

# Statement of Environmental Effects to support a Modification (\$4.55)

Modification to an approved development  
for Demolition of existing dwelling and  
proposed two storey dwelling

**Lot: 282 DP: 12280**  
**12 Septimus Avenue, Punchbowl**  
**New South Wales, 2196**

Canterbury-Bankstown Council



0402 422 745

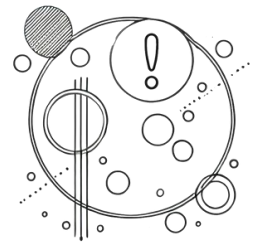


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## About the Author

I am a qualified Town Planner and have a Bachelor of Urban and Regional Planning (BURP) from the University of New England (Armidale). I am a member of the Planning Institute of Australia.

I am a qualified NatHERS assessor and have Certificate IV NatHERS Assessment. I am a member of Design Matters National.

I live in New Zealand, and work remotely to Australia, I am not permitted by the ATO to hold an ABN (Australian Business Number) and instead have ARN (Australian Registration Number). The ARN is a number used for overseas business conducting service-based business in Australia to complete a GST/Tax return. I am registered as a business in New Zealand and my company number is 9429047119994. Plan for tomorrow carries a registered trademark.

I hold Professional Indemnity insurance and Cyber Insurance.

For a list of projects I have undertaken, please feel free to explore the interactive map on my website: <https://plan-for-tomorrow.com/>. A capability statement is available on request.

## How to interpret this report

This report does not constitute an approval for development and does not override Council or the certifiers opinion or certification. The guidance offered is purely merit-based considerations and opinions, based on experience and an understanding of the facts and circumstances presented. The understanding is set out as follows so that it may be checked. If the understanding is incorrect, or materially incomplete, the advice may change.

Each section includes a table that addresses each of the clauses within the relevant parts of the legislation e.g.

4A.4 Landscaping	
Tree retention	
1 Landscape proposals are to retain existing trees, where possible. This may be achieved by: i) minimising changes to existing ground levels; ii) confining building works where appropriate to pre-existing building footprints.	The development proposes the removal of selected trees supported by an arborist who has no objections to their removal.

The response addresses the clause in the relevant section and provides guidance on additional information required to satisfy that clause. As a town planner, it is not within my scope of knowledge or expertise to certify these clauses or comment on related documents. These details should be provided by other consultants or authorities who specialize in areas such as tree removal permits or traffic assessments or the like.

**Sincerely,**

**Tania Hannaford**

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### Revision

18/02/2025 – Issued to Designer – Awaiting Additional Information

28/02/2025 – Issued to Designer – FINAL

## Introduction

This Modified Statement of Environmental Effects has been prepared to accompany an application for a modification to the Consent (DA-45/2021) approved by Canterbury-Bankstown Council on 29 March 2021 for the Demolition of existing dwelling and proposed two storey dwelling at the subject site, 12 Septimus Avenue, Punchbowl in accordance with Section 4.55(2) and Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).

This modified Statement, along with the supporting plans and reports, provide all the necessary information to assist the consent authority in making an informed assessment and favourable determination of the proposal in accordance with Section 4.55(2) of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).

## Site Location and Analysis

Lot: 282 DP: 12280 (12 Septimus Avenue, Punchbowl) is a fairly regular shaped allotment with a total area of 520.13m<sup>2</sup> and a 12.19 frontage to Septimus Avenue. The site has a gradient from the front to the rear of the site of 1.09m (RL 11.89 – RL 10.80). The proposed site currently contains the partially constructed two storey dwelling.

The front of the site includes overhead power lines that run the length of Septimus Avenue. The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area. The site is not identified as being bushfire prone land or flood affected. The site is not identified as having any environmental constraints.



Figure 1. 12 Septimus Avenue, Punchbowl (SIX Maps)

## Planning History

A search of the eplanning portal reveals the following applications and determinations for the site.

Determined 31 August 2021.	DA-45/2021/A – Demolition of existing dwelling and proposed two storey dwelling PROPOSED MODIFICATION: Amended roof design [Section 4.55(1A)].
Determined 29 March 2021.	DA-45/2021 – Demolition of existing dwelling and proposed two storey dwelling.
Determined 26 October 2015.	DA-403/2014/A – Retain part of a rear garage previously approved for demolition.
Determined 8 December 2014.	DA-403/2014 – Demolition of a garage and construction of a secondary dwelling.

This application relates to DA-45/2021 and subsequent applications.

## The Proposal

The modification proposes the following changes:

1. Retention of the general ground and first level floor plans
2. Relocate stairwell and associated windows to mirror reversed design
3. Relocate powder room and re design with associated window to include shower
4. Re design of laundry to remove shower and external door
5. Change living room southern window to 2 x awning windows

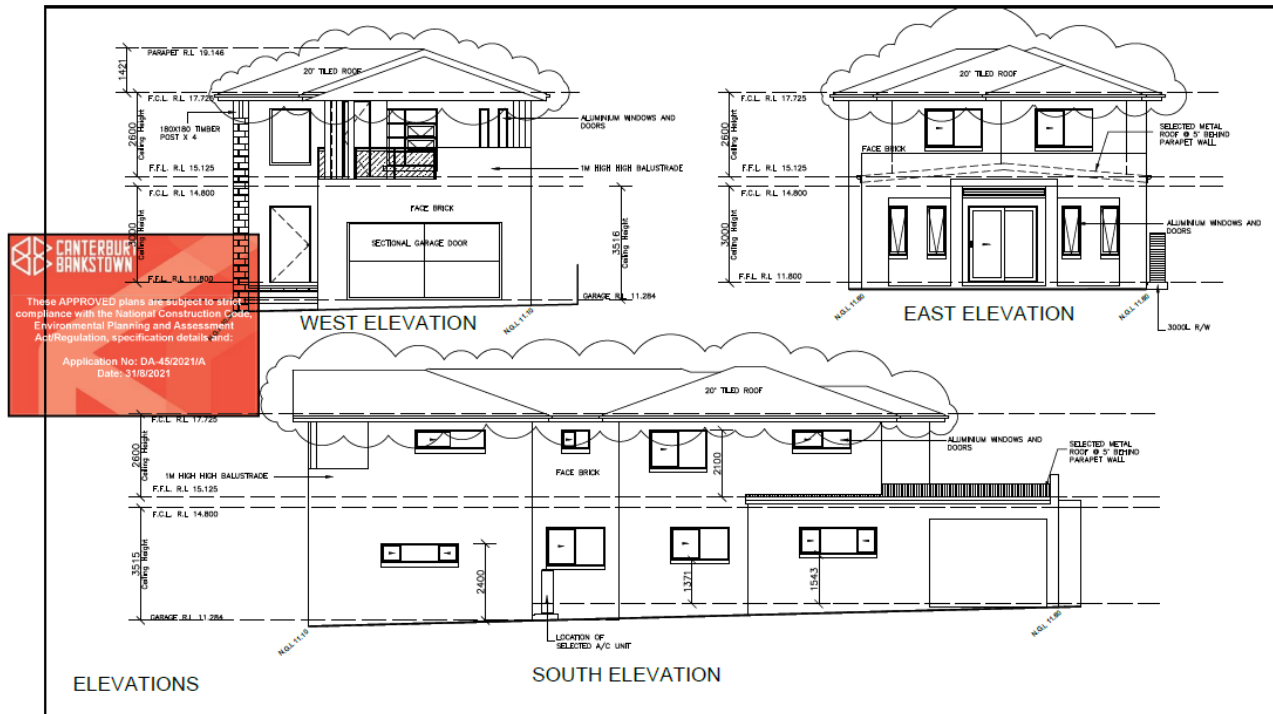


Figure 2. Approved Development at 12 Septimus Avenue, Punchbowl (Inkon Plans)

