

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations & Additions to the First-Floor Residence of an Existing
Shoptop Housing Development

820 Punchbowl Road, Punchbowl



JULY 12, 2023

FINELINE PLANNING & DESIGN

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Project Details

Project: Alterations and Additions to the First-Floor Residence of an Existing Shoptop Housing Development

Property: Lot 18, DP 880903, No. 820 Punchbowl Road, Punchbowl

LGA: Canterbury Bankstown

Client: Marjan Group Pty Ltd

Document Control

Date	Purpose	Issue	Author	Reviewed
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Signed



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1. INTRODUCTION

1.1 Background

This Statement of Environmental Effects has been prepared to accompany a Development Application (DA) to Canterbury-Bankstown Council. The DA is seeking approval for alterations and additions to the existing first-floor residence at 820 Punchbowl Road, Punchbowl.

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

Canterbury Bankstown Local Environmental Plan 2023 is applicable to the site. The site is zoned B2 Local Centre under the LEP, the proposed development is permissible with consent and is consistent with the objectives of the zone.

The site is situated on the south-eastern side of Punchbowl Road within the Punchbowl Town Centre and it backs onto Turner Lane. The town centre contains street edge buildings built to the front boundary providing for a continuous and active shopfront.

The application has been prepared with reference to the provisions of Canterbury Bankstown Local Environmental Plan 2023 and Canterbury Bankstown Development Control Plan 2023. It has also been considered having regard to the Heads of Consideration of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

This Statement of Environmental Effects shall be read in conjunction with the architectural plans prepared by A & H Eco Group Pty Ltd, Project No. 005-23, Issue A, dated 20 June 2023.

This document is structured as follows:

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

Having regard to the assessment of the application against the relevant planning legislation, it is contended that the proposed development is consistent with the aims and objectives of Canterbury Bankstown LEP 2023 and the Canterbury Bankstown DCP 2023. In addition, the proposal is compatible with the character of the area and would have minimal impacts on surrounding properties.

1.2 Purpose of Report

This Statement of Environmental Effects has been prepared having regard to Clause 24(1)(a) of the Environmental Planning and Assessment Regulation 2021, which includes:

- An analysis of the site and the surrounding locality;
- A comprehensive description of the proposed development and the scope of works proposed; and
- An assessment against the relevant requirements outlined within the Canterbury Bankstown Local Environmental Plan 2023 and the Canterbury Bankstown Development Control Plan 2023.

The purposes of this report are to:

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

2. SITE DESCRIPTION AND CONTEXT

2.1 Site and Context

The context for the development is the town centre of Punchbowl along Punchbowl Road, within the Municipality of Canterbury Bankstown Council. The site is located approximately 15.5 kilometres south-west of the Sydney Central Business District. It is within an area generally zoned B2 Local Centre under Canterbury Bankstown LEP 2023 and has good access to local shops, schools and public transport, given that it is less than 200 metres from the entrance to Punchbowl Station.

Commercial, businesses and mixed-use developments are generally encouraged type of land uses within the B2 zone land. The existing building stock found within the town centre are characterized by one and two storey commercial buildings built to the street edge and from boundary to boundary, creating a strong active street frontage. There are 3-storey mixed-use development sporadically located along the broad stretch of Punchbowl Road within the town centre. These buildings are generally on small narrow parcels of lands backing onto service lanes at the rear, which enable services to be conducted from the laneway with minimal disruption to the continuous street frontage. Punchbowl Road is the main street running through the town centre and the railway line divides the town centre into eastern and western half.

The site is located on the southern side of Punchbowl Road on the western side of the station. It is within the street block bounded by Punchbowl Road to the north, Rossmore Avenue to the east, Turner Lane to the south and Victoria Road to the west. This block comprises a mix of commercial and residential buildings. The commercial building is from 802 to 838 Punchbowl Road, whilst the residential buildings are from 840 to the corner of Punchbowl Road and Victoria Road.

The site is a rectangular shaped allotment with an access driveway off Turner Lane located at the rear due to a detached outbuilding straddling the site and adjoining site at No. 822 Punchbowl Road. It has a 6.12 metres frontage, a depth of 27.18 metres to 39.9 metres and a rear of 3 metres along Turner Lane. It has a total site area of 211.3m².

The site falls from east to west. There is no vegetation on site. Currently standing upon the site is a 2-storey building that is being used as a barber shop on the ground floor with a first-floor residence. The first-floor residence contains a modest 2 bedrooms, a bathroom and a combined kitchen/living and dining area. The building is built to the front and side boundaries, except the rear portion of the side

boundary, which is provided with a side setback. It is part of a pair to commercial building with the west adjoining site. At the rear of the site is a detached outbuilding/garage that belongs to the western adjoining site, creating a 3 metres wide driveway onto the site from Turner Lane. Access to parking and services for the site are from Turner Lane.

The immediate adjoining property to the east at 818 Punchbowl Road is a two-storey street edge building, so as the properties to its east, noting that the property at 816 Punchbowl Road contains a rear first-floor residence fronting Turner Lane. The west adjoining property is also a 2-storey commercial building, so as the two western adjoining properties; beyond which are detached one and two-storey dwellings. These properties back onto Turner Lane. The developments on the opposite side of Punchbowl Road are one and two-storey street edge commercial buildings.

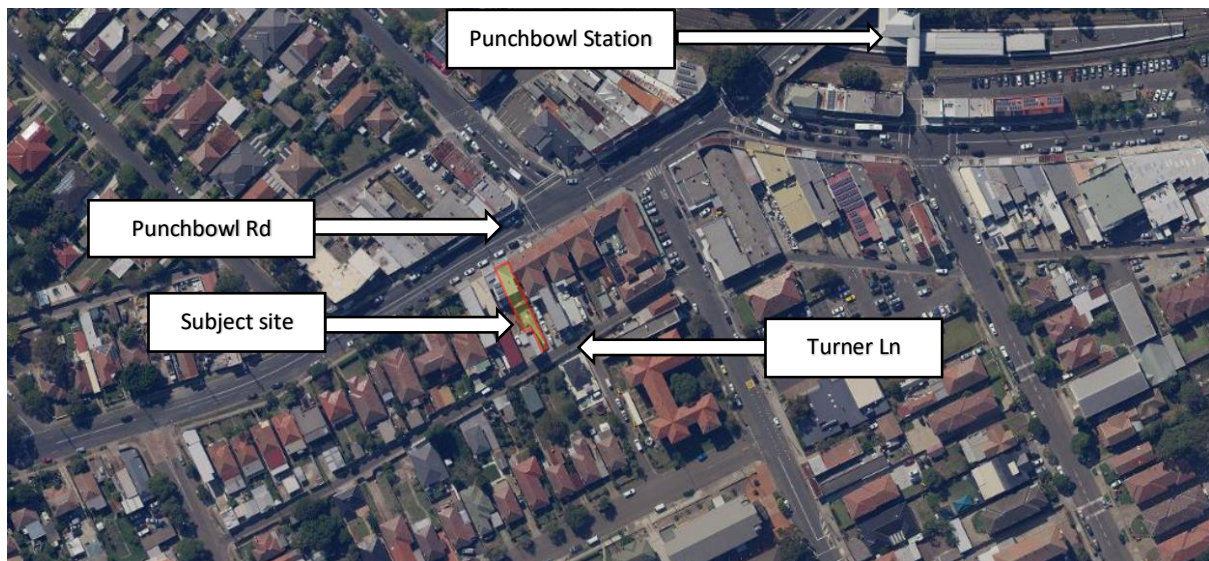


Figure 1: Aerial view of the locality with the subject site highlighted in red outline (Source: Six Maps)



Figure 2: Street view of the site as seen from Punchbowl Rd – 2-storey street edge brick building with ground floor being used as a barber shop (Source: Fineline Planning & Design)



Figure 3: View of the site as seen from Turner Lane showing the rear of the building (Source: Fineline Planning & Design)



Figure 4: View of Turner Lane looking towards west showing outbuildings built to Turner Lane including the 2-storey garage straddling the site's rear boundary – brick building with white rendered base. The east adjoining site contains a first-floor residence fronting Turner Lane (Source: Fineline Planning & Design)

2.2 Development History

- 2.2.1 A search of Council's online tracking system indicates that the site benefits from a Development Consent (DA-470/2012) for alterations and additions to existing mixed use building including extension of existing residential premises on ground and first floor at rear of building. It is

noted however, that the Council has incorrectly uploaded the reference DA number and document on its website, which relates to a different property.

- 2.2.2 DA-447/2022 for alterations and additions to the existing building to create a first and second floor boarding house above the existing shop, and formation of 4 tandem carparking spaces was refused by Canterbury Bankstown Council on 6 September 2022. The reasons of refusal include the following:
- Inconsistent with the SEPP (Housing) 2021 in respect to Section 26, Clause 1;
 - Inconsistent with the SEPP (Housing) 2021 in respect to Section 24, Clause 2 regarding minimal dimensions for communal open space;
 - Non-compliance with Canterbury DCP 2012 including: design and quality of the boarding house; solar access, ventilation and parking arrangements;
 - Waste Management Plan;
 - Bin storage area;
 - Stormwater disposal;
 - Tandem parking arrangements; and
 - Public interest.
- 2.2.3 Following receipt of the Notice of Determination, the assessing officer of Council was contacted by this firm with a view to find a resolution to the reasons of refusal. The assessing officer expressed the view via email (dated 10 November 2022) that the site is not suitable for the 'proposed development type', having regard to the issues detailed in the Refusal Notice.
- 2.2.4 On 5 May 2023, this firm informed Council that the owners had decided not to pursue the boarding house development. Instead, they were exploring alterations and additions to the existing first-floor residence. In this regard, the building will maintain its 2-storey scale, maintaining the existing ground floor shop and its amenity and proposes alterations/additions to the first-floor residence only to contain 4-bedrooms (an additional bedroom and living/dining/kitchen added).

