

# **3 DUNKELD AVENUE HURLSTONE PARK**

**Demolition of Existing Dwelling and  
Construction of a New Dwelling**

**Statement of Environmental Effects**

**September 2022**

This report comprises an assessment of the project with respect to S.4.15 of the Environmental Planning and Assessment Act, 1979. No part of this document may be reproduced, distributed, or transmitted in any form or by any means without the prior written permission of Wynne Planning, except in the case of brief quotations where authorship is acknowledged.

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>2</b>
<b>1 INTRODUCTION .....</b>	<b>4</b>
<b>2 CONTEXT .....</b>	<b>5</b>
2.1 Locational Context .....	5
2.2 Site Description and Analysis .....	7
2.2.1 Surrounding Development .....	7
2.2.2 Existing Site Conditions .....	7
2.3 Pre DA History .....	8
2.4 Planning Controls.....	8
<b>3 PROPOSAL.....</b>	<b>10</b>
3.1 Overview.....	10
3.2 Development Statistics .....	10
3.3 Building Layout .....	11
3.4 Tree Removal and Landscaping.....	11
3.5 Parking and Site Access .....	12
3.6 Stormwater.....	12
<b>4 S4.15 ASSESSMENT.....</b>	<b>13</b>
4.1 State Environmental Planning Policies .....	13
4.2 Canterbury Local Environmental Plan 2012 .....	14
4.3 Canterbury Development Control Plan 2012 .....	15
4.4 Built Environment.....	19
4.4.1 Site Context and Streetscape .....	19
4.4.2 Height.....	20
4.4.3 Density .....	20
4.4.4 Subdivision, Lot Size and Dimensions .....	20
4.4.5 Front, Side and Rear Setbacks.....	20
4.4.6 Access, Servicing, Parking and Traffic .....	21
4.4.7 Visual Privacy .....	21
4.4.8 Acoustic Environment and Vibration .....	21
4.4.9 Ventilation, Solar Access and Shadow .....	22
4.4.10 Site Coverage and Private Open Space.....	22
4.4.11 BCA .....	22
4.4.12 Energy Efficiency.....	22
4.4.13 Other Matters – Built Form.....	22
4.5 Natural Environment .....	23
4.5.1 Tree Removal, Retention and Landscaping.....	23
4.5.2 Stormwater.....	24
4.5.3 Landform, Cut and Fill.....	24
4.5.4 Other Matters – Natural Environment .....	24
4.6 Social and Economic .....	25
4.7 Hazards.....	25
4.8 Public Interest .....	25
<b>5 CONCLUSION.....</b>	<b>26</b>
<b>APPENDICES</b>	
<b>APPENDIX A – PHOTOS.....</b>	<b>28</b>
<b>APPENDIX B – SEPP COMPLIANCE TABLE .....</b>	<b>34</b>
B.1 SEPP BASIX .....	34

B.2 SEPP (Resilience and Hazards) 2021.....	34
B.3 SEPP (Transport and Infrastructure) 2021 .....	34

**APPENDIX C – CLEP 2012 COMPLIANCE TABLE ..... 36**

C.1 Permissible Landuse .....	36
C.2 Zone Objectives .....	36
C.3 Height.....	36
C.4 Floor Space Ratio.....	36
C.5 Exceptions to Development Standards .....	37
C.6 Miscellaneous Permissible Uses.....	37
C.7 Heritage Conservation.....	37
C.8 Acid Sulfate Soils .....	37
C.9 Earthworks .....	37

**APPENDIX D – CDCP 2012 COMPLIANCE TABLE..... 39**

D.1 Minimum Lot size and frontage .....	39
D.2 Site coverage and Private Open Space .....	39
D.3 Landscaping .....	39
D.4 Layout and orientation.....	39
D.5 FSR .....	40
D.6 Height.....	40
D.7 Setbacks.....	41
D.8 Roof form.....	41
D.9 Building Design .....	41
D.10 Solar Access and overshadowing .....	42
D.11 Visual Privacy.....	43
D.12 Acoustic Privacy .....	43
D.13 Parking .....	44

**REPORTS AND PLANS UNDER SEPARATE COVER**

**SURVEY PLAN**

**ARCHITECTURAL PROPOSAL PLANS**

**LANDSCAPE PLANS**

**STORMWATER PROPOSAL PLANS**

**BASIX**

# Executive Summary

This report comprises a Statement of Environmental Effects accompanying architectural plans for demolition of an existing dwelling and associated structures, and construction of a new two storey dwelling at 3 Dunkeld Avenue, Hurlstone Park.

The proposed ground floor level of the dwelling will comprise a double garage, entry porch, main entry, stairs to floor above, storage under stairs, linen cupboard, bathroom, laundry, bedroom 4, kitchen with walk in pantry, open plan dining and living room; and a rear covered alfresco area with direct access to a rear private open space with deep soil landscaping.

The first floor will comprise a north facing media/rumpus room, storage cupboard, bathroom, bedroom 1 with Walk in robe and ensuite, bedroom 2 with built in robe; and bedroom 3 with built in robe.

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

- Architectural design and streetscape:** The subject site is located in a leafy residential street containing a range of dwelling types including detached dwellings, and semi-detached dwellings. Architectural styles vary from original condition to contemporary recently built development to the east along Dunkeld Avenue with flat roof forms and common central boundary walls. The proposed dwelling is contemporary in style with a flat roof and is in keeping with the future character of the streetscape. The proposed dwelling is compatible with nearby modern dwellings in the street, which have replaced older housing stock.
- Height and FSR:** Clause 4.3 of Canterbury LEP 2012 (CLEP 2012) allows a maximum building height of 8.5m. The proposed dwelling has a maximum height of 7.43m which complies. Clause 4.4 of CLEP 2012 allows a maximum FSR of 0.55:1 for sites between 200m<sup>2</sup> and <600m<sup>2</sup>. The proposal has a GFA of 222.5m<sup>2</sup> which equates to an FSR of 0.55:1 which complies.
- Landscaping and private open space:** CLEP 2012 requires a minimum deep soil landscape area of 15% for sites up to 449m<sup>2</sup> in area. The proposal will provide 132m<sup>2</sup> (32%) of landscaping onsite which complies. Private open space for the dwelling will allow for a range of outdoor recreation opportunities.
- Setbacks:** Front, side and rear building setbacks have been demonstrated to be appropriate for the site and contribute positively to the streetscape and overall development on site as discussed within section 4.4.5 of this report.
- Shadow, views and amenity:** There will be no unreasonable shadow impacts to surrounding neighbours given the site context and well considered design, and the proposal will comply with the CDCP 2012 solar access requirements. The development has been designed to provide privacy between occupants and surrounding neighbours through measures such as privacy screens at the sides of

the alfresco , building separation and window placement. The site does have any significant views.

- **Traffic, access and parking:** Vehicular access to the site will remain provided from Dunkeld Avenue via the existing crossover on the western side of the frontage. A new driveway on the western side of the front setback is proposed leading to a double garage.
- **Heritage:** The site does not comprise a Heritage Item and is not within a Heritage Conservation Area, however the site backs onto an adjacent HCA to the rear (south) known as Floss Street HCA. The proposed dwelling is not visible from the streetscape of Floss Street and will detract from the significance of the Floss Street HCA.
- **Social impact:** This report demonstrates that the proposal will not detrimentally affect the local sense of community or increase risk to public safety but will have a positive social impact, particularly through the considered scale and suitable layout to meet the needs of a range of occupants into the future. The site is located in a desirable location, and the proposed development will respond to the demand for a high level of residential amenity, with close access to local amenities and activities.