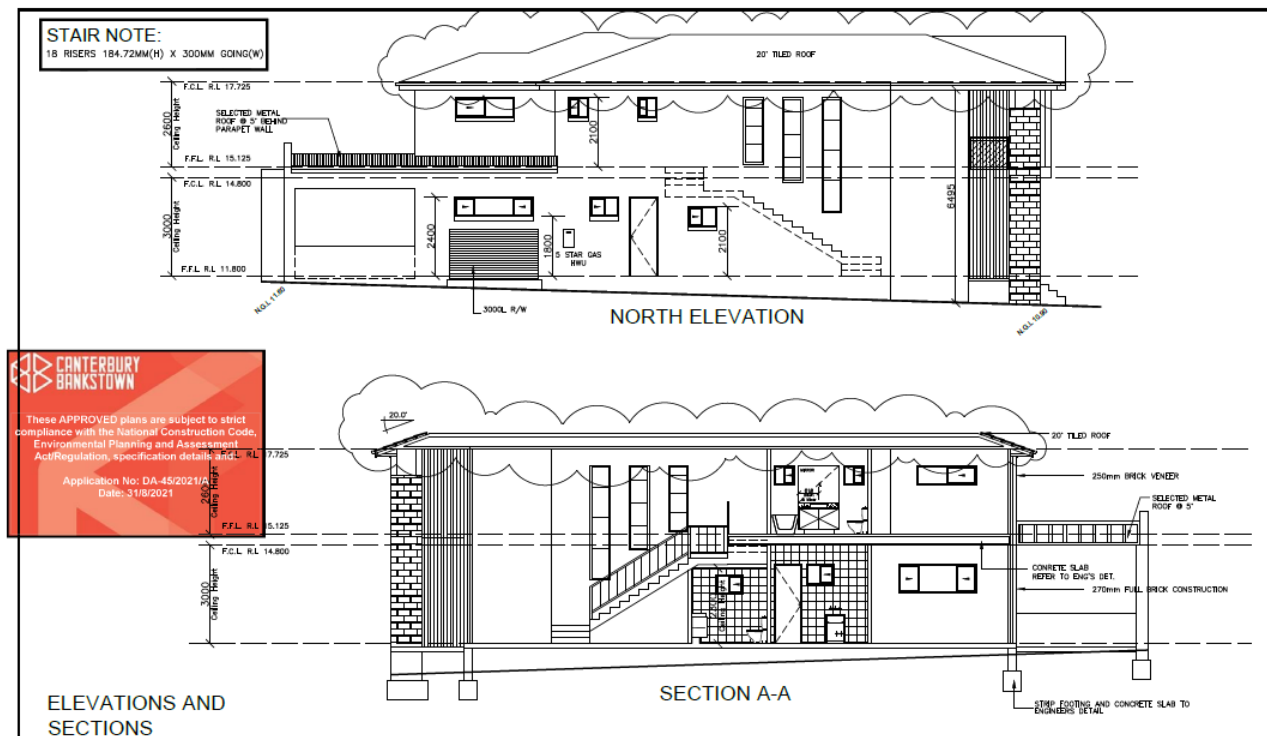


Figure 3. Approved Development at 12 Septimus Avenue, Punchbowl (Inkon Plans)

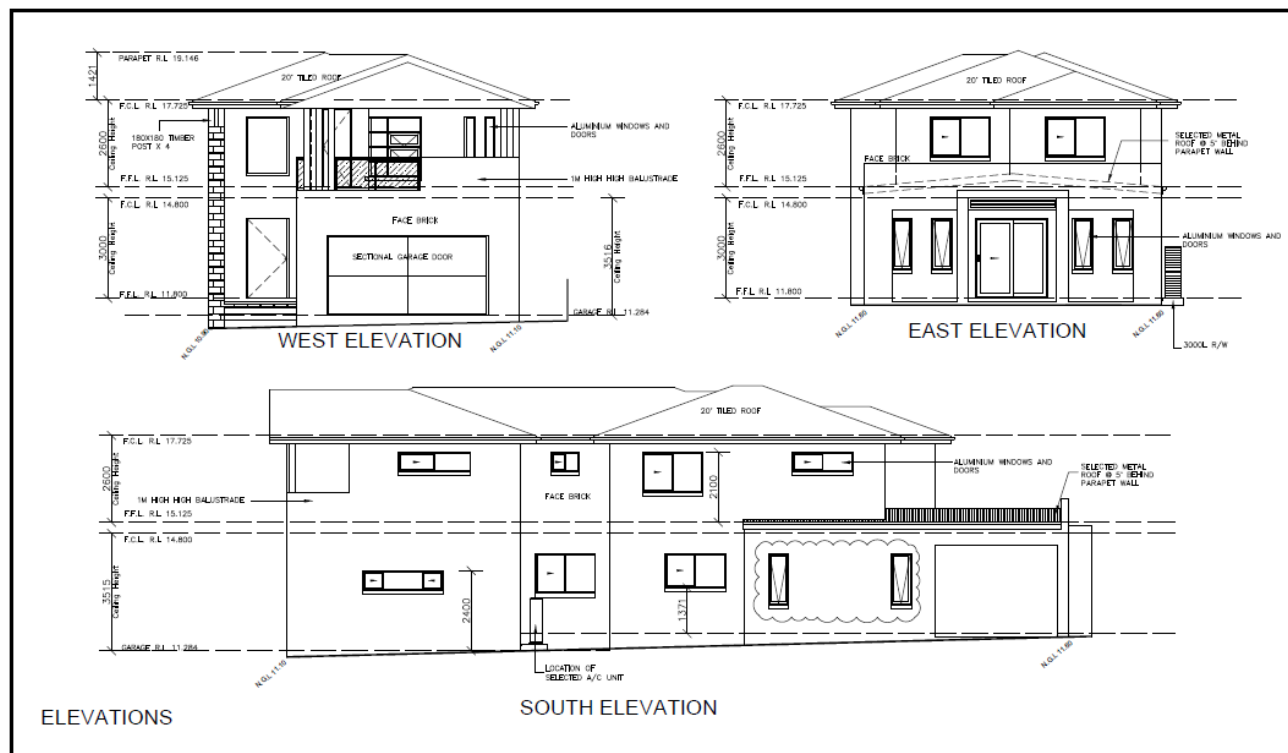
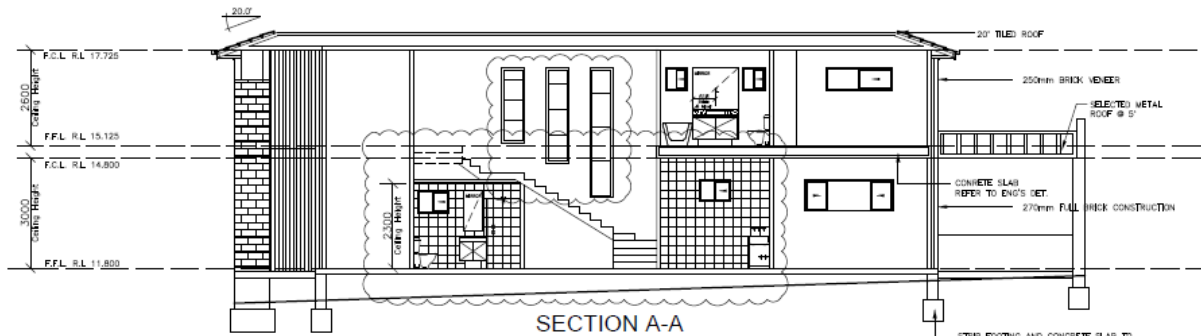
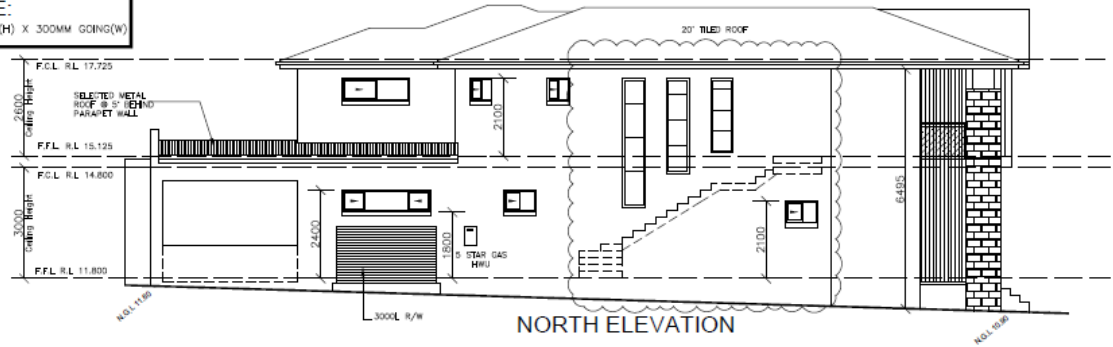


