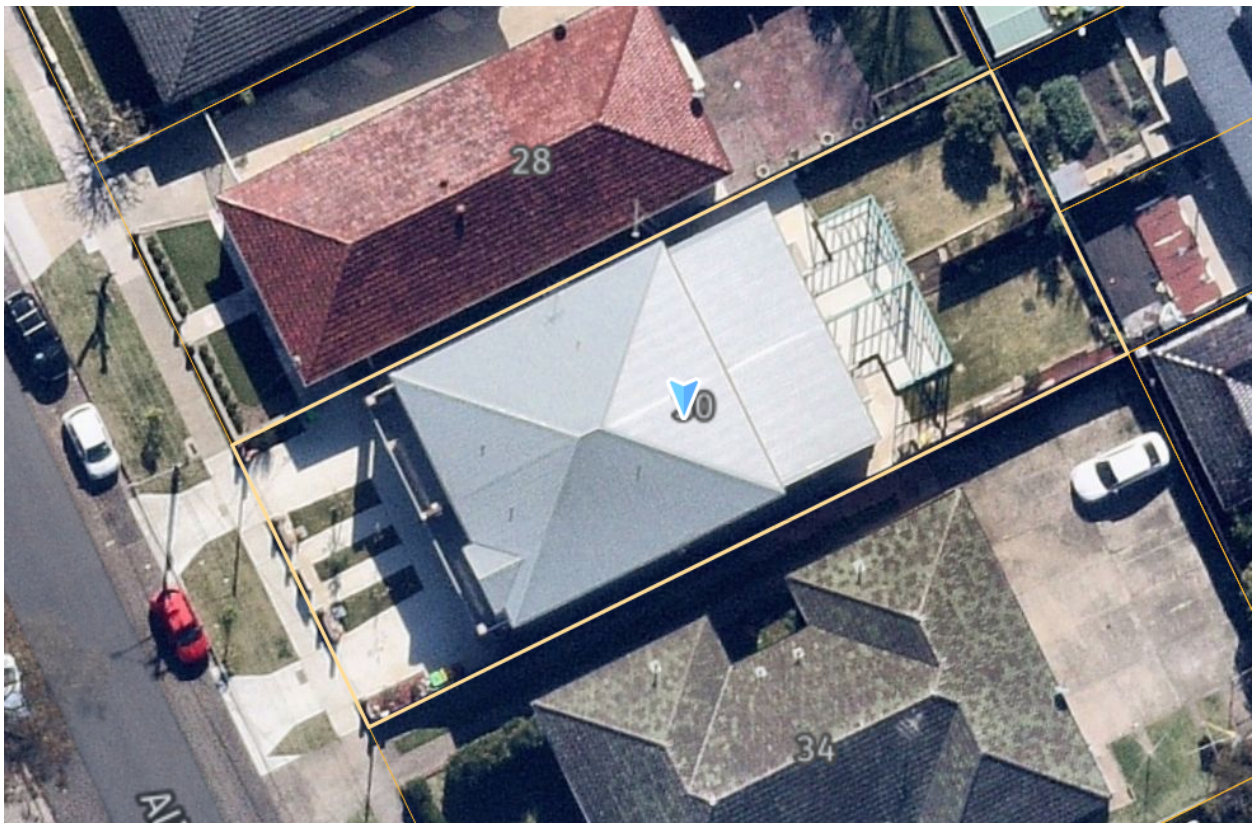
STATEMENT OF ENVIRONMENTAL EFFECTS

Approval of unauthorised additions to dual occupancy comprising paved area and construction of new shed to each dwelling

30 Alice Street South Wiley Park NSW 2195

Lot 40 in DP 6471



Overview

This Statement of Environmental Effects has been prepared as part of a development application lodged with Canterbury Bankstown Council. The subject site address is 30 Alice Street South Wiley Park NSW 2195, formally identified as Lot 40 in DP 6471. This application has been prepared pursuant to Section 4.12 of the Environmental Planning & Assessment Act (EPAA) 1979, and Clause 50 of the Environmental Planning and Assessment Regulation (EPAR) 2021.

The purpose of this document is to provide an assessment of the proposal against Canterbury-Bankstown Local Environmental Plan (CBLEP) 2023 and Canterbury-Bankstown Development Control Plan (CBDCP) 2023, pursuant to the matters for consideration under Section 4.15 of EPAA 1979.

