

1 PARKVIEW AVENUE, BELFIELD

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STATEMENT OF ENVIRONMENTAL EFFECTS DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF AN ATTACHED DUAL OCCUPANCY, SWIMMING POOL WITH TORRENS TITLE SUBDIVISION OF ONE LOT INTO TWO

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Contents

1. Executive Summary	3
2. Contextual Analysis	4
2.1 Site Description	4
2.2 Adjacent Development	4
3. Description of the Proposal.	5
3.1 Planning Definition of the Proposed Development	5
3.2 Proposed Development.	5
3.3 Features of the Development	5
4. Clause 4.15(1) Assessment of the EPAA Act 1979	8
4.1 88B Instrument	8
4.2 Environmental Planning Instruments Provisions	8
4.3 Development Control Plan.	10
4.4 Planning Agreements	19
4.5 Impacts of the Development	19
4.6 Suitability of the Site for the Development.	20
4.7 Submissions	20
4.8 The Public Interest.	20
5. Conclusion	20



1. Executive Summary

The proposal seeks consent for the demolition of existing structures and construction of an attached dual occupancy with torrens title subdivision of one lot into two.

The site is legally described as 1/-/DP204490 and is known as 1 Parkview Avenue, Belfield, 2191. The property has a site area of 755m².

The application is also accompanied by the following:

- Survey Plan
- Architectural Plans
- Landscape Plan
- Stormwater Management Plan
- Flood Report
- Arboricultural Impact Assessment
- Construction and Operational Waste Management Plan
- Quantity Surveyor Report
- Owner's Consent
- Waste Management Plan

This Statement has been prepared pursuant to section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000. The Statement provides an assessment of the development proposal having regard to the relevant legislative context, social, economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The statement details the proposed development's compliance against the applicable environmental planning instruments and development control plan including:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Canterbury-Bankstown Local Environmental Plan 2023.
- Canterbury Bankstown Development Control Plan 2023

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan whilst being compatible with the emerging character of the locality and minimising any potential impacts on the amenity of the adjoining properties.



2. Contextual Analysis

2.1 Site Description

Area:	755sqm
Allotment Shape:	Irregular shaped allotment.
Max Allotment Width:	31.99m
Existing Structures:	Dwelling house, carport, trees.
Topography:	The site falls 1.67m from the South Eastern side boundary (RL 10.83m) to the North Western side boundary (RL 9.16m)
Constraints:	Acid Sulfate Soils

2.2 Adjacent Development

North:	Single-storey dwelling house, trees
East:	Two-storey dwelling house, trees, carport, outbuilding.
West:	Easement going through rear of property, attached dual occupancy, trees.
South:	Single-storey dwelling house, carport, trees.





3. Description of the Proposal

3.1 Planning Definition of the Proposed Development

Proposed Use:	Dual Occupancy (attached)
Definition of Use:	<p>Dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).</p> <p>Note - Dual occupancies are a type of residential accommodation</p> <p>Dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.</p> <p>Note - Dual occupancies (attached) are a type of dual occupancy</p>

3.2 Proposed Development

The proposal seeks consent for the demolition of existing structures and construction of an attached dual occupancy with torrens title subdivision of one lot into two.

Lot 1 Size	427m ²
Swimming Pool	Construction of an inground swimming pool
Unit 1 Ground Floor	1 bedroom, kitchen, bathroom, laundry, living room and dining room, single garage.
Unit 1 First Floor	4 bedrooms, 2 bathrooms (including 1 ensuite)

Lot 2 Size	329m ²
Unit 2 Ground Floor	1 bedroom, kitchen, bathroom, laundry, living room and dining room, single garage.
Unit 2 First Floor	4 bedrooms, 2 bathrooms (including 1 ensuite).

3.3 Features of the Development

3.3.1 Car Parking and Access

Parking Configuration:	2 Single Garage (1 for each unit), 2 hard stand car spaces on the driveway
Number of Parking Spaces:	2 + 2 (2 total for each unit)
AS2890:	The access driveway complies with AS2890.1.

3.3.2 Open Space and Landscaping

The proposal includes 295m² total landscape area across the site with ample private open space for each unit.