Figure 4. Proposed Development at 12 Septimus Avenue, Punchbowl (Inkon Plans)

**STAIR NOTE:**  
18 RISERS 184.72MM(H) X 300MM GOING(W)



**ELEVATIONS AND  
SECTIONS**

Figure 5. Proposed Development at 12 Septimus Avenue, Punchbowl (Inkon Plans)



## Environmental Planning and Assessment Act 1979

### 1.3 Objects of Act

The objects of this Act are as follows—

- (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 Environmental aspects and impacts of the proposal are outlined and addressed within this Statement. The proposed development will have no detrimental impact on natural or other resources, with a Planning Use that complements the site and area and existing infrastructure.
  - The development is orderly and rational, consistent with the applicable Canterbury-Bankstown Council planning controls in the R3 Medium Density Residential Zone.
  - The development maintains housing, and the site is located in a residential area.
  - There are no threatened species or the like in the area to be developed. The development will not have an environmental impact in relation to noise or air emissions. The site will be landscaped as part of the development.
  - The site is not a heritage item or within proximity to a heritage item or located within a heritage conservation area.
  - The proposal shows care and consideration for the existing and desired character of housing in the area. This ensures the amenity of the local area is reasonably protected.
  - The proposal will utilise high quality building materials and finishes. It will be designed to meet BCA criteria and access considerations to ensure appropriate protection to the health and safety of occupants.
  - The process has allowed consideration of both State and Local Government environment.

- This application will be exposed to public comment in the usual manner, as outlined in the Development Control Plan.

## **Ecologically Sustainable Development**

Ecologically Sustainable Development (ESD) is a key object of the Environmental Planning & Assessment Act, 1979. The definition, consideration and conceptualisation of ESD was well explained by Justice Preston in *Telstra Corporation Limited v Hornsby Shire Council* [2006] NSWLEC 133.

This included the “basic formulation” of “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”:

Six Principles can be considered and applied:

- 1. Sustainable use - the aim of exploiting natural resources in a manner which is “sustainable” or “prudent” or “rational” or “wise” or “appropriate”*
- 2. Effective integration of economic and environmental considerations in the decision making process*
- 3. The precautionary principle (referred to in 6(2)(a) of the Protection of the Environment Administration Act)*
- 4. Inter-generational equity - the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations*
- 5. Conservation of biological diversity and ecological integrity should be a fundamental consideration; and*
- 6. Internalisation of environmental costs into decision-making for economic and other development plans, programmes and projects likely to affect the environment.*

The proposal is consistent with the principles of ESD as it does not exploit natural resources, it has been based soundly on economic and environmental considerations, the likely environmental impacts of the proposal are well understood and predictable, it doesn't deplete, does not unreasonably affect biological diversity or ecological integrity, and it provides an enduring asset for future generations.

## Section 4.55 of the Environmental Planning & Assessment (EP&A) Act 1979

### (2) Other modifications

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

*(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Comment:** The following court cases provide a useful guide to the application of Modifications to consents and “(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”

- Trinity Grammar School v Ashfield Council [2015] NSWLEC 1086,
- Innerwest 888 Pty Ltd v Canterbury Bankstown Council [2017] NSWLEC 1241 et al; and
- DL Newport Pty Ltd v Northern Beaches Council [2017] NSWLEC 1661

The cases in particular test “(b) ...substantially the same development” with each case concluding that the applications were not substantially the same development (noting that this was not the basis for any of the cases presented before the courts).

The conclusions in each case refer to qualitative and quantitative assessments generally as guided by Moto Projects (No. 2) Pty Limited v North Sydney Council [1999] NSWLEC 280 where, at paras 55 and 56, Bignold J (in Innerwest 888 Pty Ltd v Canterbury Bankstown Council [2017] NSWLEC 1241) described the process for consideration of proposed modification of development as follows:

*55. The requisite factual finding obviously requires a comparison between the development, as currently approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is "essentially or materially" the same as the (currently) approved development.*

*56. The comparative task does not merely involve a comparison of the physical features or components of the development as currently approved and modified where that comparative exercise is undertaken in some type of sterile vacuum. Rather, the comparison involves an appreciation, qualitative, as well as quantitative, of the developments being compared in their proper contexts (including the circumstances in which the development consent was granted).*

Trinity Grammar School v Ashfield Council [2015] NSWLEC 1086 and Innerwest 888 Pty Ltd v Canterbury Bankstown Council [2017] NSWLEC 1241 also refer to the findings of Stein J in Vacik Pty Ltd v Penrith City Council [1992] NSW LEC 8, where it is noted that the applicant for modification bears the onus of showing that the modified development is substantially the same.

The proposal is therefore presented to in a way that Council can be satisfied that “....the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted....” for the following reasons:

- The modified development is contained within the development site to which Development Consent No. DA-45/2021 and subsequent modifications relate.
- The original development to which Development Consent No. DA-45/2021 was granted is described as “Demolition of existing dwelling and proposed two storey dwelling”. The proposed modification remains within the development description.
- The proposed modification (i.e. the urban form and scale) are within the planning controls for the site and development, as if the original development been proposed in accordance with these controls.
- The overall site design and layout of the modified development will be retained generally as approved (i.e. no change to approved uses).

The modification is therefore considered to be substantially the same as the development for which consent was originally granted.

*(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

**Comment:** Concurrence was not required for the original application.

*(c) it has notified the application in accordance with:*

- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

**Comment:** The application is to be notified in accordance with the regulations.

*(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Comment:** We do not anticipate any submissions from neighbouring properties.

*(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

**Comment:** Refer to assessment below.

*(4) The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.*

**Comment:** Noted.

## **Section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979**

### **(1) Matters for consideration—general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

#### **(a) – the provisions of—**

##### **(i) – Provisions of any environmental planning instrument**

#### **State Environmental Planning Policies**

##### **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

###### Chapter 2 Vegetation in non-rural areas

The modification does not propose the removal of any significant trees on the site.

##### **State Environmental Planning Policy (Sustainable Buildings) 2022**

An amended BASIX Certificate is provided with this application.

##### **State Environmental Planning Policy (Resilience and Hazards) 2021**

###### Chapter 4 Remediation of Land

The site has been approved as suitable for residential purposes and does not require remediation under the *Contaminated Land Management Act 1997*.

##### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

###### Chapter 2 Infrastructure

The site is not fronting or adjacent to a classified road, rail corridor or within the vicinity of a telecommunications structure requiring consideration under the SEPP.

#### **Canterbury-Bankstown Local Environmental Plan 2023**

##### **2.1 – 2.3 Zoning**

Zone is R3 Medium Density Residential. The development (Demolition of existing dwelling and proposed two storey dwelling) has been approved as a permissible use with consent (DA-45/2021). The use complies with the objectives of the zone which seek to:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To allow for development that provides a suitable visual transition between high density residential areas and low density residential areas.
- To ensure suitable landscaping in the medium density residential environment.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.
- To promote a high standard of urban design and local amenity.

The modification does not seek to change the proposed use.

## **2.7 Demolition requires development consent**

*The demolition of a building or work may be carried out only with development consent.*

The modification maintains the approved demolition management requirements.

## **4.3 Height of buildings**

*(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

The maximum building height permitted for this site is 8.5m. The modification does not propose a change to the height of buildings on the site.

## **4.4 Floor space ratio**

*(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.*

The maximum floor area permitted for this site is 0.5:1. The development maintains an FSR of 0.5:1.

## **5.10 Heritage**

The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area.

## **5.21 Flood Planning**

The site is not identified as being affected by flooding.

## **5.11 Bush fire hazard reduction**

The site is not identified as being bushfire prone land.

### **6.1 Acid sulfate soils**

The site is mapped ASS Class 5 – (works adjacent to or within 500m and below 5m AHD a Class 1, 2, 3 or 4 where the PASSA is triggered).

The modification maintains the approved acid sulfate soils management requirements.

### **6.2 Earthworks**

*(2) Development consent is required for earthworks unless—*

- (a) the earthworks are exempt development under this plan or another applicable environmental planning instrument, or*
- (b) the earthworks are ancillary to—*
  - (i) development that is permitted without development consent under this plan, or*
  - (ii) development for which development consent has been granted.*

The modification does not seek to change the approved earthworks. The modification maintains the approved earthwork management requirements.

### **6.3 Stormwater management and water sensitive urban design**

*(2) This clause applies to land in Zones R2, R3, R4, B1, B2, B4, B5, B6, B7, IN1, IN2, SP1, SP2, RE1 and RE2.*

*(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*
- (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, stormwater retention and detention, public open space and recreational and visual amenity.*

The modification does not seek to change the approved stormwater management requirements. The modification maintains the approved stormwater management



requirements.

## **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.*

The modification maintains the approved servicing requirements.

## **(ii) – Provisions of any draft environmental planning instrument**

The NSW Department of Planning & Environment regularly review SEPPs to ensure they are up-to-date, effective and simple. Below are policies (at February 25) that have recently been or are now under review:

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/consolidated-state-environmental-planning-policies>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/corridor-protection-sepp>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/primary-production-and-rural-development>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/peel-of-operational-sepps>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/sydney-metro-northwest-srd-sepp>

<https://www.planning.nsw.gov.au/policy-and-legislation/exempt-and-complying-development-policy/housekeeping-amendments-to-the-codes-sepp-2022>

<https://www.planning.nsw.gov.au/plans-for-your-area/priority-growth-areas-and-precincts/penrith-lakes>

Though the DRAFT SEPPs have been taken into consideration when preparing this proposal, the provisions of existing planning controls still apply (and have been applied in

this proposal).

### (iii) – Provisions of any development control plan

Section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979

#### Clause (3A) Development control plans

*If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—*

*(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*

*(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*

*(c) may consider those provisions only in connection with the assessment of that development application.*

*In this subsection, standards include performance criteria.*

### Canterbury-Bankstown Development Control Plan 2023

In particular, the following criteria of the relevant volumes apply:

#### Chapter 2 – Site Considerations

2.1 Site Analysis	
1.1 Development for the following purposes must submit a site analysis plan: (a) attached dwellings (b) boarding houses (c) manor houses (d) multi dwelling housing (e) multi dwelling housing (terraces) (f) residential flat buildings (g) serviced apartments (h) shop top housing (i) housing estates (j) mixed use development containing dwellings (k) Torrens Title subdivision that proposes three or more lots.	The modification maintains a single dwelling development.
<b>Chapter 2.2 - Flood Risk Management</b>	The site is not identified as being affected by flooding.
<b>Chapter 2.3 - Tree Management</b>	
<b>Works requiring a permit</b>	
2.1 A person must not cut down, fell, uproot, kill,	The modification does not propose the removal

<p>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.</p> <p>2.2 Development consent is required to remove any tree:</p> <p>(a) located on a site listed as a heritage item in Schedule 5 of the CanterburyBankstown Local Environmental Plan 2023; or</p> <p>(b) located on land included on the Biodiversity Map under the CanterburyBankstown Local Environmental Plan 2023.</p>	<p>of any significant trees on the site.</p>
<b>Chapter 2.4 - Pipeline Corridors</b>	The site is not identified as being within or near a pipeline corridor.

## Chapter 5 – Residential Accommodation – 5.2 Former Canterbury LGA

SECTION 2-DWELLING HOUSES AND OUTBUILDINGS

Site Planning

2.1 Minimum lot size and frontage

C1 The minimum primary street frontage width for dwelling houses is 15m.

C2 Lots must be generally rectangular.

C3 Internal and battle-axe blocks and lots with irregular dimensions or shallow depths must satisfy the objectives of the DCP.

C4 Nothing in this section prevents Council giving consideration to the erection of a dwelling house on an allotment of land which existed as of 1 January 2013.

The lot has an existing frontage of 12.19 to Septimus Avenue.

The site is generally rectangular in shape.

As above.

The lot is existing.

2.2 Site coverage

C1 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%

The site has an area of 520.13sqm.

The modification does not change the approved site coverage.

600m2 to 899m2	380m2	60m2	40%
900m2 or above	430m2	60m2	40%

2.3 Landscaping

C1 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%

C2 Deep soil areas must have a minimum dimension of 2.5m.

2.4 Layout and orientation

C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.

C2 Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.

C3 Coordinate design for natural ventilation with passive solar design techniques.

C4 Site new development and private open space to avoid existing shadows cast from nearby buildings.

C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.

The site has an area of 520.13sqm.

The modification does not change the approved landscaping or landscaping requirements.

The deep soil areas have a dimension of >2.5m.

The site and development are located along the east-west in accordance with the orientation of the site. The living areas are positioned to the rear of the site (east). Lighting has been addressed through compliance with the NCC. Heating and cooling have been addressed through a compliant BASIX Certificate.

The site and development are located along the east-west in accordance with the orientation of the site. Shadows will generally be cast to the south dwelling. A setback of 1460mm is maintained to the southern boundary for mitigation of overshadowing.

The proposal includes openings to provide for natural ventilation with passive solar design techniques.

The site is located in a residential area. The development is located along the east-west in accordance with the orientation of the site. The development is expected to receive shadows in accordance with the orientation and development of the adjoining sites and development.

The site is located in a residential area. The development is located along the east-west in accordance with the orientation of the site. Suitable ventilation is provided through openings throughout the dwelling.