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

# 1

## Introduction

This report comprises a Statement of Environmental Effects accompanying architectural plans for demolition of an existing dwelling and associated structures, and construction of a new two storey dwelling at 3 Dunkeld Avenue, Hurlstone Park.

The report has been prepared on behalf of Sutherland Shire Building Pty Ltd.

The aims are:

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

# 2 Context

## 2.1 Locational Context

The subject site is located in Hurlstone Park in the Canterbury Bankstown Local Government Area, approximately 10km south west of the Sydney CBD. Surrounding suburbs include Asbury, Dulwich Hill, Marrickville, Canterbury and Campsie. Refer Figures 1, 2 and 3.

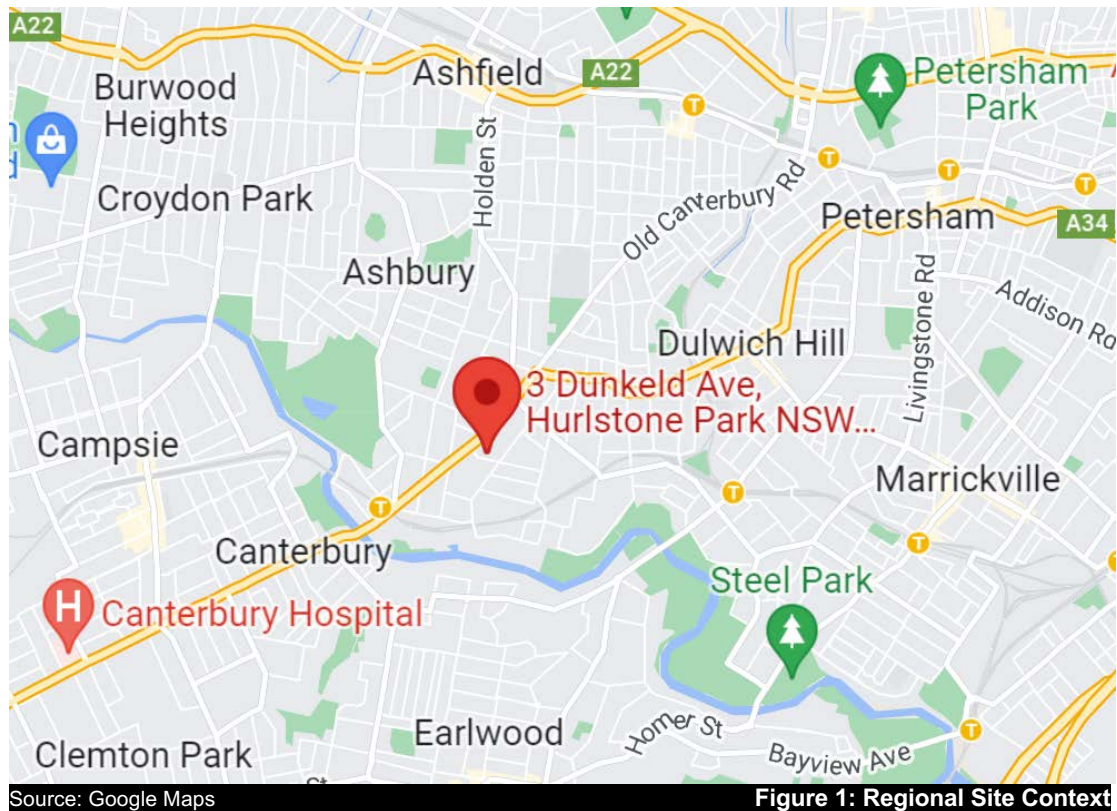


Figure 1: Regional Site Context





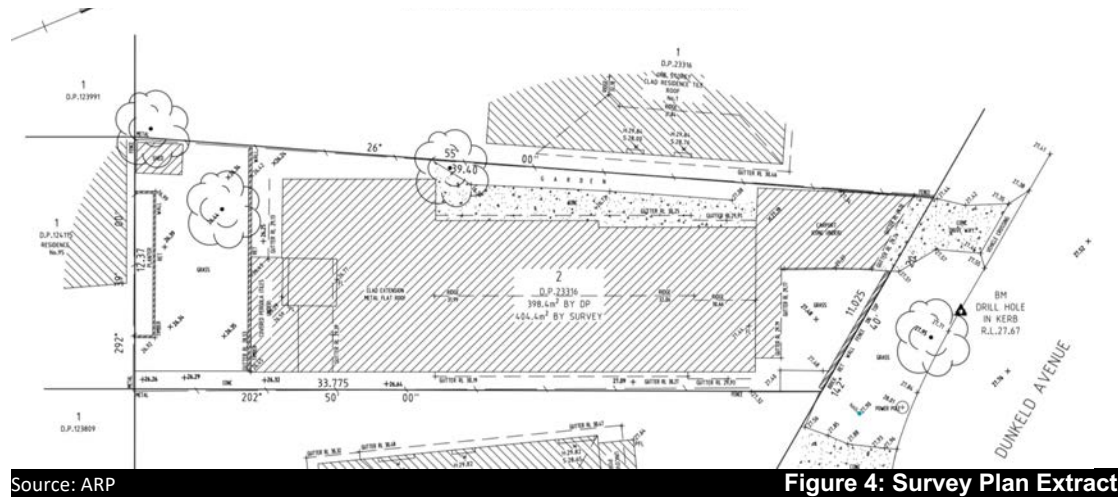
Source: Six Maps

Figure 2: Local Site Context



## 2.2 Site Description and Analysis

The subject site is legally identified as Lot 2 in DP 23316 and known as 3 Dunkeld Place, Hurlstone Park. The site is rectangular in shape with an 11.025m frontage to Dunkeld Place, and a maximum depth of 39.40m. The site has an area of 404.4m<sup>2</sup> by survey and 398.4m<sup>2</sup> by DP. Refer to the survey plan extract in Figure 4 below and the survey plan under separate cover.



Source: ARP

Figure 4: Survey Plan Extract

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

### 2.2.1 Surrounding Development

Key characteristics of the surrounding area include:

- The surrounding area is typically characterised by detached dwellings, including original condition single storey brick dwellings with pitched tiled roofs and two storey contemporary dwellings. Accordingly, architectural styles as well as bulk and scale vary.
- Euston Park is located approximately 450m to the east of the site, and Ewen park is located approximately 1.2km to the east of the site.
- Canterbury Public School and Canterbury Girls High School are located approximately 500m to the northwest of the site.
- Hurlstone Park local centre and Hurlstone Park Station is located approximately 1km to the south east;
- Bus stops are located within walking distance of the site along Canterbury Road.
- Hurlstone Park train station is located approximately 1km to the east of the site.

### 2.2.2 Existing Site Conditions

Key characteristics of the site include:

- **Existing development on site:** The subject site currently contains a single storey dwelling with attached carport in the front setback.

