
STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF AN EXISTING ROOF AND THE CONSTRUCTION OF A NEW ROOF
FOR AN EXISTING GARAGE

3 FRICOURT AVENUE, EARLWOOD





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LEGISLATION CHECKLIST

STATE ENVIRONMENTAL PLANNING POLICY	APPLICABLE?
SEPP NO 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT	✗
SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004	✗
SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008	✗
SEPP (BIODIVERSITY AND CONSERVATION) 2021	✓
SEPP HOUSING 2021	✗
SEPP (INDUSTRY AND EMPLOYMENT) 2021	✗
SEPP (PLANNING SYSTEMS) 2021	✗
SEPP (PRECINCTS - CENTRAL RIVER CITY) 2021	✗
SEPP (PRECINCTS - EASTERN HARBOUR CITY) 2021	✗
SEPP (PRECINCTS - REGIONAL) 2021	✗
SEPP (PRECINCTS - WESTERN PARKLAND CITY) 2021	✗
SEPP (PRIMARY PRODUCTION) 2021	✗
SEPP (RESILIENCE AND HAZARDS) 2021	✓
SEPP (RESOURCES AND ENERGY) 2021	✗
SEPP (TRANSPORT AND INFRASTRUCTURE) 2021	✓



1 INTRODUCTION

This Statement of Environmental Effects has been prepared to accompany the Development Application (DA) to City of Canterbury-Bankstown Council seeking consent for the demolition of an existing roof and the construction of a new roof for an existing garage at 3 Fricourt Avenue, Earlwood.

This Statement of Environmental Effects has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979* (the Act) and Part 3 of the *Environmental Planning and Assessment Regulation, 2021* (the Regulation), and provides the following:

- 🔗 Identifies any environmental impacts of the development;
- 🔗 Indicates how any environmental impacts of the development have been identified;
- 🔗 Outlines the steps to be taken to protect the environment or to lessen the expected harm to the environment; and
- 🔗 Considers any matters required to be indicated by any guidelines issued by the Planning Secretary.

The proposed development responds to the characteristics of the site and is set amongst a fully landscaped site and surrounds. The orientation and design ensure that the dwelling is provided with ample amenity through the provision of natural light and cross flow ventilation and a functional private open space area for the dwelling.

Upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will integrate with the character of existing developments in the streetscape. The proposed alterations and additions will significantly enhance the existing streetscape and provide a catalyst for future similar developments of a high standard in the locality.

The DA is made pursuant to Part 4 of the Act and is not Integrated Development or Designated Development under the provisions of the Act. The development has a Capital Investment Value of less than \$30 million and the application is not one that requires determination by the Local Planning Panel by Ministerial Direction issued under Section 9.1 of the Act as detailed below:

DEVELOPMENT	TRIGGER
1. Conflict of Interest	N/A
2. Contentious Development	The consideration of submissions cannot be made at the time of preparing this Statement.
3. Departure from Development Standards	The DA does not seek consent for a departure from a development standard under Clause 4.6 of the LEP.
4. Sensitive Development	(a) The DA is not designated development. (b) The DA does not seek consent for a residential flat building that is 4 or more stories in height. (c) The DA does not seek consent for demolition of a heritage item. (d) The DA is not for a licensed premises. (e) The DA is not for a sex-services or restricted premises. (f) The DA does not propose to enter into a planning agreement.

TABLE 1: LOCAL PLANNING PANEL MINISTERIAL DIRECTION CRITERIA

Accordingly, the Council is the consent authority for the purpose of determining the DA.

The Statement should be read in conjunction with the following plans and supporting documentation:

LEGEND:
✓ COMPLIES
✗ DOES NOT COMPLY
S SATISFACTORY

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- ▶ Architectural Plans prepared by Arthur Velliss Architects;
- ▶ Survey Plan prepared by C & A Surveyors;

This Statement of Environmental Effects undertakes an assessment of the proposal against the requirements and the matters for consideration under Sections 1.7, 4.15 and 4.46 of the Act. The Statement should be read in conjunction with the plans and documents accompanying the application.

2 THE SITE AND SURROUNDS

2.1 LEGAL DESCRIPTION

The subject site is comprised of a single land parcel legally described as Lot 311 in DP 14722 and is commonly known as 3 Fricourt Avenue, Earlwood.

2.2 LOCATION

The subject site is located on the southern side of Fricourt Avenue, Earlwood as shown in Figure 1.

