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# Statement of Environmental Effects

report prepared for site analysis at:

**LOT 26, D.P 25973**  
**11 Penrose Ave, Belmore 2192**

proposed development:

proposed conversion/change of use of existing garage  
to a secondary dwelling

Sept 2023

Local authority:

**Canterbury - Bankstown City Council**

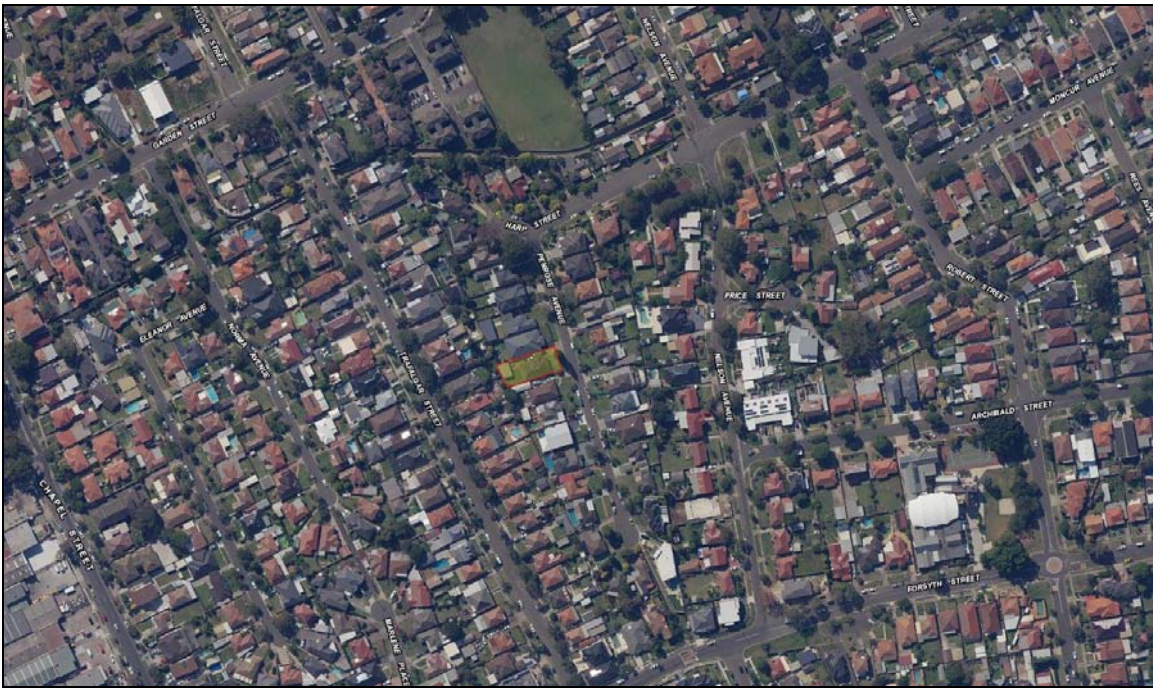
**Disclaimer**

*This report has been prepared with due care but no responsibility is accepted for error or omission or use of the contents for purposes other than as an aid to assessment of the Development Application as cited.*

*All efforts are made to identify issues of relevance and likely concern with the proposal, however the report relies on information about the proposal that was supplied by the owner/s and their agent/s. Whilst this information is believed to be accurate, no responsibility is accepted in this regard.*

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**2010 Aerial Image**



**1943 Aerial Image**



## 1.0 Photos of Subject Site

Figure 1. Subject Site



Figure 2. View on Penrose Ave facing North.



Figure 3. View on Penrose Ave facing South.



Figure 4. View of subject structure



## 2.0 Introduction

This document has been prepared to provide supporting information for the development for the proposed conversion of a detached garage to secondary dwelling. This statement should be read in accordance to architectural plans dated Aug 3, 2023 prepared by timandsarahk.

