

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

DEVELOPMENT APPLICATION

FOR

Building A Secondary Dwelling On Top Of A Garage

REVISION 01

20 Trafalgar Street, Belmore NSW 2193

Prepared for

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By

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June 2022

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This SEE is part of a Development Application which includes Architectural, Hydraulics and Landscaping drawings.

1.0 *Introduction*

This Statement of Environmental Effects (SEE) forms a part of Development Application for the development of a proposed Secondary Dwelling on top of garage at 20 Trafalgar Street, Belmore.

The property at 20Trafalgar Street, Belmore is owned by Mrs Natalie Araujo Ferreira & Mr Manuel Alres De Lima . They have owned this property for over 7 years.

1.1 Proposed Development

The Development Application seeks consent for a Proposed Single Storey Class 1a Secondary Dwelling comprising of 1 Bedroom, 1 Bathroom, Laundry facilities, a Living / Dining Room and Kitchen.

Private Open Space for the Secondary Dwelling is above 24 sqm with a minimum width of 4m.

1.2 Application of the Planning Instruments

State Environmental Planning Policy (Affordable Rental Housing) 2009

The SEPP2009 – Affordable Rental Housing.

The following two planning instruments are also assessed further to NSW SEPP 2009 - Affordable Rental Housing.

Canterbury Bankstown Council Development Control Plan

Canterbury Local Environmental Plan

1.3 Is Development Consent Required?

Development consent is required since the current proposed development falls within Zone R3 (Medium Density Residential). Therefore, any proposed developments can be permitted with consent as Complying Development under SEPP 2009 – Affordable Rental Housing. Refer to **Section 3.6 Summary of Development Compliance** in this report for details

1.4 Consent Authority

Canterbury Bankstown Council is the consent authority for the proposed development.

1.5 Structure of the report

This report is divided into 5 sections which are as follows:

- Section 1* Introduction
- Section 2* Describes the site, its location, key issues, context to surrounding built form Vehicular access, local transportation
- Section 3* Describes and evaluates the development proposal
- Section 4* Describe the environmental impact for construction of proposed development
- Section 5* Conclusion

2.0 *The Site*

2.1 Site Description

The subject property address is 20 Trafalgar Street, Belmore - Lot 1, DP 316556

The site is a standard lot with a total site area of 659.1 m². The rear yard area, in which the development of the Secondary Dwelling is proposed, slopes towards the rear with a maximum fall of 1.72m.

The site has a total frontage of 13.106m to Trafalgar Street and Garden Lane and a side boundary length of 50.292m. The rear boundary length is 13.106m.



Figure 1 – 20 Trafalgar Street, Belmore – Existing Single Story Brick Dwelling with Tiled Roof

2.2 Site Uses

The proposed development is within an existing residential area. The existing dwelling is a single-story brick dwelling.

The dwelling has all site water, and electricity facilities running from the nearest power and council sewer lines through the property.

2.3 Neighborhood Context

The houses on Trafalgar Street in close proximity to the existing dwelling also comprise of a mix of single-story brick and fibro houses.



Figure 2 – 18 Trafalgar Street, Belmore - View Neighboring Property



Figure 3 – 22 Trafalgar Street, Belmore - View Neighboring Property

Access to Local Service

At present, Trafalgar Street is a road junction off Morefields Road & Canterbury Road. This street services only residential dwellings. The area is primarily residential, with several bus stops aiding with transportation services. Moorefields Road is within 300m from the concerned property and connects the residence to Trafalgar Street and Moorefields Road. The local area is serviced by Belmore Public school. The area is serviced by some local businesses, parks, schools, and restaurants. With Trafalgar Street connect to the Canterbury Road, it is easily accessible by public transportation.

2.4 Site Analysis

A site plan, as required is attached to the DA application.

3.0 Description of Development

The proposed development is documented on architectural drawings forming part of this Development Application, including floor plans, elevations and sections.

Reference: Architectural Set For DA (DA02)

A Storm water – Hydraulics concept plan has also been attached to the DA outlining how and where all storm water pits and run-offs will be allocated and managed, it also proposes the design of all retaining walls with regards to the site and sediment control.

