



STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF EXISTING STRUCTURES AND
CONSTRUCTION OF AN ATTACHED DUAL OCCUPANCY
DEVELOPMENT FOLLOWED BY TORRENS TITLE
SUBDIVISION

41 NAPOLI STEET
PADSTOW NSW 2211
LOT 35 DP 27883

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1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application for the demolition of existing structures and the construction of an attached dual occupancy development followed by Torrens Title Subdivision at 41 Napoli Street, Padstow. This SEE evaluates the proposed development for its compliance with the statutory controls embodied in various statutory planning instruments and demonstrates that the development is consistent with the aims and objectives of these instruments. In preparation of this document, consideration has been given to the following:

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

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

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

2 SITE ANALYSIS

2.1 CONTEXT ANALYSIS

The subject site at 41 Napoli Street, Padstow is located within the Canterbury-Bankstown Council Local Government Area (LGA). Residential development within Padstow is not defined by a single architectural style, but instead ranges from original dwellings to more contemporary developments. The past few years have seen many new homes being constructed in Padstow and older dwellings undergoing extensive renovations. Future residential development in the locality is to preserve and enhance the landscape setting of the area and achieve compatibility with the established low to high density residential characteristic.

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

2.2 SITE ANALYSIS

The subject site is located at 41 Napoli Street, Padstow and is legally defined as Lot 35 DP 27883. The site is arranged on a north-west to south-east tangent and is orientated to address the site frontage of Napoli Street to the north-west. The aerial image below shows the orientation of the subject site and its location relative to surrounding properties.

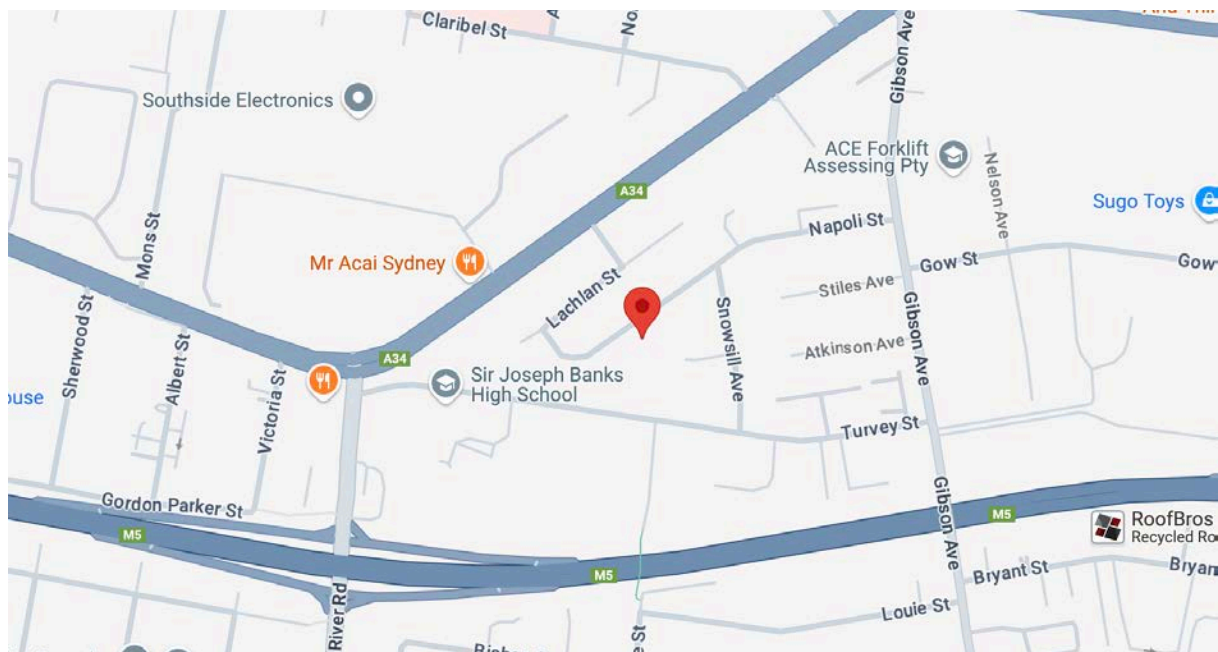


Figure 1: Aerial View of Subject Site and Surrounding Properties

The site is irregular in shape with a 25.914m frontage to Napoli Street, a 30.442m eastern side boundary, an 8.119m western side boundary and a 40.215m rear boundary. The total site area is 550.1m². The site presently contains a single storey dwelling house with driveway access from Napoli Street. The existing dwelling house and driveway access are to be demolished under this application. Images of the subject site are shown below.

