

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and Additions to An Existing Single Storey Dwelling to
Create First-Floor Rear Additions

39 First Street, Ashbury



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FINELINE PLANNING & DESIGN

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Project Details

Project: Alterations and Additions to An Existing Single Storey Dwelling to Create First-Floor Rear Additions

Property: Lot 6, DP 925098, No. 39 First Street, Ashbury

LGA: Canterbury Bankstown

Client: Fedele Design Pty Ltd

Document Control

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Signed



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1. INTRODUCTION

1.1 Background

This Statement of Environmental Effects has been prepared to accompany a Development Application (DA) to Canterbury Bankstown Council. The DA is seeking approval for alterations and additions to the existing single storey dwelling at 39 First Street, Ashbury to create first-floor rear additions.

This statement has been prepared under Section 4.12 of the EP&A Act, 1979. It provides an assessment of the proposed development against the relevant statutory requirements, social, economic and environmental impacts and potential amenity impacts of the development on the surrounding locality. It also outlines the measures proposed within the application to mitigate such impacts.

Canterbury Local Environmental Plan 2012 is applicable to the site. The site is zoned R2 Low Density Residential under the LEP, the proposed development is permissible with consent and is consistent with the objectives of the zone.

The site is situated on the northern side of First Street within the suburb of Ashbury. It backs onto a service lane and currently standing on the site is a single storey dwelling house. It is not listed as a heritage item, but is located within the Ashbury Heritage Conservation Area, pursuant to Schedule 5 of the Canterbury Local Environmental Plan 2012.

The application has been prepared with reference to the provisions of Canterbury Local Environmental Plan 2012 and Canterbury Development Control Plan 2012. It has also been considered having regard to the Heads of Consideration of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

This Statement of Environmental Effects shall be read in conjunction with the architectural plans prepared by Fedele Design Pty Ltd, Job No. 22300, Sheets 1-15, dated December 2021.

This document is structured as follows:

- Section 1 outlines the application and its structure;
- Section 2 describes the site and context;
- Section 3 details the proposed development;
- Section 4 summarizes an assessment against relevant legislation;
- Section 5 provides Section 4.15 Assessment;
- Section 6 articulates an assessment of the Application; and
- Section 6 provides conclusions and recommendations

Having regard to the assessment of the application against the relevant planning legislation, it is contended that the proposed development is consistent with the aims and objectives of

Canterbury LEP 2012 and the Canterbury DCP 2012. In addition, the proposal is compatible with the character of the area, and would have minimal impacts on surrounding properties and the Ashbury Heritage Conservation Area.

1.2 Purpose of Report

This Statement of Environmental Effects has been prepared having regard to Clause 50(1)(a) of the Environmental Planning and Assessment Regulation 2000, which includes:

- An analysis of the site and the surrounding locality;
- A comprehensive description of the proposed development and the scope of works proposed; and
- An assessment against the relevant requirements outlined within the Canterbury Local Environmental Plan 2012 and the Canterbury Development Control Plan 2012.

As articulated within Schedule 1 of the Environmental Planning and Assessment Regulation 2000, the purposes of this report are to:

- Identify all potential environmental impacts associated with the proposed development; and
- Provide advice to Council as to how all potential environments impacts can be appropriately and adequately resolved.

2. SITE DESCRIPTION AND CONTEXT

2.1 Site and Context

The context for the development is the residential suburb of Ashbury, within the Municipality of Canterbury Bankstown Council. The site is located approximately 8.8 kilometres south-west of the Sydney Central Business District. It is within an area generally zoned R2 Low Density Residential under Canterbury LEP 2012 and has good access to local shops, schools and public reserves and is located within 1 kilometre from the Canterbury Railway Station.

The site is situated on the northern side of First Street, which is within part of Ashbury that consists of grid-patterned road layout bounded by King Street, First Street, Holden Street and Fourth Street. The area is chiefly characterised by one storey detached dwelling houses and a number of first floor rear additions among the single storey cottages. The streets are generally arranged in regular grid-pattern with east-west and north-south aligned streets. First Street is a short east-west oriented street connecting King Street at the west end with Holden Street at the east end.

The locality is predominately characterised by one and two storey detached brick Californian, federation and inter-war period houses with Marseilles roof tiles on rectangular shaped

allotments. The dwelling houses are generally positioned toward the streets with green open space at the rear and consistent front landscaped setback area with lawns and gardens. In respect to the rear green open space areas, it is noted that the majority of the sites contain outbuildings, and in some instances pools. These blocks benefit from rear service lane where garages and carports are built to the service lane and vehicular accesses to these blocks are from the service land.

The site is a rectangular shaped allotment having a frontage of 10.2 metres and a depth of 39.6 metres with a total site area of 402.6 square metres. Erected on the site is a rectilinear single storey brick bungalow with a detached garage at the rear facing the service lane. The dwelling is crowned with dual gabled roofs with terracotta roof tiles and attached to the façade is a porch awning. There is an addition attached to the rear of the dwelling which is crowned with single pitched metal roof sheets.

The site falls from the front to the rear boundary of roughly 620mm. There is no vegetation on site, only street trees along the nature street.

The site is legally described as Lot 6 in Deposited Plan 925098 and is known as 39 First Street, Ashbury. The property is not listed as a heritage item. However, it is located within the Ashbury Heritage Conservation Area.

The immediate adjoining property to the east on the corner of First Street and Andrew Avenue contains a single storey dwelling house with a detached outbuilding at the rear. The west adjoining property is also a single storey dwelling house with a detached outbuilding at the rear. These properties back onto a service lane which provides vehicular accesses to these sites. The developments on the opposite side of First Street are single storey detached cottages.



