



STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF EXISTING STRUCTURES, REMOVAL OF TREES
AND CONSTRUCTION OF AN ATTACHED DUAL OCCUPANCY
DEVELOPMENT WITH SWIMMING POOLS FOLLOWED BY
TORRENS TITLE SUBDIVISION AND THE CONSTRUCTION OF A
DETACHED SECONDARY DWELLING AT THE REAR OF EACH LOT

197 WELLINGTON ROAD
CHESTER HILL NSW 2162
LOT 19 DP 35673

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1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application for the demolition of existing structures, removal of trees and the construction of an attached dual occupancy development with swimming pools followed by Torrens Title Subdivision and the construction of a detached secondary dwelling at the rear of each lot on the site at 197 Wellington Road, Chester Hill. This SEE evaluates the proposed development for its compliance with the statutory controls embodied in various statutory planning instruments and demonstrates that the development is consistent with the aims and objectives of these instruments. In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act (1979) as amended.
- The Environmental Planning and Assessment Regulation.
- Canterbury-Bankstown Local Environmental Plan 2013 (CBLEP 2013).
- Canterbury-Bankstown Development Control Plan 2023 (CBDP 2013).
- Canterbury Bankstown Draft Housing Strategy.
- Various State Environmental Planning Policies.

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed development is complementary and compatible with the area. This SEE provides a description of the subject site and surrounds, an identification of the development proposed by this application and an assessment of the perceived impacts of this proposal for the matters contained within Section 4.15 of the Environmental Planning & Assessment Act, 1979 (EP&A Act), as amended. Specifically, this SEE provides the following information:

- **SECTION 2** provides a description of the subject site and surrounding locality.
- **SECTION 3** provides a detailed description of the proposed development.
- **SECTION 4** provides an assessment of the proposed development against the relevant planning objectives and controls in accordance with Section 4.15(1) of the EP&A Act.
- **SECTION 5** provides a summary and conclusion.

2 SITE ANALYSIS

2.1 CONTEXT ANALYSIS

The subject site at 197 Wellington Road, Chester Hill is located within the Canterbury-Bankstown Council Local Government Area (LGA). Residential development within Chester Hill is not defined by a single architectural style, but instead ranges from original dwellings to more contemporary developments. The past few years have seen many new homes being constructed in Chester Hill and older dwellings undergoing extensive renovations. Future residential development in the locality is to preserve and enhance the landscape setting of the area and achieve compatibility with the established low to high density residential characteristic.

While the immediate area is characterised predominately by low to high density residential development in the form of residential flat buildings, multi dwelling housing, dual occupancies and detached dwelling houses, the site is within close proximity to infrastructure such as schools, shops, transport and recreational facilities. As a result, the site is considered to be in an ideal location that enjoys ease of access to a variety of services that promote social and economic activity within Chester Hill.

2.2 SITE ANALYSIS

The subject site is located at 197 Wellington Road, Chester Hill and is legally defined as Lot 19 DP 35673. The site is arranged on a north-south tangent and is orientated to address the street frontage of Wellington Road to the north. The site is relatively flat from the front boundary to the rear and between the side boundaries. The aerial image below shows the orientation of the subject site and its location relative to surrounding properties.

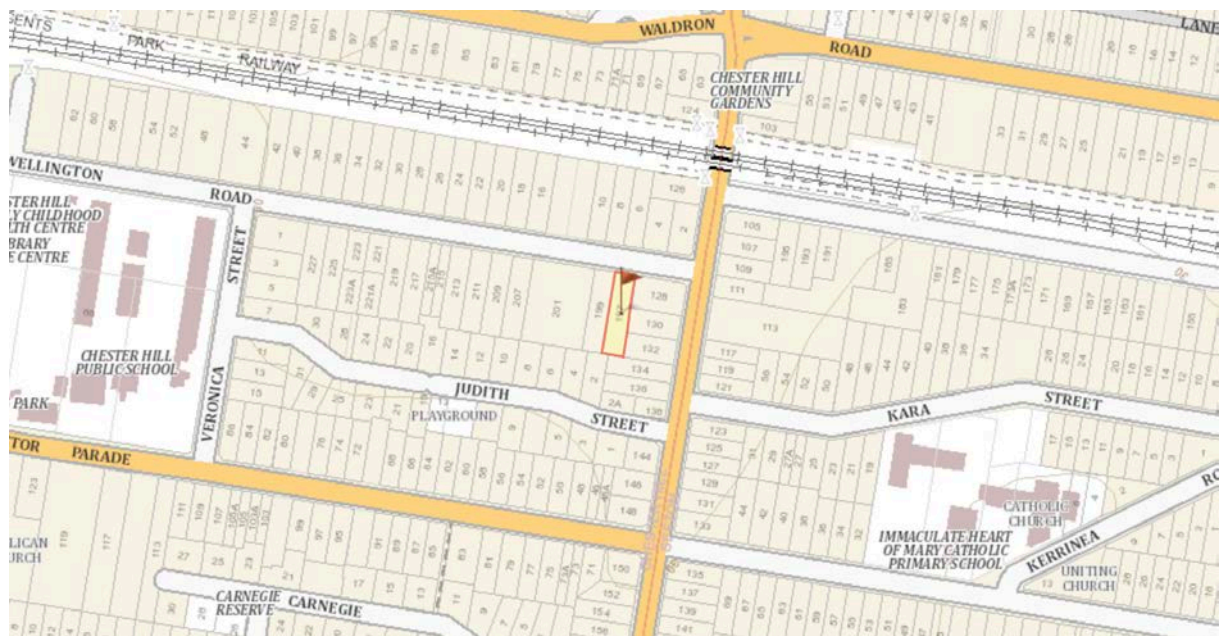


Figure 1: Aerial View of Subject Site and Surrounding Properties

The site is rectangular in shape with a 15.24m frontage to Wellington Road, 60.47m side boundaries and a 15.24m rear boundary. The total site area is 921m². The site presently contains a single storey detached dwelling house of brick construction with a detached garage at the rear and driveway access from Wellington Road. All existing structures on the site are to be demolished under this application. Images of the subject site are shown below.

