



# STATEMENT OF ENVIRONMENTAL EFFECTS

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DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION  
OF NEW TWO STOREY SEMI-DETACHED DWELLINGS WITH  
BASEMENT CAR PARKING

12 GROVE STREET  
EARLWOOD NSW 2206  
LOT 10 SECTION 8 DP 32036  
LOT 11 SECTION 8 DP 32036

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# 1 INTRODUCTION

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This Statement of Environmental Effects (SEE) has been prepared to support a Development Application for the demolition of existing structures and the construction of new two storey semi-detached dwellings with basement car parking on the site located at 12 Grove Street, Earlwood. This SEE evaluates the proposed development for its compliance with the statutory controls embodied in various statutory planning instruments and demonstrates that the development is consistent with the aims and objectives of these instruments. In preparation of this document, consideration has been given to the following:

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

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

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

## 2 SITE ANALYSIS

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### 2.1 CONTEXT ANALYSIS

The subject site at 12 Grove Street, Earlwood is located within the Canterbury-Bankstown Council Local Government Area (LGA). Residential development within Earlwood is not defined by a single architectural style, but instead ranges from original dwellings to more contemporary dwellings. The past few years have seen many new homes being constructed in Earlwood and older dwellings undergoing extensive renovations. Future residential development in the locality is to preserve and enhance the landscape setting of the area and achieve compatibility with the established low-density characteristic.

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

### 2.2 SITE ANALYSIS

The subject site is located at 12 Grove Street, Earlwood. The site contains two separate parcels of land titled Lot 10 Section 8 DP 32036 and Lot 11 Section 8 DP 32036. The site is arranged on an east-west tangent and is orientated to address the site frontage of Grove Street to the west. The site slopes gently downwards from the front boundary to the rear and is relatively flat between the northern and southern side boundaries. The aerial image below shows the orientation of the subject site and its location relative to surrounding properties.



**Figure 1:** Aerial View of Subject Site and Surrounding Properties

The site is rectangular in shape with a 12.19m frontage to Grove Street, 32.31m northern and southern side boundaries and a 12.19m rear boundary. Lot 10 has a total area of 196.9m<sup>2</sup> and Lot 11 an area of 196.9m<sup>2</sup>. The total site area is 393.8m<sup>2</sup>. The site presently contains a two storey detached dwelling house of metal clad construction with a pitched and tiled roof form, a detached outbuilding at the rear, a single carport within the site frontage and driveway access from Grove Street. All existing structures on the site are to be demolished under this application. Images of the subject site are shown below.