C6 Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	The location of the front door ensures a clearly defined access point. The proposal maintains habitable rooms that overlook the street. The dwelling maintains a lockable car space with room for internal storage.
<b>Building Envelope</b>	
<b>2.5 Height</b>	
<p>C1 Development for the purposes of dwelling houses must not exceed the following numerical requirements:</p> <p>(a) A maximum two storey built form.</p> <p>(b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.</p> <p>(c) A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m.</p> <p>(d) Finished ground floor level is not to exceed 1m above the natural ground level.</p> <p>Note: Skillion and flat roof forms will be considered on merit.</p>	The modification does not propose a change to the height of buildings on the site.
<p><u>Basement and sub-floor projection</u></p> <p>C2 Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.</p>	A basement is not proposed.
<p><u>Attics and roof terraces</u></p> <p>C3 Attics and mezzanine floors do not comprise a storey.</p> <p>C4 Roof top terraces are not acceptable on any building or outbuilding in any residential zone.</p>	An attic or roof terrace is not proposed.
<p><u>Basement and sub-floor</u></p> <p>C5 Dwelling houses may provide basement or subfloor parking where site constraints warrant and it can be demonstrated that there will be no adverse impacts on amenity, streetscape or public domain.</p> <p>C6 Basement and sub-floor parking is only suitable where compliance with Chapter 3.2 of this DCP can be demonstrated.</p>	A basement is not proposed.
<u>Retaining walls – Development without basement parking</u>	

<p>C7 Walls that would enclose a sub-floor area: (a) Maximum 2m for steeply sloping land; and (b) Maximum 1m for all other land.</p>	N/A
<p>C8 Retaining walls that would be located along, or immediately adjacent to, any boundary: (a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and (b) Maximum 1m for all other land.</p>	N/A
<p><u>Cut and fill – Development without basement parking</u></p> <p>C9 Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.</p> <p>C10 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.</p> <p>C11 Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.</p> <p>C12 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.</p>	The modification does not propose a change to the approved cut and / or fill of the development.
<b>2.6 Setbacks</b>	
<p><u>Front, side and rear setbacks</u></p> <p>C1 Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.</p> <p>C2 Development must comply with the minimum front, side and rear setbacks as detailed in the following tables:</p>	<p>The site does not have a boundary to a major road.</p> <p>Refer to below:</p>

<b>Table 3: Dwelling houses with frontage of 12.5m or less</b>		
<b>Setback</b>	<b>Controls</b>	<b>Proposed</b>
Front Setback	<ul style="list-style-type: none"> <li>Minimum setback of 5.5m from the front boundary.</li> <li>Maximum 2m recess for the main entrance from the front building line.</li> </ul>	<p>Unchanged: 5.5m to the garage</p> <p>Unchanged: &lt;2.0m</p>

	<ul style="list-style-type: none"> <li>Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li> </ul>	
Side Setbacks	<ul style="list-style-type: none"> <li>Minimum setback of 900mm from side boundaries.</li> <li>Alterations and additions may be in line with the existing ground level walls.</li> </ul>	Unchanged: GF: >0.9m Unchanged: UF: min. 1.46m
Rear Setbacks	<ul style="list-style-type: none"> <li>Minimum setback of 6m from the rear boundary</li> </ul>	Unchanged: GF: >3m Unchanged: UF: >8m

<p><u>Exceptions and other requirements</u></p> <p>C3 External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.</p> <p>C4 For first floor additions, front and side setbacks may match the ground floor wall alignment of the existing dwelling for a depth of 10m or 50% of the length of the facade, whichever is the greater.</p> <p>C5 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.</p> <p>C6 Swimming pools must not be located within any front setback.</p> <p>C7 One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.</p> <p>C8 For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.</p> <p>C9 Car parking structures must satisfy the Building Code of Australia requirements.</p> <p>C10 For existing dwelling houses, a single space</p>	<p>As noted above, setbacks to external walls comply.</p> <p>The modification is to a new single dwelling house.</p> <p>A swimming pool is not proposed.</p> <p>N/A - As above.</p> <p>The site does not adjoin a rear lane.</p> <p>Not existing or proposed.</p> <p>The modification does not change the approved car parking or car parking requirements.</p>
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<p>carport may encroach beyond the minimum front setback, where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>(a) there is no existing garage on the site;</li> <li>(b) there is no side or rear vehicle access to the site;</li> <li>(c) the site does not contain a heritage item or is not within a heritage conservation area or local character area;</li> <li>(d) the site is in the vicinity of existing, approved carports on adjacent sites that are forward of the front building line;</li> <li>(e) the maximum width of the single carport is 3m;</li> <li>(f) it is of a simple posted design, with no side panel infill;</li> <li>(g) there is no solid panel lift or roller shutter door proposed;</li> <li>(h) the carport is setback a minimum 1m from the primary and secondary street frontages;</li> <li>(i) the carport achieves a high quality design and has a roof design that is compatible with the dwelling house.</li> </ul> <p>C11 On land identified as having a height of 9.5m on the Map, the following parking structures may encroach beyond the minimum front or side setback:</p> <ul style="list-style-type: none"> <li>(a) One carport that is not wider than 6m.</li> <li>(b) On sites that rise from the street frontage, one garage that is not wider than 6m and no higher than 3m above street level.</li> </ul> <p>C12 The following minor building elements may project up to 1m into the minimum side setback area:</p> <ul style="list-style-type: none"> <li>(a) Roof eaves, awnings, pergolas and patios;</li> <li>(b) Stair or ramp access to the ground floor;</li> <li>(c) Rainwater tanks; and</li> <li>(d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).</li> </ul> <p>C13 Elements that articulate a front elevation of a dwelling house, such as awnings, balconies, patios, pergolas, porches, porticoes and verandas, may project up to 1.5m into the required front setback articulation zone.</p>	<p>N/A.</p> <p>Noted.</p> <p>The modification does not change elements approved within the zone.</p>
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<p>C14 On steeply sloping land basements and basement parking are acceptable only if they:</p> <p>(a) Do not extend beyond the exterior walls or ground floor patios of the dwelling.</p> <p>(b) Accommodate only entrance lobby, stairway, car parking or storage, but do not accommodate any habitable room.</p> <p>(c) Are not capable of future alteration to accommodate any habitable room.</p>	<p>N/A</p>
<p><b>2.7 Building separation</b></p>	
<p>C1 The following controls apply to alterations and additions to dwelling houses:</p> <p>(a) The top storey of any two-storey building should be designed, as a series of connected pavilion elements.</p> <p>(b) Pavilion elements shall have a depth between 10m to 15m.</p> <p>(c) Articulate pavilion elements by an additional side boundary setback, and identified by separate roofs.</p>	<p>The modification is to a new single dwelling house.</p>
<p><b>Building Design</b></p>	
<p><b>2.8 General design</b></p>	
<p><u>Contemporary built form</u></p> <p>C1 Contemporary architectural designs may be acceptable if:</p> <p>(a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.</p> <p>(b) The proposed addition is not visually prominent from the street or from a public space.</p> <p>(c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.</p> <p>C2 New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.</p> <p>C3 Access to upper storeys must not be via external stairs.</p> <p>C4 All dwellings must contain one kitchen and laundry facility.</p> <p>C5 Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).</p>	<p>The modification maintains the approved architectural design is modern having a pitched roof, varied tones and brick and clad construction.</p> <p>As above.</p> <p>Not proposed.</p> <p>The modification maintains a kitchen and laundry.</p> <p>The modification maintains the approved pitched roof.</p>

