

STATEMENT OF ENVIRONMENTAL EFFECTS

For the demolition of an existing outbuilding structure and
construction of a secondary dwelling, outbuilding, and swimming
pool to the rear

at No. 163 Bexley Road, Kingsgrove



Residential Address : 163 Bexley Road, Kingsgrove | Lot : C | DP : 321575

Prepared by Cedar Design & Construct

10 Emery Ave, Yagoona, NSW, 2199

Phone: 0422 704 479 | email: info@cedardesign.com.au



CONTENTS

1.	INTRODUCTION	3
2.	SITE AND CONTEXT ANALYSIS	5
2.1.	Subject Site Description and Locality	5
2.2.	Surrounding Development	8
3.	THE PROPOSAL	9
3.1.	Overview	9
3.2.	Description of Works	9
4.	EVALUATION PURSUANT TO PLANNING INSTRUMENTS	11
4.1.	State Legislation	11
4.1.1.	State Environmental Planning Policy No. 55 – Remediation of Land	11
4.1.2.	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	12
4.2.	Canterbury Local Environmental Plan 2012	12
4.2.1.	Land Use Zoning	12
4.2.2.	Height of Building	13
4.2.3.	Floor Space Ratio	13
4.2.4.	LEP Compliance Table	14
4.3.	Canterbury Development Control Plan 2012	17
4.3.1.	Part B: General Controls	17
4.3.2.	Chapter C1- Dwelling Houses and Outbuildings	19
4.4.	State Environmental Planning Policy (Housing) 2021	26
4.4.1.	Table 4 – DCP (C6 - Secondary Dwellings/ Schedule 1 - Secondary dwellings (Housing SEPP (2021) Compliance Table	28
4.4.1.1.	Part 2 Site requirements.....	28
4.4.1.2.	Part 3 Building heights and setbacks	29
4.4.1.3.	Part 4 Landscaping	30
4.4.1.4.	Part 5 Earthworks and drainage	31
5.	PROVISIONS OF REGULATIONS - 4.15(1)(a)	32
5.1.	Likely Impacts of Development - 4.15(1)(b)	32
5.2.	Suitability of the Site - 4.15(1)(c)	32
5.3.	Submissions 4.15(1)(d)	33
5.4.	Public interest 4.15(1)(e)	33
6.	CONCLUSION	34

1.INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application to Canterbury-Bankstown Council for the demolition of existing Outbuilding structures, and construction of a Secondary dwelling, Outbuilding and a Swimming pool to the rear at 163 Bexley Road, Kingsgrove .

This Statement has been prepared in accordance with the BASIX Certificate and Architectural Plans prepared by Cedar Design and Construct listed below:

Drawing no.	Drawing Name	Rev.
00	Cover Page	B
0.1	Title Page	B
0.2	Specification Page	
0.3	BASIX Comments	B
01.0	Site Plan	B
01.1	Site Analysis	B
02.0	Ground Floor Plan	B
03.0	North & South Elevation	B
03.1	East & West Elevation	B
03.2	Sections	B
05.0	Concept Landscape Plan	B
06.0	Schedules	B
07.0	Neighbour Notification	B

The purpose of this report is to describe the proposed development and review the relevant planning controls relating to the proposal. It provides an assessment of the proposed development in light of the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation 2000, and has been found to be an acceptable

development for the site which is consistent with the planning framework for the Canterbury Bankstown Local Government Area (LGA).

The following is relevant to this development:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- Canterbury Local Environmental Plan 2012
- Canterbury Development Control Plan 2012

The proposed development, which is for the demolition of existing Outbuilding structures, and construction of a Secondary dwelling, Outbuilding and Swimming pool is permissible with Council's consent in the R3 Medium Density Residential zone under the Canterbury Local Environmental Plan 2012 (CLEP 2012), and Canterbury Development Control Plan 2012 (CDCP 2012). The proposal is consistent with the aims and objectives of the relevant environmental planning instruments and an assessment of the proposal has not identified any adverse impacts that are likely to result from the proposed development.

2. SITE AND CONTEXT ANALYSIS

2.1 Subject Site Description and Locality

The subject site is located within the Canterbury Bankstown region of NSW and is legally described as Lot C DP 321575 and is known as No.163 Bexley Road, Kingsgrove. The site is located towards the corner of Bexley Road and William Street, with pedestrian access to and from Bexley Road. The subject site is relatively flat in topography. Figure 1 illustrates the context of the site within the locality.



Figure 1: Aerial Map of Subject Site

Source: Six Maps (NSW Spatial Services)

The site is a rectangular shaped allotment with an area of 998.7m², a front and rear boundary length of 13.105m, and a southern and northern side boundary length of 76.2m. The site is occupied by an existing residential dwelling development with an area of 307m² and is currently under construction. The subject site is not listed as a heritage item or located within a conservation area, or in close proximity to either a heritage item or conservation area under the Canterbury Local Environmental Plan 2012 (CLEP 2012). The existing development on the site is displayed within figures 2-4 below.