Figure 1: Aerial view of the locality with the subject site highlighted in red outline (Source: SixMaps)



Figure 2: Street view of the site as seen from First Street – 1-storey detached cottage with double gabled roofs and low front masonry fence (Source: FPD)



Figure 3: View of the site as seen from the service lane with a detached single storey timber garage and a metal awning (Source: FPD)



Figure 4: General view of First Street looking toward east (Source: FPD)



Figure 5: General Street view of First St looking westward (source: FPD)



Figure 6: General view of the rear service lane looking westwards (source: FPD)

2.2 Development History

A search of Council's online tracking system did not find any development applications for the site.

3. DEVELOPMENT PROPOSAL

3.1 Description of Proposed Development

The Application seeks approval for alterations and additions to the existing single storey dwelling house to create first-floor rear additions.

The proposed development are detailed in the following plans and documents that accompany the application:

- Architectural plans prepared by Fedele Design Pty Ltd, Job No. 22300, Drawings 1-18 (inclusive), NP-01 & NP-02, dated December 2021.
- Schedule of Finishes prepared by Fedele Design Pty Ltd, undated.
- Stormwater plans prepared by KD Stormwater Pty Ltd, Job No. DG 2469, Sheet 1 of 1 2, dated 28/02/2022.
- Survey plan prepared by United Surveyors, drawing No. 10784-1, sheet 1 of 1, Issue A, dated 25/10/2021.
- Landscape plan prepared by Monaco Designs P/L, Job No. 6109, Sheet 1 of 1, dated 1 March 2022.
- Basix Certificate No. A450350, dated 28 February 2022.

3.2 Scope of Proposed Works

Demolition

- Removal of internal walls for the living, dining, bedroom 3 and the kitchen and laundry area in order to create an open plan living area.
- Removal of the rear alfresco deck.
- The existing shed, awning and concrete at the rear of the site are to be demolished.

Alterations and Additions

The proposed alterations and additions will provide for an open plan of combined living area with a bedroom and a study, plus a laundry and powder room on the ground floor. The first floor will contain 3 bedrooms and 2 bathrooms. An alfresco area is proposed at the rear of the house and a single pitched carport is proposed to be attached to the existing rear garage.

The proposed scope of works is detailed in Figures 7-11 as follows:

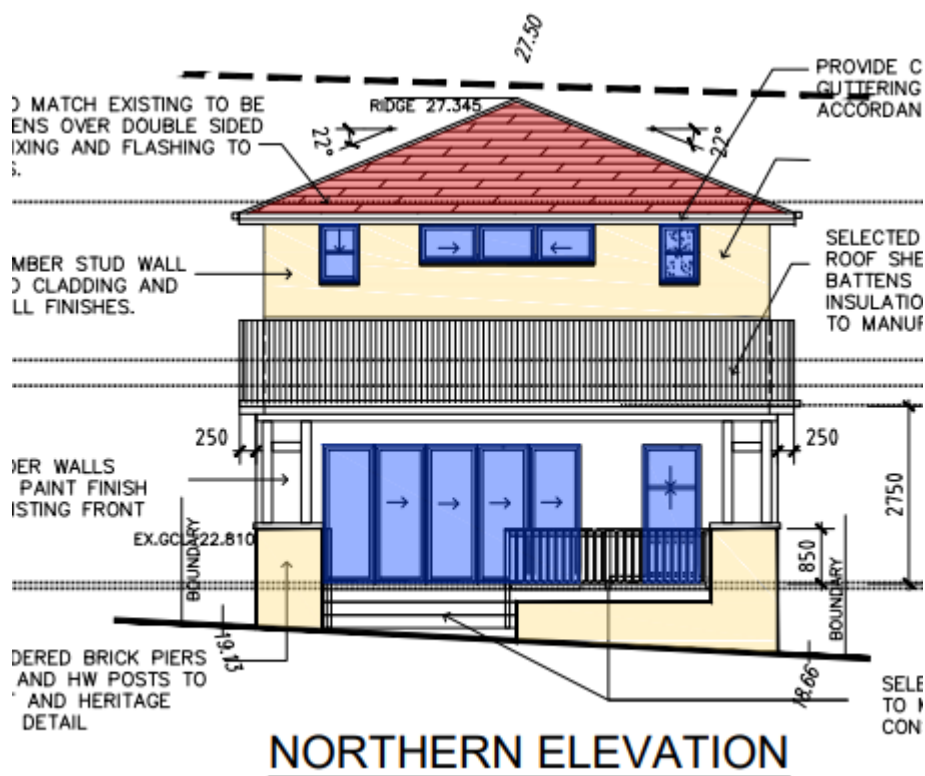
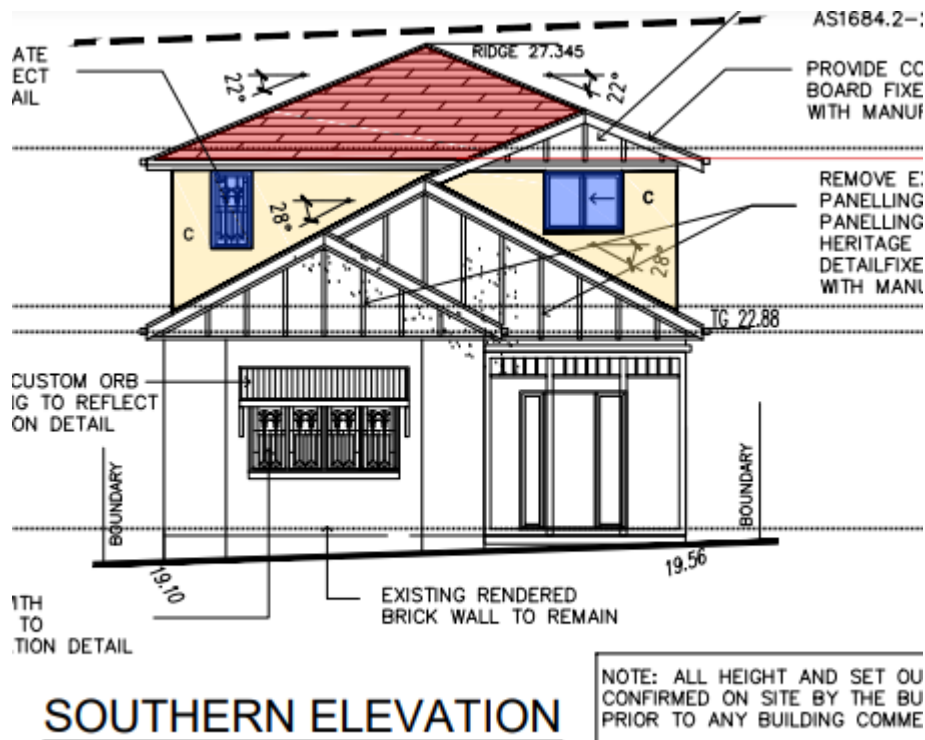


