Development Application

Statement of Environmental Effects

25 Linda Street, Belfield

BMA URBAN

Submitted to: Canterbury Bankstown Council
On behalf of: Ursino Architects
Date: December, 2024

BMA URBAN STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code	Lind-227/24
Report Number	Final - 18/12/24

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for on behalf of: **Ursino** (**the applicant**) in support of a Detailed Development Application (DA) to Canterbury Bankstown Council, prepared in accordance with Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2021.

The proposed development comprises of demolition of the existing dwelling and ancillary structures, and subsequent construction of a new contemporary dwelling over basement.

1.1 Report Structure

This SEE is structure in the following manner:

- **Section 1** – Introduction;
- **Section 2** - Analysis of site and surrounding context;
- **Section 3** - Background to the project;
- **Section 4** - A description of the proposed development;
- **Section 5** - Assessment of the proposal's compliance with relevant planning instruments and policies;
- **Section 6** - Impact assessment and consideration of key planning issues as required by Section 4.15 of the EP&A Act; and
- **Section 7** – Conclusion.

1.2 Supporting Documentation

The technical and design documents that have been prepared to accompany this DA are identified in **Table 1** and are as follows;

Document:	Prepared by:
Architectural Plans	Ursino Architects
Landscape Plans	Studio Botanica
Stormwater Plans	Cates Engineering
QS Report	Real Est
Waste	Ursino Architects
Basix	Certified Energy
Survey	BaisseLine Surveying

2. SITE ANALYSIS AND CONTEXT

2.1 The Subject Site

The subject site is located within the Local Government Area (LGA) of Canterbury Bankstown **Figure 1** below provides a plan view identifying the location of the site within its defining context.

Figure 1: Site Plan (Base Map)
Source: Six Maps

2.2 Site Description

The site, located on the north-eastern side of Linda Street, comprises of a street frontage width of 12.19m, respective and equidistant north-western and south-eastern boundary lengths of 45.72m and total land area of 557.4m^2.

2.3 Existing Built Form and Landscaping

The site currently comprises of a single rendered dwellings alongside detached single garage. **Figures 2 and 3** below provide a visual appreciation of the site as it currently presents.

Figure 2: Subject site as viewed from Linda Street

Figure 3: Viewed towards the rear of the site

2.4 Site Surrounds

The subject site is located within a residential area that is predominately characterised by an eclectic mix of older and newer housing stock constructed at different stages of Sydney's development including renovated Californian Bungalow and Inter-War cottages, 'project home' 'dwellings', 'dual occupancies' and 'multi-dwelling housing'. The diverse range of architectural themes observed within the immediate context further exemplifies the heterogeneous streetscape character; however, it is noted that more modern contemporary development is slowly emerging within the context upon the redevelopment of ageing housing stock.

3. THE PROPOSAL

3.1 Description

The proposed development comprises of the demolition of existing dwelling and ancillary structures and subsequent construction of a new dwelling development.

The proposed development is further described as follows:

Basement Floor Plan

- Access via the new crossover along the south-eastern corner of the site for the purpose of providing direct vehicular access into and out from the basement;
- Two (2) vehicle parking;
- Plant and storage room;
- Bath area; and
- Lift and stair access.

An extract of the proposed basement level is reproduced below for reference:

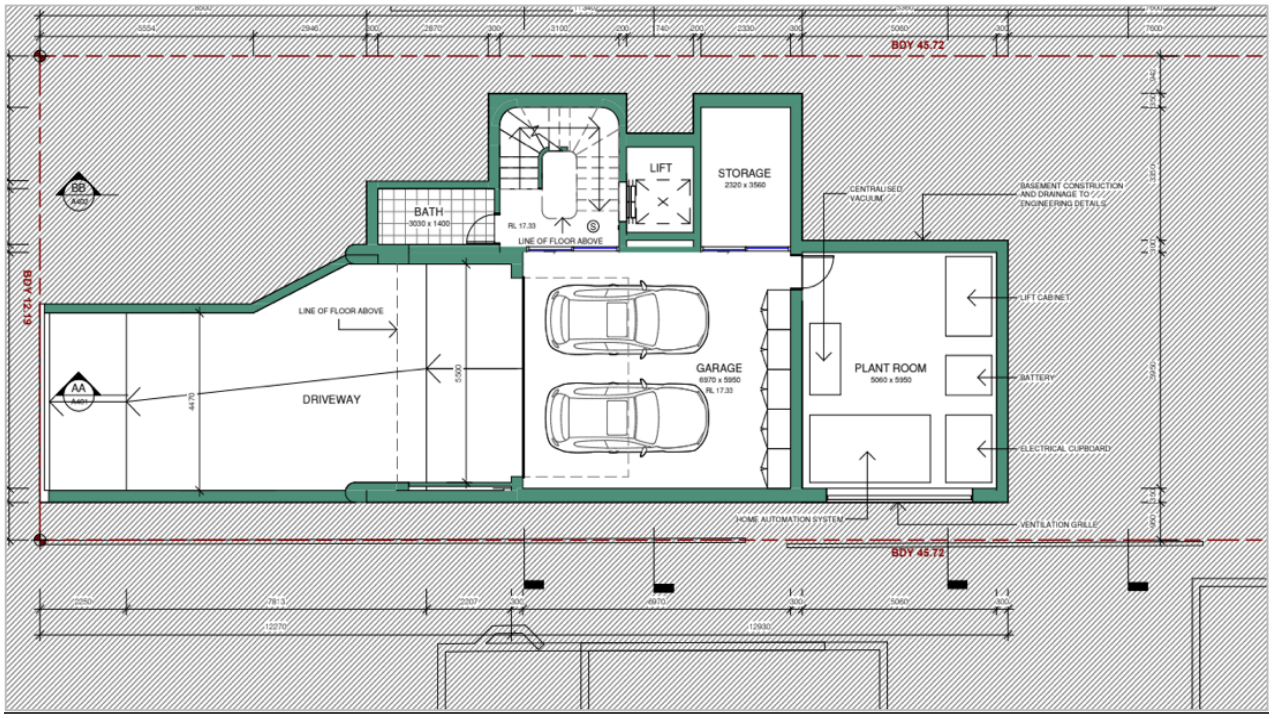


Figure 4: Basement Floor Plan
Source: Ursino

Ground Floor Plan

- Entry and guest/study;
- Laundry, powder and WC facilities;
- Kitchen area;
- Lift and stair access;
- Open plan living and dining extending onto a new terrace;
- Swimming pool and landscaping.

