

Statement of Environmental Effects

14 Coraki Road
Bass Hill NSW 2197

Development Application for:

Retrospective Development Application for continued use of an unauthorized Group Home

April 2024

Prepared by: Katrina Greaves at Council Approval Group

Email: katrina@councilapproval.com.au

Phone: 1300 008 138 Extension 34001

Created By:	KAG
Checked By:	JK



Contents

<i>1</i>	<i>Introduction.....</i>	<i>1</i>
<i>2</i>	<i>The Subject Site and Locality</i>	<i>2</i>
	2.1 Description of site and surroundings	2
	2.2 Summary environmental mapping constraints.....	4
	2.3 Site zoning.....	4
	2.4 Development history	4
<i>3</i>	<i>The Proposed Development</i>	<i>4</i>
	3.1 Description of proposed development.....	4
	3.2 Details of proposed development	5
<i>4</i>	<i>Environmental Assessment.....</i>	<i>8</i>
	4.1 State Environmental Planning Policies	8
	4.2 Local Environmental Plan	10
	4.3 Development Control Plan.....	12
	4.4 Section 4.15 Considerations	17
<i>5</i>	<i>Summary and Conclusion</i>	<i>18</i>
	5.1 Recommendation	18

Appendix

Appendix A.	Architectural Drawings
Appendix B.	Site Survey Plan
Appendix C.	BCA Report
Appendix D.	Accessibility Review Report
Appendix E.	United Link Care Services Letter
Appendix F.	Waste Management Plan
Appendix G.	Section 10.7 Planning Certificate

1 Introduction

Council Approval Group has been engaged by United Link Care Services to prepare and submit a Development Application (DA) in retrospect for the continued use of an unauthorised Group Home at 14 Coraki Road, Bass Hill (the site). Once a positive determination is made, it is anticipated that this development outcome will provide assurance of the legality of the unauthorised use and will also provide suitable accommodation for persons requiring such accommodation as part of a local social support service.

The proposed operation of this group home does not involve any Specialist Disability Accommodation (SDA), with occupants not qualifying for that level of care (extreme functional impairment or very high support needs). In fact, the proposed operational use of this existing dwelling as a 'group home' is potentially more consistent with the land use definition of a 'hostel' whereby social and support workers are present at this shared residential accommodation with communal facilities.

Specifically, this Statement of Environmental Effects (SoEE) includes:

- An analysis of the subject site and the surrounding locality;
- A description of the proposed development;
- An analysis of the proposal against the provisions of the *Canterbury-Bankstown Local Environmental Plan 2023* (LEP), relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- Conclusion.

This SoEE is submitted in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2021* for the purposes of

- Demonstrating that the environmental impact of the development has been considered; and
- Outlining the steps to be undertaken to protect the environment and to mitigate any potential harm, if necessary.

This SoEE concludes that the proposal is consistent with the objectives and provisions of the *Canterbury-Bankstown LEP 2023*. We are pleased to present this SoEE for the continued use for an unauthorised Group Home, which once approved, will establish the legalities of the use and provide suitable accommodation for persons requiring such accommodation as part of a local social support service.

2 The Subject Site and Locality

2.1 Description of site and surroundings

Details of the site are provided below. The location of the subject property is shown on the location and aerial maps at **Figures 1** and **2**. A Google street image of the property is included at **Figure 3**. The property is in the Canterbury-Bankstown Council area.

The site is improved with a 6 bedroom, 3 bathroom dwelling house and there is an ample amount of area for onsite parking of cars.

Surrounding development is predominantly low-density residential development including detached housing on modest to larger sized allotments.

Address	Title Details	Site Area	Site Frontage
14 Coraki Road, Bass Hill NSW 2197	Lot 22, DP28058	682.79 sqm (approx.)	9.74 metres (approx.)