## 3.0 Site Analysis

The site is known as 11 Penrose Ave, Belmore NSW 2192 with a registered title of Lot 26, in a deposited plan of 25973. The site is located within Canterbury Bankstown City Council's locality. The site has an existing single storey dwelling built within the boundaries as stated in the surveyor's drawings and a detached garage. The site has an area of 556.4m<sup>2</sup> (By DP) and 562.8m<sup>2</sup> (By Calculation) with its frontage to Penrose Ave, and the side/rear boundaries adjoining private residences. The boundaries of the subject land are fenced.

The subject building is near to existing single and double storey residences. Surrounding land uses within the immediate vicinity of the site are residential with single and double storey structures.

The site Zoned R3 Medium Density Residential. The use is permissible with consent.



## 4.0 Location



Figure 6: An aerial view of the surrounding area. Source: Land GIS

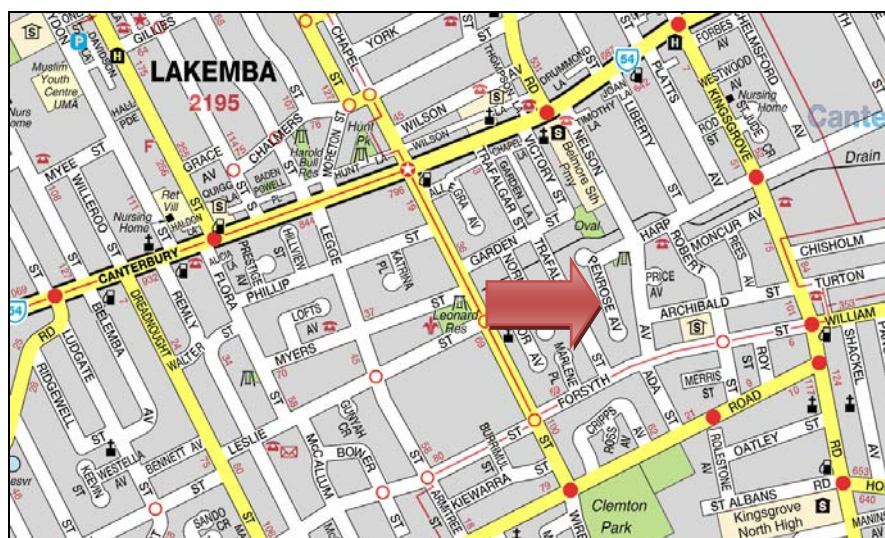


Figure 7: An aerial view of the surrounding area.  
Source: UBD

## 5.0 Proposal

In summary, the works proposed for 11 Penrose Ave, Belmore NSW 2192 comprise:

- PROPOSED CONVERSION/CHANGE OF USE OF EXISTING GARAGE TO A SECONDARY DWELLING

## 6.0 Present & Previous Use

The home is currently being used for residence and will remain.

## 7.0 Compliance with Development Standards

### Planning Documents

- *Canterbury-Bankstown Local Environmental Plan 2023*
- *Canterbury-Bankstown Development Control Plan 2023 Chapter 5/5.2*
- *Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295).*
- *Schedule 1 of the ARH SEPP 2009. (Superseded)*
- *SEPP (Housing) 2021*

Zone:	R3 Medium Density Residential		
Site Area:	556.4m <sup>2</sup>		

### SECTION 7—SECONDARY DWELLINGS

Secondary dwelling is defined under LEP. Secondary dwellings can be carried out under *State Environmental Planning Policy (Housing) 2021* and the LEP. Where a development application is required, an assessment of the relevant provisions of the Affordability SEPP and LEP will be undertaken.

Minimum frontage controls in this DCP supplement the LEP provisions to ensure only sites with suitable dimensions capable of providing adequate residential amenity are developed.

#### Objectives

To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.

To ensure there is adequate area for vehicle access and parking.