Extracts of the proposed ground level is reproduced below for reference:

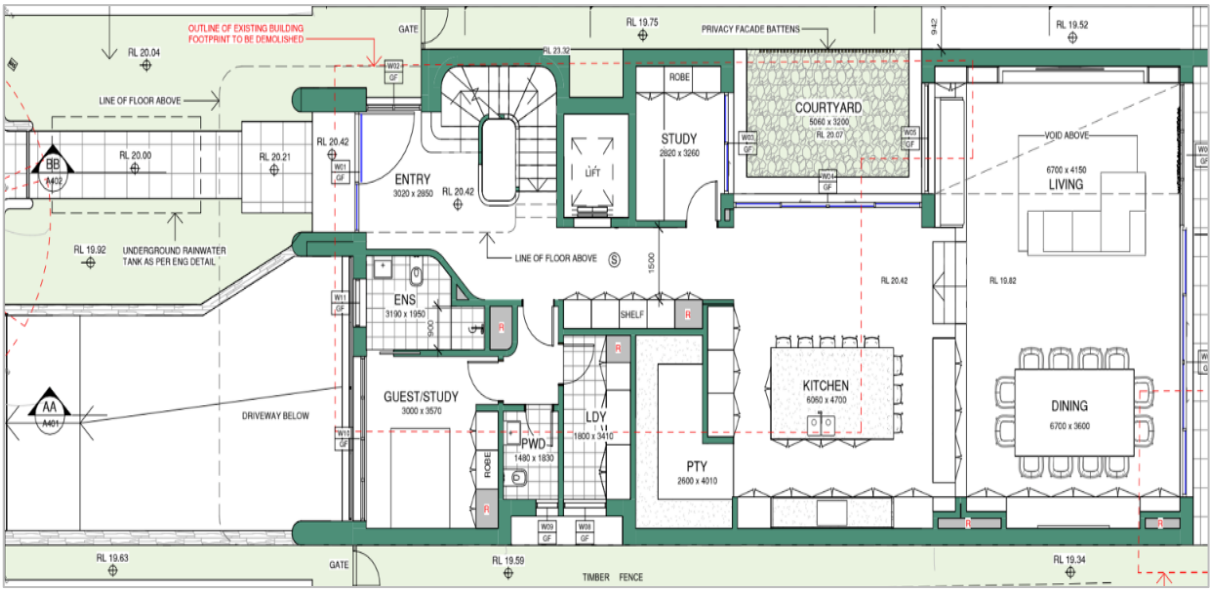


Figure 5: Ground Floor Plan (1)
Source: Ursino

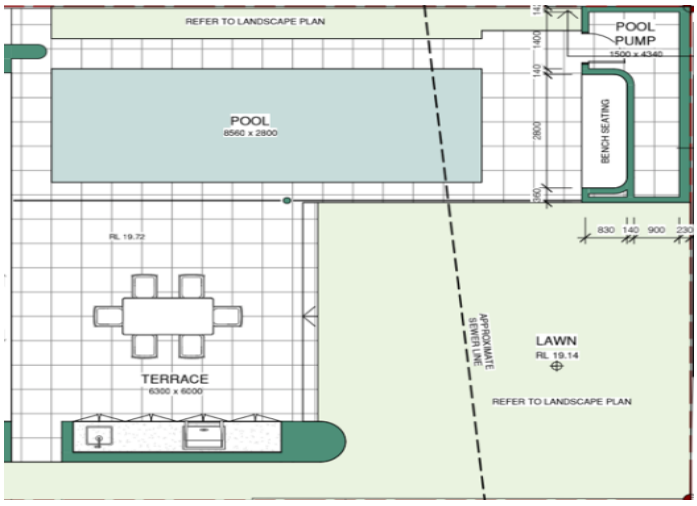


Figure 6: Ground Floor Plan (2)
Source: Ursino

First Floor Plan

- Provision of four (4) bedrooms, one of which is nominated as the master;
- Void over the entry;
- Bathroom area; and
- Lift and stair access.

An extract of the proposed first floor plan is reproduced below for reference:

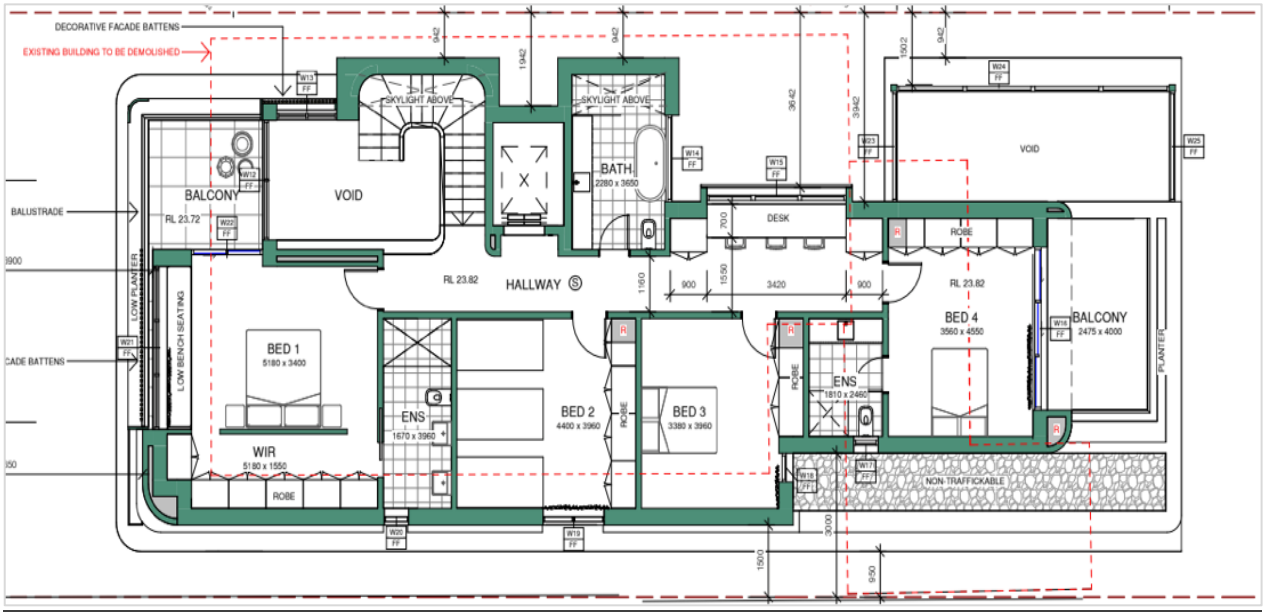


Figure 7: First Floor Plan
Source: Ursino

4. NUMERICAL OVERVIEW

The key numerical aspects of the proposed development are outlined in **Table 2** and described in further detail in the following sections.