U1 POS - 138m²

U2 POS - 74m²

3.3.3 Stormwater Disposal

The development proposal includes the installation of a gravity fed conventional piped drainage system to Parkview Avenue for both lots.



3.3.4 Tree Removal

The following trees are proposed for removal:

TREE ID	SPECIES	LOCATION	EXEMPT SPECIES	HEIGHT (M)	SPREAD (M)	DBH (M)	DAB (M)	TPZ RADIUS (M)	SRZ RADIUS (M)	AGE CLASS	VIGOUR	STRUCTURE	LANDSCAPE SIGNIFICANCE VALUE	ESTIMATED LIFE EXPECTANCY (STARS)	RETENTION VALUE (STARS)	NOTES
1	Likely Prunus spp. (Ornamental Plum)	Front Yard	NO	5.5	4.5	0.32	0.45	3.84	2.37	Mature	Fair	Fair	Moderate	Short to Medium (5–20 yrs)	Medium	Tree has co-dominant trunks with visible bark damage and lichen; crown is sparse with minimal leaf density indicating decline; minor deadwood and possible pest presence. Proximity to structures and access points poses moderate risk.
2	Magnolia spp.	Front Yard	NO	4.5	3.5	0.17	0.27	2.04	1.91	Semi-mature	Poor	Fair	Low	Short (<15 years)	Low	Tree exhibits poor vigour—sparse crown, chlorotic and necrotic foliage, and fungal staining on stems. Hollow wounds and branch dieback visible. Located close to building, potentially affecting foundations and services. Decline appears advanced and potentially irreversible.
3	Lagerstroemia indica (Crepe Myrtle)	Front Yard	NO	6	5	0.26	0.3	3.12	2.00	Mature	Fair	Fair	Moderate	Medium (15–40 years)	Medium	Multi-stemmed specimen with evidence of basal damage and bark sloughing. Moderate canopy thinning, patchy foliage with signs of stress. Aesthetic value present; some decline visible but not critical. Requires monitoring and possible remedial pruning.
4	Callistemon spp. (Bottlebrush)	Road Reserve	NO	7.5	6	0.4	0.6	4.8	2.67	Mature	Good	Good	Moderate	Medium (15–40 years)	Medium	Healthy specimen with full canopy. Lichen and moss presence. Positioned near road, providing amenity. No evident structural defects.
5	Likely Nerium oleander (Oleander)	Front Yard	NO	3.5	3.5	0.14	0.4	2	2.25	Semi-mature	Fair	Fair	Low to Moderate	Medium (15–25 years)	Low	Shrub-like multi-stem form. Generally healthy foliage, though older flowers are spent and some necrotic tips visible. No major defects, but does not meet definition of a tree per AS4970 (>3 m with clear trunk); significance mostly ornamental.
6	Likely Lagerstroemia indica (Crepe Myrtle)	Front Yard	NO	5.5	4.5	0.21	0.23	2.52	1.79	Mature	Poor	Fair	Moderate	Short to Medium (5–20 years)	Low	Tree displays signs of advanced decline: sparse crown, necrotic and chlorotic leaves, deadwood, and dry seed pods. Bark and branch condition consistent with stressed or senescing specimen. Located near infrastructure but with limited retention value.
7	Lagerstroemia indica (Crepe Myrtle)	Front Yard	NO	6	5.5	0.29	0.4	3.48	2.25	Mature	Fair	Fair	Moderate	Medium (15–30 years)	Medium	Large multi-stem specimen in a high-visibility location. Bark exfoliating naturally, canopy partially thinning. Moderate levels of spent seed capsules and patchy leaf colour indicate mild stress. Minor canopy clearance needed around powerlines. Good potential for recovery with maintenance.