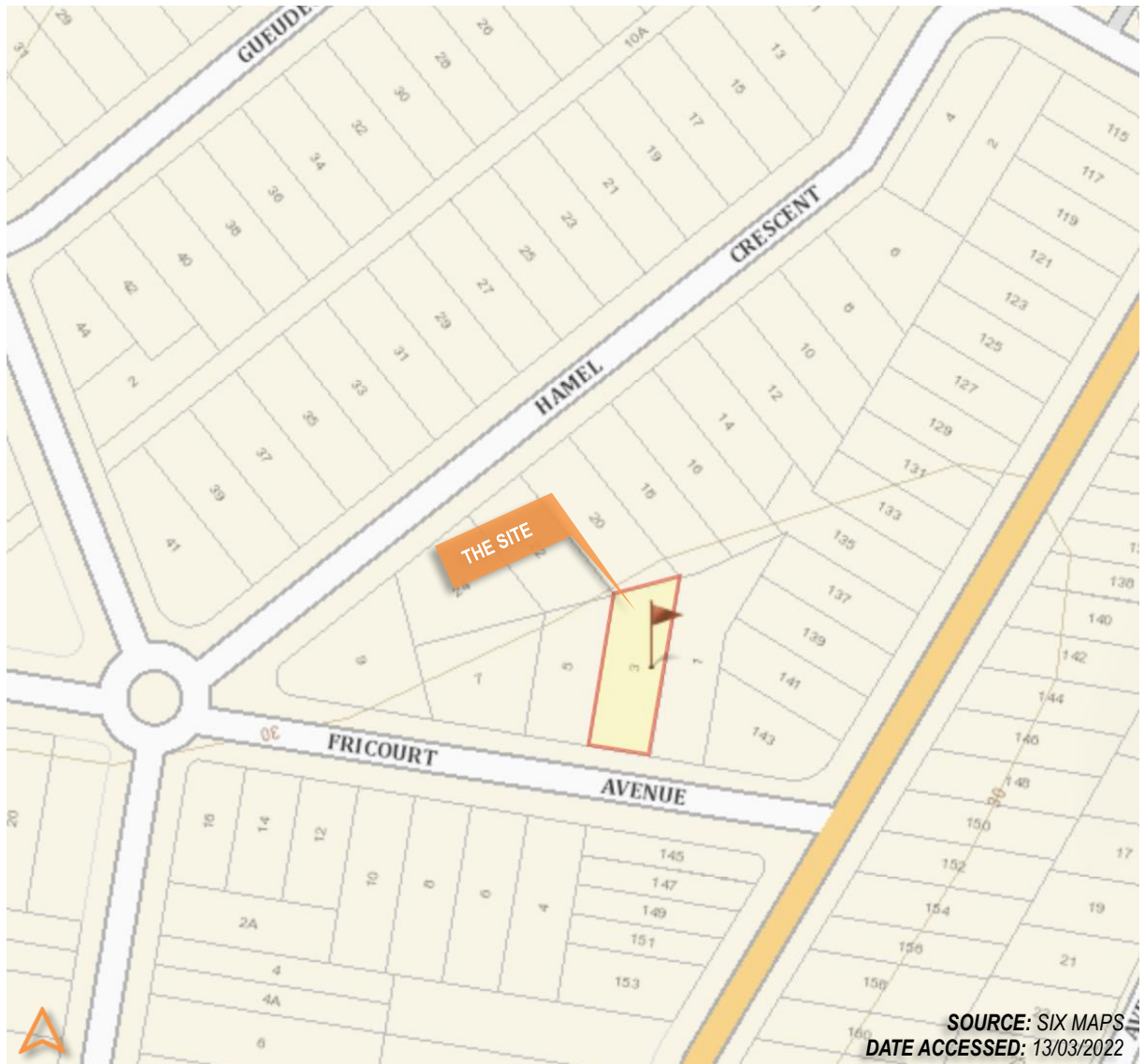


FIGURE 1: LOCATION MAP

LEGEND:
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2.3 TOPOGRAPHY

Based on the site levels shown on the accompanying Survey Plan, the site has a rise of 1.34m in a south to north direction from CS 34.33 at the site's northern front to CS 32.99 at the site's southern rear.

2.4 DIMENSIONS AND SITE AREA

The site comprises a regular shaped allotment with boundary dimensions as follows:

BOUNDARY	BOUNDARY LENGTH
NORTH FRONT	17.375 metres
EASTERN SIDE	46.17 metres
WESTERN SIDE	39.1 metres
SOUTHERN REAR	15.875 metres

TABLE 2: SITE BOUNDARY DIMENSIONS

The subject site has a site area of 676.8m² (by survey).

2.5 EXISTING DEVELOPMENT AND SURROUNDS

The subject site contains an existing double storey dwelling house, a detached garage and a swimming pool. Figures 2 to 5 illustrate the existing improvements on the site.



FIGURE 2: AERIAL IMAGE

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✓ COMPLIES
✗ DOES NOT COMPLY
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FIGURE 3: VIEW OF THE SITE AT 3 FRICOURT AVENUE



FIGURE 4: VIEW OF FRICOURT AVENUE LOOKING EAST



FIGURE 5: VIEW OF FRICOURT AVENUE LOOKING WEST

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2.6 SURROUNDS AND CONTEXT

The following land uses immediately adjoin or are situated opposite the boundaries of the site:

ADDRESS	LOCATION	EXISTING IMPROVEMENTS	FIGURE NO.
1 Fricourt Avenue	Adjoins to west	Single storey dwelling house	Figure 6
5 Fricourt Avenue	Adjoins to east	Two storey dwelling house	Figure 7
2 Fricourt Avenue	Opposite to north	Single storey dwelling house	Figure 8

TABLE 3: SURROUNDS AND CONTEXT

The local surrounding area is characterised by residential uses to the north, east, south and west. The land uses adjoining and situated opposite the site are illustrated in Figures 6 to 8.



FIGURE 6: VIEW OF PROPERTY ADJOINING TO THE WEST



FIGURE 7: VIEW OF PROPERTY ADJOINING TO THE EAST



FIGURE 8: VIEW OF PROPERTY OPPOSITE TO THE NORTH

2.7 EXISTING TREES AND VEGETATION

The subject site contains no existing trees within the existing rear setback area. The development does not propose the removal of any trees. The site does not contain any existing vegetation of significance or native vegetation.

2.8 PAST USES AND DEVELOPMENT HISTORY

A review of 1943 aerial imagery and previous development history for the site indicates that the lot has been used for residential purposes for a lengthy period of time. A review of City of Canterbury-Bankstown Council's online DA tracking system has revealed no prior development history for the subject site.