Parameter	Proposal
Site Area	557.4m^2
Total GFA	305.18m^2. or 0.547:1
Building Height (Maximum)	7.789m
Parking	Two (2) spaces provided
Landscaping	115.2m^2 to or 20.6%.

Table 1: Numeric Overview of the proposed development

4.1 Building Design

The building facades have been designed in a manner whereby they serve to modulate the building volume while variations in materiality seek to further define the layers of the development in a manner that also facilitates the provision of a greater level of visual interest. The architectural language is encouraged by a defined, yet sympathetic built form appropriately modulated, yet inherently, complementing the defining character both existing and emerging. **Figure 8** below being a perspective of the development, most appropriately demonstrate the visual relationship the proposal will have with the public domain along Linda Street

Figure 8: Development Perspective
Source: Ursino

4.1.1 Materials and Finishes

The proposed development includes building exteriors that provide visual articulation across the facades. A number of conventional treatments have been incorporated into the development which maximise daylight and external views whilst providing protection against glare. The design also seeks to utilise a number of conventional and more distinctive materials that serve to accentuate the contrasting elements of the building. **Figure 9** below is an extract of the material schedule.

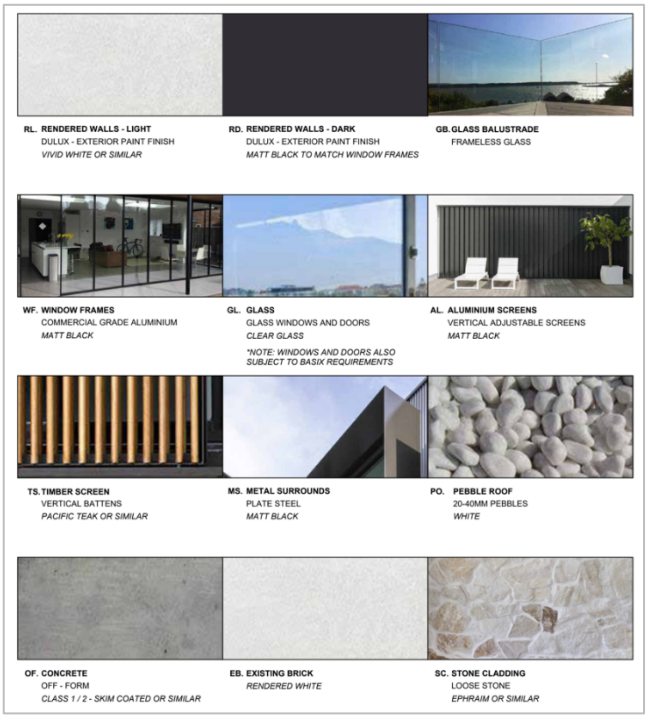


Figure 9: Material Schedule
Source: Ursino

4.2 Vehicular Access and Parking

4.2.2 Vehicular Access/Parking

The proposal seeks to provide vehicular access directly from Linda Street. Parking is provided within a basement that will house a total maximum of two (2) vehicles.

4.3 Waste Management

A Waste Management Plan (WMP) prepared by Ursino and is submitted with the Development Application. The WMP covers operational waste management details, describing the location and capacity of waste storage areas, waste volumes that are anticipated to be generated by the development, and reporting and management responsibilities.

5. STATUTORY PLANNING CONSIDERATIONS

5.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

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

The relevant provisions and controls of the above Instruments and Plans are summarised in the following sections of this SEE.

5.2 Environmental Planning and Assessment Act 1979

5.2.1 Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
c) *to promote the orderly and economic use and development of land,*
d) *to promote the delivery and maintenance of affordable housing,*
e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
g) *to promote good design and amenity of the built environment*
h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
j) *to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is considered to be consistent with the objects of the EP&A Act for the following reasons:

- It promotes the orderly and economic use and development of the land by proposing a residential built form that is consistent with the medium density residential zoning and character of the site and surrounding locality; and
- It promotes good design and amenity by providing for an appropriately designed built form that responds to the characteristics of the site and locality, whilst ensuring that the amenity of the built environment in the immediate vicinity remains uncompromised.

5.3 Environmental Planning and Assessment Regulations 2021

5.3.1 Section 69 – Compliance with the BCA

The proposed development has been designed in a manner whereby the requirements of the BCA are capable of being met.

5.4 State Environmental Planning Policies

5.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of this state policy applies to the whole of the State. The object of this chapter is to provide for a Statewide planning approach to the remediation of contaminated land. In accordance with the provisions of clause 4.6(1) of this state policy, Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in it contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. Due to the existing and surrounding residential land uses, there is nothing to indicate that the site would be affected by soil contamination within the meaning of the contaminated land planning guidelines. Reference is made to the 1943 site aerial in **Figure 10** below.

As such, the subject site is considered suitable in its current state for continued residential use and the proposed residential development.

Figure 10: 1943 Site Aerial
Source: Six Maps

5.4.2 State Environmental Planning Policy (BASIX) 2004

In accordance with the provisions of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, a BASIX Certificate has been provided. The proposed development satisfies the requirements of the Certificate in terms of water, thermal comfort and energy efficiency.

5.4.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

Chapter 2 of this state policy applies to the non-rural areas of the State inclusive of the subject local government area and aims to *(a) protect the biodiversity values of trees and other vegetation in non-rural areas of the State* and *(b) preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation*.

The proposal seeks consent for the removal of a street tree.

5.6 Local Environmental Plans

5.6.1 Canterbury Bankstown Local Environmental Plan 2023

The Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023) applies to the subject site which is identified as being within Zone R3 – Medium Density Residential. The proposed development is best characterised as a '***dwelling***' which is a permissible form of development with the consent of Council in the R3 zone.

