ENVIRONMENTAL CONSULTING SERVICES

STATEMENT OF ENVIRONMENTAL EFFECTS

4 Leemon Street
Condell Park NSW 2200

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Register of Amendments		
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1	05.02.2024	Issued for use
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Document Approval		
Prepared by	Date	Signed
Tom Caples	04.02.2024	
Reviewed by	Date	Signed
Simon Caples Principal Consultant	05.02.2024	

Acknowledgement of Country

ECS acknowledges the Traditional Custodians of the land on which this investigation was conducted, and we pay our respects to their Elders past and present.

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1.0 INTRODUCTION

This Statement of Environmental Effects forms part of the Development Application submitted to Canterbury-Bankstown Council for the proposed demolition of the existing residence at 4 Leemon Street in Condell Park for the construction of two new semi-detached residences. It is to be read in conjunction with the associated drawings and documents additionally submitted as part of this Development Application.

The proposed work consists of the demolition and removal of the existing house and any ancillary structures for redevelopment into two, two-storey semi-detached residential dwellings. Environmental Consulting Services Pty Ltd (ECS) understands that the development application proposes the demolition of the existing house and construction of two new houses for continued residential land use.

At the time of writing, the development considerations that apply to the Site are:

- Environmental Planning & Assessment Act (1979)
- Protection of the Environment Operations Act (1997)
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Canterbury-Bankstown Local Environment Plan (2023)
- Canterbury-Bankstown Development Control Plan (2023)

2.0 SITE & CONTEXT

2.1 Site Location

The Site is located at 4 Leemon Street in Condell Park, which is approximately 21km south-west of Sydney CBD. Condell Park forms part of the south-western Sydney region and primarily comprises of residential development, except for two areas of industrial development along its southern and western boundaries. It is also worth noting that Condell Park is the neighbouring suburb to the east of Bankstown Airport and lies within an area of potential noise impacts.

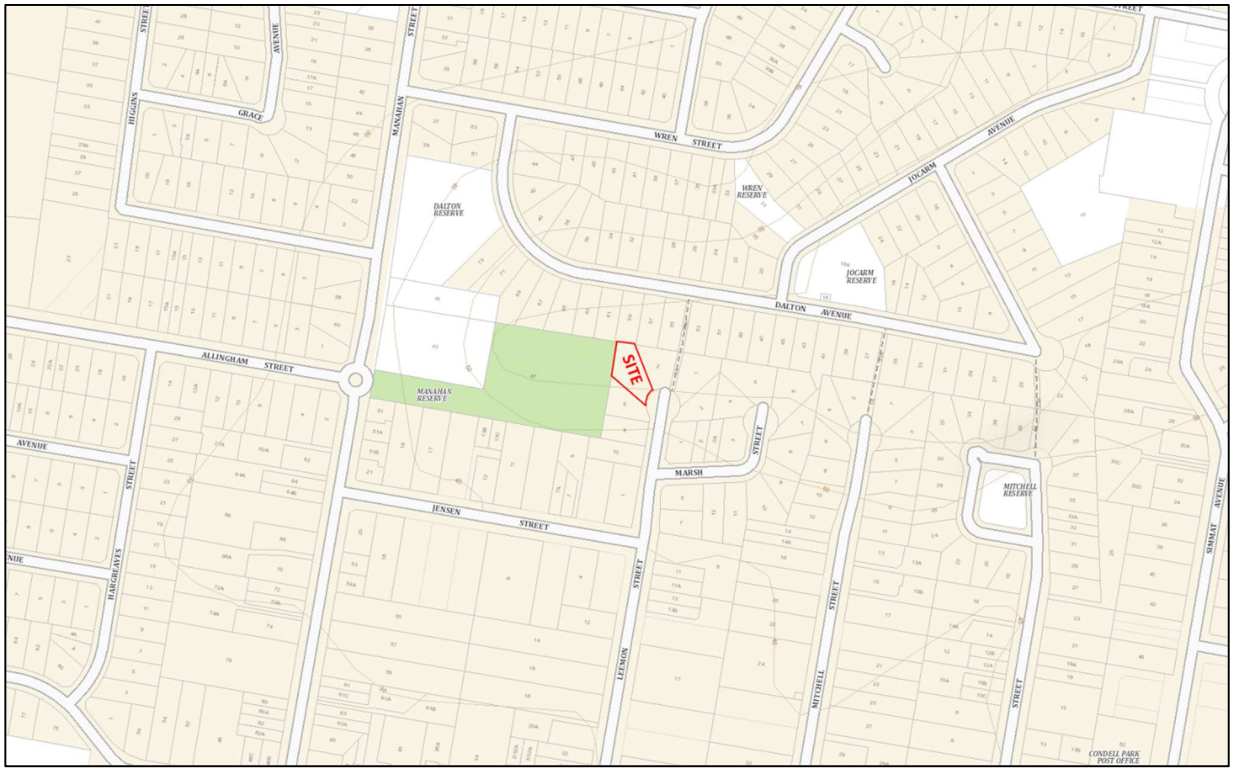
Surrounding the Site are residential developments, except for a nature reserve that shares the western Site boundary as well as a local water supply system on the far side of the reserve. There are also a few small parks scattered in various directions.

The location of the Site is presented in *Figure 2.1 – Site Location Plan* with the Site identification details summarised in *Table 2.1 – Site Identification*.

Table 2.1 – Site Identification

Site Address	4 Leemon Street, Condell Park NSW 2200
Lot & Deposited Plan	Lot 6, DP 222976
Current Land Use	Residential
Proposed Land Use	Residential
Local Government Authority	Canterbury-Bankstown Council
Current Zoning	R2 – Low Density Residential
Site Area (calculated)	751m^2
Geographical Location (approximate centre)	Latitude: -33.920293 Longitude: 151.007284

Figure 2.1 – Site Location Plan



2.2 Site Overview

The Site is an irregular shaped lot at the north-western corner of Leemon Street cul-de-sac and is legally identified as Lot 6/-/DP222976. It currently contains a multi-level brick house which was built circa 1967 and is situated on a steep hill that slopes downwards to the south/south-west. Due to the incline of the topography, there is a staircase which leads to the front entrance which has been raised to match the existing ground level at the rear of the house. At the rear of the building, the first floor continues through to meet at natural ground level at the north end of Site. Within the rear yard, there is an attached awning which forms a sheltered verandah/outdoor entertaining space, as well as a small shed along the northern boundary. There is also a concrete driveway that connects Leemon Street to an internal garage at ground-level at the front of the house. Some landscaping was also noted associated with the construction of the driveway retaining wall and garden beds within the front and rear yards.

The general layout of the development area is shown in *Figure 2.2 – Site Area*, with the site boundary shown in red.

Figure 2.2 – Site Area

Site location and surrounding properties. [Source: SIXMaps]

2.3 Surface Conditions

Given the Site is located on a hill, the local topography appears to follow the natural gradient of the landscape which includes a significant incline from ground level at Leemon Street up to the northern Site boundary.

Accessible Site surfaces consist of a concrete driveway leading to the residence and pathways that surround the house. There is no clear indication of significant filling or excavation, however, there have been some modifications to the ground level of the driveway during the construction of its retaining wall along the south-western site boundary.

2.4 Surrounding Development

The Site lies within an area that is zoned R2 for residential use and is surrounded mostly by residential development. There are also a few scattered parks and nature reserves, including one that shares the western site boundary and is adjacent to a local water supply tank system.

Further to the west of Site is an area zoned for industrial use and acts as a buffer between the residential development of Condell Park and Bankstown Airport. There is also a small commercial district centred around Condell Park post-office along Simmat Avenue to the south-east of the Site.

Surrounding land uses and development can be seen in *Figure 2.3 – Zoning Map,* with the Site outlined in yellow.

Figure 2.3 – Zoning Map

Site location and surrounding zoning. [Source: NSW ePlanning Spatial Viewer]

3.0 PROPOSED DEVELOPMENT

3.1 General Overview

Refer to accompanying development proposal plan and supplementary documentation for details of proposed work. The following scope proposes demolition and clearing of the existing residence on-site and proposes the construction of two semi-detached residential dwellings over basement garages.

The Site is proposed to be redeveloped for residential use, which includes the demolition of the existing house and a Torrens title subdivision to allow for the construction of two semi-detached residences. The proposed buildings are to be used for residential purposes following their construction. The existing residence is currently tenanted but will be vacant prior to the commencement of sitework or demolition.

3.2 Sitework

- Setup of perimeter fencing and exclusion zones around development area.
- Setup sediment and erosion control barriers where appropriate.
- Removal of existing trees both on-site and kerbside.
- Excavation for new swimming pools within the rear yards of each dwelling (*post-demolition*).
- Partial excavation of land for proposed internal garages at basement level (*post-demolition*).

3.3 Demolition

- Existing residential building to be demolished.
- Removal of all existing concrete slabs and driveway.
- Demolition of existing retaining walls in rear yard.
- Removal of any additional outbuildings or objects, such as sheds.