3 THE PROPOSAL

3.1 DESCRIPTION

The subject DA seeks consent for demolition of an existing roof and the construction of a new roof for an existing garage at 3 Fricourt Avenue, Earlwood.

The proposed development is ancillary to a “*Dwelling house*” pursuant to the definitions contained in the dictionary of the *Canterbury Local Environmental Plan 2012*:

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Dwelling house means a building containing only one dwelling.



3.2 DEMOLITION AND EARTHWORKS

The development proposes demolition works as follows:

- Demolition of existing garage roof at the rear of site.

The application proposes no earthworks.

3.3 PROPOSED ALTERATIONS AND ADDITIONS

The construction of a new roof to the existing garage at the rear of the site.

3.4 DEVELOPMENT AND BUILT FORM SNAPSHOT

Site Area:	676.6m ²
GROSS FLOOR AREA ¹:	EXISTING GFA OF DWELLING: 175.5m ² EXISTING GFA OF GARAGE: 56.1m ² TOTAL GFA: 231.6m ² ADDITIONAL STORE AREA: 9.7m ²
FLOOR SPACE RATIO:	0.34:1
MAXIMUM BUILDING HEIGHT ²:	The proposed alterations and additions will not alter the existing maximum building height of the dwelling and the new garage roof will have a slightly reduced RL of 36.41 (measured at parapet).
FRONT SETBACK	No changes proposed.
REAR SETBACK	No changes proposed.
SIDE SETBACK (EASTERN SIDE)	No changes proposed.
SIDE SETBACK (WESTERN SIDE)	No changes proposed.
CAR PARKING:	No changes proposed.
PRIVATE OPEN SPACE:	No changes proposed.
LANDSCAPED AREA:	102.5m ²

TABLE 4: DEVELOPMENT AND BUILT FORM SNAPSHOT

3.5 PEDESTRIAN ACCESS, VEHICULAR ACCESS AND CAR PARKING

No changes are proposed to the existing pedestrian access, vehicular access and car parking arrangements on the subject site.

3.6 STORMWATER MANAGEMENT

No stormwater works are proposed.

3.7 WASTE MANAGEMENT

No waste management plan is required.

LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



4 PLANNING FRAMEWORK

The *Environmental Planning and Assessment Act, 1979* (the Act) prescribes the following matters that have been taken into consideration in the assessment of the subject application, as detailed under the respective headings below:

- Section 1.7 - Application of Part 7 of *Biodiversity Conservation Act 2016* and Part 7A of *Fisheries Management Act 1994*;
- Section 4.15 - Evaluation:
 - Section 4.15(1)(a)(i) - The provisions of any Environmental Planning Instrument;
 - Section 4.15(1)(a)(ii) - The provisions of any exhibited Draft Environmental Planning Instruments;
 - Section 4.15(1)(a)(iii) - The provisions of any Development Control Plan;
 - Section 4.15(1)(a)(iiia) - The provisions of any Planning Agreement entered into under s7.4 or proposed Planning Agreement;
 - Section 4.15(1)(a)(iv) - The provisions of the Regulations;
 - Section 4.15(1)(b) - The likely environmental impacts on both the natural and built environments, and social and economic impacts of the development;
 - Section 4.15(1)(c) - The suitability of the site for the development;
 - Section 4.15(1)(d) - Any submissions made in accordance with the Act or the regulations; and
 - Section 4.15(1)(e) - The public interest.
- Section 4.46 - Integrated Development.

5 SECTION 1.7 EVALUATION EP&A ACT, 1979

Section 1.7 of the Act prescribes matters for consideration in determining whether a development is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. The relevant provisions from the Act are discussed below.

5.1 BIODIVERSITY CONSERVATION ACT, 2016

The development is not *likely to significantly affect threatened species* as required to be considered under Part 7 of the *Biodiversity Conservation Act, 2016*.

5.2 FISHERIES MANAGEMENT ACT, 1994

The development is not *likely to significantly affect threatened species, population or ecological community* as required to be considered under Part 7A of the *Fisheries Management Act, 1994*.

6 SECTION 4.15 EVALUATION EP&A ACT, 1979

6.1 SECTION 4.15(1)(A) OF THE EP&A ACT, 1979

(i) SECTION 4.15(1)(A)(I)

THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

The following environmental planning instruments are applicable as detailed below:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021; and
- Canterbury Local Environmental Plan 2012.



STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

CHAPTERS	APPLICABLE?
CHAPTER 2: COASTAL MANAGEMENT	×
CHAPTER 3: HAZARDOUS AND OFFENSIVE DEVELOPMENT	×
CHAPTER 4: REMEDIATION OF LAND	✓

CHAPTER 4: REMEDIATION OF LAND

The *State Environmental Planning Policy (Resilience and Hazards) 2021* contains planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.