Figure 11: Zoning Map
Source: CBLEP 2023

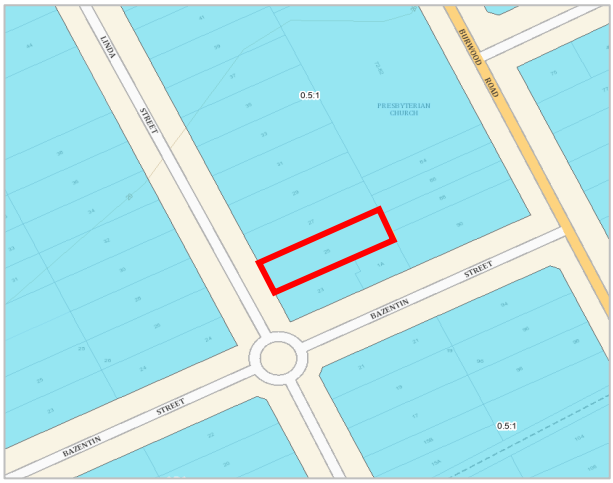
The objectives of the R3 – Medium Density Residential Zone are as follows:

- *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 enable other land uses that contribute to the vibrancy of the neighbourhood.*
- *To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity.*

- *To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area.*

The proposed development is consistent with the objectives of Zone. A summary of our assessment of the proposed development against the LEP provisions is detailed below. Some clauses with the LEP have been deliberately omitted because they are not applicable to the proposed development.

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
Part 2 - Permitted or Prohibited development			
2.6	**Subdivision – Consent Requirements**	The proposal seek consent for strata subdivision.	Yes
2.7	**Demolition requires development consent**	This application seeks consent for demolition of the existing building and ancillary structures.	Yes
Part 4 – Principal Development Standards			
4.3	**Height of Buildings** The development is subject to the provisions of Clause 4.3, which as indicated on the associated "Height of Buildings" Map, limits the height of buildings to 8.5m.	 Figure 12: Height of Buildings Map Source: CBLEP 2023 The proposal will comprise of a maximum height of 7.789m complying with the standard.	Yes

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
4.4	**Floor Space** The development is subject to the provisions of Clause 4.4, which as indicated on the associated "Floor Space Ratio" Map, limits the FSR to 0.55:1 subject to Clause 4.4 2B B ii (Clause Application Map)	 Figure 13: FSR Map Source: CBLEP 2023 The proposal will comprise of a total gross floor area of 305.18m$^{2.}$ generating an FSR of 0.547:1.	Yes
Part 5: Miscellaneous provisions			
5.10	**Heritage Conservation** The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development	The building on the site is not identified as a heritage item, is not located in proximity to an item of relevance nor is it located in a heritage conservation area.	N/A

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
	would affect the heritage significance of the heritage item or heritage conservation area concerned.		
Part 6: Additional Local Provisions			
6.1	**Acid Sulfate Soils** Development consent is required for the carrying out of works described in the table to this subclause on land shown on the *Acid Sulfate Soils Map* as being of the class specified for those works.	 Figure 14: ASS Map Source: CBLEP 2023 The site is located within Class 5 ASS. Excavation works will be carried out to an RL 17.33 well above the 5m AHD in which the watertable is likely to be lowered. In this regard, an ASS preliminary Assessment is not warranted.	Yes
6.2	**Earthworks** This clause seeks to ensure earthworks would not have a detrimental impact on any environmental functions or existing built environments. It also prescribes that earthworks	The proposal seeks to undertake a moderate level of earthworks noting the scope of work proposed across the site. It is considered unlikely that the site, which for the most part has been relatively undisturbed, contains relics or any items of historic significance. Should any such item	Yes

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
	are required for most earthworks.	be encountered during site preparation works, excavation will cease immediately and the appropriate government authority notified. It is anticipated that a standard condition of consent will be imposed in this regard. The site is not in proximity to, nor are earthworks likely to have any detrimental impact on groundwater, drinking water catchment or environmentally sensitive area. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases to ensure there is no risk of sediment laden water leaving the site and entering council's drainage infrastructure. Excavation techniques which focus on minimising disturbance resulting from noise and vibration transmission will be implemented. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases. In this regard, the proposal will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	
6.3	**Stormwater management and water sensitive urban design** (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and	The proposal is accompanied by a stormwater plan prepared by Cates Consulting Engineers which we have been informed, has been designed in response to the controls prescribed across this standard.	Yes

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
	(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and (d) includes riparian, stormwater and flooding measures, and (e) is designed to incorporate the following water sensitive urban design principles— (i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments, (ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes, (iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection,		

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
	stormwater retention and detention, public open space and recreational and visual amenity.		
6.9	**Essential Services** 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— (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.	These services are already available to the site. Where required, the existing services will be upgraded to cater for the proposed development.	Yes

Table 2: Canterbury Bankstown Local Environmental Plan 2023 Compliance Table

5.8 Development Control Plans

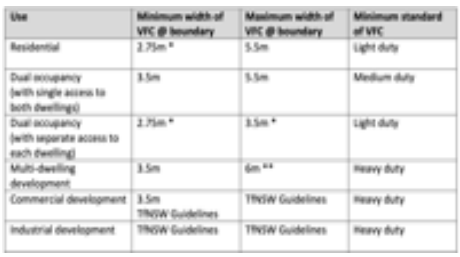
5.1.1 Canterbury Bankstown Development Control Plan 2023

Council adopted the Canterbury-Bankstown Development Control Plan 2023 on 25 May 2021, and it came into effect on 23 June 2023. The Canterbury-Bankstown Development Control Plan 2023 supports the LEP by providing additional objectives and development controls to enhance the function, design and amenity of development.

Chapter 2: Site Considerations

Item	Response
2.3 Tree Management	The proposal seeks the removal of a street tree along the Linda Street frontage.

Chapter 3: General Requirements

Objective	Provisions	Response
Chapter 3.1 - DEVELOPMENT ENGINEERING REQUIREMENTS		
Section 2 – Civil Engineering Requirements		
O1 To ensure that development considers the existing public roads and levels. O2 To ensure that development considers the location of existing and proposed vehicular access with regard to avoiding existing drainage structures, traffic control devices, street infrastructure, existing utilities and street trees.	Vehicular footway crossing design and construction Development requiring vehicular access across the Council footpath area must provide a vehicular footway crossing (VFC) with maximum and minimum widths in accordance with the following table. Maximum size is dependent on providing at least a 6m separation between wings, at the kerb, to adjoining VFCs. Minimum widths will apply in areas with high on street parking demands, and where on street time restrictions are in place. 	Complies The proposed vehicular access arrangements have been designed in accord with the relevant standards.