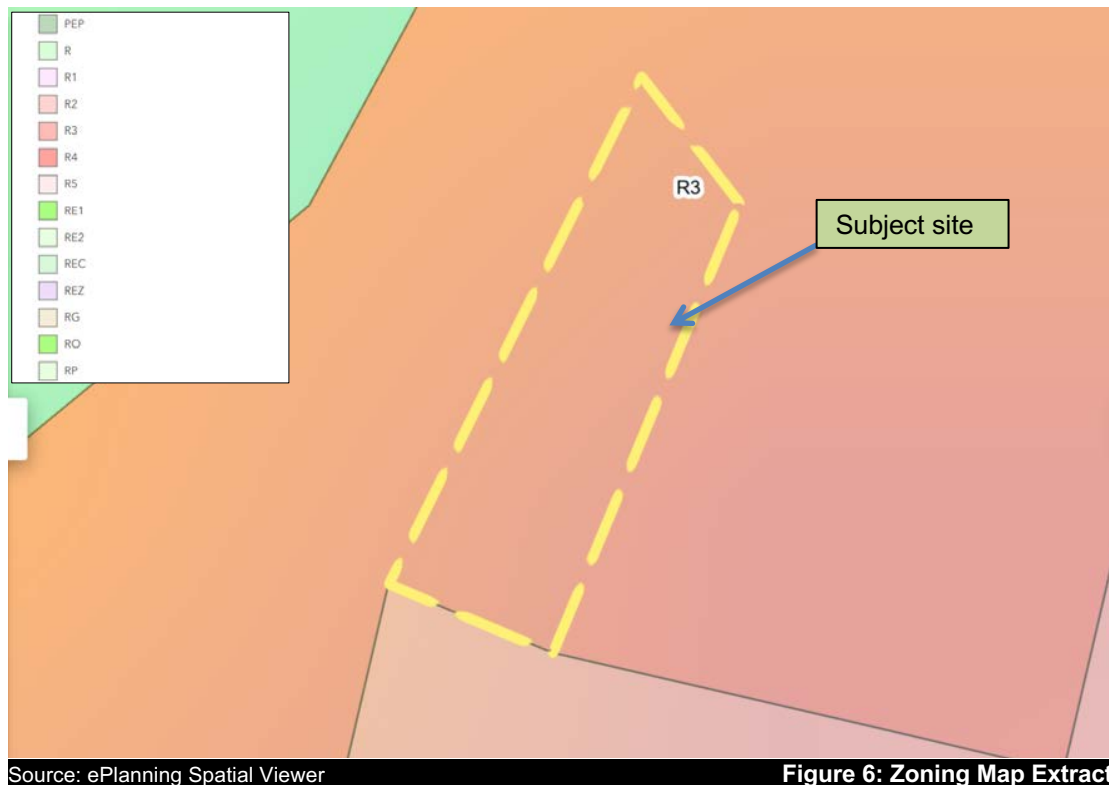
- **Pedestrian and vehicular access points:** Vehicular access to the site is currently available via the driveway leading from Dunkeld Avenue to a carport. Pedestrian access to the site is currently available via the driveway from the front boundary to the dwelling.
- **Existing vegetation:** The site contains vegetation in the form of existing mature trees in the rear and western side setback, as well as shrubs and grass areas in the front and rear setbacks. There is one street tree on the nature strip in front of the site.
- **Topography:** The subject site has gently sloping topography, sloping down from the front boundary towards the rear boundary by approximately 0.5m.
- **Views:** Given its location and local topography, the site and dwelling does not benefit from any significant views or outlook.
- **Solar access/shadow and privacy:** The subject site receives northern sunlight access from the front northern boundary as well as eastern and western side aspects.
- **Services, easements and other restrictions on title:** Services such as electricity, sewer and water are all anticipated to be available to the existing development and there are no other known services constraints.
- **Surrounding noise sources:** The site is adjoined by a local roads and residential development. The site is also within close proximity to Canterbury Road which is a major road. Traffic noise affects the site from these sources.
- **Heritage:** The site does not contain a heritage item and is not located in a heritage conservation area, however is adjacent to a Heritage Conservation Area to the south (rear) known as Floss Street HCA.
- **Other site constraints:** The site is not identified as being affected by acid sulfate soils. The site is not known to be contaminated and there are no other known site constraints such as flooding, bushfire or groundwater.

## 2.3 Pre DA History

There have been no recent development applications in relation to the subject site.

## 2.4 Planning Controls

The key relevant existing planning controls are Canterbury Local Environmental Plan 2012 (CLEP 2012) and Canterbury Development Control Plan 2012 (CDCP 2012). The draft Canterbury Bankstown Consolidated LEP is currently in the finalisation process, and when gazetted the Draft Consolidated Development Control Plan will also apply to the site. The subject site is currently zoned R3 – Medium Density Residential under CLEP 2012. Refer zoning map extract below.



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

- has a maximum building height of 8.5m;
- has a maximum floor space ratio of 0.55:1 under Cl.4.4 (2A) as the site area is  $>200\text{m}^2$  and  $<600\text{m}^2$ ;
- has a minimum lot size requirement of  $460\text{m}^2$ ;
- is not affected by acid sulfate soils;
- does not contain a heritage item and is not within a conservation area, however is adjacent to a Heritage Conservation Area to the south (rear) known as Floss Street HCA;
- is not identified on the Flood Planning Map;
- is not identified on the Key Sites Map;
- is not identified for land reservation acquisition; and
- is not identified on the Land Reclassification (Part Lots) Map.
- is not identified on the foreshore building line map;
- is not identified on the aboriginal heritage map;
- is not identified on the activity hazard risk map;
- is not identified on the acoustic controls map;
- is not identified on the airport buffer map;
- is not identified on the coastal hazard risk map;
- is not identified on the bushfire map;
- is not identified on the additional permitted uses map;
- is not identified on the biodiversity map.

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

# 3 Proposal

## 3.1 Overview

This report comprises a Statement of Environmental Effects accompanying architectural plans for demolition of an existing dwelling and associated structures, and construction of a new two storey dwelling at 3 Dunkeld Avenue, Hurlstone Park.

The proposed ground floor level of the dwelling will comprise a double garage, entry porch, main entry, stairs to floor above, storage under stairs, linen cupboard, bathroom, laundry, bedroom 4, kitchen with walk in pantry, open plan dining and living room; and a rear covered alfresco area with direct access to a rear private open space with deep soil landscaping.

The first floor will comprise a north facing media/rumpus room, storage cupboard, bathroom, bedroom 1 with Walk in robe and ensuite, bedroom 2 with built in robe; and bedroom 3 with built in robe.

The architectural proposal plans accompany this report under separate cover.

## 3.2 Development Statistics

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

**Table 1: Proposed development statistics**

Item	Proposal
<b>Site area</b>	398.4m <sup>2</sup> by DP
<b>Gross Floor Area</b>	
Ground floor	115m <sup>2</sup>
First floor	106m <sup>2</sup>
Garage	33m <sup>2</sup>
Minus required parking	-31.5m <sup>2</sup>
<b>Total GFA</b>	<b>222.5m<sup>2</sup></b>
<b>Floor Space Ratio (FSR)</b>	0.55:1
<b>Site Coverage</b>	185m <sup>2</sup> (46%)
<b>Maximum Height</b>	7.43m
<b>Landscaping</b>	132m <sup>2</sup> (32%)
<b>Minimum Front Setback (North)</b>	5.34mm



<b>Minimum Rear Setback (South)</b>	8.64m to dwelling 5.15m to alfresco
<b>Minimum Side Setback (East)</b>	1.74m
<b>Minimum Side Setback (West)</b>	Nil to garage 1m to dwelling
<b>Parking Spaces</b>	2 in double garage
<b>Private Open Space</b>	106m <sup>2</sup>

### 3.3 Building Layout

The following breakdown describes the proposed development.

#### Ground Floor

- Double garage;
- Entry porch;
- Main entry;
- Stairs to floor above;
- Storage under stairs;
- Linen cupboard;
- Bathroom;
- Laundry;
- Bedroom 4;
- Kitchen with walk in pantry;
- Open plan dining and living room; and
- Rear covered alfresco area.

#### First Floor

- Media/rumpus room;
- Storage cupboard;
- Bathroom;
- Bedroom 1 with WIR and ensuite;
- Bedroom 2 with BIR; and
- Bedroom 3 with BIR.