## 2.3 SITE IMAGES



Figure 2: View of Subject Site from Grove Street



Figure 3: Rear View of Subject Site

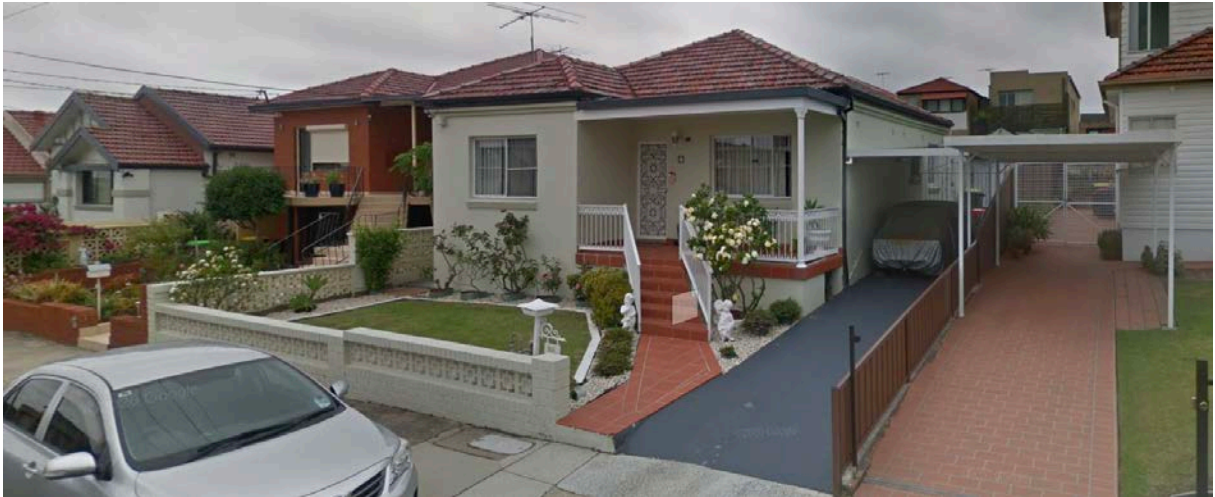


Figure 4: Rear View of Subject Site



## 2.4 STREETSCAPE ANALYSIS

The surrounding streetscapes are defined predominately by single and two storey detached and semi-detached dwelling houses, dual occupancies and multi dwelling housing developments in a variety of architectural stylings, commensurate with the R3 – Medium Density Residential zoning of the land. To the immediate north of the site at 10 Grove Street, Earlwood is a single storey dwelling house of architectural render construction with a pitched and tiled roof form, a single carport and driveway access from Grove Street. The adjoining site is shown below.



**Figure 5:** 10 Grove Street, Earlwood

To the immediate south of the subject site at 14 Grove Street, Earlwood is a 16 & 18 Grove Street, Earlwood is a two storey attached dual occupancy development of architectural render construction with a varied tiled roof form and basement car parking level. Each dwelling is accessed via individual driveways adjoining Grove Street. The adjoining site is shown below.



**Figure 6:** 14 & 16 Grove Street, Earlwood

There are examples of detached and semi-detached dwelling developments throughout Grove Street and the surrounding streetscapes that exhibit a similar architectural design and basement configuration to the development proposed under this application. Examples images are presented below, demonstrating that the proposed development is in keeping with the built form characteristics of the area and will set a desirable precedence for future development in Earlwood.