3.1 Design Guidelines and Considerations and Reason for Development Approval

Canterbury Council Development Control Plan 2012

Canterbury Council Local Environmental Plan 2012

The site at 20 Trafalgar Street, Belmore has a site area of 659.1m²

3.2 Streetscape and Topography

The immediate existing neighboring properties adjacent to 18 Trafalgar Street, Belmore & 22 Trafalgar Street, Belmore consist of:

- 18 Trafalgar Street, Belmore a double storey brick dwelling with a tiled roof.
- 22 Trafalgar Street, Belmore – a single storey semi brick house with a tiled roof.

Bearing in mind the finished materials, tiling and landscape arrangements of all nearby properties, the proposal demonstrates an external facade of brick exterior with a terracotta roof to compliment the neighboring properties within Trafalgar Street.

3.3 Local Context

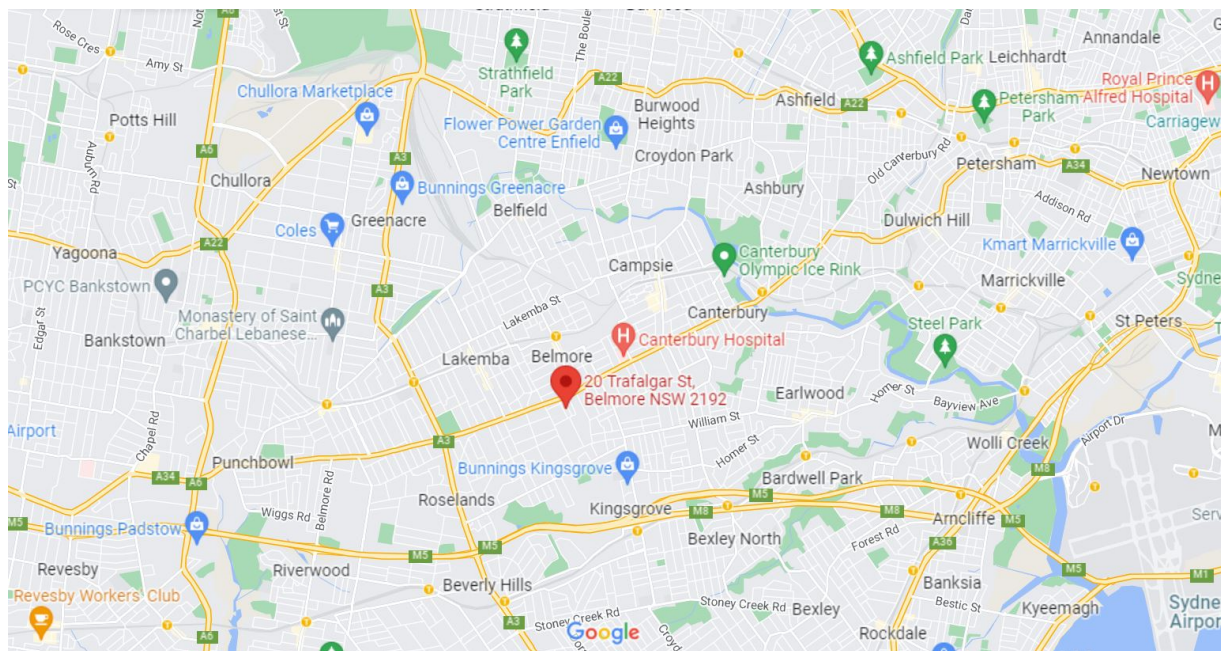


Figure 4 – 20 Trafalgar Street, Belmore– Local Context Aerial Map

3.4 Setbacks, Building Envelope and Urban Design

The rear setback to the proposed secondary dwelling are 1.5m. The side setback to the boundary adjacent to 22 Trafalgar Street, Belmore is 0.9m. The proposed setback from the boundary adjacent to 18 Trafalgar Street, Belmore is 0.9m – The external walls of the Secondary Dwelling maintains consistency with the building line of the existing dwelling within the site.

The designated private open space is greater than 24m² and has been allocated in an existing turf area which is visually hidden from the primary street by existing main dwelling and small trees.

The total area to the secondary dwelling is 60m² including the staircase/ entry/ void with Garage underneath. The ceiling height to the dwelling is 2.4m.

The secondary dwelling is vinyl cladding construction and brick garage underneath on timber slab with a concrete tiled roof. The method of construction to the secondary dwelling is compatible with acid sulfate class 5 contamination to the site and flood affectations.