Figure 2: Existing Dwelling and structures on Subject Site
Source: SIX Maps (NSW Spatial Services)



Figure 3: Existing Outbuilding structure to be demolished. Proposed swimming pool to be constructed within area displayed above.
Source: Google Maps



Figure 4: Additional land behind existing Outbuilding to be replaced with Proposed Secondary dwelling and Outbuilding structure.
Source: Google Maps

2.2 Surrounding Development

Locality

The subject site is located within an R3 Medium Density Residential zone under the Canterbury Local Environmental Plan 2012 Land Zoning map. The site is located along Bexley Road, a residential area in Kingsgrove. The existing streetscape of Bexley Road and the surrounding area predominantly consists of both single storey and two-storey dwellings located within the R3 Medium Density and R2 Low Density Residential zone. The site is easily accessible as it is located in close proximity to various bus stops , Clemton Park Train station , Clemton Park Public School , Clemton Park shopping Complex, and Hughes Park.

Street Pattern

The street character immediately surrounding the subject site is predominantly single and double storey detached dwellings with a variety of architectural periods and styles. The residential area in which the subject site is located does not have a distinct pattern of streets but it contains long narrow linear lots with no predominant orientation. Bexley Road is a two-way (4 lanes) classified road with restricted street parking spaces. The site hosts parking spaces along the side access driveway.

3. THE PROPOSAL

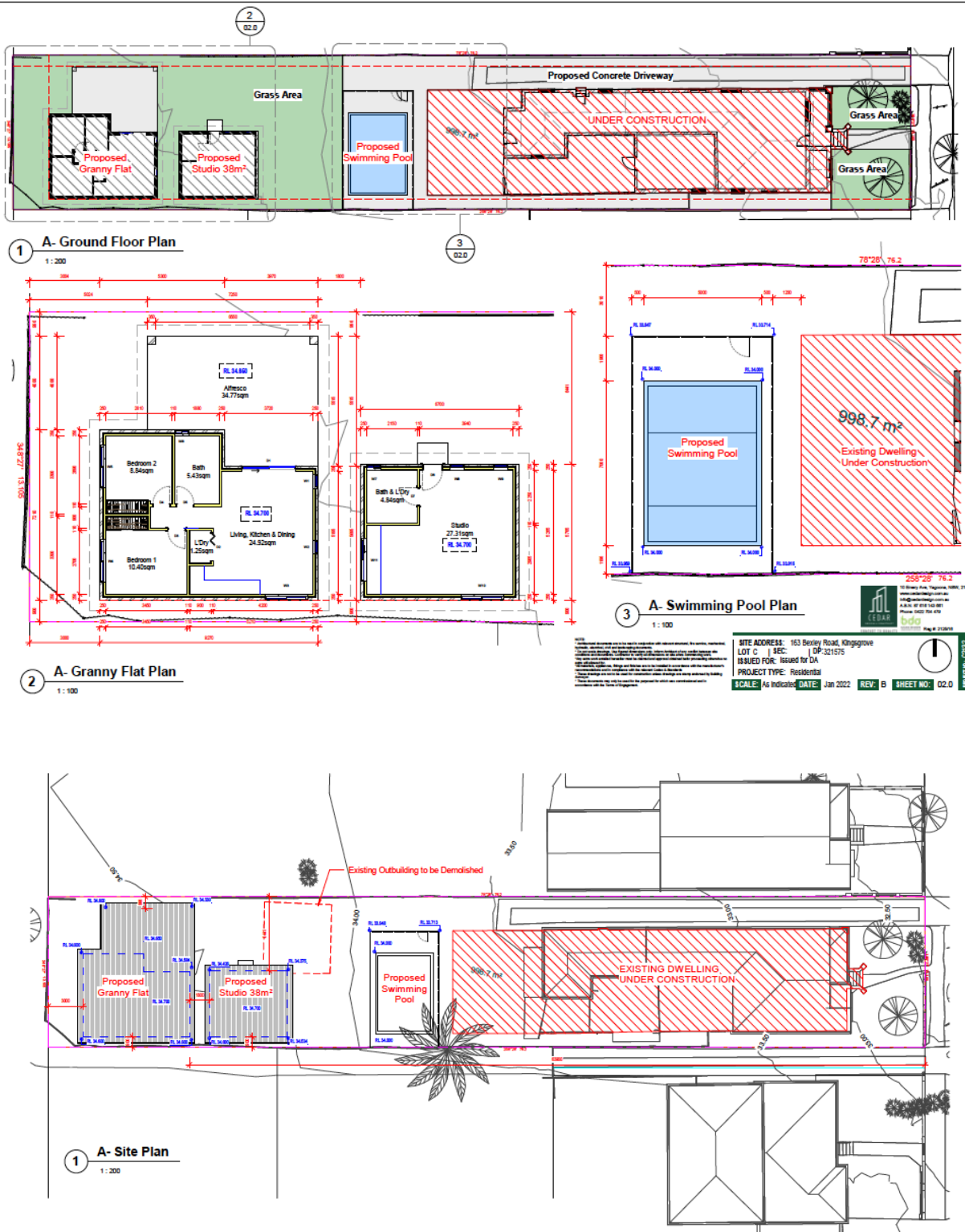
3.1 Overview

This section of the report should be read in conjunction with the architectural plans prepared by Cedar Design and Construct. This development application seeks approval for the demolition of existing Outbuilding structures, and construction of a Secondary dwelling, Outbuilding and outdoor Swimming pool to the rear at 163 Bexley Road, Kingsgrove .