To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

#### Development controls

**C1** Where a development application to Council is made for a secondary dwelling, the minimum frontage required for secondary dwellings will be considered on merit taking into consideration compliance with Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295). - **Complies**

**C2** All development applications for secondary dwellings will be assessed against schedule 1 of the ARH SEPP 2009. — **Complies but updated to SEPP (Housing) 2021**

## Schedule 1 Complying development—secondary dwellings

### Part 1 Preliminary

#### 1 Definitions

(1) In this Schedule—

*ancillary structure* means the following, if associated with a secondary dwelling and not exempt development under the Codes SEPP—

- an access ramp,
- an awning, blind or canopy,
- a balcony, deck, patio, pergola, terrace or verandah attached to a principal or secondary dwelling,
- a carport attached to a principal or secondary dwelling,
- a driveway, pathway or paving,
- a fence or screen,
- a garage attached to a principal or secondary dwelling,

- (h) an outbuilding,
- (i) a rainwater tank attached to a principal or secondary dwelling,
- (j) a retaining wall,
- (k) a swimming pool or spa pool and child-resistant barrier.

**outbuilding** means the following, if detached from a principal or secondary dwelling—

- (a) a balcony, deck, patio, pergola, terrace or verandah,
- (b) a cabana, cubby house, fernery, shed, gazebo or greenhouse,
- (c) a carport or garage,
- (d) a rainwater tank (above ground),
- (e) a shade structure.

(2) Unless defined in this Schedule, words used in this Schedule have the same meaning as in—

- (a) the Codes SEPP, and
- (b) for words not defined in the Codes SEPP—the standard instrument.

(3) In this Schedule, the area of the access laneway for a battle-axe lot is excluded in calculating the area of the lot.

## Part 2 Site requirements - **Complies**

### 2 Lot requirements

(1) Development for the purposes of a secondary dwelling or an ancillary structure may only be carried out on a lot that—

- (a) at the completion of the development will have only 1 principal dwelling and 1 secondary dwelling, and
- (b) for a lot other than a battle-axe lot—has a boundary with a primary road, measured at the building line, of at least the following—

- (i) if the lot has an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—12m,
- (ii) if the lot has an area of more than 900m<sup>2</sup> but not more than 1500m<sup>2</sup>—15m,
- (iii) if the lot has an area of more than 1500m<sup>2</sup>—18m, and

(c) for a battle-axe lot—has an access laneway of at least 3m in width and measuring at least 12m by 12m, excluding the access laneway.

(2) A lot on which a new secondary dwelling is erected must have lawful access to a public road.

(3) Nothing in this Schedule requires the provision of additional parking spaces for development for the purposes of a secondary dwelling.

### 3 Maximum site coverage of all development

(1) The site coverage of the principal dwelling, secondary dwelling and all ancillary structures on a lot must be no more than the following—

- (a) if the lot has an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—50% of the area of the lot,
- (b) if the lot has an area of more than 900m<sup>2</sup> but not more than 1500m<sup>2</sup>—40% of the area of the lot,
- (c) if the lot has an area of more than 1500m<sup>2</sup>—30% of the area of the lot.

(2) For the purposes of calculating the site coverage, the area of the following is not included—

- (a) an access ramp,
- (b) the part of an awning, blind or canopy outside the outer wall of a building,
- (c) a balcony, deck, patio, pergola, terrace or verandah attached to the principal or secondary dwelling and not enclosed by a wall higher than 1.4m above the floor level,
- (d) an eave,
- (e) a driveway,
- (f) a farm building,
- (g) a fence or screen,
- (h) a pathway or paving,
- (i) a rainwater tank attached to the principal or secondary dwelling,
- (j) a swimming pool or spa pool.

### 4 Maximum floor area for principal and secondary dwellings

(1) The floor area of a secondary dwelling, excluding an attached ancillary structure, must not be more than—

- (a) 60m<sup>2</sup>, or
- (b) if a larger floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the larger floor area.



(2) The total floor area of a principal dwelling, secondary dwelling and all attached ancillary structures must not be more than the following—

- (a) if the lot has an area of at least 450m<sup>2</sup> but not more than 600m<sup>2</sup>—330m<sup>2</sup>,
- (b) if the lot has an area of more than 600m<sup>2</sup> but not more than 900m<sup>2</sup>—380m<sup>2</sup>,
- (c) if the lot has an area of more than 900m<sup>2</sup>—430m<sup>2</sup>.

(3) In subsection (2)—

**attached ancillary structure** means a carport, garage, balcony, deck, patio, pergola, terrace or verandah—

- (a) attached to the principal dwelling or secondary dwelling, and
- (b) enclosed by a wall higher than 1.4m above the floor level, other than the external wall of the dwelling.