2.3 SITE IMAGES



Figure 2: View of Subject Site from Wellington Road



Figure 3: Rear View of Subject Site



Figure 4: Rear View of Subject Site

2.4 STREETSCAPE ANALYSIS

The surrounding streetscape is predominately defined by single and two storey detached dwelling houses, dual occupancies and multi dwelling housing developments in a variety of architectural styles. To the immediate west of the subject site at 199 Wellington Road, Chester Hill is a single storey dwelling house of timber cladding construction with a tiled roof form and driveway access from Wellington Road. The adjoining development is shown at **Figure 5** below.



Figure 5: 199 Wellington Road, Chester Hill

To the immediate east of the subject site at 128 Hector Street, Chester Hill is a single storey dwelling house of brick construction with a tiled roof form and driveway access from Wellington Road. The adjoining dwelling is shown at **Figure 6** below.



Figure 6: 128 Hector Street, Chester Hill

A review of the surrounding streetscapes has identified that the predominant built form characteristics for dual occupancy developments in the Chester Hill locality is two storey built forms in a combination of face brickwork and architectural render construction with a variety of flat and pitched roof forms, projecting first floor balconies and recessed garages. Developments range from traditional to more contemporary architectural stylings. Examples of some dual occupancies in the vicinity of the site are shown below, demonstrating that the proposed development is highly compatible with the characteristics of the locality.