Figure 7: 20 Grove Street, Earwood



Figure 8: 19 Bedford Street, Earwood

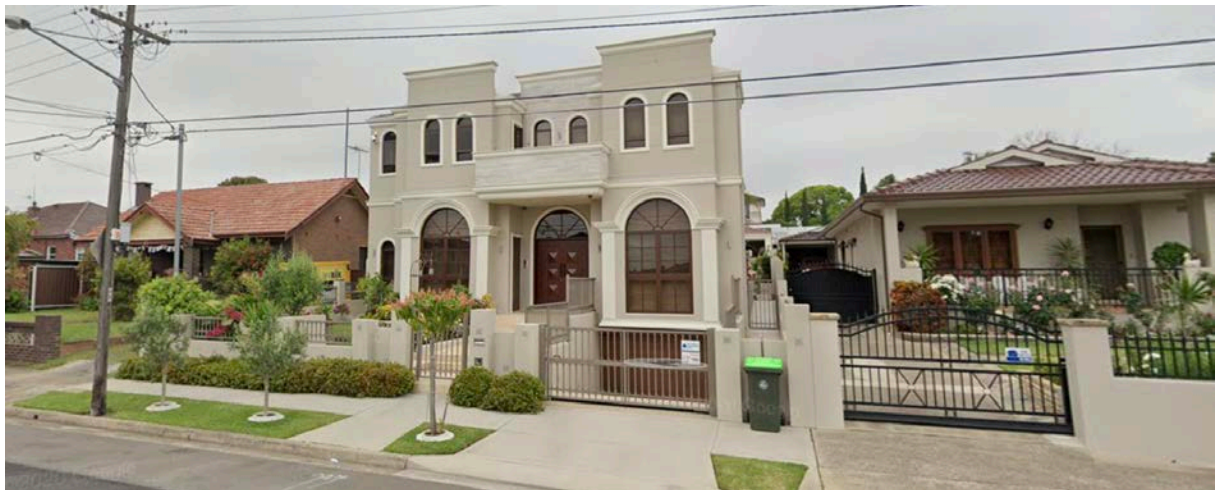


Figure 9: 66 Woolcott Street, Earwood

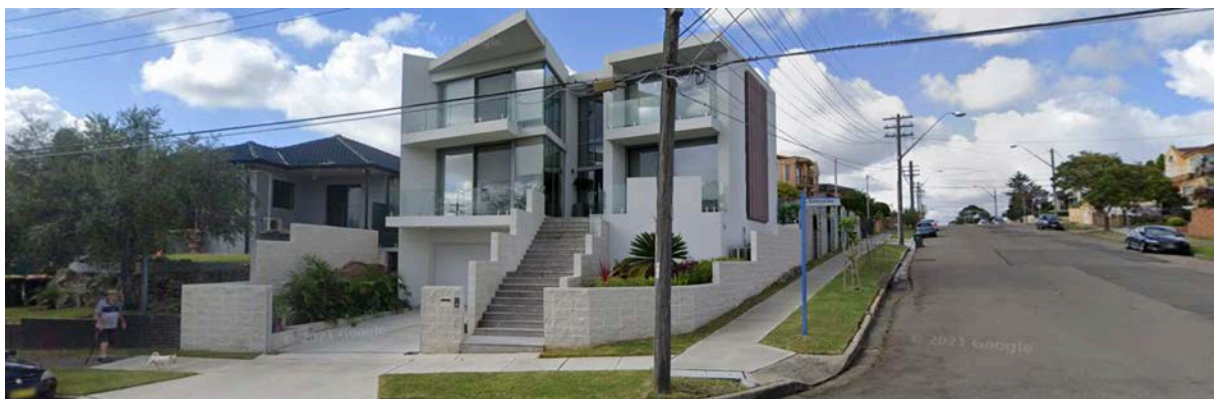




**Figure 10:** 36 Gueudecourt Avenue, Earlwood



**Figure 11:** 6 Fricourt Avenue, Earlwood



**Figure 12:** 9 Prince Edward Avenue, Earlwood



### 3 PROPOSED DEVELOPMENT

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This Development Application is made for the demolition of existing structures and the construction of a two storey semi-detached dwellings with basement car parking on the site located at 12 Grove Street, Earlwood. The proposed works are to be undertaken in accordance with the Architectural Plans submitted with this application. Specifically, the proposed development comprises the following works:

- Demolition of existing two storey dwelling house, detached outbuilding, carport and driveway access.
- Construction of new two storey semi-detached dwelling development with basement car parking level (one dwelling to be located on Lot 10 and one dwelling to be located on Lot 11).
- Comprehensive site landscaping in accordance with the requirements of the CBDP 2023.

The intention of the proposed development is to achieve the development potential of the site and contribute to the housing demand of the locality. The proposed development will not adversely affect the adjoining land or open spaces in terms of overshadowing, views, privacy or visual intrusion. The final design of the development will significantly improve the sites presentation to the streetscape as a result of contemporary and sympathetic architectural design combined with aesthetic landscaping works to ensure the development is consistent with the existing and desired future characteristics of Grove Street and the wider Earlwood locality.

#### 3.1 DEMOLITION

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

#### 3.2 PROPOSED LAND USE AND BUILT FORM

The proposal seeks development consent from Council for the construction of a two storey semi-detached dwelling development with basement car parking level in accordance with the Architectural Plans submitted with this application. This includes the following elements within each dwelling:

BASEMENT LEVEL
<ul style="list-style-type: none"><li>• Stacked car parking area for two vehicles</li><li>• Bicycle storage</li><li>• Laundry</li><li>• Bin storage</li><li>• Stair access to ground floor level</li></ul>
GROUND FLOOR LEVEL
<ul style="list-style-type: none"><li>• Entry feature</li><li>• Guest bedroom</li><li>• W/C</li><li>• Open plan kitchen, living and dining area</li><li>• Lift and stair access to first floor level</li><li>• Outdoor alfresco area</li></ul>
FIRST FLOOR LEVEL
<ul style="list-style-type: none"><li>• Front balcony</li><li>• Master bedroom with ensuite and walk-in-wardrobe</li><li>• Two bedrooms</li><li>• Bathroom</li></ul>