**floor area** means the sum of the areas within the outer face of the external walls of each storey of a dwelling, including an attached ancillary structure, measured at a height of 1.4m above each floor level, excluding—

- (a) part of an awning, blind or canopy outside the outer wall of the dwelling,
- (b) an eave,
- (c) a lift shaft,
- (d) a stairway,
- (e) a void above a lower storey.

#### **5 Setbacks and maximum floor area for balconies, decks, patios, terraces and verandahs**

(1) The total floor area of all balconies, decks, patios, terraces and verandahs on a lot must be no more than 12m<sup>2</sup> if—

- (a) a part of the structure is within 6m from a side or rear boundary, and
- (b) the structure has a point of its finished floor level at more than 2m above ground level (existing).

(2) The balcony, deck, patio, terrace or verandah must not have a point of its finished floor level—

- (a) if it is located within 3m of a side or rear boundary—more than 2m above ground level (existing), or
- (b) if it is located more than 3m but not more than 6m from a side or rear boundary—more than 3m above ground level (existing), or
- (c) if it is located more than 6m from a side or rear boundary—more than 4m above ground level (existing).

(3) A detached deck, patio or terrace, including alterations or additions to the deck, patio or terrace, must not have a floor level of more than 600mm above ground level (existing).

#### **Note—**

Development identified in this section may require privacy screens under this Schedule, section 15.

## **Part 3 Building heights and setbacks - Complies**

### **6 Building height**

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building having a building height above ground level (existing) of more than 8.5m.

(2) Development for the purposes of an ancillary structure must not result in a new building or a new part of an existing building having a building height above ground level (existing) of more than—

- (a) if an outbuilding—4.8m, or
- (b) if a fence—1.8m.

### **7 Setbacks from roads, other than classified roads**

(1) Development for the purposes of a secondary dwelling or an ancillary structure on a lot must result in a new building or a new part of an existing building having a setback from a primary road, other than a classified road, of at least—

- (a) the average distance of the setbacks of the 2 nearest dwelling houses on the same side of the primary road and located within 40m of the lot on which the principal dwelling is erected, or
- (b) if 2 dwelling houses are not located within 40m of the lot on the same side of the primary road—
  - (i) for a lot with an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—4.5m, or
  - (ii) for a lot with an area of more than 900m<sup>2</sup> but not more than 1,500m<sup>2</sup>—6.5m, or
  - (iii) for a lot with an area of more than 1,500m<sup>2</sup>—10m.

(2) Development for the purposes of a secondary dwelling or an ancillary structure on a lot must result in a new building or a new part of an existing building having a setback from a boundary of the lot with a parallel road that is not a classified road of at least 3m.

(3) Development for the purposes of a secondary dwelling or an ancillary structure on a corner lot must result in a new building or a new part of an existing building on the lot having a setback from the boundary with a secondary road that is not a classified road of at least—

- (a) for a lot with an area of at least 450m<sup>2</sup> but not more than 600m<sup>2</sup>—2m, or
- (b) for a lot with an area of more than 600m<sup>2</sup> but not more than 1,500m<sup>2</sup>—3m, or
- (c) for a lot with an area of more than 1,500m<sup>2</sup>—5m.
- (4) For the purposes of this section, if a lot is a corner lot—
  - (a) a boundary that is at least 6m in length is taken to be a boundary with a primary road, and
  - (b) the other boundaries are taken to be boundaries with a secondary road.
- (5) For the purposes of this section, if a lot has contiguous boundaries with a road or roads but is not a corner lot, the lot is taken to have a boundary only with a primary road.

## **8 Setbacks from classified roads**

Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building having a setback from a boundary with a classified road of less than—

- (a) if another environmental planning instrument applying to the lot establishes a setback for a dwelling house having a boundary with a classified road—the setback specified in the environmental planning instrument, or
- (b) otherwise—9m.