<p>C6 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.</p>	<p>A pitched roof is maintained.</p>
<p><u>Building entries</u></p> <p>C7 Entries to residential buildings must be clearly identifiable.</p> <p>C8 The front door to a dwelling house may face a side boundary, or may be located beneath a carport, provided it is clearly identified by a porch or awning, and pathways.</p> <p>C9 A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.</p> <p>C10 Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.</p>	<p>The modification maintains a front door that ensures a clearly defined access point.</p> <p>The front door addresses the street and is clearly identified by a porch and pathways.</p> <p>The modification maintains habitable rooms that overlook the street.</p> <p>N/A</p>
<p><u>Internal dwelling layout</u></p> <p>C11 Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.</p> <p>C12 The primary living area and principal bedroom must have a minimum dimension of 3.5m.</p> <p>C13 Secondary bedrooms must have a minimum dimension of 3m.</p> <p>C14 Provide general storage in addition to bedroom wardrobes and kitchen cupboards.</p>	<p>The modification maintains capable of accommodating the range of furniture that is typical for the purpose of each room.</p> <p>A primary living area and principal bedroom have a minimum width of 3.5m.</p> <p>Secondary bedrooms have a minimum width of 3m.</p> <p>Additional space is maintained in the garage that may be used for storage.</p>
<p><u>Facade treatment</u></p> <p>C15 Development on corner lots must address both street frontages through facade treatment and articulation of elevations.</p> <p>C16 Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.</p> <p>C17 Facade design should reflect the</p>	<p>N/A</p> <p>The modification does not change the approved external colours and finishes of the development.</p> <p>The modification maintains the approved street</p>

<p>orientation of the site using elements such as sun shading devices, light shelves and bay windows</p> <p>C18 Facades visible from the street should be designed as a series of articulating panels or elements.</p> <p>C19 The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.</p> <p>C20 The width of articulating panels shall be in accordance with the numerical requirements below:</p> <table><tr><th>Façade</th><th>Street elevation</th><th>Side elevation</th></tr><tr><td>Width of articulating panels</td><td>4m to 6m</td><td>10m to 15m</td></tr></table> <p>C21 Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall or other protruding feature) of at least 0.5m for residential buildings.</p> <p>C22 Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.</p> <p>C23 Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.</p> <p>C24 Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.</p>	Façade	Street elevation	Side elevation	Width of articulating panels	4m to 6m	10m to 15m	<p>façade reflecting the orientation of the site and includes elements such as sun shading devices.</p> <p>As above.</p> <p>The width of articulating panels is consistent with the scale and rhythm characteristic of bungalows.</p> <p>The elevations are suitably articulated.</p> <p>As above</p> <p>Variation is maintained between the ground and upper levels.</p> <p>The modification does not change the approved external colours and finishes of the development.</p> <p>N/A</p>
Façade	Street elevation	Side elevation					
Width of articulating panels	4m to 6m	10m to 15m					
<p><u>Pavilions</u></p> <p>C25 The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.</p> <p>C26 Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.</p> <p>C27 Pavilion elements shall have a depth between 10-15m.</p>	<p>The upper floor is maintained as a series of connected pavilion elements to minimise scale and bulk.</p> <p>As noted, the side and street elevations are suitably articulated.</p> <p>As above.</p>						

C28 Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.	As above.
<p><u>Windows</u></p> <p>C29 Large windows should be located at the corners of a building and may be designed as projecting bay-windows.</p> <p>C30 Large windows should be screened with blinds, louvres, awnings or pergolas and be draft insulated.</p> <p>C31 Windows must be rectangular.</p> <p>C32 Square, circle and semi-circle windows are acceptable in moderation.</p> <p>C33 Vertical proportioned window openings can include multi-panel windows or multi-panel doors.</p> <p>C34 Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p>C35 Dormer windows on buildings in the residential zone do not appear as additional storey must comply with the following design requirements: (a) Individual dormers are no wider than 1.5m in width; (b) Provide a minimum 2.5m separation between dormers; and (c) Dormers do not extend encroach above the ridgeline of the building.</p>	<p>N/A</p> <p>N/A</p> <p>Windows are generally rectangular</p> <p>Not proposed</p> <p>Noted</p> <p>Windows are appropriately placed in relation to the room they serve. Heating and cooling have been addressed in compliance with SEPP BASIX.</p> <p>Not proposed.</p>
<p><u>Ventilation</u></p> <p>C36 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).</p> <p>C37 Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an</p>	<p>The proposal maintains openings to provide for natural ventilation with passive solar design techniques.</p> <p>Noted.</p>

alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.	
<b>2.9 Roof design and features</b>	
C1 Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	The modification does not seek to change the approved roof pitch. The development has an appropriate bulk and scale for the streetscape.
C2 Avoid complex roof forms such as multiple gables, hips and valleys, or turrets.	Not proposed.
C3 Roof pitches are to be compatible and sympathetic to nearby buildings.	A pitched roof is maintained.
C4 Parapet roofs that increase the height of exterior walls are to be minimised.	Not proposed.
C5 Use minor gables only to emphasise rooms or balconies that project from the body of a building.	N/A
C6 Mansard roofs (or similar) are not permitted.	Not proposed
C7 Pitched roofs should not exceed a pitch of 30 degrees.	The modification does not seek to change the approved roof pitch.
C8 Relate roof design to the desired built form and context.	The modification does not seek to change the approved roof pitch. The development maintains an appropriate bulk and scale for the streetscape.
C9 Roofs with greater pitches will only be considered on merit taking into account matters such as streetscape, heritage value and design integrity.	N/A
<b>Amenity</b>	
<b>2.10 Solar access and overshadowing</b>	
<u>Solar access to proposed development</u>	
C1 Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.	The primary living areas receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
C2 Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.	Principle areas of private open space 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.
<u>Solar access to neighbouring development</u>	

<p>C3 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.</p> <p>C4 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.</p> <p>C5 Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:  (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.  (b) If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight.</p> <p>C6 Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.</p>	<p>The site and development are located along the east-west axis. 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 is retained.</p> <p>It is acknowledged that the development will decrease solar access to the dwelling to the south, given that the site is located along the east-west axis including an upper level. The development complies with the LEP height of building and DCP wall heights and setbacks. 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 is retained.</p> <p>N/A</p> <p>Clothes drying area on adjoining residential properties will receive a minimum of 3 hours of sunlight on 21 June.</p>
<p><u>Shading devices</u></p> <p>C7 Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p>C8 Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.</p> <p>C9 Provide horizontal shading to north-facing windows and vertical shading to east or west windows.</p>	<p>Windows are appropriately placed in relation to the room they serve. Heating and cooling have been addressed in compliance with SEPP BASIX.</p> <p>Suitable shading devices are proposed.</p> <p>As above.</p>

C10 Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.	As above.
C11 Avoid reducing internal natural daylight or interrupting views with shading devices.	As above.
C12 Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.	Suitable shading devices are proposed. Heating and cooling have been addressed in compliance with SEPP BASIX.
C13 Use high performance glass with a reflectivity below 20%.	Reflectivity is not more than 20%
C14 Minimise external glare by avoiding reflective films and use of tint glass.	N/A
C15 Use of draft insulation around windows and doors.	Able to comply.
<b>2.11 Visual privacy</b>	
C1 Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.	The main living room and recreation areas of the site will maintain visual privacy due to their location.
C2 Minimise direct overlooking of rooms and private open space through the following: (a) Provide adequate building separation, and rear and side setbacks; and (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.	The development complies with the LEP height of building and DCP wall heights and setbacks. Living room windows and private open spaces are oriented towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
C3 If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.	The development includes upper level windows with effective screening. Windows are appropriately sized in relation to the they serve.
C4 Screening of bedroom windows is optional and dimensions are not restricted.	Noted.
<b>2.12 Acoustic privacy</b>	
C1 Protect sensitive rooms, such as bedrooms,	The site is not located near a significant noise

from likely sources of noise such as major roads and neighbouring' living areas.	source.
C2 Bedroom windows in new dwellings that would be located at or close to ground level are be raised above, or screened from, any shared pedestrian pathway.	N/A.
C3 Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.	Front balconies and windows are appropriately orientated or screened.
C4 Address all requirements in 'Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)' published by the NSW Department of Planning.	N/A. The site is not near a rail corridor or busy road.
<b>Fences and Ancillary Development</b>	
<b>2.13 Fences</b>	The modification does not seek to change the existing fences on the site.
<b>2.14 Outbuildings and swimming pools</b>	N/A. An outbuilding/swimming pool is not proposed.
<b>2.15 Building services</b>	
C1 All letterboxes be installed to meet Australia Post standards.	A letterbox will be installed to meet Australia Post standards.
C2 Design and provide discretely located mailboxes at the front of the property.	As above.
C3 Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.	All services and utility areas are coordinated with the design of the whole development.
C4 Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.	Facilities are not visually obtrusive and do not detract from soft-landscaped areas that are located within the required setbacks or building separations.
C5 Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.	As above.
C6 Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site: (a) Screen air conditioning units behind balcony balustrades;	N/A



