

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 2 DP 104939
4 Smith Avenue
Hurlstone Park

PROPOSED DEVELOPMENT: Alterations and additions to an existing dwelling



CONTENTS

INTRODUCTION.....	3
DESCRIPTION OF PROPOSED DEVELOPMENT	3
LEGISLATIVE REQUIREMENTS.....	4
(a)(i) Relevant environmental planning instruments.....	4
State Environmental Planning Policy (Sustainable Buildings) 2022.....	4
State Environmental Planning Policy (Resilience and Hazards) 2021.....	4
State Environmental Planning Policy (Transport and Infrastructure) 2021.....	5
State Environmental Planning Policy (Biodiversity and Conservation) 2021.....	6
Canterbury-Bankstown Local Environmental Plan 2023	6
(a)(ii) Relevant draft environmental planning instruments	10
(a)(iii) Relevant development control plans	10
Canterbury-Bankstown Development Control Plan 2023.....	10
(iiiia) Relevant planning agreement, or draft planning agreements.....	25
(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.....	25
(c) The suitability of the site for the development.....	26
(d) Any submissions made in accordance with this Act or the regulations	27
(e) Public interest	27
CONCLUSION.....	27

This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part may be reproduced by any process, nor may any other exclusive right be exercised, without the written permission of © Urban Planning and Building Consultants, 2024.



INTRODUCTION

This Statement of Environmental Effects is submitted to Canterbury-Bankstown Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for alterations and additions to an existing dwelling. This report is based on plans prepared by Right Angle Design & Drafting, Job No. RADD24026, dated April 2024.

The subject site is located on Smith Avenue and is rectangular in shape. The allotment has a frontage of 9.035m, a depth of 45.72m and total site area of 413.1m². The subject site currently consists of a single storey dwelling which is to be retained as part of the proposed development.

The proposed development does not require the removal of any trees and is not located within a flood planning area or bushfire prone area.

All necessary services are available on the site, including power, water and telecommunications. Drainage is to continue to be directed to an approved drainage system for the property.

The site is within an established residential area that predominately consists of a mix of one and two storey dwellings varying in architectural style. The subject site has not been identified to have any heritage significance, however is located within proximity to the heritage item Edgeware School and the Railway Street Heritage Conservation Area.

The following sections of this statement address the likely impact of the proposal.

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed works include:

- Demolish existing rear addition
- Construction of a carport over existing hardstand driveway with driveway widening
- Rear extension to provide a kitchen and family room and patio
- Internal re-configuration to create 3 bedrooms, new bathroom and laundry
- Demolish existing garage and removal of existing driveway at the rear
- Remove existing chimney
- Relocated existing meter to allow for driveway access



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 – Standards for Residential Development - BASIX

State Environmental Planning Policy (Sustainable Buildings) 2022 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.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Section 2.98 Development adjacent to rail corridors

- (1) *This section applies to development on land that is in or adjacent to a rail corridor, if the development—*
- (a) is likely to have an adverse effect on rail safety, or*
 - (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
 - (c) involves the use of a crane in air space above any rail corridor, or*
 - (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is located within proximity to a railway corridor, however it does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Section 2.119 Development with frontage to classified road

- (1) *The objectives of this section are—*
- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*



- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.

The proposed development does not require the removal of any trees to allow the proposed development to occur. Additional planting can be provided as part of the proposed development to ensure amenity of the allotment is maintained as a result of the development.

Canterbury-Bankstown Local Environmental Plan 2023

The LEP is divided into several Parts and the relevant provisions that apply to the subject site are listed, together with a comment with respect to compliance.



Part 2 Permitted or prohibited development

Clause 2.2 Zoning of land to which this plan applies

The subject site is zoned R3 Medium Density Residential pursuant to Clause 2.2 of Canterbury-Bankstown Local Environmental Plan 2023.

The proposed development is defined as a "dwelling house" being "a building containing only one dwelling".

The identified zone permits the construction of a 'dwelling house' subject to development consent from Council and therefore ancillary development is considered to be permissible.

Clause 2.3 Zone Objectives and Land Use Table

The objectives of the R3 Zone are:

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

The proposed development can satisfy the objectives of the zone as it compliments the existing residential setting. Residential amenity can be maintained by the proposed development as the site is within an existing residential area intended for this form of development.



The proposed development is compatible with the existing and future character of the locality. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The siting of the alterations and additions are in the most appropriate location, which minimises disturbance and follows a similar development density evident throughout the area.

The proposed dwelling is considered to meet the objectives of the R3 Zone.