3.4 Alterations

- Torrens title subdivision of the existing property into two adjacent lots.
- Alteration to existing driveway crossover to improve access for the proposed semi-detached residences.

3.5 Additions

- No additions to existing buildings proposed.

3.6 New Builds

- Two proposed semi-detached, two-storey residences over a basement level garage which is partially excavated towards the rear.

3.7 Landscaping

- New retaining walls bordering the proposed driveways for each dwelling.
- New retaining walls and stairs within the rear yards to compliment existing topography.
- Remaining site surface to be grass.

4.0 PLANNING CONTROLS & COMPLIANCE

4.1 Canterbury-Bankstown Council LEP

All applicable controls from within the Canterbury-Bankstown Local Environment Plan (2023) have been considered and summarised in *Table 4.1* below.

Table 4.1 – LEP Summary Table

LEP Control	Allowance	Proposed	Complies
2.2 Zoning	R2 – Low Density Residential	R2 – Low Density Residential	Yes
4.1A Minimum Lot Size (Dual occupancy)	Total Site Area: 500m^2 (min.) Each Lot Area: 250m^2 (min.) Lot Width: 15m	Total Site Area: 751m^2 (calculated) Each Lot Area: 375m^2 (approx.) Lot Width: >15m	Yes
4.3 Height of Buildings	9m & Two-storeys	< 9m from Natural Ground Level Two-storeys over a basement level	Yes
4.4 Floor Space Ratio	0.5:1	0.5 (for each dwelling)	Yes
5.10 Heritage	N/A	N/A	Yes
6.1 Acid Sulfate Soils	N/A	N/A	Yes
6.2 Earthworks	Requires Council Consent	Partial excavation proposed for basement level garage.	Merit

4.2 Canterbury-Bankstown Council DCP

All potential and applicable controls from within the Canterbury-Bankstown Development Control Plan (2023) have been reviewed, summarised and addressed in the *Table 4.2* below. Any gaps within the DCP summary table are considered to reflect non-applicable controls.

Table 4.2 – DCP Summary Table

DCP Control	Allowance	Proposed	Complies
CHAPTER 2 – SITE CONSIDERATIONS			
2.1 – Site Analysis			
Section 1: Site Analysis Plans	**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. **1.2** The results of the site analysis must illustrate the following principles in the form of a site analysis plan: (a) Context (b) Scale	**1.1** Refer to Site Plan. **1.2** Refer to Site Plan.	Yes

	(c) Built Form (d) Density (e) Resource, energy, and water efficiency (f) Landscape (g) Amenity (h) Safety and Security (i) Social Dimensions (j) aesthetics		
2.2 – Flood Risk Management			
Section 1-8: Flood Risk Management in the Former Bankstown LGA	Sections 1–8 of Chapter 2.2 apply to flood liable land in the former Bankstown Local Government Area: (a) <u>Catchments affected by floodplain risk management plans and flood studies</u> The floodplain risk management plans and flood studies adopted by Council identify flood liable land, and maps showing flood liable land will be held in the office of Council. (b) <u>Other flood liable land</u> Other flood liable land for catchments that are affected by riverine, or stormwater flooding will be identified through an ongoing floodplain risk management process but may also be identified through a site specific flood study. The habitable floor levels of development are to be a minimum 500mm above the 100-year flood level. Note: If a catchment is affected by riverine or stormwater flooding and Council is yet to adopt a draft floodplain risk management plan or flood study, all sites in that catchment must be regarded as being flood liable and are defined as a flood lot for the purposes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	N/A – The Site is not within an area mapped for flood risk.	Yes
2.3 – Tree Management			
Section 2: Tree Management	*<u>Works requiring a permit:</u>* **2.1** A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.	**2.1** Existing trees to be removed during development for new construction and site access.	Proposal seeks to remove existing trees for new construction as part of this DA.

	2.2 Development consent is required to remove any tree: (a) located on a site listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023; or (b) located on land included on the Biodiversity Map under the Canterbury-Bankstown Local Environmental Plan 2023. Prescribed trees <u>*Prescribed Trees:*</u>	**2.2** Site not located within a heritage area or on land included on the biodiversity map.	
	2.3 Chapter 2.3 of this DCP applies to the following trees: (a) all trees that are 5m or more in height; and (b) all mangroves, regardless of size; and (c) all trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the *Biodiversity Conservation Act 2016*; and (d) all trees, regardless of size, listed under the *Environmental Protection and Biodiversity Conservation Act 1999*; and (e) all trees, regardless of size, located on land included on the Biodiversity Map under the Canterbury-Bankstown Local Environmental Plan 2023; and (f) all trees, regardless of size, located on sites listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023; and (g) all trees, regardless of size, located in the foreshore area under the Canterbury-Bankstown Local Environmental Plan 2023. <u>*Exemptions on Public Land, Public Places, Public Reserves, and Public Roads*</u>	**2.3** Existing trees to be removed for demolition of existing building and new construction.	
	2.4 Despite clause 2.3, Chapter 2.3 of this DCP does not apply to: (a) the removal of, or any work to, any tree carried out by Council where the tree is located on land in the ownership, or the care, control or management of Council and the work is carried out by or on behalf of Council; (b) the removal of trees or bushland where it is essential for emergency access or emergency works by Council or a public authority; (c) any other exemptions granted to Council or a public authority in accordance with legislation;	**2.4** N/A	

	(d) tree works as conditioned by a development consent approval or works permit, where the tree work is carried out on a specified street tree(s) in accordance with the conditions of consent. *Exemptions on all other land* **2.5** Despite clause 2.3, Chapter 2.3 of this DCP does not apply to: (a) trees located within 3m of the external wall of an approved dwelling, not including a secondary dwelling. The distance shall be measured from the external wall of the approved dwelling to the centre of the trunk of the tree at 1.4m above ground level; (b) the tree species listed in the DCP; (c) plants declared a weed under the Biosecurity Act 2015; (d) dying or dead tree provided Council is satisfied that: i. the tree is dying or dead; and ii. the condition of the tree is not the result of an act of tree vandalism or a breach of Chapter 2.3; and iii. the tree is not required as habitat for native fauna; (e) dangerous trees where it can be proved by the owner to Council's satisfaction that pruning or removal is the only reasonable option to avoid an imminent threat to human life or property; (f) recognised horticultural varieties of trees grown for fruit production; (g) selective pruning of up to a total of 10% of the crown of an indigenous tree and up to a total of 20% of the crown of an exotic tree species over a 12 month period. Branches pruned must be no greater than 150 mm in diameter. Pruning works must comply with the Australian Standard AS 4373–2007, Pruning of amenity trees. (h) pruning of palms to remove fruit and dead fronds; (i) trees listed for removal under a current development consent; (j) tree works lawfully conducted in accordance with the Forestry Act 2012, Telecommunications Act 1997, Airports Act 1996, Roads Act 1993, Rural Fires Act 1997, Electricity Supply Act 1995, State Emergency and Rescue Management Act 1989, Surveying and Spatial	**2.5** Existing trees to be removed for demolition of existing building and new construction.	

	Information Act 2002, and an Order issued under the Tree (Disputes between Neighbours) Act 2006. *Matters for Consideration* **2.6** Council will consider, but not be limited to, the following matters when determining an application to prune or remove a tree: (a) the suitability of the tree for site conditions; (b) the condition of the tree; (c) the contribution of the tree to the local landscape; (d) the environmental contribution of the tree; (e) the impact of the tree on the property and associated infrastructure; (f) the amenity of the occupants of the site; (g) the impact on the heritage significance of an item or area; (h) any damage to the tree that may or may not be the result of tree vandalism. *Approval Granted by Council* **2.7** A permit granted by Council is valid for a period of 12 months from the date of issue. **2.8** The permit must be issued to the owner of the site on which the tree is located. **2.9** A copy of the permit must be on site during the course of the works and must be produced by the person undertaking the work on demand by a Council officer. **2.10** A permit granted by Council or development consent may be subject to the requirement to plant suitable replacement trees on the site, offset tree planting, or any other conditions deemed suitable by Council. The replacement planting is to be completed within 28 days of the tree removal works, or as otherwise specified by Council.	**2.6** Council Assessment.	
CHAPTER 3 – GENERAL REQUIREMENTS			
3.1 – Development Engineering Standards			
Section 2: Civil Engineering Requirements	*Vehicular Footway Crossing Design and Construction* **2.1** Development requiring vehicular access across the Council footpath area must provide a vehicular footway crossing (VFC) with maximum and minimum widths in accordance with	**2.1** Driveway to be reconstructed central to proposed residences. Proposed driveway crossover width to be ≥3.5m and <5.5m	Yes