### 3.4 Tree Removal and Landscaping

Existing vegetation on site includes lawn and shrubs in the front setback, and trees and lawn within the rear and western side setback. The proposal will include removal of two trees. The street tree on the nature strip in front of the site will be retained and protected. All trees on adjacent sites will be retained and protected. New landscaping is proposed in the front and rear setbacks of the site. A Landscape Plan has been prepared by Site Design Studios and is provided under separate cover.

Key features of the Landscape proposal include:

- Removal of two (2) tree's;

- Planting of one (1) fruit tree in the rear setback and one (1) fruit tree in the front setback;
- Planting of Five (5) screening planting fruit trees along eastern side setback;
- Existing vegetable garden and worm farm in rear setback retained;
- Lawn in rear setback;
- Existing lime tree replanted in front setback; and
- Pollinator attracting garden in front setback.

### **3.5 Parking and Site Access**

Vehicular access to the site will remain provided from Dunkeld Avenue via the existing crossover on the western side of the frontage. A new driveway is proposed within the front setback of the site along the western side leading to an attached double garage which will provide two car parking spaces for the dwelling.

Pedestrian access to the dwelling will be via the driveway and front porch as well as via an internal entry door from the garage.

### **3.6 Stormwater**

Stormwater plans have been prepared by CPM Engineering and are provided under separate cover. Key features of the stormwater proposal include:

- Stormwater to drain to existing kerb outlet on western side of frontage via a charged line;
- 3000L rainwater tank on eastern side setback; and
- Locations of pits and pipe diameters details provided.

## 4

## S4.15 Assessment

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

### 4.1 State Environmental Planning Policies

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

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

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

#### **State Environmental Planning Policy (Resilience and Hazards) 2021**

Chapter 2 of this SEPP contains planning controls relating to development on sites identified as being located within the Coastal Zone. The subject site not identified as being located within the Coastal Zone.

Chapter 4 of this SEPP contains planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected. The site does not contain contaminated land and does not require remediation works.

#### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

This SEPP includes planning controls relating to development adjoining or in close proximity to a busy road or rail corridor. The site is not directly adjacent to Rail Corridor being approximately 700m from the nearest Railway Corridor which is considered sufficient distance to not require Rail Corridor measures.

However, the site is located approximately 86m from Canterbury Road which is identified as a major road with Annual Average Daily Traffic of over 40000 on transport NSW mapping. Clause 2.120 of The Transport and Infrastructure SEPP applies to residential development that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration. Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary



for the purposes of this section and published in the Gazette. If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

The relevant requirements of this SEPP are considered capable of being achieved and this could be ensured by condition of consent regarding suitable noise attenuation measures.

## 4.2 Canterbury Local Environmental Plan 2012

The proposal is for a new dwelling house. *“Dwelling house”* is a permissible use within Zone R3 – Medium Density Residential. The proposed development is therefore permissible.

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

**Table 3: Canterbury Local Environmental Plan 2012 Summary Table**

Item	Requirement	Proposal	Compliance
<b>Height</b> Cl 4.3	Maximum of 8.5m	7.43m	✓
<b>Floor space ratio</b> Cl 4.4	Maximum of 0.5:1 on map	NA for site >200m <sup>2</sup> and <600m <sup>2</sup> . Refer to Cl4.4(2A) discussion below.	✓
<b>Floor space ratio</b> Cl 4.4(2A)	Maximum of 0.55:1 for sites 200m <sup>2</sup> > 600m <sup>2</sup> .	0.55:1	✓
<b>Heritage</b> Cl.5.10	The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.	Subject site not within HCA and does not contain a heritage item.  Site is adjacent to a HCA known as Floss Street HCA to the rear (south) of the site. Proposed dwelling not visible from HCA streetscape and will not affect heritage significance.	✓
<b>Acid Sulfate Soils</b> Cl.6.1	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	Subject site not identified as affected by Acid sulfate soils on mapping.	NA
<b>Lot size</b> Cl.4.1	Minimum subdivision lot size 460m <sup>2</sup>	Existing lot is 398.4m <sup>2</sup> . No subdivision proposed.	NA

### 4.3 Canterbury Development Control Plan 2012

With the adoption of CLEP 2015 all applications are assessed under the CDCP 2012. Chapter C1, "Dwelling Houses and Outbuildings" is relevant to the proposed development. Appendix D contains a detailed DCP compliance table of key controls and objectives. A summary table of key numeric controls is included below. This planning assessment also discusses the project's response to other DCP items.

**Table 4: Canterbury Development Control Plan 2012 Summary Table**

Item	Requirement	Proposal	Compliance
<b>Part C1 Dwelling Houses and Outbuildings</b>			
<b>Minimum lot size and frontage</b> C1.2.1	<i>The minimum primary street frontage width for dwelling houses is 15m.</i>	Existing frontage 11.025m	As existing
	<i>Lots must be generally rectangular.</i>	Existing irregular shape lot	As existing
	<i>Nothing in this section prevents Council giving consideration to the erection of a dwelling house on an allotment of land which existed as of 1/1/2013.</i>	Allotment existed prior to 1/1/2013.	✓
<b>Site coverage and Private Open Space</b> C1.2.2	<i>For site areas &gt;449m<sup>2</sup> :</i>	Site is 398.4m <sup>2</sup>	
	<i>-Maximum building footprint: 300m<sup>2</sup></i>	Building footprint 190m <sup>2</sup>	✓
	<i>-Maximum floor area of all outbuildings: 30m<sup>2</sup></i>	No outbuildings proposed	NA
	<i>-Maximum Site Coverage of all Structures on a Site: 60%</i>	190/398.4= 47%	✓
<b>Landscaping</b> C1.2.4	<i>Part C1.2.2 objectives also require to ensure there is adequate unbuilt upon areas to allow for private open space, substantial landscaped areas and deep soil planting capable of supporting large trees.</i>	106m <sup>2</sup> Private open space proposed	✓
<b>Layout and Orientation</b> C1.2.5	<i>Minimum Deep Soil Area (% of site area) for sites &gt;449m<sup>2</sup> = 15%</i>	132m <sup>2</sup> (32%)	✓
	<i>Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.</i>	Dwelling living spaces oriented to rear private open space which is suitable.	✓
	<i>Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.</i>	Proposal has generous south east side setback to minimise shadow cast towards south neighbour.	✓
	<i>Coordinate design for natural ventilation with passive solar</i>	Designed to comply	✓

	<p>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>Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.</p>	<p>Designed to comply</p> <p>Designed to comply</p> <p>Designed to comply</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<b>FSR</b> C1.3.1	<p>The maximum permissible FSR for any development is prescribed in the LEP.</p> <p>LEP prescribes 0.55:1 FSR</p>	0.55:1	✓
<b>Height</b> C1.3.2	<p><u>Height</u></p> <p>A maximum two storey built form.</p> <p>A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.</p> <p>Finished ground floor level is not to exceed 1m above the natural ground level.</p> <p>Note: Skillion and flat roof forms will be considered on merit.</p> <p><u>Basement and Sub-floor Projection</u> Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey</p> <p><u>Cut and fill – Development Without Basement Parking</u> Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.</p> <p>No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.</p> <p>Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.</p> <p>If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably</p>	<p>2 storeys proposed</p> <p>Approx. 6.1m</p> <p>FFL max. 571mm above NGL</p> <p>Flat roof proposed</p> <p>No basement or subfloor</p> <p>No cut proposed</p> <p>No cut proposed</p> <p>Maximum 750mm fill in rear setback</p> <p>Noted</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>Merit</p> <p>✓</p>