Specifically, the revised scheme entails the following:

- Remove all the existing ground floor walls at the rear of the shop.
- The existing shop (being used as a barber) and the existing stairs providing access to the first-floor residence are to remain. The existing amenity for the shop is to be re-positioned to the rear of the stairs.
- The existing 2 car parking spaces at the rear of the shop be maintained. These spaces are for the shop and the residence, complying with the Council's DCP.
- The 2 existing front bedrooms facing Punchbowl Road and a bathroom on the first-floor residence to remain.
- It is proposed that the rear of the first-floor residence be revised to provide for an open-plan of living, dining and kitchen plus 2 bedrooms at the rear. The alterations/additions effectively convert the existing sub-optimal 2-bedroom first-floor residence into a 4-bedroom residence with improved and more functional residential amenity.
- The works proposed to the side boundaries with openings provided at the front and rear of the residence. In order to facilitate solar access and cross-flow ventilation to the residence, north and south facing clerestory windows are proposed over the family and dining room.

- The building is 2-storey in height and will sit below the height of the existing parapet wall facing the street, except for the middle section of the roof that accommodates the clerestory windows. The proposed works will not be visible from Punchbowl Road.

It was highlighted to the Council the revised scheme was considered suitable for the narrow site, responsive to the orientation of the site and would have minimal impact upon neighbouring properties and the locality. Critically, the proposal does not generate any additional car parking spaces and the residential amenity has been significantly improved.

2.2.5 On 10 May 2023, Council responded to our request and provided comments on the revised scheme and requested that the following points be addressed:

- *The site is to remain a shop top housing development in accordance with the definition.*
- *In accordance with CDCP 2012 Part C5 Clause 5.2.4.1, the primary living areas are required to achieve a minimum of 3 hours direct sunlight between 9am and 3pm at mid-winter. The proposal is required to demonstrate that the development is capable of achieving a minimum of 3 hours solar access, noting that the proposed pop out roof form would not be a suitable option that would be capable of achieving an appropriate level of solar access.*
- *In accordance with CDCP 2012 Part C5, Clause 5.3.3.3 each living area and principal bedroom is to have a minimum of 3.5m in both directions.*
- *Given the above points, its recommended a full and proper assessment is undertaken in accordance with Part B, C5 and D of the Canterbury Development Control Plan prior to the lodgement of any application.*
- *The proposed development is required to demonstrate compliance with the BCA prior to the lodgement of any future application.*
- *The proposal is to ensure compliance with Canterbury Development Engineering Standards.*

2.2.6 This firm corresponded with Council on 12 June 2023, where we informed Council that the design team has considered Council's previous comments. We sought Council's feedback on a revised scheme before a formal application is re-lodged. We advised Council that the scheme has been further revised incorporating the following amendments:

1. *An indentation has been introduced to the northern elevation of the building. Within the building intention [indentation] zone, there will be internally positioned windows to capture sunlight and daylight into the family, dining and kitchen areas. As these windows (W03 and W04) are internally positioned, they are unlikely to cause any visual amenity issues to the northern adjoining property. An additional window is proposed in front of the Family room to allow direct sunlight to penetrate deep into the Family and Dining rooms. We accept that these windows are within 3 metres from the northern side boundary and do not comply with the BCA in terms of protection of openings. Thus, these windows will be designed and installed as fire rated windows and will also be obscured to prevent overlooking of the northern adjoining property. Their particular purpose is to facilitate direct solar access to the first-floor residence.*
2. *The pop-up roof plane and clerestory windows above the Family and Dining Room are to remain. This is an essential element, having regard to the narrow nature of the site and*

solar access issues. The clerestory windows will provide additional solar access to the residence but importantly will allow cross-flow air movement, given the depth of the residence. We are satisfied that these architectural elements will not have any adverse impact upon the adjoining properties should they be similarly re-developed.

- 3. The Family room (living area) is at least 3.5m in dimensions and a direct access is provided to the balcony at the rear of the residence. The balcony is at least 2.5m in depth as required by the Council's DCP.*
- 4. The number of bedrooms has been reduced to 3 only. That is, the existing 2 front bedrooms are to be retained, plus an additional bedroom at the rear. The new bedroom is a minimum of 16m in size.*

It is proposed that a concrete slab be provided to separate the ground floor shop from the first floor residence in order to achieve compliance with the BCA. In terms of compliance with the BCA, the matter will be addressed at the Construction Certificate stage. It is considered onerous to address BCA issues at the DA stage.

Overall, the existing ground floor commercial shop is to remain but alterations & additions are proposed to the first-floor residence to improve upon the rather sub-optimal residential amenity by introducing an additional bedroom, plus lounge, dining and a new kitchen facility.

2.2.7 On 15 June 2023, Council provided the following comments on the revised scheme:

- 1. The introduction of the 'intention zone' may potentially cause BCA concerns. This is a matter that would be assessed by Councils Building Surveyors. I also note that the introduction of this section has potential to cause visual privacy concerns. Upon the submission of any development application you would be required to demonstrate how the adjoining site's visual privacy is maintained.*

Based off your comments in the previous email, its noted that the introduction of the 'intention zone' is to allow for sunlight/daylight. It's difficult to determine the extent of the solar access received based off the shadow diagrams provided.

- 2. 3D shadow diagrams as well as shadow diagrams at hourly intervals demonstrating where in the living area the sunlight would hit (noting that this needs to be a reasonable amenity outcome) would be required in order to determine if the proposal is capable of achieving compliance with CDCP 2012.*
- 3. I note that the dimensions of the living space have increased. Although, the proposed living area is not located directly adjacent to the required private open space in accordance with C5.3.1.3 of CDCP 2012. The proposed living area is required to be located directly adjacent to the private open space.*
- 4. In accordance with C5.3.3.3 of the CDCP 2012 a minimum of 10m³ of storage is required.*
- 5. The proposal is required to address Canterbury Bankstown Waste Management*

Based on the above, the design team has collaborated and appreciate Council's feedbacks that have informed the revised scheme with an intention to ensure that any concerns to Council are satisfactorily addressed prior to the lodgement of the application.

3. DEVELOPMENT PROPOSAL

3.1 Description of Proposed Development

The Application seeks approval for alterations and additions to the existing 2-storey commercial building to enable additions to the existing first-floor residence. The building currently contains a commercial floor space (barber shop) with storage and amenity area at the rear with a floor area of 65.5m². The first-floor residence containing 2 bedrooms with a floor area of 57.1m². It has an overall floor area of 122.6m².

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

- Architectural plans prepared by A & H Eco Group Pty Ltd, Project No. 005-23, Drawing Nos 1 of 14 - 14 of 14 (inclusive), Issue A, dated 20 June 2023.
- Stormwater Management Plan prepared by Modular Engineers Pty Ltd, Job No. 027-2022, Drawing No. SW001 – SW006, Revision B, dated 22 June 2023.

3.2 Scope of Proposed Works

Demolition

- The rear part of the ground floor of the building behind the existing U-shaped stairs is to be demolished.
- The rear part of the first-floor residence is to be removed to accommodate the proposed first-floor additions.

Alterations and Additions to First-floor Residence

The proposed scope of works is detailed in Figures 5-9 as follows:

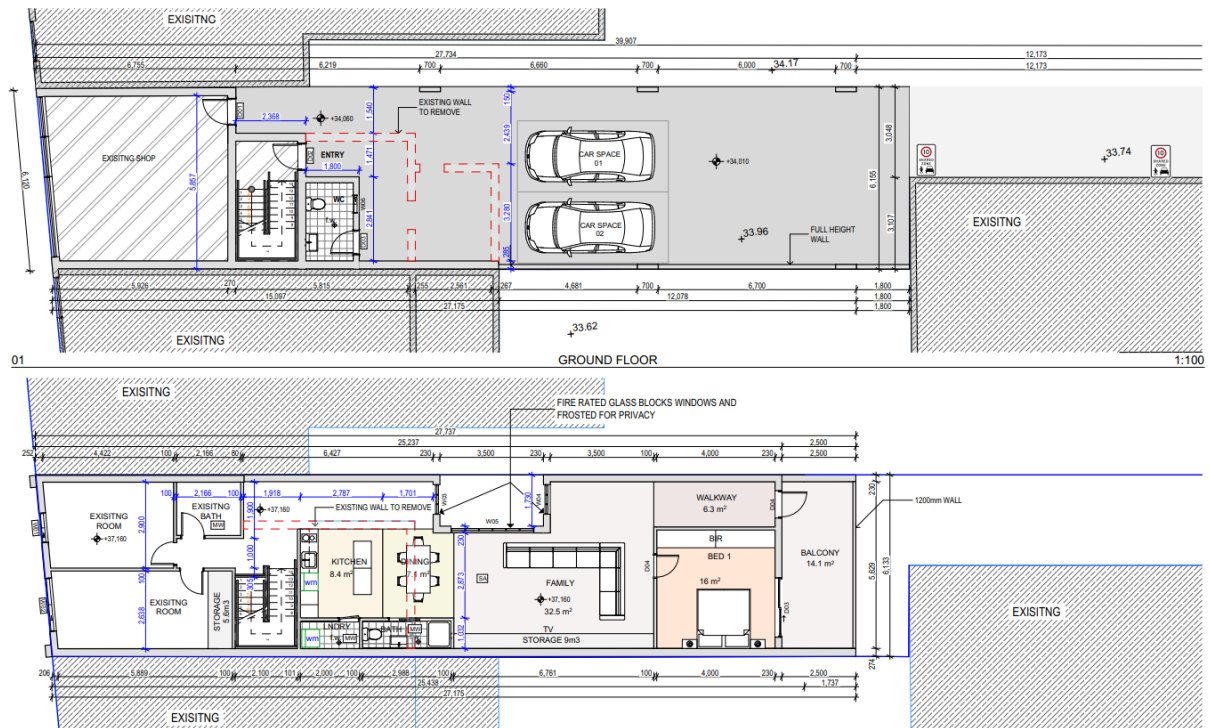
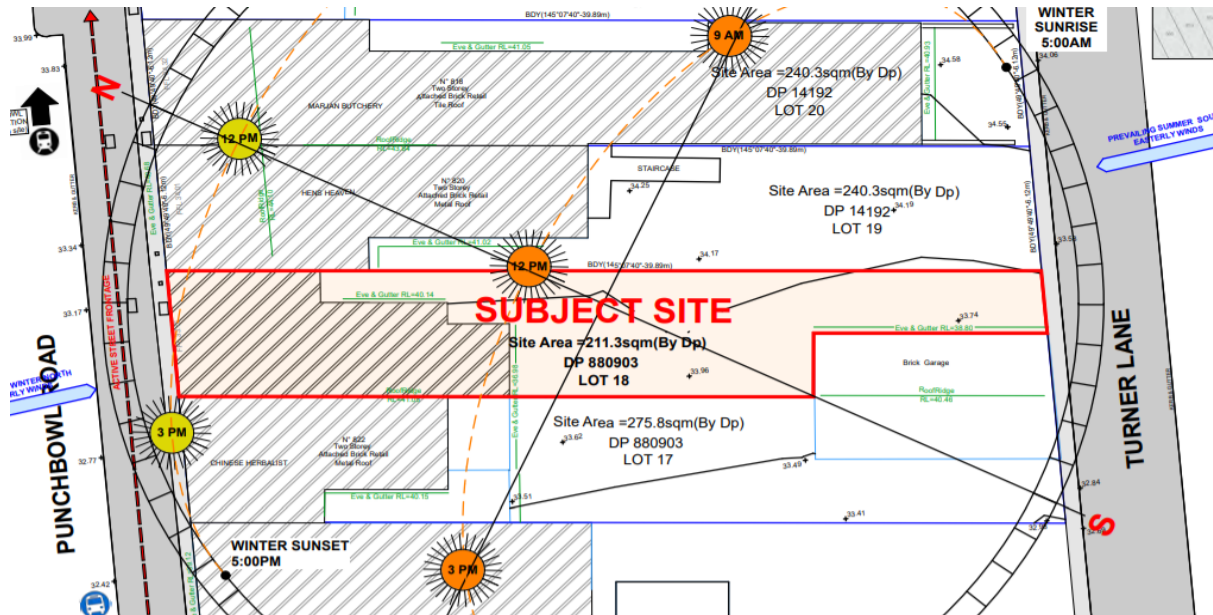
Ground Floor

- The existing ground floor barber shop fronting Punchbowl Road is to be retained and will continue to be used as a barber shop.
- Retention of the existing U-shaped stairs.
- A new Water Closet is proposed behind the U-shaped stairs for the barber shop occupants and customers.
- The overall floor area of the ground floor has been reduced from 65.5m² to 50.2m².
- The 2 existing onsite car parking spaces are to be retained.
- The existing access to the site from Punchbowl Road is being retained.
- The existing access to the site from Turner Lane via a shared zone is also to be retained.
- A new full height masonry wall is proposed along the south-west side boundary.

- 3 rectangular support columns are proposed along the north-east side boundary of the site to support the first-floor additions.
- New reinforced concrete slab is proposed to accommodate the first-floor additions.

First-Floor

- Retention of the 2 existing bedrooms fronting Punchbowl Road.
- No changes are proposed to the Punchbowl Rd façade of the building.
- Retention of the existing bathroom and U-shaped stairs.
- Removal of the existing kitchen and bedroom at the rear of the first-floor residence.
- Retention of the existing façade to Punchbowl Road and the returned side masonry walls along the side elevations.
- A new open plan of kitchen, dining and family room, plus a bedroom and a balcony are proposed to the rear of the existing first-floor residence. The additions generate an additional 58.4m² of floor area, bringing the overall floor area of the first-floor residence to 118m², plus 14.1m² balcony.
- A 1.7m deep by 3.5m long indentation is proposed along the north-east elevation of the building, designed to facilitate solar access to the family, dining and kitchen area. A pop-up roof structure with clerestory windows is also proposed above the family room, purposely designed to capture additional solar access and cross-cross ventilation to the first-floor residence. These architectural elements are critical in enhancing the residential amenity of the first-floor residence taking into consideration of the narrow nature of the site.
- The proposed windows within the indentation of the building will be fire-rated windows/glass blocks subject to the requirements of the BCA in respect to the protection of openings within 3 metres of the boundaries to be addressed at the Construction Certificate stage. The intention of the additions is to maintain the overall height of the building at 2-storey. As a result, whilst the family room is not immediately adjacent to the balcony at the rear, it is connected to the balcony via a hallway which is not considered to be unreasonable under the circumstance of the case. If the kitchen dining and family room and balcony were relocated to the second-floor, solar access and cross-ventilation would be greatly optimized. However, it would result in the creation of an additional floor making the building into 3-storey. The client has no desire nor the budget to add another level to the building.



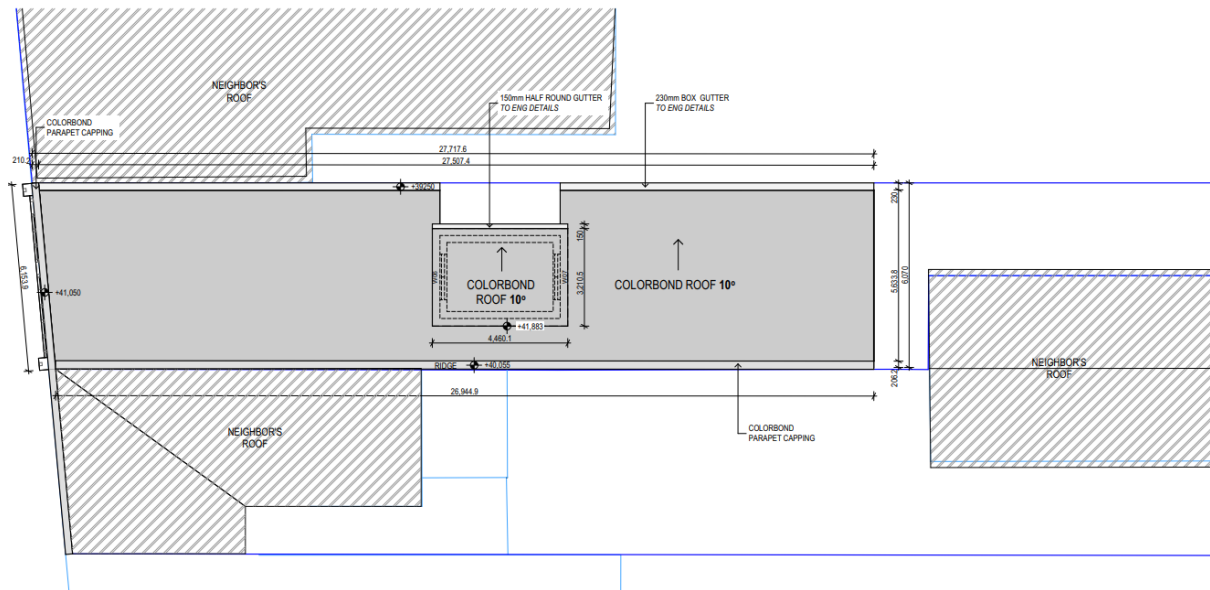


Figure 7: Proposed roof plan (Source: A&H Eco Group P/L)



STREETSCAPE 1:100
PUNCHBOWL ROAD

Figure 8: Streetscape elevation as seen from Punchbowl Road with the additions not discernible from the street (Source: A&H Eco Group P/L)

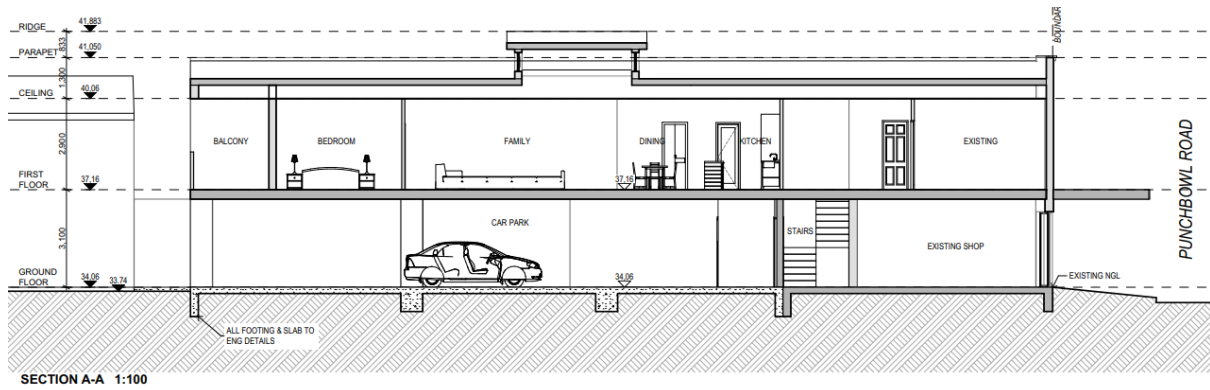


Figure 9: Sectional plan (Source: A&H Eco Group P/L)