## **9 Setbacks from side boundaries**

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building or a new carport, garage, balcony, deck, patio, pergola, terrace or verandah having a setback from a side boundary of less than the following—

- (a) for a lot with an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—0.9m,
- (b) for a lot with an area of more than 900m<sup>2</sup> but not more than 1,500m<sup>2</sup>—1.5m,
- (c) for a lot with an area of more than 1,500m<sup>2</sup>—2.5m.

(2) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or ancillary structure having a setback from a side boundary of less than the sum of—

- (a) the amount of the setback specified for the relevant sized lot in subsection (1), and
- (b) an amount equal to 25% of the additional building height above 3.8m.

(3) In this section—

*new building or ancillary structure* means—

- (a) a new building or a new part of an existing building with a height of more than 3.8m, and
- (b) a new carport, garage, balcony, deck, patio, pergola, terrace or verandah.

## **10 Setbacks from rear boundaries**

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a **new building**, a new part of an existing building or a new carport, garage, balcony, deck, patio, pergola, terrace or verandah having a setback from a rear boundary of less than the following—

- (a) for a lot with an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—
  - (i) 3m, and
  - (ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 8m,
- (b) for a lot with an area of more than 900m<sup>2</sup> but not more than 1,500m<sup>2</sup>—
  - (i) 5m, and
  - (ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 12m,
- (c) for a lot with an area of more than 1,500m<sup>2</sup>—
  - (i) 10m, and
  - (ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 15m.

(2) A dwelling on a lot with a rear boundary with a laneway may have a building line that abuts the boundary for up to 50% of the length of the boundary.

## **11 Exceptions to setbacks**

(1) Development for the purposes of a secondary dwelling must not result in a new building or a new part of an existing building having a setback of less than 3m from a boundary with a public reserve.

(2) Side and rear setbacks do not apply to the following—

- (a) an aerial, antenna, awning or eave,
- (b) a flue, chimney, pipe or cooling or heating appliance,
- (c) a rainwater tank with a height of more than 1.8m,
- (d) another structure associated with the provision of a utility service if it is located at least 450mm from the relevant boundary,

(e) a fence, fascia, gutter, downpipe, light fitting, an electricity or gas meter, a driveway, pathway or paving if it is located within a required setback area to the relevant boundary.

(3) The setback from a road does not apply to—

(a) a driveway, fence, pathway, paving or retaining wall, or

(b) the articulation zone and a building element permitted within the zone.

(4) The setback from a rear boundary required by this Schedule, section 10 does not apply to a lot that has only 3 boundaries, disregarding a boundary of an access lane if the lot is a battle-axe lot.

## **12 Calculating setbacks**

(1) For the purposes of determining the 2 nearest dwelling houses in this Schedule, section 7, a dwelling house located on a battle-axe lot must be disregarded.

(2) For the purposes of calculating the setback of the 2 nearest dwelling houses in this Schedule, section 7—

(a) an ancillary structure must not be included, and

(b) a building element within the articulation zone must not be included.

(3) For the purposes of calculating the setbacks for a battle-axe lot, the setback on the opposite side of the lot to the rear setback is taken to be a side setback.

(4) For the purposes of calculating the setbacks for an attached secondary dwelling, the height of the secondary dwelling is the vertical distance from ground level (existing) to the highest point of the secondary dwelling.

(5) For the purposes of calculating a side or rear setback, the maximum building height of a dwelling on a sloping lot must be used.

(6) A setback must be calculated at the closest point to the boundary from the building line.

## **13 Building articulation**

(1) Development for the purposes of a secondary dwelling, other than development on a battle-axe lot, must result in either the principal dwelling or the secondary dwelling having a front door and a window to a habitable room in the building wall that faces a primary road.

(2) Development for the purposes of a secondary dwelling, other than development on a battle-axe lot, must result in either the principal dwelling or the secondary dwelling having a window to a habitable room in the building wall that faces a parallel road.

(3) A secondary dwelling, other than a secondary dwelling that has a setback from a primary road of less than 3m, may incorporate an articulation zone that extends from the building line to a distance of 1.5m into the required setback from the primary road.

(4) Development for the purposes of a secondary dwelling on a corner lot must result in either the principal dwelling or the secondary dwelling having a window in a habitable room—

(a) with an area of at least 1m<sup>2</sup>, and

(b) that faces and is visible from a secondary road.