Part 4 Principal Development Standards

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	<8.5m	Yes

Clause 4.4 Floor Space Ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
0.5:1	0.26:1	Yes

Clause 4.6 Exceptions to development standards

The proposed development does not contravene the development standards of the LEP.

Part 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject site was not identified as a heritage item or located within a conservation area. The subject site is located within proximity to the heritage item Edgeware School; however, the proposed development is not considered to impact upon the heritage item given the separation between the subject site and heritage item.



Clause 5.11 Bush fire hazard reduction

The subject site is not known to be bushfire prone land.

Clause 5.21 Flood planning

The subject site is not known to be located within a flood planning area.

Part 6 Additional local provisions

Clause 6.1 Acid Sulfate Soils

The subject site is identified as being affected by Class 5 Acid Sulfate Soils. The proposal does not require excavation more than 1 meter below the existing natural ground level and is not considered to lower the water table by 1 meter. The proposed dwelling requires minor excavation within the footprint areas only to provide footings/foundations for the proposed development. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

Clause 6.2 Earthworks

Minor ground disturbance is required to provide a platform to site the proposed development. All earthworks can be suitably retained to ensure structural adequacy and minimal impact on the adjoining properties. A suitable drainage system will run throughout the site to mitigate the change in ground levels.

* * *

Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and standards relating to dwelling houses contained within the Canterbury-Bankstown Local Environmental Plan 2023.



(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Canterbury-Bankstown Development Control Plan 2023

Chapter 2 – Site Considerations

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Chapter 2.1 Site Analysis</u> 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 proposed development relates to alterations and additions to a detached dwelling and therefore does not require a site analysis plan.	N/A
<u>Chapter 2.2 Flood Risk Management</u>	The subject site is not identified as being located in a flood prone area. Therefore, the provisions of this chapter do not apply to the proposed development.	N/A
<u>Chapter 2.3 Tree Management</u>	No trees are required to be removed as part of the proposed development.	Yes



	Additional tree planting can be provided if considered necessary.	
--	---	--

Chapter 3 – General Requirements

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Chapter 3.1 Development Engineering Standards</u> <u>Section 2 civil engineering requirements</u> <i>2.1 Vehicular footway crossing design and construction</i> Must provide. widths in accordance with table 2a Residential: Width at boundary Min. 2.75m Max. 5.5m <i>2.3 Internal driveway requirements</i> Car able to access and exit in one motion <i>2.4 Sight distance requirements</i> Refer to the Australian Standard AS 2890.1 for minimum sight distance requirements.	2.9m provided Capable of complying Capable of complying	Yes Yes Yes
<u>Section 3 Stormwater drainage systems</u> <i>3.1 Development impacted by stormwater systems</i> <i>3.2. Disposal of stormwater run off</i> To be designed to connect to Council's system at nearest suitable location. <i>3.4 Roof gutter design</i>	Drainage plans provided Capable of complying	Yes Yes



Roof, eave and /or box gutters must be sized using formulas in accordance with the Australian Standard AS/NZS 3500 and Table 4b	Suitable stormwater drainage plans provided	Yes
<u>Chapter 3.2 Parking</u> <u>Section 2 – Off street parking rates</u> Dwelling houses – 2 car spaces Car parking and associated spaces such as access aisles in excess of requirement will be counted as gross floor area.	1 car parking space provided in proposed carport and 1 capable of being provided on existing hard standing driveway Noted	Yes N/A
<u>Section 3 – Design and layout</u> <i>3.1 Parking location - Must not locate entries:</i> Close to intersections/signalised junctions Where adequate sight distance is not available Opposite parking entries Where right turning traffic entering may obstruct through traffic <i>3.3 Where above ground parking is the only solution, to be at the rear of buildings.</i> <i>3.8 Location of driveways to allow shortest, most direct access over the nature strip from the road</i> <i>3.11 Residential development driveway widths:</i>	Suitable carport location proposed N/A – at ground parking proposed Short and direct access proposed.	Yes N/A Yes



One way – 3m clear width min. Two way – 5.5m clear width min.	2.9m provided	No – see below
<u>Chapter 3.3 Waste Management</u>	Waste management plan provided.	Yes
<u>Chapter 3.4 Sustainable Development</u>	Basix certificate provided	Yes
<u>3.5 Subdivision</u>	Subdivision does not form part of the proposed development	N/A
<u>3.6 Signage</u>	Signage does not form part of the proposed development	N/A
<u>3.7 Landscape</u> New landscaping to complement existing street landscaping Consider the retention of trees Landscape design is to contribute to and take advantage of the sites characteristic's Retain, protect and enhance indigenous/native vegetation	The proposed development does not include the removal of any important vegetation or trees and has no impact upon the street landscaping with the proposed development located at the rear.	Yes

Variation Request

Driveway Width – The Council's DCP requires one-way driveways to have a minimum width of 3m, the proposed development includes a width of 2.9m, thus requires a minor 0.1m variation to this control.