8	Ligustrum lucidum (Large-leaf Privet)	Back Yard	NO	6	5	0.35	0.43	4.2	2.32	Mature	Good	Fair	Low to Moderate	Medium (15–30 years)	Low	Invasive species with healthy foliage and dense crown. Located close to fence and carport, potentially problematic due to vigorous growth. Basal flare is sound but co-dominant trunk present. Structure adequate, but species typically has low arboricultural value.
9	Likely Nerium oleander (Oleander)	Back Yard	NO	4	3.5	0.26	0.6	3.12	2.67	Semi-mature	Good	Fair	Moderate	Medium (15–30 years)	Medium	Dense, upright multi-stemmed specimen with good leaf colour and flowering. Some basal congestion and minor suckering observed. Well-maintained appearance; moderate contribution to privacy and aesthetics despite shrub-like structure.
10	Viburnum odoratissimum (Sweet Viburnum)	Back Yard	NO	4	3.5	0.13	0.35	1.56	2.13	Semi-mature	Fair	Fair	Moderate	Medium (15–30 years)	Medium	Multi-stemmed hedge-like specimen used for screening. Canopy thinning in upper sections, with epicormic growth and suckers at base. Leaf health generally fair; minor pest signs on lower foliage. Suitable for retention with maintenance.
11	Lagerstroemia indica (Crepe Myrtle)	Back Yard	NO	5.5	4.5	0.17	0.2	2.04	1.68	Mature	Fair	Good	Moderate	Medium (15–30 years)	Medium	Healthy main structure and trunk form with minimal defects. Canopy is generally well-formed but has some retained seed capsules and moderate thinning. Epicormic growth at base may need management. Positioned near building with potential minor clearance issues.
12	Citrus sinensis (Sweet Orange)	Back Yard	NO	4	3.5	0.19	0.22	2.28	1.75	Mature	Good	Good	High (productive value)	Medium to Long (20–35 yrs)	Medium	Productive fruit tree with healthy foliage and good structure. Moderate fruit load with no visible structural defects. Located near outbuilding; appropriate clearance observed. Maintenance pruning advisable to support fruit production and form.
13	Eriobotrya japonica (Loquat)	Back Yard	NO	5.5	5	0.38	0.4	4.56	2.25	Mature	Good	Fair	Moderate	Medium (15–30 years)	Medium	Healthy dense foliage with no visible leaf chlorosis. Bark and trunk show minor past pruning wounds. Central lead dominates form; slight canopy asymmetry due to adjacent competition. Potential fruit production. Recommended for retention with minor structural pruning.
14	Lagerstroemia indica (Crepe Myrtle)	Back Yard	NO	5.5	4.5	0.24	0.34	2.88	2.10	Mature	Fair	Fair	Moderate	Medium (15–25 years)	Medium	Moderate canopy density with retained seed capsules and seasonal dieback. Base is multi-stemmed with clear exfoliating bark. No major defects visible, but proximity to fence may limit development. Routine pruning advised to manage structure and aesthetics.
15	Lagerstroemia indica (Crepe Myrtle)	Back Yard	NO	5	4.5	0.21	0.17	2.52	1.57	Mature	Fair	Fair	Moderate	Medium (15–25 years)	Medium	Canopy is moderately dense, with seasonal senescence (autumnal leaf tones and fruit retention). Bark exfoliation typical of species; minor basal suckering observed. Structure is upright, although some crowding with adjacent trees noted. Requires routine pruning to maintain health.