	qualified engineers' reports.		
<b>Setbacks</b> C1.3.3	<p><i>Dwelling House with frontage of 12.5m or less:</i></p> <p><u>Front Setback</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 5.5m from the front boundary.</li> <li>• Maximum 2m recess for the main entrance from the front building line.</li> <li>• Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li> </ul> <p><u>Side Setbacks</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 900mm from side boundaries.</li> <li>• Alterations and additions may be in line with the existing ground level walls.</li> </ul> <p><u>Rear Setbacks</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 6m from the rear boundary.</li> </ul>	<p><u>Front:</u> 5349mm Building entry recessed 1m</p> <p><u>East side:</u> 1743mm</p> <p><u>West side:</u> 1000mm to dwelling Nil to garage</p> <p><u>Rear</u> 8643mm to dwelling 5154mm to alfresco</p>	<p>Merit ✓</p> <p>✓</p> <p>✓ Merit</p> <p>✓ Merit</p>
<b>Roof form</b> C1.4.2	<p><i>Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.</i></p> <p><i>Roof pitches are to be compatible and sympathetic to nearby buildings.</i></p> <p><i>Relate roof design to the desired built form and context.</i></p>	Flat roof proposed. Examples of recently built flat roof dwellings in streetscape at 13,15 and 17 Dunkeld Avenue.	Merit
<b>Building Design</b> C1.4.1	<p><i>To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.</i></p> <p><i>To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.</i></p> <p><i>Various controls refer to Table in Appendix</i></p>	Proposed contemporary style dwelling with flat roof. Compatible with existing recently built dwellings at 13,15, and 17 Dunkeld Avenue.	✓
<b>Solar Access and Overshadowing</b> C1.5.1	<p><u>Solar Access to Proposed Development</u></p> <p><i>Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.</i></p> <p><i>Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.</i></p>	Complies. Refer to shadow diagrams	✓

	<p><i>Dwellings must comply with the following:</i></p> <p>(a) <i>At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.</i></p> <p>(b) <i>Receive a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.</i></p> <p>(c) <i>Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.</i></p> <p><u><i>Solar Access to Neighbouring Development</i></u></p> <p><i>Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space. If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.</i></p> <p><i>Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:</i></p> <p>(a) <i>Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.</i></p> <p>(b) <i>If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight</i></p> <p><i>Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.</i></p>		
<b>Visual privacy</b> C1.5.2	<p><i>Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.</i></p> <p><i>Minimise direct overlooking of rooms and private open space through the following:</i></p> <p>(a) <i>Provide adequate building separation, and rear and side setbacks; and</i></p> <p>(b) <i>Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.</i></p>	Designed to comply as discussed in section 4.4.7	✓

	<i>If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.</i>		
<b>Acoustic Privacy</b> C1.5.3	<p><i>Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.</i></p> <p><i>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.</i></p> <p><i>Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.</i></p> <p><i>Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.</i></p>	Designed to comply.	
<b>Parking</b> B1.3.1	<i>2 parking spaces per dwelling house</i>	2 spaces in garage	✓

The draft Canterbury Bankstown DCP will come into effect upon the gazettal of the Canterbury Bankstown Consolidated LEP. However, this LEP has not been gazetted and as such will not apply to this Development Application.

## 4.4 Built Environment

### 4.4.1 Site Context and Streetscape

The subject site is located in a leafy residential street containing a range of dwelling types including detached dwellings, and semi-detached dwellings. Architectural styles vary from original condition to contemporary recently built development to the east along Dunkeld Avenue with flat roof forms and common central boundary walls.

The proposed dwelling is contemporary in style with a flat roof and is considered to be in keeping with the future character of the streetscape. The proposed dwelling is compatible with nearby modern dwellings in the street, which have replaced older housing stock. Refer to image below.





Source: Wynne Planning

**Figure 7: Existing modern dwellings in Dunkeld Avenue.**

#### **4.4.2 Height**

Under Clause 4.3 of CLEP 2012 the maximum allowable height is 8.5m to the highest point of the development. The proposed dwelling has a maximum height of 7.43m which complies.

#### **4.4.3 Density**

Under CI 4.4 of CLEP 2012 the maximum allowable FSR on the site is 0.55:1 for sites >200m<sup>2</sup> and < 600m<sup>2</sup>. The proposal has a gross floor area of 222.5m<sup>2</sup> which equates to an FSR of 0.55:1 and complies.

#### **4.4.4 Subdivision, Lot Size and Dimensions**

The site is irregular in shape with an 11.025m wide frontage to Dunkeld Avenue and a site depth of 39.4m. The site has an area of 398.4m<sup>2</sup> by DP. There is no subdivision associated with this Development Application, and the site is of a sufficient size to accommodate the proposal.

#### **4.4.5 Front, Side and Rear Setbacks**

##### Front Setback

CDCP requires a minimum Front Setback of 5.5m from the front boundary. Maximum 2m recess for the main entrance from the front building line. The proposed dwelling has a minimum front setback of 5.349m to the dwelling. This considered suitable on merit as it is setback further from the front boundary than the existing dwelling on the subject site, is stepped suitably between the adjacent dwellings front setbacks to the west and east, and is due to the angled front boundary. The proposed front door is recessed 1m behind the garage which complies and is readily visible from the street.

##### Side Setbacks

CDP requires minimum Side Setbacks of 900mm from side boundaries. Alterations and additions may be in line with the existing ground level walls. The proposed dwelling is setback a minimum 1.743m from the eastern side boundary which complies. The dwelling is setback 1m from the western side boundary which also complies. The proposed garage has a nil western side boundary setback at ground floor level with a wall length of 6m X wall height of 2.7m on the boundary. This is considered acceptable on merit as the wall has no window openings and will not cause any overlooking or overshadowing impacts. Notably the existing site has a carport with nil western side setback located in the front setback, while the proposed garage will be setback behind the front building line and will have less impact on the streetscape and the adjacent dwelling to the west than the existing carport.

#### Rear Setbacks

CDCP requires a minimum setback of 6m from the rear boundary. The proposed dwelling has a rear setback of 8.643m to the dwelling which complies, and 5.15m to the open form alfresco which is a suitable structure to provide covered outdoor space in the rear setback.

#### **4.4.6 Access, Servicing, Parking and Traffic**

Vehicular access to the site will remain provided from Dunkeld Avenue via the existing crossover on the western side of the frontage. A new driveway is proposed within the front setback of the site along the western side leading to an attached double garage which will provide two car parking spaces for the dwelling.

Pedestrian access to the dwelling will be via the driveway and front porch as well as via an internal entry door from the garage.

#### **4.4.7 Visual Privacy**

The proposed dwelling has two bedroom windows and one small window to the stair landing on the eastern side first floor elevation. These are suitable in size and will allow natural light into the dwelling without posing adverse overlooking impacts. The first floor eastern elevation is also generously setback over 1.743m from the adjacent property to the east providing good building separation for privacy.

The first floor western side elevation has three windows which are setback 1m from the side boundary which more than complies with the required 900mm side setback control and are not excessive or likely to cause any adverse privacy impacts.

At ground level the dwelling is built close to existing ground level and side boundary fencing will provide privacy between occupants and neighbours.

The rear alfresco includes privacy shutters at both the eastern and western end to preserve privacy. Accordingly, the proposal has been well designed regarding visual privacy.

#### **4.4.8 Acoustic Environment and Vibration**



The proposed dwelling does not demonstrate any adverse acoustic privacy impacts. Any air conditioning units can be conditioned to operate at a complaint noise level.

#### **4.4.9 Ventilation, Solar Access and Shadow**

As demonstrated in the CDCP Compliance Table in Appendix D, the proposal complies with the CDCP objectives and controls relating to solar access and overshadowing. As required, primary living areas of the dwelling will receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June. The proposed media/rumpus room on the first floor makes the most of the front northerly aspect for increased solar access to living spaces.