3.2 Description of Works

Specifically, the proposal comprises the following:

1. **Proposed Demolition:** The application seeks consent for the demolition of the existing Outbuilding Structure on the site.
2. **Proposed Secondary Dwelling (60m2):**
 - 2 bedrooms
 - Open living, Dining, and Kitchen area
 - Common Bathroom
 - Laundry
 - Alfresco on Northern side
3. **Proposed Outbuilding (38m2)**
 - Studio Space
 - Bathroom and Laundry
4. **Proposed Swimming Pool to the rear of the principal dwelling**
 - Area: 35m2
 - Volume: 36.8m3
5. **Proposed Concrete Driveway**
 - New pavement from the front of the street to accommodate vehicles accessing and leaving the site through the side access driveway.



The external facades of the proposed Secondary Dwelling (Granny flat), Outbuilding (Studio), and Swimming pool are proposed to be finished with materials and colours which are in keeping with the surroundings. The developments surrounding the site vary in colours and materials and the proposal will add visual interest to an already varied streetscape. The proposed dwellings have been sensitively designed to capture architectural elements and finishes from the surrounding development in order to maintain the existing character of the area.

Both the proposed Secondary Dwelling and Outbuilding have been designed to minimise bulk along the rear or side boundaries through the incorporation of articulation in order to minimise impacts on the neighbouring properties.

4. EVALUATION PURSUANT TO PLANNING INSTRUMENTS

4.1 State Legislation

4.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land provides a State- wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment. A consent authority, in determining a development application, is to give consideration to whether the land is contaminated and whether it is or can be made suitable for the proposed use. Given the historic use of the site and surrounding areas for residential purposes, the consent authority can be satisfied that no remediation of land is required, and the land is suitable for continued residential use.

As per Environment Protection Authority (EPA), a list of NSW contaminated sites was notified to EPA as of 9 December 2021, the subject site is not listed indicating that there is no reason to suspect that the site may be contaminated a further investigation of the site's potential contamination is not required and the application can be processed in the usual manner.

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

State Environmental Planning Policy (Building Sustainability Index) 2004 (BASIX) aims to establish a scheme to encourage sustainable residential development across New South Wales. A BASIX certificate accompanies the development application addressing the requirements for the proposed Secondary dwelling, Outbuilding and Swimming pool. The proposal achieves the minimum performance levels / targets associated with water, energy and thermal efficiency.

4.2 Canterbury Local Environmental Plan 2012

The following provisions of the LEP are relevant to the proposal:

4.2.1 Land Use Zoning

The site is zoned R3 Medium Density Residential as shown in figure 6 below. The proposed Secondary dwelling, Outbuilding and Swimming pool are permitted with development consent.

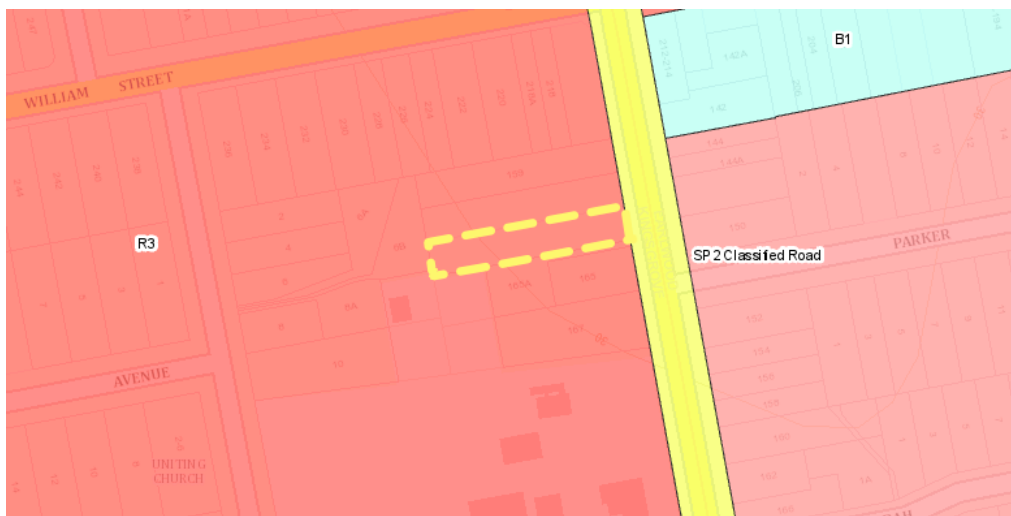


Figure 6: Land zoning map sourced from the Department of Planning, Industry and Environment – Planning Portal – February 2022

4.2.2 Height of Buildings

The subject site is permitted a maximum building height of 8.5 metres as per the Canterbury Local Environmental Plan 2012 Height of Buildings map as shown in figure 7 below. The proposed Secondary dwelling, and Outbuilding achieve a maximum height of 4.2m.

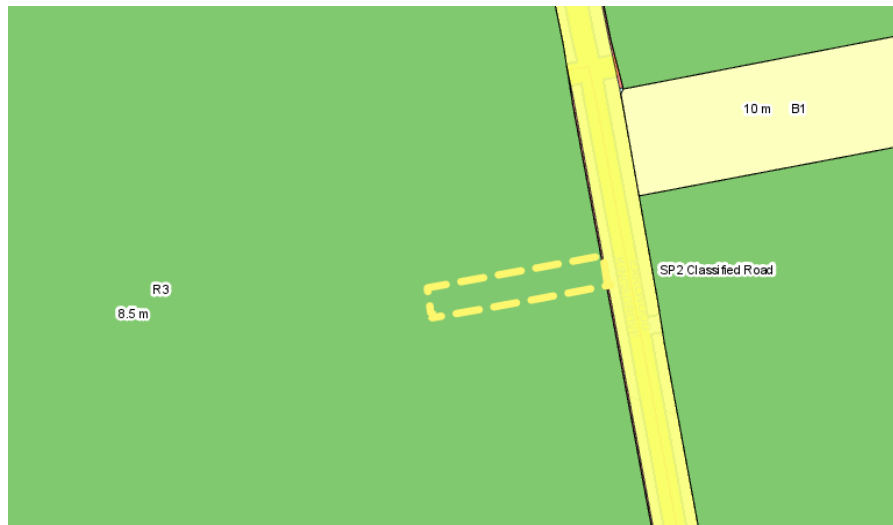


Figure 7: Building height map sourced from the Department of Planning, Industry and Environment – Planning Portal – February 2022