Figure 10: Proposed front and rear elevations (Source: Fedele Design P/L)

4. STATUTORY FRAMEWORK

- Canterbury Local Environmental Plan 2012
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No.55 – Remediation of land
- State Environmental Planning Policy (Infrastructure) 2007
- Canterbury Development Control Plan 2012

4.1 CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

The subject site is zoned R2 Low Density Residential pursuant to Canterbury Local Environmental Plan 2012. The proposed development, involving alterations and additions to an existing dwelling to allow first floor additions, would be properly characterised as a dwelling house, which is permissible with consent within R2 zone.

Figure 12 below identifies the zoning of the site under Canterbury Local Environmental Plan 2012.

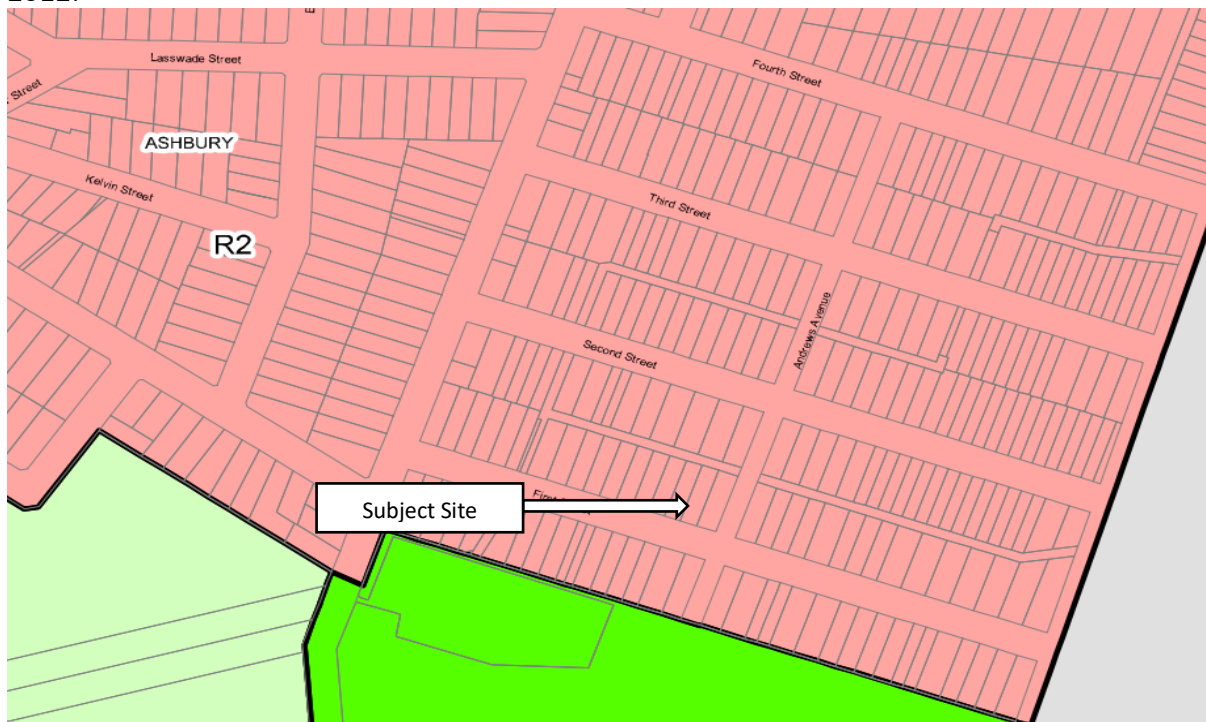


Figure 12: Zoning of the site - R2 Low Density Residential under CLEP 2012 (Source: CLEP 2012)

The LEP R2 Low Density Residential Land Use table is reproduced below:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Shops; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

It is contended that the proposed development is consistent with the objective of the R2 zone in that the proposal will continue to provide for the housing needs of the community within a low density residential environment.

The following table provides an assessment of the proposed development against the relevant development standards outlined in the Canterbury LEP.

