

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

**PROPOSED DUAL OCCUPANCY,
CABANA AND POOL TO DWELLING 2**

AT

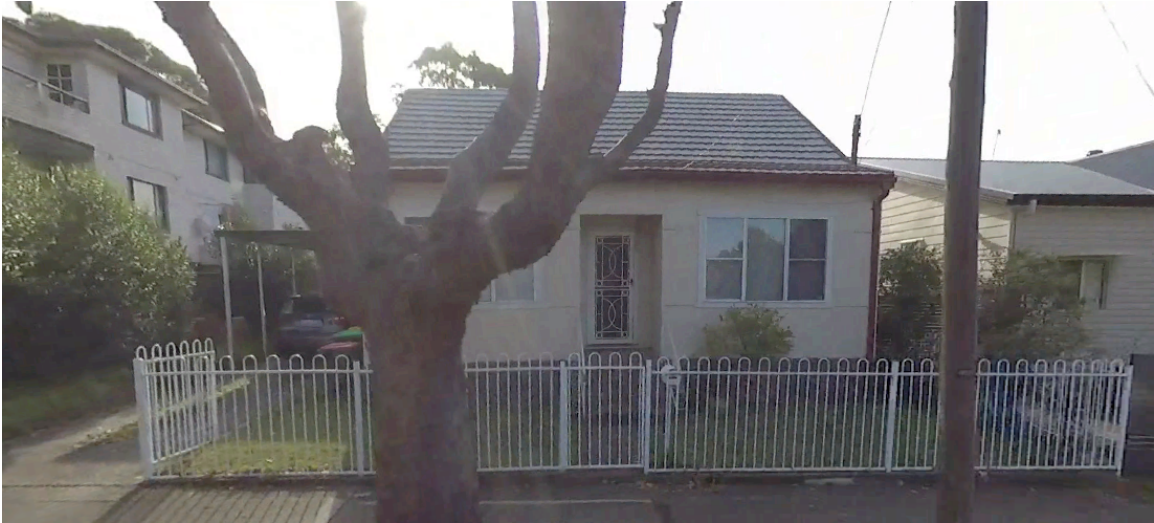
73 KNOX STREET, BELMORE

FOR

MR ROB SAAB

Site Analysis

The subject site is Lot 62 in DP 8791 at 27 Knox Street, Belmore. The site is a 793.1 sq.m allotment with a 15.24m frontage to Knox Street. The site is currently occupied by a single storey dwelling, driveway, ancillary structures, landscaping and fencing. The surrounding area is characterised by low to medium density residential development sharing similar characteristics and design features and industrial developments.



Street view photograph of the subject site



Aerial photograph of the subject site

Proposal

The applicant seeks approval for the construction of a two storey attached dual occupancy and cabana and pool to dwelling 2 with associated Torrens Title subdivision at 27 Knox Street, Belmore. The Torrens Title development seeks to create two lots with the following specifications:

- Dwelling 1 located on the western part of the site with a 7.50m frontage to Knox Street and a total area of 412.88 sq.m
- Dwelling 2 located on the eastern part of the site with a 7.74m to frontage to Knox Street and a total area of 380.22 sq.m

Statutory Considerations

When determining this application, the relevant matters listed in Section 79C of the Environmental Planning and Assessment Act 1979 must be considered. In this regard, the following environmental planning instruments, development control plans (DCPs), codes and policies are relevant:

- (a) State Environmental Planning Policy 2004 (Building Sustainability Index: BASIX)
- (b) State Environmental Planning Policy No. 55 Remediation of Land
- (c) Canterbury Local Environmental Plan 2012
- (d) Canterbury Development Control Plan 2012.
- (e) Canterbury Development Contributions Plan 2013

Assessment

The proposal has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters', the following matters have been identified for further consideration:

Section 79C (1)(a)(i) The provisions of any environmental planning instrument

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

Two single dwelling BASIX Certificates accompanied the application (Cert No. 1325262S and 1325361S). The certificate lists a number of commitments which have been detailed on the submitted plans and the proposal meets the water, thermal comfort and energy targets of the policy.