3.3.5 Earthworks

The development is proposed with a suspended slab to address the flood provisions.



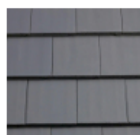
3.3.6 Waste Management

A Waste Management Plan has been submitted with this development application. Refer to the Waste Management Plan for further information.

3.3.7 Schedule of External Finishes



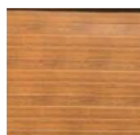
1
DULUX RENDER
VIVID WHITE OR
SIMILAR



2
GREY CONCRETE
ROOF TILES OR
SIMILAR



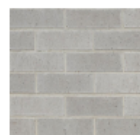
3
DARK CONCRETE
PAINT OR SIMILAR



4
TIMBER LOOK
GARAGE DOOR OR
SIMILAR



5
BLACK ALUMINIUM
FRAME WINDOW



6
DARK GREY PGH
BRICK OR SIMILAR



7
DARK METAL
FENCE BARS



4. Clause 4.15(1) Assessment of the EPAA Act 1979

4.1 88B Instrument

Restriction	Discussion
<p>SECOND SCHEDULE (5 NOTIFICATIONS)</p> <p>-----</p> <p>1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)</p> <p>2 A401969 EASEMENT FOR DRAINAGE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM</p> <p>3 B41860 COVENANT AFFECTING PART OF THE LAND ABOVE DESCRIBED</p> <p>4 C721270 D488292 EASEMENT FOR STORMWATER CHANNEL AFFECTING PART OF THE LAND WITHIN DESCRIBED SHOWN AS EASEMENT VAR. WIDTH AND DRAINAGE EASEMENT 20 FT WIDE RESPECTIVELY IN DP204490</p>	<p>The proposed development and associated works is clear of the drainage culvert that traverses through the site.</p>

4.2 Environmental Planning Instruments Provisions

4.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2	Vegetation in Non-Rural Areas
Part 2.1	Preliminary
Part 2.2	Clearing Vegetation in Non-Rural Areas
Part 2.3	Council Permits for Clearing of Vegetation in Non-Rural Areas
The development seeks consent to remove the trees listed in the Arboricultural Impact Assessment. Refer to the AIA.	

4.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4	Remediation of Land
The property has historically been used for residential purposes, and does not involve any potential hazards. Therefore, further assessment of the site contamination is not required for the subject allotment.	

4.2.3 State Environmental Planning Policy (Sustainable Buildings) 2022

The SEPP (Sustainable Buildings) 2022 came into effect on 29/8/22 and commenced 1/10/23. This policy applies to the proposed development. As required by the SEPP, a BASIX Certificate must be submitted with the development application.

The plans submitted with the application demonstrate that the proposed development will meet the water, thermal comfort, and energy efficiency requirements outlined in the policy once the development is constructed.

Refer to the BASIX Certificate numbered 1796308M issued on 20/5/25.

4.2.4 Canterbury-Bankstown Local Environmental Plan 2023.

	Discussion	Y/N
Permitted and Prohibited Development		
Zoning:	R3: Medium Density Residential	YES
Development Definition:	<p>Dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.</p> <p>Note - Dual occupancies (attached) are a type of dual occupancy</p>	YES



Is the Development Permissible with Consent?	Dual occupancy (attached) is permitted as an additional permitted use (APU 26).	YES
Is the Development Consistent with the Objectives of the zone?	The development results in providing additional housing which is consistent with providing housing needs of the community within a medium density environment.	YES

	Control	Discussion	Y/N
Principal Development Standards			
Minimum lot sizes and special provisions for dual occupancies	<p>(1) Development consent must not be granted to development for the purposes of dual occupancies on a lot on land identified as "Area 2" on the Clause Application Map unless—</p> <p>(a) the lot is at least 600m², and</p> <p>(b) the width of the lot at the front building line is at least 15m, and</p> <p>(c) each dwelling will have a frontage to a road.</p> <p>(2) Development consent must not be granted to the subdivision of a dual occupancy on a lot on land identified as "Area 2" on the Clause Application Map unless—</p> <p>(a) each resulting lot will be at least 300m², and</p> <p>(b) there will be 1 dwelling on each lot created.</p>	<p>The parent lot is greater than 600 square meters and is more than 15 meters in width at the front building line, whereby each dwelling will have access to the public road.</p> <p>Lot 1 - 427m² Lot 2 - 329m²</p>	YES
Height of buildings	8.5m	Refer to the elevation drawings in the architectural plans which demonstrate that the maximum building height is less than 8.5m.	YES
Floor space ratio	Additional permitted use 26 - 0.5:1	0.45:1	YES

	Discussion	Y/N
Miscellaneous Provisions		
Flood planning	<p>An extract from the flood impact assessment is provided below:</p> <p>The site has been designed to comply with local and national standards and regulations.</p> <ul style="list-style-type: none"> It has been designed to be a safe refuge for pedestrians during severe flood events. The site is proposed above the 1%AEP flood event. The site is proposed to be constructed of flood compatible material. Open style fences are proposed within the flood zone. 	YES