The proposed development is permissible with consent in the R3 Low Density Residential zone under CLEP 2012 and is consistent with its aims and objectives. An assessment of the proposal identifies that no adverse impacts are likely to result from the proposed development. Additionally, the site is suitable for the development and the proposal is in the public interest.

Site Context

Existing on site is a newly constructed south-west facing attached dual occupancy at 30 Alice Street South Wiley Park.

The subject site is regular in shape, has a lot size of 628.4m^2 and frontage of 15.24m to Heath Street.

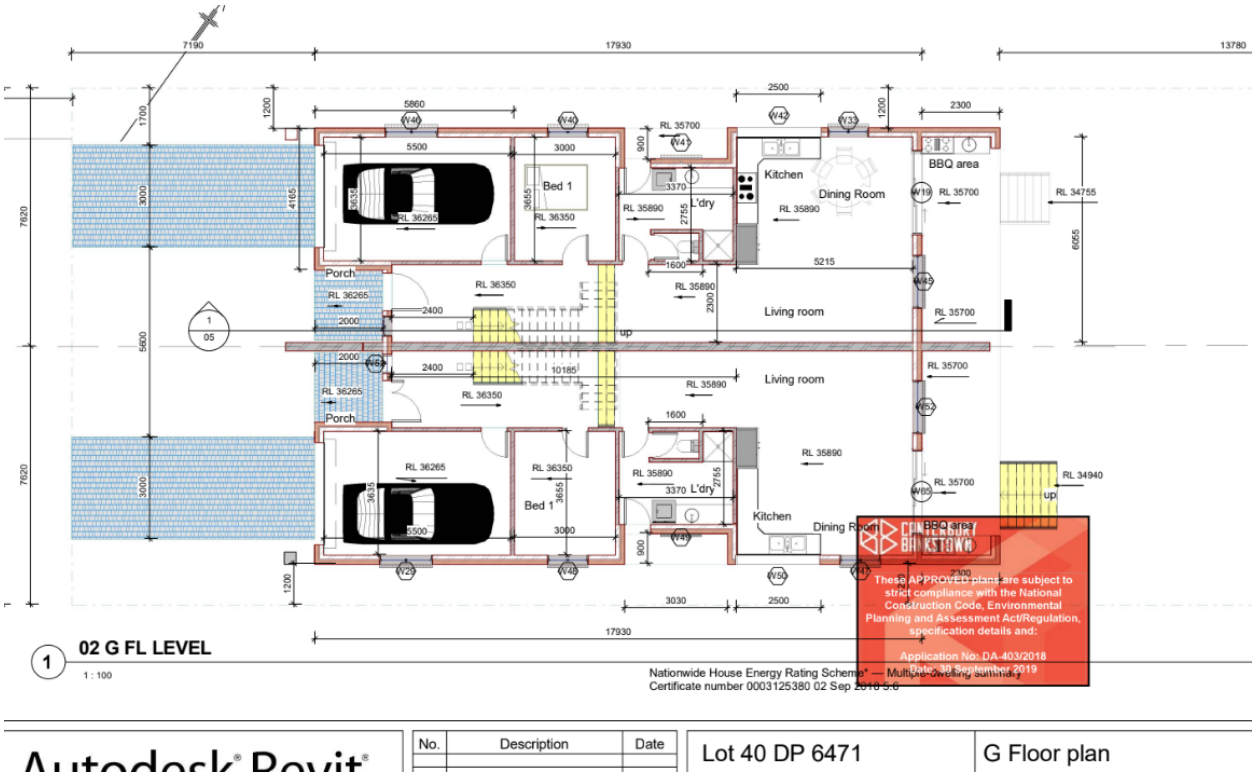


Figure 1: Stamped site / ground floor plan as approved by CB Council 30 Sep 2019

The site slopes towards the rear, from west to east.

Figure 2: Aerial view of the subject site, and surrounding context – comprising dual occupancies, dwelling houses, multi dwellings and residential flat buildings in R3 / R4 zones.

North of the site = dwelling house fronting Alice St South.

East of the site = dual occupancy fronting Kathleen St.

South of the site = residential flat building fronting Alice St South.

West of the site = multi dwelling housing fronting Alice St South.

Figure 3: Zoning map identifying subject site and surroundings as R3 Medium Density Residential, with R4 High Density adjoining. Source: NSW Planning Portal.

Proposal

The proposed development seeks approval for:

Approval of unauthorised additions to dual occupancy comprising paved area and extension to each dwelling.