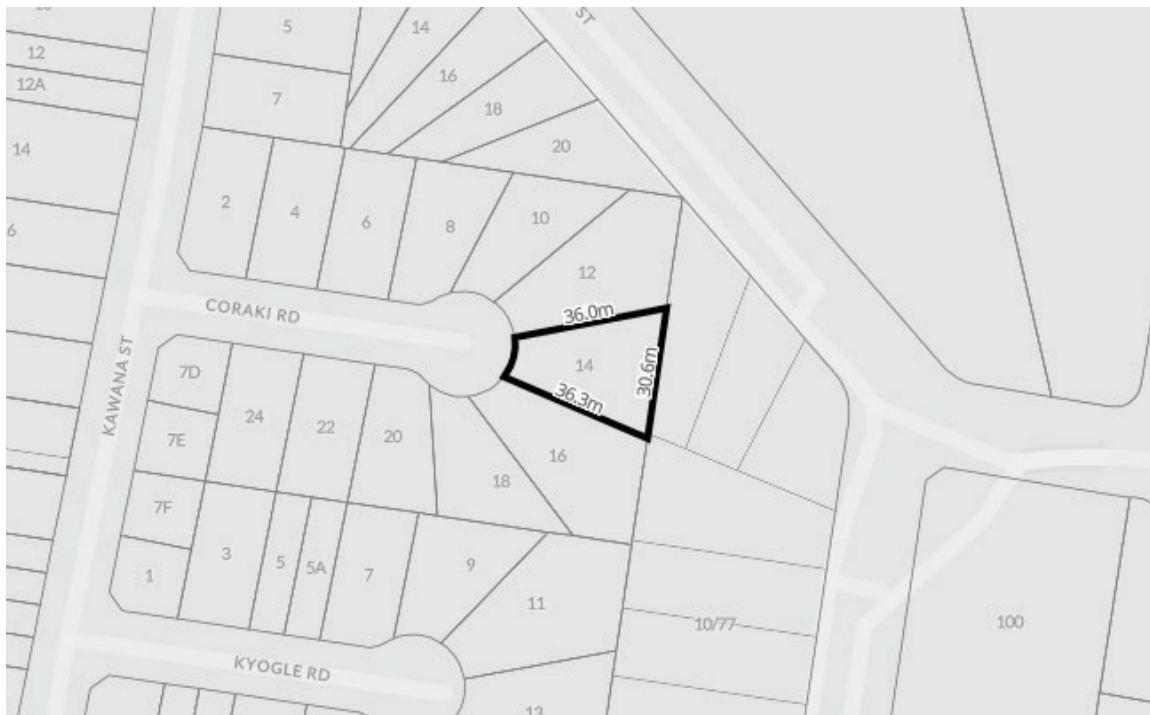


Figure 1: Site location (Source: EMC report)



Figure 2: Site aerial (Source: EMC report)



Figure 3: Google Street View

2.2 Summary environmental mapping constraints

In summary, the land is mapped with the following mapping constraints under the LEP:

- Floor Space Ratio: 0.5:1
- Building Height: 9 m
- Minimum Lot Size: 450 sq m
- Heritage: not applicable

2.3 Site zoning

The site is zoned under *Canterbury-Bankstown Local Environmental Plan 2023* (LEP) as Zone R2 - Low Density Residential.

2.4 Development history

A search of Council's online database reveals the following:

Reference No.	Description of Works	Decision & Date of Decision
DA-695/2014	Demolition of Existing Outbuilding and Construction of a Secondary Dwelling and New Outbuilding/Workshop	Approved – 11/07/2014
CC-525/2014	Construction of a Secondary Dwelling, Outbuilding and Carport	Approved – 11/07/2014

On 13 December 2023 Canterbury Bankstown Council has issued a Notice of Proposed Order, and then on 20 February 2024 an Order under Section 9.34 of the Environmental Planning and Assessment Act 1979 has been issued in relation to the unauthorised use of the subject property for the purposes of a 'Group Home'.

3 The Proposed Development

3.1 Description of proposed development

This DA seeks consent for the continued use, in retrospect, of the existing dwelling to be used as an (unauthorised) group home (permanent). The intention of this group home is to provide a safe and comfortable place to reside, supporting those who are fully mobile and able bodied, although unable to reside with family or by themselves due to their personal circumstances.

The proposed operation of this group home does not involve any Specialist Disability Accommodation (SDA), with occupants not qualifying for that level of care (extreme functional impairment or very high support needs). In fact the proposed use of this existing dwelling as a 'group home' is potentially more consistent with the land use definition of a 'hostel' whereby social/support workers are present at this shared residential accommodation with communal facilities.

Overall, the intention of this group home is to provide much needed social and support needs, with an objective to enhance the quality of life for its residents by fostering independence, social connection, and personal growth in a supportive and inclusive environment.