Figure 7: 215 Wellington Road, Chester Hill

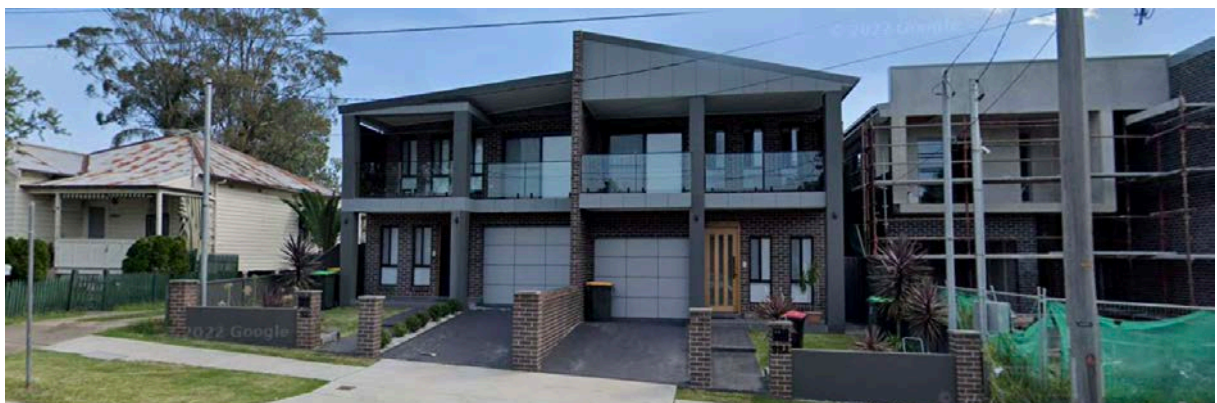


Figure 8: 98 Campbell Hill Road, Chester Hill

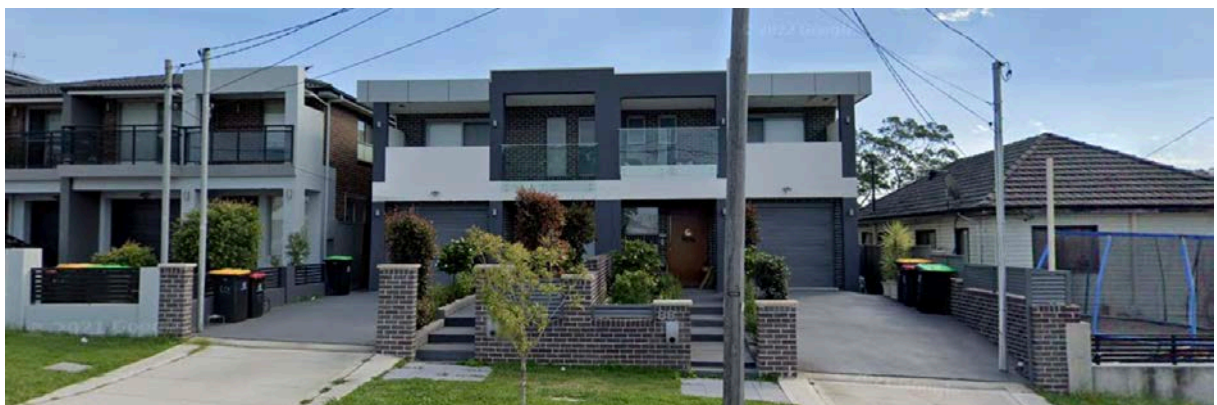


Figure 9: 88 Campbell Hill Road, Chester Hill

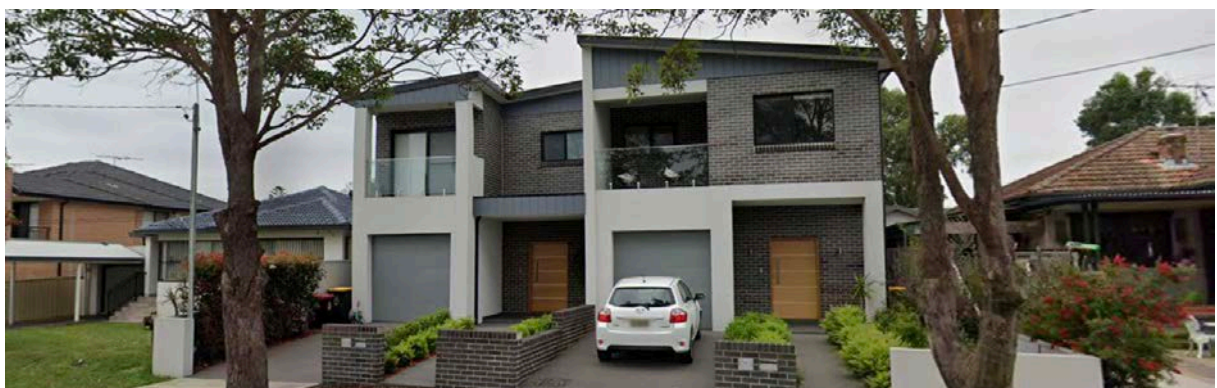


Figure 10: 14 Parkham Street, Chester Hill

3 PROPOSED DEVELOPMENT

This Development Application is made for the demolition of the existing dwelling house and ancillary structures, removal of trees and the construction of an attached dual occupancy development with swimming pools followed by Torrens Title Subdivision and the construction of a detached secondary dwelling at the rear of each lot on the site at 197 Wellington Road, Chester Hill. The proposed development is to be undertaken in accordance with the Architectural Plans submitted with this application. Specifically, the proposed development comprises the following works:

- Demolition of existing single storey dwelling house, ancillary structures and driveway access.
- Construction of side-by-side attached dual occupancy development.
- Construction of individual driveway access to each dwelling from Wellington Road.
- Comprehensive site landscaping in accordance with the requirements of the CBDP 2023.
- Torrens Title Subdivision of the site into two separate lots.
- Construction of a detached secondary dwelling at the rear of each lot.

The intention of the proposed development is to achieve the development potential of the site and satisfy the needs of the population and land shortage, by providing two new dwellings on each resultant lot that are separate and private. The proposed development will not adversely affect the adjoining land or open spaces in terms of overshadowing, views, privacy or visual intrusion. The final design of the development will significantly improve the sites presentation to the streetscape as a result of modern architecture combined with appropriate landscaping works to ensure the development is consistent with the existing and desired future characteristics of Wellington Road and the wider Chester Hill locality.

3.1 DEMOLITION & TREE REMOVAL

To facilitate the proposed development, the existing single storey dwelling house, ancillary structures and driveway access are to be demolished in accordance with the Demolition Plan submitted with this application. Consideration will be given to the re-use of materials at construction stage. The proposed development also involves the removal of two non-significant trees on the site, subject to Council approval.

3.2 PROPOSED LAND USE AND BUILT FORM

The proposal seeks development consent from Council for the construction of an attached dual occupancy development in accordance with the Architectural Plans submitted with this application. This includes the following elements within each dwelling:

DWELLING A
<p>Ground Floor</p> <ul style="list-style-type: none">• Individual driveway access from Wellington Road• Single car garage• Porch entry feature• Laundry• W/C• Guest bedroom with ensuite and walk-in-wardrobe• Open plan kitchen, living and dining area• Stair access to first floor level• Outdoor alfresco area• Swimming pool <p>First Floor</p> <ul style="list-style-type: none">• Front balcony• Master bedroom with ensuite and walk-in-wardrobe• Three bedrooms

<ul style="list-style-type: none"> • TV room • Bathroom
DWELLING B
<p>Ground Floor</p> <ul style="list-style-type: none"> • Individual driveway access from Wellington Road • Single car garage • Porch entry feature • Laundry • W/C • Guest bedroom with ensuite and walk-in-wardrobe • Open plan kitchen, living and dining area • Stair access to first floor level • Outdoor alfresco area • Swimming pool <p>First Floor</p> <ul style="list-style-type: none"> • Front balcony • Master bedroom with ensuite and walk-in-wardrobe • Three bedrooms • TV room • Bathroom

Following the construction of the dual occupancy development, Torrens Title Subdivision is proposed and will result in the following lot areas:

- Lot A – 460.5m²
- Lot B – 460.5m²

Following subdivision, a detached secondary dwelling is proposed at the rear of each site comprising the following:

DWELLING 1A
<p>Ground Floor</p> <ul style="list-style-type: none"> • Porch entry feature • Two bedrooms • Bathroom • Laundry • Open plan kitchen, living and dining area
DWELLING 1B
<p>Ground Floor</p> <ul style="list-style-type: none"> • Porch entry feature • Two bedrooms • Bathroom • Laundry • Open plan kitchen, living and dining area