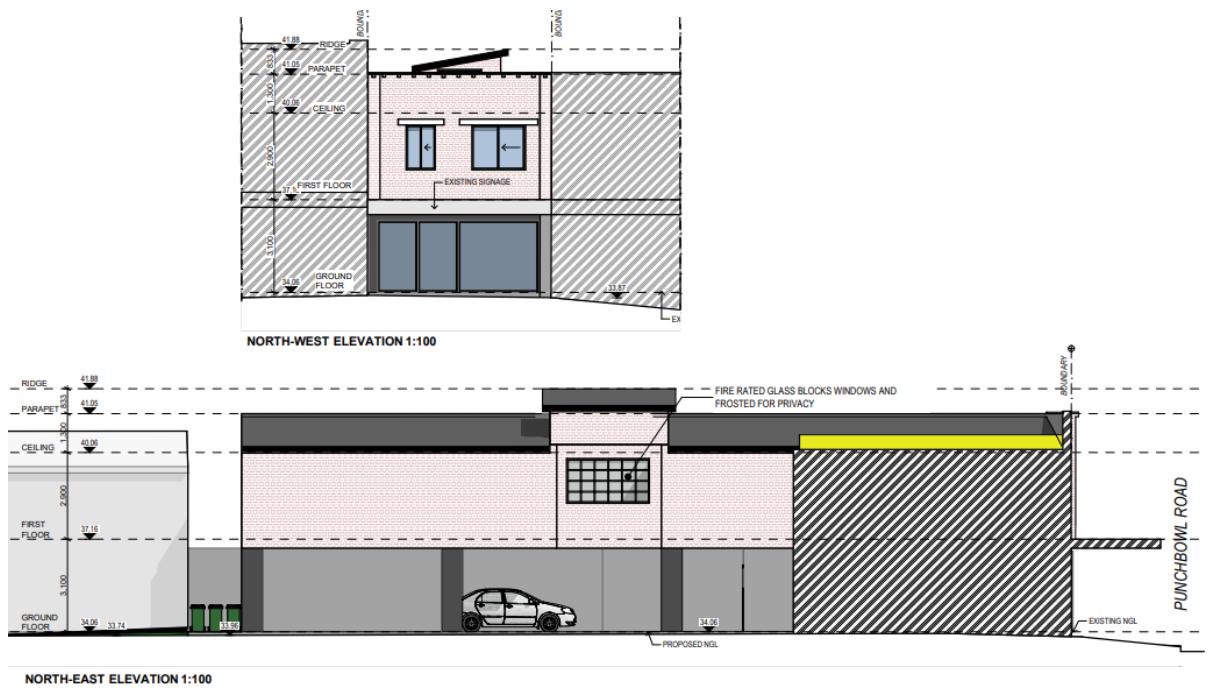


Figure 10: View of the front and north-east side elevation (Source: A&H Eco Group P/L)

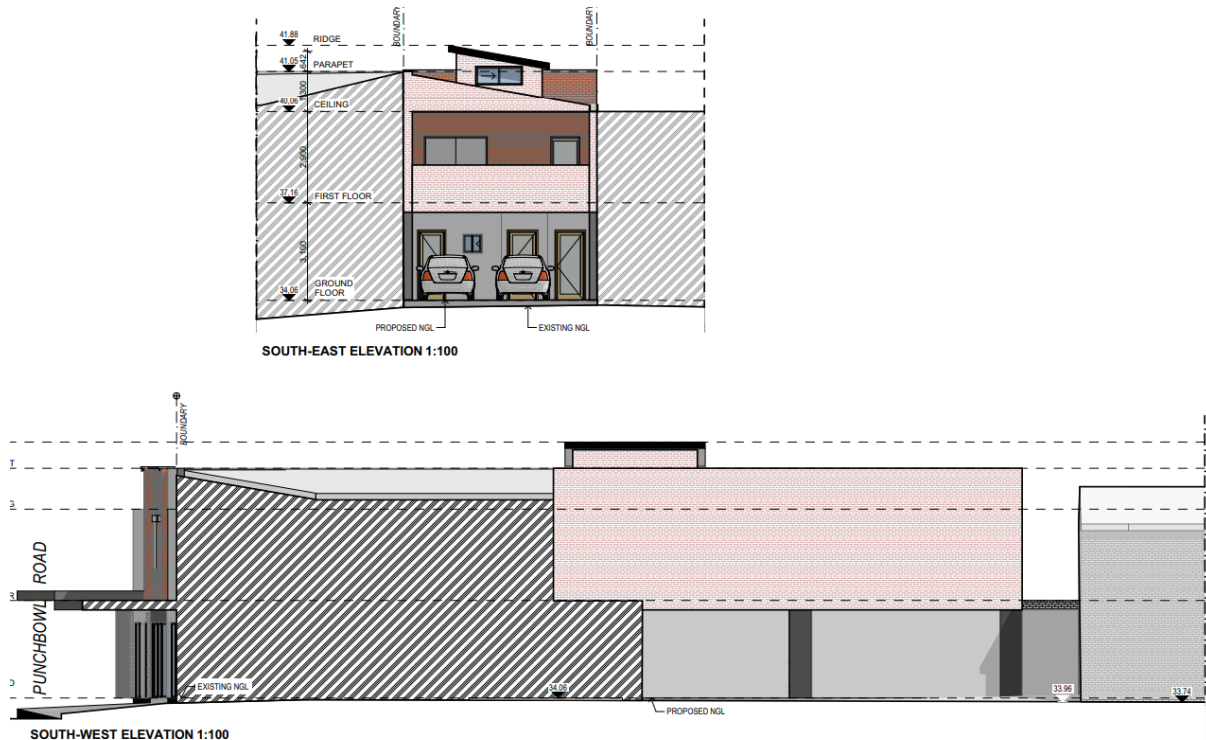


Figure 11: View of the rear and south-west side elevation (Source: A&H Eco Group P/L)



Figure 12: Perspective view of the proposal (Source: A&H Group P/L)

4. STATUTORY FRAMEWORK

The following planning instruments have been considered in the planning assessment of the subject Development Application:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Canterbury-Bankstown Local Environmental Plan 2023
- Canterbury-Bankstown Development Control Plan 2023

4.1 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The subject site is zoned B2 Local Centre pursuant to Canterbury-Bankstown Local Environmental Plan 2023, which was gazetted on 24 June 2023. The proposed development, involving alterations and additions to the first-floor residence of an existing 2-storey building, would be properly characterised as a shoptop housing, which is permissible with consent within B2 zone.

Figure 13 below identifies the zoning of the site under Canterbury-Bankstown Local Environmental Plan 2023.

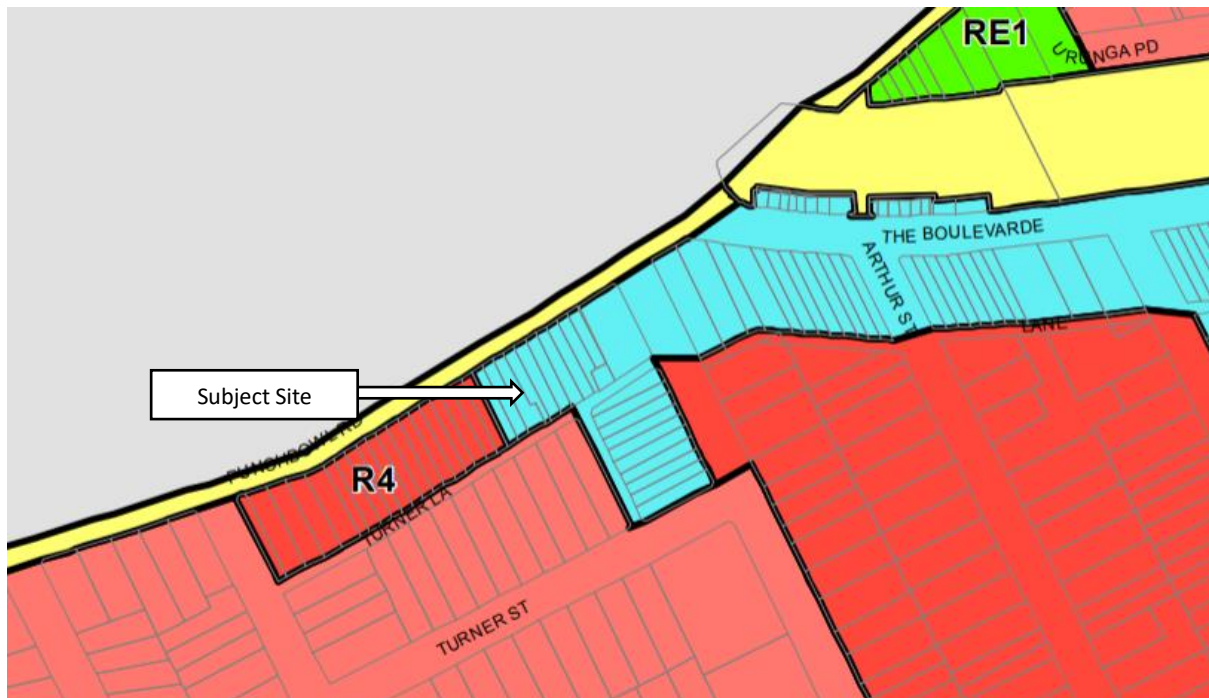


Figure 13: Zoning of the site - B2 Local Centre under CBLEP 2023 (Source: CBLEP 2023)

The LEP B2 Local Centre Land Use table is reproduced below:

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide for certain residential uses that are compatible with the mix of uses in local centres.
- To promote a high standard of urban design and local amenity.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations;

Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

It is contended that the proposed development is consistent with the objective of the B2 zone in that the proposal will continue to provide for a range of retail and businesses that would serve the needs of people who live in, work in and visit the Punchbowl town centre, and would encourage public transport patronage, walking and cycling, given that the site is located within walking distance of Punchbowl Station. In addition, the proposal would continue to facilitate the provision of residential uses that has been designed to be compatible with the range of uses within the Punchbowl local centre.