The history of land uses for the site has been considered as an indicator for potential contamination of the site. A review of 1943 aerial imagery and previous development history for the site indicates that the lot has been used for residential purposes for a lengthy period of time. Therefore, there is no reason to suspect that the site may be contaminated, and Council can be satisfied of its obligations under Clause 7 of SEPP 55 as the application appropriately considers the potential for contamination under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

CHAPTERS	APPLICABLE?
CHAPTER 2: INFRASTRUCTURE	✓
CHAPTER 3: EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES	×
CHAPTER 4: MAJOR INFRASTRUCTURE CORRIDORS	×
CHAPTER 5: THREE PORTS - PORT BOTANY, PORT KEMBLA & NEWCASTLE	×

CHAPTER 2 - DIVISION 5 - ELECTRICITY TRANSMISSION OR DISTRIBUTION

CLAUSE 45: DETERMINATION OF DEVELOPMENT APPLICATIONS - OTHER DEVELOPMENT

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Transport and Infrastructure SEPP) identifies triggers which require the local electricity supply authority to be given written notice of a DA. In this regard:

- The proposal does not include the penetration of ground within 2 metres of an underground electricity power line or an electricity distribution pole or within 10 metres of any part of an electricity tower;
- The proposal is not located within or immediately adjacent to any existing easement for electricity purposes or electricity substation;
- The proposal is located within 5 metres of an exposed power line;
- The proposal does not include the construction of a swimming pool; and
- The proposal does not necessitate or propose the placement of power lines underground.

Given the above, the local electricity supply authority is required to be given written notice of the subject application.

PART 3 - DIVISION 15 - RAILWAYS

CLAUSE 85: DEVELOPMENT IMMEDIATELY ADJACENT TO RAIL CORRIDORS

CLAUSE 86: EXCAVATION IN, ABOVE OR ADJACENT TO RAIL CORRIDORS

LEGEND:

- ✓ COMPLIES
- ×
- DOES NOT COMPLY
- S SATISFACTORY



CLAUSE 87: IMPACT OF RAIL NOISE OR VIBRATION ON NON-RAIL DEVELOPMENT

The development is not on land that is in or immediately adjacent to a rail corridor and the site is not land within or above a rail corridor, within 25 metres of a rail corridor or within 25 metres of the ground directly above an underground rail corridor and therefore Clauses 85, 86 and 87 of the Transport and Infrastructure SEPP do not apply to the subject DA.

PART 3 - DIVISION 17 - ROADS AND TRAFFIC

CLAUSE 101(2): DEVELOPMENT WITH FRONTAGE TO CLASSIFIED ROAD

The subject site has a primary frontage to Fricourt Avenue, Earlwood which is not identified in the NSW RMS *Schedule of Classified Roads and Unclassified Regional Roads* publication (April 2017) as being a Classified Road or a Regional Road. Therefore, the provisions of Clause 101(2) of the Transport and Infrastructure SEPP are not relevant to the subject application.

CLAUSE 102: DEVELOPMENT IN OR ADJACENT TO ROAD CORRIDORS

The development is not proposed in or adjacent to any road corridors subject to this clause, therefore Clause 102 of the Transport and Infrastructure SEPP are not relevant to the subject application.

CLAUSE 104: TRAFFIC GENERATING DEVELOPMENT

The proposed development is not a traffic generating development as it is not development specified in Column 1 of the Table in Schedule 3 of the Transport and Infrastructure SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

CHAPTERS	APPLICABLE?
CHAPTER 2: VEGETATION IN NON-RURAL AREAS	✓
CHAPTER 3: KOALA HABITAT PROTECTION 2020	✗
CHAPTER 4: KOALA HABITAT PROTECTION 2021	✗
CHAPTER 5: RIVER MURRAY LANDS	✗
CHAPTER 6: BUSHLAND IN URBAN AREAS	✗
CHAPTER 7: CANAL ESTATE DEVELOPMENT	✗
CHAPTER 8: SYDNEY DRINKING WATER CATCHMENT	✗
CHAPTER 9: HAWKESBURY-NEPEAN RIVER	✗
CHAPTER 10: SYDNEY HARBOUR CATCHMENT	✗
CHAPTER 11: GEORGES RIVER CATCHMENT	✗
CHAPTER 12: WILLANDRA LAKES REGION WORLD HERITAGE PROPERTY	✗

CHAPTER 2: VEGETATION IN NON-RURAL AREAS

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and vegetation in non-rural areas and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The subject site is located in an R2 Low Density Residential Zone. The development proposes removal of one existing tree to the rear of the site. The site does not contain any existing vegetation of significance or native vegetation.

LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

Canterbury Local Environmental Plan 2012 (the LEP) is the principal environmental planning instrument that applies to the land and contains all the applicable development standards for the development of the site. An assessment against the applicable LEP provisions is provided below.

CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012			
CL	REQUIREMENT	PROPOSED	✓/✗
PART 1 - PRELIMINARY			
1.2	Aims of Plan	<p>The proposed development achieves the aims of the LEP in the following ways:</p> <ul style="list-style-type: none"> (a) The development will provide for a range of development that promotes housing and employment opportunities for the existing and future residents of Canterbury; (b) The development proposes alterations and additions to an existing garage roof. (c) The development is of a design and type that supports the amenity and character of an area and enhances the quality of life of the community; and (d) The development protects and promotes the environmental and cultural heritage values of Canterbury. 	✓
1.4	Definitions are contained in the dictionary	The proposed development is ancillary to a "dwelling house".	✓
PART 2 - PERMITTED OR PROHIBITED DEVELOPMENT			
2.2	Zoning of Land	The site is zoned R2 Low Density Residential.	✓
2.3	Zone objectives and Land Use Table	<p>ZONE OBJECTIVES:</p> <p>The proposed development is consistent with the objectives of the zone, as it provides for housing needs of the community within a low-density residential environment. The proposed development is compatible with the existing dwelling stock within the locality and will provide for a suitable level of amenity for future occupants as well as maintain suitable levels of amenity for adjoining properties in the locality.</p> <p>LAND USE TABLE:</p> <p>Development for the purpose of a "dwelling house" is permitted with consent in the zone.</p>	✓
2.5	Additional permitted uses for particular land	The site is not afforded with additional permitted uses in Schedule 1 of the LEP.	✓
2.6	Subdivision - consent requirements	No subdivision is proposed as part of this application.	✓
2.7	Demolition requires development consent	<p>The development proposes minor demolition works as shown on the accompanying Architectural Plans including:</p> <ul style="list-style-type: none"> ✗ Demolition of the existing garage roof. 	✓