	the following table. Maximum size is dependent on providing at least a 6m separation between wings, at the kerb, to adjoining VFCs. Minimum widths will apply in areas with high on street parking demands, and where on street time restrictions are in place. Use | Min. Width | Max. Width Dual Occ. | 3.5m | 5.5m *Vehicular Footway Crossing Design Criteria* **2.2** For any vehicular footway crossing (VFC) application, approval may depend upon the impact of the VFC on existing infrastructure. (*Refer to Canterbury-Bankstown DCP).* *Internal Driveway Requirements* **2.3** The on-site driveway layout must be designed so that a car may be able to access and exit all required car spaces in one motion. In addition, a required car parking space must be located so as to be outside and clear of any vehicular manoeuvring area or right of carriage way. Austroads standard turning path templates are to be used to determine acceptability. *Sight Distance Requirements* **2.4** Adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. Refer to the Australian Standard AS 2890.1 for minimum sight distance requirements. If adequate sight distance for the access to any development cannot be achieved and considered a concern, the applicant may be required to install regulatory signs, at the boundary of the development, as agreed with Council.	**2.2** N/A – Proposed repositioning of crossover. No services, power posts and lines or other existing infrastructure considered to be impacted. **2.3** Satisfies vehicle access onto property with garage. Driveway is also positioned on quiet street/cul-de-sac. **2.4** Minimal expected change to existing sightlines of driveway.	
Section 3: Stormwater Drainage Systems	*Development Impacted by Stormwater Systems* **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 requirements of	**3.1** Site not impacted by stormwater systems.	Yes

	this DCP. 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. Development must be designed and constructed to make provision for overland flow from stormwater runoff generated by external upstream catchments. *Disposal Stormwater Runoff* **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. 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. The final number of drainage outlets will be determined by Council through the WP process and the Storm Water Connection Plan Approval. *Drainage Line Easement Widths* **3.3** The creation of an easement to drain water must be agreed to, in writing, by the burdened property owners, prior to an operational DA Consent being issued by Council. *Roof Gutter Design* **3.4** Roof, eave and/or box gutters and downpipes must be sized using the formulas and tables provided in accordance with the Australian Standard AS/NZS 3500 and Table 4b. In the case of OSD design, where overflow of the roof system cannot be directed to the OSD system, the roof stormwater drainage system must be designed for the 100-year ARI storm. *Stormwater System ARI Design Criteria* **3.5** The following design ARIs should be applied to the relevant components of the stormwater drainage system:	**3.2** Proposed stormwater systems to connect to existing kerbside council stormwater drainage. Stormwater and surface runoff will flow towards Leemon Street due to the sloping landscape. **3.3** No easement proposed. **3.4** Proposed roof gutter design to satisfy Australian Standard AS/NZS 3500 and controls listed in Table 4b of Canterbury-Bankstown DCP. Gutter overflow is connected to the OSD tank in the basement level of each dwelling. **3.5** Proposed stormwater drainage is to satisfy ARI design criteria.	

Stormwater design element	Design average recurrence interval (years)
Site Piped Drainage (Residential)	10
Eave Gutters and Downpipes (Residential)	10
Common Drainage Line (Residential)	10

Council may vary the required ARI in instances where personal safety or the potential for property damage warrants such a variation.

Alternative solutions for stormwater disposal from single dwellings and dual occupancies

3.6 Council will consider alternative drainage system solutions for single dwellings and dual occupancies, at the DA stage, for developments where piped drainage to a Council drainage system cannot be achieved under gravity in accordance with the above controls and in the case of dual occupancies where evidence is provided, to Council, to show that offers, to adjoining property owners, to acquire a drainage easement have been made and failed. This evidence must be provided, to Council, at the DA Stage of the development.

Alternative Drainage of Single Dwellings

3.7 For single dwellings only, alternative methods for stormwater disposal may consider:

- Filling of the site to increase fall to the street where the site already falls to the street.
- Filling of the site that results in redirection of the stormwater to a catchment that would not have received it previously. Where this option is used in the design, in some circumstances Council may require rainwater tank storage of 3,000 litres.
- Charged drainage pipeline to the kerb where the site already falls to the street.
- Charged drainage pipeline to the kerb that results in redirection of the stormwater to a catchment that would not have received it previously. Where this option is used in the design, in some circumstances Council may require rainwater tank storage of 3,000 litres.
- Absorption system incorporating overflow pump–out to the kerb.

3.6 Stormwater drainage will be connected to existing kerbside drainage systems via gravity. Kerb is downhill from proposed dwellings.

3.7 N/A

	• Pump–out drainage systems from basement garages and non–habitable building areas of development only, discharging to the kerb. *Alternative Drainage of Dual Occupancies* **3.8** Alternative drainage solutions for dual occupancies will only be considered if drainage easements over downstream properties cannot be obtained. The applicant must provide documentary evidence, to Council, that a Solicitor representing the applicant has made a bona fide offer to all of the downstream property owners to acquire and construct an easement to benefit the proposed development. The offer must include the following: • Offers of compensation for the easement based on reasonable market rates as determined by a licensed land valuer. • Offers to restore all disturbed areas as a result of the construction of the drainage easement. • Offers to bear the costs of all legal fees necessary to acquire and construct the easement. Documentary evidence of the offers, and all refusals, must be submitted to Council before alternative drainage solutions will be considered for development consent. For dual occupancies only, alternative methods for disposal of stormwater may consider: • Filling of the site to increase fall to the street where the site already falls to the street. • Filling of the site that results in redirection of the stormwater to a catchment that would not have received it previously. Where this option is used in the design, in some circumstances Council may require OSD and/or rainwater tank storage of 3,000 litres. • Charged drainage pipeline to the kerb where the site already falls to the street. • Charged drainage pipeline to the kerb that results in redirection of the stormwater to a catchment that would not have received it previously. Where this option is used in the design, in some circumstances Council may require OSD and/or rainwater tank storage of 3,000 litres. • OSD incorporated with rainwater tank, transpiration bed and	**3.8** No alternative drainage solutions or easement proposed.	

	energy dissipation system draining onto downstream adjoining sites. • Pump–out drainage systems from basement garages and non–habitable building areas of development only, discharging to the kerb. *Requirements for charged lines* **3.9** Charged lines will be permitted for single dwellings and dual occupancy dwellings. In the case of dual occupancy type developments, the charged lines will be permitted where the drainage systems can be separated so as to not require a drainage easement over one half of the dual occupancy to benefit the other half. Where there is no subdivision proposed of the dual occupancy the system must be designed as though subdivision will be proposed. In other words, each half of the dual occupancy must have its own outlet to the kerb in accordance with this DCP. Charged lines are permissible where a gravity fall cannot be achieved from the roof drainage system to the kerb, and cover can be achieved on the pipeline across the footway. Filling of the footway may be permitted by Council to allow piped drainage to be discharged to a settling pit at the boundary prior to flowing to the street kerb. For filling of the footway to be approved, the level of the fill must be shown on the DA Application concept engineering plans, together with necessary adjustments to public utility pits and plant. Council must be the only approval body, under the Work Permit process, for filling of the footway. Charged lines must be designed in accordance with the following criteria: • The charged portion of the drainage system, rising out of the ground, must be sealed to a minimum height above the ground, which allows the calculated flow of roof stormwater drainage to be hydraulically pushed to the outlet at the kerb and gutter plus 0.5 metre. The sealed height must be nominated on the engineering plans for the stormwater drainage system. • The sealed portion of the downpipes must be painted, in a colour to compliment the development and to protect them against ultra–violet light damage from the sun. The design HGL of the charged system must be	**3.9** No charged lines proposed. Drainage is downhill and achieved via gravity.	

	calculated and shown on the CC plans for approval. Roof gutters, downpipes and pipelines must be sized for the 100–year ARI design storm. • Sealed cleaning eyes must be placed at 30-meter intervals, critical bends in the pipeline and at the lowest point in the drainage system. • It may be desirable to place a pipe with a screw cap on the end and a hole in the cap, downstream of the building, designed to drain the charged line to an approved drainage system or pit large enough to capture the volume of water within the charged pipes. The location of the drain caps and pits is to be shown on the engineering plans. • No surface inlet pits can be connected to the charged line. • Surface inlet pits, if necessary, must be drained to an approved drainage system in accordance with this DCP. • Gravity fall should be provided across the Council footway area, where possible. If the footway falls towards the site, then the pipeline must remain sealed to the kerb outlet with a sealed cleaning eye installed wholly within the site near the boundary of the road. • The sealed downpipes should be constructed of one material to the underside of the roof gutter for aesthetics reasons. *Requirements for Absorption Systems* **3.10** Absorption trenches with an overflow pump–out system will be permitted for draining stormwater runoff from single dwellings where other conventional or alternative methods of stormwater drainage cannot be achieved. Council will not approve the use of absorption trenches where the substratum is impermeable to the migration of water. The absorption trench system must be designed and sized in accordance with the following criteria: • The absorption system must be designed by a qualified engineer and based on geotechnical investigations of the soil's percolation rate. The applicant must provide Council with a recommendation from a Geotechnical Engineer that the substratum is suitable for absorption type drainage trenches. Overflow pump–out will	**3.10** No absorption system proposed.	