3.5 Balconies, Windows, Materials and Decorative Elements

Windows and external materials have been designed in order to achieve a classic aesthetic which is compatible with surrounding properties, specifically 22 and 18 Trafalgar Street, Belmore. Sun penetration, ventilation, and privacy to the dwelling, have all been considered, making the overall development comfortably habitable for the intended residents.

All external walls of the proposal will be brick and vinyl exterior, and the roof will be tiled as per BASIX requirements. The application contains an External Finishes Schedule which contains the color, finish and texture of all external materials.

3.6 Summary of Development Compliance

The following table summarizes development control compliance in relation to **SEPP 2009 – ARH, Canterbury Council DCP** and **Canterbury Council LEP** for further consideration.

COMPLIANCE TABLE : 20 TRAFALGAR STREET, BELMORE (STATE ENVIRONMENTAL PLANNING POLICY (HOUSING 2021))

CLAUSE	REQUIRED	PROPOSED	COMPLIES
2 SITE & LOT REQUIREMENTS	- At least 12m frontage and between 450m ² - 900m ²	-13.106m Frontage & Site Area 659.1m ²	Y
3 MAX SITE COVERAGE	- 50% of the area if the lot has an area between 450m ² & 900m ²	- 48% (total 316.64m ² / 659.1m ²)	Y
4 MAX FLOOR AREA OF PRINCIPAL & SECONDARY DWELLING	- 60m ² floor area of secondary dwelling - Maximum floor area of Principal Dwelling , Secondary Dwelling , Carport / Garage area : 380m ² : Lots 600m ² but not more than 900m ²	- 176.64m ² Existing Dwelling - 60m ² Proposed Secondary Dwelling - 80m ² Proposed New Garage - Total: 316.64m ²	Y
5 SETBACKS & MAX FLOOR AREA FOR BALCONIES & DECKS etc	- 12m ² max if the structure at any point is located within 6m of the side or rear & any point of its finished floor more than 2m of the NGL	- NIL	Y
6 BUILDING HEIGHT	- 8.5m max from NGL	- Maximum 6.57m Proposed Building Height	Y
7 SETBACKS FROM ROADS OTHER THAN CLASSIFIED ROADS	- The average distance of setback of the nearest 2 dwelling houses	- NIL	Y
9 SETBACKS FROM SIDE BOUNDARIES	- 0.9m if the lot has an area of 450m ² - 900m ² min to a building height of 3.8m and to any carport , garage , pergola etc etc - 0.9m and 1/4 of the additional building height above 3.8m	- Min 0.9m Side Setback for Secondary Dwelling	Y
10 SETBACKS FROM REAR BOUNDARIES	- 3.0m if the lot has an area of 450m ² - 900m ² min to a building height of 3.8m and to any carport , garage , pergola etc etc - 3.0m plus an amount that is equal to 3 times of the additional building height above 3.8m, up to a max setback of 8m - if the lot has an area of at least 450m ² - 900m ²	- Min 1.5m to the rear boundary	N
16 LANDSCAPED AREA	- 25% if the lot has an area of 600m ² - 900m ² - 50% of landscaped area to be located behind building line - Landscape area must be at least 2.5m wide	-Total Landscape Area:25% (total 165.21m ² / 659.1m ²) -Landscaping Behind Building Line: 78% (128.96m ² /165.21m ²)	Y
17 PRIVATE OPEN SPACE	- 24m ² of P.O.S P.O.S to be directly accessible and adjacent from a habitable room other than a bedroom and is 4m wide and not steeper than 1 in 50 grade	- 24m ²	Y

N* PLEASE REFER TO THE JUSTIFICATION STATEMENT OF ENVIRONMENTAL EFFECTS

This section of the SEE outlines the environmental planning framework applicable to the proposal, including State Environmental Planning Policies, Local Environmental Plans and the like.