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CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012			
CL	REQUIREMENT	PROPOSED	✓/✗
PART 4 - PRINCIPAL DEVELOPMENT STANDARDS			
4.3	Height of Buildings	STANDARD: 8.5 metres PROPOSED: The proposed alterations and additions will not alter the existing maximum building height of the existing dwelling.	✓
4.4	Floor Space Ratio	STANDARD: Not prescribed PROPOSED: No changes proposed.	✓
4.5	Calculation of floor space ratio and site area	The floor space ratio and site area have been calculated pursuant to the provisions of this Clause.	✓
4.6	Exceptions to development standards	The application does not seek consent for any exceptions to development standards.	✓
PART 5 - MISCELLANEOUS PROVISIONS			
5.1	Relevant authority acquisition	The site is not mapped as being reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> .	✓
5.3	Development near zone boundaries	The proposed development is permissible with consent and does not rely on the provisions of this Clause.	✓
5.4	Controls relating to miscellaneous permissible uses	Not applicable as the development is not for any of the uses mentioned under this clause.	✓
5.6	Architectural roof features	The DA does not seek consent for architectural roof features above the maximum permitted building height.	✓
5.7	Development Below Mean High Water Mark	The site is not situated below the mean high-water mark.	✓
5.10	Heritage Conservation	The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. Conservation Area: ✗ In vicinity of item or area: ✗ Archaeological Site: ✗ Aboriginal Heritage: ✗ The site is not identified as an archaeological site. An AHIMS search has revealed that there are no Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site.	✓
5.11	Bush fire hazard reduction	The subject site is not identified as a bushfire prone land.	✓
5.21	Flood Planning	The subject site is not mapped as being in a <i>Flood Planning Area</i> or <i>Flood Prone Land</i> on the <i>Flood Planning Area Map</i> .	✓
PART 6 - LOCAL PROVISIONS			
6.1	Acid sulfate soils	The site is mapped as being potentially affected by Class 5 Acid Sulfate Soils on the <i>Acid Sulfate Soils Map</i> . The development does not propose works 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 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	✓

LEGEND:
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CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012			
CL	REQUIREMENT	PROPOSED	✓/✗
6.2	Earthworks	The application proposes no earthworks.	✓
6.4	Stormwater Management	Appropriate stormwater detention and management is achieved that will minimise stormwater runoff from the site.	✓
6.6	Essential Services	The augmentation and provision of new and additional water, electricity, sewage and stormwater drainage utilities and infrastructure will not be necessary as a result of the proposed development. However, these services are already existing and available to the subject site.	✓

TABLE 5: CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012 COMPLIANCE TABLE

(ii) SECTION 4.15(1)(A)(II)

THE PROVISIONS OF ANY PUBLICLY EXHIBITED DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

DRAFT CONSOLIDATED CANTERBURY BANKSTOWN LEP 2020

Council has publicly exhibited *Draft Canterbury Bankstown Local Environmental Plan 2020* which is intended to consolidate the existing *Bankstown Local Environmental Plan 2015* and *Canterbury Local Environmental Plan 2012*. None of the Draft LEP Amendments are of relevance to the subject application or the subject site. Specifically, the existing development standards discussed in Table 5 will remain unchanged in the Draft LEP.

Accordingly, the proposal is considered acceptable having regard to the provisions of the Draft EPI's under Section 4.15(1)(a)(ii) of the Act.

(iii) SECTION 4.15(1)(A)(III)

THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN

CANTERBURY DEVELOPMENT CONTROL PLAN 2012

Canterbury Development Control Plan 2012 (the DCP) contains objectives and development controls for development on land within the boundaries of the former Canterbury Local Government Area. An assessment against the applicable sections of the DCP is provided below.

CANTERBURY DEVELOPMENT CONTROL PLAN 2012			
REF	CONTROL	PROPOSED	✓/✗
PART B – GENERAL CONTROLS			
PART B1 – TRANSPORT AND PARKING			
B1.2. 3	Traffic Impact Assessment	Given that the development proposes alterations and additions to an existing garage roof while not proposing to alter the existing car parking arrangements on the subject site, a Traffic Impact Assessment report is unlikely to be required.	✓
B1.3. 1	General Parking Rates	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
PART B2 – LANDSCAPING			

LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



CANTERBURY DEVELOPMENT CONTROL PLAN 2012			
REF	CONTROL	PROPOSED	✓/✗
B2.3-1-3.6	Various Controls	The application proposes no earthworks ancillary to the development Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
PART B5 –STORMWATER AND FLOOD MANAGEMENT			
B5.1-5.14	Various Controls	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
PART B6 –ENERGY AND WATER CONSERVATION			
B6.2-6.4	Various Controls	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
PART B7 –CRIME PREVENTION AND SAFETY			
B7.1-7.6	Various Controls	Given that the development proposes alterations and additions to an existing garage roof, no changes are proposed that would alter the existing CPTED arrangements on the subject site.	✓
PART B9 –WASTE MANAGEMENT			
B9.1-9.6	Various Controls	A Waste Management Plan is not required.	✓
PART C – RESIDENTIAL ACCOMMODATION			
SECTION C1 – DWELLING HOUSES AND OUTBUILDINGS			
C1.2 Site Planning			
C1.2.1	Minimum Lot Size and Frontage	Not applicable as the development seeks consent for alterations and additions to an existing dwelling house.	✓
C1.2.2	Site Coverage	PROPOSED MAXIMUM AREA OF DWELLING FOOTPRINT: 175.5m ² PROPOSED FLOOR ARE OF EXISTING GARAGE: 56.1m ² PROPOSED SITE COVERAGE: 34%	✓
C1.2.4	Landscaping Min 20%	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
C1.2.5	Layout and Orientation	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
C1.3 Building Envelope			
C1.3.1	Floor space ratio	STANDARD: Not prescribed PROPOSED: No changes are proposed.	✓
C1.3.2	Height	STANDARD: 8.5 metres PROPOSED: The proposed alterations and additions will not alter the existing maximum building height of the existing dwelling and the height of the garage will be reduced by 90mm to RL 36.41 (measured at the parapet). No new attics, retaining walls or earthworks are proposed as part of this application.	✓
C1.3.	Setbacks	Given that the development proposes alterations and additions	✓

LEGEND:
 ✓ COMPLIES
 ✗ DOES NOT COMPLY
 S SATISFACTORY



CANTERBURY DEVELOPMENT CONTROL PLAN 2012			
REF	CONTROL	PROPOSED	✓/✗
3		to an existing garage roof no changes are proposed.	
C1.3.4	Building Separation	No pavilion elements are proposed as part of the development.	✓
C1.4 Building Design			
C1.4.1	General Design	<p>The development proposes alterations and additions to the existing garage roof. The proposed new garage roof will be a Colourbond roof with a 3% fall. The colour of the roof will be DUNE.</p> <p>The development does not propose any contemporary architectural built form.</p> <p>No changes are proposed to the existing building entry.</p> <p>No changes are proposed to the existing internal layout of the existing dwelling at the front of the site.</p> <p>No changes are proposed to the existing building façade.</p>	✓
C1.4.2	Roof Design and Features	<p>The development proposes a new garage Colourbond metal roof as part of the proposed alterations and additions to the rear garage. The proposed new garage roof will be a Colourbond roof with a 3% fall. The colour of the roof will be DUNE.</p> <p>Refer to the accompanying Architectural Plans for further details.</p>	✓
C1.5 Amenity			
C1.5.1	Solar Access and Overshadowing	Given that the development proposes alterations and additions to an existing garage roof, no changes are proposed that would impact the site's existing solar access and overshadowing.	✓
C1.5.2	Visual Privacy	The proposed alterations and additions to the existing garage roof will maintain maximum visual privacy between the buildings on and adjacent to the site.	✓
C1.5.3	Acoustic Privacy	Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.	✓
C1.6 Fences and Ancillary Development			
C1.6.1	Fences	No changes are proposed to the existing boundary fencing on the subject site.	✓
C1.6.2	Outbuildings and Swimming Pools	<p>The development proposes alterations and additions to an existing garage roof. The RL of the existing ridge of the garage is 36.50, the RL of the existing concrete slab for the existing garage is 32.86, making the overall height of the existing garage 3.64 metres. The proposed new height of the garage is 3.6 metres with a maximum external wall height of 2.4 metres.</p> <p>No swimming pool is proposed as part of the application.</p>	✓
	<i>Outbuildings C1 Development for the purposes of outbuildings must not exceed the following numerical requirements: A maximum</i>		

LEGEND:
 ✓ COMPLIES
 ✗ DOES NOT COMPLY
 S SATISFACTORY



CANTERBURY DEVELOPMENT CONTROL PLAN 2012			
REF	CONTROL	PROPOSED	✓/✗
	height of building of 4.8m for any outbuilding. A maximum external wall height of 3.5m for any outbuilding.		
C1.6.3	Building Services	No changes are proposed to the existing letterboxes. All external building services/appliances fitted to the exterior of the building will not detract from the character of the streetscape and will be located behind the building line and screened where appropriate. No solar panels are proposed for the development.	✓

TABLE 6: CANTERBURY DEVELOPMENT CONTROL PLAN 2012 COMPLIANCE TABLE

(iiiia) SECTION 4.15(1)(A)(IIIA)

THE PROVISIONS OF ANY PLANNING AGREEMENT ENTERED INTO UNDER SECTION 7.4.

There are no known Planning Agreements entered into under Section 7.4 and no draft Planning Agreements are proposed to be entered into under Section 7.4 for this proposed development.

(iv) SECTION 4.15(1)(A)(IV)

THE PROVISIONS OF THE REGULATIONS

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION, 2021

Pursuant to Section 4.15(1)(A)(iv) of the Act, the following additional matters are required to be taken into consideration (where relevant) for a DA:

SECT.	MATTER FOR CONSIDERATION	✓/✗
29	Residential apartment development	✗
61(1)	In the case of a DA for the demolition of a building, the provisions of AS 2601	✓
61(2)	Any subdivision order made under Schedule 7 to the Act	✗
61(3)	The Dark Sky Planning Guideline	✗
61(4)	Medium Density Design Guide for DA for manor house or multi dwelling housing (terraces)	✗
61(6)	Development Assessment Guideline: An Adaptive Response to Flood Risk Management for Residential Development in the Penrith City Centre	✗
61	Fire safety and other considerations	✗
63	Considerations for erection of temporary structures	✗
64	Consent authority may require buildings to be upgraded	✗

TABLE 7: MATTERS FOR CONSIDERATION UNDER THE EP&A REGULATION, 2021

SECTION 61(1): DEMOLITION

LEGEND:
✓ COMPLIES
✗ DOES NOT COMPLY
S SATISFACTORY

STATEMENT OF ENVIRONMENTAL EFFECTS
DEMOLITION OF AN EXISTING ROOF AND THE CONSTRUCTION OF A NEW ROOF FOR AN EXISTING GARAGE
3 FRICOURT AVENUE, EARLWOOD



Section 61(1) of the *Environmental Planning and Assessment Regulation, 2021* (the Regulations) prescribes that the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures* are to be taken into consideration, pursuant to Section 4.15(1)(a)(iv) of the Act, in the case of a development application for the demolition of a building.