Assessment

The following points were major considerations for the proposal:

- Generally, dual occupancies are proposed with their FSR maximised and therefore alterations & additions are generally not supported. However, this dual occupancy was approved under DA-403/2018 with an FSR less than the maximum 0.5:1.
- The proposed additions, although unauthorised, are compliant with the relevant provisions and maintain an FSR that is in line with Council's allowance.
- Additionally, the deep soil remains compliant considering the 6m rear setbacks are maintained as landscaping.
- 25m building depth has also been considered and is compliant.
- Solar access to the dual occupancy living areas is still achieved considering the width of the sheds, the height, and north-east orientation of the sheds.
- The works (completed and proposed) maintain an overall compliant dual occupancy, and do not detract from the objectives of the zone. No variations have been sought, and a

BIC application will be lodged pending the approval of this development application for the unauthorised concrete.

The proposed development is permissible in the zone and is fully compliant, as assessed below in detail.

Canterbury-Bankstown Local Environmental Plan (CBLEP) 2023

The relevant provisions of CBLEP 2023 are discussed in the following table:

Clause	Requirement	Proposed	Complies?
Land Use Table	R3 Medium Density Residential	Alterations to dual occupancy	Yes
4.1A Minimum lot sizes for dual occupancies and dwelling houses in certain residential zones	600m^2	628.4m^2	Yes
4.1B Minimum subdivision lot size for dual occupancies	300m2 each lot.	314.2m^2 per lot	Yes
4.3 Height of buildings	8.5m	Proposed sheds have a maximum height of 3.49m.	Yes
4.4 Floor space ratio	0.55:1	Dual occupancy was approved with a gross floor area below the maximum. The proposal now seeks to benefit from the site's allowable FSR of 0.55:1 and the sheds bring the proposed FSR to 0.55:1. Each shed equals 4.37m x 2.09m = 9.13m^2, for a total additional gross floor area proposed of 18.26m^2. Approved with a GFA of 295m^2 (FSR of 0.47:1), the proposal increases the GFA to 314m^2 (FSR of 0.5:1).	Yes
6.1 Acid Sulfate Soils	See Acid Sulfate Soils Map	Site is unaffected by Acid Sulfate Soils.	N/A
6.2 Earthworks	Consent authority to consider effects of earthworks.	Proposed earthworks are minor and are not expected to cause adverse impacts.	Yes
6.4 Stormwater management	Minimisation of stormwater on land.	Submitted Stormwater Plans by qualified engineer have been provided, in accordance with requirements.	Yes

Canterbury-Bankstown Development Control Plan (CBDCP) 2023

The relevant provisions of CBDCP 2023 are discussed in the following table:

2.3 Tree Management

The proposed development does not involve any changes to trees.

3.1 Development Engineering Standards

Stormwater has been considered as part of this application and a Stormwater Plan has been submitted by a qualified hydraulic engineer.

3.3 Waste

The proposed dual occupancy has been designed and assessed under the original DA for the dual occupancy, relating to waste storage location and access.

3.7 Landscaping

Landscaping was considered sufficient under the original DA which provided more deep soil than what was required. The proposed works relate to additional concrete paving and a shed in place of some of the approved landscaping. However, the site still benefits from sufficient landscaping that is compliant with the controls found under the dual occupancy provisions as discussed below, via setbacks and sufficient planting within the site.

Part C2 Dual Occupancies and Semi-detached Dwellings

Control	Requirement	Proposed	Y/N
3.1 Minimum lot size and frontage	C1 Dual occupancy must have a street frontage. C2 Minimum 15m width, measured at the street boundary. C3 Each dwelling is required to have a minimum frontage width of 7.5m. C4 On irregular blocks, the site width is measured at the required front setback. C5 Dual occupancy (detached) is acceptable where each dwelling can face and have frontage to the street, such as on a corner site.	Assessed and complies as per existing dual occupancy and previous DA.	Y
3.2 Private Open Space	C2 Minimum 50m2 of private open space. C3 Minimum dimension in any direction of 4m.	Each dwelling provides over 50m^2 of POS behind the proposed sheds. Proposed POS has minimum dimensions of at least 4m in any direction..	Y