Legislation

- The Environmental Planning & Assessment Act, 1979 (as amended) (EPA Act).
- State Environmental Planning Policies or Deemed Policies
- SEPP (Building Sustainability Index: Basix) 2004.
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Affordable Rental Housing) 2009
- SEPP No. 19 - Bushland in Urban Areas
- SEPP No. 21 - Caravan Parks
- SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land
- SEPP No. 33 - Hazardous and Offensive Development
- SEPP No. 39 - Spit Island Bird Habitat
- SEPP No. 50 - Canal Estates
- SEPP No. 55 - Remediation of Land
- SEPP No. 62- Sustainable Aquaculture
- SEPP No. 64 -Advertising and Signage
- SEPP No. 65 - Design Quality of Residential Flat Development.
- SEPP (Housing for Seniors or People with a Disability) 2004: (Does not apply to land to which
- State Environmental Planning Policy Kurnell Peninsula) 1989 applies)
- SEPP (Major Development) 2005
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Infrastructure) 2007

4.0 Environmental Impact

The method of construction to the secondary dwelling is compatible with acid sulfate class 5 contamination to the site and flood affectations.

The development of the proposed dwelling will cause minimal impact to the surrounding environment, as no significant trees have been proposed to be removed and the surrounding properties are positioned significantly higher than the proposed secondary dwelling as a result of the existing slope of the land. Site levels will be maintained where possible to ensure there are no problems with overshadowing or privacy between neighbours.

Certain restrictions are in place during the construction phase to ensure adjacent properties are not affected by noise and material drop off at unsuitable hours. Procedures are in place which are managed by a project manager to ensure materials are delivered and waste is disposed of in a suitable manner.

These procedures have been outlined throughout the waste management plan which has been attached to this application. They involve the steps taken whilst the materials are being used on site and how they are disposed of.

JUSTIFICATION OF NON-COMPLIANCE

SEPP- Affordable Rental Housing 2009 - Rear Setbacks

20 Trafalgar Street, Belmore

INTRODUCTION

This statement of environmental effects is submitted to Canterbury Bankstown Council in support of a request for a Variation to the standard to 20 Trafalgar Street, Belmore.

This application seeks approval pursuant to the Environmental Planning and Assessment Act, 1979 for the following:

- Variation to the development standard for rear setback for a secondary dwelling to the rear of an existing allotment.

This planning report has been prepared by Master Granny Flats, based on the plans and information supplied as part of this application.

This report should be read in conjunction with the supporting information and architectural drawings.

EXISTING SITE DESCRIPTION AND DEVELOPMENT

The site has an area of 659.1 sqm and is regularly proportioned with a frontage of 13.106m along Trafalgar Street and Garden Lane .

The site is technically known as Lot 1 in DP 316556.

The site is generally level.

To the front of the site is an existing single storey brick and a tiled roof.

To the rear of the sites is an approved carport .

SIDE AND REAR SETBACK REQUIREMENTS

The State Environmental Planning Policy (Affordable Rental Housing) 2009 requires the following. The breakdown of the proposed works is as follows;

Required rear setback : 3000mm	Proposed 1.5m
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Therefore, the proposed works do not comply with the rear setback requirements.

The reasons for the variation not adversely affecting the standard in that it is appropriate development is as follows:

TO PROVIDE SETBACKS THAT COMPLEMENTS THE STREETCAPE AND PROTECTS THE PRIVACY AND SUNLIGHT TO ADJACENT DWELLINGS

The proposed Secondary Dwelling is proposed behind the principal dwelling. Hence, it is evident that the proposal will not cause any negative impact to the street scape.

The adjacent 2-storey house at **18 Trafalgar Street, Belmore** has roof ridge higher than the proposed granny flat at **20 Trafalgar Street, Belmore**.

Furthermore, as per measurement on site plan in attached architectural set, the proposed secondary dwelling at subject address not running parallel to the existing granny flat at **22 Trafalgar Street, Belmore**, they are angled far away from each other.

Due to the conditions and existing arrangements of buildings in the near vicinity, the adjoining allotments will receive negligible overshadowing from the non-compliance with the rear setback. The side elevation on the eastern only has a small frosted window and there are two frosted windows with a raised sill height on western side to ensure overlooking is negatable to the adjoining dwelling.

NO IMPACT ON ADJOINING PROPERTIES

Therefore, even though the proposed works do not comply with the rear setback regulations, they still achieve the objectives of the regulatory controls by ensuring that the amenity of the location in which the development is situated in is still protected.

The proposed non-compliance with the rear setback will actually improve separation between the proposed works and the adjoining dwellings, thus ensuring that any impact from the proposed works to the adjoining properties and dwellings is negated.