Use	Minimum width of VFC @ boundary	Maximum width of VFC @ boundary	Minimum standard of VFC
Residential	2.75m *	5.5m	Light duty
Dual occupancy (with single access to both dwelling(s)	3.5m	5.5m	Medium duty
Dual occupancy (with separate access to each dwelling)	2.75m *	3.5m *	Light duty
Multi-dwelling development	3.5m	6m **	Heavy duty
Commercial development	3.5m TfNSW Guidelines	TfNSW Guidelines	Heavy duty
Industrial development	TfNSW Guidelines	TfNSW Guidelines	Heavy duty

	A second vehicular crossing will be permitted if: • A minimum 6m long parking bay can be provided between the wings of the crossings. Council may vary this requirement under special circumstances, based on technical assessments of the merits of the situation.	
	<u>Internal driveway requirements</u> The on-site driveway layout must be designed so that a car may be able to access and exit all required car spaces in one motion. In addition, a required car parking space must be located so as to be outside and clear of any vehicular manoeuvring area or right of carriage way. Austroads standard turning path templates are to be used to determine acceptability.	Complies Vehicle access and egress can be carried out in one motion into and out from the basement garage.
	<u>Sight distance requirements</u> Adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. Refer to the Australian Standard AS 2890.1 for minimum sight distance requirements. If adequate sight distance for the access to any development cannot be achieved and considered a concern, the applicant may be required to install regulatory signs, at the boundary of the development, as agreed with Council.	The proposed car parking layout has been designed to comply with the requirements set out in the relevant Australian Standards for car parking facilities, namely AS2890.1:2004 and AS2890.6:2009.

Section 3- Stormwater drainage systems		
O1 To establish a high standard of stormwater drainage infrastructure within the site. **O2** To ensure that the proposed and constructed stormwater drainage system do not adversely impact on Council's stormwater drainage system, the development itself and adjoining sites. **O3** To ensure that buildings are not affected by inundation from stormwater runoff resulting from the 100-year ARI storm event. **O4** To ensure that any proposed stormwater drainage works are designed to minimise any nuisance caused by stormwater drainage flows from local catchment flooding or mainstream flooding from rivers.	<u>Development impacted by stormwater systems</u> Applicants must apply to Council for a Stormwater System Report (SSR), prior to DA submission, if the site is noted on Council's SSR register as affected by Council's stormwater drainage pipelines and/or affected by potential local stormwater flooding. The development must be designed to consider the recommendations of the SSR and satisfy the requirements of this DCP.	Complies A stormwater SSR report was not required as confirmed by Cates Engineering.
	<u>Disposal of stormwater runoff</u> Site stormwater drainage systems should be designed to flow under gravity, and be connected to Council's stormwater drainage system at the nearest suitable location or CDL benefiting the site. Site drainage design should follow the natural fall of the catchment to a pipeline connection point that has been designed for the runoff.	Complies The proposal is accompanied by detailed stormwater drainage plans prepared Cates Consulting Engineers. We have been advised that these plans have been designed in consideration of the relevant prescribed requirements of this DCP.

<table>
<tr>
<td rowspan="2">O5 To manage stormwater runoff and prevent damage to buildings and property and reduce hazardous flows.

O6 To avoid the location of stormwater drainage infrastructure within tree driplines and deep soil zones.

O7 To give special consideration to development requiring the submission of BASIX Certificate where the use of rainwater storage tanks fitted into stormwater drainage systems may supplement the domestic water supply.</td>
<td><u>Drainage line easement widths</u>

The creation of an easement to drain water must be agreed to, in writing, by the burdened property owners, prior to an operational DA Consent being issued by Council. Documents relative to the creation of an easement to drain water are to be lodged and registered with Land and Property Information (LPI) prior to issue of the Construction Certificate. All costs must be borne by the developer.
The minimum easements widths are as follows:

<table>
<tr><th>Pipe diameter (mm)</th><th>Width of easement to drain water (m)</th></tr>
<tr><td>100, 150</td><td>1.0 *</td></tr>
<tr><td>225</td><td>1.2 *</td></tr>
<tr><td>300</td><td>1.5</td></tr>
<tr><td>375, 450</td><td>2.0</td></tr>
<tr><td>525, 600, 675</td><td>2.5</td></tr>
<tr><td>750, 825, 900</td><td>3.0</td></tr>
<tr><td>1050, 1200</td><td>3.5</td></tr>
<tr><td>1350, 1500</td><td>4.0</td></tr>
<tr><td>1650, 1800</td><td>4.5</td></tr>
</table>
</td>
<td>Complies

The proposed stormwater discharge will connect to the existing stormwater connection within the street by way of the pump well located within the basement.</td>
</tr>
<tr>
<td><u>Requirements for flood freeboard and minimum floor levels</u>

Minimum flood freeboard and flood planning levels (FPL) are specified in Chapter 2.2 of this DCP. In cases, where different freeboard requirements apply to the same site, the highest freeboard must be adopted. Finished floor levels for buildings on lands, subject to OLFP flows, must also be set in accordance with Chapter 2.2 of this DCP.</td>
<td>Not Applicable

The subject land is not identified as being flood affected and is therefore, not subject to any flood planning level requirements.</td>
</tr>
</table>

Chapter 3.2 – PARKING

Section 2- Off Street Parking Rates

O1 To ensure development meets the car, bicycle and service vehicle parking demands generated by various land uses. O2 To minimise on-street car parking to ensure road safety and visual aesthetics.	Development must use the Off-Street Parking Schedule to calculate the amount of car, bicycle and service vehicle parking spaces that are required on the site. Multi dwelling housing/multi dwelling housing (terraces) — Studio or 1 bedroom: 1 space per dwelling; 2 bedroom: 1.5 space per dwelling; 3 bedroom or more: 2 spaces per dwelling; 1 visitor space per 5 dwellings	**Complies** The proposed development is subject to a parking demand of two (2) spaces. The development provides for the required number of spaces being two (2) vehicle garage spaces within the basement parking area.

Section 3- Design and Layout

O1 To ensure the location and layout of parking areas function efficiently and safely. **O2** To provide efficiency in vehicular circulation and connection with the external traffic network. **O3** To achieve a balance between parking requirements, visual aesthetics and pedestrian safety.	<u>Parking location</u> Development must not locate entries to car parking or delivery areas: (a) close to intersections and signalised junctions; (b) on crests or curves; (c) where adequate sight distance is not available; (d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island); (e) where right turning traffic entering may obstruct through traffic; (f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or (g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.	<u>Complies</u> Proposed car parking layout has been designed to comply with the requirements set out in the relevant Australian Standards for car parking facilities, namely AS2890.1:2004 and AS2890.6:2009.