- **State Environmental Planning Policy No. 55 Remediation of Land**

State Environmental Planning Policy 55 - Remediation of Land aims to promote the remediation of contaminated land for the purposes of reducing risk to human health or any other aspect of the environment. Clause 7 of SEPP 55 states that a consent authority must not consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated, it must ascertain whether it is suitable in its contaminated state for the proposed use or whether remediation of the land is required.

Given that the site has been used for only residential purposes and that there is no proposed excavation, the site is considered to be consistent with State Environmental Planning Policy 55 – Remediation of Land.

- **Canterbury Local Environmental Plan 2012**

This site is zoned R4 High Density Residential under Canterbury LEP 2012. The controls applicable to this proposal are:

Clause		Numerical Amount	Proposed	Complies
4.1A	Minimum lot size for dual occupancies	600m ²	793.1m ²	Yes
4.1B	Minimum subdivision lot size for dual occupancies	300m ² each	Lot 1 – 412.88m ² Lot 2 – 380.22m ²	Yes
4.3	Building height	8.5	7.0m	Yes
4.4	Floor Space Ratio	0.5:1	0.57:1	Refer to Clause 4.6 Variation

- **Canterbury Development Control Plan 2012**

The development has been assessed against the applicable dual occupancy provisions in Canterbury Development Control Plan 2012 and is summarised in the table below:

Standard	Control	Proposed	Complies
C2.2.1 Minimum Lot Size and Frontage	C1 Dual occupancy and semi-detached dwellings must have a street frontage.	Dwelling 1 and 2 have a street frontage to Knox Street	Yes
	C2 Minimum 15m width, measured at the street boundary. On corner lots, this means the short boundary.	The subject site has a 15.24m to Knox Street	Yes
	C3 Each dwelling is required to have a minimum frontage width of 7.5m.	Each lot has a frontage of at least 7.5m	Yes
C2.2.2 Isolated Sites	C1 Neighbouring properties are not to be isolated so that the property will be unable to reasonably accommodate redevelopment.	<p>The proposed development is for an attached dual occupancy at the subject site. The proposed works are designed to remain sympathetic to the surrounding streetscape and will not impart any undue negative impacts within the streetscape.</p> <p>The proposed development typology will not result in the isolation of the subject site or adjacent adjoining sites. This is insured as the adjoining adjacent sites to the north east of the site maintain a minimum frontage of 48m and an approximate lot area of 1144m². Subsequently, the adjoining site are capable of achieving suitable medium to high density development in future.</p> <p>Finally, the proposed development will result in development that is consistent within the Knox Street streetscape, which is characterized by a combination of detached dwellings, attached dual occupancies and low rise residential flat buildings. On this</p>	Acceptable

		basis, the proposal will not result in any undue isolation of the subject site or adjoining sites.	
C2.2.3 Private Open Space	C2 Dual occupancy and semi-detached dwellings with a frontage of 7.5m or greater must provide a minimum of 50m2 of private open space.	>50 sq.m of private open space is provided for each new lot. Dwelling 1 - 198m2 Dwelling 2 - 114m2	Yes
	C3 Dual occupancy and semi-detached dwellings must provide one area of private open space with a minimum dimension in any direction of 4m.	Each new dwelling is provided with private open space with a minimum dimension of at least 4m in any direction.	Yes
	C4 Dual occupancy and semi-detached dwellings must provide one area at least 2.5m x 2.5m suitable for outdoor dining facilities.	An area suitable for outdoor dining facilities is provided for each new dwelling with dimensions of 2.5m x 2.5m	Yes
	C5 The design of private open space must satisfy the following criteria: (a) Be located at ground level to the rear of an allotment behind the dual occupancy. (b) Be located adjacent to the main living areas, such as a living room. (c) Have a maximum gradient of 1:50. (d) The principal area of open space for each dwelling may comprise a combination of privacy screens, sun-shading devices and landscaped areas. (e) Be designed to prevent direct overlooking from a public place or from neighbouring buildings. (f) Be designed to accommodate both recreation and service activities. (g) Include a suitably screened area for clothes drying facilities. (h) Be oriented to provide maximum exposure to midwinter sunlight whilst optimising privacy.	Complies	Yes

	Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.	No encroachment	Yes
C2.2.4 Layout and Orientation	C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.	Dwelling living area's face north and comply.	Yes
	C2 Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.	Complies. Refer to shadow diagrams.	Yes
	C3 Coordinate design for natural ventilation with passive solar design techniques.	Complies	Yes
	C4 Site new development and private open space to avoid existing shadows cast from nearby buildings.	Achieved	Yes
	C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.	Achieved	Yes
	C6 Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	Achieved	Yes
C2.3.2 Height	<p>C1 Development for the purposes of dual occupancy and semi-detached dwellings must not exceed the following numerical requirements:</p> <p>(a) A maximum two storey built form.</p> <p>(b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.</p> <p>(c) Finished ground floor level is not to exceed 1m above the natural ground level.</p> <p>Outbuilding height – 4.8m</p>	<p>Complies</p> <p>Maximum 2 storeys</p> <p>7.0m</p> <p>0.6m</p> <p>3.0m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	Outbuilding wall height – 3.8m	3.1m	Yes
C2.3.2 Height Basement and Sub-floor Projection	C2 Dual occupancy or semi-detached dwelling development must not include basement or subfloor parking.	N/A	Yes
C2.3.2 Height Attics and Roof Terraces	C3 Attics and mezzanine floors do not comprise a storey.	N/A	Yes
	C4 Roof top terraces are not acceptable on any building or outbuilding in any residential zone.	N/A	Yes
C2.3.2 Height Retaining Walls	C5 Walls that would enclose a sub-floor area: (a) Maximum 2m for steeply sloping land; and (b) Maximum 1m for all other land.	N/A	Yes
	C6 Retaining walls that would be located along, or immediately adjacent to, any boundary: (a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and (b) Maximum 1m for all other land.	N/A	Yes
C2.3.2 Height Cut and fill	C7 Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.	N/A	Yes
	C8 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.	N/A	Yes
	C9 Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.	N/A	Yes
	C10 If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural	N/A	Yes

	viability must be confirmed by suitably qualified engineers' reports.		
C2.3.3 Setbacks Front, Side and Rear Setbacks	<p>C2 Development must comply with the minimum front, side and rear setbacks in the following tables:</p> <p>Table C2.2: Dual Occupancy and Semi-detached 12.5m or greater</p> <p>Front Setbacks</p> <ul style="list-style-type: none"> • 6m or average of dwelling to either side of site. <p>Side Setbacks</p> <ul style="list-style-type: none"> • Minimum setback of 1.2m from side boundaries. <p>Outbuilding</p> <ul style="list-style-type: none"> • Minimum setback of 0m from side boundaries. <p>Rear Setbacks</p> <ul style="list-style-type: none"> • Minimum setback of 6m from the rear boundary. <p>Outbuilding</p> <ul style="list-style-type: none"> • Minimum setback of 0.9m from rear boundaries with windows. 	<p>Front setback:</p> <p>Dwelling 1: 6.0m</p> <p>Dwelling 2: 6.0m</p> <p>Side setback:</p> <p>Dwelling 1: 1.2m</p> <p>Dwelling 2: 1.2m</p> <p>Side setback:</p> <p>Dwelling 2 outbuilding: 0.9m</p> <p>Rear setback:</p> <p>Dwelling 1: 19.7m</p> <p>Dwelling 2: 14.4m</p> <p>Rear setback:</p> <p>Dwelling 2 outbuilding: 0.16m</p> <p>No windows</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	C3 Front and rear setbacks are to be provided as deep soil areas. Driveways and footpaths may cross deep soil areas.	Achieved	Yes
C2.3.4 Building Depth	C1 Dual occupancy housing and semi-detached dwellings must not exceed a building depth of 25m.	<p>Dwelling 1: 22.55m</p> <p>Dwelling 2: 22.55m</p>	<p>Yes</p> <p>Yes</p>
C2.4.1 General Design Contemporary Built Form	<p>C1 Contemporary architectural designs may be acceptable if:</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>	Design is appropriate	Yes