3.2 Details of proposed development

3.2.1 Change to Previous Approved Structure – Outbuilding

It is noted that there is an approved ‘garden shed’ (refer Development Application DA-695-2014) which has been integrated into the floor area of this group home. It is worth noting that the previous landowners had repurposed this approved structure to serve as additional living space, and it now blends into the current dwelling form and layout. It is evident when looking at this property that this approved outbuilding does not resemble a typical garden shed, as depicted in Figure 4. Due to modifications carried out by the previous owner, it is now being proposed to formally incorporate it into the dwelling area designated for this proposed new use.



Figure 4 View of Approved ‘Garden Shed’ and Dwelling

The approved ‘garden shed’, depicted in Figure 5, notably featured a porch and a bathroom, indicating that it deviates from the typical style of a garden shed. The construction methodology which appears to have been adopted suggests that this space is well-suited for conversion into a habitable structure, aligning with the requirements for use as part of the proposed group home. This assertion is further reinforced by findings from the Accessibility Review Report and BCA Report, alongside Architectural Plans showing proposed outcomes.

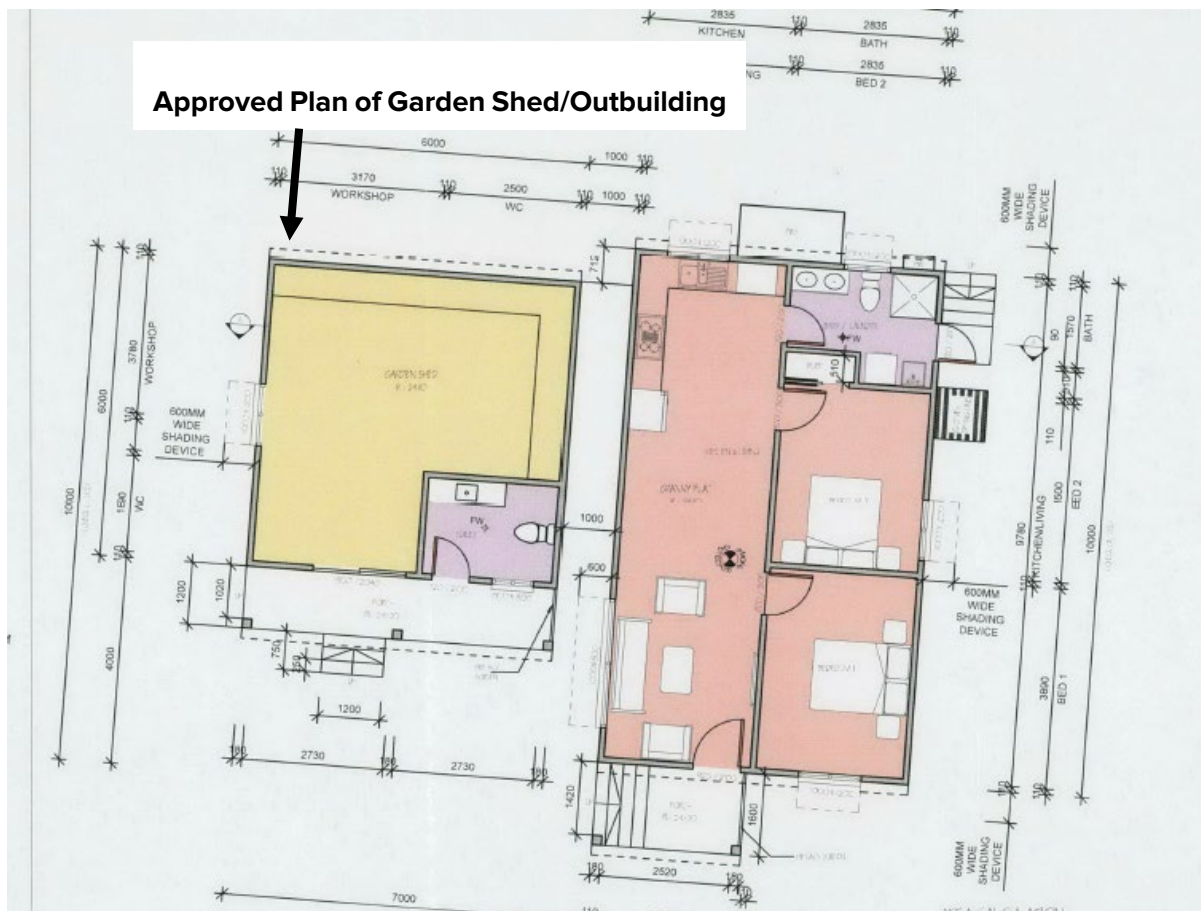


Figure 5 Approved Layout of Garden Shed/Outbuilding

3.2.2 Privacy, Views, Overshadowing, and Noise

The subject property is located at the end of a cul-de-sac and is surrounded by properties occupied by dwelling houses and other low density residential uses. There is an existing colorbond (or similar) fence situated on the boundaries of this property, which affords a suitable level of privacy at the ground level for the subject property and neighbouring dwellings, which are all single storey.

The proposed use and noise levels at the dwelling to be used as a group home will be similar in nature to other dwellings, occupied by families in the local area.

3.2.3 Trees and Vegetation

The subject property does not contain a lot of vegetation or trees. However, the proposal includes plans for increasing the soft landscaping on the premises. This entails the additional grassed area in the rear and the establishment of a garden in the front yard.

3.2.4 Access and Traffic

Access to the site is to be from the existing vehicle crossing off Coraki Road and this will allow for lawful vehicle access to existing parking spaces on the property.

The proposed continuation of this access is considered reasonable and consistent with the residential nature of the use and the site, and future vehicle generation to and from the site is minor and should not impact the locality and/or existing road network.

There is a concrete driveway and hardstand area at this property, which will facilitate the nominated parking spaces and ramp that is shown on the architectural plans.

For visitors to the dwelling, they should be able to utilise off-street parking areas.

Residents of this group home do not and will not be driving as they do not hold licenses.

3.2.5 Stormwater and Sewerage