The final development has the following site dimensions:

AREA	CALCULATION
Site Area (Parent Lot)	921m ¹
Subdivided Area (Lot A)	460.5m ²
Subdivided Area (Lot B)	460.5m ²
Gross Floor Area (Dwelling A)	219.06m ²
Gross Floor Area (Dwelling B)	219.06m ²
Gross Floor Area (Dwelling 1A)	60m ²
Gross Floor Area (Dwelling 1B)	60m ²

3.3 LANDSCAPING WORKS

As detailed on the Architectural Plans submitted with this application, the proposed development involves deep soil landscaping and vegetation within the front setback to Wellington Road, as well as the provision of landscaping along the side and rear boundaries of the site. A total of 338.5m² of landscaped area is provided on the site, including 51.5m² within the site frontage. Landscape treatment is commensurate with the proposed works and will help to soften the appearance of the built form and hardstand areas, whilst contributing to the well-maintained landscape characteristic of the locality.

3.4 SITE ACCESS AND CAR PARKING

A single car garage is proposed for each dwelling within the dual occupancy development. The proposed garages are recessed behind the front building line and integrated with the building design. Car parking is not proposed for the secondary dwellings. An individual driveway access is proposed to service each dwelling from Wellington Road to the north. The creation of the proposed new driveways necessitates approval under the Roads Act 1993. Consent is therefore sought for the construction of the new driveway crossings to service the development.

3.5 PRIVATE OPEN SPACE

The proposed development has been designed to achieve numerical compliance with the CBDP 2023 requirements for private open space. Private open space is proposed for each dwelling within the dual occupancy development in the form of an outdoor alfresco area with landscaped open space and swimming pools beyond. The private open space areas are accessed directly from the open plan kitchen, living and dining area at ground level and will act as an extension of these space. Fencing and landscape elements within the site boundaries will provide for visual screening of the private open space areas from the streetscape and adjoining properties. The proposed location and configuration of private open space will provide a high level of amenity for future occupants whilst retaining the privacy and solar access of neighbouring properties. Private open space is proposed for the secondary dwellings in the form of landscaped open space at the rear of each site.

3.6 EXTERNAL APPEARANCE AND DESIGN

The proposed development features a range of façade elements including the curved projecting porch entry features and first floor balconies, recessed single car garages, variations in the roof form and multiple windows on the building façade to provide visual interest and articulation when viewed from the public domain. A range of materials are proposed including architectural render in a light tone, face brickwork, timber elements, decorative stonework and glass balustrades to provide further modulation and break up the visual bulk of the development. The external dwelling design ensures that there is no mirror reversing, but still maintains a coordinated approach to the design outcome and presents to the streetscape as a seamless development. The proposed colour scheme will ensure compatibility with the surrounding built and natural environment.

The proposed development has been sensitively designed to reflect the built form characteristics of other dual occupancy developments in the locality. As demonstrated in **Section 2.4** above, the predominant built form characteristics for dual occupancy developments in the vicinity of the site is a combination of face brickwork and architectural render construction, with projecting porch entry features and first floor balconies, recessed garages and a variety of roof profiles. This is entirely consistent with the architectural styling of the proposed development and as such, the development is considered to achieve the desired existing and future character of the area and will not set an undesirable precedence for future development. A perspective image of the development is shown below.



Figure 11: Proposed Development

The proposed secondary dwellings are simplistic in design. The external walls are on architectural render with low pitch skillion roof forms and windows/openings on each building elevation. The secondary dwellings will be screened from the streetscape by the dual occupancy development and from adjoining properties by fencing and landscaping within the site boundaries.

4 PLANNING ASSESSMENT

4.1 CANTERBURY BANKSTOWN DRAFT HOUSING STRATEGY

The Canterbury Bankstown Draft Housing Strategy provides an overarching, city wide framework for the provision of housing across Canterbury Bankstown, aligning the approaches and strategies of the two former local government areas within the City. The Strategy identifies that new housing in Chester Hill will provide a mix of dwelling types in a built form that is compatible with the local character. Additional housing will have good access to jobs and community facilities. The proposed development is consistent with the future desired character of Chester Hill in providing a form of low impact residential development that retains the predominant built form characteristics of other dual occupancy developments in the vicinity of the site and creates a respectful dialogue with adjoining properties. The secondary dwellings will provide an affordable housing option. The location of the subject site ensures that the residents can take advantage of nearby public transport, shopping, services and medical facilities.

4.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The new State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) consolidates three SEPPs and is effectively a house keeping measure and does not introduce any substantive changes to the legal provisions. Chapter 4 of the Resilience and Hazards SEPP introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected. A review of historical aerial images has revealed that the site has historically been used for residential purposes. No evidence of fill, mines, sheep dips, mixing sheds or contaminating industrial activities are known to have been located on the site from the review of site history. As such, the site is considered highly unlikely to be contaminated and is suitable for the proposed development in accordance with the provisions of Chapter 4.

4.3 STATE ENVIRONMENTAL PLANNING POLICY – SUSTAINABLE BUILDINGS (2022)

State Environmental Planning Policy – Sustainable Buildings (2022) (Sustainable Buildings SEPP) requires all residential development in New South Wales to achieve a minimum target for energy efficiency, water efficiency and thermal comfort. The proposed development has been assessed in accordance with the relevant provisions of the Sustainable Buildings SEPP. It is demonstrated on the BASIX Certificate submitted with this application that the proposal achieves the required rating for energy efficiency, water efficiency and thermal comfort.