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

Table 1: Compliance with Canterbury-Bankstown LEP 2023

Criteria	Required/Permitted	Comments
Part 1 Preliminary		
1.3 Land to which this Plan applies	This Plan applies to the land identified on the Land Application Map.	The site is identified on the Land Application Map.
Part 2 Permitted or prohibited development		
2.2 Zoning of land to which Plan applies	For the purposes of this Plan, land is within the zone shown on the Land Zoning Map	The site is zoned B2 Local Centre under the LEP and shoptop housing is a permitted land use with consent.
Part 4 Principal development standards		
4.3 Height of buildings	Max building height – 18m	Complies: the proposal is well below the allowable building height.

4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map .	NA
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	<p>(5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	NA. Site is not listed as a heritage item, nor located within a heritage conservation area.
6.2 Earthworks	Council to consider matters relating to drainage patterns, soil stability, quantity and quality of fill and any impacts on drinking water catchments.	Earthworks associated with the proposal are consistent with this Clause. Minimum disturbance to the site is proposed.
6.3 Stormwater management and water sensitive urban design	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil</p>	Proposal is accompanied by a stormwater concept plan – refer to it for details.

	<p>characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.</p> <p>(d) includes riparian, stormwater and flooding measures, and</p> <p>(e) is designed to incorporate the following water sensitive urban design principles—</p> <p>(i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments,</p> <p>(ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes,</p> <p>(iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.</p>	
6.9 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are	<p>Complies.</p> <p>The site is located in an established town centre and is provided with</p>

	<p>essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. 	<p>essential services in terms of water supply and disposal of sewage, and electricity. In addition, satisfactory stormwater drainage and vehicular access is proposed.</p>
6.7 Special provisions for shop top housing	<ul style="list-style-type: none"> (1) The objectives of this clause are as follows— <ul style="list-style-type: none"> (a) to permit shop top housing as part of live-work enterprises, (b) to encourage home-based, small-scale businesses on the fringe of the Bankstown CBD as a way to promote local job opportunities. (2) This clause applies to land identified as “Area 6” on the Special Provisions Map. (3) Development consent must not be granted to development for the purposes of shop top housing on land to which this clause applies unless the consent authority is satisfied that the commercial premises or health services facilities are connected internally to a dwelling. 	<p>NA. The site is not located within Area 6.</p>
6.21 Restrictions on development in Zones B1, B2 and B5	<ul style="list-style-type: none"> (1) This clause applies to the following land— <ul style="list-style-type: none"> (a) land in Zone B1, (b) land in Zone B2, (c) land in Zone B5 in Area 2. 	<p>The site is zoned B2 and no residential accommodation is proposed on the ground level.</p>

	(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the ground level of a building resulting from the development will not be used for residential accommodation.	
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4.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

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

4.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to Clause 4.6 of SEPP (Resilience and Hazards), a consent authority must not consent to the carrying out of any development on land unless the following are addressed:

Clause 4.6 - Contamination and remediation to be considered in determining development application	Comment
(1) A consent authority must not consent to the carrying out of any development on land unless—	
(a) it has considered whether the land is contaminated, and	There is no evidence to suggest that the land is contaminated. The land has been used for commercial and residential purposes since the existing building was erected some time ago.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	The land has been used for commercial and residential purposes and will continue to be used for such purposes with the proposed alterations and additions to the first-floor residence.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	Given that there is no evidence of any potential contamination on site, remediation is not required.

The subject site is an established commercial zoned land within the Punchbowl Town Centre. Insufficient evidence exists to suggest that the land is contaminated. As such, a land contamination assessment is not considered to be necessary and also no disturbance is proposed to the land. Overall, the subject site is considered suitable for the proposed development subject to standard conditions of consent.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT & INFRASTRUCTURE) 2021

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

4.5 CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

The following table outlines the relevant development controls for shoptop housing development detailed in Chapter 1, Chapter 2, Chapter 3 and Chapter 7 of the DCP.

Applicable Clauses in Canterbury-Bankstown DCP 2023	Development Control	Compliance
Chapter 1: Introduction		
Purpose of this DCP	The purpose of the DCP 2023 is to supplement the Canterbury-Bankstown LEP 2023 and provide more detailed objectives and controls to guide the form of development for the LGA.	Noted.
Application of the DCP	This DCP applies to all land within the Canterbury-Bankstown LGA.	The site is located within the City of Canterbury Bankstown, but is within the former Canterbury LGA. Thus, this DCP is applicable to the proposal.
Aims of this DCP	<p>The objectives of the DCP includes:</p> <ul style="list-style-type: none"> - Provide a single document supporting the Canterbury-Bankstown LEP 2023. - Establish clear guidelines for effective and orderly development in Canterbury-Bankstown. - Encourage high quality urban environment and built form character in the LGA. - To ensure development contributes to the prosperity of the LGA. - Ensure development protects and enhances the natural environment of the LGA. 	The proposal is consistent with the aims of the DCP.

	<ul style="list-style-type: none"> - Ensure development incorporates the principles of ecologically sustainable development. - To provide for a safe and secure environment in Canterbury-Bankstown. 	
Chapter 2: Site Considerations		
2.1 Site Analysis	Outlines the requirements of site analysis and identifies forms of development warranting the submission of site analysis.	Site Analysis document is included in the package of documents submitted with the application.
2.2 Flood Risk Management	Outlines the Council's requirements for regulating and management of flood liable land in the LGA.	<p>The site is not a flood liable land.</p> <p>Refer to the submitted stormwater drainage plans for details.</p>
2.3 Tree Management	Providing objectives and controls for tree management.	The site is devoid of any tree.
Chapter 3: General Requirements		
3.1 Development Engineering Standards	Sets out the objectives and controls to protect the integrity of Council's infrastructure in situations where it is impacted upon by building and subdivision development. It also provides additional controls relative to site civil engineering requirements, protection of Council infrastructure, vehicular and pedestrian access to development sites, stormwater management and conveyance, stormwater flooding and land subdivision.	<p>The minor nature of the proposed alterations and additions to the existing first-floor residence would have negligible impacts on Council's existing infrastructures.</p> <p>No changes proposed to the existing vehicular footway crossing and driveway, stormwater drainage systems and boundary fencing.</p>
3.2 Parking	<p>Developments comprising more than one (1) land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule.</p> <p>Retail Premises</p>	<p>The existing 2-storey building consists of ground floor retail premises (36m²) and first-floor residence (2-bedrooms). The retail premises front Punchbowl Road are being used as a barber shop. The building currently provides for 2 existing car parking spaces and access</p>

	<p>Punchbowl:</p> <ul style="list-style-type: none"> - 1 car parking space per 50m² (<120m²) - 1 staff bicycle space per 300m² gross floor area - 1 visitor bicycle space per 500m² gross floor area >1000m² <p>Shop top housing in the former Canterbury LGA:</p> <p>Punchbowl:</p> <ul style="list-style-type: none"> - 3 bedroom or more: 1 space/dwelling - Visitor space: 0.15 spaces/dwelling 	<p>to these parking spaces is via Turner Lane.</p> <p>The proposal will maintain the existing barber shop and the alterations/additions to the first-floor residence will create an additional bedroom, plus an open plan of living, dining and kitchen area to the residence. As a result, the first-floor residence will become a 3-bedroom unit.</p> <p>Based on the DCP parking rates, the proposal generates 2 car parking spaces: 1 for the existing shop and 1 for the first-floor residence. Therefore, the existing 2 parking spaces on site comply with the DCP.</p> <p>There is more than adequate space on site to cater for 1 staff and 1 visitor bicycle parking spaces.</p> <p>Parking spaces are consistent with AS2890.</p>
3.3 Waste Management		
Section 1	<p>This section of the DCP aims to integrate building design and waste management to support the efficient collection and management of waste. It includes identifying waste outcomes for development that are safe and efficient, maximise waste reduction and increase recycling. It also provides additional objectives and controls to ensure the design and operation of waste management systems are consistent with Council's commitment to building and creating a sustainable city.</p>	Noted.
Section 2	Standard service specifications for residential development	As the proposal is only for a 3-bedroom unit on top of an existing ground floor shop, 1 x 140L General waste and 1 x