The final development has the following site dimensions:

LOT 10	LOT 11
Site Area – 196.9m <sup>2</sup>	Site Area – 196.9m <sup>2</sup>
Gross Floor Area – 127.94m <sup>2</sup>	Gross Floor Area – 127.94 <sup>2</sup>
Landscaped Area – 52.65m <sup>2</sup>	Landscaped Area – 53.42m <sup>2</sup>
Private Open Space – 46.92m	Private Open Space – 46.27m <sup>2</sup>

### 3.3 LANDSCAPING WORKS

As detailed on the Architectural Plans submitted with this application, the proposed development involves deep soil landscaping and vegetation within the front setback to Grove Street, as well as the provision of landscaping along the side and rear boundaries of the site. A total of 52.65m<sup>2</sup> of landscaping is proposed within Lot 10 and 53.42m<sup>2</sup> within Lot 11. Landscape treatment is commensurate with the proposed works and will help to soften the appearance of the built form and hardstand areas, whilst contributing to the well-maintained landscape characteristic of the locality.

### 3.4 SITE ACCESS AND CAR PARKING

The proposed development contains a basement level to provide for the on-site car parking needs of the residents. Each basement provides a single width garage where two vehicles can park in a stacked configuration. A new driveway is to be constructed to provide access to the development from Grove Street to the west. The width of the driveway tapers out to suitably service the single garage door of each dwelling. The creation of the proposed new driveway necessitates approval under the Roads Act 1993. Section 138(1) of the Roads Act 1993 requires consent to:

- a) *erect a structure or carry out a work in, on or over a public road, or*
- b) *dig up or disturb the surface of a public road, or*
- c) *remove or interfere with a structure, work or tree on a public road, or*
- d) *pump water into a public road from any land adjoining the road, or*
- e) *connect a road (whether public or private) to a classified road.*

Consent is therefore sought for the construction of the new driveway crossing to service the basement car parking level of each dwelling.

### 3.5 PRIVATE OPEN SPACE

The proposed development has been designed to achieve numerical compliance with the CBDP 2023 requirements for private open space. 46.92m<sup>2</sup> of private open space is provided to Lot 10 and 46.27m<sup>2</sup> to Lot 11 in the form of an outdoor alfresco area with landscaped open space beyond at the rear of the site. The proposed private open space areas are accessed directly from the internal living area on the ground floor level of each dwelling, ensuring that the spaces act as an extension of the open plan kitchen, living and dining areas. The proposed location and configuration of private open space on the site will provide a high level of amenity for future occupants whilst retaining the privacy and solar access of neighbouring properties. Fencing and landscape elements within the side and rear setbacks of the site will provide a visual and acoustic buffer to nearby buildings.

### 3.6 LANDFORM

The form and massing of the development, including height and overall bulk and scale, is considered to achieve a uniform integration with the emerging character of the area, with many examples of two storey detached and semi-detached developments with basement parking throughout the locality, as demonstrated in **Section 2.4** above. The proposed basement level provides for the on-site car parking requirements of the development and will not generate detrimental impacts to the environment as the depth of excavation and fill has been minimised as far as practicable. The basement level has minimal projection above natural ground level to ensure that it will not be highly perceivable from the public domain and will be completely screened from adjoining properties. When viewed from the side and rear building elevations, the development will present as a standard two storey

building. All proposed earthworks are captured entirely within the building envelope and do not encroach into the property boundaries.

There will be no disruption or detrimental effects on the drainage patterns, vegetation, sedimentation and soil stability in the locality and the design will make no impact on the immediate neighbourhood as this development is very common in nearby developments in the vicinity of the site. Any excavated material is understood to be virgin material and highly unlikely to be contaminated given the long-standing use of the site for residential purposes. It is anticipated that standard conditions of consent will be imposed in relation to unexpected contamination and disposal of excavated material.