4.2.3 Floor Space Ratio

The site is subject to a maximum floor space ratio of 0.5:1 as shown in figure 8 below. The proposal achieves a floor space ratio of 0.40:1.

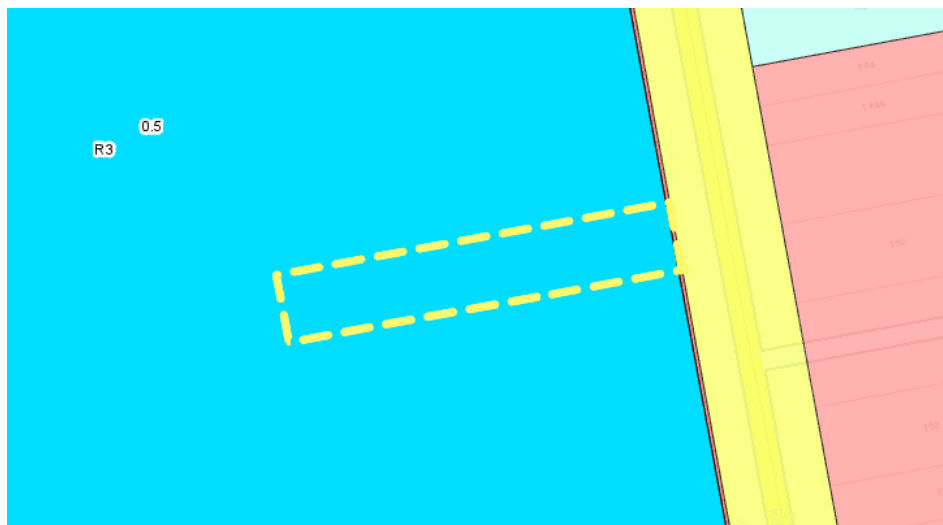


Figure 8: Floor Space Ratio map sourced from the Department of Planning, Industry and Environment – Planning Portal – February 2022

4.2.4 LEP Compliance Table

An assessment against the Canterbury LEP 2012 (CLEP 2012) is provided within Table 2 below.

Canterbury Local Environmental Plan 2012	
CL	Proposal
Part 2 - Permitted or prohibited development	
Clause 2.1 Land Use Zone	R3 Medium Density Residential Zone

Canterbury Local Environmental Plan 2012			
CL	Requirement	Proposal	Comply
Part 4 - Principal Development Standards			
Clause 4.3 Height of Buildings	Max height: 8.5m	Proposed Building height: 4.2m	Yes
Clause 4.4 Floor Space Ratio	Max Floor Space Ratio: 0.5:1	The site is subject to a maximum floor space ratio of 0.5:1. The proposal achieves a floor space ratio of 0.40:1.	Yes
Part 5 - Miscellaneous Provisions			

<p>Clause 5.4 <i>Controls relating to miscellaneous permissible uses</i> -</p> <p>Sub-clause 9 <i>Secondary dwellings</i></p>	<p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater—</p> <p>(a) 60 square metres,</p> <p>(b) 10% of the total floor area of the principal dwelling.</p>	<p>As the primary dwelling has a total floor area of 307m², the greater measurement is 60sqm. The proposed secondary dwelling will have a floor area of 60m².</p>	<p>Yes</p>
<p>Clause 5.6 <i>Architectural roof features</i></p>	<p>(a) to permit variations to maximum building height standards for roof features of visual interest, and</p> <p>(b) to ensure that roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard.</p>	<p>The development does include an architectural roof feature but not above the maximum permitted building height.</p>	<p>Yes</p>

Clause 5.10 <i>Heritage conservation</i>	Heritage Item: X Conservation Area: X In the vicinity of item or area: X Archaeological Site: X Aboriginal Heritage: X	The subject site is not identified as or located within the vicinity of heritage items, conservation areas, or archeological sites. An AHIMS search has revealed that there are no Aboriginal sites or heritage items in the vicinity of the subject site.	Yes
Part 6 - Local Provisions			
Clause 6.1 <i>Acid sulfate soils</i>	<i>Development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</i>	NA	Yes
Clause 6.2 <i>Earthworks</i>	<i>Earthworks for which development consent is required will not have a detrimental impact</i>	Nil impact due to no significant excavation proposed. Therefore, it will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Yes

Clause 6.4 <i>Stormwater Management</i>	<i>Minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.</i>	Stormwater management to be in accordance with Councils requirements, submitted BASIX Certificate and the relevant Australian Standards.	Yes
Clause 6.6 <i>Essential Services</i>	<i>Development consent must not be granted to development unless the consent authority is satisfied that essential services are available to the development</i>	All essential services such as water and electricity supply, sewage management and disposal, on-site stormwater drainage and suitable vehicular access are available to the development .	Yes