4.4 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023) is the principal planning instrument that governs all development within the Canterbury-Bankstown LGA. The objectives and provisions of the plan that relate to the proposed development are discussed below.

4.4.1 LAND USE ZONING

The subject site is zoned R3 - Medium Density Residential under the CBLEP 2023. The objectives of the R3 zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To allow for development that provides a suitable visual transition between high density residential areas and low density residential areas.*
- *To ensure suitable landscaping in the medium density residential environment.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

- *To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*

The proposed development achieves the objectives of the R3 zone by providing a form of low impact residential development to meet the housing demand of the locality and provide for affordable housing. The proposed development does not require the removal of significant vegetation from the site and has been sensitively designed to respond to the natural topography of the land to minimise excavation around the property boundaries as far as practicable. The design of the development is in keeping with the residential characteristics of other dual occupancy developments in the locality and will significantly improve the sites presentation as a result of modern architecture combined with appropriate landscaping works. The final development will set a desirable precedence for future development in Chester Hill.

Developments permitted with and without consent within the R3 zone are detailed in the table below. Dual occupancy and secondary dwelling developments are permitted within the R3 zone with development consent from Council.

Permitted without Consent	Home occupations
Permitted with Consent	Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies ; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

4.4.2 SUBDIVISION

Clause 2.6 of the CBLEP 2023 requires that any land may only be subdivided with development consent. This application forms the written consent to Council for the proposed Torrens Title Subdivision of the site following the construction of the attached dual occupancy development.

4.4.3 DEMOLITION

Clause 2.7 of the CBLEP 2023 requires that the demolition of a building or work may be carried out only with development consent. This document forms the written application for the demolition of the existing single storey dwelling house, ancillary structures and driveway access in accordance with the Demolition Plan submitted with this application.

4.4.4 MINIMUM LOT SIZES AND SPECIAL PROVISIONS FOR DUAL OCCUPANCIES

Clause 4.1A of the CBLEP 2023 states that the following:

- (2) *Development consent must not be granted to development for the purposes of dual occupancies on a lot in Zone R2 in Area 1 unless—*
 - a) *the lot is at least—*
 - i. *for dual occupancies (attached)—500m², and*
 - ii. *for dual occupancies (detached)—700m², and*
 - b) *the width of the lot at the front building line is at least—*
 - i. *for dual occupancies (attached)—15m, and*
 - ii. *for dual occupancies (detached)—20m, and*
 - c) *each dwelling will have a frontage to a road.*
- (3) *Development consent must not be granted to the subdivision of a dual occupancy in Zone R2 in Area 1 unless each resulting lot will be at least—*
 - a) *for dual occupancies (attached)—250m², and*
 - b) *for dual occupancies (detached)—350m².*

The subject site has an area of 921m² and the width of the lot at the building line is 15.24m. Each dwelling is orientated to address the site frontage of Wellington Road. The proposed subdivision will result in two lots that are 460.5m².

4.4.5 HEIGHT OF BUILDINGS

Clause 4.3 of the CBLEP 2023 requires that the height of a building on any land is not to exceed the maximum height shown for the land of the Height of Buildings Map. The maximum building height for the subject site is 10m. The proposed development has a maximum building height of 7.402m.

4.4.6 FLOOR SPACE RATIO

Clause 4.4 of the CBLEP 2023 requires that the maximum floor space for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The site is subject to a maximum floor space ratio of 0.75:1. The final development has a gross floor area of 438.12m² which equates to a compliant floor space ratio of 0.47:1.

4.4.7 HERITAGE CONSERVATION

Clause 5.10 of the CBLEP 2023 states that development consent is required for any works impacting on a Heritage Item, Aboriginal object or Heritage Conservation Area identified on the Heritage Map. The subject site does not contain a Heritage Item or Aboriginal object and is not located within a Heritage Conservation Area.

4.4.8 BUSHFIRE HAZARD REDUCTION

Clause 5.11 of the CBLEP 2023 makes provision relating to the carrying out of development on bush fire prone land. The subject site is not located on bushfire prone land.

4.4.9 FLOOD PLANNING

Clause 5.21 of the CBLEP 2023 applies to development within the Flood Planning Area. The subject site is located within the flood planning area. The development has been designed in accordance with Council's prescribed flood levels and is permissible for the site.

4.5 CANTERBURY DEVELOPMENT CONTROL PLAN 2023

The Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023) provides more detailed objectives and controls to guide the form of development across the Canterbury-Bankstown LGA. The development achieves the objectives for dual occupancy developments under the CBDCP 2023 in the following ways:

- The final development ensures that there is adequate space for the dwellings, suitable setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.
- The proposed building design is highly compatible with the surrounding streetscape and the prevailing suburban character of the residential area.
- The final building design ensures a high level of amenity for the future residents in terms of private open space, access to sunlight and privacy.
- The proposed development will not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.

The table below provides a compliance assessment of the proposed development against the relevant controls of the CBDCP 2023.

CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

PART 2.3 – TREE MANAGEMENT		
DCP CONTROL	ASSESSMENT	COMPLIANCE
TREE MANAGEMENT		
A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.	The proposed development involves the removal of two non-significant trees on the site, subject to Council approval.	Yes
PART 3.2 – PARKING		
OFF-STREET PARKING RATES		
Dual occupancies: <ul style="list-style-type: none"> 1 car space per 2 or less bedrooms; or 2 car spaces per 3 or more bedrooms 	A single car garage is proposed for each dwelling within the dual occupancy development that is recessed behind the front building line and integrated with the building design. Additional parking is provided on the hardstand driveway if required.	Yes
ACCESS DRIVEWAY WIDTH AND DESIGN		
The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.	A single driveway access is proposed to service each dwelling within the dual occupancy development.	Yes
The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.	Each proposed driveway has a width of 3.5m to allow for a car to be parked between the driveways on the street.	Yes
Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits.	Not applicable.	N/A
For new residential development, necessary clear driveway widths are provided in the following table: <ul style="list-style-type: none"> 3m 	Each proposed driveway has a width of 3.5m.	Yes
CHAPTER 5 – RESIDENTIAL ACCOMODATION SECTION 4 – DUAL OCCUPANCIES		
SUBDIVISION		

For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m ² per dwelling.	<p>Torrens Title Subdivision of the site is proposed following the construction of the attached dual occupancy development which will result in the following allotment sizes:</p> <ul style="list-style-type: none"> • Lot A – 460.5m² • Lot B – 460.5m² <p>A secondary dwelling is proposed at the rear of each lot following subdivision.</p>	Yes
STOREY LIMIT		
The storey limit for dual occupancies is 2 storeys.	The proposed dual occupancy development is two storeys in form.	Yes
The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The subject site is relatively flat and so minimal excavation is required to facilitate the proposed development. The proposed building envelope does not require the removal of any trees or vegetation and achieves a suitable balance with surrounding landscaped areas.	Yes
Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where: <ul style="list-style-type: none"> a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the allotment. 	The subject site is relatively flat and so excavation is not proposed to exceed 600mm.	N/A
SETBACK RESTRICTIONS		
The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.	The subject site is not located within 9m of an existing animal boarding or training establishment.	Yes
STREET SETBACKS		
The minimum setback for a building wall to the primary road frontage is: <ul style="list-style-type: none"> a) 5.5 metres for the first storey (i.e. the ground floor); and b) 6.5 metres for the second storey. 	The proposed development is setback a minimum of 6.5m from the site frontage.	Yes
The minimum setback to the secondary road frontage is: <ul style="list-style-type: none"> a) 3 metres for a building wall; and b) 5.5 metres for a garage or carport that is attached to the building wall. 	Not applicable.	N/A
SIDE SETBACKS		
For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining property.	The proposed development is setback a minimum of 900mm on the ground floor level and 1.5m on the first floor level from the side boundaries.	Yes

For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres.	As above.	Yes
The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.	The proposed side setback is clear of any structures or obstacles.	Yes
The basement level must not project beyond the ground floor perimeter of the dual occupancy.	A basement level is not proposed.	N/A
PRIVATE OPEN SPACE		
Dual occupancies must provide a minimum 80m ² of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.	Sufficient private open space is proposed at the rear of each dwelling within the dual occupancy development in the form of an outdoor alfresco area with landscaped open space and a swimming pool beyond. The private open space areas are located on flat land and are accessed directly from the internal living areas on the ground floor level.	Yes
ACCESS TO SUNLIGHT		
At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	The Shadow Diagrams submitted with this application demonstrate that the internal living area of each dwelling receives the minimum required solar access.	Yes
At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	The Shadow Diagrams submitted with this application demonstrate that the internal living areas of adjoining dwellings receive the minimum required solar access.	Yes
A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	The Shadow Diagrams submitted with this application demonstrate that the private open space areas on the site and of adjoining dwellings receive the minimum required solar access.	Yes
Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	The proposed development will not result in overshadowing of any existing solar hot water system, photovoltaic panel or other solar collector on neighbouring properties.	Yes
VISUAL PRIVACY		
Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: a) offset the windows between dwellings to minimise overlooking; or b) provide the window with a minimum sill height of 1.5 metres above floor level; or	Windows on the first floor levels have been carefully sited, offset and feature increased sill heights where necessary to avoid direct view into adjoining properties. It is noted that dwellings to the immediate east and west of the site are single storey in form and so the development will not provide direct view into any first floor habitable rooms.	Yes

<p>c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</p> <p>d) use another form of screening to the satisfaction of Council.</p>		
<p>Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <p>a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>b) the window has a minimum sill height of 1.5 metres above floor level; or</p> <p>c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</p> <p>d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p>	<p>The proposed development is situated within a suitable building envelope on the site and does not provide for overlooking into adjoining private open space areas. The proposed side and rear windows on the first floor level have been carefully sited and feature increased sill heights where necessary.</p>	<p>Yes</p>
<p>Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <p>a) does not have an external staircase; and</p> <p>b) does not exceed a width of 1.5 metres throughout; and</p> <p>c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p>	<p>A first floor balcony is proposed on the façade of each dwelling that will provide for overlooking and casual surveillance of the streetscape. The location of the balconies on the front façade ensures that overlooking of private open space areas on adjoining properties is not possible.</p>	<p>Yes</p>
<p>Council does not allow dual occupancies to have roof-top balconies and the like.</p>	<p>Roof-top balconies are not proposed.</p>	<p>N/A</p>
BUILDING DESIGN		
<p>Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the allotment.</p>	<p>It is proposed to demolish the existing dwelling house on the site to facilitate the proposed dual occupancy development.</p>	<p>Yes</p>
<p>The design of dual occupancies must ensure:</p> <p>a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or</p> <p>b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and</p> <p>c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and</p> <p>d) the garage, driveway and front fence do not dominate the front of the building and front yard; and</p> <p>e) the two dwellings on a corner allotment each face a different frontage.</p>	<p>The proposed development achieves the controls in the following ways:</p> <p>a) A unique symmetrical design is proposed for each dwelling to achieve a coordinated approach to the design outcome and present to the streetscape as a seamless development.</p> <p>b) The proposed development incorporates a range of architectural elements that are compatible with the characteristics of the streetscape including curved projecting porch entry features and first floor balconies, recessed garages, pitched roof forms and staggering of the building envelope. The development incorporates a variety of materials and finishes to break up the visual bulk of the built form when viewed from the public domain.</p> <p>c) A projecting porch entry feature, first floor balconies and multiple windows are proposed to each dwelling façade to provide casual surveillance of the streetscape.</p>	<p>Yes</p>