2.3 SITE IMAGES



Figure 2: View of Subject Site from Napoli Street



Figure 3: Rear View of Subject Site

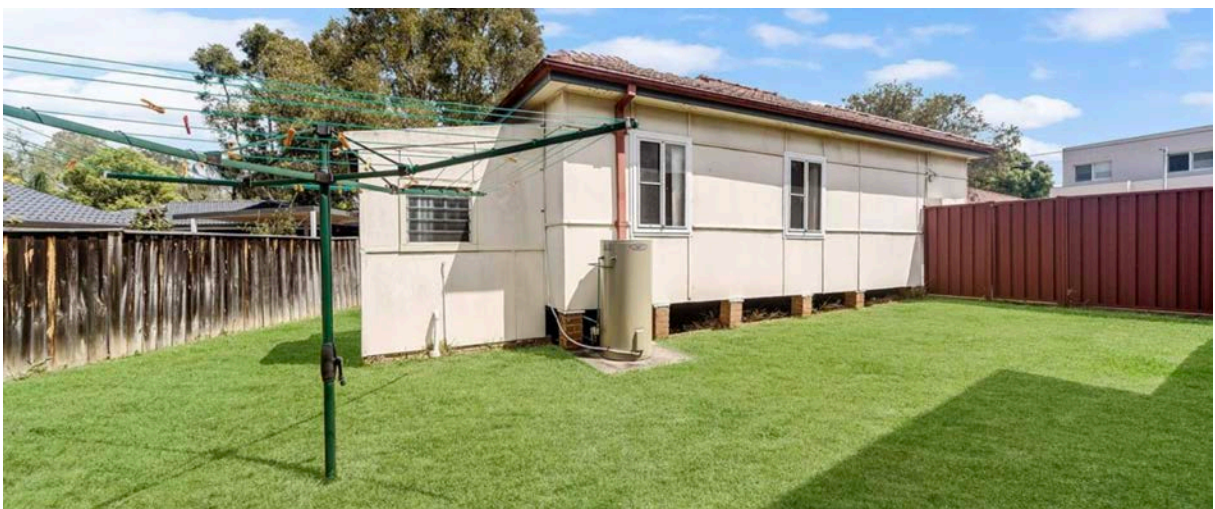


Figure 4: Rear View of Subject Site

2.4 STREETScape ANALYSIS

The surrounding streetscape is predominately defined by single and two storey detached dwelling houses and dual occupancy developments in a variety of architectural styles, commensurate with the R2 – Low Density Residential zoning of the area. To the immediate north-east of the subject site at 39 Napoli Street, Padstow is a two storey detached dwelling house of brickwork and cladding construction with a low pitch Colorbond metal roof form. The adjoining dwelling is shown at **Figure 5** below.



Figure 5: 39 Napoli Street, Padstow

To the immediate south-west of the subject site at 43 Napoli Street, Padstow is a single storey detached dwelling house of metal construction with a pitched and tiled roof form. The adjoining dwelling is shown at **Figure 6** below.



Figure 6: 43 Napoli Street, Padstow

A review of the surrounding streetscapes has identified that the predominant built form characteristics for dual occupancy developments in the Padstow locality is two storey built forms in a combination of face brickwork, architectural render and timber or metal cladding construction with a variety of flat and pitched roof forms. Developments range from traditional to more contemporary architectural stylings. Examples of dual occupancies in the vicinity of the site are shown below, demonstrating that the development is highly compatible with the characteristics of the locality.



Figure 7: 45 Napoli Street, Padstow



Figure 8: 6 Harvey Avenue, Padstow



Figure 9: 25 Barkl Avenue, Padstow

3 PROPOSED DEVELOPMENT

This Development Application is made for the demolition of the existing dwelling house and the construction of an attached dual occupancy development followed by Torrens Title Subdivision at 41 Napoli Street, Padstow. The proposed development is to be undertaken in accordance with the Architectural Plans submitted with this application. Specifically, the proposed development comprises the following works:

- Demolition of existing single storey dwelling house and driveway access.
- Construction of attached dual occupancy development.
- Construction of individual driveway access to each dwelling from Napoli Street.
- Comprehensive site landscaping in accordance with the requirements of the CBDP 2023.
- Torrens Title Subdivision of the site into two separate allotments.