Table 1: Compliance with Canterbury LEP 2012

Criteria	Required/Permitted	Comments
Part 1 Preliminary		
1.3 Land to which this Plan applies	This Plan applies to the land identified on the Land Application Map.	The site is identified on the Land Application Map.
Part 2 Permitted or prohibited development		
2.2 Zoning of land to which Plan applies	For the purposes of this Plan, land is within the zone shown on the Land Zoning Map	The site is zoned R2 Low Density Residential under the LEP and dwelling houses are permitted land use with consent.
Part 4 Principal development standards		
4.1 Minimum subdivision lot size	Minimum lot size – 460m ²	NA – no subdivision proposed.

4.3 Height of buildings	Max building height – 8.5m	Complies: the proposed addition is below the allowable building height.
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map .	No FSR development standard applicable to the site.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	<p>(2) Requirement for consent Development consent is required for any of the following:</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(5) Heritage assessment The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p>	<p>Site is located within the Ashbury Heritage Conservation Area as per Part 2 Heritage Conservation Area of Schedule 5</p> <p>The proposed development is for partial demolition of the rear of the brick dwelling at the subject site to allow for a rear extension to the house to improve its internal layout, efficiency and residential amenity.</p> <p>The application is accompanied by a Heritage Impact Statement demonstrating that the proposed rear first floor additions within the Ashbury Heritage Conservation Area is acceptable and would not have an adverse impact upon the heritage significance of the area. Moreover, the proposed rear additions would harmoniously complement the visual character of the heritage conservation area and improve the function and amenity of the house without any adverse impact upon</p>

	<p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>neighbouring properties and the streetscape.</p> <p>It is considered that the proposal would not result in any adverse impact upon the Ashbury Heritage Conservation Area. Refer to the Heritage Impact Statement supporting the application for details.</p>
6.1 Acid sulfate soils	<p>The site is identified as Class 5 pursuant to the Acid Sulfate Soils Map of the LEP. In accordance with subclause 2, development consent is not required in respect to Acid Sulfate Soils, given that the site is classed as Class 5 and no works are proposed within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	<p>Noted.</p>
6.2 Earthworks	<p>Council to consider matters relating to drainage patterns, soil stability, quantity and quality of fill and any impacts on drinking water catchments.</p>	<p>Earthworks associated with the proposal are consistent with this Clause. Minimum disturbance to the site is proposed.</p>
6.4 Stormwater management	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having</p>	<p>Proposal is accompanied by a stormwater concept plans – refer to it for details.</p>

	<p>regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.</p>	
6.6 Essential services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable vehicular access.</p>	<p>Complies.</p> <p>The site is located in an established suburb and is provided with essential services in terms of water supply and disposal of sewage, and electricity. In addition, satisfactory stormwater drainage and vehicular access is proposed.</p>

4.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

The application is supported by a BASIX Certificate, which demonstrates that the proposal is satisfactory with regard to water and energy efficiency and thermal comfort. The required Basix commitments are documented and illustrated in the architectural drawings.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Pursuant to Clause 7(1) of SEPP 55, a consent authority must not consent to the carrying out of any development on land unless the following are addressed:

Clause 7 - Contamination and remediation to be considered in determining development application	Comment
(a) it has considered whether the land is contaminated, and	There is no evidence to suggest that the land is contaminated. The land has been used for residential purposes since the existing building was erected at the site a long time ago.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	The land has been used for residential purposes and will continue to be used for such purposes.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	Given that there is no evidence of any potential contamination on site, remediation is not required.

The subject site is an established residential suburb. Insufficient evidence exists to suggest that the land is contaminated. As such, a land contamination assessment is not considered to be necessary. Overall, the subject site is suitable for the proposed development subject to standard conditions of consent.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

There are no SEPP Infrastructure requirements that are relevant to the proposal.


4.5 CANTERBURY DEVELOPMENT CONTROL PLAN 2012

The following table 3 outlines the relevant development controls for boarding houses detailed in Part A, Part B and Part C (Chapter C7) of the DCP.

Applicable Clauses in Canterbury DCP 2012	Development Control	Compliance
Part A: Introduction		
A1.1 Purpose of this DCP	The purpose of the Canterbury DCP 2012 is to supplement the Canterbury LEP 2012 and provide more detailed objectives and controls to guide the form of development across the former Canterbury LGA.	Noted.
A1.3 Application of the DCP	This DCP applies to all land within the former Canterbury LGA only.	The site is located within the City of Canterbury Bankstown, but is within the former Canterbury LGA. Thus, this DCP is applicable to the proposal.
A1.4 Aims of this DCP	<p>This DCP aims to provide a comprehensive suite of development controls to including:</p> <ul style="list-style-type: none"> - Achieve well-designed development that is compatible with its context and acceptable to the community; - Enhance amenity for people in Canterbury; - Protect natural features and the environment; - Ensure development in Canterbury functions in a way that meets the needs of the community; - Facilitate full consideration of human, environmental and servicing requirements in relation to proposed development; Statutory Information - Allow designers to respond to the individual circumstances of a site. 	The proposal is consistent with the aims of the DCP.
Part B: General Controls		
General Controls	Provides general objectives and controls that relate to all	Noted