Chapter 3.3 – WASTE MANAGEMENT

Section 3 – Residential Development

O1 To maximise resource recovery and encourage source separation of waste, reuse and recycling by ensuring development provides adequate and appropriate bin storage and collection areas. O2 To ensure development incorporates well-designed and adaptable bin storage areas and collection facilities that are convenient and accessible to occupants. O3 To maximise residential amenity and minimise adverse environmental and health related impacts associated with waste management such as odour and noise from bin storage and collection areas. O4 To ensure bin storage and collection areas are designed to integrate with and meet the requirements for Council's domestic waste services. O5 To ensure development facilitates all waste streams being handled, stored and collected in a manner to reduce risk to health and safety of all users including maintenance (such as caretakers), collection staff and contractors (and required vehicles and equipment).	3.1 Council or its contractors are solely to provide the waste services to all residential development types as required under the Local Government Act 1993. 3.2 Each dwelling is to have: (a) A waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials. (b) A suitable space in the kitchen for a caddy to collect food waste. 3.3 Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins. 3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings. 3.5 The location of the bin storage area should ensure this area: *(a) is screened or cannot be viewed from the public domain; and* *(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.* 3.6 The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/dwelling and must avoid stairs or slopes.	<u>Complies</u> The proposal is accompanied by an operational waste management plan prepared by Ursino. It is proposed to locate a bin storage area on the south-western side of the site adjacent to the driveway All waste will be stored within the nominated area sited within the front yard next to the path.

O6 To integrate bin storage and collection areas with the building form and landscape to avoid adverse visual impacts on the streetscape and neighbourhood. O7 To assist in achieving Federal and State Government waste minimisation and diversion targets as set by relevant legislation, regulations and strategies.	3.7 Where possible, development may consider providing each dwelling with a suitable space for composting and worm farming, located within the backyard, private courtyard or open space. Composting facilities should locate on an unpaved area, with a minimum size of 1m2 per dwelling. 3.8 Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection. 3.9 Development must comply with the requirements of the applicable Waste Design for New Developments Guide. 3.11 Development that proposes individual bin storage areas is to have all allocated bins presented for kerbside collection. 3.12 Where development proposes kerbside collection, the nominated collection point must be of sufficient size to accommodate all allocated bins within the site's frontage.	
CHAPTER 3.7 LANDSCAPE		
Section 2 – Landscape Design		
O1 To integrate the landscape design with the overall design of the development. **O2** To promote the retention and planting of large and medium size trees, and the healthy growth of trees in urban areas. **O3** To provide deep soil zones to manage urban heat and water, and to allow for and support healthy plant and tree growth.	New landscaping is to complement the existing street landscaping and improve the quality of the streetscape. The landscape design is to contribute to and take advantage of the site characteristics. Development must consider the retention of existing trees in the building design.	**Complies** One street tree is sought to be removed. New landscaping is provided across the development as reflected in the accompanying landscape design prepared by Studio Botanica.

O4 To contribute to the quality and amenity of communal open space, podiums and courtyards.		

Chapter 5: Residential Accommodation

Section 2– Dwelling Houses and Outbuildings			
Provisions	**Requirement**	**Proposed**	Y/N
2.1 Minimum Lot Sizes & Frontage	The minimum primary street frontage width for dwelling houses is 15m	The proposed building has a direct relationship with Linda Street. The site has an existing frontage width of 12.19m which is an existing and unaltered site condition.	Merit
	Lots must be generally rectangular	The existing lot is rectangular in shape.	Yes
2.2 Site coverage	All development must comply with the numerical requirements contained in the table below: **Site Area** / **Maximum area of building footprint** / **Maximum floor area of all outbuildings** / **Maximum site coverage of all structures on a site** Up to 449m² / 300m² / 30m² / 60% 450m² to 599m² / 330m² / 45m² / 50% 600m² to 899m² / 380m² / 60m² / 40% 900m² or above / 430m² / 60m² / 40% Table 1: Maximum building footprint, floor area of outbuildings and site coverage	The site has an overall building footprint of 227.05m^2 or 40.7%. The site has an overall site coverage of 236.45m^2 or 42.4%.	Yes
2.3 Landscaping	Deep soil permeable areas must be provided in accordance with the table below: Deep soil permeable areas must be provided in accordance with the table below: **Site area** / **Minimum deep soil area (% of site area)** Up to 449m² / 15% 450m² to 599m² / 20% 600m² or above / 25% Table 2: Minimum deep soil areas	The proposal provides an overall area minimum 115.2m^2 (20.66%) as identified on the accompanying architectural plan detail set prepared by Ursino.	Yes
	Deep soil areas must have a minimum dimension of 2.5m	Deep soil area is identified in the rear yard with dimensions of > 2.5m.	Yes
2.4 Layout and Orientation	Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.	The development has been sited and configured in a manner that will facilitate the provision of generous amount of solar access to the respective dining and living space which will ultimately reducing the need for artificial lighting.	Yes

	Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.	Shadow diagrams that accompany the application identifies that neighbouring dwellings will continue to achieve suitable solar access.	Yes
	Coordinate design for natural ventilation with passive solar design techniques.	Sitting of the floor plan layout identifies, that through appropriate window and door placement natural ventilation can be achieved and ensure that the extent of solar access capabilities is provided to all nominated living spaces.	Yes
	Site new development and private open space to avoid existing shadows cast from nearby buildings.	The POS is appropriately sited within the rear yard.	Yes
	Site a building to take maximum benefit from cross-breezes and prevailing winds.	The proposed dwelling has been designed with the intent of promoting the natural benefit of cross-breezes and prevailing winds.	Yes
	Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation	Casual surveillance is not compromised by way of the proposed dwelling. A number of windows and or balcony spaces are oriented towards the Linda Street public domain which will encourage casual surveillance to take place.	Yes
2.5 Height	Development for the purposes of dwelling houses must not exceed the following numerical requirements:		
	a) A maximum two storey built form.	The proposed development comprises a two (2) storey perceptible from noting that the basement is sited predominately below ground and will only protrude above the NGL by a maximum of 993mm.	Yes
	b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.	The overall maximum external wall height 7.180m (LEP height limitation for the site is 8.5m). While a breach is identified, it is in a location that is setback 3m from the boundary and in doing so, the dwelling will maintain a well modulated built form that displays a high degree of articulation whereby no	Merit

		adverse implications will result from the minor numerical departure.	
	c) Finished ground floor level is not to exceed 1m above the natural ground level. Note: Skillion and flat roof forms will be considered on merit.	Finished floor level complies noting that the FFL maximum is 993mm.	Yes
	Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey	As described in address of the preceding control, the proposed basement is sited predominately below ground and will only protrude above the NGL by a maximum of 993mm.	Yes
	Roof top terraces are not acceptable on any building or outbuilding in any residential zone.	The provision of rooftop terraces is not sought as part of this development.	N/A
	Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.	The proposal seeks to undertake a maximum amount of cut of 1m beyond the exterior wall of the building relevant to the driveway and 1.85m for the pool. Suitable consent conditions can be relied upon.	Merit
	No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.	Noted. The proposal complies with this requirement.	Yes
	Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.	The proposal seeks to undertake a maximum amount of fill of 516mm in the area of the courtyard.	Yes
	If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.	Noted. The proposal complies with this requirement.	Yes