<p>(b) Provide screened recesses for water heaters rather than surface - mounting them on exterior walls; and</p> <p>(c) Locate meters in service cabinets.</p> <p>C7 Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.</p> <p>C8 Coordinate and integrate building services, such as drainage pipes, with overall facade and balcony design.</p> <p>C9 Location and design of service areas should include:</p> <p>(a) Screening of clothes drying areas from public places; and</p> <p>(b) Space for storage that is screened or integrated with the building design.</p> <p>C10 Minimise visual impact of solar hot water systems by:</p> <p>(a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;</p> <p>(b) Using a colour that is consistent with the colour of roof materials;</p> <p>(c) Designing solar panels, where possible, as part of the roof;</p> <p>(d) Setting the solar panels back from the street frontage and position below the ridgeline; and</p> <p>(e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).</p>	<p>All services and utility areas are coordinated with the design of the whole development.</p> <p>As above</p> <p>Service areas a located to the rear of the site.</p> <p>N/A</p>
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## Chapter 3.1 – Development Engineering Standards

Section 3 – Stormwater drainage systems	
Development impacted by stormwater systems	
<p>3.1 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</p>	<p>The modification does not seek to change the approved stormwater management requirements. The modification maintains the approved stormwater management requirements.</p>

<p>requirements of this DCP.</p> <p>It is the applicant's responsibility to locate and verify Council's stormwater drainage system as shown on the SSR or other information given by Council, including OLFPs where the stormwater system is located within the site.</p> <p>Development must be designed and constructed to make provision for overland flow from stormwater runoff generated by external upstream catchments.</p>	
<b>Disposal of stormwater runoff</b>	
<p>3.2 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. Catchment redirections may be permitted subject to compliance with requirements outlined below.</p> <p>A separate approval to connect to Council's stormwater drainage system must be obtained from Council. Permission to carry out the works must be obtained by applying for the relevant Work Permit.</p> <p>The final number of drainage outlets will be determined by Council through the WP process and the Storm Water Connection Plan Approval. Pipelines constructed across the footway must generally be confined to within the site frontage. In certain circumstances Council may consider allowing the pipeline to extend a maximum of 20m along the footway in front of adjoining site. The applicant must demonstrate that the development potential of the adjoining site, including construction of VFCs, will not be adversely affected.</p>	<p>As above.</p>

## Chapter 3.2 – Parking

<b>Section 2 – Off-Street Parking Rates</b>	
<p><u>Off-street parking rates</u></p> <p>2.1 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.</p>	<p>Required: 2 car spaces Unchanged: 2 car spaces</p>

<p>2.2 In calculating the total number of car parking spaces required for development, these must be:</p> <p>(a) rounded down if the fraction of the total calculation is less than half (0.5) a space; or</p> <p>(b) rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and</p> <p>(c) must include a room that is capable of being converted to a bedroom.</p> <p>2.3 Development comprising more than one land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule.</p> <p>2.4 Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area.</p> <p>2.5 Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.</p> <p>2.6 The Off-Street Parking Schedule does not apply to changes of uses to business premises, food and drink premises, medical centres, office premises, recreation facilities (indoor), shops and veterinary hospitals within Zones B1, B2 and B4 provided:</p> <p>(a) The new use does not result in an increase in the gross floor area of any building within which it is carried out.</p> <p>(b) The new use does not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to car parking and vehicular movement.</p>	<p>N/A. Car parking is provided in accordance with the above clause.</p> <p>N/A. The site is located within R3 Medium Density Residential. The modification is to a single dwelling development.</p> <p>Noted.</p> <p>N/A</p> <p>The modification is to a single dwelling development.</p>							
<table><tr><th>Land use</th><th>Car spaces</th><th>Bicycle spaces</th></tr><tr><td>Dwelling houses</td><td>2 car spaces</td><td>Not applicable</td></tr></table>			Land use	Car spaces	Bicycle spaces	Dwelling houses	2 car spaces	Not applicable
Land use	Car spaces	Bicycle spaces						
Dwelling houses	2 car spaces	Not applicable						

## Chapter 3.3 – Waste Management

Section 3 – Residential development	
All residential development types	
<p>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.</p>	<p>The modification maintains the approved waste management requirements.</p>
<p>3.2 Each dwelling is to have:</p> <p>(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.</p> <p>(b) A suitable space in the kitchen for a caddy to collect food waste.</p>	<p>The modification does not change the waste management area within the kitchen area.</p>
<p>3.3 Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins.</p>	<p>Sufficient area is maintained to the side of the dwelling for the storage of waste bins.</p>
<p>3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings.</p>	<p>The location of the bin storage area does not adversely impact on the streetscape, building presentation or amenity of occupants and adjoining dwellings.</p>
<p>3.5 The location of the bin storage area should ensure this area:</p> <p>(a) is screened or cannot be viewed from the public domain; and</p> <p>(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.</p>	<p>The location of the bin storage area ensures this area:</p> <p>(a) is screened or cannot be viewed from the public domain; and</p> <p>(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise and odour</p>
<p>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.</p>	<p>The location of the bin storage area is convenient to use for the dwelling occupants, 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 does not pass through any internal rooms of the dwelling and avoids stairs or slopes</p>
<p>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</p>	<p>Noted.</p>

an unpaved area, with a minimum size of 1m <sup>2</sup> per dwelling.	
3.8 Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection.	Sufficient storage is maintained.
3.9 Development must comply with the requirements of the applicable Waste Design for New Developments Guide.	The development is able to comply with the requirements of the applicable Waste Design for New Developments Guide.

## Chapter 3.4 – Sustainable Development

Section 2 – Water conservation	
2.1 Proposals for new development with a gross floor area less than 5,000m <sup>2</sup> and proposals for extensions to existing developments below 5,000m <sup>2</sup> seeking to expand by 50% or more of the existing floor area must comply with Requirement W1.	The modification is for a single dwelling development with a gross floor area of less than 5,000m <sup>2</sup> . Refer to BASIX for water conservation measures.
2.2 Proposals for new development or extensions with a floor area greater than or equal to 5,000m <sup>2</sup> of gross floor area must comply with Requirements W1 and W2.	N/A
Section 3 – Energy minimisation	
3.1 Proposals for new development where the total gross floor area is below 5,000m <sup>2</sup> ; and extensions to existing uses below 5,000m <sup>2</sup> that involve an increase in 50% or more of the existing gross floor area must comply with Requirements E1 and E2.	The modification is for a single dwelling development with a gross floor area of less than 5,000m <sup>2</sup> . Refer to BASIX for water conservation measures.