### 3.7 EXTERNAL APPEARANCE AND DESIGN

The proposed development incorporates a range of projecting façade elements, both straight and curved detailing, a recessed basement car parking, variations in the roof profile and multiple uniform windows on the building elevations to provide visual interest and articulation when viewed from the public domain. A range of materials and finishes are proposed including white brickwork, architectural render, reinforced concrete, timber slats, glass balustrades and Colorbond metal roofing to provide further modulation. The proposed colour scheme assists in breaking up the visual bulk of the development and will ensure compatibility with the surrounding built and natural environment. A perspective image of the proposed development is shown below.

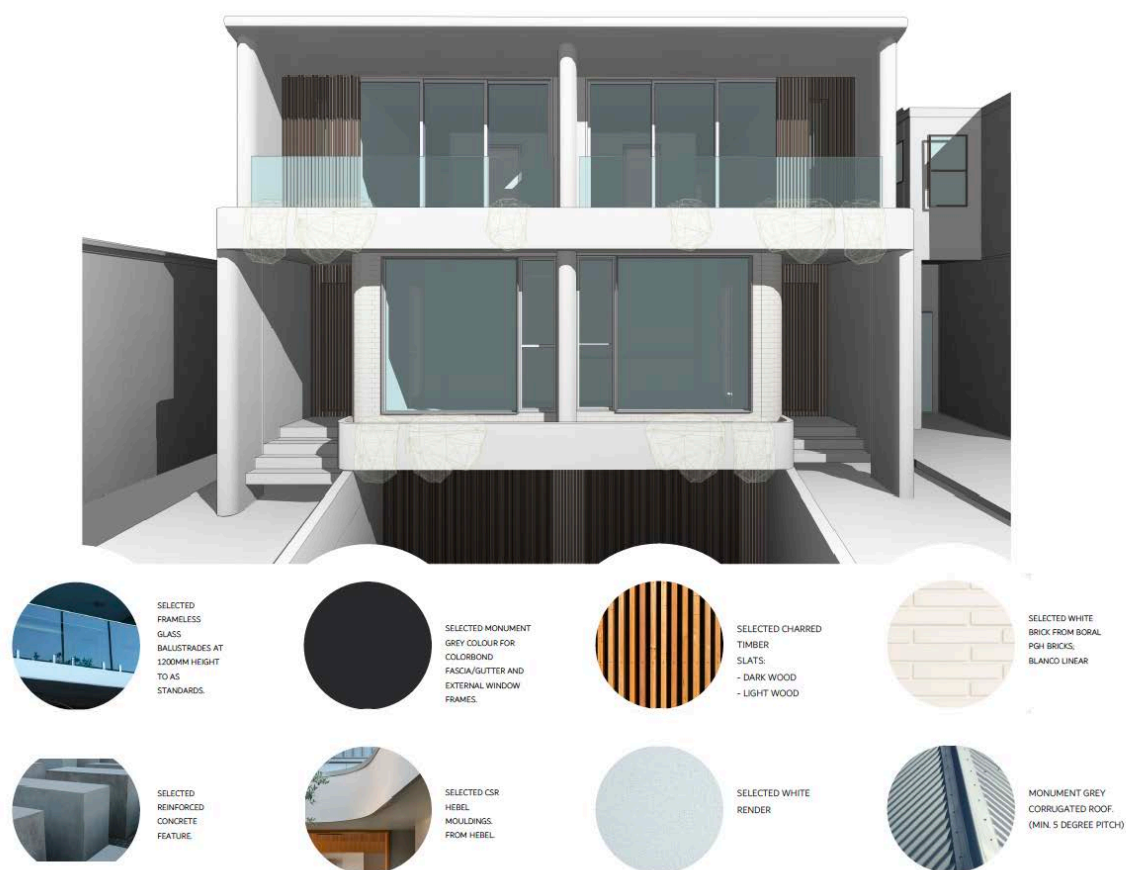


Figure 13: Proposed Development



## 4 PLANNING ASSESSMENT

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### 4.1 CANTERBURY BANKSTOWN DRAFT HOUSING STRATEGY

The Canterbury Bankstown Draft Housing Strategy provides an overarching, city wide framework for the provision of housing across Canterbury Bankstown, aligning the approaches and strategies of the two former local government areas within the City. The Strategy identifies that new housing in Earlwood will provide a mix of dwelling types in a built form that is compatible with the local character. The proposed development is consistent with this key action in providing a form of low impact residential development that retains the predominant detached and semi-detached dwelling character of the streetscape and creates a respectful dialogue with adjoining properties. The location of the subject site ensures that the residents can take advantage of nearby public transport, shopping, services and medical facilities.