The sewer connection of the existing dwelling house will remain the same. Stormwater management is proposed to continue in accordance with the current provisions on the site.

3.2.6 Contamination

Considering the current residential use of the site and the likelihood that this use has remained for some time, it is considered that previous residential uses do not cause concern for the site to be contaminated or requiring remediation pursuant to the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

3.2.7 Demolition and Asbestos

In addition to the use of the existing dwelling as an (unauthorised) group home (permanent), there will be some minor interior alterations undertaken for disability access purposes. Given the age of the existing dwelling it is not anticipated that there is any asbestos building materials present, however this can be confirmed prior to any works.

Any demolition/construction waste associated with the alterations will be disposed of appropriately and this is identified within the attached Waste Management Plan.

3.2.8 Cut and Fill

The proposal does not involve any cut and fill.

3.2.9 Hours of Operation and Management Details

First and foremost, this is a standard residential home and it is expected that all activities will occur in normal hours. There will be consistently two caregivers on site at any one time, being available to assist the needs of the residents when needed.

If the residents do have visitors, the latest evening activity (i.e. watching movies etc) would likely never go past 10:00P.M.

3.2.10 Construction Management Plan

At this point a Construction Management Plan has not been prepared, however it is anticipated that the Council may introduce appropriate conditions of consent prior to the construction phase. A Construction Management Plan could be completed in response to conditions of consent and before any physical works are undertaken.

3.2.11 Ongoing Waste Management

The existing dwelling has scheduled waste collection provided by the Council. This existing arrangement is appropriate given the number of people that will be living here is similar to that which would occupy if being used as a family home. Just like any other residence, if there was ever a need for increased capacity, the property owner can get in contact with Council for additional bins. A Waste Management Plan is attached with this application (Refer Appendix F).

3.2.12 Total Number of Staff

The group home will consistently have two caregivers present on-site. Occasionally, medical professionals or other support personnel may visit to assist residents, although such occurrences would be infrequent. This scenario resembles typical residential dwellings where occupants may receive in-home care from medical or support professionals to maintain their independence, and therefore is considered to be an appropriate outcome.

3.2.13 Maximum Number of Residents and Visitors to the Home

The home could accommodate a maximum of six residents. Like other residential settings, occasional social gatherings may occur (generally once per fortnight for each resident). Typically, for the nature of this use, these visits involve family members visiting, and bringing supplies.