	development and activities in the Canterbury LGA. This includes: subdivision and consolidation; transport and parking; landscaping; tree preservation; accessible and adaptable design; water and flood management; energy and conservation; crime prevention and safety; heritage; waste; and use of footpath.	
B1.2 Transport and Parking Requirements	<p>Dwelling Houses: 2 spaces per dwelling.</p> <p>Design of Parking Facilities:</p> <p>All parking, and associated infrastructure is to comply with Australian Standard 2890 Parking Facilities series.</p>	<p>Complies.</p> <p>2 car parking spaces to be maintained.</p>
B2 Landscaping	Landscape plan not required for dwelling houses.	Noted
B5 Stormwater and Flood Management	<p>A detailed stormwater drainage plan is to be lodged with all DA's (except change of use applications) to illustrate how stormwater runoff from the site will be managed.</p> <p>The stormwater drainage plan is to be prepared by a practicing civil engineer with suitable experience in accordance with the AS/NZS 3500.3 Plumbing and Drainage – Part 3 and the relevant Australian Standards.</p> <p>The stormwater drainage plan is to address all the issues outlined in the On-Site Stormwater Detention Checklist contained Appendix 1 – Engineering Specifications.</p>	Refer to the submitted stormwater drainage plans for details.
B6 Energy and Water Conservation		

B6.2 Passive Energy Design	<p>Shading and Glare</p> <p>Identified various shading and glare measures that should be incorporated into development to achieve passive energy efficient building.</p>	Appropriate shading and glare measures incorporated into the development.
Insulation and Thermal Mass	<p>Maximise thermal mass in floor and walls in northern rooms of the building.</p> <p>Provide insulation in the roof, ceiling, walls and floors.</p>	Proposal is accompanied by a Basix Certificate, which incorporates insulation and thermal mass.
Ventilation	<p>Incorporate features to facilitate natural ventilation and convective currents</p> <p>Where natural ventilation is not possible, energy efficient ventilation devices should be considered as an alternative to air conditioning.</p>	Natural ventilation and convective current are incorporated into the design to facilitate air movements within the dwelling.
Water and Energy Efficiency	Outlines measures relating to water conservation and energy conservation	Water and energy conservation measures for the proposal are detailed in the Basix Certificate.
Active Energy	Outlines measures for active solar energy systems	Noted. Refer to architectural drawings for details.
B7 Crime Prevention and Safety	<p>Crime Prevention through Environmental Design (CPTED) is a practical crime prevention technique that uses the design of the physical environment to reduce the potential for crime.</p> <p>CPTED provides a range of strategies to assist communities in playing an active role in local crime prevention. These strategies relate to the design and management of the physical environment to ensure that:</p> <ul style="list-style-type: none"> • There is more chance of being seen, challenged or caught; 	See below in the report for a detailed response.

	<ul style="list-style-type: none"> • Greater effort is required; • The actual or perceived rewards are less; and • Opportunities for criminal activity are minimised. <p>In addition, CPTED is about the design of spaces that make people feel safe. The 4 principles central to CPTED are:</p> <ul style="list-style-type: none"> • Surveillance; • Access Control; • Territorial Reinforcement; and • Space Management. 	
B8 Heritage		
All development relating to a place of heritage significance requires development consent from Council.	<p>The site is not a heritage listed item, but is located within the Ashbury Heritage Conservation Area.</p>  <p>Figure B8.1: Ashbury Heritage Conservation Area shown hatched (extract from LEP Heritage Map)</p>	Refer to the submitted Heritage Impact Statement for an analysis of the suitability of the proposal for the site and the Ashbury Heritage Conservation Area.
Part C: Residential Accommodation		
C1 Dwelling Houses and Outbuildings		
C1.2 Site Planning		
Minimum Lot Sizes and Frontage	The minimum primary street frontage width for dwelling houses is 15m.	Not relevant as the site is in existence and no subdivision is proposed. Site is rectangular in shape.

2.2 Site Coverage	<p>Site Area – up to 449m²</p> <ul style="list-style-type: none"> - Max Area of Building Footprint: 300m² - Max floor area of all outbuildings: 30m² - Max site coverage of all structures on a site: 60% 	<p>Complies.</p> <p>Site area - 402.6m²</p> <p>Max building footprint – 211m²</p> <p>Max floor area of all outbuilding – 31.4m² (existing)</p> <p>Max site coverage – $229.6/402.6 = 57\%$</p>
Isolated Sites	Neighbouring properties are not to be isolated so that the property will be unable to reasonably accommodate redevelopment.	No site isolation issue with the proposed alterations/additions.
Landscaping	<p>Minimum deep soil - 15% of the site area.</p> <p>Deep soil areas – 2.5m min dimension.</p>	<p>Complies.</p> <p>Proposed deep soil zone - 26% (105m²) of the site.</p>
Layout and Orientation	<p>Orientate development to maximise solar access and natural lighting.</p> <p>Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.</p> <p>Coordinate design for natural ventilation with passive solar design techniques.</p> <p>Site new development and private open space to avoid existing shadows cast from nearby buildings.</p> <p>Site a building to take maximum benefit from cross-breezes and prevailing winds.</p>	<p>Complies.</p> <p>The proposed alterations/additions are responsive to the orientation of the site and receives reasonably good solar access to all the habitable rooms. The living/dining rooms, family and kitchen areas receive excellent solar access, as they are oriented due north and north-east. Equally, the first-floor bedrooms receive excellent solar access due to their north and north-east orientation.</p> <p>The proposal has been carefully designed to not only protect the amenity of adjoining properties, but also ensure that the development potential of neighbouring allotments is protected. That is, their ability to</p>

	Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	re-develop will not be compromised. In addition, the development maintains casual surveillance of the street and the laneway in that there are habitable windows overlook the street and the rear service lane. These are judiciously calibrated to also maintain the visual privacy of neighbouring properties.
C1.3 Building Envelope		
Floor Space Ratio	No FSR prescribed for the site under the LEP.	NA
Height	<ul style="list-style-type: none"> - A max built form – 2-storey. - A max external wall height where the max height in the LEP is 8.5m - 7m - Max finished ground floor level above the natural ground level – 1m 	<p>Complies.</p> <ul style="list-style-type: none"> - A max 2-storey proposed. - External wall height < 6.7m. - FFL < 1m above natural ground level.
	<p>Cut and fill</p> <ul style="list-style-type: none"> - Max cut below ground level – 1m. - Max fill above ground level – 600mm. 	<p>Complies.</p> <p>No cut/fills proposed.</p>
Setbacks	<p>Frontage 12.5 or less:</p> <ul style="list-style-type: none"> - Max front setback – 5.5m - Max recess for main entrance from building line – 2m - Min side setback – 900mm - Min rear setback – 6m <p>Front and side setbacks for first floor additions may match the ground floor wall alignment of the</p>	<p>Complies.</p> <p>No changes to front setback.</p> <p>Side setbacks: 935mm – 1.15m</p> <p>Rear setback: 11.7m</p> <p>Proposed first-floor has an overall length of 10.4m, but is less than 43.9% of the overall length of the</p>

	<p>existing dwelling for a depth of 10m or 50% of the length of the façade, whichever is the greater.</p> <p>One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway and not to comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.</p>	<p>side elevation of the building. Thus, complies.</p> <p>The site is currently provided with a garage at the rear facing the service lane and a metal awning also exists along the rear yard. It is proposed that the awning be demolished and replaced with a new carport that will be attached to the garage. Whilst the overall width of the garage and carport exceed 50% of the rear boundary and the allowable width of 6m by 560mm, these are located at the rear of the site fronting the service lane. In addition, the proposed carport is slightly narrower than the metal awning. Thus, there would be minimal impact upon the laneway and any neighbouring properties.</p> <p>Attaching the carport to the garage results in the consolidation of the rear private open space in comparison to the existing situation, resulting in a much more functional and usable rear yard.</p>
Building Separation	<p>The top storey of any two-storey building should be designed, as a series of connected pavilion elements.</p> <p>Pavilion elements shall have a depth between 10m to 15m.</p> <p>Articulate pavilion elements by an additional side boundary setback, and identified by separate roofs.</p>	<p>The first-floor additions have been designed as a recessive element that is setback in excess of 9.2m behind the front façade of the dwelling and in excess of 12.8m from the street. It is purposely conceived so as to ensure that it is not visually prominent from the street or a public domain.</p>
Building Design		

Contemporary Built Form	<p>The proposed addition is not visually prominent from the street or from a public space.</p> <p>New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.</p> <p>Access to upper storeys must not be via external stairs.</p> <p>Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).</p>	The proposed first-floor additions have been judiciously conceived as a traditional built form featuring a combined hipped/gable ended dual pitched roofs to complement the design and built form of the existing dwelling.
Building Entries	<p>Entries to residential buildings must be clearly identifiable.</p> <p>A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.</p>	Complies.
Internal Dwelling Layout	<p>Primary living area and principal bedroom must have a minimum dimension of 3.5m.</p> <p>Secondary bedrooms must have a minimum dimension of 3m.</p> <p>Provide general storage in addition to bedroom wardrobes and kitchen cupboards.</p>	Complies.
Facade Treatment	<p>Facade design to reflect the orientation of the site.</p> <p>Facades visible from the street be designed as a series of articulating panels or elements.</p>	Complies.

	<p>Width of articulating panels:</p> <ul style="list-style-type: none"> - Street elevation - 4m to 6m - Side elevation - 10m to 15m <p>Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.</p>	
Pavilions	<p>The top storey of any two-storey dwelling be designed as a series of connected pavilion elements to minimise scale and bulk.</p> <p>Pavilion elements depth - 10-15m.</p>	Complies.
Windows	<p>Large windows should be screened with blinds, louvres, awnings or pergolas and be draft insulated.</p> <p>Windows must be rectangular.</p> <p>Square, circle and semi-circle windows are acceptable in moderation.</p> <p>Vertical proportioned window openings can include multi-panel windows or multi-panel doors.</p> <p>Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p>	Complies.
Ventilation	<p>Incorporate features to facilitate natural ventilation and convective currents</p>	Complies.
Roof Design and Features	<p>Use a simple pitched roof that accentuates the shape of exterior</p>	Complies.

	<p>walls, and minimises bulk and scale.</p> <p>Roof pitches are to be compatible and sympathetic to nearby buildings.</p> <p>Max pitched roofs - 30 degrees.</p> <p>Relate roof design to the desired built form and context.</p>	
C1.5 Amenity		
Solar Access and Overshadowing	<p>Solar Access to Proposed Development - Minimum of 3 hours of between 8.00am - 4.00pm on 21 June.</p> <p>Principle areas of private open space - Minimum of 3 hours between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.</p>	Complies.
	<p>Solar Access to Neighbouring Development - minimum of 3 hours between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.</p> <p>Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.</p>	<p>Complies.</p> <p>The required solar access is provided to the proposed development and neighbouring development at the winter-solstice.</p>
Shading Devices	<p>Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p>Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent</p>	Complies.