4.3 Canterbury Development Control Plan 2012

The application has taken into consideration relevant provisions of the Canterbury Development Control Plan (CDCP 2012). The following provisions of the DCP are relevant to the proposal:

4.3.1 Table 3 – DCP Compliance Table

Canterbury Development Control Plan 2012		
Part B: General Controls		
<u>Control</u>	<u>Proposed</u>	<u>Compliance</u>
B1 Transport and Parking <u>B1.2.2 General Car parking provisions</u>	Two (2) car parking spaces are provided for the dwelling on the hardstand side access driveway within the northern side setback,	Yes

B2 Landscaping	<p>Sufficient landscaping and private open space is provided within the front, rear and side setbacks of both dwellings. The proposal does not incorporate the removal of any trees or vegetation on the site. The landscaping will remain as per existing and will assist in the management of stormwater and also positively contribute to the streetscape.</p> <p>As the proposed development is a secondary dwelling and outbuilding, private open space is existing space to be shared with the primary dwelling.</p> <p>Sufficient landscaping has been provided within the proposal:</p> <ul style="list-style-type: none"> - Rear: 232m2 - Front existing: 58.7m2 <p>The proposal achieves an overall landscaped area of 290.7sqm or 29%, therefore positively contributing to the streetscape, enhancing the quality and amenity of the built form, enhancing privacy as well as preserving the environment.</p> <p>*Please refer to the Landscape Plan provided within the architectural documents.</p>	<p>Yes</p>
B5 Stormwater and Flood Management	<p>Stormwater management to be in accordance with Council requirements, submitted BASIX Certificate and the relevant Australian Standards.</p> <p>Please refer to the stormwater management plan.</p>	<p>Yes</p>
B6 Energy and Water Conservation	<p>Energy Conservation to be in accordance with Council's requirements, submitted BASIX Certificate and the relevant Australian Standards.</p> <p>The proposal achieves the minimum performance levels / targets associated energy and thermal efficiency.</p>	<p>Yes</p>

B7 Crime Prevention and Safety	Windows allow for natural observation from primary dwelling to the street, and between dwellings. Visibility is maintained between the secondary dwelling (granny flat), outbuilding (studio), and existing primary dwelling through offset windows, doorways and balconies to allow for natural surveillance.	Yes
B9 Waste Management	All demolition and construction work is to be carried out in accordance with Council's requirements to ensure there is minimal disturbance to the neighbourhood. *Please refer to the waste management plan.	Yes

Canterbury Development Control Plan 2012		
Chapter C1- Dwelling Houses and Outbuildings		
<u>Control</u>	<u>Proposed</u>	<u>Compliance</u>
C1.2 Site Planning	<p>The proposed developments are of high quality and innovative design which adds visual interest to the area whilst ensuring it does not detract from the quality of the streetscape and the desired future character of the area. The proposed design ensures that it respects the existing development whilst also adopting architectural elements from the recent developments.</p> <p>The proposal complies with the height, site coverage and landscaping controls for the site and provides setbacks which are greater than required. Overshadowing and privacy are at an acceptable level due to the sensitive design (generous setbacks, privacy treatment to windows). The siting of windows of habitable rooms have been proposed to ensure they do not overlook neighbouring properties.</p>	Yes

	<p>The innovative design, modulation to the façade, articulation to the side elevations, incorporation of interesting architectural elements and the combination of materials/colours ensure bulk and scale are of an acceptable level.</p> <p>The open plan nature of the living, dining and kitchen areas optimises solar access and cross ventilation. The private open space area is provided adjacent to the living areas which further optimises solar access to the highly used areas of each dwelling.</p> <p>The proposed development will add architectural variety to the area without negatively impacting on the character.</p>	
C1.2.2 Site Coverage	<p><u>Maximum area of building footprint</u></p> <p>The maximum area of building footprint is 430sqm for sites with areas larger than 900sqm.</p> <p>The proposed building footprint involves:</p> <ol style="list-style-type: none"> 1. Existing dwelling : 299.13m² 2. Secondary dwelling: 60m² 3. Outbuilding: 38m² <p>The total area of the proposed building footprint is 397.13sqm, and therefore meets the maximum 430sqm requirement.</p> <p><u>Maximum Floor area of all Outbuildings</u></p> <p>The floor area of the proposed Outbuilding is 38sqm, and therefore meets the maximum 60m² gross floor area requirement for Outbuilding developments.</p> <p><u>Maximum Site Coverage of all Structures on a site</u></p> <p>The maximum site coverage of all structures on a site is 40%, or 399.48m². The proposed site coverage of the principal dwelling, secondary dwelling and all ancillary development on the site is equivalent to 397.13sqm, and therefore complies.</p>	Yes