	C4 One area of at least 2.5m x 2.5m for outdoor dining facilities. C5 POS must: a) be located at ground level to the rear of an allotment behind the dual occupancy. b) be located adjacent to the main living areas c) have a maximum gradient of 1:50 d) principal area of open space may comprise a combination of privacy screens, sun-shading devices and landscaped areas e) be designed to prevent direct overlooking from a public place or from neighbouring dwellings f) be designed to accommodate both recreation and service activities g) include a suitably screened area for clothes drying facilities h) be oriented to provide maximum exposure to midwinter sunlight whilst optimising privacy C6 Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.	Each dwelling provides outdoor dining facility areas greater than 2.5m x 2.5m. POS is located at ground level to the rear of the allotments, are located adjacent to main living areas, have less gradient than 1:50, is designed to prevent direct overlooking, can accommodate recreation and service activities, includes capacity for clothes drying facilities and is oriented to provide maximum exposure to midwinter sunlight. No changes to approved balconies.	
3.3 Layout and Orientation	C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load. C2 Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells. C3 Coordinate design for natural ventilation with passive solar design techniques. C4 Site new development and private open space to avoid existing shadows cast from nearby buildings. C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.	Achieved. Achieved. Achieved. Noted. Noted.	Y

	C6 Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	Achieved.	
3.4 Height	Maximum two storey built form Maximum external wall height of 7m. Finished ground floor level is not to exceed 1m above NGL. Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building. No limit to cut below ground level where it will be contained entirely within the exterior walls of a building. Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building. If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.	Two storeys proposed. Wall height does not exceed 2.7m for the proposed sheds.. Finished ground floor level does not exceed 1m above NGL. No cut proposed. Noted. Fill does not exceed 600mm. Noted.	Y
3.5 Setbacks	Front setback = 6m. Maximum 2m recess for the main entrance from the front building line. Side setbacks = 1.2m Rear setback = 6m. Front and rear setbacks are to be provided as deep soil areas. Driveways and footpaths may cross deep soil areas. The following minor building elements may project up to 1m into the minimum side setback area: (a) roof eaves, awnings, pergolas and patios; (b) stair or ramp access to the ground floor; (c) rainwater tanks	Proposed front setback = 6m as existing. Proposed side setbacks = 1.2m as existing Proposed rear setback = 8.3m to proposed sheds. Front and rear setbacks provided as deep soil areas except for driveways and footpaths. Rainwater tanks project into minimum side setback areas.	Y
3.6 Building depth	Dual occupancy housing must not exceed a building depth of 25m. Corner sites may have a building depth of 35m.	Building depth = 25m. Sheds were designed to ensure building depth does not exceed 25m.	Y
3.7 Building	Detached dual occupancy must have	Proposed dual occupancy is attached.	N/A

Separation	a minimum building separation of 2.4m.		
3.8 General Design	Contemporary architectural designs may be acceptable if the site is not heritage listed. New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design. Access to upper storeys must not be via external stairs. All dwellings must contain one kitchen and laundry facility. Entries to residential buildings must be clearly identifiable. A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety. Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures. Design interiors to be capable of accommodating the range of furniture that is typical of the purpose of each room. The primary living area and principal bedroom must have a minimum width of 3.5m. Secondary bedrooms must have a minimum width of 3m. Provide general storage in addition to bedroom wardrobes and kitchen cupboards. Development on corner lots must address both street frontages through façade treatment and articulation of elevations. Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating. Facade design should reflect the orientation of the site using elements	Contemporary design proposed. Noted. No upper storey access via external stairs proposed. No additional kitchens or laundries proposed. Achieved. As existing Achieved. Achieved. As existing As existing Proposed sheds introduce more storage which the dual occupancy currently lacks. Not applicable. Achieved. Achieved.	Y

	such as sun shading devices, light shelves and bay windows.		
	Facades visible from the street should be designed as a series of articulating panels or elements.	Noted.	
	The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.	Achieved.	
	The width of articulating panels shall be 4m to 6m for street elevation, and 10m to 15m for side elevation.	Building is proposed to be well articulated.	
	Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.	Achieved.	
	Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.	Noted.	
	Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.	Noted.	
	Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.	Achieved.	
	The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.	Achieved.	
	Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.	Not applicable.	
	Pavilion elements shall have a depth between 10-15m.	Pavilion elements provided where appropriate.	
	Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.	Noted.	
	Large windows should be located at the corners of a building and may be designed as projecting bay-windows.	Achieved.	