	direct sunlight entering and heating the building in summer.	
Visual Privacy	<p>Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.</p> <p>Minimise direct overlooking of rooms and private open space.</p>	<p>Complies.</p> <p>The proposal would to not cause any visual privacy issues within the development and to neighbouring developments.</p>
Acoustic Privacy	<p>Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.</p> <p>Bedroom windows in new dwellings that would be located at or close to ground level are be raised above, or screened from, any shared pedestrian pathway.</p>	<p>Complies.</p> <p>No unsatisfactory acoustic privacy issue associated with the proposed boarding house development.</p>
C1.6 Fences and Ancillary Development		
Fences	Maximum height of front boundary fence - 1.2m or 1.8m if a minimum 50% transparency screening is provided.	Complies. No changes to existing boundary fences.
Outbuildings and Swimming Pools	<p>Maximum height of outbuilding - 4.8m.</p> <p>A maximum wall height of outbuilding - 3.5m</p>	Complies.
Building Services	<p>All letterboxes be installed to meet Australia Post standards.</p> <p>Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new</p>	Complies. No changes proposed.

	building, or the desired green character of streetscapes.	
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Comments: As demonstrated in the above compliance table, the proposal achieves full compliance with the requirements of the Canterbury DCP 2012.

4.6. Crime Prevention Through Environmental Design (CPTED)

The proposed development adopts the principles of “Safer by Design” to ensure that the development will create an environment, which feels safe and is safe for tenants and visitors.

The following is provided in respect of the overall development.

Effective design of boarding houses can reduce community fear, as well as opportunities for crime. The proposed boarding house complies with the principles of CPTED and best practice guidelines as identified below.

4.6.1 Safer by Design Principles

There are four (4) principles, which form the basis of crime risk assessment as they relate to Development Applications.

4.6.1.1 Surveillance

Surveillance is providing human observation of public space. It can be assisted by providing unobstructed views, lighting high use areas and by using visibly permeable building materials. Natural surveillance does not have to compromise privacy.

4.6.1.2 Access Control

The ease with which intruders can get in and out of an environment uncontrolled or undetected or the extent to which they are compelled to use shared entries has a significant bearing on crime risk. The use of fences, security devices and locks to restrict access, increases the effort required to commit an offence and therefore reduces the potential for it to happen.

4.6.1.3 Territorial Reinforcement

Areas that are well protected and look as if they are owned and cared for, give an impression that it is harder to conduct anti-social behaviour. Cared for areas also reduce the level of fear within the community.

4.6.1.4 Space Management

Spaces that are well managed and maintained and where any evidence of anti-social behaviour is promptly removed reduce levels of satisfaction for those performing anti-social activities and reduce fear in the community.

The following provides an analysis of the proposed development in respect to these principles.

4.6.1.5 Natural Surveillance

The objectives of natural surveillance are to encourage the passive observation of spaces from surrounding buildings and land uses and to further improve surveillance through increased legitimate use. Using design, clear sightlines, effective lighting and landscaping to enhance opportunities for surveillance increases the risk of offenders being seen, heard, reported and potentially apprehended. Surveillance needs to be balanced with privacy needs.

The assessment concludes that the proposal has been designed to support the objectives and requirements of CPTED, as detailed in the below table.

CRIME ASSESSMENT

Principle	Assessment
<p>Surveillance</p> <p>The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical. Good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. Would be offenders are often deterred from committing crime in areas with high levels of surveillance.</p> <p>From a design perspective, 'deterrence' can be achieved by:</p> <ul style="list-style-type: none"> • clear sightlines between public and private places; • effective lighting of public places; • landscaping that makes places attractive, but does not provide offenders with a place to hide or entrap victims. 	<p>Passive Surveillance</p> <p>The proposal responds:</p> <ul style="list-style-type: none"> • The development has a frontage to First Street and backs onto a service lane. Passive surveillance to the front and rear boundaries is improved as a result of the proposed first floor additions due to the place of additional windows that face the streets. • The safety and security of the site is enhanced by increased activity and surveillance provided by overlooking of spaces from windows and entry. <p>Active Surveillance:</p> <ul style="list-style-type: none"> • Active overlooking of spaces and residents within the development will increase surveillance of the development.

<p>Access Control</p> <p>Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.</p> <p>By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in restricted areas.</p> <p>However, care needs to be taken to ensure that the barriers are not tall or hostile, creating the effect of a compound. Effective access control can be achieved by creating:</p> <ul style="list-style-type: none"> • landscapes and physical locations that channel and group pedestrians into target areas. • public spaces which attract, rather than discourage people from gathering. • restricted access to internal areas or high risk areas (like car parks or other rarely visited areas). This is often achieved through the use of physical barriers. 	<p>The Proposal responses:</p> <ul style="list-style-type: none"> • No changes proposed to the existing transition between the public and private domains, which is controlled by low fence and gates.
<p>Territorial Reinforcement</p> <p>Community ownership of public space sends positive signals.</p> <p>People often feel comfortable in, and are more likely to visit places which feel owned and cared for.</p> <p>Well used places also reduce opportunities for crime and increase risk to criminals. If people feel that they have some ownership</p>	<p>The proposal responses</p> <ul style="list-style-type: none"> • The site will have high quality, inviting and attractively access which will enforce the principle of 'territorial reinforcement'.

<p>of public space, they are more likely to gather and to enjoy that space.</p> <p>Community ownership also increases the likelihood that people who witness crime will respond by quickly reporting it or by attempting to prevent it. Territorial reinforcement can be achieved through:</p> <ul style="list-style-type: none"> • design that encourages people to gather in public space and to feel some responsibility for its use and condition. • design with clear transitions and boundaries between public and private space. • clear design cues on who is to use space and what it is to be used for. Care is needed to ensure that territorial reinforcement is not achieved by making public spaces private spaces, through gates and enclosures. 	
<p>Space Management</p> <p>Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.</p> <p>Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, and the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.</p>	<p>The proposal responses</p> <ul style="list-style-type: none"> • An active maintenance program of the pedestrian path and driveway and the landscaping should be employed, which will routinely carry out regular maintenance works around the site.