Demolition work is proposed as part of the proposal. Council may impose suitable conditions on any consent granted for the proposal to ensure compliance with the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures*.

6.2 SECTION 4.15(1)(B) OF THE EP&AACT, 1979

THE LIKELY IMPACTS OF THE DEVELOPMENT

INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY.

The subject application seeks consent for demolition of an existing roof and the construction of a new roof for an existing garage at 3 Fricourt Avenue, Earlwood.

An assessment of the proposal against the provisions prescribed in the relevant and applicable State Environmental Planning Policies, *Canterbury Local Environmental Plan 2012* and *Canterbury Development Control Plan 2012* has been provided throughout this Statement detailing the proposal's likely environmental impacts on both the natural and built environments, and social and economic impacts in the locality. A further and summarised assessment of these matters is provided as follows:

6.2.1 SITING, DESIGN AND THE BUILT FORM

The assessment of the proposal against the provisions prescribed in the applicable State Environmental Planning Policies, *Canterbury Local Environmental Plan 2012* and *Canterbury Development Control Plan 2012* provided throughout this Statement details the proposal's compliance with the applicable development standards and controls.

The assessment contained within this Statement indicates that the siting, design and overall built form of the proposed development are an acceptable response to the development standards and controls for the proposed development and the subject site.

The development is appropriately sited having regard to adjoining buildings, observes a high degree of architectural merit and proposes a built form that is compatible with the bulk and scale of adjoining and surrounding developments.

The overall built form is consistent with the building envelope controls for development on the site with no variations sought to the building envelope controls prescribed in the *Canterbury Local Environmental Plan 2012* and the *Canterbury Development Control Plan 2012*.

6.2.2 PRIVACY

The development will not create any adverse privacy impacts for surrounding residential properties.

The assessment provided in Section 6 of this Statement outlines why the proposal is acceptable and would have an acceptable level of impact on adjoining properties.

In general, the siting of the proposed development provides ample separation from



adjoining properties to ensure minimal acoustic and visual privacy impacts for adjoining properties, while also ensuring residents of the proposed dwelling will be provided with suitable acoustic and visual privacy.

6.2.3 SOLAR ACCESS AND OVERSHADOWING

Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.

6.2.4 LANDSCAPING, TREE REMOVAL, FLORA & FAUNA

Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.

6.2.5 TRAFFIC & PARKING

No changes are proposed to the existing pedestrian access, vehicular access and car parking arrangements on the subject site.

6.2.6 UTILITIES/INFRASTRUCTURE

The augmentation and provision of new and additional utilities and infrastructure will not be necessary as a result of the proposal and will be borne by the person acting on any consent granted.

6.2.7 NATIONAL CONSTRUCTION CODE/BUILDING CODE OF AUSTRALIA

The design of the development has had regard to achieving compliance with the National Construction Code (NCC)/Building Code of Australia (BCA). Compliance with the NCC/BCA will be addressed in detail at the Construction Certificate stage. If necessary, conditions may be imposed by Council in relation to the development complying with the provisions of the NCC/BCA.

6.2.8 HERITAGE IMPACTS

The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. An AHIMS search has revealed that there are no Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site. The site is not identified as an archaeological site.

6.2.9 SOCIAL IMPACTS

The proposed development is considered to provide a positive social impact for the local and wider community. The following discussion provides an assessment of the potential social impacts the proposed development is anticipated to have on the local community:

**COMMUNITY
STRUCTURE:**

The proposed development is considered to provide a positive benefit for the local community by providing housing to accommodate the increased growth and density within the Local Government Area.

INFRASTRUCTURE:

Having regard to the scale of the proposed development, the proposal will not pose any significant impacts or strain on the capacity of existing infrastructure.



RESIDENTIAL AMENITY:	The proposed development will have an acceptable level of acoustic and visual privacy impacts on adjoining properties. Due to the nature and context of the site, the proposed building is generously set back to ensure privacy is maintained.
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SAFETY AND SECURITY:	The built form of the dwelling has been designed having regard to the Crime Prevention Through Environmental Design principles.
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6.2.1 ECONOMIC IMPACTS

The proposed development will generate some short-term economic benefits for the local and wider community via the creation of construction related employment opportunities. The proposed development will not result in long term negative economic impacts on the local and wider community.

6.2.2 STORMWATER MANAGEMENT

Given that the development proposes alterations and additions to an existing garage roof no changes are proposed.

6.2.3 SOIL MANAGEMENT

The application proposes no earthworks.

6.2.4 CONTAMINATION

The site is not identified as being contaminated and there is no evidence to suggest that the site has previously been used for any potentially contaminating activity. The proposal will not involve any disturbance of existing ground surfaces.

6.2.5 WASTE MINIMISATION/MANAGEMENT

A Waste Management Plan accompanying the application details the waste minimisation and avoidance measures for the development.