	<p>d) A recessed single car garage is proposed for each dwelling to ensure that the off-street parking does not dominate the building or the streetscape.</p> <p>e) Each dwelling has been designed to address the streetscape.</p>	
The maximum roof pitch for dual occupancies is 35 degrees.	The flat roof profile is proposed for the dual occupancy development.	Yes
<p>Council may allow dual occupancies to have an attic provided the attic design:</p> <p>a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and</p> <p>b) ensures the attic does not give the external appearance of a storey.</p>	Attics are not proposed.	N/A
<p>The design of dormers must:</p> <p>a) be compatible with the form and pitch of the roof; and</p> <p>b) must not project above the ridgeline of the main roof; and</p> <p>c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.</p>	Dormers are not proposed.	N/A
Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	The subject site is not located in the foreshore protection area.	N/A
BUILDING DESIGN (CAR PARKING)		
<p>Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <p>a) comply with the road pattern shown in Appendix 2; and</p> <p>b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.</p>	Not applicable.	N/A
<p>Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:</p> <p>a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and</p> <p>b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.</p>	A single car garage is proposed for each dwelling that is recessed behind the building line and integrated with the building design. The proposed garages are setback	Yes
Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.	The proposed garages are recessed behind the building line and achieve a seamless integration with the dwelling design through the use of complimentary building materials and finishes. Two garages fronting the streetscape is characteristic of dual occupancy developments in the locality as demonstrated in Section 2.4 above.	Yes

Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: <ul style="list-style-type: none"> a) the building is at least 2 storeys in height, and b) the garage is architecturally integrated with the upper storey by: <ul style="list-style-type: none"> i. ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. 	The final development is two storeys in height and the proposed garages have been recessed behind the building line to ensure that they do not dominate the site frontage. A panel design is proposed for the garage doors that complements the architectural styling of the development.	Yes
LANDSCAPING		
Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.	The proposed development does not require the removal of any significant trees or vegetation. Two non-significant trees are proposed to be removed, subject to Council approval.	Yes
Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species): <ul style="list-style-type: none"> a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); and d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody. 	A total of 338.5m ² (36.7%) of landscaped area is provided on the site, including 51.5m ² within the site frontage. Landscape treatment is commensurate with the proposed works and will help to soften the appearance of the built form and hardstand areas, whilst contributing to the well-maintained landscape characteristic of the locality.	Yes
SWIMMING POOLS AND SPAS		
Swimming pools and spas must locate behind the front building line.	A swimming pool is proposed at the rear of each lot.	Yes
The minimum setback between the waterline of swimming pools/spas and the site boundary is 1 metre.	The proposed swimming pools are setback sufficiently from the side and rear site boundaries.	Yes
Where Council allows swimming pools/spas within 30 metres of the high water mark of the Georges River and its tributaries: <ul style="list-style-type: none"> a) the maximum height of the swimming pool/spa is 300mm measured above the ground level (existing); and b) the swimming pool/spa fence must be an open style fence. 	Not applicable.	N/A
CHAPTER 5 – RESIDENTIAL ACCOMODATION SECTION 3 – SECONDARY DWELLINGS		

LOT SIZE		
A secondary dwelling is permissible on a site with a minimum lot size of 450m ² .	Each resultant lot is 460.5m ² in size.	Yes
SITE COVERAGE		
<p>Council must not consent to development for the purpose of secondary dwellings unless:</p> <ul style="list-style-type: none"> a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under an environmental planning instrument; and b) the total floor area of the secondary dwelling is no more than 60m² or, if a greater floor area is permitted in respect of a secondary dwelling on the land under an environmental planning instrument, that greater floor area. 	The site is subject to a maximum floor space ratio of 0.75:1. The final development has a gross floor area of 438.12m ² which equates to a compliant floor space ratio of 0.47:1. Each secondary dwelling has a gross floor area of 60m ² .	Yes
STOREY LIMIT		
The storey limit for attached secondary dwellings is two storeys.	Each secondary dwelling is single storey in form.	Yes
The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3 metres.	Each secondary dwelling is single storey in form and has a maximum wall height of 2.897m.	Yes
The siting of secondary dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The subject site is relatively flat and so the proposed secondary dwellings require minimal excavation.	Yes
<p>Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:</p> <ul style="list-style-type: none"> a) the secondary dwelling is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or b) the fill is contained within the ground floor perimeter of the secondary dwelling to a height no greater than 1 metre above the ground level (existing) of the site. 	Not proposed.	N/A
SETBACK RESTRICTIONS		
The erection of secondary dwellings is prohibited within 9 metres of an existing animal boarding or training establishment.	The subject site is not located within 9m of an existing animal boarding or training establishment.	Yes
STREET SETBACKS		
<p>The minimum setback for a building wall to the primary street frontage is:</p> <ul style="list-style-type: none"> a) 5.5 metres for the first storey (i.e. the ground floor); and b) 6.5 metres for the second storey. 	The secondary dwellings are located at the rear of each lot.	N/A
The minimum setback to the secondary street frontage is:	Not applicable.	N/A