## **14 Building elements within the articulation zone to a primary road**

(1) The following building elements are permitted in an articulation zone in the setback from a primary road—

(a) an entry feature or portico,

(b) a balcony, deck, patio, pergola, terrace or verandah,

(c) a window box treatment,

(d) a bay window or similar feature,

(e) an awning or other feature over a window,

(f) a sun shading feature.

(2) A building element must not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the building.

(3) The maximum total area of all building elements within the articulation zone, other than a building element specified in subsection (1)(e) or (f), must be no more than 25% of the area of the articulation zone.

## **15 Privacy**

(1) A window in a new secondary dwelling, or a new window in an alteration or addition to an existing principal dwelling for the purposes of a new secondary dwelling, must have a privacy screen for a part of the window less than 1.5m above the finished floor level if—

(a) the window—

(i) is in a habitable room that has a finished floor level of more than 1m above ground level (existing), and

(ii) has a sill height less than 1.5m above that floor level, and

(iii) faces a side or rear boundary and is less than 3m from that boundary, or

(b) the window—

(i) is in a habitable room that has a finished floor level of more than 3m above ground level (existing), and



- (ii) has a sill height less than 1.5m above that floor level, and
- (iii) faces a side or rear boundary and is at least 3m, but no more than 6m, from that boundary.
- (2) Subsection (1) does not apply to a window located in a bedroom where the window has an area of no more than 2m<sup>2</sup>.
- (3) A new balcony, deck, patio, terrace or verandah for the purposes of a new secondary dwelling and any alteration to an existing balcony, deck, patio, terrace or verandah of a secondary dwelling that has a floor area of more than 3m<sup>2</sup> must have a privacy screen if the balcony, deck, patio, terrace or verandah is—
  - (a) within 3m of a side or rear boundary and has a floor level of more than 1m above ground level (existing), or
  - (b) between 3m and 6m of a side or rear boundary and has a floor level of more than 2m above ground level (existing).
- (4) A privacy screen required under subsection (3) must be installed—
  - (a) to a height of at least 1.7m, but not more than 2.2m, above the finished floor level of the balcony, deck, patio, terrace or verandah, and
  - (b) at the edge of the part of the development within the areas specified in subsection (3)(a) or (b) and is parallel to or faces towards the relevant side or rear boundary.

## Part 4 Landscaping- **Complies**

### 16 Landscaped area

- (1) A lot on which development for the purposes of a secondary dwelling or an ancillary structure is carried out must have a landscaped area of at least the following—
  - (a) for a lot with an area of at least 450m<sup>2</sup> but not more than 600m<sup>2</sup>—20%,
  - (b) for a lot with an area of more than 600m<sup>2</sup> but not more than 900m<sup>2</sup>—25%,
  - (c) for a lot with an area of more than 900m<sup>2</sup> but not more than 1500m<sup>2</sup>—35%,
  - (d) for a lot with an area of more than 1500m<sup>2</sup>—45%.
- (2) At least 50% of the landscaped area must be located behind the building line to the primary road boundary.
- (3) The minimum dimensions of the landscaped area must be more than 2.5m.

### 17 Principal private open space

- (1) A lot on which development for the purposes of a secondary dwelling is carried out must have more than 24m<sup>2</sup> of principal private open space.
- (2) The principal private open space may be shared by both the principal dwelling and secondary dwelling and may be in the form of a balcony or deck.
- (3) In this section—

*principal private open space* means an area—

- (a) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and
- (b) more than 4m wide, and
- (c) not steeper than a 1:50 gradient.