	(c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.		
	C2 New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.	Complies	Yes
	C3 Access to upper storeys must not be via external stairs.	N/A	Yes
	C4 All dwellings must contain one kitchen and laundry facility.	Complies	Yes
C2.4.1 General Design Building Entries	C7 Entries to residential buildings must be clearly identifiable.	Complies	Yes
	C8 A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.	Complies	Yes
	C9 Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.	Complies	Yes
C2.4.1 General Design Internal Dwelling Layout	C10 Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.	Complies	Yes
	C11 The primary living area and principal bedroom must have a minimum width of 3.5m.	Complies	Yes
	C12 Secondary bedrooms must have a minimum width of 3m.	Complies	Yes
	C13 Provide general storage in addition to bedroom wardrobes and kitchen cupboards.	Complies	Yes

C2.4.1 General Design Façade Treatment	C19 The width of articulating panels shall be in accordance with the numerical requirements below: Table C2.3:Width of articulating panels	<table><tr><th>Street Elevation</th><th>Side Elevation</th></tr><tr><td>4m to 6m</td><td>10m to 15m</td></tr></table>	Street Elevation	Side Elevation	4m to 6m	10m to 15m	Complies	Yes
	Street Elevation		Side Elevation					
	4m to 6m		10m to 15m					
	C17 Facades visible from the street should be designed as a series of articulating panels or elements.		Complies	Yes				
C20 Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.	Complies	Yes						
	C22 Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.	Complies	Yes					
C2.4.1 General Design Pavillions	C24 The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.	Complies	Yes					
	C27 Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.	Complies	Yes					
C2.4.1 General Design Windows	C30 Windows must be rectangular.	Complies	Yes					
C2.4.1 General Design Ventilation	C35 Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge	Complies	Yes					

	and roof vents) in conjunction with low-level air intake (windows or vents).		
C2.4.2 Roof Design and Features	C1 Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	Complies	Yes
	C3 Roof pitches are to be compatible and sympathetic to nearby buildings.	Complies	Yes
	Pitched roofs should not exceed a pitch of 30 degrees.	<30	Yes
	C8 Relate roof design to the desired built form and context.	Complies	Yes
C2.4.3 Fencing	C2 Front fences within the front boundary setback are to be no higher than 1.2m.	None proposed	Yes
	C3 Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.	Complies	Yes
C2.4.4 Building Services	C3 Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.	Complies	Yes
C2.5.1 Solar Access and Overshadowing Solar Access to Proposed Development	C1 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.	Dwelling 1 achieves a minimum of 3 hours of sunlight between 12.00pm and 3.00pm. Dwelling 2 achieves a minimum of 3 hours of sunlight between 12.00pm and 3.00pm.	Yes
	C2 Principle areas of private open space must receive a minimum of 3 hours of sunlight between 9.00am and 3.00pm on 21 June to at least 50% of the open space surface area.	Dwelling 1 achieves a minimum of 3 hours of sunlight between 12.00pm and 3.00pm. Dwelling 2 achieves a minimum of 3 hours of sunlight between 12.00pm and 3.00pm.	Yes

C2.5.1 Solar Access and Overshadowing Solar Access to Neighbouring Development	C4 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.	Complies	Yes
	C5 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.	Complies	Yes
	C6 Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following: (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June. (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.	N/A	Yes
	C7 Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.	Complies	Yes
C2.5.1 Solar Access and Overshadowing Shading Devices	C8 Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.	Complies	Yes
	C12 Avoid reducing internal natural daylight or interrupting views with shading devices.	Complies	Yes
C2.5.2 Visual Privacy	C1 Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.	Complies	Yes
	C2 Minimise direct overlooking of rooms and private open space through the following: (a) Provide adequate building separation, and rear and side setbacks; and	Complies	Yes

	(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.		
	C3 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.	Complies	Yes
	C4 Screening of bedroom windows is optional and dimensions are not restricted.	Complies	Yes
C2.5.3 Acoustic Privacy	C1 Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.	Complies	Yes