	<table><tr><th>General waste</th><th>Recycling</th><th>Garden organics</th></tr><tr><td>140L</td><td>120L</td><td>120L*</td></tr></table> <p>Frequency of service</p> <table><tr><th rowspan="2">Residential development</th><th colspan="3">Service frequency</th></tr><tr><th>General waste</th><th>Recycling</th><th>Garden organics</th></tr><tr><td>Attached dwellings, dwelling houses, dual occupancies, secondary dwellings, semi-detached dwellings</td><td>One collection per week</td><td>One collection per fortnight</td><td>One collection per fortnight**</td></tr><tr><td>Manor houses, multi dwelling housing, multi dwelling housing (terraces)</td><td>One collection per week</td><td>One collection per fortnight</td><td>One collection per fortnight**</td></tr><tr><td>Low rise residential flat buildings, shop top housing, mixed use development</td><td>One collection per week</td><td>One collection per fortnight</td><td>One collection per fortnight**</td></tr></table>	General waste	Recycling	Garden organics	140L	120L	120L*	Residential development	Service frequency			General waste	Recycling	Garden organics	Attached dwellings, dwelling houses, dual occupancies, secondary dwellings, semi-detached dwellings	One collection per week	One collection per fortnight	One collection per fortnight**	Manor houses, multi dwelling housing, multi dwelling housing (terraces)	One collection per week	One collection per fortnight	One collection per fortnight**	Low rise residential flat buildings, shop top housing, mixed use development	One collection per week	One collection per fortnight	One collection per fortnight**	<p>120L Recycling is sufficient. It is unnecessary to provide a Garden organics waste bin because the entire site is sealed and there is no vegetation on site.</p> <p>The frequency of service of one collection per week for General waste and one collection per fortnight for Recycling is suitable for the proposal.</p>
General waste	Recycling	Garden organics																									
140L	120L	120L*																									
Residential development	Service frequency																										
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Section 3	Residential Development																										
All residential development types	3.1 Council or its contractors are solely to provide the waste services to all residential development types as required under the Local Government Act 1993.	Noted																									
	3.2 Each dwelling is to have: (a) A waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials. (b) A suitable space in the kitchen for a caddy to collect food waste.	A waste storage cupboard is provided in the kitchen for the storage of waste and recycling. Plenty of space in the unit to accommodate waste and recycling area.																									
	3.3 Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins.	1 General waste bin and 1 Recycling bin are provided at the rear of the site plus the General commercial waste bin (refer to the architectural drawings for details).																									
	3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings.	The bin storage area is not visible from both Punchbowl Road and Turner Lane.																									
	3.5 The location of the bin storage area should ensure this area: (a) is screened or cannot be viewed from the public domain; and	Complies.																									

	(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.	
	3.6 The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/dwelling and must avoid stairs or slopes.	Complies.
	3.7 Where possible, development may consider providing each dwelling with a suitable space for composting and worm farming, located within the backyard, private courtyard or open space. Composting facilities should locate on an unpaved area, with a minimum size of 1m ² per dwelling.	NA
	3.8 Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection.	Complies.
	3.9 Development must comply with the requirements of the applicable Waste Design for New Developments Guide.	Complies.
Residential component of mixed use development including shop top housing	3.23 The design of the bin storage areas of mixed use development must ensure: (a) the residential component of mixed use development complies with the development controls for residential flat buildings;	Given the minor nature of the development, it is unnecessary to physically separate the residential from the commercial waste bins. It is proposed that the waste and recycling bins be appropriately labelled, and occupants of the shop and residence be made aware of the bins allocated to

	<p>(b) the bin storage areas for the residential and commercial components of development are separate with restricted access to prevent unauthorised access and illegal dumping;</p> <p>(c) compliance with the requirements of the applicable Waste Design for New Developments Guide.</p>	<p>them so as to ensure that they only use the bins allocated to them.</p>
Section 4 – Commercial Development		
	<p>4.1 Development must provide bin storage and separation facilities within each tenancy and within the communal bin room.</p>	<p>The existing separate commercial waste bin and the residential waste and recycling bins are to be retained.</p>
	<p>4.2 Development must provide an appropriate and efficient waste storage system that considers:</p> <p>(a) the type of business;</p> <p>(b) the volume of waste generated on-site;</p> <p>(c) the number of bins required for the development and their size;</p> <p>(d) additional recycling needs e.g. cardboard, pallets and milk crates; (e) waste and recycling collection frequencies.</p>	<p>No changes are proposed to the waste arrangements of the existing shop top housing development. If required, the application is prepared to accept an alternative arrangement as conditions of any consent.</p>
	<p>4.3 Where development involves multiple tenancies, the design of development is to ensure each tenancy will be able to obtain a Trade Waste Licence.</p>	<p>No multiple tenancies on site. Only a shop and first-floor residence.</p>
	<p>4.4 Bin storage areas are to integrate with the overall design and functionality of development and are to locate within the building envelope to enable these areas to be screened from view from the public domain.</p>	<p>The waste bins storage area will be screened by the existing structure at the rear of the site, so the bins will not be discernible from the public domain.</p>

	4.5 The design of the bin storage area must comply with the requirements of the applicable Waste Design for New Developments Guide.	Complies.
	4.6 An on-site collection point is to be nominated for development. The location of the collection point must allow collection vehicles to enter and exit the site in a forward direction and allow all vehicle movements to comply with the Australian Standard AS 2890.2. The location of the collection point must ensure waste servicing does not impact on any access points, internal roads and car parking areas.	The existing waste bins are collected from Turner Lane and will continue to be collected from Turner Lane.
	4.7 Waste collection frequency is to be a minimum of once per week. Higher collection frequency may be required for development with larger waste generation rates or development that produce food waste. Bin storage areas are to be kept clean, hygienic and free from odours. Higher collection frequencies must not impact on neighbouring residents in relation to noise, odour and traffic.	Noted.
	4.8 Collection frequency for commercial tenancies producing more than 50 litres of meat, seafood or poultry waste must have daily waste collection or be designed to be provided with a dedicated refrigerated room for waste storage between collections.	NA
3.4 Sustainable Development	Chapter 3.4 of this DCP (this chapter) applies to buildings with a classification of Class 5 to Class 9 under the Building Code of Australia in the following situations:	NA. The proposal is a Class 2 building under the BCA.

	<ul style="list-style-type: none"> • new proposals requiring a development application; • extensions to existing development that is greater than or equal to 5,000m² of gross floor area; or • extensions to existing development below 5,000m² of gross floor area where the development seeks to expand by an amount of 50% or more of the existing floor area. 	The proposed alterations/additions are accompanied by a Basix Certificate.
Chapter 5: Residential Accommodation		
Section 6 – Shop top housing		
6.3 Non-SEPP 65 Applications		
6.3.1 Isolated Sites	<p>Development on land within Zone R4 High Density Residential is not to result in a site adjoining such land having an area of less than 1,000m² or a width of less than 20m at the front building line for the purpose of multi dwelling housing.</p> <p>Development on land within Zone B5 Business Development is not to result in a site adjoining such land having a site frontage of less than 30m for the purpose of shop top housing.</p>	<p>NA.</p> <p>The site not zoned R4 or B5.</p> <p>The proposed alterations & additions to the existing first-floor residence would not result in the isolation of any adjoining sites, which would be capable of re-development in accordance with the requirements of the LEP and DCP.</p> <p>The built form and scale of the development have been carefully conceived to ensure that the development potential of adjoining sites is not prejudice as a result of the proposal. Adjoining sites would be able to similarly re-develop to the same intensity as the proposal by virtue of building to their boundaries and would not create any amenity issues. The existing 2-storey nature of the building is being retained and the building is only extending to the rear.</p>

6.3.2 Landscaping	Refer to Chapter 3.7 of this DCP for objectives and controls relating to landscaping and tree preservation.	The existing site is sealed with concrete with no landscaping and trees on site. The first-floor alterations and additions do not disturb the site.
6.3.3 Balconies and communal open space	<p>Balconies and private courtyards</p> <p>Provide primary and secondary balcony/private open space, with a combined area of at least 10% of the dwelling floor space, for apartments with two or more bedrooms.</p> <p>Provide minimum area of 12m² for primary balcony for apartments with two or more bedrooms.</p> <p>Provide minimum depth of 2m for primary balcony.</p>	<p>The existing 2-bedroom first-floor residence is not provided with any balcony/private open space.</p> <p>The proposed alterations/additions will have a gross floor area of 125.6m² and is provided with 14.1m² of balcony, exceeding the 12.5m² minimum required balcony space. The balcony is 2.5m in depth and would significantly add to the overall amenity of the residence.</p>
	<p>Private open space design</p> <p>In shop top housing, open space may include a balcony or garden terrace on a podium level.</p> <p>Provide privacy to the principal area of private open space – locate or screen to prevent direct overlooking from a public or communal place, or from neighbouring buildings.</p> <p>Locate the principal open space adjacent to the main living areas, such as living room, dining room or kitchen, to extend the living space of the dwelling, and provide:</p> <ul style="list-style-type: none"> - Direct access from a living room, dining room or a family room; - One area at least 2.5m by 2.5m which is suitable for outdoor dining and can accommodate a dining table and two to four chairs; and 	<p>The proposed alterations and additions to the first-floor residence include a new 14.1m² (5.6m x 2.5m) balcony located at the rear of the residence. The balcony is off the Family room via an overside hallway and it is also accessible from the new rear bedroom. The proposed balcony arrangement is considered reasonable, given the narrow nature of the site and a balcony is now provided whereas the existing residence is not provided with any balcony/POS. In addition, the design intention of the project is to retain as much of the existing fabric of the building as possible and in this regard, the front of the building, both the ground floor barber shop and the 2 bedrooms and bathroom of the residence are being maintained. Therefore, it is considered that the proposed balcony would positively contribute to the overall amenity of the first-floor residence.</p>