	Large windows should be screened with blinds, louvres, awnings or pergolas.	Noted.	
	Windows must be rectangular.	Noted.	
	Square, circle and semi-circle windows are acceptable in moderation.	Noted.	
	Vertical proportioned window openings can include multi-panel windows or multi-panel doors.	Noted.	
	Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.	Noted.	
	Dormer windows on buildings in the residential zone must comply with the following design requirements: (a) Should not appear as an additional storey; (b) Are no wider than 1.5m in width; (c) Provide a minimum 2.5m separation between dormers; and (d) Do not extend above the ridgeline of the building.	No dormers proposed.	
	Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).	Achieved.	
	Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.	Noted.	
3.9 Roof Design and Features	Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	Proposed roof is consistent with new development in the region, especially dual occupancy developments.	Y
	Avoid complex roof forms with multiple gables, hips and valleys, or turrets.	Achieved.	
	Roof pitches are to be compatible and	Achieved.	

	sympathetic to nearby buildings. Parapet roofs that increase the height of exterior walls are to be minimised. Use minor gables only to emphasise rooms or balconies that project from the body of a building. Mansard roofs (or similar) are not permitted. Pitched roofs should not exceed a pitch of 30 degrees. Relate roof design to the desired built form and context. Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.	 Noted. Achieved. Roof does not exceed 30 degree pitch. Roof design is related to the desired built form and context. Not proposed.	
3.10 Fencing	Provide boundary definition by construction of an open fence or low hedge to the front street boundary. Front fences within the front boundary setback are to be no higher than 1.2m. Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m. On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m. Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.	No changes to existing fencing proposed.	Y
3.11 Building Services	C1 All letterboxes be installed to meet Australia Post standards. C2 Design and provide discretely located mailboxes at the front of the property. C3 Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building	Noted. Noted. Noted.	Y

	and integrate with landscaping.		
	C4 Facilities should not be visually obtrusive and should not detract from soft landscaped areas that are located within the required setbacks or building separations.	Noted.	
	C5 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.	Noted.	
	C6 Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site: (a) Screen air conditioning units behind balcony balustrades; (b) Provide screened recesses for water heaters rather than surface - mounting them on exterior walls; and (c) Locate meters in service cabinets.	Noted.	
	C7 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.	Noted.	
	C8 Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	Noted.	
	C9 Location and design of service areas should include: (a) Screening of clothes drying areas from public places; and (b) Space for storage that is screened or integrated with the building design.	Noted.	
	C10 Minimise visual impact of solar hot water systems by: (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties; (b) Using a colour that is consistent with the colour of roof materials; (c) Designing solar panels, where possible, as part of	Noted.	

	the roof; (d) Setting the solar panels back from the street frontage and position below the ridgeline; and (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).		
3.12 Solar Access and Overshadowing	C1 Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June. C2 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. C3 Dwellings in or adjoining industrial zones must comply with the following: (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 8:00 am and 4:00 pm 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%. C4 Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space. C5 If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property. C6 Sunlight to solar hot water or	No changes to solar access from existing, nor will the proposed sheds create overshadowing concerns considering the height and orientation. Solar access to the living area will still be achieved over the shed considering its low height and roof in relation to the dual occupancy development and living area. Achieved, as existing. Achieved.	Y

	photovoltaic systems on adjoining properties must comply with the following: (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June. (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight. C7 Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June. C8 Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter. C9 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. C10 Provide horizontal shading to north-facing windows and vertical shading to east or west windows. C11 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. C12 Avoid reducing internal natural daylight or interrupting views with shading devices. C13 Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection. C14 Use high performance glass with a reflectivity below 20%. C15 Minimise external glare by avoiding reflective films and use of tint	Achieved. Noted. Noted. Noted. Noted. Noted.. Noted. Noted. Noted.	

	glass.		
3.13 Visual Privacy	C1 Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site. C2 Minimise direct overlooking of rooms and private open space through the following: (a) Provide adequate building separation, and rear and side setbacks; and (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties. C3 If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level. C4 Screening of bedroom windows is optional and dimensions are not restricted	Achieved. Proposal complies with the required setbacks, and living room windows & private open space is oriented away from potential overlooking. Noted. Noted.	Y
3.14 Acoustic Privacy	C1 Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas. C2 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. C3 Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp. C4 Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.	Position of proposed rooms are protected from likely sources of noises such as major roads and neighbouring living areas. Bedrooms are proposed at the first floor and are situated well away from shared pedestrian pathways. Street facing balconies are adequately screened via planter boxes. Requirements have been addressed.	Y

Recommendation

That the proposed development application be supported as the only addition to the approved dual occupancy involve a shed to each dwelling, attached via a common wall retaining a design that is sympathetic to the existing design. Although the DA is in response to the Notice by Council's Compliance Officer, proposed is a compliant design which merely complements the constructed dual occupancy and provides some much needed storage for the users of the site. Landscaping, building depth, private open space and floor space ratio are compliant and therefore the proposal should be supported. If any further information is required, please allow the client the opportunity to address any contentions.