The subject site private open space will receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area as well as the neighbouring private open space. Refer to shadow diagrams under separate cover.

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

#### **4.4.10 Site Coverage and Private Open Space**

Part C1.2.2 of CDCP allows dwellings on sites >449m<sup>2</sup> to have a maximum building footprint of 300m<sup>2</sup>, maximum outbuildings combined footprint of 30m<sup>2</sup> and maximum overall site coverage of 60%. The proposed dwelling has a footprint of 190m<sup>2</sup> (47%) which easily complies.

Part C1.2.2 objectives also require *to ensure there is adequate unbuilt upon areas to allow for private open space, substantial landscaped areas and deep soil planting capable of supporting large trees*. The proposal includes approximately 106m<sup>2</sup> of private open space in the rear setback including the covered alfresco area which allows plenty of space for residents to have private recreation, garden, and dry washing.

#### **4.4.11 BCA**

This proposed development will be designed in accordance with the relevant BCA considerations.

#### **4.4.12 Energy Efficiency**

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

#### **4.4.13 Other Matters – Built Form**

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

Item	Assessment comment
------	--------------------

Dwelling size and layout	The proposed dwelling is of a suitable scale and functionality for occupants to enjoy high amenity living space. Refer to Section 3.3 of this report for a more detailed breakdown of the layout of the dwelling.
Views	The site does not benefit from any significant views or outlook.
Heritage	The subject site is not identified as containing a heritage item and is not located in a heritage conservation area. However is adjacent to a Heritage Conservation Area to the south (rear) known as Floss Street HCA. The proposed dwelling is only viewed from Dunkeld Avenue, and will not be readily visible from and will not detract from the HCA of Floss Street.
Accessibility	No accessibility provisions apply to the proposed dwelling.
Utilities	All services are currently available for the existing development on the site and surrounding development and will remain available to the proposal.
Waste management	Waste management will be according to Councils specifications for storage, bin size and collection. Storage of bins can be in garage or in side setbacks easily accommodated within short distance of the curbside.
Foreshore Land, FBL, MHW	The site is not affected by a foreshore area or FBL, and is not affected by Mean High Water Mark.
Fencing	Existing brick front boundary wall retained.

## 4.5 Natural Environment

### 4.5.1 Tree Removal, Retention and Landscaping

Existing vegetation on site includes lawn and shrubs in the front setback, and trees and lawn within the rear and western side setback. The proposal will include removal of two trees. The street tree on the nature strip in front of the site will be retained and protected. All trees on adjacent sites will be retained and protected. New landscaping is proposed in the front and rear setbacks of the site. A Landscape Plan has been prepared by Site Design Studios and is provided under separate cover.

Key features of the Landscape proposal include:

- Removal of two (2) tree's;
- Planting of one (1) fruit tree in the rear setback and one (1) fruit tree in the front setback;
- Planting of Five (5) screening planting fruit trees along eastern side setback;
- Existing vegetable garden and worm farm in rear setback retained;
- Lawn in rear setback;
- Existing lime tree replanted in front setback; and
- Pollinator attracting garden in front setback.

CDCP requires minimum deep soil landscaping of 15% for sites >449m<sup>2</sup>. The subject site is 398.4m<sup>2</sup> in area and provides 132m<sup>2</sup> (32%) of deep soil landscaping which is generous and easily complies.

#### 4.5.2 Stormwater

Stormwater plans have been prepared by CPM Engineering and are provided under separate cover. Key features of the stormwater proposal include:

- Stormwater to drain to existing kerb outlet on western side of frontage;
- 3000L rainwater tank on eastern side setback; and
- Locations of pits and pipe diameters details provided.

#### 4.5.3 Landform, Cut and Fill

The subject site is not steeply sloping and does not contain any significant landforms. The proposed dwelling integrates well with the existing landform of the site with limited impact to the natural contours. CDP allows a maximum fill of 600mm generally, or if proposed cut and fill/retaining wall is deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports, and for floor level to be a maximum 1m above ground level.

The proposed finished floor level is up to 571mm above existing ground level which complies. The proposed fill in the rear setback is up to 750mm above existing ground level. A structural engineers report can be provided to Council if required.

#### 4.5.4 Other Matters – Natural Environment

Item	Assessment comment
Acid Sulfate Soils	The site is not affected by acid sulfate soils.
Soil, erosion and sedimentation	The proposal will have minimal effect on erosion and sedimentation that may occur on the site.
Ecologically Sustainable Building Design	The proposal has been designed to be energy efficient in terms of building materials and energy efficient appliances as discussed throughout this report. A BASIX certificate has been prepared and is submitted under separate cover.
Flora and fauna	The proposal will have no implications for threatened species, populations or ecological communities or their habitats.
Conservation of Land and Water Resources	The proposal will not have any effect on conserving and using valuable land resources such as productive agricultural land, mineral and extractive resources or water supply catchments.
Air and microclimate	There will be minimal potential for emissions of dust, particulates, odours, fumes, gases and pollutants as a result of the proposal. Therefore, the proposal will not result in any air pollution.

## **4.6 Social and Economic**

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

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

## **4.7 Hazards**

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

## **4.8 Public Interest**

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

# 5

## Conclusion

This report comprises a Statement of Environmental Effects accompanying architectural plans for demolition of an existing dwelling and associated structures, and construction of a new two storey dwelling at 3 Dunkeld Avenue, Hurlstone Park.

The proposed ground floor level of the dwelling will comprise a double garage, entry porch, main entry, stairs to floor above, storage under stairs, linen cupboard, bathroom, laundry, bedroom 4, kitchen with walk in pantry, open plan dining and living room; and a rear covered alfresco area with direct access to a rear private open space with deep soil landscaping.

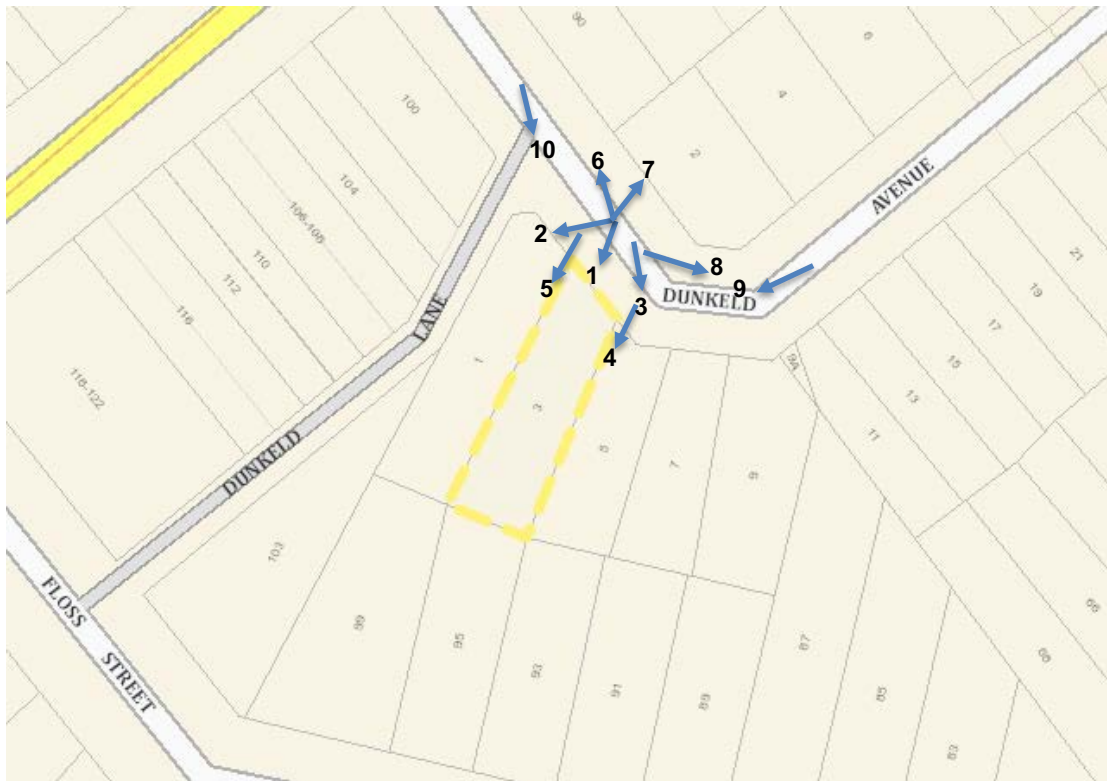
The first floor will comprise a north facing media/rumpus room, storage cupboard, bathroom, bedroom 1 with Walk in robe and ensuite, bedroom 2 with built in robe; and bedroom 3 with built in robe.