	not be required if the Geotechnical Engineer advises the substratum is suitable for infiltration of the stormwater. • Alternately the absorption trench may be sized at the rate of 0.015 m3 void volume per 1.0m2 of drained impervious area. The developer must provide an overflow pump–out system connected to the kerb in front of the site where this design is used for the construction of the absorption trench system. • Absorption trenches must be located a minimum 3 metres from any site boundary, dwelling, garage, or structure. • A sediment and rubbish arrestor must be placed in the drainage system immediately upstream of the absorption trench. • The trenching must be located parallel to the proposed or existing site contours. • If a pump is used in the system, it must be installed so that any surcharge from the absorption system can be pumped to a junction pit at the street boundary. Gravity fall should be provided across the Council footway area, where possible. If the footway falls towards the site, then the pipeline must remain sealed to the kerb outlet with a sealed cleaning eye installed wholly within the site near the boundary of the road. • Absorption trenches may be constructed of proprietary trenches designed for this purpose or gravel aggregate where the void ratios have been calculated to match that of the above requirements. *Requirements for Pump-Out Systems* **3.11** Council may consider the use of pump out system as a last option, for sites sloping away from the street, in the event that a drainage easement can't be created or the use of an alternative drainage method (such as charged line or transpiration system) is determined to be unachievable. Any approval of a pump out system will be assessed against the following criteria: (a) Applicants must provide where evidence is provided, to Council, to show that offers, to adjoining property owners, to acquire a drainage easement have been made and failed;	**3.11** No pump-out system proposed.	

	(b) Applicants must provide relevant information regarding alternative drainage methods to demonstrate why these methods cannot be installed or achieved; (c) The maximum pump rate must be limited to PSD 150 litres/second/hectare, at the outlet point of discharge; (d) Dual submersible pumps must be provided with all connections and configuration complying with Section 8 of AS/NZS 3500.3; (e) The underground storage tanks must be constructed using pre-cast or cast in situ reinforced concrete subject to structural engineers design; (f) The required storage volume shall be designed to be entirely underground; (g) The underground pump system must be located at the lowest part of the site insofar as practicable; (h) Design storage volumes for the pump system must comply with Council's Engineering Spec's and AS3500. *Evidence to show that offers to adjoining property owners, to acquire a drainage easement have been made and failed* **3.12** If a required drainage easement has not been obtained, and the development is of the type where Council permits the use of alternative drainage disposal system, the following documentation is to be provided to demonstrate a genuine attempt to obtain an easement has occurred and all avenues have been exhausted: (a) A land valuation report prepared by a registered land valuer, with an estimate of the land value of the easement (excluding construction/installation cost); (b) A letter of request from the applicant to owners of all possible downstream properties, requesting permission to create a private drainage easement through their property – including a concept plan illustrating the proposed location of the drainage easement, an offer of compensation (as estimated in the valuation report) and a commitment to pay all relevant expenses and reinstate disturbed areas; and (c) A signed letter of correspondence from the downstream property owners rejecting the offer.	**3.12** No drainage easement proposed/ required.	

	Requirements for Rainwater Tank Storage and Infiltration/Transpiration System Overflow **3.13** Since the introduction of BASIX to the development approval process there is a need for the design of overflow drainage systems from rainwater tanks used to store rainwater for flushing of toilets and irrigating gardens in single family residential developments. Not all developments require rainwater tanks to be installed on the drainage system, however, a large majority of them do. Council will allow the implementation of a combination of rainwater storage; OSD and/or infiltration to dispose of overflow rainwater from the development. Where a rainwater tank only or a rainwater tank, OSD and infiltration/transpiration is incorporated in the stormwater drainage system, the following controls will apply: • The rainwater tank must not compromise compliance with Council's other development standards, including the provision of private open space. • An elevation and site plan, showing location, setback from boundaries and overflow disposal, for the rainwater tank must be included in the development application and submitted to Council for approval. • The system must be designed to include the reuse of water, from the rainwater tank, within the site. • The rainwater tank must be designed and installed in accordance with the Australian Standard AS 3500.3 and Sydney Water requirements. • The developer must make application to Sydney Water for an indirect connection to Sydney Water drinking water supply for 'top up' supply to the rainwater tank. • The rainwater tank must not be located in an overland flow path, floodway or flood plain, over an existing or proposed site of an easement or right of carriageway, over any Sydney Water infrastructure or any other utility company infrastructure. • The rainwater tank must be located at ground level (existing) and must not be an elevated structure. • The rainwater tank must incorporate sediment and rubbish	**3.13** Rainwater collection to be connected to OSD tanks within the basement level of each dwelling.	

	removal within a first flush system to prevent debris from entering the tank. • It is recommended that proprietary leaf guards be installed and maintained on roof gutters. • The rainwater tank overflow must be connected to the downstream drainage system approved for the development or connected to the street kerb and gutter via a gravity line or charged line, if gravity is not possible, in accordance with this DCP. • If the overflow discharge is designed to flow in the natural direction of the flow across a rear site boundary, the proposed stormwater drainage system discharge must not exceed the undeveloped, green field flows from the development for five minute to two hour storms up to the 100-year ARI storm. • Roof gutters, downpipes and drainage pipes must be sized for the 100-year ARI design storm. • If the rainwater tank is used for OSD, the tank volume must be sized so the OSD volume requirements are in accordance these controls. The OSD volume must be calculated over and above the required rainwater storage volume from BASIX. • If stormwater infiltration/ transpiration method is used to dissipate the energy from the overflow runoff, the infiltration/transpiration bed must be no closer than 3m to any permanent structure and must be no closer than 2m to any downstream boundary to the edge of the gravel bedding. • The outlet to the infiltration transpiration bed must have a water level spreading device such as a trench grate which will spread the overflow discharge across the downstream boundaries to emulate existing sheet flows from the site. • The level spreader must be constructed generally level and must not deviate more than 5mm at any one point over the spreader. • Any variation of this DCP for alternative stormwater disposal must be approved at the concept stage as a part of the application assessment process. • For dual occupancies, the underground portion of the drainage system must be		

	registered as a Positive Covenant on the title, when the lot is subdivided. • A Positive Covenant, for the underground and OSD portion of the drainage system, must be registered on title, under section 88B of the Conveyancing Act 1919. *Overland flow paths for stormwater from upstream catchments* **3.14** Overland flow paths must be considered and designed where stormwater runoff, in excess of the design capacity of the pipelines for the upstream catchment, has the potential to flow through a site. Overland flow paths must be considered and designed for the stormwater runoff developed from within the site as well. *Requirements for Site Boundary Fencing* **3.15** All boundary fencing must be elevated at least 50mm from the finished ground level to the bottom of the fence panel or palings to allow for overland flow. Boundary fencing crossing Council's drainage easement or OLFP, if required by Council, must incorporate provision for the passage of overland flow from stormwater runoff. Council may require the fence to be raised higher off the finished ground level or openings be placed in the bottom of the fence where necessary to achieve acceptable overland flow path levels as recommended in an approved flood study for new development.	**3.14** N/A **3.15** No proposed change to existing boundary fencing. Sections needing repair or replacement will be elevated at least 50mm from finished ground level to allow for overland flow.	
Section 4: On-site Detention Systems	*Single Dwellings and Dual Occupancies* **4.1** Single dwellings and dual occupancies will not require OSD where: • It is proven to Council's satisfaction that the lack of OSD will not have an adverse effect on downstream drainage systems. A full local catchment analysis may be required. Applicants are advised to contact Council to find out specific OSD requirements for each catchment. • Single dwellings and outbuildings have a combined impervious area of no more than 75% of the site area. • Dual occupancies and outbuildings have an impervious area of no more than 66% of the site area.	**4.1** OSD tanks installed within the basement of each proposed dwelling.	

<table>
<tr><td></td><td>• Development is proposed which does not significantly increase the post development stormwater runoff from the site.
• A subdivision of land is proposed that does not involve the creation of a road reserve. Council may require OSD as part of the future development on the new lots at the building construction stage and may do so by placing a restriction on the use of land on the title of the new lots when created.
_</td><td></td><td></td></tr>
<tr><td colspan="4">3.2 – Parking</td></tr>
<tr><td>Section 2:
Off-Street Parking Rates</td><td><u>Off-street parking rates</u>

<u>Off-street parking schedule</u>

<table><tr><th>Land Use</th><th>Car Spaces</th></tr><tr><td>Dual occupancies/ semi-detached dwellings</td><td>1 car space per 2 or less bedrooms; or 2 car spaces per 3 or more bedrooms</td></tr></table>
<u>Accessible off-street parking rates</u>

<u>Monetary contributions in lieu of providing off-street parking spaces</u></td><td>N/A

Both proposed residences include an internal double garage and space for additional parking on each driveway.

N/A

N/A</td><td>Yes</td></tr>
<tr><td>Section 3:
Design and Layout</td><td><u>Parking Location</u>

3.1 Development must not locate entries to car parking or delivery areas:
(a) close to intersections and signalised junctions;
(b) on crests or curves;
(c) where adequate sight distance is not available;
(d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island);
(e) where right turning traffic entering may obstruct through traffic;
(f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or
(g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.