3.2.14 Accessibility Provisions

This proposed use for the subject site, and to be accommodated within the existing dwelling house, has been considered through an Accessibility Review Report prepared by Access Right (Refer to Appendix D) and recommendations from this assessment have been adopted into the architectural plans and can be adopted into the undertaking of physical works on site.

Access Right have identified that *“In general, the development has accessible paths of travel. In line with the report recommendations, the proposed development has demonstrated an appropriate degree of accessibility. The Development Application drawings indicate that compliance with statutory requirements, pertaining to site access, ingress and egress, common area access, circulation areas, accessible car parking and accessible sanitary facilities, can be readily achieved.”*

3.2.15 Schedule of Materials and Finishes

The materials and finishes for this development are anticipated to remain largely as they currently are. Some changes will be made to implement necessary construction works such as the nominated addition of fire rated walls. Details on materials, colours and finishes have not yet been determined, however it is anticipated that these will be consistent with the current building and complementary to surrounding dwellings.

4 Environmental Assessment

4.1 State Environmental Planning Policies

4.1.1 State Environmental Planning Policy (Housing) 2021

Amongst other things, this State Policy contains planning controls on two types of housing – Affordable Housing; and Diverse Housing. Details are provided below, as relevant to the subject site and proposal.

Diverse Housing

Group Homes

This is a proposal for change of a dwelling house into a group home. Part 2 of the Housing SEPP provides the Development Standards for Group Homes. Clause 64 provides:

64 Complying development

(1) Development for the purposes of a group home is complying development if the development—

- (a) does not result in more than 10 bedrooms being within 1 or more group homes on a site, and*
- (b) satisfies the requirements for complying development specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, clauses 1.18 and 1.19, other than clauses 1.18(1)(h) and 1.19(1)(b), and*
- (c) is not in a draft heritage conservation area, and*
- (d) meets the development standards set out in Schedule 2*

Note—

Development specified as complying development under this section may not be undertaken as complying development if the development is on bush fire prone land—see the Rural Fires Act 1997, section 100B.

(2) A complying development certificate is taken to satisfy a requirement of an environmental planning instrument or tree preservation order for a consent, permit or approval to remove a tree or other vegetation under 4m in height if the complying development cannot be carried out without the removal of the tree or other vegetation.

(3) A complying development certificate for complying development under this section is subject to the conditions specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Schedule 6, and, in the application of the Schedule, a reference in the Schedule, clauses 6 and 11 to a dwelling house is taken to be a reference to a group home.

It is noted above that development for a Group Home may be complying development when meeting the development standards set out by Schedule 2. This Development Application is submitted due to previous unauthorised use of the land for a Group Home, and it is noted that complying development cannot be pursued for this proposal.

4.2 Local Environmental Plan

4.2.1 Canterbury-Bankstown Local Environmental Plan 2023

The *Canterbury-Bankstown Local Environmental Plan 2023* (LEP) applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan.

Zoning and Permissibility

The subject site is zoned R2 - Low Density Residential. The Land Use Table for the zone is as follows:

2. Permitted without consent

Home occupations

3. 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. Prohibited

Any development not specified in item 2 or 3

The subject Development Application to Council seeks consent in retrospect for the continued use of an unauthorised Group Home. The proposed land use is permitted with the consent of Council.

The objectives of the R2 - Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low 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 ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

It is considered that the proposal is consistent with these objectives, in that:

- The proposal addresses the housing requirements of the community, particularly catering to those in need of additional support within the residential living environment.
- Housing diversity is preserved through the proposed change in use, while upholding the current low-density residential landscape that is intended for the zone.

- Thorough consideration has been given to the neighbourhood's character, ensuring that the proposed changes are fitting for the area, with efforts made to minimize any potential negative impacts on existing quality of life and the environment.
- Individuals in need of social/support housing services deserve the freedom to choose suitable accommodation, seeking safety and comfort in a permanent residence. This permanent group home is envisioned as an integral part of the local social and housing fabric.