	<ul style="list-style-type: none"> - One additional area that is suitable for outdoor clothes drying, and is concealed by shutters, screens, fences or tall opaque balustrades. <p>Design open space to accommodate a variety of activities.</p> <p>For dwellings with a single open space, irregular “L” or “U” shapes are preferred in order to separate recreation and service activities. If more than one open space is provided for any dwelling, each space should be designed for specific recreation and service activities.</p> <p>Design the principal area of open space for each dwelling as an ‘outdoor room’ that has:</p> <ul style="list-style-type: none"> - A combination of privacy-screens, sun-shading and green backdrops that are provided by pergolas or shrubs and trees, - Orientation that provides maximum exposure to midwinter sunlight as well as optimising privacy, - Location immediately next to principal indoor living areas. 	
	<p>Balconies design</p> <p>Provide additional amenity and choice with a secondary balcony (such as Juliet balcony) or operable wall with balustrades, adjacent to bedrooms.</p> <p>Design and detail the balcony to take advantage of local climate and context. This may be achieved by:</p>	<p>The proposed balcony at the rear of the residence is considered acceptably located with a south-east outlook that adds to the overall amenity of the residents as well as provide an outlook and surveillance onto Turner Lane. The balcony will receive suitable morning sunlight and is afforded with a roof cover to provide protection from the</p>

	<p>(a) Facing predominantly north, east or west to optimise solar access,</p> <p>(b) Facing towards views of local neighbourhoods, prominent open spaces and district city skylines,</p> <p>(c) Using sun screens, pergolas, shutters and operable walls to control sunlight and wind,</p> <p>(d) Using operable screens, or operable walls/sliding doors with a balustrade where noise or high winds exclude completely open balcony,</p> <p>(e) Using cantilevered, partially cantilevered or recessed balcony in response to requirements for daylight access, wind protection, acoustic and visual privacy; and</p> <p>(f) Limiting the depth of a balcony so that it does not prevent sunlight entering the apartment below.</p> <p>Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:</p> <p>(a) Using a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development; and</p> <p>(b) Providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units.</p>	<p>elements so as to make it an attractive outdoor space for its residents.</p> <p>The balcony is provided with vertical side walls designed to minimise overlooking of the adjoining sites.</p>
	Communal open space	NA.

	Provide a minimum of 15% of the site area for the purposes of communal open space on redevelopment sites larger than 500m.	The site is less than 500m ² in size.
6.3.4 Layout and Orientation	<p>Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.</p> <p>Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.</p> <p>Coordinate design for natural ventilation with passive solar design techniques.</p> <p>Site new development and private open space to avoid existing shadows cast from nearby buildings.</p> <p>Site a building to take maximum benefit from cross-breezes and prevailing winds.</p> <p>Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.</p>	<p>The proposed alterations/additions to the first-floor residence are responsive to the site's orientation and would receive acceptable solar access to all habitable rooms, despite the narrowest of the site. An indentation has been deliberately provided along the north-east elevation of the building to facilitate solar access to the Family, Dining and Kitchen Area. The indentation zone allows for the provision of a break in the building, reducing its overall length.</p> <p>The proposed windows along the north-east elevation and the internally windows are non-operable fire rated windows designed to provide protection for these openings. The windows will also be frosted so as to ensure that they would not result in any visual privacy issues to the north-east adjoining property, which currently does not have any directly facing windows. No roof structure is proposed over the indentation zone in order to allow sunlight to penetrate deep into the residence. In this regard, these windows' specific purpose is for solar access to the residence.</p> <p>In addition, pop-up roof structure above the roof of the residence incorporates carefully positioned clerestory windows to encourage further solar penetration into the residence but importantly, encourage cross-flow ventilation within the residence. These design elements have been introduced in reply to the</p>

		<p>narrowness of the site and the constraints imposed by neighbouring properties being built to their boundaries.</p> <p>The proposal has been carefully designed to not only protect the amenity of adjoining properties, but also ensure that the development potential of neighbouring allotments is protected. That is, their ability to re-develop will not be compromised as a result of the proposed alterations/additions.</p> <p>Moreover, the development maintains casual surveillance of Punchbowl Road as the 2 existing front bedrooms will continue to overlook the street and the rear new bedroom and balcony have been designed to face Turner Lane and provide casual surveillance of the laneway. These are judiciously calibrated to also maintain the visual privacy of neighbouring properties.</p>
Building Envelope		
6.3.5 Floor to Ceiling Height	<p>Floor to Ceiling heights must:</p> <p>(a) Provide a minimum 3.3m floor to ceiling height for the ground floor.</p> <p>(b) Provide a minimum 2.7m floor to ceiling height for residential floors.</p>	<p>The existing ground floor shop has a floor-to-floor height of 3.1m and is to be maintained. No alterations are proposed to the ground floor shop and thus, not unreasonable to maintain the existing floor to ceiling height. The first-floor residence has a floor-to-ceiling height of 2.9m.</p>
6.3.6 Setbacks	<p>A minimum side boundary setback of 4.5m is required in the B5 zone. SEPP 65 separation requirements will apply for buildings with height of four storeys and above.</p>	<p>The rear first-floor alterations/additions are proposed to the side boundaries, except for the indentation zone in the middle of the building that is setback 1.7m from the north-east boundary to break up the length of the building but importantly to allow solar access to the Family,</p>

		Dining and Kitchen of the first-floor residence.																				
6.3.7 Building Depth	<p>Maximum 18m depth from glass line to glass line.</p> <p>Light source is not to include a light well when calculating the 18m depth.</p> <p>Upper levels are setback to limit the depth of residential floors above deeper commercial or retail floors.</p>	Complies.																				
6.3.8 Building separation	<p>As a minimum provide the separation, specified in the following table, between buildings on adjoining sites, or on the same site.</p> <table><tr><th>Storey</th><th>Habitable room /balcony to habitable room/balcony</th><th>Habitable room /balcony to non-habitable room</th><th>Between non-habitable rooms</th></tr><tr><td>Up to 3</td><td>6</td><td>4</td><td>3</td></tr><tr><td>Fourth</td><td>12</td><td>9</td><td>6</td></tr><tr><td>Fifth to eighth</td><td>18</td><td>13</td><td>9</td></tr><tr><td>Ninth +</td><td>24</td><td>18</td><td>12</td></tr></table> <p>Table 15: Building Separation for non SEPP 65 developments</p> <p>Provide an unobstructed separation and ensure that the two ends are open – do not use walls at the end of the separation, do not cover the building separation with any roof or structures, do not use internal light wells as the separation.</p> <p>If the building separation is above a podium, it may accommodate residential terraces and courtyards (whether private or communal).</p> <p>Residential windows may face into a building separation, but only if the separation is completely open.</p> <p>When the building set back creates a terrace, the building separation distance for the floor below applies across the terrace.</p> <p>Zero building separation can be used in appropriate contexts, such as in a main street, to maintain a street wall building type with party walls.</p>	Storey	Habitable room /balcony to habitable room/balcony	Habitable room /balcony to non-habitable room	Between non-habitable rooms	Up to 3	6	4	3	Fourth	12	9	6	Fifth to eighth	18	13	9	Ninth +	24	18	12	<p>The proposed first-floor alterations/additions include a 1.7m indentation zone along the north-east elevation of the building purposely conceived to capture solar access to the Family, Dining and Kitchen area of the residence. Whilst this does not strictly comply with the minimum required spatial separation between habitable room to non-habitable room of 4m between buildings, the eastern adjoining building does not have any window along its south-west elevation that directly faces the indentation zone of the building. Furthermore, the north-east facing window within the proposed indentation zone is a frosted and fire-rate window designed to allow solar access gain to the residence and would not cause any visual/acoustic privacy issue to the eastern adjoining building.</p>
Storey	Habitable room /balcony to habitable room/balcony	Habitable room /balcony to non-habitable room	Between non-habitable rooms																			
Up to 3	6	4	3																			
Fourth	12	9	6																			
Fifth to eighth	18	13	9																			
Ninth +	24	18	12																			

Building Design		
6.3.9 Built form	<p>Building entries</p> <p>Provide accessible entries for all potential use such as the transporting of furniture.</p> <p>Face habitable rooms towards the street, private open space, communal space, internal driveway or pedestrian ways in order to promote positive social interaction and community safety.</p>	<p>No changes are proposed to the existing building entries. The barber shop on the ground floor will continue to be accessed from Punchbowl Road and the rear access from Turner Lane for staff will also continue. As for the first-floor residence, the existing building entry from the rear via Turner Lane will continue.</p>
	<p>Facade treatment</p> <p>Refer to Chapter 7 of this DCP for objectives and controls relating to facade treatment for shop top housing development.</p>	<p>Complies.</p>
6.3.10 Roof design and features	<p>Roof top terraces</p> <p>Roof terraces are permitted with consent in all business zones except the B1 Zone.</p> <p>A management strategy is required, and must be approved by Council as part of the development application, for any proposed roof terrace.</p> <p>Supplement open space on roof terraces by providing space and appropriate building systems to support the desired landscape design, incorporating shade structures and windscreens to encourage use of roof top open space.</p> <p>Demonstrate that roof terrace has been designed so as to protect the privacy, solar access and amenity of adjoining buildings. Measures to minimise overlooking of adjoining properties include screening or</p>	<p>No roof terrace is proposed.</p>