3.2 Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.</td><td>3.1 Garage entrances are both private and do not intersect other entries or pathways.

3.2 N/A - parking is private. However, garage locations are positioned near proposed internal elevators.</td><td>Yes</td></tr>
</table>

	3.3 Where above ground parking is the only solution possible, locate to the rear of buildings. *Alternate parking arrangements* **3.4** Council may consider tandem parking in the following situations: (a) Industrial development where the users of the car parking will almost all be employees. (b) High density residential flat buildings, shop top housing and mixed-use development if the parking users reside in the same dwelling or the employees work in the same premises. (c) Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling. **3.5** Tandem parking is not permitted where a high proportion of the users of the car park are visitors or customers. **3.6** Council may consider turn tables for non-residential development in Zones B2 and B4, subject to further assessment. **3.7** Mechanical parking devices, including car lifts, will not be supported. **3.8** The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road. **3.9** The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility. **3.10** Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits. **3.11** For new residential development, necessary clear driveway widths are provided in the following table: Driveway Width / Min. Clear Width One-Way / 3m Two-Way / 5.5m	**3.3** N/A **3.4** N/A **3.5** N/A **3.6** N/A **3.7** N/A **3.8** New driveway crossover is perpendicular to the street. **3.9** Driveway and garage parking is for private residential use. **3.10** New driveway and crossover repositioning proposed. Council to assess development plans. **3.11** Proposed driveways and crossover is >3m wide.	

<table>
<tr><td></td><td>3.12 Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs. Following minimum headroom dimension must be maintained in all development.

<table><tr><th>Minimum headroom</th><th>Dimension</th></tr><tr><td>Cars and light vans</td><td>2.4m</td></tr></table></td><td>3.12 Proposed internal garage ceiling height is 2.7m.</td><td></td></tr>
<tr><td colspan="4">3.3 – Waste Management</td></tr>
<tr><td>Section 2:
Standard Services Specifications for Residential Development</td><td>2.1 The weekly generation rates per dwelling are:

<table><tr><th>General Waste</th><th>Recycling</th><th>Garden Organics</th></tr><tr><td>140L</td><td>120L</td><td>120L</td></tr></table>
2.2 The bin sizes for residential development are: (Refer to Canterbury-Bankstown DCP).

<table><tr><th colspan="3">Semi-detached dwellings</th></tr><tr><th>General</th><th>Recycling</th><th>Organics</th></tr><tr><td>140L</td><td>240L</td><td>240L</td></tr></table>
2.3 The standard bin dimensions are: (Refer to Canterbury-Bankstown DCP).

2.4 The standard service frequencies for residential development are: (Refer to Canterbury-Bankstown DCP).</td><td>2.1 Additional bins are required for the additional residence being proposed. Bins are supplied by Canterbury-Bankstown Council.

2.2 All sizes of additional bins are to match existing bins.
1x 140L General bin
1x 240L Recycling bin
1x 240L Organic bin

2.3 Bin sizes to match required.

2.4 No proposed change to existing service frequency.</td><td>Yes</td></tr>
<tr><td>Section 3:
Residential Development</td><td><u>All residential development types:</u>

3.1 Council or its contractors are solely to provide the waste services to all residential development types as required under the Local Government Act 1993.

3.2 Each dwelling is to have:
(a) A waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials.
(b) A suitable space in the kitchen for a caddy to collect food waste.

3.3 Development must provide an adequately sized bin storage area behind the front building line to accommodate all allocated bins.

3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings.

3.5 The location of the bin storage area should ensure this area:
(a) is screened or cannot be viewed from the public domain; and</td><td>3.1 No proposed change to existing schedule, except for collection of additional bins for new residence.

3.2 Proposed kitchen fittings are to accommodate sufficient bin and waste storage.

3.3 Proposed bin storage areas for each residence located at front of properties, behind the front fence.

3.4 Bin storage is hidden behind fence and landscaping and is expected to have minimal adverse effects on streetscape and surrounds.

3.5 Storage areas are out of sight behind the front boundaries and fence and are not located close to doors or windows.</td><td>Yes</td></tr>
</table>

	(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour, and traffic. **3.6** The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/dwelling and must avoid stairs or slopes. **3.7** Where possible, development may consider providing each dwelling with a suitable space for composting and worm farming, located within the backyard, private courtyard, or open space. Composting facilities should locate on an unpaved area, with a minimum size of 1m2 per dwelling. **3.8** Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection. **3.9** Development must comply with the requirements of the applicable Waste Design for New Developments Guide.	**3.6** Proposed bin storage locations are accessible via driveways and allow for easy kerbside collection when required. Provided the slope of the landscape, the bin storage locations have been selected to minimise travel distances with full bins from storage areas to kerbside for collection. **3.7** Adequate yard/garden space has been proposed at the rear and side of each dwelling which allows space for potential composting and gardening activities. **3.8** Bin storage areas and driveways are to be used as storage areas for any bulky waste prior to its collection. **3.9** Proposed development satisfies development control for expected waste.	
3.4 – Sustainable Development			
Section 2: Water Conservation	**2.1** Proposals for new development with a gross floor area less than 5,000m2 and proposals for extensions to existing developments below 5,000m2 seeking to expand by 50% or more of the existing floor area must comply with Requirement W1. **2.2** Proposals for new development or extensions with a floor area greater than or equal to 5,000m2 of gross floor area must comply with Requirements W1 and W2. **2.3** The following requirement is mandatory and must be incorporated into the building design: All taps, showerheads, toilet suites (cisterns, urinals) used in the development must be rated to at least 4 stars under the National Water Efficient Labelling and Standards (WELS) Scheme (refer below). <u>National water conservation rating and labelling scheme:</u> The Water Efficient Labelling and Standards (WELS) Scheme is administered by the NSW and	**2.1** N/A **2.2** Proposed GFA is less than 5,000m^2. **2.3** All proposed fittings and water outlets are to satisfy National WELS Scheme.	Yes

	Australian Government and is designed to make more efficient use of Australia's potable water supply. The following star ratings are required for compliance with this DCP: (a) shower heads 3 stars – 8 litres or less per minute; (b) basins taps 6 stars – 4.5 litres or less per minute; (c) toilet cisterns 4 stars – 4 litres or less per flush. A comprehensive list of products that meet the above water consumption requirements of this DCP can be viewed at the Australian Government website at www.waterrating.gov.au.		
Section 3: Energy Minimisation	**3.1** Proposals for new development where the total gross floor area is below 5,000m2; and extensions to existing uses below 5,000m2 that involve an increase in 50% or more of the existing gross floor area must comply with Requirements E1 and E2. *Requirement E1: Energy efficient building design:* **3.2** The design and orientation of buildings must maximise solar access and natural lighting by: (a) Orientating the building so that its longest side is on the east west axis (where possible). (b) Maximising the number of windows on the northern face of the building and minimising glazed areas on the eastern and western walls of the building (i.e. providing for most of the glazed areas on the northern face of the building). (c) Fitting warehouses with skylights to 10% of the roof area. (d) Considering and including where feasible the following features: skylights, clerestory windows, light wells, light tubes, atriums, and similar features. *Requirement E2: Energy efficient hot water systems:* **3.3** Development must incorporate a hot water heating system that is energy rated to at least 4-stars. The preferred system is either a gas boosted solar system, or a 5-star gas system, with appropriate insulation to the tank and pipes (refer to box for a list of different types of water heaters that have a rating of 4-stars or higher).	**3.1** Proposed dwellings' total floor area does not increase gross floor area of the existing house by more than 50%. **3.2** Proposed building designs have been orientated to match existing lot orientation. Proposed windows have been placed to maximise solar access and views, while retaining privacy between each residence where necessary. **3.3** New hot water systems to be installed are to satisfy Council DCP and energy efficiency requirements.	Yes

<table>
<tr><td></td><td><u>Rating of hot water heating in terms of energy efficiency:</u>
<table>
<tr><th>Energy Source</th><th>Storage</th><th>Rating</th></tr>
<tr><td>Solar Gas Boost (solar contribution 50%)</td><td>Storage</td><td>5-star</td></tr>
<tr><td>Gas</td><td>Instant.</td><td>4-star</td></tr>
<tr><td>Gas-Storage</td><td>High-Eff</td><td>4-star</td></tr>
<tr><td>Electric-Storage</td><td>Heat Pump</td><td>4-star</td></tr>
<tr><td>Gas-Storage</td><td>Low-Eff.</td><td>4-star</td></tr>
<tr><td>Solar Electric Boost (solar contribution >50%)</td><td>Cont.</td><td>4-star</td></tr>
<tr><td>Solar Electric Boost (solar contribution >50%)</td><td>OP2</td><td>4-star</td></tr>
</table>
</td><td></td><td></td></tr>
<tr><td colspan="4">3.7 – Landscape</td></tr>
<tr><td>Section 2:

Landscape Design</td><td><u>Existing vegetation and natural features:</u>

2.1 New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.

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.