## Part 5 Earthworks and drainage- **Complies**

### 18 Earthworks, retaining walls and structural support

- (1) Excavation for the purposes of a secondary dwelling or an ancillary structure must not be deeper than a maximum depth, measured from ground level (existing), of—
  - (a) if located no more than 1m from any boundary—1m, or
  - (b) if located more than 1m but not more than 1.5m from any boundary—2m, or
  - (c) if located more than 1.5m from any boundary—3m, or
  - (d) if the land is identified as Class 3 or 4 on an Acid Sulfate Soils Map or is within 40m of a waterbody (natural)—1m.
- (2) Fill must not have more than a maximum height, measured from ground level (existing), of—
  - (a) if the fill is for the purposes of a secondary dwelling—1m, or
  - (b) if the fill is for the purposes of an ancillary structure—600mm.
- (3) The height of fill contained wholly within the footprint of a secondary dwelling or an ancillary structure is not limited.
- (4) Fill that is higher than 150mm above ground level (existing) and is not contained wholly within the footprint of a secondary dwelling or an ancillary structure is limited to 50% of the landscaped area of the lot.

(5) The ground level (finished) of the fill must not be used to measure the height of any secondary dwelling or an ancillary structure under this code.

(6) Support for earthworks more than 600mm above or below ground level (existing) must take the form of a retaining wall or other structural support that—

(a) a professional engineer has certified is structurally sound, including the ability to withstand the forces of lateral soil load, and

(b) has been designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and

(c) has adequate drainage lines connected to the stormwater drainage system for the site, and

(d) does not result in a retaining wall or structural support with a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is more than the height of the associated excavation or fill, and

(e) is separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally, and

(f) has been installed in accordance with any manufacturer's specifications, and

(g) if it is an embankment or batter—must have its toe or top more than 1m from any side or rear boundary.

**Note—**

Fill and excavation not associated with a building may be exempt development under the Codes SEPP, clauses 2.29 and 2.30.

## **19 Drainage**

(1) All stormwater collecting as a result of development for the purposes of a secondary dwelling or an ancillary structure must be conveyed by a gravity fed or charged system to—

(a) a public drainage system, or

(b) an inter-allotment drainage system, or

(c) an on-site disposal system.

(2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must—

(a) if an approval is required under the *Local Government Act 1993*, section 68—be approved under the Act, or

(b) otherwise—comply with requirements for the disposal of stormwater drainage contained in a development control plan applicable to the land.

## **20 Setbacks of secondary dwellings and ancillary structures from protected trees**

(1) Development for the purposes of a secondary dwelling, all ancillary structures and associated excavation on a lot, must have a setback from a protected tree on the lot of at least 3m.

(2) The following ancillary structures are permitted within the setback if the development does not require a cut or fill of more than 0.15m below or above ground level (existing)—

(a) an access ramp,

(b) a driveway, pathway or paving,

(c) an awning, blind or canopy,

(d) a fence, screen or child-resistant barrier associated with a swimming pool or spa pool.

(3) In this section—

**protected tree** means a tree that requires a separate permit or development consent for pruning or removal, but does not include a tree that may be removed without development consent under Chapter 3.

**Note—**

A separate permit or development consent may be required if the branches or roots of a protected tree on the lot or on adjoining land are required to be pruned or removed.

## **8.0 Access and Traffic**

The site benefits from a side access allowing for at least 3 spaces behind the front building line.

## **9.0 Flooding & Drainage**

The site required a SSR from council which was obtained (WP-SIAONL-1642/2023) which advised a flood study was not required. The location of the garage that will be converted to a habitable space is shown as not affected by flooding. The existing stormwater system will remain in place as per site plan and stormwater plan.

## **10.0 Erosion & Sediment Control**

An approved siltation fence will be provided on the low side which will be constructed in accordance with council requirements as required.

## **11.0 Energy Efficiency**

The proposal will comply with the requirements set out in the Basix Certificate.

## **12.0 Site Management**

An all weather access, material storage and recycle area will be provided on the site. A construction fence will be installed to restrict entry to the site.

## **13.0 Conclusion**

The report has sought to assess the proposal to provide suitable outdoor living environment to the subject site.

The overall proposal meets the intent of councils standards, and throughout, the design seeks to meet the intent of the standards and to be a good neighbour to the surrounding houses and their occupants. A key intent is to provide a design that is relevant to the immediate area and to Belmore's character.

The proposed development has been designed to meet the objectives and requirements of the planning instruments, codes and guidelines and will have no impact to the streetscape along Penrose Ave.

With the best interest of the community foremost, we trust Council to invoke its discretionary power and grant consent to this proposal.