It is understood that this control is designed to ensure that suitable access is available to the parking spaces whilst not becoming a dominant feature within the development.

The proposed development is considered to be an improvement to the existing driveway, proposing to widen the existing driveway width. The existing driveway is identified to have a driveway below the minimum 3m required by the DCP, and therefore given that the proposed development reduces the existing non-compliance and would continue to allow suitable access to the proposed parking spaces.

Despite the required variation it is anticipated that the proposal will have no greater impact in this regard than that of a compliant proposal and will be able to meet the objectives of the clause.



Therefore, it is requested that Council support this variation on the basis of it being appropriate for the subject site.

Chapter 4 - Heritage

Upon reference to LEP Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within conservation area. The subject site is located within proximity to the heritage item Edgeware School; however, the proposed development is not considered to impact upon the heritage item given the separation between the subject site and heritage item.

Chapter 5 – Residential Accommodation

5.2. Former Canterbury LGA

Section 2 – Dwelling Houses and outbuildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Site Planning</u>		
<u>2.1. Minimum lot size and frontage</u> Min. frontage width 15m Generally rectangular Internal and battle-axe blocks and lots with irregular dimensions or shallow depths must satisfy the objectives of DCP.	No proposed change existing lot Rectangular in shape N/A	Yes Yes N/A
<u>2.2. Site coverage</u> Site area <499m² Max. building footprint 300m ² Max. floor area of outbuildings 30m ² Max. total site coverage 60% 60% - 118.2m² Site area 450m ² -599m ² Max. building footprint 330m ² Max. floor area of outbuildings 45m ²	Proposed 108.5m ² / <60% N/A	Yes N/A



Max. total site coverage 50% Site area 600m ² -899m ² Max. building footprint 380m ² Max. floor area of outbuildings 60m ² Max. total site coverage 40%		
Site area >900m ² Max. building footprint 430m ² Max. floor area of outbuildings 60m ² Max. total site coverage 40%	N/A	N/A
<u>2.3 Landscaping</u> <u>Min. deep soil area % of site area</u> Site area <499m² - 15%	43% provided	Yes
Site area 450m ² -599m ² - 20%	N/A	N/A
Site area >600m ² - 25%	N/A	N/A
Min. dimension 2.5m deep soil area	Provided	Yes
<u>2.4 Layout and orientation</u> Orientate development to maximise solar access and natural lighting	No change to existing orientation, proposed development suitably orientated to maximise solar access and natural lighting.	Yes
Avoid casting shadows onto neighbouring dwellings primary living area, private open space and solar cells	Considered acceptable	Yes
New development to avoid casting from existing nearby buildings.	Considered acceptable	Yes
<u>Building envelope</u>		
<u>2.5 Height</u> Max. 2 storey	Single storey dwelling retained	Yes



Max. wall height 7m where LEP height max is 8.5m	<7m	Yes
Max. wall height 8m where LEP height max. is 9.5m	N/A	N/A
Finished floor level <1m above natural ground level	<1m above natural ground level	Yes
<u>2.6 Setbacks</u>		
Min. 9m fronting a major road	N/A	N/A
<u><i>Dwelling houses with frontage ≤12.5</i></u>		
<i>Front setback</i>		
Min. 5.5m	6.08m provided	Yes
Max. 2m recess for the main entrance from front building line	No proposed change to existing main entrance	Yes
Where existing setback is less than 5.5m further encroachments by alterations/additions are not acceptable.	N/A	N/A
For existing dwelling houses. A single space carport may encroach beyond the minimum front setback, where it can be demonstrated that:		
(a) there is no existing garage on the site;	Proposed development seeks to remove the existing garage	Merits consideration
(b) there is no side or rear vehicle access to the site;	No side or rear vehicle access	Yes
(c) the site does not contain a heritage item or is not within a heritage conservation area or local character area;	Subject site does not contain a heritage item or within a heritage conservation area or local character area	Yes
(d) the site is in the vicinity of existing, approved carports on adjacent sites	Subject site is neighbouring and adjacent to dwellings with carports	Yes