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

3.1 DEMOLITION

To facilitate the proposed development, the existing single storey dwelling house and driveway access are to be demolished in accordance with the Demolition Plan submitted with this application. Consideration will be given to the re-use of materials at construction stage.

3.2 PROPOSED LAND USE AND BUILT FORM

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

UNIT 1
<p>Ground Floor</p> <ul style="list-style-type: none">• Individual driveway access from Napoli Street• Single car garage• Porch entry feature• Guest bedroom• Bathroom• Laundry• Open plan kitchen, living and dining area• Outdoor alfresco area <p>First Floor</p> <ul style="list-style-type: none">• Front balconies• Master bedroom with ensuite• Two bedrooms• Bathroom• Study
UNIT 2
<p>Ground Floor</p> <ul style="list-style-type: none">• Individual driveway access from Napoli Street• Single car garage

- Porch entry feature
- Bathroom
- Laundry
- Study
- Open plan kitchen, living and dining area
- Outdoor alfresco area

First Floor

- Front balconies
- Master bedroom with ensuite
- Three bedrooms
- Bathroom

The proposed development has the following site dimensions:

AREA	CALCULATION
Site Area (Parent Lot)	550.1m ²
Total Gross Floor Area	274.82m ²
Total Landscaped Area	239.808m ²

3.3 LANDSCAPING WORKS

As detailed on the Architectural Plans submitted with this application, the proposed development involves deep soil landscaping and vegetation within the front setback to Napoli Street, as well as the provision of landscaping along the side and rear boundaries of the site. A total of 239.808m² of landscaped area is provided on the site. Landscape treatment is commensurate with the proposed works and will help to soften the appearance of the built form and hardstand areas, whilst contributing to the well-maintained landscape characteristic of the locality.

3.4 SITE ACCESS AND CAR PARKING

A single car garage is proposed for each dwelling that is recessed behind the front building line and integrated with the building design. Individual driveway access is proposed to each dwelling from Napoli Street. The creation of the proposed new driveways necessitates approval under the Roads Act 1993. Consent is therefore sought for the construction of the new driveway crossings to service the development.

3.5 PRIVATE OPEN SPACE

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

3.6 EXTERNAL APPEARANCE AND DESIGN

The proposed development has been designed to appropriately address the site frontage and features a range of façade elements including the projecting porch entry features and first floor balconies, recessed single car garages, variations in the flat roof form, curved façade details and multiple windows on the building façades to provide visual interest and articulation when viewed from the public domain. A range of materials are proposed including brickwork, architectural render, dark timber slats and Colorbond metal sheet roofing to provide further modulation and break up the visual bulk of the development. The proposed colour scheme will ensure compatibility with the surrounding built and natural environment.

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



Figure 10: Proposed Development

4 PLANNING ASSESSMENT

4.1 CANTERBURY BANKSTOWN DRAFT HOUSING STRATEGY

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

4.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

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

4.3 STATE ENVIRONMENTAL PLANNING POLICY – SUSTAINABLE BUILDINGS (2022)

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

4.4 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

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

4.4.1 LAND USE ZONING

The subject site is zoned R2 - Low Density Residential under the CBLEP 2023. The objectives of the R2 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.*

The proposed development achieves the objectives of the R2 zone by providing a form of low impact residential development to meet the housing demand of the locality. The proposed development does not require the removal of significant vegetation from the site and has been sensitively designed to respond to the natural topography of the land to minimise excavation around the property boundaries as far as practicable. The design of the development is in keeping with the residential characteristics of other dual occupancy developments in the locality and will significantly improve the sites presentation as a result of modern architecture combined with appropriate landscaping works. The final development will set a desirable precedence for future development in Padstow.

Developments permitted with and without consent within the R2 zone are detailed in the table below. Dual occupancy developments are permitted within the R2 zone with development consent from Council.

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

4.4.2 SUBDIVISION

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

4.4.3 DEMOLITION

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

4.4.4 MINIMUM LOT SIZES AND SPECIAL PROVISIONS FOR DUAL OCCUPANCIES

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

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

The subject site has an area of 550.1m² and the width of the lot at the building line is 25.914m. Dwellings are proposed to be attached in a side-by-side configuration and are orientated to address the streetscape. The proposed subdivision will result in two compliant lots.