	Therefore, sufficient landscaping, deep soil areas, and private open space is ensured to provide adequate amenity for the occupants of the site, as well as surrounding developments.	
C1.2.4 Landscaping	<p>Sufficient landscaping has been provided within the proposal, and exceeds the minimum 25% landscaping requirement. The proposal achieves an overall landscaped area of 372m² 290.7m² (37%), and therefore exceeds the minimum 25% (250m²) requirement.</p> <p>The proposed landscaped area exceeds the minimum 2.5m dimensions for deep soil areas. Therefore, the proposed landscaping will positively contribute to the streetscape, enhancing the quality and amenity of the built form, minimising stormwater run-off, enhancing privacy, as well as preserving the environment.</p> <p>*Please refer to the Landscape Plan provided within the architectural documents.</p>	Yes
C1.2.5 Layout and Orientation	<p>The proposed open plan nature of the living, dining and kitchen areas optimises solar access and cross ventilation. The private open space area is provided adjacent to the living areas which further optimises solar access to the highly used areas of the buildings.</p>	Yes
C1.3 Building Envelope C1.3.1 Floor Space Ratio C1.3.2 Height	<p>The site is subject to a maximum floor space ratio of 0.5:1. The proposal achieves a floor space ratio of 0.40:1, and therefore complies</p> <p>The proposed single storey development achieves a height of 4.2m, and therefore meets the maximum 8.5m height requirement demonstrated within the CLEP 2012.</p>	<p>Yes</p> <p>Yes</p>

	<p>The maximum wall height for buildings is 7m where the maximum height of buildings standard under the LEP is 8.5m. The proposed external wall height is 3.8m, and therefore complies.</p> <p>Finished ground floor level is not to exceed 1m above the natural ground level. The proposed finished ground level will be 0.350m, and therefore complies.</p> <p>Therefore, the proposed development is of a scale that is visually compatible with the streetscape and the objectives of the zone.</p> <p><u>Retaining Walls – Development Without Basement Parking</u></p> <p>Proposed walls which enclose sub-floor areas do not exceed the maximum 1m requirement.</p> <p><u>Cut and fill – Development Without Basement Parking</u></p> <p>No significant Cut and fill has been proposed and therefore will not have a significant impact on the topography of the site. Proposed cut and fill does not exceed the maximum requirements. The level of Cut and fill is acceptable and will not have any negative environmental impacts.</p>	
C1.3.3 Setbacks	<p>The following setbacks apply:</p> <p><u>Outbuildings:</u></p> <p><u>Side –</u></p> <ul style="list-style-type: none"> • Minimum: 450mm • Proposed: <ul style="list-style-type: none"> ○ Northern side: 5.84m ○ Southern side: 1.5m <p><u>Swimming Pool</u></p> <p><u>Side/s –</u></p> <ul style="list-style-type: none"> • Minimum: 1m • Proposed: <ul style="list-style-type: none"> ○ Northern side: 3.010m ○ Southern side: 1.196m <p><u>Rear –</u></p>	Yes

<p>C1.4.2 Roof Design and Features</p>	<p>The proposal does not incorporate extensive surfaces of predominantly white, light or primary colours which would dominate the streetscape. All materials and finishes utilised have low reflectivity. The orientation of the proposed developments are reflected through the facade design.</p> <p>The external facade of the proposed Outbuilding structure will be finished with materials and colours which are in keeping with the surrounding area. The developments surrounding the site vary in colours and materials and the proposal will add visual interest to an already varied streetscape. The proposed Outbuilding has been sensitively designed to capture architectural elements and finishes from the surrounding development in order to maintain the existing character of the area.</p> <p><u>Windows</u></p> <p>Proposed windows and openings will be rectangular in shape and appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p><u>Ventilation</u></p> <p>The open plan nature of the development optimises natural ventilation through the incorporation of low-level air intake through windows and high-level vents. The private open space area is provided adjacent to the habitable rooms which further optimises solar access to the highly used areas of the buildings.</p> <p>The proposed Colorbond Ironstone roof will ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality. The proposed Colorbond Ironstone roof will assist in regulating climate within the development, as well as reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.</p>	<p>Yes</p>
---	---	------------

<p>C1.5 Amenity</p> <p>C1.5.1 Solar Access and Overshadowing</p>	<p><u>Solar Access to Proposed Development and Neighbouring developments</u></p> <p>Shadow diagrams have been submitted with this application which demonstrate that habitable rooms will receive reasonable solar access, there will be no significant impact on neighbouring properties in terms of overshadowing.</p> <p>As demonstrated within the submitted shadow diagrams, due to the orientation of the allotment, the proposed development being single storey in height,, and the compliance with the height and setback controls, overshadowing from the proposed development is considered to be minor. It should be noted the site is currently underdeveloped and any redevelopment will have an impact which is unavoidable. Taking into consideration the importance of solar access and amenity, the development is sensitively designed so there are minimal impacts. Therefore the overshadowing impacts as a result of the proposed development will be negligible.</p> <p><u>Shading Devices</u></p> <p>Proposed windows and openings will be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter. Furthermore, the incorporation of shading devices will enable occupants to adjust the quantity of solar access appropriate to suit their needs.</p>	<p>Yes</p>
<p>C1.5.2 Visual Privacy</p>	<p>The windows proposed along the side elevations are of appropriate sill height. The proposed development is single storey in height. No balconies have been proposed along the side or rear elevations. Therefore the proposal will maintain an appropriate level of visual privacy between neighbouring properties.</p>	<p>Yes</p>
<p>C1.5.3 Acoustic Privacy</p>	<p>The proposed development is for residential use and no other use which has the potential for excessive noise generation is proposed. The proposed development will be built in accordance with BCA acoustic amenity requirements to ensure adequate acoustic amenity is maintained.</p>	<p>Yes</p>