Other Relevant Clauses

LEP Clause / Provision			Comment															
Clause 4.3 Height of Buildings																		
<p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>(2A) Despite subclause (2), the following maximum building heights apply—</p> <ul style="list-style-type: none">(a) 6m for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1,(b) 8.5m for a dwelling house in Zone R4 in Area 2,(c) 11m for a building on a lot that is less than 5,000m2 on land identified as “Area 1” on the Height of Buildings Map that is in Zone B6, <p>(2B) The maximum wall height for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1 is 3m.</p> <p>(2C) The maximum wall height for a dwelling house or dual occupancy in Zone R2 in Area 1 is 7m.</p> <p>(2D) In this clause— wall height means the vertical distance between the ground level (existing) and the higher of—</p> <ul style="list-style-type: none">(a) the underside of the eaves at the wall line, or(b) the top of the parapet or the flat roof.			<p>This property is mapped within Zone R2 with Clause Application Area 1 and Height of Buildings at 9 metres.</p> <p>There are no proposed changes to building height.</p>															
Clause 4.4 Floor Space Ratio																		
<p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>(2A) Despite subclause (2), the maximum floor space ratio for a building on land specified in Column 1 of the table to this subclause with a lot width at the front building line less than the width specified in Column 2 is the floor space ratio specified in Column 3.</p> <table><tr><th>Column 1</th><th>Column 2</th><th>Column 3</th></tr><tr><td>“Area 1” on the Floor Space Ratio Map</td><td>18m</td><td>2:1</td></tr><tr><td>“Area 2” on the Floor Space Ratio Map</td><td>18m</td><td>1:1</td></tr><tr><td>“Area 3” on the Floor Space Ratio Map</td><td>30m</td><td>2:1</td></tr><tr><td>“Area 4” on the Floor Space Ratio Map</td><td>30m</td><td>1:1</td></tr></table> <p>(2B) Despite subclause (2), the following maximum floor space ratios apply—</p> <ul style="list-style-type: none">(a) for a building used for non-residential purposes—<ul style="list-style-type: none">(i) on land in Zone R2 in Area 1—0.4:1, and(ii) on land in Zone R2 or R3 in Area 2—0.5:1, and(iii) on land in Zone R4 in Area 2—0.75:1,(b) for a building used for the purposes of dwelling houses or semi-attached dwellings on land in Area 2—<ul style="list-style-type: none">(i) for a site area less than 200m2—0.65:1, and(ii) for a site area greater than 200m2 but less than 600m2—0.55:1, and(iii) for a site area of 600m2 or more—0.5:1,(c) for a building used for the purposes of dual occupancies on land in Zone R2 in Area 2—0.5:1,(d) for a building on land identified as “Area 5” on the Floor Space Ratio Map, where mid-block connections of at least 20m wide are not provided for public use—2:1.			Column 1	Column 2	Column 3	“Area 1” on the Floor Space Ratio Map	18m	2:1	“Area 2” on the Floor Space Ratio Map	18m	1:1	“Area 3” on the Floor Space Ratio Map	30m	2:1	“Area 4” on the Floor Space Ratio Map	30m	1:1	<p>This property is mapped within Zone R2 with Floor Space Ratio of 0.5:1.</p> <p>The existing floor area as shown on the architectural plans is 223.20m2.</p> <p>Whilst modifications are proposed for the internal space of this dwelling to address matters of NCC compliance, there is no proposed increase in floor area.</p>
Column 1	Column 2	Column 3																
“Area 1” on the Floor Space Ratio Map	18m	2:1																
“Area 2” on the Floor Space Ratio Map	18m	1:1																
“Area 3” on the Floor Space Ratio Map	30m	2:1																
“Area 4” on the Floor Space Ratio Map	30m	1:1																

LEP Clause / Provision	Comment
Clause 6.9 Essential Services	
<p>Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access. 	<p>Essential services are already available to the existing dwelling and are intended to remain available to the proposed Group Home.</p>

4.3 Development Control Plan

4.3.1 Canterbury-Bankstown Development Control Plan 2023

The Canterbury-Bankstown Development Control Plan 2023 (DCP) applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the DCP.