4.4.5 HEIGHT OF BUILDINGS

Clause 4.3 of the CBLEP 2023 requires that the height of a building on any land is not to exceed the maximum height shown for the land of the Height of Buildings Map. The maximum building height for the subject site is 9m. The proposed development has a maximum building height of less than 9m.

4.4.6 FLOOR SPACE RATIO

Clause 4.4 of the CBLEP 2023 requires that the maximum floor space for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The site is subject to a maximum floor space ratio of 0.50:1. The final development has a gross floor area of 274.82m² which equates to a compliant floor space ratio of 0.49:1.

4.4.7 HERITAGE CONSERVATION

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

4.4.8 BUSHFIRE HAZARD REDUCTION

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

4.4.9 FLOOD PLANNING

Clause 5.21 of the CBLEP 2023 applies to development within the Flood Planning Area. The subject site is located within the Flood Planning Area. A Stormwater System Report is submitted with this application. The proposed development including floor levels has been designed to comply with the development controls specified in Chapter 2.2 (Flood Risk Management), Schedule 5 of the CDCP 2023 – Catchments Affected by Stormwater Flooding.

4.5 CANTERBURY DEVELOPMENT CONTROL PLAN 2023

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

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

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

CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

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

For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m2 per dwelling.	Torrens Title Subdivision of the site is proposed following the construction of the attached dual occupancy development which will result in compliant allotment sizes.	Yes
STOREY LIMIT		
The storey limit for dual occupancies is 2 storeys.	The proposed development is two storeys in form.	Yes
The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The proposed development has been designed to respond to the natural topography of the land to avoid unnecessary excavation and associated environmental impacts.	Yes
Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where: <ul style="list-style-type: none"> a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the allotment. 	Fill is proposed on the site to achieve a level building envelope and is contained wholly within the building envelope. Fill does not exceed 1m.	Yes
SETBACK RESTRICTIONS		
The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.	The subject site is not located within 9m of an existing animal boarding or training establishment.	Yes
STREET SETBACKS		
The minimum setback for a building wall to the primary road frontage is: <ul style="list-style-type: none"> a) 5.5 metres for the first storey (i.e. the ground floor); and b) 6.5 metres for the second storey. 	The proposed development has the following primary front setback distances: <ul style="list-style-type: none"> • Front building line (ground floor) – 5.54m • Front building line (first floor) – 6.5m 	Yes
The minimum setback to the secondary road frontage is: <ul style="list-style-type: none"> a) 3 metres for a building wall; and b) 5.5 metres for a garage or carport that is attached to the building wall. 	The subject site is not a corner lot.	N/A
SIDE SETBACKS		
For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining property.	The proposed development has the following side setback distances: <ul style="list-style-type: none"> • Ground floor – 1.275m • First floor – 1.275m 	Yes
For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres.	The proposed development complies with the side setback provision.	Yes
The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.	The proposed side setbacks are clear of structures or obstacles.	Yes

The basement level must not project beyond the ground floor perimeter of the dual occupancy.	A basement level is not proposed.	N/A
PRIVATE OPEN SPACE		
Dual occupancies must provide a minimum 80m ² of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.	164m ² of private open space is proposed (84m ² per dwelling) in the form of an outdoor alfresco area with landscaped open space beyond. The private open space areas are located on flat land and are accessed directly from the internal living areas on the ground floor level. The proposed private open space area of Unit 2 does not comply with the dimension requirements due to the irregular shape of the site, however the private open space area is 84m ² in size and comprises both alfresco area and landscaped open space that will provide for a range of recreational uses.	Variation Requested
ACCESS TO SUNLIGHT		
At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	The Shadow Diagrams submitted with this application demonstrate that the internal living area of each dwelling receives the minimum required solar access.	Yes
At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	The Shadow Diagrams submitted with this application demonstrate that the internal living areas of adjoining dwellings receive the minimum required solar access.	Yes
A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	The Shadow Diagrams submitted with this application demonstrate that the private open space areas on the site and of adjoining dwellings receive the minimum required solar access.	Yes
Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	The proposed development will not result in overshadowing of any existing solar hot water system, photovoltaic panel or other solar collector on neighbouring properties.	Yes
VISUAL PRIVACY		
Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: <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 	Windows on the first floor levels have been carefully sited, offset and feature increased sill heights where necessary to avoid direct view into adjoining properties.	Yes