Locating the secondary dwelling rear the rear allotment will allow generous separation between the proposed works and the existing dwellings on the adjoining allotments.

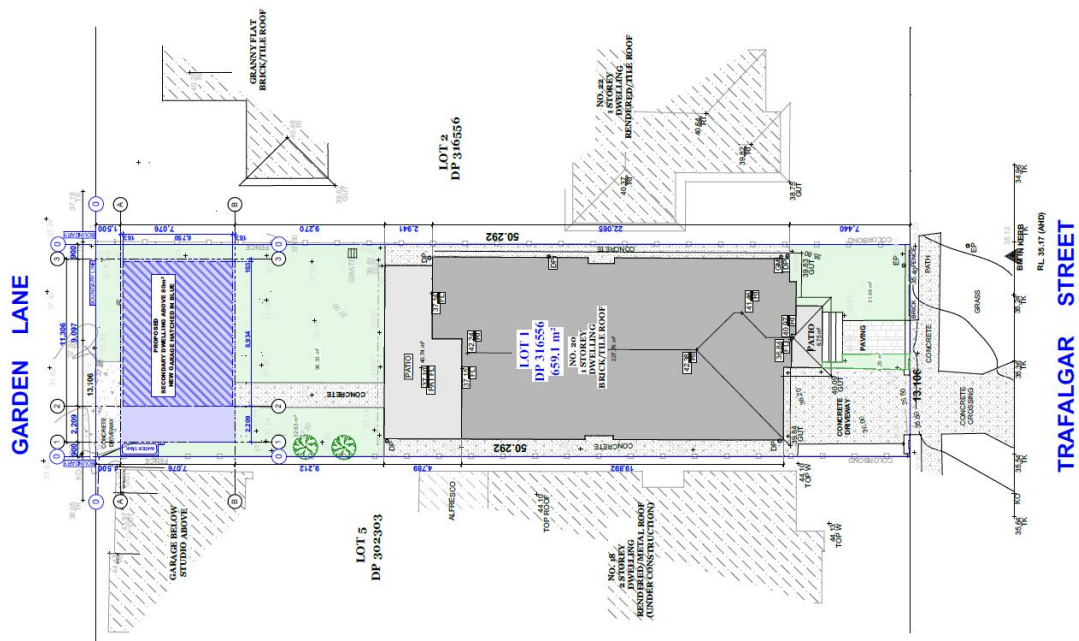


Figure 1 : Site Plan of 20 Trafalgar Street, Belmore

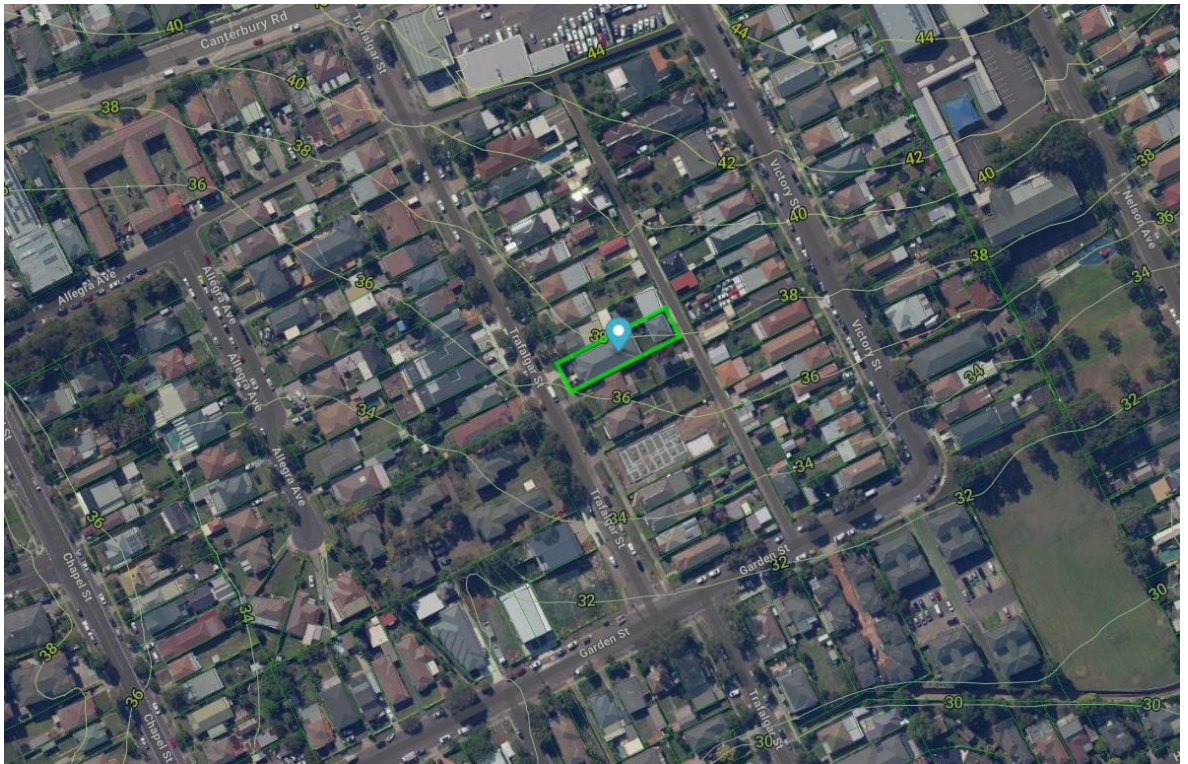


Figure 2 : Aerial Map of 20 Trafalgar Street, Belmore

SUFFICIENT PRIVATE OPEN SPACE

There is sufficient open space as per the regulatory controls.

The site has 24m² of the site that is suitable for private open space requirements and complies with the minimum requirement of 24m² as per the SEPP(ARH)2009.

The private open space is directly accessible from the secondary dwelling living areas.

Therefore even though the proposed secondary dwelling does not comply with the rear setback controls, they do comply with objectives of the setback controls in that there is still sufficient private open space to the site.

SIMILAR SETBACKS TO THE ADJOINING PROPERTIES

There are identical sized allotments in the near vicinity that have similar sized rear developments that are also built close to the boundary and do not have a setback of 3,000mm to the rear.

To the western side of the site is No 18 Trafalgar Street. This allotment also has a built form that is close to the rear setback. Also, the property backs onto a rear lane-way, the proposal has a big garage that sits directly on that rear boundary. Increasing the size of the side and rear setback would only generate wasted space that would not provide any amenity to the allotment, or to the adjoining allotments.

Therefore, even though the proposed secondary dwelling does not comply with the rear setback, it is harmonious and suitable with consideration to the surrounding and established side and rear setbacks in the near vicinity.

The proposed secondary dwelling is thus suitable in this circumstance.

NO IMPACT FROM THE STREETScape

The non-compliance with the rear setback from the secondary dwelling will have no impact on the streetscape. All works are to be located behind the existing front building, with no impact to the presentation of the house when viewed from Trafalgar Street.