2.6 Setbacks	**Front, Side and Rear setbacks** A minimum setback of 5.5m from the front boundary.	The dwelling will observe a minimum street setback of 6.65m as measured to the first floor south-western bedroom 1 periphery.	Yes
	A minimum side setback of 900mm from the side boundaries. Minimum setback of 6m from the rear boundary	Proposed development setbacks range from 942mm to 3.942m (north-west) and 950mm to 3m (south-east) A rear setback of 13.52m is proposed.	Yes Yes
	<u>Exemption and other requirements</u> Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.	The swimming pool is set 1.542m from the north-western side boundary as described on the architectural site plans accompanying this application	Yes
	Swimming pools must not be located within any front setback.	The swimming pool is located in the rear of the subject site.	Yes
	The following minor building elements may project up to 1m into the minimum side setback area: a) Roof eaves, awnings, pergolas and patios; b) Stair or ramp access to the ground floor; c) Rainwater tanks; and d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).	It is considered that the proposed development suitably responds to these controls.	Yes
2.8 General design	**Contemporary Built Form** Contemporary architectural designs may be acceptable if:	The proposed development adopts a contemporary built form that is visually consistent with the evolving site context.	Yes

	(a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours. (b) The proposed addition is not visually prominent from the street or from a public space. (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.	A number of more contemporary development forms are becoming more prevalent across the street setting as made evident by the newly constructed dual occupancies at 15a and 15b and 43 and 43A Linda Street, terrace housing at 40 Linda Street and contemporary dwelling under construction at 37 Linda Street.	
	New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.	The built form of the proposed dwelling has been designed in a manner that suitably articulates and modulates the built from proportions dispersing any apparent degree of visual mass. The dwelling in no way mimics the traditional features of the sites context.	Yes
	Access to upper storeys must not be via external stairs.	Internal stairway and lift access is proposed.	Yes
	All dwellings must contain one kitchen and laundry facility.	Development comprises of kitchen and laundry facilities.	Yes
	Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.	The development proposes a contemporary flat parapet roof form that is visually conducive with the development from. This roof form typology is becoming more prevalent across the sites context upon the redevelopment of the older housing stock.	Merit
	Building Entries Entries to residential buildings must be clearly identifiable.	The proposal includes the provision of an identifiable dwelling entrance.	Yes
	A minimum of one habitable room per dwelling must be oriented towards the street to promote positive social interaction and community safety.	A guest/study at ground level alongside a bedroom area at first floor level, fronts Linda Street.	Yes

	Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.	The proposal does not include the provision of any ancillary structures that would overly compromise on available sight lines across the development.	Yes
	Internal dwelling layout Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.	The development has good sized rooms that will facilitate a range of furniture shape and sizes.	Yes
	The primary living area and principal bedroom must have a minimum dimension of 3.5m.	The development complies with this DCP control.	Yes
	Secondary bedrooms must have a minimum dimension of 3m.	Bedrooms comply with this DCP control and measurements can be sighted on the accompanied Architectural Plans.	Yes
	Provide general storage in addition to bedroom wardrobes and kitchen cupboards.	The development complies with this DCP control.	Yes
	Façade Treatment Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.	The array of material proposed to be utilised across the development are predominately of a non-reflective base.	Yes
	Windows Windows must be rectangular.	The proposed windows are rectangular.	Yes
	Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.	Window have been suitably located across the development with the intent of maximising solar access.	Yes
	Ventilation Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).	Natural ventilation has been considered within the design and include measures that maximise cross ventilation.	Yes

4.10 Roof Design and Features	Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	A contemporary roof form is proposed in line with the architectural intent of the development.	Merit
	Roof pitches are to be compatible and sympathetic to nearby buildings.	The contemporary roof form proposed is deemed complimentary to the evolving sites context where older housing stock is being demolished and replaced with contemporary development which presents with roof form features, not inconsistent with that proposed by way of this development.	Yes
	Pitched roofs should not exceed a pitch of 30 degrees.	Not applicable.	N/A
	Relate roof design to the desired built form and context.	The proposed roof form has been designed in a manner that seeks to establish a high degree of visual resemblance with that considered a more modern and evolving streetscape form, being flat contemporary roofs.	Yes
2.10 Solar Access and Shadowing	Solar Access to Proposed Development Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.	The shadow diagrams prepared demonstrates that all living areas are capable of being provided with the minimum 3 hours of sunlight.	Yes
	Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.	The shadow diagrams prepared demonstrates that the POS is capable of being provided with the minimum 3 hours of sunlight.	Yes
	Dwellings must comply with the following: (a) At least one living room window and at least 50% or 35m2 with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.	The shadow diagrams prepared demonstrate that the requisite amount of solar access into the proposed dwellings is capable of being met.	Yes

	(b) Receives a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June. (c) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%.		
	Solar Access to Neighbouring Development Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.	The shadow diagrams lodged demonstrate that 3 hours of sunlight to primary living areas and to 50% of neighbouring POS is achieved	Yes
	If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.		
	Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.	Plans lodged demonstrate compliance	Yes
2.11 Visual Privacy	Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site. Minimise direct overlooking of rooms and private open space through the following: (a) Provide adequate building separation, and rear and side setbacks; and (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.	Window orientation ensures privacy of neighbours is not overly compromised. The design limits the number and size of upper-level windows and where privacy outcomes cannot be achieved through design alone, the provision of opaque louvre windows are sought to be provided further reducing any potential for overlooking to take place.	Yes