DCP Clause / Provision	Comment
Chapter 5 Residential Accommodation	
<p>Section 10 Group Homes</p> <p>Storey limit (not including basements)</p> <p>10.1 The storey limit for group homes in Zone R2 is two storeys.</p> <p>10.3 The siting of group homes 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.</p> <p>10.4 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) group homes are 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 group homes to a height no greater than 1 metre above the ground level (existing) of the site. 	<p>The dwelling house that is proposed for change of use to a group home comprises existing single storey buildings, and this is not intended to change because of the proposal.</p>

DCP Clause / Provision	Comment
<p>Setback restrictions</p> <p>10.5 The erection of group homes is prohibited within 9 metres of an existing animal boarding or training establishment.</p> <p>Setbacks in Zone R2</p> <p>10.6 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. <p>10.7 The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.</p> <p>10.8 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 site is 0.9 metre.</p> <p>10.9 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 site is 1.5 metres.</p> <p>10.10 The basement level must not project beyond the ground floor perimeter of group homes.</p>	<p>The subject property is not located within 9m of an animal boarding or training establishment.</p> <p>The boundary setbacks are all existing and not proposed to change. The existing buildings appear to have consistent setbacks, as shown on the architectural plans.</p> <p>The front of the dwelling is setback more than 6m from the Coraki Road frontage.</p> <p>The minimum side boundary distance which exists on the site is 1.1m.</p>
<p>Private open space</p> <p>10.17 Group homes must provide:</p> <ul style="list-style-type: none"> (a) one area of at least 20m² with a minimum dimension of 3 metres for the use of the lodgers; and (b) if accommodation is provided on site for a group home manager, one area of at least 8m² with a minimum dimension of 2.5 metres is provided adjacent to that accommodation. <p>10.18 Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.</p>	<p>There is ample private open space, exceeding 20m², located behind the front building line as shown on the architectural plans.</p>
<p>Access to sunlight</p> <p>10.19 At least 70% of boarding rooms 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.</p> <p>10.20 Where the development provides for one or more communal living rooms, at least one of those rooms must receive a minimum of three hours direct sunlight between 8.00am and 4.00pm at the mid-winter solstice.</p> <p>10.21 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.</p> <p>10.22 A minimum 50% of the private open space required for group homes 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.</p> <p>10.23 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p>	<p>It is suggested that there are acceptable levels of sunlight available to all areas of the property to comply with this requirement.</p>

DCP Clause / Provision	Comment
<p>Visual privacy</p> <p>10.24 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <ul style="list-style-type: none"> (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. <p>10.25 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> <ul style="list-style-type: none"> (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. <p>10.26 Council may allow group homes 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> <ul style="list-style-type: none"> (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. <p>10.27 Council does not allow group homes to have roof-top balconies and the like.</p>	<p>It is put forward that acceptable levels of visual privacy are achieved through the existing use and this can be maintained through the proposed outcome.</p> <p>All properties surrounding the subject site are single storey, and therefore there should be no overlooking between properties, maintaining privacy outcomes within individual properties.</p>

DCP Clause / Provision	Comment
<p>Building design</p> <p>10.28 Group homes must satisfy each of the following:</p> <ul style="list-style-type: none"> (a) if a group home has 5 or more boarding rooms, at least one communal living room will be provided; and (b) if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: <ul style="list-style-type: none"> (i) 12m² in the case of a boarding room intended to be used by a single lodger, or (ii) 16m² in any other case; and (c) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25m²; and (d) no boarding room will be occupied by more than 2 adult lodgers; and (e) adequate bathroom and kitchen facilities will be available within the group home for the use of each lodger; and (f) if the group home has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a group home manager; and (g) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms. <p>10.29 The maximum roof pitch for group homes is 35 degrees.</p> <p>10.30 Council does not allow group homes to have attics.</p> <p>10.31 Development for the purpose of group homes must demolish all existing dwellings (not including any heritage items) on the site.</p> <p>10.32 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).</p>	<p>The existing dwelling configuration is considered suitable for the purposes of accommodating this proposed Group Home use, albeit with some minor changes to the internal configuration to address NCC compliance items.</p> <p>There is more than one communal living area for residents of this group home.</p> <p>Each room will be occupied by only a single resident and the floor areas provided are considered suitable for their occupation.</p> <p>Three bathrooms are provided for residents.</p>
<p>Building design (car parking)</p> <p>10.33 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <ul style="list-style-type: none"> (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3. <p>10.34 The design and siting of car parking structures and driveways must ensure vehicles can leave the site in a forward direction.</p> <p>10.35 Development must locate the car parking spaces behind the front building line.</p> <p>10.36 Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.</p>	<p>Provision is made on the architectural plans, showing suitable area for car parking and access to the building via a suitable ramp.</p>