Therefore even though the proposed secondary dwelling does not comply with the rear setback controls, they do comply with objectives of the setback controls in that there is no impact on the street scape from the proposed works.

EVIDENCE OF DEVELOPMENT POSSIBILITY AND QUALITY OUTCOMES

As already shown on the site at 82 Park Street, it can be seen that the proposed secondary dwelling can be built on the allotment and result in a development that is suitable for the site and the near vicinity.

The quality of the space is of high value, with good solar access, good natural light and ventilation, and good outdoor amenity.

Therefore even though the proposed secondary dwelling does not comply with the rear setback controls, they do comply with objectives of providing quality design and outcomes.

COMPLIANCE WITH OTHER REGULATORY CONTROLS

Although the works do not comply with the side and rear setback controls, the secondary dwelling substantially complies with the other relevant controls in the SEPP(ARH)-2009, the Canterbury LEP 2012 and the Canterbury DCP 2012.

Items such as floor area, site coverage, site allotment size and private open space are all fully compliant with the SEPP(ARH)-2009

We therefore have no hesitate in recommending approval for the above-mentioned works.

5.0 Conclusion

Please consider and approve the above. The construction of a secondary dwelling is a necessary addition for our client and their growing family. The proposed development is of great significance to our client, and we hope to be working with ICanterbury Bankstown Council for a positive result for all parties involved.

We would therefore highly appreciate the Canterbury Bankstown Council granting our client a Development Application approval in this matter.

Should you require any further information regarding the above, please feel free to contact me directly on 1300 643528 as this is a matter of great importance for myself and our client.

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