6.2.6 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN - CPTED

The proposed development will not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. An assessment of the proposed development having regard to the CPTED principles has been undertaken as detailed in Part 6 of this Statement.

6.2.7 CONSTRUCTION IMPACTS

Whilst there is expected to be some impacts during construction of the proposed development, the impacts are not anticipated to be excessive and can be suitably controlled by the imposition of conditions on any consent granted for the proposal.

6.2.8 ESD & THE CUMULATIVE IMPACT

The proposal is not expected to have any cumulative impacts and is not considered to inhibit the ability of future generations to further use or develop the subject site.

6.3 SECTION 4.15(1)(C) OF THE EP&A ACT, 1979



THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT.

The subject application seeks consent for demolition of an existing roof and the construction of a new roof for an existing garage at 3 Fricourt Avenue, Earlwood.

The proposed development is ancillary to a “dwelling house” which is permitted within the R2 Low Density Residential Zone of the *Canterbury Local Environmental Plan 2012* with the proposed development appropriately achieving the objectives of the zone.

The subject site is situated in an area surrounded by residential development and the site is not impacted by any easements or other site constraints that would restrict the proposed development or otherwise render the site unsuitable for the proposed development.

The site is ideally positioned for the proposed development which will have minimal impact on the locality and amenity of surrounding residents and generally integrate with the character of existing developments on the site and on adjoining sites.

The assessment of the proposal contained within this Statement outlines how the proposal achieves a satisfactory level of compliance with Council’s LEP and DCP requirements for the siting, location and design of the proposed development. During construction and upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding properties and will provide an appropriate catalyst for similar developments that will shape the future character of the area.

It is evident from the above and the assessment provided within this Statement that the subject site is suitable for the development.

6.4 SECTION 4.15(1)(D) OF THE EP&AACT, 1979

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS.

The consideration of submissions cannot be made at the time of preparing this Statement.

6.5 SECTION 4.15(1)(E) OF THE EP&AACT, 1979

THE PUBLIC INTEREST.

The proposed development is ancillary to a “dwelling house” which is permitted within the R2 Low Density Residential Zone of the *Canterbury Local Environmental Plan 2012* with the proposed development appropriately achieving the objectives of the zone.

The subject site is situated in an area surrounded by residential development and the site is not impacted by any easements or other site constraints that would restrict the proposed development or otherwise render the site unsuitable for the proposed development.

The development will allow for the orderly and economic use and development of land and is acceptable having regard to the applicable State and Council planning controls. The proposed development satisfies the client’s requirements, is acceptable having regard to the applicable State and Council planning controls and will not result in any unacceptable impacts on the locality.

When completed, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will complement the character of existing developments in the streetscape and will provide a need for the local and wider community.



In view of the above and having regard to the assessment of the development contained within this Statement, the development is considered to be in the public interest.

7 SECTION 4.46 EVALUATION EP&A ACT, 1979

Section 4.46 of the Act details requirements for development that requires a separate approval under other environmental planning instrument or related legislation known as “*integrated development*”. An assessment of the proposal has indicated that the DA has not triggered any requirements to be categorised as integrated development.

EPI OR ACT	✓/✗	EPI OR ACT	✓/✗
<i>Fisheries Management Act 1994</i>	✗	<i>Protection of the Environment Operations Act 1997</i>	✗
<i>Heritage Act 1977</i>	✗	<i>Roads Act 1993</i>	✗
<i>Mines Subsidence Compensation Act 1961</i>	✗	<i>Rural Fires Act 1997</i>	✗
<i>Mining Act 1992</i>	✗	<i>Water Management Act 1912</i>	✗
<i>National Parks & Wildlife Act 1974</i>	✗	<i>Water Management Act 2000</i>	✗
<i>Petroleum (Onshore Act) 1991</i>	✗		

TABLE 8: INTEGRATED DEVELOPMENT TRIGGERS

8 CONCLUSION

The subject application seeks consent for demolition of an existing roof and the construction of a new roof for an existing garage at 3 Fricourt Avenue, Earlwood. The development has been assessed pursuant to the matters for consideration prescribed in Sections 1.7, 4.15 and 4.46 of the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2021*. The proposed development is not Designated Development or Integrated Development and can be processed in the usual manner. This Statement provides an assessment of the proposed development against the relevant planning instruments including:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Biodiversity and conservation) 2021;
- Canterbury Local Environmental Plan 2012; and
- Canterbury Development Control Plan 2012.

The proposed development is ancillary to a “*dwelling house*” which is permitted within the R2 Low Density Residential zone of the *Canterbury Local Environmental Plan 2012* with the proposed development appropriately achieving the objectives of the zone.

The assessment of the proposal contained within this Statement outlines how the proposal complies with Council’s requirements for the siting, location and design of the proposed development. The built form of the proposed development achieves a high level of compliance with the requirements prescribed in the applicable State Environmental Planning Policies, *Canterbury Local Environmental Plan 2012* and *Canterbury Development Control Plan 2012*.

The proposed development will positively contribute to the future housing that will meet the housing targets and desired future character of the area. The subject site is situated in a residential area surrounded by similar scale buildings and uses, making the location ideal for the development. Overall,



when completed, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will integrate within the character of existing developments in the streetscape.

This Statement demonstrates that the development will allow for the orderly and economic use and development of the land, that the subject site is suitable for the proposed development and that the proposed development will be in the local and wider public interest.

In view of the above and having regard to the assessment provided throughout this Statement, the development is considered worthy of Council's approval.