<u>Design and location of landscape:</u>

2.3 The landscape design is to contribute to and take advantage of the site characteristics.

2.4 The landscape design is to improve the quality of the streetscape and communal open spaces by:
(a) providing appropriate shade from trees or structures;
(b) defining accessible and attractive routes through the communal open space and between buildings;
(c) providing screens and buffers that contribute to privacy, casual surveillance, urban design and environmental protection, where relevant;
(d) improving the microclimate of communal open spaces and hard paved areas;
(e) locating plants appropriately in relation to their size including mature size;
(f) softening the visual and physical impact of hard paved areas and building mass with landscaping that is appropriate in scale;
(g) including suitably sized trees, shrubs, and groundcovers to aid</td><td>2.1 Proposed landscaping is intended to complement the existing topography of the area.

2.2 Excavated soil from the garage and pools is to be redistributed across exterior yard spaces where possible. Excess to be removed.

2.3 Proposed landscaping is intended to maintain the existing topography of the area.

2.4 Landscaped areas are to include grass and small plants to soften the visual impact of hard paved areas and building mass.</td><td>Yes</td></tr>
</table>

	climate control by providing shade in summer and sunlight in winter.		
	2.5 The landscape of setbacks and deep soil zones must: (a) provide sufficient depth of soil to enable the growth of mature trees; (b) use a combination of groundcovers, shrubs and trees; (c) use shrubs that do not obstruct sightlines between the site and the public domain; and (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.	**2.5** Deep soil zones will remain towards the rear of the properties and along the boundaries in remaining natural ground material.	
	Trees **2.6** Development must consider the retention of existing trees in the building design.	**2.6** Existing trees are to be removed during clearing for new residential development and construction.	
	2.7 Development must plant at least one canopy tree for every 12m of front and rear boundary width and: (a) Canopy trees are to be of a minimum 75 litre pot size. (b) Use deciduous trees in small open spaces, such as courtyards, to improve solar access and control of microclimate. (c) Place evergreen trees well away from the building to allow the winter sun access. (d) Select trees that do not inhibit airflow. (e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils.	**2.7** Proposed landscaping and planting schedule is to satisfy council development controls within the rear garden spaces of each dwelling.	
	2.8 Development must provide street trees that will contribute to the canopy where possible.	**2.8** Proposed landscaping and planting schedule is to satisfy council development control.	
Section 3: Biodiversity	*Biodiversity:* **3.1** Development must retain, protect and enhance indigenous/native vegetation and natural site features and incorporate it into the landscape design.	**3.1** New development is to make use of indigenous/native flora in landscaping where possible.	Yes
	3.2 Development must create a buffer zone to adjoining bushland and use indigenous planting in the buffer zone.	**3.2** The site adjoins bushland to the west and native plating is to be used to soften the transition between the site and existing natural vegetation.	

	3.3 Development must manage habitat values by reinforcing biodiversity links. **3.4** The landscape design may consider using the following features to encourage native wildlife: (a) Trees and shrubs native to the area can provide nectar and seeds – an important food for native birds. (b) Prickly shrubs and dense hedges protect bird nests from predators such as cats. (c) Leaf litter and bark provide feeding areas for small animals such as frogs and lizards. (d) Hollow logs provide shelter for small marsupials and lizards. (e) Small caves and crevices serve as burrows and nesting sites for small animals. (f) Where structurally sound, tree hollows provide nesting holes essential for birds and possums. (g) Strong, healthy tree limbs provide habitat for tree dwellers and allow safe movement through the canopy. (h) Tree branches provide safe perching places for birds. (i) Rocks provide shelter, shade, and sunbathing opportunities for small animals.	**3.3** Vegetation on adjoining lots is to remain undisturbed during construction to retain existing habitats and diversity. **3.4** Landscape design and planting is to consider local wildlife and make use of native species where applicable.	
CHAPTER 5 – RESIDENTIAL ACCOMMODATION			
5.1 – Former Bankstown LGA			
Section 1: Introduction	*Desired character:* The prevailing suburban character of residential areas includes the subdivision pattern, front and side building setbacks, off-street parking behind the front building line and the landscape of front yards with canopy trees and deep soil plantings. The desired characters for the residential areas are: *C1 Low density residential areas:* The desired character is to have a low-density residential environment in Zone R2 where the typical features are dwelling houses, dual-occupancies, and secondary dwellings within a generous landscaped setting. The site cover and building form of development must be compatible with the prevailing suburban character and amenity of this zone. This zone is also the most restrictive in terms of other permitted uses that are considered suitable. These are generally restricted to facilities and services that	**1.0** The proposed building plans are compatible with the existing suburban character of Condell Park and are suitable for residential use. Neighbouring houses are relatively similar in sizes, which vary between single-storey and two-storey houses.	Yes

	meet the day-to-day needs of residents.		
Section 2: Dwelling Houses	*Storey limit (not including basements):* **2.1** The storey limit for dwelling houses is two storeys. **2.2** The siting of dwelling houses and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation. *Fill* **2.3** Any reconstituted ground level on the site within the ground floor perimeter of dwelling houses must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch. **2.4** Any reconstituted ground level on the site outside of the ground floor perimeter of dwelling houses must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch. *Setback restrictions:* **2.5** The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment. *Street setbacks:* **2.6** The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey. **2.7** The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall. *Side setbacks:* **2.8** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.	**2.1** Proposed development is for two, two-storey residences over a basement level garage. **2.2** Proposed development is for two, two-storey semi-detached residences over basement level garages (partially excavated into the existing sloped landscape). The positioning of the proposed ground floor and first floor levels has considered the existing sloped landscape. **2.3** Proposed ground floor level is maximum 1m above existing ground level. However, no fill is proposed beneath due to basement level garage. **2.4** No proposed reconstituted ground levels outside the dwelling that are greater than 600mm above existing natural ground level. **2.5** N/A – proposed development is not within 9m of an existing animal boarding or training establishment. **2.6** The proposed setbacks for all walls facing the primary street frontage (Leemon St) are greater than 6.5m. **2.7** N/A – No secondary street frontage. **2.8** The proposed side walls for each dwelling are all less than 7m in height. The side setback for each dwelling is greater than 1.2m.	**Section 2.10** Minor extension of each basement level garage beyond the internal ground floor above. These project no greater than 1m and are situated below proposed balconies due to topography constraints. *(refer to Section 4.11: Dual Occupancy)* **Section 2.18** Rear balconies on upper floors due to topographic constraints. Balcony floor levels finish close to natural ground level at the rear of each proposed dwelling. *(refer to Section 4.19)*

	2.9 For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.	**2.9** Proposed building walls have considered the slope of the landscape and are not greater than 7m along the side boundaries.	
	2.10 The basement level must not project beyond the ground floor perimeter of the dwelling house.	**2.10** The proposed basement level garages have a partial extension beyond the internal ground floor due to topographical constraints. However, they are modest in size and are otherwise situated below the proposed balconies.	
	Private open space:		
	2.11 Dwelling houses must provide a minimum 80m^2 of private open space behind the front building line. This may be in the form of a single area, or a sum of areas provided the minimum width of each area is 5 metres throughout.	**2.11** Both proposed residences include a minimum of at least 80m^2 of private open space behind the front building line with widths greater than 5m. Dwelling A = 119m^2, and Dwelling B = 146m^2.	
	Access to sunlight:		
	2.12 At least one living area must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	**2.12** First floor living areas receive more than three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.	
	2.13 At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	**2.13** There is no expected change to existing solar access to living rooms on neighbouring lots between 8.00am and 4.00pm at the mid-winter solstice. (Refer to shadow diagrams).	
	2.14 A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	**2.14** More than 50% of the proposed private open space for each dwelling and existing neighbouring dwellings will receive more than three hours of direct sunlight between 9.00am and 5.00pm at the equinox.	
	2.15 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	**2.15** Proposed building design has limited potential impacts to existing solar hot water system, photovoltaic panel or other solar collector on neighbouring sites.	
	Visual privacy:		

	2.16 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.	**2.16** The proposed design satisfies the development control. New windows have considered privacy between neighbouring residences and do not directly overlook into neighbouring residences.	
	2.17 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	**2.17** All windows with potential to see into neighbouring properties' private open space are to be screened	
	2.18 Council may allow dwelling houses to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	**2.18** Proposed rear balconies on the first-floor level are accessed via living spaces and laundry. However, this positioning is due to topographical constraints as they are finished close to the natural ground level of the rear yards of each dwelling.	
	2.19 Council does not allow dwelling houses to have roof-top balconies and the like.	**2.19** No rooftop balconies proposed.	
	Building design:		
	2.20 The maximum roof pitch for dwelling houses is 35 degrees.	**2.20** Proposed roof pitches are all less than 35°.	
	2.21 Council may allow dwelling houses to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or	**2.21** No attic spaces proposed.	

	study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.		
	2.22 The design of dormers must: (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.	**2.22** No dormers proposed.	
	2.23 Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	**2.23** N/A	
	Building design (car parking):		
	2.24 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.	**2.24** N/A	
	2.25 Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.	**2.25** Proposed internal basement car parking is located behind the front building line and includes space for two small vehicles.	
	2.26 Despite clause 2.24, Council may consider a single carport forward of the front building line of an existing dwelling house solely where: (a) there is no existing garage on the site; (b) there is no side or rear vehicle access to the site;	**2.26** No carports proposed.	