DCP Clause / Provision	Comment
<p>Landscape</p> <p>10.37 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 group homes.</p> <p>10.38 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species):</p> <ul style="list-style-type: none"> (a) a minimum 45% of the area between the group home and the primary street frontage; and (b) a minimum 45% of the area between the group home and the secondary street frontage; and (c) plant more than one 75 litre tree between the group home and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); or <ul style="list-style-type: none"> (i) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is less than 20 metres, the development must plant a row of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; or (ii) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is 20 metres, the development must plant two rows of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; and (d) for development in the foreshore protection area (refer to map in Appendix 1), the development must plant native trees with a mature height greater than 12 metres adjacent to the waterbody. 	<p>The proposal does not involve any extensive landscaping works, however there is additional grassed area and a garden nominated on the architectural plans.</p>
<p>Security</p> <p>10.39 Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:</p> <ul style="list-style-type: none"> (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence; and (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain. <p>If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.</p>	<p>The site is not adjacent to a railway corridor or open stormwater drain.</p>

4.4 Section 4.15 Considerations

4.4.1 Suitability of the site

The previous sections of this report have demonstrated the suitability of the site for the proposed usage, particularly in terms of:

- The proposal is consistent with the existing development and residential scale within the locality.
- The proposal, in utilising the existing buildings, is consistent with the objectives and development standards applying to the land.
- Overall, the development is considered an appropriate usage of the site, being complementary to the residential scale.

4.4.2 Public interest

The proposal is considered to accord with the wider public interest in that:

- It provides an alternative outcome for this dwelling whilst being an appropriate and permissible use that provides for housing choice within the social support system;
- It will not detract from the streetscape and immediate locality; and
- It is consistent with relevant LEP aims and objectives.

4.4.3 Section 4.15 of the Environmental Planning and Assessment Act, 1979

Matters for Consideration	Considered?
Section 4.15 (1) (a)(i) – Has consideration been given to all relevant provisions of any relevant environmental planning instrument?	Yes
Section 4.15 (1) (a)(ii) – Has consideration been given to any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)?	Yes
Section 4.15 (1) (a)(iii) – Has consideration been given to all relevant provisions of any provisions of any development control plan?	Yes
Section 4.15 (1) (a)(iia) – Has consideration been given to all relevant provisions of any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?	N/A
Section 4.15 (1) (a)(iv) – Has consideration been given to all relevant provisions of the Regulations (to the extent that they are prescribed for the purposes of this paragraph)?	Yes
Section 4.15 (1) (b) – Are the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality acceptable?	Yes
Section 4.15 (1) (c) – Is the site suitable for the development?	Yes
Section 4.15 (1) (d) – Has consideration been given to any submissions made in accordance with the EPA Act or EPA Regulations?	TBA by Council
Section 4.15 (1) (e) – Is the proposal in the public interest?	Yes

5 Summary and Conclusion

Council Approval Group is pleased to submit this Statement of Environmental Effects and accompanying information for the continued use of an unauthorised Group Home, in retrospect, at 14 Coraki Road, Bass Hill.

This Statement of Environmental Effects for the proposed development has considered:

- The circumstances of the case;
- An analysis of the subject site and the surrounding locality;
- An analysis of the proposal against the provisions of the *LEP 2015*, as well as relevant DCPS, SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- Section 9.1 Directions.

This report concludes that the proposal will substantially complement the objectives and vision of the LEP, zone, and DCP in particular:

- The proposal addresses the community's housing needs within a low-density residential setting, providing additional housing choice for those that depend on the social support system;
- The proposal has diligently assessed the residential area's character, aiming for a design outcome that preserves the existing streetscape, thus mitigating potential impacts on current amenity and environmental quality.
- The bulk and scale is consistent with the existing streetscape. The use of complementary materials for proposed building works is intended to retain the existing character of the site and mitigate visual amenity impacts on surrounding land.

We are pleased to present this SoEE for a proposed (unauthorised) Group Home, which, once approved, will provide suitable accommodation for persons requiring such accommodation as part of a local social support service.

5.1 Recommendation

Under all the circumstances of the case, it is therefore recommended to Council for favourable consideration.

Appendix A.	Architectural Drawings
Appendix B.	Site Survey Plan
Appendix C.	BCA Report
Appendix D.	Accessibility Review Report
Appendix E.	United Link Care Services Letter
Appendix F.	Waste Management Plan
Appendix G.	Section 10.7 Planning Certificate