d) use another form of screening to the satisfaction of Council.		
Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: <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. 	The proposed development is situated within a suitable building envelope on the site and does not provide for overlooking into adjoining private open space areas. The proposed side and rear windows on the first floor level have been carefully sited and feature increased sill heights where necessary. Generous setback distances have been incorporated to further mitigate against privacy issues.	Yes
Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: <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. 	Balconies are proposed to the front elevation of the development and will not generate privacy issues.	Yes
Council does not allow dual occupancies to have roof-top balconies and the like.	Roof-top balconies are not proposed.	N/A
BUILDING DESIGN		
Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the allotment.	It is proposed to demolish the existing dwelling house on the site to facilitate the proposed dual occupancy development.	Yes
The design of dual occupancies must ensure: <ul style="list-style-type: none"> a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and d) the garage, driveway and front fence do not dominate the front of the building and front yard; and e) the two dwellings on a corner allotment each face a different frontage. 	The proposed development achieves the controls in the following ways: <ul style="list-style-type: none"> a) A symmetrical and unique design is proposed for each dwelling to maintain a coordinated approach to the design outcome and present to the streetscape as a seamless development. b) The proposed development incorporates a range of architectural elements that are compatible with the characteristics of the streetscape including projecting entry features and first floor balconies, recessed single car garages, flat to low pitch roof forms and staggering of the building envelope. The development incorporates a variety of materials and finishes to break up the visual bulk of the built form when viewed from the public domain. c) A projecting entry feature, first floor balconies and multiple windows are proposed to each dwelling façade to provide casual surveillance of the streetscape. d) A recessed single car garage with individual driveway access is proposed for each dwelling that does not dominate the building or the streetscape. e) Each dwelling has been designed to directly address the streetscape. 	Yes

The maximum roof pitch for dual occupancies is 35 degrees.	The proposed roof pitch does not exceed 35 degrees.	Yes
Council may allow dual occupancies to have an attic provided the attic design: a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and b) ensures the attic does not give the external appearance of a storey.	Attics are not proposed.	N/A
The design of dormers must: a) be compatible with the form and pitch of the roof; and b) must not project above the ridgeline of the main roof; and c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.	Dormers are not proposed.	N/A
Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	The subject site is not located in the foreshore protection area.	N/A
BUILDING DESIGN (CAR PARKING)		
Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: a) comply with the road pattern shown in Appendix 2; and b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.	Not applicable.	N/A
Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.	A single car garage is proposed for each dwelling. Both garages are recessed 1m behind the building line and achieve a setback of 6.5m to the streetscape.	Yes
Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.	The proposed garages are recessed behind the building line and achieve a seamless integration with the dwelling design through the use of complimentary building materials and finishes. Two garages fronting the streetscape is characteristic of dual occupancy developments in the locality as demonstrated in Section 2.4 above.	Yes
Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: a) the building is at least 2 storeys in height, and	The final development is two storeys in height and the proposed garages have been recessed behind the building line to ensure that they do not dominate the site frontage. A panel design is proposed for the garage doors that complements the architectural styling of the development.	Yes

<p>b) the garage is architecturally integrated with the upper storey by:</p> <ul style="list-style-type: none"> i. ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. 		
LANDSCAPING		
<p>Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.</p>	<p>The proposed development does not require the removal of any significant trees or vegetation.</p>	<p>Yes</p>
<p>Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):</p> <ul style="list-style-type: none"> a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); and d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody. 	<p>A total of 227.12m² of landscaped area is provided on the site. Landscape treatment is commensurate with the proposed works and will help to soften the appearance of the built form and hardstand areas, whilst contributing to the well-maintained landscape characteristic of the locality.</p>	<p>Yes</p>

5 CONCLUSION

The proposed development at 41 Napoli Street, Padstow involves the demolition of existing structures and the construction of an attached dual occupancy development with swimming pool followed by Torrens Title Subdivision. The intention of the proposed works is to achieve the development potential of the site and provide a form of low impact residential development that is in keeping with the built form characteristics of the streetscape and will contribute to the demand for housing in Padstow.

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

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

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