	(c) the site does not contain a heritage item or is not within a heritage conservation area or local character area; (d) the site is in the vicinity of existing, approved carports on adjacent sites that are forward of the front building line; (e) the maximum width of the single carport is 3 metres; (f) it is of a simple posted design, with no side panel infill; (g) there is no solid panel lift or roller shutter door proposed; (h) the carport is setback a minimum 1 metre from the primary and secondary street frontages; (i) the carport achieves a high-quality design and has a roof design that is compatible with the dwelling house.		
	2.27 Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street façade.	**2.27** Proposed garages are located beneath the ground floor and integrate with the front façade of the building, which is setback from the street.	
	2.28 Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) the building is at least two storeys in height, and (b) the garage is architecturally integrated with the upper storey by: i. ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and ii. designing a covered balcony, rooms, or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.	**2.28** Proposed garages are located beneath the ground floor and integrate with the front façade of the building, which is setback from the street. Proposed garages do not project more than 3m beyond upper floors but do have a partial covering by proposed balconies.	
	Landscape:		
	2.29 Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.	**2.29** Existing trees are to be removed for new residential construction.	
	2.30 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to	**2.30** Proposed landscape and planting are to satisfy applicable council DCP controls.	

	Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the dwelling house and the primary street frontage; and (b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and (c) plant at least one 75 litre tree between the dwelling house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.		
Section 4: Dual Occupancies	*Subdivision* **4.1** For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m^2 per dwelling. *Storey Limit (not including basements)* **4.2** The storey limit for dual occupancies is two storeys. **4.3** The siting of dual occupancies, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation. *Fill* **4.4** Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch. **4.5** Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	**4.1** Development does not propose formal subdivision of land. **4.2** The proposed development is two-storey. **4.3** The proposed development is for two, two-storey semi-detached residences over basement level garages (partially excavated into the existing sloped landscape). The positioning of the proposed ground floor and first floor levels has considered the existing sloped landscape and is similar in size to other nearby developments. **4.4** Proposed ground floor level is maximum 1m above existing ground level. However, no fill is proposed beneath due to basement level garage. **4.5** No proposed reconstituted ground levels outside the dwelling that are greater than 600mm above existing natural ground level.	**Section 4.19** Rear balconies on upper floors due to topographic constraints. Balcony floor levels finish close to natural ground level at the rear of each proposed dwelling. *Council to assess rear balcony placement based on topographic constraints.*

	Setback Restrictions		
	4.6 The erection of dual occupancies is prohibited within 9m of an existing animal boarding or training establishment.	**4.6** The proposed development is not within 9m of an existing animal boarding or training establishment.	
	Street Setbacks		
	4.7 The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey.	**4.7** The proposed setbacks for all walls facing the primary street frontage (Leemon St) are greater than 6.5m.	
	4.8 The minimum setback to the secondary street frontage is: (a) 3m for a building wall; and (b) 5.5m for a garage or carport that is attached to the building wall.	**4.8** N/A – No secondary street frontage.	
	Side Setbacks		
	4.9 The minimum setback for a building wall to the side boundary of the site is 0.9m. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.	**4.9** The side setback for each dwelling is greater than 1.2m.	
	4.10 The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like. The intended outcome is to provide a clear path at all times for residents and visitors to access the rear yard and/or carry out maintenance works.	**4.10** There are no obstacles proposed to be situated within the side setbacks of either residence.	
	4.11 The basement level must not project beyond the ground floor perimeter of the dual occupancy. For the purposes of this clause, the ground floor perimeter includes the front porch.	**4.11** The proposed basement level garages have a partial extension beyond the internal ground floor but are otherwise contained within the perimeter of the porch.	
	Private Open Space		
	4.12 Dual occupancies must provide a minimum 80m^2 of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5m throughout.	**4.12** Both proposed residences include a minimum of at least 80m^2 of private open space behind the front building line included in the rear yard spaces of each dwelling with widths greater than 5m.	
	Access to Sunlight		
	4.13 At least one living area of each dwelling must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these	**4.13** First floor living areas receive more than three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.	

	building elements are not the primary source of sunlight to the living areas.		
	4.14 At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	**4.14** There is minimal expected change to existing solar access to living rooms on neighbouring lots between 8.00am and 4.00pm at the mid-winter solstice. (Refer to shadow diagrams).	
	4.15 A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	**4.15** More than 50% of the proposed private open space for each dwelling and existing neighbouring dwellings will receive more than three hours of direct sunlight between 9.00am and 5.00pm at the equinox.	
	4.16 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	**4.16** Proposed building design has limited potential impacts to existing solar hot water system, photovoltaic panel or other solar collectors on neighbouring sites.	
	Visual Privacy		
	4.17 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5m above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or (d) use another form of screening to the satisfaction of Council.	**4.17** The proposed design satisfies the development control. New windows have considered privacy screens between neighbouring residences and do not overlook into private spaces of neighbouring residences.	
	4.18 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5m above floor level; or (c) the window has translucent glazing to a minimum height of 1.5m above floor level; or	**4.18** All windows with potential to see into neighbouring properties' private open space are to be screened.	

	(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.		
	4.19 Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5m throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	**4.19** Proposed rear balconies on the first-floor level are accessed via living spaces and laundry, however, their finished floor levels are close to the natural ground level at the rear of each dwelling due to topography constraints.	
	4.20 Council does not allow dual occupancies to have roof-top balconies and the like.	**4.20** No rooftop balcony proposed.	
	Building Design		
	4.21 Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.	**4.21** Existing dwelling on-site is to be demolished entirely for new construction.	
	4.22 The design of dual occupancies must ensure: (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner site each face a different frontage.	**4.22** Both residences have been offset from each other for an asymmetrical design, although they contain relatively similar features and facilities between each other.	
	4.23 The maximum roof pitch for dual occupancies is 35 degrees.	**4.23** Proposed roof pitches are all less than 35°.	
	4.24 Council may allow dual occupancies to have an attic provided the attic design:	**4.24** No attic spaces proposed.	

	(a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.		
	4.25 The design of dormers must: (a) (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2m; and (d) the number of dormers must not dominate the roof plane.	**4.25** No dormers proposed.	
	4.26 Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	**4.26** N/A	
	Building Design (Car Parking)		
	4.27 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.	**4.27** N/A	
	4.28 Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.	**4.28** Proposed internal basement garage is located behind the front building line and includes space for two small vehicles.	
	4.29 Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.	**4.29** Proposed garages are located beneath the ground floor and integrate with the front façade of the building, which is setback from the street.	

	Council does not permit internal stacked or tandem garages. **4.30** Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) the building is at least two storeys in height, and (b) the garage is architecturally integrated with the upper storey by: i. ensuring the garage does not project more than 3m forward of the upper storey street facade; and ii. designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP. *Landscape* **4.31** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy. **4.32** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and (b) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and (c) plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12m adjacent to the waterbody.	**4.30** Garages are both for maximum 2 small cars. **4.31** Existing trees are to be removed prior to proposed residential construction. **4.32** Proposed landscape and planting are to satisfy applicable council DCP controls.	
Section 5:	*Storey Limit (not including basements):* **5.1** The storey limit for semi-detached dwellings is two storeys.	**5.1** The proposed development is two-storey.	**Section 5.10** Minor extension of each