## Chapter 3.7 – Landscape

Section 2 – Landscape design	
Existing vegetation and natural features	
2.1 New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.	Noted.
2.2 Development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.	The modification does not seek to change the approved earthworks. The modification maintains the approved earthwork management requirements.
Design and location of landscape	
2.3 The landscape design is to contribute to and	The modification does not seek to change the

<p>take advantage of the site characteristics.</p> <p>2.4 The landscape design is to improve the quality of the streetscape and communal open spaces by:</p> <ul style="list-style-type: none"> <li>(a) providing appropriate shade from trees or structures;</li> <li>(b) defining accessible and attractive routes through the communal open space and between buildings;</li> <li>(c) providing screens and buffers that contribute to privacy, casual surveillance, urban design and environmental protection, where relevant;</li> <li>(d) improving the microclimate of communal open spaces and hard paved areas;</li> <li>(e) locating plants appropriately in relation to their size including mature size;</li> <li>(f) softening the visual and physical impact of hard paved areas and building mass with landscaping that is appropriate in scale;</li> <li>(g) including suitably sized trees, shrubs and groundcovers to aid climate control by providing shade in summer and sunlight in winter.</li> </ul> <p>2.5 The landscape of setbacks and deep soil zones must:</p> <ul style="list-style-type: none"> <li>(a) provide sufficient depth of soil to enable the growth of mature trees;</li> <li>(b) use a combination of groundcovers, shrubs and trees;</li> <li>(c) use shrubs that do not obstruct sightlines between the site and the public domain; and</li> <li>(d) where buffer or screen planting is required, use continuous evergreen planting consisting of shrubs and trees to screen the structure, maintain privacy and function as an environmental buffer.</li> </ul>	<p>approved landscaping or landscaping requirements.</p> <p>As above.</p> <p>As above.</p>
<b>Trees</b>	
<p>2.6 Development must consider the retention of existing trees in the building design.</p> <p>2.7 Development must plant at least one canopy tree for every 12m of front and rear boundary width and:</p> <ul style="list-style-type: none"> <li>(a) Canopy trees are to be of a minimum 75 litre pot size.</li> <li>(b) Use deciduous trees in small open spaces,</li> </ul>	<p>N/A. The site has no trees for retention.</p> <p>Sufficient space is available to the front and rear of the site for planting of canopy trees if required.</p>

<p>such as courtyards, to improve solar access and control of microclimate.</p> <p>(c) Place evergreen trees well away from the building to allow the winter sun access.</p> <p>(d) Select trees that do not inhibit airflow.</p> <p>(e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils.</p>	
<p>2.8 Development must provide street trees that will contribute to the canopy where possible.</p>	<p>Noted.</p>

### **(iia) – Provisions of any planning agreement**

There is no planning agreement in conjunction with this proposal.

### **(iv) – Provisions of the Environmental Planning and Assessment Regulation 2001 (EP&A Regulation 2001)**

The Application has been made in accordance with the relevant matters prescribed by the Regulations.

### **(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality**

#### **Context & Setting**

The development site currently contains a residential dwelling. The surrounding area is characterized by similar sized lots and developments. The proposed development is expected to be consistent with existing development on the lot and adjoining lots.

#### **Access, Transport and Traffic**

The site has frontage to Septimus Avenue. The development is not expected to result in significant additional vehicle movements with the current road network being suitably designed for the current road construction. The development does not require a change to the vehicle access to the site.

#### **Public Domain**

A contribution under the S.7.12 contribution plan is not considered payable given the proposed development type.

#### **Utilities**

The development includes the augmentation or upgrading of essential services required for the development.

#### **Heritage**

The site is not identified as a heritage item, adjoining or adjacent a heritage item or within

a heritage conservation area.

### **Other Land Resources**

The development seeks a residential use on the land.

### **Water**

The development site has provision of Council's water services to the development site.

### **Soils**

There is no previous history of usage on the site that could potentially lead to a risk in site contamination. It is considered that the sites soils are adequate for the development.

### **Air and microclimate**

The proposed development is considered to have minimal impact on the existing microclimate in the area.

### **Flora and fauna**

The development site is not expected to contain any critical habitats or threatened or endangered ecological communities. The development does not prevent access of any species to the site and does not require the removal of any remnant vegetation. The development will retain vegetation to the allotment boundaries. The lot does not appear on the NSW Biodiversity Values Map as a lot identified as containing areas of biodiversity value.

### **Waste**

Minimal waste will be generated from the operation of the development. Waste from the development may be managed on site.

### **Energy**

The modification maintains eco-friendly practices such as rainwater harvesting and suitable water and energy rated fittings.

### **Noise & vibration**

The development will not result in any noise and vibration with the exception of the construction phase. Council's standard hours of operation will be imposed during construction works.

### **Natural hazards**

The site is not identified as being subject to natural hazards.

### **Technological hazards**

Previously addressed throughout the report – natural hazards, soils, etc.

### **Safety, security & crime prevention**

The modification will not result in any decrease in safety, security and prevention of crime



in the surrounding area. The new development on the site will provide an increase in passive surveillance of the surrounding environment.

### **Social & Economic impact in the locality**

The development will have a positive social impact on the surrounding area. The development will be consistent with development on the existing and adjoining allotments.

### **Site design and internal design**

The proposed development will be located with adequate setbacks from all lot boundaries.

### **Construction**

Any construction works must be compliant with the Building Code of Australia.

### **Cumulative impacts**

The proposed modification is considered to be compliant with surrounding land uses and approval of the application is not expected to result in any unacceptable land use conflicts. Pertinent matters have been addressed in detail in this report, which demonstrates that the development is consistent with applicable planning legislation.

### **(c) – the suitability of the site for the development**

The site is considered suitable for the proposed development.

Lot: 282 DP: 12280 (12 Septimus Avenue, Punchbowl) is a fairly regular shaped allotment with a total area of 520.13m<sup>2</sup> and a 12.19 frontage to Septimus Avenue. The site has a gradient from the front to the rear of the site of 1.09m (RL 11.89 – RL 10.80). The proposed site currently contains the partially constructed two storey dwelling.

The development proposes the Demolition of existing dwelling and proposed two storey dwelling.

The site is suitable for the development being compatible with the objectives of the zone. The development is compatible with the locality and the site attributes are conducive to development.

The proposed development is permissible with consent and complies with the objectives of the zone by providing a variety of housing types to satisfy the needs of the community, that ensures amenity for both the occupants and the surrounding neighbours, that is compatible with the density of the area.

The front of the site includes overhead power lines that run the length of Septimus Avenue. The site is not identified as a heritage item, adjoining or adjacent a heritage item or within

a heritage conservation area. The site is not identified as being bushfire prone land or flood affected. The site is not identified as having any environmental constraints.

The proposed development is consistent with the existing and future development in the locality. The development has access from a public road and Council's utility services are available to the site. The site is considered to be suitable for development.

**(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation**

This application will be exposed to public comment in the usual manner, as outlined in the Development Control Plan, however it is not anticipated that this process will raise any significant objections if any. We do not anticipate any submissions from neighbouring properties.

**(e) – the public interest**

The modified development is within the public interest.

## Conclusion

The proposed modification has been designed in a way that it addresses the site abilities, whilst taking into the constraints of the site to satisfactorily demonstrate compliance with the Environmental Planning and Assessment Act 1979 and Council's local planning instruments and guidelines.

Accordingly, this Modified Development Application is submitted in the belief that it deserves council's favourable consideration.

Yours Faithfully,



Tania Hannaford

(Bach.UrbRegPlanning (MPIA), Dip.Proj.Management, Cert IV NatHERS Assessment)

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*Plan for Tomorrow has not undertaken a site visit for the purposes of this report. This report is provided exclusively for the purposes described in this report. No liability is extended for any other use or to any other party. The report is based on conditions prevailing at the time of the report and information provided by the client. The report is only for which the land to which the report relates and only for the day it is issued. This report should be read in conjunction with submitted documents and plans relevant to the Application.*