Discussion		Y/N
Additional Local Provisions		
Acid sulfate soils	Class 4 - No Earthworks are proposed which complies with this requirement.	YES
Earthworks	N/A - suspended slab.	YES
Stormwater management and water sensitive urban design	Stormwater will be collected and disposed into an underground rainwater tank that has the capacity of 1500 litres before discharging into the public drainage system in Parkview Avenue.	YES

4.3 Development Control Plan

4.3.1 Canterbury Bankstown Development Control Plan 2023

Canterbury Bankstown Development Control Plan 2023	
SECTION 3 - DUAL OCCUPANCY AND SEMI-DETACHED DWELLINGS	
Control	Discussion Y/N



4.3.2 Site Planning

Minimum lot size and frontage

- | | |
|--|--|
| <ul style="list-style-type: none">(3) Dual occupancy and semi-detached dwellings must have a street frontage.(4) Minimum 15m width, measured at the street boundary. On corner lots, this means the short boundary.(5) Each dwelling is required to have a minimum frontage width of 7.5m.(6) On irregular blocks, the site width is measured at the required front setback.(7) Dual occupancy (detached) is acceptable only where each dwelling can face and have frontage to the street, such as on a corner site. | <p>The development has a straight frontage with a width more than 15 meters when measured at the front building line.</p> <p>Lot 2 has a narrower width at 8725mm.</p> |
|--|--|

Private open space

- | | |
|--|---|
| <ul style="list-style-type: none">(1) Semi-detached dwellings with a frontage of less than 7.5m must provide a minimum of 40m² of private open space.(2) Dual occupancy and semi-detached dwellings with a frontage of 7.5m or greater must provide a minimum of 50m² of private open space.(3) Dual occupancy and semi-detached dwellings must provide one area of private open space with a minimum dimension in any direction of 4m.(4) Dual occupancy and semi-detached dwellings must provide one area at least 2.5m x 2.5m suitable for outdoor dining facilities.(5) The design of private open space must satisfy the following criteria:<ul style="list-style-type: none">(a) Be located at ground level to the rear of an allotment behind the dual occupancy.(b) Be located adjacent to the main living areas, such as a living room.(c) Have a maximum gradient of 1:50.(d) The principal area of open space for each dwelling may comprise a combination of privacy screens, sun-shading devices and landscaped areas.(e) Be designed to prevent direct overlooking from a public place or from neighbouring buildings.(f) Be designed to accommodate both recreation and service activities.(g) Include a suitably screened area for clothes drying facilities.(h) Be oriented to provide maximum exposure to midwinter sunlight whilst optimising privacy.(6) Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area. | <p>50 square meters with a minimum dimension of 4 meters is achieved for both lots.</p> <p>The location of the private open space area is located at ground level behind the buildings and adjacent to the main living areas such as the living room.</p> |
|--|---|

Layout and orientation

- | | |
|--|---|
| <ul style="list-style-type: none">(1) Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.(2) Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.(3) Coordinate design for natural ventilation with passive solar design techniques.(4) Site new development and private open space to avoid existing shadows cast from nearby buildings.(5) Site a building to take maximum benefit from cross-breezes and prevailing winds.(6) Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation. | <p>Due to the orientation of the lots, each property has the capacity to receive adequate solar access into the main living rooms and natural lighting.</p> |
|--|---|

YES



4.3.3 BUILDING ENVELOPE

Height

- (1) Development for the purposes of dual occupancy and semi-detached dwellings must not exceed the following numerical requirements:

- A maximum two storey built form.
- A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.
- A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m.
- Finished ground floor level is not to exceed 1m above the natural ground level.

The development results in a two-story built form.

The maximum wall height is 7019mm which generally complies with this control.

The finished ground floor level has been set to satisfy the flood provisions. Minor variation to this control is requested given that the development does not result in any impact to residential amenity, in particular privacy as the drainage culvert along the rear boundary provides great separation between the subject development and any other adjoining residential uses. There is no impact to overlooking into any adjoining private open space areas as a result.