	<p>planting between properties, and preventing rooftop users from standing at the edge of roof terraces that look into adjoining properties through planting and screens.</p> <p>Allow for views and passive surveillance of streets and public open space from roof terraces.</p>	
6.3.11 Dwelling layout	<p>Dimension and design interiors to accommodate the range of furniture that is typical for the purpose of each room.</p> <p>Each living area and principal bedroom has a minimum width of 3.5m.</p> <p>Secondary bedroom has a minimum width of 3m.</p> <p>Provide general storage in addition to bedroom wardrobes and kitchen cupboards is provided in each dwelling and/or as lockable spaces within parking areas.</p> <p>The minimum amount of storage required is 6m³ for one bedroom dwellings 8m³ for two bedroom dwellings, or 10m³ for dwellings with three or more bedrooms.</p> <p>These volumes may be accommodated by simple measures such as deep cupboards or increasing the depth of required parking spaces.</p>	<p>The family area has a floor area of 32.5m² with a minimum dimension of 3.5m in either direction.</p> <p>The proposed new bedroom is 16m² in size with a minimum dimension of 4m.</p> <p>No changes are proposed to the existing 2 front bedroom sizes and dimensions.</p> <p>Ample storage space is provided within the built-in wardrobes of each bedroom, kitchen cupboards and a storage area within the Family area, exceeding 10m³.</p> <p>There is a plethora of storage area available on the ground floor within the parking area to accommodate on-site storage.</p>
6.3.12 Building services	<p>All letterboxes be installed to meet Australia Post standards.</p> <p>Design and provide discretely located mailboxes at the front of the property.</p> <p>Integrate systems, services and utility areas (such as plant rooms, hydrants,</p>	<p>Existing building services will be maintained or upgraded as a result of the proposed alterations/additions to the first-floor residence.</p>

	<p>equipment and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.</p> <p>The location of substations is to be shown on plans.</p> <p>Substations should be provided underground where possible. Where not possible, substations are to be concealed and incorporated into the overall building design.</p> <p>Substations located at ground level must be setback as far from the street frontage as possible, not be located in between the building form and the street frontage, and must be screened with landscaping.</p> <p>Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.</p> <p>Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.</p> <p>Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:</p> <p>(a) Screen air conditioning units behind balcony balustrades;</p> <p>(b) Provide screened recesses for water heaters rather than surface-mounting them on exterior walls; and</p>	
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	<p>(c) Locate meters in service cabinets.</p> <p>Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.</p> <p>Coordinate and integrate building services, such as drainage pipes, with overall facade and balcony design.</p> <p>Location and design of service areas should include:</p> <p>(a) Screening of clothes drying areas from public and semi-public places; and</p> <p>(b) Space for storage that is screened or integrated with the building design.</p> <p>Minimise visual impact of solar hot water systems by:</p> <p>(a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;</p> <p>(b) Using a colour that is consistent with the colour of roof materials;</p> <p>(c) Designing solar panels, where possible, as part of the roof;</p> <p>(d) Setting the solar panels back from the street frontage and position below the ridgeline; and</p> <p>(e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).</p>	
Amenity		

<p>6.3.13 Solar Access and Overshadowing</p>	<p>Solar Access to Proposed Development</p> <p>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.</p> <p>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.</p> <p>Dwellings in or adjoining industrial zones must comply with the following:</p> <ul style="list-style-type: none"> (a) At least one living room window and at least 50% or 35m² with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space. (b) Receives a minimum of 3 hours sunlight between 8.00am and 4.00pm on 21 June. (c) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%. <p>Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.</p>	<p>The site is highly constrained due to its narrow width and deep block.</p> <p>In order to allow solar access to the living area of the first-floor residence, a 3.5m wide by 1.7m deep recess is provided along the north-east of the building incorporating north-east and north and south facing windows. These windows have been strategically positioned to enable solar access to the living area between 8am and 12noon.</p> <p>In addition, a pop-up roof structure featuring clerestory windows is proposed above the living area to capture additional solar access to the living area. As can be seen from the shadow diagrams, the living area of the first-floor residence receives the required 3 hours of direct sunlight between 8am and 4pm in mid-winter.</p> <p>These architectural elements not only facilitate solar gain to the dwelling but also encourage crossflow movement within the dwelling and break down the overall length of the building.</p> <p>Proposal would have minimal solar access impact upon neighbouring development. That is, neighbouring developments will receive the minimum required solar access at the winter-solstice, given that all neighbouring buildings are built to the boundaries and the building is limited to 2-storey only.</p> <p>Appropriate sun shading device in the form of roof cover is proposed over rear balcony to provide essential shade and protection from the element and to improve the overall amenity of the balcony for its occupants.</p>
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	<p>Solar Access to Neighbouring Development</p> <p>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 communal rooms and to 50% of the principal private open space.</p> <p>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.</p> <p>Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:</p> <ul style="list-style-type: none"> 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. <p>Clothes drying areas on adjoining residential properties must receive a</p>	<p>The proposed alterations/additions to the first-floor residence would not cause any solar access issues to any neighbouring development.</p>

	minimum of 3 hours of sunlight on 21 June.	
	<p>Shading Devices</p> <p>Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p>Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.</p> <p>Provide horizontal shading to north-facing windows and vertical shading to east or west windows.</p> <p>Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.</p> <p>Avoid reducing internal natural daylight or interrupting views with shading devices.</p> <p>Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.</p> <p>Use high performance glass with a reflectivity below 20%.</p> <p>Minimise external glare by avoiding reflective films and use of tint glass.</p>	Appropriate shading device in the form of roof cover is provided over the balcony and rear bedroom of the dwelling to provide protection from the elements.
6.3.14 Acoustic privacy	Locate sensitive rooms, such as bedrooms, from likely sources of	Minimal acoustic privacy would occur within the development and

	<p>noise such as major roads and neighbouring' living areas.</p> <p>Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.</p> <p>Bedroom windows in new dwellings that would be located at or close to ground level are be raised above, or screened from, any shared pedestrian pathway.</p> <p>Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.</p> <p>On land adjoining railway or busy roads, address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline' which has been published by the NSW Department of Planning and Environment. C6 Design the layout of lower levels facing the road or rail to:</p> <p>(a) The position of windows facing the noise source and ensure that total unprotected window area is minimal so as to limit the amount of airborne noise entering the built fabric;</p> <p>(b) Ensure that the detailing of the window types addressing the corridors are designed and constructed to attenuate excessive noise - (double and triple glazing and insulated to manufacturers standards); and</p> <p>(c) Ensure that balcony parapet walls are constructed of solid masonry or</p>	<p>neighbouring properties. This is due to the strategic placements of windows and openings to the front and rear of the site and the building built to the side boundaries.</p>
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	<p>materials of similar sound attenuating qualities.</p> <p>When designing the public spaces fronting busy roads and the rail corridor at ground level, consider the use of elements such as moving water and screens to achieve sound attenuation.</p>	
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Comments: As demonstrated in the above compliance table, the proposal achieves full compliance with the requirements of the Canterbury-Bankstown DCP 2023.

5 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

5.1 Section 4.15 Evaluation

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

Matters for Consideration – General

(a) the provisions of:

(i) any environmental planning instrument, and

State Environmental Planning Policy (Resilience and Hazards) 2021

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

State Environmental Planning Policy (Transport & Infrastructure) 2007

SEPP Infrastructure is not relevant to the proposed development.

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

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

Local Environmental Plan

The site is zoned B2 Local Centre pursuant to Canterbury-Bankstown Local Environmental Plan 2023. The proposed development is permissible with consent. It has been

demonstrated that the proposed development is consistent with the objectives of the zone and the development does not contravene any provisions of the LEP.

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

The Draft Consolidated Local Environmental Plan that seeks to produce a single set of planning rules for Canterbury Bankstown Council was gazetted on 24 June 2023.

- (iii) *any development control plan, and*

Canterbury-Bankstown Development Control Plan 2023

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

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

There is no planning agreement proposed by the Applicant.

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

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

- (v) *(Repealed)*

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

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

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

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

The proposed development is considered to be suitable for the site. The development is a permitted land use, meets the objectives of the zone, and has demonstrated compliance with the relevant development controls contained within the Council's DCP.

The site is located in the established Punchbowl local centre and the proposed development will maintain the 1-3 storey character of the locality. Additionally, the proposed development satisfactorily addresses the site constraints and adjoining properties. Furthermore, there are no site attributes conducive to the proposed development.

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

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

(e) *the public interest.*

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

6 ASSESSMENT OF THE APPLICATION

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

i. Bulk and Scale

The bulk and scale of the proposed development is considered sympathetic to the scale and the existing and desired future character of the area. There will be minimal impact upon the streetscape and neighbouring residences as a result of the proposed development. The form, bulk and scale of the development will harmoniously fit into the one to three storey street edge buildings found within the Punchbowl town centre and given that the topmost level of the building is recessive in nature from the front and rear boundaries, it would not be discernible from the public domain, nor contribute to the height and scale of the building.

The architectonic of the scheme provides an acceptable solar access and cross-ventilation to the proposed first-floor residence, having regard to the narrowness of the site and the constraints imposed by neighbouring buildings. The alterations/additions incorporate an indentation area along the north-east elevation of the building with judiciously placed windows and pop-up roof structures featuring clerestory windows to enable solar access and cross-flow ventilation to the dwelling. Moreover, the indentation of the building reduces the overall length and mass of the building when viewed from the public domain. The scheme also provides functional and well-connected internal and external spaces that would positively contribute to the amenity of its residents without compromising the amenity of surrounding neighbours.

ii. Amenity to Surrounding Residential Area

It is considered that the proposal will not have a negative impact on the surrounding commercial and residential areas. The proposal has been designed so that it is sensitive to the surrounding developments within the town centre and the residential development surrounding the town centre, particularly with regard to privacy, solar access, landscaping, built form and on-site parking. The manner in which the proposal has been conceived ensures that there will be minimal amenity impact upon neighbouring residential properties.

iii. Architectural Quality

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

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

7 CONCLUSION

Having regard to the assessment of the application and the documentation accompany the application, the proposed development is permissible with consent within B2 Local Centre Zone under Canterbury-Bankstown LEP 2023 and is consistent with the spirit of Council's planning requirements as they apply to the proposal.

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

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

Accordingly, it is recommended that the application be approved.