	If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.		
2.12 Acoustic Privacy	▪ Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.	The development has been designed to orient any noise sensitive equipment in such manner that will not result in any unreasonable impact to the acoustic privacy of adjoining properties and will in turn afford acoustic privacy to the occupants of the development.	Yes
2.13 Fencing	Provide boundary definition by construction of an open fence or hedge to the front street boundary. Front fences within the front boundary setback are to be no higher than 1.2m. Front fences shall not be taller than 1.2m. Landscaping should not include visually solid hedges that may conceal intruders.	A new fence is proposed across the street edge ranging in height between 900mm and 1.46m. While a minor numerical departure is observed, the siting and scale of the fencing is not at odds with the setting and more generally, the fence height on average will comprise of a height of 1.2m in line with the control.	Merit
2.14 Outbuildings and swimming pools	Swimming pools must not be located within any front setback. Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.	The proposed swimming pool is located within the rear yard and s appropriately setback. Refer to the site plan accompanying this application.	Yes

2.15 Building Services	All letterboxes be installed to meet Australia Post standards. Design and provide discretely located mailboxes at the front of the property. Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.	Consent Conditions may be imposed in this regard.	Yes

Table 3: Canterbury Bankstown Development Control Plan 2023 Compliance Table

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

This section will consider the following: The Assessment of the Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15 of the EPA Act.

6.1 Assessment of Natural Environmental Impacts

This section will assess the topographic and scenic impacts as well as the water and air quality impacts of the proposed development.

6.1.1 Topography & Scenic Impacts

The proposal will be a positive contribution to the topographic and scenic qualities of the locality.

6.1.2 Water & Air Quality Impacts

The proposed development is, in our opinion, unlikely to result in any adverse effects on the locality in terms of water and air quality. Stormwater and runoff will be managed, and the proposal is, in our opinion, acceptable.

6.2 Assessment of Built Environmental Impacts: Character and Context

This section will address the impact of the proposed development on the character and context of the area.

6.2.1 Impact on the Area's Character

The surrounding area is predominately characterised by one and two storey developments which display a mixture of traditional and contemporary architectural styles.

The proposal is for a '*dwelling development*' that will present as contextually compatible with the existing and emerging character of the area. The development will also present a siting, scale and volume which is not inconsistent with the scale and pattern of development observed across the streetscape.

A well-articulated built form, incorporating varied setbacks and a range of contemporary elements will serve to complement surrounding development. New plantings and landscaped areas are provided throughout the site which will soften bulk and scale and enhance the appearance of the development when viewed from adjoining properties and the street. In our opinion, the development will be a positive contribution to the streetscape and will present as compatible with the desired future character of the area.

6.3 Assessment of Built Environmental Impacts: Privacy and Amenity

6.3.1 Aural and Visual Privacy

The design and layout of the proposal will maintain aural and visual privacy for residents of neighbouring sites.

The proposed development has been sympathetically designed to ensure that privacy is provided to the future residents of the proposed dwelling and to adjoining properties alike. This has been achieved through the compliant built form, compliant setbacks, and the siting and orientation of the proposed private open outdoor space.

The extent of glazing provided along the critical elevations has been minimised and where provided, has been offset from or includes measures by way of opaque glazing or screening in order to minimise the potential for cross viewing.

6.3.2 Solar Access

To assess the impact of the proposed development in terms of overshadowing, shadow diagrams have been prepared by Ursino for 9:00 am, 12 noon and 3:00 pm for the winter solstice (21 June). These diagrams indicate that the characteristics of the land and the relationship with adjoining properties, does predicate that an additional level of shadowing will be cast over the adjoining property to the south. Notwithstanding, the neighbouring properties will continue to receive a reasonable level of solar access.

6.4 Assessment of the Site Suitability

This section will consider the proximity of the site to services and infrastructure; traffic, parking and access issues; and hazards.

6.4.1 Proximity to Services and Infrastructure

As the site is within an established area, electricity, telephone, water and sewerage are also readily available.

6.4.2 Traffic, Parking and Access

The extent of additional generation and or volume of the development is unlikely to create any perceptible level of impact to the surrounding road network.

As the proposal retains a compliant level of spaces and geometry as per Council's DCP and AS 2890.1:2004, it will continue to satisfy the likely parking demand for the proposal. The proposed development is in our opinion, suitable from a traffic and parking point of view.

6.4.3 Hazards

The site is not in an area recognised by Council as being subject to any form of hazard that would strictly preclude the ability for the proposed development to take place.

6.5 The Public Interest

This section will consider the social and economic effects of the proposal and the public interest.

6.5.1 Social and Economic Impact

The proposal will have social and economic benefits in the area with the construction of a well-designed dwelling development. This will contribute to meeting the demand for medium density housing in the LGA.

The proposal also seeks to provide appropriate levels of landscaping reducing its visibility when viewed from neighbouring development and the public domain. The proposal will reduce water and energy consumption through efficient fixtures, fittings and insulation; and will provide off-street parking for residents. This will reduce water consumption and parking congestion in the area.

6.5.2 The Public Interest

The proposal has been designed with consideration of the adjoining residents' amenity and the streetscape. It will provide a well-designed development which is a contextually appropriate scale and form for the area. The development has been designed with the intent of preserving neighbouring amenity while also contributing positively to the streetscape and local character. The proposal is a quality development which serves the public interest.

7.0 CONCLUSION

The proposal is permissible in the R3 Medium Density Residential Zone under the LEP and is in our opinion, consistent with the relevant objectives of the Zone.

The subject development introduces an open plan living area and generously proportioned area of private open space which will serve to enhance the internal and external amenity for the residents.

A well-articulated built form, with varied setbacks, a range of materials and finishes and an appropriate degree of landscaping, all of which serve to enhance the developments streetscape presentation has been provided. Importantly, the proposal is compatible with the existing and emerging character of development in the locality.

The proposal also demonstrates the provision of a high level of internal amenity for future dwelling occupants alongside the preservation of neighbouring dwelling amenity.

Having regard to the above, it is considered that the development is an acceptable built form, scale and density and will have acceptable impacts on the amenity of neighbouring development and therefore, can be supported.

DISCLAIMER

This report incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of BMA Urban Pty Ltd opinion in this report. BMA Urban prepared this report on the instructions, and for the benefit only, **Ursino (Instructing Party)** for the purpose of the Statement of Environmental Effects and **(Purpose)**. To the extent permitted by applicable law, BMA Urban expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, BMA Urban was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to BMA Urban at the date of this report, and upon which BMA Urban relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which BMA Urban has no control.

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This report has been prepared with due care and diligence by BMA Urban and the statements and opinions given by BMA Urban in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.