Attics and roof terraces

- (2) Attics and mezzanine floors do not comprise a storey.
(3) Roof top terraces are not acceptable on any building or outbuilding in any residential zone.

Retaining walls

- (4) Walls that would enclose a sub-floor area:
(a) Maximum 2m for steeply sloping land; and
(b) Maximum 1m for all other land.
- (5) Retaining walls that would be located along, or immediately adjacent to, any boundary:
(a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and
(b) Maximum 1m for all other land.

A suspended slab is proposed and therefore no retaining walls are sought to be erected.

Cut and fill

- (6) Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.
- (7) No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.
- (8) Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- (9) If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

As above.

Setbacks

Front, side and rear setbacks

- (1) Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- (2) Development must comply with the minimum front, side and rear setbacks in the following tables:

YES



Setback	Controls
Front Setback	<ul style="list-style-type: none"> Minimum setback of 5.5m from the front boundary. Maximum 2m recess for the main entrance from the front building line. Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.
Side Setbacks	<ul style="list-style-type: none"> Minimum setback of 900mm from side boundaries. First floor alterations and additions may be in line with the existing ground level walls. For semi-detached dwellings, provide an unroofed light well, with minimum dimensions of 1m x 3m, by setting back part of the external side wall a minimum of 2m from the side boundary. For semi-detached dwellings, where a ground level addition to an existing dwelling is proposed, the external walls of the addition may be built to the same alignment as the commonwall.
Rear Setbacks	<ul style="list-style-type: none"> Minimum setback of 6m from the rear boundary.

Table 7: Semi-detached dwelling less than 12.5m

Setback	Controls
Front Setback	<ul style="list-style-type: none"> Minimum setback of 6m from the front boundary. Maximum 2m recess for the main entrance from the front building line.
Side Setbacks	<ul style="list-style-type: none"> Minimum setback of 1.2m from side boundaries. Corner lots: minimum setback of 3.5m from the secondary street frontage (the longer street boundary).
Rear Setbacks	<ul style="list-style-type: none"> Minimum setback of 6m from the rear boundary.

Table 8: Dual occupancy and semi-detached 12.5m or greater

- (3) Front and rear setbacks are to be provided as deep soil areas. Driveways and footpaths may cross deep soil areas.

YES

6 metres.

900 millimetres.

Six metres.



Exceptions and other requirements

- (4) Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- (5) Swimming pools must not be located within any front setback.
- (6) One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- (7) Car parking structures must satisfy the Building Code of Australia requirements.
- (8) For existing dwellings one single space carport may encroach beyond the minimum front setback, where it can be demonstrated that vehicular access cannot be provided behind the building line given that side driveway access is less than 2.7m. Carports must not be wider than 3m.
- (9) On land identified as having a height of 9.5m on the Map, the following parking structures may encroach beyond the minimum front or side setback:
 - (a) One carport that is not wider than 6m.
 - (b) On sites that rise from the street frontage, one garage that is not wider than 6m and no higher than 3m above street level.
- (10) The following minor building elements may project up to 1m into the minimum side setback area:
 - (a) Roof eaves, awnings, pergolas and patios;
 - (b) Stair or ramp access to the ground floor;
 - (c) Rainwater tanks.

The private open space area for the dwelling on unit 1 is located on the northern side of the dwelling. Due to the irregular lot shape, the pool has been located within the side setback which acts as the primary area of private open space. The location of the swimming pool is not located near an adjoining residential use and will be fenced off from the public domain.

YES

Building depth

- (1) Dual occupancy housing and semi-detached dwellings must not exceed a building depth of 25m.
- (2) An exception to C1 above applies where a dual occupancy (attached) is proposed on a corner site and where one of the dwellings face the secondary (longest) street frontage. In that circumstance, a building depth requirement of 35m from the primary street frontage must not be exceeded.

The development is less than 25 meters in depth.

Building separation

- (1) Where a detached dual occupancy is proposed and with each dwelling having a primary street frontage, a minimum building separation of 2.4m must be provided between the two dwellings (measured from the outer faces of the exterior wall of each dwelling). The 2.4m building separation must be shared equally in distance (i.e. 1.2m for each dwelling) between the two dwellings.
- (2) Garages or carports may be located in the separation area.

