitable materials and finishes provided.	✓
<p>Clearly define spaces to express a sense of ownership and reduce illegitimate use/entry by including:</p> <ol style="list-style-type: none"> Physical and/or psychological barriers (fences, gardens, lawn strips, varying textured surfaces) can be used to define different spaces. 	The site is clearly defined as private though existing fencing, gates and landscaping.	✓

<p><i>Encourage design that promotes pride and a sense of place for community, through:</i></p> <ol style="list-style-type: none"> <i>Encouraging community involvement in design;</i> <i>Encouraging volunteer management and maintenance of areas; and</i> <i>Encouraging wide community use of areas.</i> 	Noted	✓
<p>B7.3.1 CPTED Principle: Surveillance <i>Allow natural observation from the street to the dwelling, from the dwelling to the street, and between dwellings, through:</i></p> <ol style="list-style-type: none"> <i>For single dwellings and dual occupancies, orientate the main entrance towards the street, or both streets and corners;</i> <i>Orientate secondary dwellings towards the main dwelling so that visibility is maintained between both dwellings;</i> <i>For multi dwelling housing, orientate some of the dwellings to address the street, or both streets and corners;</i> <i>Position habitable rooms with windows at the front of the dwelling;</i> <i>Do not allow garages and/or carports to dominate the front facade of the dwelling;</i> <i>Do not provide access to dwellings or other uses above commercial/retail development from a rear lane; and</i> <i>Offset windows, doorways and balconies to allow for natural observation while protecting privacy.</i> 	<p>NA – secondary dwelling proposed, however principal dwelling oriented to street.</p> <p>Secondary dwelling has western window oriented to street.</p> <p>NA</p> <p>Complies</p> <p>Complies – no garaging or carports</p> <p>NA</p> <p>Suitable design provided</p>	✓
<p>B7.3.2 CPTED Principle: Access Control <i>Provide an appropriate level of security for individual dwellings and communal areas, including:</i></p> <ol style="list-style-type: none"> <i>Installing intercom, code or card locks or similar for main entries to buildings, including car parks;</i> <i>Ensuring main entry doors for buildings are self-closing and signs are displayed requesting residents not to leave doors wedged open; and</i> <i>Consider installing user/sensor electronic security gates at car park entrances, garbage areas and laundry areas, or alternatively provide access controls.</i> 	<p>Proposal considered suitable given single dwelling proposed.</p> <p>NA</p> <p>NA</p> <p>NA</p>	✓
<p>B7.3.3 CPTED Territorial Reinforcement <i>Design dwellings and communal areas to provide a sense of ownership, through:</i></p> <ol style="list-style-type: none"> <i>Distinguishing dwellings or groups of dwellings using design features (such as colouring, vegetation, paving, artworks, fencing or furniture); and</i> <i>Where possible, design so that no more than 6 to 8 dwellings share a common building entry.</i> 	Dwelling entry clearly defined.	✓
<p>D.8 Heritage</p> <p>Part B8 of CDCP 2012 Various requirements</p>	<p>NA - site is not affected by heritage items or heritage conservation areas.</p>	NA

D.9 Waste Management		
Part B9 of CDCP 2012		
Various requirements	No works associated with proposal. There remains sufficient paved area on site for the storage of bins with easy transport to the kerb for collection.	✓
D.10 Secondary Dwellings		
Part C6 of CDCP 2012		
<i>Where a development application to Council is made for a secondary dwelling, the minimum frontage required for secondary dwellings will be considered on merit taking into consideration compliance with Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295).</i>	Noted. Refer to Discussion at Section 4.4.4 of this report.	✓
<i>All development applications for secondary dwellings will be assessed against schedule 1 of the ARH SEPP 2009.</i>	Refer to assessment at Appendix B of this report.	✓

REPORTS AND PLANS UNDER SEPARATE COVER

Survey Plan

ID Survey

Architectural Proposal Plans

BASIX

Waste Management Plan