C1.6.2 Outbuildings and Swimming Pools	<p><u>Outbuildings</u></p> <p>Development for the purposes of outbuildings must not exceed a maximum height of 4.8m, and a maximum external wall height of 3.5m. The proposed outbuilding (studio) achieves an overall height of 4.2m, and an external wall height of 2.7m, and therefore complies.</p> <p><u>Swimming Pool</u></p> <p>The proposed swimming pool is located within the rear setback of the primary dwelling, and exceeds the minimum 1m setback requirement from any side or rear boundary. Landscaping is provided in the setback area to screen the pool from neighbouring properties.</p>	<p>Yes</p>
C1.6.3 Building Services	<p>Proposed building services and utilities are Integrated within the landscaping and building design to ensure minimal impact on the streetscape, and architectural character of the proposed development.</p>	<p>Yes</p>

4.4 State Environmental Planning Policy (Housing) 2021

In accordance with Part 1, Division 2, Clause 52 of the SEPP:

(2) Development consent must not be granted for development to which this Part applies unless—

- a. no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and*

Compliance : The proposed development will not result in any dwelling other than the principal dwelling and the secondary dwelling.

- b. the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and*

Compliance: The Gross floor area of the principal dwelling, secondary dwelling, and Outbuilding has been calculated as 447sqm over a site area of 998.7ssqm. In this regard, the proposed floor space ratio (FSR) is 0.45 :1 and therefore does not exceed the maximum FSR for the land (0.5:1) and accordingly is no more than the maximum floor area permitted by Clause 4.4 in the Canterbury Local Environmental Plan 2012.

3. the total floor area of the secondary dwelling is—

(i) no more than 60m², or

Compliance: The total floor area of the proposed secondary dwelling is 60sqm.

(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

Compliance: The Canterbury LEP 2012 does not have a max floor area for secondary dwellings and an assessment against the housing SEPP has been carried out. The proposed FSR is under 0.5:1 and complies.

In accordance with Part 1, Division 2, Clause 53 of the SEPP:

(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—

1. for a detached secondary dwelling—a minimum site area of 450m²,

Comment: The subject site includes a site area of 998.7sqm. The existing site area is considered sufficient for the purposes of the proposed development.

2. the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.

Comment: The proposed secondary dwelling does not create any changes to the existing parking provided on site.

4.4.1 Table 4 – DCP/ Housing (2021) SEPP Compliance Table

(C6 - Secondary Dwellings - refer to Schedule 1 - Secondary dwellings under Housing SEPP (2021))

State Environmental Planning Policy Housing (2021)		
Schedule 1 Complying development - Secondary dwellings		
Part 2 Site requirements		
Control	Proposed	Compliance
2. Lot requirements	<p>The proposed development will not result in any dwelling other than one (1) principal dwelling and one (1) secondary dwelling on the lot.</p> <p>Although the the site is subject to a minimum width of 15m, the subject site has an area of 998.7m², and provides an adequate frontage of 13.105m, and provides lawful access to Bexley Road</p>	Yes
3. Maximum site coverage of all development	<p>The maximum site coverage of all structures on a site is 40%, or 399.48m². The proposed site coverage of the principal dwelling, secondary dwelling and all ancillary development on the site is equivalent to 397.13sqm, and therefore complies.</p>	Yes
4. Maximum floor area for principal and secondary dwelling	<p>The gross floor area for the proposed secondary dwelling is 60m², and therefore does not exceed the maximum 60sqm requirement.</p> <p>The gross floor area of the principal dwelling is 299.13sqm, and therefore does not exceed the maximum 430sqm floor area requirement .</p>	Yes
5. Setbacks and Maximum floor area for balconies, decks, patios, terraces and verandahs	<p>The total floor area of all balconies, decks, patios, terraces and verandahs on a lot must be no more than 12sqm. The proposed Alfresco attached to the northern side boundary of the secondary dwelling is proposed to have an area of 34.77sqm, and therefore does not comply.</p>	No - (however acceptable) Please refer to note*

	<p>Note* The proposal complies with the height, site coverage and landscaping controls for the site and provides setbacks which are greater than required. Overshadowing and privacy are at an acceptable level due to the sensitive design (generous setbacks, privacy treatment to windows and alfresco).</p> <p>The proposed alfresco is located within 3m of the northern side boundary and will not be more than 2m above the existing ground level .</p>	
--	---	--

State Environmental Planning Policy Housing (2021)		
Schedule 1 Complying development - Secondary dwellings		
Part 3 Building heights and setbacks		
<u>Control</u>	<u>Proposed</u>	<u>Compliance</u>
6. Building height	The proposed secondary dwelling development achieves a maximum height of 4.2m, and therefore does not exceed the maximum 8.5m height requirement.	Yes
8. Setbacks from classified roads	Development for the purposes of a secondary dwelling or an ancillary structure 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 9m. The proposed development and ancillary structure are setback 63.93m from the classified road, and therefore complies.	Yes
9. Setbacks from side boundaries	Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building or a new balcony, deck, patio, terrace or verandah having a setback from a side boundary of less than 1.5m. The proposed secondary dwelling has a setback of 1.5m from the northern and southern side boundaries, and therefore complies.	Yes

10. Setbacks from rear boundaries	Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building, a new part of an existing building or a new balcony, deck, patio, terrace or verandah having a setback from a rear boundary of less than 5m. The proposed secondary dwelling development has a rear setback of 5, and therefore complies.	Yes
13. Building articulation	Development for the purposes of a secondary dwelling, 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. The primary dwelling design layout comprises a front door and windows from habitable rooms orientated towards the street.	Yes
15. Privacy	<p>Proposed windows within the rear and side boundaries of the secondary dwelling will have a privacy screen for a part of the window less than 1.5m above the finished floor level.</p> <p>A privacy screen will be installed to a height of at least 1.7m, but not more than 2.2m, above the finished floor level of the proposed alfresco, parallel to the rear and northern side boundary of the secondary dwelling.</p>	Yes