The development is in an attached configuration.



4.3.4 BUILDING DESIGN

General design

Contemporary built form

- (1) Contemporary architectural designs may be acceptable if:
 - (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
 - (b) The proposed addition is not visually prominent from the street or from a public space.
 - (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.
- (2) New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- (3) Access to upper storeys must not be via external stairs.
- (4) All dwellings must contain one kitchen and laundry facility.
- (5) Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- (6) Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

The context surrounding the subject site does not comprise of any heritage listed properties.

The dual occupancy development results in a contemporary design.

Each dwelling has at least one kitchen and laundry facility.

Building entries

- (7) Entries to residential buildings must be clearly identifiable.
- (8) A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.
- (9) Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.

The location of the entry door makes the building clearly identifiable. A living room or bedroom is orientated towards the street to promote a positive social interaction and community safety between the site and the public domain.

Internal dwelling layout

- (10) Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.
- (11) The primary living area and principal bedroom must have a minimum width of 3.5m.
- (12) Secondary bedrooms must have a minimum width of 3m.
- (13) Provide general storage in addition to bedroom wardrobes and kitchen cupboards.

Each primary living area and principal bedroom has a minimum dimension of 3.5m.

Secondary bedrooms have a minimum dimension of 3m.

Facade treatment

- (14) Development on corner lots must address both street frontages through facade treatment and articulation of elevations.
- (15) Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.
- (16) Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.
- (17) Facades visible from the street should be designed as a series of articulating panels or elements.
- (18) The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- (19) The width of articulating panels shall be in accordance with the numerical requirements below:

YES



Façade	Street elevation	Side elevation
Width of articulating panels	4m to 6m	10m to 15m

- (20) Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- (21) Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.
- (22) Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- (23) Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.

Pavilions

- (24) The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.
- (25) Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.
- (26) Pavilion elements shall have a depth between 10-15m.
- (27) Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.

Windows

- (28) Large windows should be located at the corners of a building and may be designed as projecting bay-windows.
- (29) Large windows should be screened with blinds, louvres, awnings or pergolas.
- (30) Windows must be rectangular.
- (31) Square, circle and semi-circle windows are acceptable in moderation.
- (32) Vertical proportioned window openings can include multi-panel windows or multi panel doors.
- (33) Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- (34) Dormer windows on buildings in the residential zone must comply with the following design requirements:
 - (a) Should not appear as an additional storey;
 - (b) Are no wider than 1.5m in width;
 - (c) Provide a minimum 2.5m separation between dormers; and
 - (d) Do not extend above the ridgeline of the building.

Ventilation

- (35) Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).
- (36) Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.

YES



Roof design and features

- (1) Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.
- (2) Avoid complex roof forms with multiple gables, hips and valleys, or turrets.
- (3) Roof pitches are to be compatible and sympathetic to nearby buildings.
- (4) Parapet roofs that increase the height of exterior walls are to be minimised.
- (5) Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- (6) Mansard roofs (or similar) are not permitted.
- (7) Pitched roofs should not exceed a pitch of 30 degrees.
- (8) Relate roof design to the desired built form and context.
- (9) Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.
- (10) Relate roof design to the desired built form and context.

The development complies with the wall height requirements of 7m.

YES



4.3.5 AMENITY

Solar access and overshadowing

Solar access to proposed development

- (1) Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June. Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.
- (2) Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area. Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.

The primary living areas will achieve solar access throughout all parts of the day.

The private open space areas will achieve solar access throughout all parts of the day.

Solar access to neighbouring development

- (3) Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- (4) If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- (5) Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
 - (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
 - (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- (6) Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

The neighbouring development to the south will achieve solar access between 12pm and 3pm for their principal private open space area and living areas.

Shading devices

- (7) Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- (8) Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.
- (9) Provide horizontal shading to north-facing windows and vertical shading to east or west windows.
- (10) Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.
- (11) Avoid reducing internal natural daylight or interrupting views with shading devices.
- (12) Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.
- (13) Use high performance glass with a reflectivity below 20%.
- (14) Minimise external glare by avoiding reflective films and use of tint glass.