Semi-Detached Dwellings	**5.2** The siting of semi-detached dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation. **5.3** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where: (a) the semi-detached dwellings are required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or (b) the fill is contained within the ground floor perimeter of the semi-detached dwellings to a height no greater than 1 metre above the ground level (existing) of the site. *Setback Restrictions:* **5.4** The erection of semi-detached dwellings is prohibited within 9 metres of an existing animal boarding or training establishment. *Street Setbacks:* **5.5** The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey. **5.6** The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall. *Setbacks to the Side Boundary:* **5.7** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site. **5.8** For the portion of the building wall that has a wall height greater than 7	**5.2** Proposed development is for two, two-storey semi-detached residences over basement level garages (partially excavated into the existing sloped landscape). The positioning of the proposed ground floor and first floor levels has considered the existing sloped landscape. **5.3** No proposed reconstituted ground levels. (a) The proposed ground floor has been raised due to topographic constraints and is also to be partially excavated at the rear. (b) Proposed ground floor is maximum 1m above existing ground level. However, no fill is proposed beneath due to basement level garage. **5.4** N/A – the proposed development is not within 9m of an existing animal boarding or training establishment. **5.5** The proposed setbacks for all walls facing the primary street frontage (Leemon St) are greater than 6.5m. **5.6** N/A **5.7** The proposed side walls for each dwelling are all less than 7m in height. The side setback for each dwelling is greater than 1.2m. **5.8** Proposed building walls have considered the slope of the landscape and are no greater than	basement level garage beyond the internal ground floor above. These are no greater than 1m and are situated below proposed balconies due to topography constraints. *(refer to Section 4.11: Dual)* **Section 5.18** Rear balconies on upper floors due to topographic constraints. Balcony floor levels finish close to natural ground level at the rear of each proposed dwelling. *(refer to Section 4.19)* *Council to assess based on merit and site constraints*

	metres, the minimum setback to the side boundary of the site is 1.5 metres.	7m total along the side boundaries.	
	5.9 The minimum setback between semi-detached dwellings and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.	**5.9** There are no obstacles proposed to be situated within the side setbacks of either residence.	
	5.10 The basement level must not project beyond the ground floor perimeter of the semidetached dwellings.	**5.10** The proposed basement level garages have a partial extension beyond the internal ground floor due to topographical constraints. However, they are modest in size and are otherwise situated below the proposed balconies.	
	Private Open Space:		
	5.11 Semi-detached dwellings must provide a minimum 80m2 of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.	**5.11** Both proposed residences include a minimum of at least 80m^2 of private open space behind the front building line included in the rear yard spaces of each dwelling with widths greater than 5m.	
	Access to Sunlight:		
	5.12 At least one living area of each dwelling must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	**5.12** First floor living areas receive more than three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.	
	5.13 At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	**5.13** There is minimal expected change to existing solar access to living rooms on neighbouring lots between 8.00am and 4.00pm at the mid-winter solstice. (Refer to shadow diagrams).	
	5.14 A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	**5.14** More than 50% of the proposed private open space for each dwelling and existing neighbouring dwellings will receive more than three hours of direct sunlight between 9.00am and 5.00pm at the equinox.	
	5.15 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	**5.15** Proposed building design has limited potential impacts to existing solar hot water system, photovoltaic panel or other solar collector on neighbouring sites.	
	Visual Privacy:		

	5.16 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.	**5.16** No proposed windows that overlook into internal private spaces of neighbouring sites.	
	5.17 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	**5.17** All windows with potential to see into neighbouring properties' private open space are to be screened	
	5.18 Council may allow semi-detached dwellings to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	**5.18** Proposed rear balconies on the first-floor level are accessed via living spaces and laundry. However, this positioning is due to topographical constraints as they are finished close to the natural ground level of the rear yards of each dwelling.	
	5.19 Council does not allow semi-detached dwellings to have roof-top balconies and the like.	**5.19** No rooftop balconies proposed.	
	Building Design:		
	5.20 Development for the purpose of semi-detached dwellings must demolish all existing dwellings (not including any heritage items) on the site.	**5.20** Existing dwelling on-site is to be demolished entirely for new construction.	

	5.21 The design of semi-detached dwellings must ensure: (a) the street facade of semi-detached dwellings adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of semi-detached dwellings incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner site each face a different frontage.	**5.21** Both residences have been offset from each other for an asymmetrical design, although they contain relatively similar features and facilities between each other.	
	5.22 The maximum roof pitch for semi-detached dwellings is 35 degrees.	**5.22** Proposed roof pitches are all less than 35°.	
	5.23 Council may allow semi-detached dwellings to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.	**5.23** No attic spaces proposed.	
	5.24 The design of dormers must: (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.	**5.24** No dormers proposed.	
	5.25 Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown). *<u>Building Design (Car Parking):</u>*	**5.25** N/A	
	5.26 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a)	**5.26** N/A	

	comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.		
	5.27 Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.	**5.27** Proposed basement garages are located greater than 6m from the street and includes space for two small vehicles.	
	5.28 Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.	**5.28** Proposed garages are located beneath the ground floor and integrate with the front façade of the building, which is setback from the street.	
	5.29 Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) the building is at least two storeys in height, and (b) the garage is architecturally integrated with the upper storey by: i. ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and ii. designing a covered balcony, rooms, or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.	**5.29** Proposed garages are for two cars maximum.	
	<u>*Landscape:*</u>		
	5.30 Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the semi-detached dwellings.	**5.30** Existing trees are to be removed prior to proposed residential construction.	

	5.31 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the semi-detached dwellings and the primary street frontage; and (b) a minimum 45% of the area between the semi-detached dwellings and the secondary street frontage; and (c) plant at least one 75 litre tree between the semi-detached dwellings and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.	**5.31** Proposed landscape and planting are to satisfy applicable council DCP controls.	

5.0 VARIATIONS SUMMARY

This proposal does not seek any variations to the prescribed LEP or SEPP controls, but does seek minor variations to controls within the DCP, which include:

- **DCP Controls: 2.10 and 5.10**
  - Partial extension of the proposed basement garages beyond the ground floor space of the floors above. These are otherwise situated below balconies and have been positioned considering existing topographical constraints of the Site.

- **DCP Controls: 2.18, 4.19 and 5.18**
  - Proposed rear balconies are located on the first-floor due to topographical constraints. These are accessed via living spaces (kitchen, dining, laundry); however, they have finished floor levels which are relatively close to natural ground level at the rear of each residence and have been positioned so due to existing topographic constraints at the site. The proposed rear balconies do not overlook into the private open space or living areas on adjoining properties and they are not significantly elevated above natural ground level. Privacy screening has also been applied to improve visual privacy at the rear.

The proposed development has considered the sloped landscape of the site and seeks minor variations to controls outlined in the DCP to accommodate for its topography. These variations will be required to be assessed on merit by council but are otherwise considered to be relatively modest in scope. Additionally, minor excavation work is proposed for the construction of the basement garages.

6.0 MATTERS FOR CONSIDERATION

Under Section 4.15 of the Environmental Planning & Assessment Act 1979, the follow sub-headings seek to address each of the outlined matters for consideration with Section 4.15(1) of the EP&AA.

6.1 Likely Impact to Natural & Built Environment

Proposed works are to be undertaken in accordance with all prescribed regulations including local and state planning requirements. Any noise generated on site is to comply with the relevant provisions of the *Protection of Environment Operations Act* and the NSW EPA *Noise Policy for Industry* (2017).

Appropriate sediment & erosion control measures are to be implemented to ensure proper site containment and waste generation. Measures to protect existing stormwater will be also taken as required.

Throughout the course of construction, the proposed works are seen to be an improvement upon the existing site. As such, temporary disruption to the local environment through the course of general construction process is expected, however it will not exceed what is expected by community and authorities, and there are no long-term adverse impacts that will affect either the natural or built environment.

6.2 Social & Economic Impacts on Locality

At all stages of the project, effort has been made to engage local consultants and experts where possible to ensure appropriate local knowledge is utilised, and economic benefits are retained within the wider locality of the site. The construction process will generally rely on local contractors and trades being sourced locally where appropriate. This will ensure the prime bulk of project finances being distributed into the local community to support the local economy both directly and indirectly through project activity in the area.

The Site is to retain its residential land use and the proposed building work maintains existing zoning objectives. There is no proposed change to the surrounding social environment.

6.3 Suitability of the Site

The Site is zoned ‘R2 – Low Density Residential’ and the proposed work is within the scope and allowances for the zoned area. Additionally, the development area is primarily surrounded by land also zoned as ‘R2 – Low Density Residential’ and includes several existing residential developments.

The proposed development is to retain the primary function of the Site, which is for residential land-use. Proposed works have considered site characteristics and are seen to appropriately respond to them through appropriate methods of design and construction.

6.4 Noise

Noise created by activities on Site are to abide by current regulations on hours of operations and works are to be carried out between 7am to 6pm Monday to Friday and 8am to 1pm on Saturdays. No work to be done on Sundays.

6.5 Submissions

Consideration will be given to any submissions made by result of Council’s consultation and notification processes.

7.0 CONCLUSION

The current owner of the property at 4 Leemon Street in Condell Park are preparing their site for a new residential development. The proposed Development Application seeks to demolish the existing structure and to redevelop the site into two, two-storey semi-detached residences over basement level garages. The proposed works will result in minimal short-term impacts to the surrounding environment and poses no likely negative long-term impacts to adjacent residents.

The proposal has considered all objectives of the Canterbury-Bankstown LEP and DCP, with aims to satisfy all aspects but seeks minor variations to two controls within the DCP due to topographic constraints. To minimise cut and fill, the proposed basement garages have been positioned with a minor extension beyond the ground floor footprint but are otherwise beneath the proposed front porches. Additionally, rear balconies on the first floors have also been proposed, however, these are otherwise situated close to natural ground level at the rear of the residences due to topographic constraints and to provide access to the rear yards and private open space. These variations are considered relatively modest in scope but may require assessment by Canterbury-Bankstown Council assessment as they seek minor variations to controls within the DCP.

With carefully minimised impacts to neighbours and the surrounding environment, the development proposal otherwise seeks to improve the amenity of the Site while complimenting the surrounding residential landscape. Any future development and use of the land will be the subject of another development application and is beyond the scope of this proposal.