that are forward of the front building line;	forward of the front building line (no.2,3)	
(e) the maximum width of the single carport is 3m;	2.9m proposed	Yes
(f) it is of a simple posted design, with no side panel infill;	No panel infill proposed	Yes
(g) there is no solid panel lift or roller shutter door proposed;	No solid panel lift or roller shutter door proposed	Yes
(h) the carport is setback a minimum 1m from the primary and secondary street frontages;	No – proposed carport 0m setback from primary street frontage matching neighbouring dwelling's location (no.2)	Merits consideration
(i) the carport achieves a high quality design and has a roof design that is compatible with the dwelling house.	Proposed carport has been designed to consist of high quality materials and pitch to be compatible with the existing dwelling and street scene.	Yes
<i>Side setback <12.5m</i>		
Min. 900mm	Min. 900mm	Yes
Alterations and additions to be in line with existing ground level walls	Proposed alterations and additions in line with existing ground level walls	Yes
For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.	Proposed carport has a 0m side setback proposed	Yes
<i>Rear setback</i>		
Min. 6m	13.45m provided	Yes
<i>Dwelling houses with frontage width ≥12.5</i>		
Front setback	N/A	N/A
6m or average setback of nearest dwelling either side of site		
Max. 2m recess for main entrance		
Side setback	N/A	N/A



Min. 1m		
Corner lots – min 2m from secondary street	N/A	N/A
Rear setback Min 6m	N/A	N/A
<u>Garages / Carports</u>		
One garage or carport may be constructed with a nil setback for sites that adjoin a rear laneway.	N/A	N/A
Garage <50% of the rear boundary frontage to a lane and no wider than 6m	No garage proposed	N/A
Car parking structures must satisfy the Building Code of Australia requirements.	Capable of complying – proposed carport to be constructed of metal material and would not significantly increase the risk of fire spread.	No – see below
The following minor building elements may project up to 1m into the minimum side setback area: a) Roof eaves, awnings, pergolas and patios; b) Stair or ramp access to the ground floor; c) Rainwater tanks; and d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy)	Proposed elements do not project into side setback	N/A
Elements such as awnings, balconies, patios, pergolas, porches, and	Proposed elements do not project into front setback	N/A



verandas, may project up to 1.5m into the required front setback articulation zone.		
<u>2.7 Building separation</u> a) Top storey of any two-storey buildings to be designed as a series of connected pavilion elements. b) Pavilion elements to have depth 10m-15m c) Articulate pavilion elements by an additional side boundary setback, and identified by separate roofs.	N/A – single storey dwelling	N/A
<u>Building Design</u>		
<u>2.8 General design</u> <i>Contemporary built form</i> Contemporary architectural design acceptable if: (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours. (b) The proposed addition is not visually prominent from the street or from a public space. (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP. <i>Building entries</i> Clearly identifiable Front door – may face side boundary or beneath carport if clearly identified by a porch or awning and pathways Min. 1 habitable room orientated towards street	Subject site is not a heritage item Proposed development at the rear and proposed carport is not considered to be visually prominent Existing front façade unchanged by proposed development Front entry remains unchanged by proposed development No change to existing bedroom 1 orientated towards street	Yes Yes Yes Yes Yes



Sight lines to street from habitable rooms or entrances must not be obscured by ancillary structures.	Capable of complying	Yes
<i>Internal dwelling layout</i>		
Primary living area and principal bedroom min. 3.5m dimension	Capable of complying	Yes
Secondary bedrooms min. 3m dimension	Capable of complying	Yes
Provide general storage exclusive to bedroom wardrobes and kitchen cupboards.	N/A	N/A
<i>Façade Treatment</i>		
Development on corner lots must address both street frontages	Proposed suitable materials to match existing dwelling	Yes
Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.	Suitable materials proposed to be utilised for the alterations and additions.	Yes
Facades visible from the street should be designed as a series of articulating panels or elements.	No proposed change to existing front façade	Yes
Avoid long flat walls along street frontage – stagger walls alignment at least 0.5m	Existing front façade of the dwelling maintained ensuring no long flat walls to the street frontage.	Yes
<i>Pavilions</i>		
The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.	N/A – single storey proposed	N/A



<p>Pavilion elements shall have a depth between 10-15m.</p> <p><i>Windows</i> Large windows -located at corners of building and to be screened with blinds, louvres, awnings or pergolas</p> <p>To be rectangular, square, circle and semi-circle windows acceptable in moderation.</p> <p><i>Ventilation</i> Incorporate natural ventilation features</p>	<p>No proposed windows at corners</p> <p>Proposed windows considered to be appropriate and in keeping with the existing dwelling and are not considered to adversely impact the privacy of adjoining dwellings</p> <p>Capable of complying</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p><u>2.9 Roof design and features</u></p> <p>Simple pitched roof Avoid complex roof forms – gables, hips and valleys or turrets</p> <p>Pitches to be compatible with nearby buildings</p> <p>Mansard roofs not permitted</p> <p>Pitched roof $\leq 30^\circ$ Greater pitches will be considered on merit</p>	<p>Proposed pitched roof to match existing</p> <p>Proposed pitch to match existing</p> <p>No mansard roofs proposed</p> <p>Proposed roof addition to match existing dwelling roof</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>Amenity</u></p>		
<p><u>2.10 Solar access and overshadowing</u> <i>To proposed development</i> Min. 3 hours sunlight between 8am-4pm on 21 June where site orientation permits</p>	<p>Proposed development will not impact the existing dwellings solar access</p>	<p>Yes</p>