YES



Visual privacy

- (1) Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.
- (2) Minimise direct overlooking of rooms and private open space through the following:
 - (a) Provide adequate building separation, and rear and side setbacks; and
 - (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
- (3) If living room windows or private open spaces would directly overlook a neighbouring dwelling:
 - (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
 - (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- (4) If living room windows or private open spaces would directly overlook a neighbouring dwelling:
 - (c) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
 - (d) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- (5) Screening of bedroom windows is optional and dimensions are not restricted.

The development does not have the capacity to overlook into the adjoining property to the west when standing in the living rooms due to the setback caused by the drainage culvert which results in a rear setback greater than 6 metres.

Acoustic privacy

- (1) Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- (2) Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- (3) Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- (4) Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.

Torrens Title subdivision

- (1) Torrens Title subdivision of any dual occupancy approved by the former Canterbury City Council prior to 1 November 2005 are to be considered on its individual merits and subject to the following criteria:
 - (a) an objection under clause 4.6 of the Canterbury-Bankstown Local Environmental Plan 2023 being submitted with the application objecting to the minimum frontage requirements applied to subdivision of lots containing an existing dwelling contained in the Canterbury-Bankstown Local Environmental Plan 2023, if necessary; and
 - (b) the proposed subdivision would have been permitted at the time the original consent for the dual occupancy was issued; and
 - (c) the proposed subdivision complies with a minimum 230m² lot size; and
 - (d) the proposal does not include dual occupancies involving the conversion of existing garages or outbuildings, granny flats or the like as it was never the intention of Council that these types of dual occupancies should be subdivided.

The development complies with the minimum lot area requirements under the LEP.

YES

4.4 Planning Agreements

A planning agreement is not proposed in response to Section 4.15(1)(iiia) of the EPAA Act 1979.

4.5 Impacts of the Development

There are several factors to consider when evaluating the potential environmental impacts on the natural and built environments, as well as the social and economic impacts in the local area, in accordance with the Environmental Planning and Assessment Act 1979. These may include:



- The potential for the development to affect air quality, water resources, soil quality, flora and fauna, and other natural resources
- The potential for the development to cause noise, vibration, or other types of pollution
- The potential for the development to contribute to climate change or other environmental issues
- The potential for the development to affect the character or amenity of the local area
- The potential for the development to have social or economic impacts on the local community, including impacts on housing affordability, employment, and local businesses.

The proposed development is considered to be satisfactory because it does not conflict with the criteria above.

4.6 Suitability of the Site for the Development

The proposed development is located in a zoning that allows for the type of development being proposed and has access to the necessary infrastructure to support it. The property's physical characteristics, including its size and shape, are suitable for the development, and the location is appropriate given the surrounding land uses and the needs and desires of the community. There is sufficient demand for the development in the local area. There are no environmental constraints that haven't been appropriately considered, that would prevent the development from proceeding.

4.7 Submissions

Council must consider any submissions received in accordance with Council's Notification Policy.

4.8 The Public Interest

The proposed development has been carefully designed to minimize its environmental impacts as demonstrated by the assessment of the relevant SEPPs, LEP and DCP. The development will have a positive social impact by providing new housing options and it will have an economic impact by creating new jobs and stimulating economic growth in the area. The development's design is compatible with the surrounding area and will enhance the character and amenity of the local community. It will not generate significant additional vehicle traffic or have any negative impacts on local roads or transportation networks. The development meets all health and safety standards and will not negatively affect the cultural or heritage values of the area. It also aligns with regional and state planning objectives.

5. Conclusion

The proposed development is permissible with the consent of Council under the Environmental Planning and Assessment Act 1979. This Statement of Environmental Effects has assessed the proposal against the relevant SEPPs, Local Environmental Plan and Development Control Plan. The proposal has demonstrated that it is compatible with the aims of objectives of the LEP and DCP.

Council should therefore be supportive of the proposed demolition of existing structures and construction of an attached dual occupancy with torrens title subdivision.

Should you wish to discuss the matter further, please do not hesitate to contact the undersigned.

Yours faithfully,

Steven Sammut
Director
Developable Pty Ltd