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

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

# APPENDICES

# Appendix A – Photos



**Photo Key**





Photo 1: standing opposite and looking at the subject site in a southerly direction.



Photo 2: standing opposite the subject site looking south west towards No 1 Dunkeld Ave.





Photo 3: standing opposite the subject site looking south towards No 5 Dunkeld Ave.



Photo 4: standing in front of the subject site looking along the boundary shared with No 5 Dunkeld Ave.





Photo 5: standing in front of the subject site looking along the boundary shared with No 1 Dunkeld Ave.



Photo 6: standing in front of the subject site looking north.





Photo 7: standing in front of the subject site looking opposite towards No 2 Dunkeld Ave.



Photo 8: standing in front of the subject site looking east.





Photo 9: standing in front of No 13 Dunkeld Ave looking west towards the subject site.



Photo 10: standing on Dunkeld Ave looking south towards the subject site.

# Appendix B – SEPP Compliance Table

Planning Control/Objective	Assessment comment	Compliance
<b>B.1 SEPP BASIX</b>		
A valid BASIX Certificate is required with the BASIX commitments identified on the plans	BASIX certificate has been provided under separate cover and commitments are identified on plans.	✓
<b>B.2 SEPP (Resilience and Hazards) 2021</b>		
Chapter 4 contains planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.	The subject site does not contain contamination. Accordingly the proposed use is considered suitable.	✓
<b>B.3 SEPP (Transport and Infrastructure) 2021</b>		
Includes planning controls relating to development adjoining or in immediate proximity to a busy road or rail corridor.	<p>The site is not directly adjacent to Rail Corridor being approximately 700m from the nearest Railway Corridor which is considered sufficient distance to not require Rail Corridor measures.</p> <p>However, the site is located approximately 86m from Canterbury Road which is identified as a major road with Annual Average Daily Traffic of over 40,000 vehicles on transport NSW mapping.</p> <p>If the consent authority considers the site is likely to be adversely affected by road noise or vibration. Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.</p> <p>If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p>(a) <i>in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</i></p> <p>(b) <i>anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i></p>	✓

The relevant requirements of this SEPP are considered capable of being achieved and this could be ensured by condition of consent regarding suitable noise attenuation measures.

Refer to further discussion at Section 4.1 of this report.

# Appendix C – CLEP 2012 Compliance Table

Planning Control/Objective	Assessment comment	Compliance
<b>C.1 Permissible Landuse</b>		
Dwelling house permissible within Zone R3 – Medium Density Residential Zone	The subject site is located in Zone R3 Medium Density Residential under CLEP 2012. The proposal is for a dwelling which is permissible.	✓
<b>C.2 Zone Objectives</b>		
<i>To provide for the housing needs of the community within a medium density residential environment.</i>	The proposal provides a new dwelling, contributing to the housing needs of the community within the medium density residential environment.	✓
<i>To provide a variety of housing types within a medium density residential environment.</i>	The proposed dwelling will provide high amenity housing in the locality.	✓
<i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>	NA – proposal residential however will not affect the future provision of other uses on site or on sites surrounding.	NA
<b>C.3 Height</b>		
Maximum of 8.5m (Cl 4.3)	7.43m	✓
<b>C.4 Floor Space Ratio</b>		
Maximum of 0.5:1 Cl 4.4(2)  (2A) Despite subclause (2), the maximum floor space ratio for a building that is a dwelling house or a semi-detached dwelling is as follows— (a) 0.65:1—if the site area is less than 200 square metres, (b) 0.55:1—if the site area is at least 200 square metres, but less than 600 square metres, (c) 0.5:1—in any other case.	Subject site 398.4m <sup>2</sup> by DP  Cl.4.4(2A)(b) allows a maximum 0.55:1 FSR  Proposed FSR 0.55:1	✓



## C.5 Exceptions to Development Standards

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

NA – proposal complies with all development standards.

NA

## C.6 Miscellaneous Permissible Uses

Secondary dwelling area to be no more than:

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

No secondary dwelling proposed.

NA

## C.7 Heritage Conservation

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

The site does not comprise a Heritage Item and is not within a Heritage Conservation Area, however the site backs onto an adjacent HCA to the rear (south) known as Floss Street HCA. The proposed dwelling is not visible from the streetscape of Floss Street and will detract from the significance of the Floss Street HCA.

✓

## C.8 Acid Sulfate Soils

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

Site not affected by acid sulfate soils.

NA

## C.9 Earthworks

(3) *Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*  
 (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*  
 (b) *the effect of the development on the likely future use or redevelopment of the land,*

NA – no earthworks proposed.

NA



- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

# Appendix D – CDCP 2012 Compliance Table

Planning Control/Objective	Assessment comment	Compliance
<b>D.1 Minimum Lot size and frontage</b>  <b>Part C1 of CDCP 2012</b> <i>The minimum primary street frontage width for dwelling houses is 15m.</i>  <i>Lots must be generally rectangular.</i>  <i>Nothing in this section prevents Council giving consideration to the erection of a dwelling house on an allotment of land which existed as of 1/1/2013.</i>	Existing frontage 11.025m  Existing irregular shape lot  Allotment existed prior to 1/1/2013.	As existing  As existing  ✓
<b>D.2 Site coverage and Private Open Space</b>  <b>Part C1 of CDCP 2012</b> <i>For site areas &gt;449m<sup>2</sup> :</i>  <i>-Maximum building footprint: 300m<sup>2</sup></i>  <i>-Maximum floor area of all outbuildings: 30m<sup>2</sup></i>  <i>-Maximum Site Coverage of all Structures on a Site: 60%</i>  <i>Part C1.2.2 objectives also require to ensure there is adequate unbuilt upon areas to allow for private open space, substantial landscaped areas and deep soil planting capable of supporting large trees.</i>	Site is 398.4m <sup>2</sup>  Building footprint 190m <sup>2</sup>  No outbuildings proposed  190/398.4= 47%  106m <sup>2</sup> Private open space proposed	✓  NA  ✓  ✓
<b>D.3 Landscaping</b>  <b>Part C1 of CDCP 2012</b> <i>Minimum Deep Soil Area (% of site area) for sites &gt;449m<sup>2</sup> = 15%</i>	132m <sup>2</sup> (32%)	✓
<b>D.4 Layout and orientation</b>  <b>Part C1 of CDCP 2012</b>		