State Environmental Planning Policy Housing (2021)		
Schedule 1 Complying development - Secondary dwellings		
Part 4 Landscaping		
<u>Control</u>	<u>Proposed</u>	<u>Compliance</u>
16. Landscaped area	A lot on which development for the purposes of a secondary dwelling or an ancillary structure is carried out must have a landscaped area of at least 35% or 349.55m ² . The proposal achieves a landscaped area of 372m ² , and therefore complies.	Yes

	<p>At least 50% of the landscaped area must be located behind the building line to the primary road boundary. The proposed landscaped area exceeds the 50% requirement with 314m² of landscaping located to the rear of the primary dwelling.</p> <p>The minimum dimensions of the landscaped area must be more than 2.5m. The proposed landscaped area exceeds the minimum 2.5m dimensions for deep soil areas, and therefore complies</p>	
17. Principal private open space	A lot on which development for the purposes of a secondary dwelling is carried out must have more than 24m ² of principal private open space. The proposed development achieves 146m ² of private open space shared by both the primary dwelling and secondary dwelling.	Yes

State Environmental Planning Policy Housing (2021)

Schedule 1 Complying development - Secondary dwellings

Part 5 Earthworks and drainage

<u>Control</u>	<u>Proposed</u>	<u>Compliance</u>
18. Earthworks, retaining walls and structural support	No significant excavation has been proposed and therefore will not have a significant impact on the topography of the site. The level of excavation is acceptable and will not have any negative environmental impacts.	Yes
19. Drainage	<p>Stormwater management to be in accordance with Council requirements, submitted BASIX Certificate and the relevant Australian Standards.</p> <p>Please refer to the stormwater management plan.</p>	Yes

5. PROVISIONS OF REGULATIONS - 4.15(1)(a)

Clause 92 - 94 of the Regulations outline the matters to be considered in the assessment of a development application. All relevant provisions of the Regulations have been taken into account in the assessment of this proposal.

5.1 Likely Impacts of the Development - 4.15(1)(b)

The proposed development complies with all relevant requirements stipulated within the LEP and DCP. The proposal results in additional high quality housing options within an area of high demand and good access to public transport. The architectural appearance and design of the proposed secondary dwelling, outbuilding and swimming pool is contemporary and has been inspired by design elements of surrounding development within the streetscape. The proposed development will not have any negative impacts on both the natural and built environments and social and economic impacts in the locality. As it has been discussed above in this report, the proposed development will not have any negative impacts on the amenity of neighbouring properties. Privacy measures have been imposed to maintain an acceptable level of privacy between future occupants and neighbouring properties. The proposal also complies with the DCP requirements for solar access and overshadowing, in that it will not result in an unreasonable loss of sunlight.

5.2 Suitability of the Site - 4.15(1)(c)

Having regard to the characteristics of the site and its location, the proposed development is considered to be appropriate in that:

- The proposed secondary dwelling, outbuilding and swimming pool are permissible with consent in the R3 Medium Density Residential zone under the provisions of the LEP.
- The proposal is generally compliant with the relevant LEP standards and DCP controls and is consistent with the adjoining and nearby development;

- The proposal will provide additional high quality housing within an area of high demand and shortage;
- The proposal will not result in any unacceptable or material environmental impacts to the neighbouring residential properties in terms of overshadowing, privacy and locality siting and scale
- The proposal is compatible with the existing site character and the desired future character of the area.
- The site is located within an established area which has all required services connected and operated (electricity, water, sewerage).
- There are no hazards or constraints which would deem the site to be inappropriate for the proposed development.

5.3 Submissions - 4.15(1)(d)

Any submissions made in accordance with the Act or the regulations. The consideration of submissions cannot be made at the time of preparing this Statement.

5.4 The Public Interest - 4.15(1)(e)

The proposed demolition of the existing outbuilding structure and construction of the secondary dwelling, outbuilding and swimming pool is considered to be in the public interest for the following reasons:

- It is consistent with the objectives of the Environmental Planning and Assessment Act 1979.
- The proposal is considered to represent an attractive, well-designed development, utilising a contemporary design approach which responds appropriately and is compatible with the built form and scale of development desired for the area.
- The proposal is in accordance with the CLEP 2012 and CDCP 2012.
- Does not generate any adverse environmental impacts for the public or adjoining Properties.

6. CONCLUSION

The proposed demolition of an existing metal shed and construction of a secondary dwelling at No. 163 Bexley Rd, Kingsgrove is consistent with the objectives and relevant provisions of Canterbury Bankstown Council planning instruments.

From this statement it is concluded that the proposed development provides a higher standard of amenity which is compatible with the existing and desired future character of the area surrounding the subject site. There are no additional impacts that can be attributed to the development that will adversely affect the amenity of neighbouring properties or deter from the streetscape.

In this regard the council is requested to review the application favorably and grant the development consent.



Cedar Design & Construct Pty Ltd
ABN. 87 616 143 661

OFFICE

10 Emery Ave,
Yagoona NSW 2199

POSTAL ADDRESS

PO Box 3108
Bankstown NSW 2200

CONTACT

0422 704 479
info@cedardesign.com.au



www.cedardesign.com.au