Canterbury Development Control Plan 2012 - Subdivision

The proposal has been compared to the relevant provisions of CDCP 2012 below:

Standard	Requirement	Proposed	Complies
Minimum site width prior to subdivision	15m	15.24m	Yes
Minimum site width post subdivision	7.5m	Lot 1: 7.5m Lot 2: 7.74m	Yes Yes
Frontage and Access	Dwellings must have a street frontage.	Both of the proposed allotments have a direct frontage and access to Knox Street	Yes

Part B1– Transport and Planning

Clause	Numerical Amount	Proposed	Complies
--------	------------------	----------	----------

Clause		Numerical Amount	Proposed	Complies
B 1.4.8	Minimum spaces per dwelling - for a dual occupancy development where each dwelling has three or more bedrooms	2 spaces per dwelling	Each provides a single car garage and a second space via stacked.	Yes
	% of combined width of garage doors not to occupy the overall width of any facade	50% Maximum	Combined width of the garages is 5.2m. Which is less than 50% of the width of the dual occupancies façade (13.43m).	Yes
	Location of garage	Setback at least 1m behind the outermost alignment of external walls	Complies	Yes

Part B7– Crime Prevention Through Environmental Design (CPTED)

The development has been assessed against the provisions of Canterbury Development Control Plan 2012.

The CPTED elements of natural surveillance and access points require special consideration and is summarised below:

Requirements	Proposal	Complies
Location of front door –visible to the street/ other properties	Doors are visible to the street and other properties	Yes
Habitable rooms with windows to front street or adjacent to public areas	Habitable rooms are located at the front of the dwelling/ adjacent to public areas	Yes
Visibility to street/ public areas - not obstructed by new/existing landscaping or fencing.	Visibility of dwelling will be not be obstructed by landscaping	Yes

Section 79C(1)(b)The Likely Impacts of the Development including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

. **Natural Environment Impacts** [L]
[SEP]

- . The proposal is not considered to result in any unacceptable impacts to the natural environment given the nature of works proposed for the reasons contained within this report. [L]
[SEP]

. **Built Environment Impacts**

- . The proposed development is not considered to result in any unacceptable built environment impacts as the proposal forms a residential permissible use.

. **Economic Impacts**

- . The proposal is not considered to result in any unacceptable economic impacts given the proposed residential purpose.

. **Social Impacts**

- . The proposal is not considered to result in any unacceptable social impacts.

.
Section 79C(1)(c) The suitability of the site for the development

Suitability of the site

The proposal is considered to be suitable for the subject site. The proposal is considered to be appropriate as the proposal adequately satisfies the underlying intent of the objectives of the applicable planning controls.

Section 79C(1)(e) The public interest

Public Interest

The proposed development is considered to be in the public interest for the reasons contained within this report. As previously stated the proposal adequately satisfies the underlying planning objectives of the controls and do not result in any unreasonable material impact.

(3A) STANDARDS

The proposal has been considered against Section 79C Evaluation Clause (3A)(a)(b) which states that;

“(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards-is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards-is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.”

As discussed within the report, the proposal seeks variations to car parking and setbacks. In relation to the above, the proposal is considered to reasonable in satisfying the underlying intent of the objectives controls.

Conclusion

The proposal is considered to be appropriate as the considerations against the Statutory provisions have been met. The proposal satisfies the Environmental Planning and Assessment Act 1979 (as amended), Environmental Planning and Assessment Regulation 2000 (as amended), State Environmental Planning Policy No.55 – Remediation of Land, State Environmental Planning Policy – BASIX: 2004, State Environmental Planning Policy (Infrastructure) 2007, Canterbury Local Environmental Plan 2012, Canterbury Development Control Plan 2012.

In conclusion, the proposal forms a dual occupancy development which forms a permissible development use subject to development consent. The proposal satisfies the objectives of the controls and no unreasonable unacceptable natural, built environment, economic or social impacts arise from the proposal. In this regard, the proposal is considered to be worthy for approval for consideration by Canterbury Bankstown Council, as the Consent Authority.