<i>Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.</i>	Dwelling living spaces oriented to rear private open space which is suitable.	✓
<i>Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.</i>	Proposal has generous south east side setback to minimise shadow cast towards south neighbour.	✓
<i>Coordinate design for natural ventilation with passive solar design techniques.</i>	Designed to comply	✓
<i>Site new development and private open space to avoid existing shadows cast from nearby buildings.</i>	Designed to comply	✓
<i>Site a building to take maximum benefit from cross-breezes and prevailing winds.</i>	Designed to comply	✓
<i>Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.</i>	Designed to comply	✓
<b>D.5 FSR</b>		
<b>Part C1 of CDCP 2012</b>		
<i>The maximum permissible FSR for any development is prescribed in the LEP.</i>	0.55:1	✓
<i>LEP prescribes 0.55:1 FSR</i>		
<b>D.6 Height</b>		
<b>Part C1 of CDCP 2012</b>		
<u>Height</u>		
<i>A maximum two storey built form.</i>	2 storeys proposed	✓
<i>A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.</i>	Approx. 6.1m	✓
<i>Finished ground floor level is not to exceed 1m above the natural ground level.</i>	FFL up to 571mm above NGL	✓
<i>Note: Skillion and flat roof forms will be considered on merit.</i>	Flat roof proposed	✓
<i><u>Basement and Sub-floor Projection</u> Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey</i>	No basement or subfloor	NA
<i><u>Cut and fill – Development Without Basement Parking</u> Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.</i>		
<i>No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.</i>	No cut proposed	NA
<i>Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.</i>	Maximum 750mm fill in rear setback	Merit

<p><i>If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.</i></p>	<p>Noted</p>	<p>✓</p>
<p><b>D.7 Setbacks</b></p> <p><b>Part C1 of CDCP 2012</b></p>		
<p><i>Dwelling House with frontage of 12.5m or less:</i></p> <p><u>Front Setback</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 5.5m from the front boundary.</li> <li>• Maximum 2m recess for the main entrance from the front building line.</li> <li>• Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li> </ul> <p><u>Side Setbacks</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 900mm from side boundaries.</li> <li>• Alterations and additions may be in line with the existing ground level walls.</li> </ul> <p><u>Rear Setbacks</u></p> <ul style="list-style-type: none"> <li>• Minimum setback of 6m from the rear boundary.</li> </ul>	<p><u>Front:</u> 5349mm to dwelling Building entry recessed 1m</p> <p><u>East side:</u> 1743mm</p> <p><u>West side:</u> 1000mm to dwelling Nil to garage</p> <p><u>Rear</u> 8643mm to dwelling 515mm to alfresco</p>	<p>Merit ✓</p> <p>✓</p> <p>✓ Merit</p> <p>✓ ✓</p>
<p><b>D.8 Roof form</b></p> <p><b>Part C1 of CDCP 2012</b></p>		
<p><i>Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.</i></p> <p><i>Roof pitches are to be compatible and sympathetic to nearby buildings.</i></p> <p><i>Relate roof design to the desired built form and context.</i></p>	<p>Flat roof proposed. Examples of recently built flat roof dwellings in streetscape along Dunkeld Avenue.</p>	<p>✓</p>
<p><b>D.9 Building Design</b></p> <p><b>Part C1 of CDCP 2012</b></p>		
<p><i>To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.</i></p> <p><i>To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.</i></p> <p><u>Contemporary Built Form</u> <i>Contemporary architectural designs may be acceptable if:</i></p> <p>(a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.</p> <p>(b) The proposed addition is not visually prominent from the street or from a public space.</p>	<p>Proposed contemporary style dwelling with flat roof. Compatible with existing recently built contemporary dwellings in Dunkeld Avenue.</p> <p>Complies</p> <p>No heritage listing on subject site</p> <p>NA. New dwelling not alteration</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>NA</p>

(c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.

New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.

Access to upper storeys must not be via external stairs.

All dwellings must contain one kitchen and laundry facility.

Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).

Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

Entries to residential buildings must be clearly identifiable.

The front door to a dwelling house may face a side boundary, or may be located beneath a carport, provided it is clearly identified by a porch or awning, and pathways.

A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety

Complies. New dwelling does not mimic traditional features.

Complies

Complies

NA, new dwelling

Contemporary flat roof form proposed in keeping with other recently built dwellings to east in Dunkeld Avenue

Complies

Front door faces street

Media room on first floor faces street

✓

✓

✓

NA

✓

✓

✓

✓

## D.10 Solar Access and overshadowing

### Part C1 of CDCP 2012

#### Solar Access to Proposed Development

Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.

Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.

Dwellings must comply with the following:

- (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space. (b) Receive a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.
- (c) Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.

#### Solar Access to Neighbouring Development

Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space. If a neighbouring dwelling currently receives less than 3 hours of sunlight, then

Complies. Refer to shadow diagrams provided under separate cover

✓

*the proposed development must not reduce the existing level of solar access to that property.*

*Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:*

- (c) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.*
- (d) (b) If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight*

*Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.*

## D.11 Visual Privacy

Part C1 of CDCP 2012

*Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.*

*Minimise direct overlooking of rooms and private open space through the following:*

- (a) Provide adequate building separation, and rear and side setbacks; and*
- (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.*

*If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.*

Designed to comply as discussed in section 4.4.7

✓

## D.12 Acoustic Privacy

Part C1 of CDCP 2012

*Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.*

*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.*

*Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.*

*Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.*

Designed to comply.

✓

Refer to Section 4.1 for SEPP discussion. Will be designed to comply.

✓



## D.13 Parking

### Part B1.3.1 of CDCP 2012

#### 2 parking spaces per dwelling house

*The maximum width of residential vehicular crossings is 5.5metres subject to compliance with Council's Vehicular Crossing Policy.*

*All residential developments are to locate driveways to the side of the site, and within the side setback.*

*Where two car spaces are required for a dwelling house, dual occupancy and semi-detached dwelling, one may be provided on the driveway in front of a carport or garage (not applicable with basement car parking).*

*For a dwelling house, dual occupancy or semi-detached dwelling, carports should have minimal scale or bulk if outdoor parking needs to be covered.*

*If driveway access for a dwelling house, dual occupancy and semi-detached dwelling, is provided from the street to the rear yard, the minimum dimension from the wall of the dwelling to the side boundary is 2.7m.*

*On a site that is less than 12.5m wide, provide parking in a carport, or a single width garage and add a carport if additional covered parking is necessary. Parking for a dwelling house, dual occupancy, semi-detached dwelling, multi dwelling housing and attached dwellings, is to be provided in a single width carport or garage.*

*For a dwelling house, dual occupancy, semi-detached dwelling, multi dwelling housing and attached dwellings, garages and carports must be setback at least 1m behind the outermost alignment of external walls, verandas or balconies*

*On sites that rise from the street frontage, one garage that is not wider than 6m and no higher than 3m above street level.*

*For a dwelling house, dual occupancy, semi-detached dwelling, multi dwelling housing and attached dwellings, maximum of one double garage or carport per dwelling.*

*Basement parking for residential development (excluding dual occupancy and semidetached dwelling) is to: (a) Maximise the amount of deep soil for canopy planting. (b) Give ground floor dwellings access to ground level courtyards. (c) Allow ground floor dwellings to address the street.*

2 spaces in garage

Existing Vehicle crossing retained at kerb.

Driveway on western side

2 spaces provided in garage

NA. No carport proposed

NA

Site is 11.025m wide.  
Double garage proposed due to easier access for vehicles than tandem parking arrangement.  
Garage not considered to dominate street front façade

Garage setback behind overhanging first floor above.

NA

One double garage proposed

NA no basement

✓

✓

✓

✓

NA

NA

Merit

✓

NA

✓

NA

## **REPORTS AND PLANS UNDER SEPARATE COVER**

**Survey Plan**

**Architectural Proposal Plans**

**Landscape Plans**

**Stormwater Proposal Plans**

**BASIX**