a) 3 metres for a building wall; and b) 5.5 metres for a garage or carport that is attached to the building wall.		
SIDE AND REAR SETBACKS		
For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side and rear boundaries of the site is 0.9 metre.	The secondary dwellings are single storey in form and are setback a minimum of 1.5m from the side boundaries.	Yes
For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side and rear boundaries of the site is 1.5 metres.	Not applicable.	N/A
PRIVATE OPEN SPACE		
Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.	Sufficient private open space is retained for the dual occupancy dwellings in the form of outdoor alfresco areas, landscaping and the swimming pools.	Yes
ACCESS TO SUNLIGHT		
At least one living area must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	The living spaces of the secondary dwellings receive sufficient solar access.	Yes
At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	The secondary dwellings are single storey in form and will not result in overshadowing.	Yes
A minimum 50% of the private open space required for the principal dwelling on the site and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	The Shadow Diagrams submitted with this application demonstrate that the private open space areas of the dual occupancy dwellings receive the minimum required solar access.	Yes
VISUAL PRIVACY		
Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: a) offset the windows between dwellings to minimise overlooking; or b) provide the window with a minimum sill height of 1.5 metres above floor level; or c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or d) use another form of screening to the satisfaction of Council.	The secondary dwellings are single storey in form and so windows will not provide for direct view into adjoining properties. The buildings will be screened by fencing and landscaping within the site boundaries.	N/A

Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or b) the window has a minimum sill height of 1.5 metres above floor level; or c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	Not proposed.	N/A
Council may allow attached secondary dwellings to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: a) does not have an external staircase; and b) does not exceed a width of 1.5 metres throughout; and c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	Not proposed.	N/A
Council does not allow secondary dwellings to have roof-top balconies and the like.	Not proposed.	N/A
BUILDING DESIGN		
The maximum roof pitch for attached secondary dwellings is 35 degrees.	A low pitch skillion roof is proposed for each secondary dwelling.	Yes
Council may allow attached secondary dwellings to have an attic provided the attic design: a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and b) ensures the attic does not give the external appearance of a storey.	Not proposed.	N/A
The design of dormers must: a) be compatible with the form and pitch of the roof; and b) must not project above the ridgeline of the main roof; and c) must not exceed a width of 2 metres; and d) the number of dormers must not dominate the roof plane.	Not proposed.	N/A
The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.	A low pitch skillion roof is proposed for each secondary dwelling.	Yes
Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	Not applicable.	N/A
The change of use of outbuildings to secondary dwellings must comply with the National Construction Code.	A low pitch skillion roof is proposed for each secondary dwelling.	Yes
BUILDING DESIGN (CAR PARKING)		

Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.	The secondary dwellings are located at the rear of each lot and do not impact on the provision of car parking for the dual occupancy development. Each dwelling within the dual occupancy development is provided with a single car garage and additional parking space on the hardstand driveways.	Yes
LANDSCAPE		
Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the secondary dwelling.	The proposed development does not require the removal of any significant trees on the site.	Yes

5 CONCLUSION

The proposed development at 197 Wellington Road, Chester Hill involves the demolition of the existing dwelling house and ancillary structures on the site and the construction of an attached dual occupancy development with swimming pools followed by Torrens Title Subdivision and the construction of a detached secondary dwelling at the rear of each lot. The intention of the proposed works is to achieve the development potential of the site and provide a form of low impact residential development that is in keeping with the built form characteristics of the streetscape and will contribute to the demand for housing in Chester Hill.

The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act and is found to be satisfactory. The proposal has also been assessed against the relevant provisions of the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023) and the Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023) and is considered to be appropriate for the subject site for the following reasons:

- The proposed development has been sensitively designed to complement the established characteristics of buildings on the surrounding streetscape and other dual occupancy developments in the locality. The development features projecting porch entry features and first floor balconies, recessed garages, a varied roof form and a range of architectural finishes that work together seamlessly to provide articulation and visual interest.
- The proposed development provides a sufficient amount of landscaped open space and deep soil zoning to reflect the well-maintained landscaped setting of the area and maintain a high level of amenity and visual privacy on the site and for adjoining properties.
- The proposed development generally complies with the relevant guiding objectives and provisions for dual occupancy and secondary dwelling development under the CBLEP 2023 including land use zoning, minimum subdivision lot size, maximum building height and floor space ratio.
- The proposed development generally complies with the guiding principles of the CBDCP 2023 including car parking and access, building form, landscaped area, solar access and private open space.

The site is therefore considered to be suitable for the proposed development and will generally have acceptable environmental, social and economic impacts on the immediate area. The proposal is unlikely to result in adverse impacts on the amenity of the locality and accordingly, the proposal is considered to be in the public interest and worthy of Council's support.