Having regard to the safer by design principles referred to above we are of the opinion that the proposed development, through the built form and access design provide a satisfactory response in minimising crime risk.

5 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

5.1 Section 4.15 Evaluation

In determining an application, the consent authority must take into consideration the heads of consideration as contained in Section 4.15 of the EPA Act, 1979.

Matters for Consideration – General

(a) *the provisions of:*

(i) *any environmental planning instrument, and*

State Environmental Planning Policy No. 55 – Remediation of Land

There are no known previous land uses relating to possible contamination. Given the residential nature of the subject site and surrounds, Council can be satisfied that the site is suitable for the proposed development.

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

The submitted BASIX Certificate demonstrates that the proposal meets the required targets in respect to water and energy efficiency and thermal comfort.

Local Environmental Plan

The site is zoned R2 Low Density Residential pursuant to Canterbury Local Environmental Plan 2012. The proposed development is permissible with consent. It has been demonstrated that the proposed development is consistent with the objectives of the zone and the development does not contravene any provisions of the LEP.

(ii) *any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*

The Draft Consolidated Local Environmental Plan that seeks to produce a single set of planning rules for Canterbury Bankstown Council was exhibited in 2020. It is currently before the NSW Department of Planning, Industry and Environment for review. The Department has not indicated when this review may be completed.

(iii) *any development control plan, and*

Canterbury Development Control Plan 2012

The proposed development is consistent with the relevant provisions relating to dwelling houses and is worthy of approval based on both performance and merit.

- (iii) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*

There is no planning agreement proposed by the Applicant.

- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

There are no matters prescribed by Clause 92 of the Regulation which are relevant to the Development Application.

- (v) (Repealed)*

that apply to the land to which the development application relates.

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

It is considered unlikely that any adverse environmental, social or economic impacts would occur as a result of the proposed development.

- (c) the suitability of the site for the development,*

The proposed development is considered to be suitable for the site. The development is a permitted land use, meets the objectives of the zone, and has demonstrated compliance with the relevant development controls contained within the Council's DCP. The site is located in the established suburb of Ashbury and the proposed development will maintain the low-density character of the locality. Additionally, the proposed development satisfactorily addresses the site constraints and adjoining properties. Furthermore, there are no site attributes conducive to the proposed development.

- (d) any submissions made in accordance with this Act or the regulations,*

Any submissions will be considered by Council as part of its assessment and determination of the Development Application.

- (e) the public interest.*

Approval of the application is considered to be in the public interest in that it enables for the orderly and economic use of the land and achieves compliance with Council's controls without having any adverse impact to adjoining and surrounding properties.

6 ASSESSMENT OF THE APPLICATION

The key planning issues associated with the application relate to bulk and scale, heritage and architectural quality. These are addressed as follows:

i. Bulk and Scale

The bulk and scale of the proposed development is considered sympathetic to the scale and the existing character of the area. There will be minimal impact upon the streetscape and neighbouring residences as a result of the proposed development. The form, bulk and scale of the development will harmoniously fit into the one to two storey low scale detached dwelling houses character of the area and given that the topmost level of the building is recessive in nature from the front boundary, it would not be highly discernible from the public domain, nor contribute to the height and scale of the building.

The architectonic of the scheme provides reasonably good solar access and cross-ventilation to the proposed dwelling house, having regard to the narrowness of the site and the constraints imposed by neighbouring buildings. The scheme also provides functional and well-connected internal and external spaces that would positively contribute to the amenity of its residents without compromising the amenity of surrounding neighbours. It is considered that the proposed development would satisfactorily integrate with the surrounding residential properties and would maintain the domestic scale and character of the existing dwelling houses.

ii. Heritage Impact

As demonstrated in the Heritage Impact Statement submitted with the application, it is considered that the proposed development has been adequately articulated that the proposed alterations/additions to the existing dwelling are sympathetically designed and would complement the original house on the site. The second storey addition is a recessive element that would not dominate the façade of the existing dwelling, which is to be retained. In addition, the manner in which the proposal has been conceived would not have an adverse impact upon the heritage significance of the Ashbury Heritage Conservation Area.

iii. Architectural Quality

The building incorporates an effective use of articulation and a variety of building materials which will complement and enhance the locality. The proposed development

is considered to be visually appropriate form of development where careful consideration has been given to the proposal in ensuring that the development is of high-quality architectural merit, incorporates appropriate human scale elements and importantly, a building that would positively enhance the character of the area.

7 CONCLUSION

7.1 Conclusion and Recommendations

Having regard to the assessment of the application and the documentation accompany the application, the proposed development is permissible with consent within R2 Low Density Residential Zone under Canterbury LEP 2012 and is consistent with the spirit of Council's planning requirements as they apply to the proposal.

The proposed development is considered to be of high-quality architectural design that has been conceived having regard to surrounding developments. In doing so, it is considered that the development provides appropriate built form, bulk and scale, and height responsive to neighbouring properties and the constraints of the site and will positively contribute to the character of the area without having a detrimental impact upon neighbouring properties in terms visual and acoustic privacy and overshadowing.

The assessment concludes that there will be no significant adverse or unreasonable impacts associated with the development. The proposed development has been designed and positioned to have minimal impact on the environment and the amenity of adjoining residents and the Ashbury Heritage Conservation Area.

Accordingly, it is recommended that the application be approved.