<p>Min. 3hours of sunlight between 8am-4pm on 21 June to at least 50% of the open space surface area.</p> <p>Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.</p> <p><i>To neighbouring development</i> 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. 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>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>Clothes drying areas on adjoining residential properties must receive a</p>	<p>Proposed development will not impact the open space existing solar access</p> <p>Noted</p> <p>Proposed single storey addition is not considered to impact the neighbouring developments existing solar access</p> <p>Capable of complying</p> <p>Proposed single storey addition is not considered to impact upon adjoining residential properties drying areas</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
---	--	---



<p>minimum of 3 hours of sunlight on 21 June.</p> <p><i>Shading devices</i></p> <p>Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.</p> <p>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.</p> <p>Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.</p> <p>Minimise external glare by avoiding reflective films and use of tint glass.</p>	<p>Proposed patio located at the rear facing east to have a roof covering to provide shade.</p> <p>Capable of complying</p> <p>Capable of complying</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>2.11 Visual privacy</u></p> <p>Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.</p> <p>Minimise direct overlooking of rooms and private open space through the following:</p> <p>a) Provide adequate building separation, and rear and side setbacks; and</p> <p>b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct</p>	<p>Proposed development located at the rear and maintains the existing side setbacks</p> <p>Proposed family room oriented to the rear and window located at the side are not considered to overlook into neighbouring residential properties due to existing fencing and appropriate side setbacks provided</p>	<p>Yes</p> <p>Yes</p>



<p>overlooking between neighbouring residential properties.</p> <p>If living room windows or private open spaces would directly overlook a neighbouring dwelling:</p> <p>(a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or</p> <p>(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.</p>	<p>Proposed family room and patio will not directly overlook a neighbouring dwelling</p>	<p>Yes</p>
<p><u>2.12 Acoustic Privacy</u></p> <p>Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.</p> <p>Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.</p>	<p>No proposed change to existing bedroom windows</p> <p>N/A</p>	<p>Yes</p> <p>N/A</p>
<p><u>Fences and ancillary development</u></p>		
<p><u>2.13 Fences</u></p> <p>Front fences within front boundary setback – max. 1.2m</p> <p>Side fences max. 1.8m and must taper down to the height of front fence.</p> <p>Corner sites -fences to be max. 1.2m at street frontages</p> <p>Screens with min. 50% transparency may be 1.8m along front boundary</p>	<p>Front fencing does not form part of this development application</p> <p>No proposed change to existing side and rear fencing</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>



<u>2.15 Building services</u> All letterboxes be installed to meet Australia Post standards.	Capable of retaining existing letterbox	Yes
Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.	Capable of complying	Yes

* * *

Conclusion with respect to Policy requirements

The proposal is considered to generally satisfy the relevant objectives of the development controls relating to two storey dwellings, as contained within the Canterbury-Bankstown Development Control Plan 2023.

(iiia) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts.

Siting and Design

The proposed alterations and additions will be compatible in terms of height, bulk and scale with residential area.



The siting of the proposed development provides appropriate boundary setbacks, contributing to spatial separation and openness between dwellings. The articulated design of the proposed dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade of the proposed development and contains a variety of roof forms and elements along with central entry features. In this way, the proposed two storey dwelling provide a clear definition of the entry and provide varied shadow lines due to the different construction elements and finishes.

Utilities

The site will remain connected to all necessary services and utilities including reticulated water and sewerage, overhead electricity and telecommunications.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed alterations and additions, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.



The proposed works are permissible with development consent under the provisions of Canterbury-Bankstown Local Environmental Plan 2023, and generally satisfies the objectives of the Canterbury-Bankstown Development Control Plan 2023 as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Canterbury-Bankstown Local Environmental Plan 2023, and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the construction of the proposed alterations and additions will complement and blend with the existing and likely future character of Hurlstone Park. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed alterations and additions appropriately identifies and relates to the sites use as a residential development.



Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is on balance worthy of approval.

Olivia McQuaid

Town Planner (PIA (Assoc.))

Urban Planning & Building Consultants

20 November 2024