### 4.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

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

### 4.3 STATE ENVIRONMENTAL PLANNING POLICY – SUSTAINABLE BUILDINGS (2022)

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

### 4.4 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

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

#### 4.4.1 LAND USE ZONING

The subject site is zoned R3 - Medium Density Residential under the CBLEP 2023. The proposed development achieves the objectives of the R3 zone by providing a form of low impact residential development in the form of two semi-detached dwellings to meet the housing demand of the locality. The proposed development does not require the removal of significant vegetation from the site and has been sensitively designed to respond to the natural topography of the land to minimise excavation around the property boundaries as far as practicable. The design of the development is in keeping with the residential characteristics of the locality and will significantly improve the sites presentation to the public domain as a result of contemporary and sympathetic architectural design combined with appropriate landscaping works. The final development will set a desirable precedence for future development in Earlwood.

In accordance with Schedule 1 Clause 26 of the CBLEP 2023, the subject site is located within Area 2 on the Clause Application Map. Semi-detached dwellings are permissible on the site with development consent from Council. Each dwelling within the development scheme will be located on a separate parcel of the land.

#### 4.4.2 DEMOLITION

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

#### 4.4.3 HEIGHT OF BUILDINGS

Clause 4.3 of the CBLEP 2023 requires that the height of a building on any land is not to exceed the maximum height shown for the land of the Height of Buildings Map. The maximum building height for the subject site is 8.5m. The proposed development has a maximum building height of 7.351m.

#### 4.4.4 FLOOR SPACE RATIO

Clause 4.4 of the CBLEP 2023 requires that the maximum floor space for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. Clause 4.4(2B)(b) states the following:

- (b) for a building used for the purposes of dwelling houses or semi-attached dwellings on land identified as "Area 2" on the Clause Application Map—*
  - (i) for a site area less than 200m<sup>2</sup>—0.65:1, and*
  - (ii) for a site area greater than 200m<sup>2</sup> but less than 600m<sup>2</sup>—0.55:1, and*
  - (iii) for a site area of 600m<sup>2</sup> or more—0.5:1,*

The subject site is located within Area 2 on the Clause Application Map. Lot 10 has an area of 196.9m<sup>2</sup> and Lot 11 an area of 196.9m<sup>2</sup>. Each parcel of land is therefore subject to a maximum floor space ratio of 0.65:1.

Dwelling A within Lot 10 is proposed to have a gross floor area of 127.94m<sup>2</sup> equating to a compliant floor space ratio of 0.65:1. Dwelling B within Lot 11 is proposed to have a gross floor area of 127.94m<sup>2</sup> equating to a compliant floor space ratio of 0.65:1.

#### 4.4.4 HERITAGE CONSERVATION

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

#### 4.4.5 BUSHFIRE HAZARD REDUCTION

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

#### 4.4.6 ACID SULFATE SOILS

The subject site is identified as partially containing Class 5 Acid Sulfate Soils as shown on the Acid Sulfate Soils Map below. Clause 6.1 of the CBLEP 2023 states that development consent is required for the carrying out of works described in the Table to that subclause as being of the class specified for those works:

- Class 5
  - Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

The subject site is not located within 500m of Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m. The proposed development is not considered likely to impact on potential Acid Sulfate Soils.

#### 4.4.7 EARTHWORKS

Clause 6.2 of the CBLEP 2023 states that development consent is required for any earthworks on the site. The proposed development has been designed to follow the topography and natural features of the land. Excavation

across the site is contained wholly within the proposed building envelope to facilitate the basement car parking level, and the ground floor level predominately follows the natural ground level of the land which ultimately minimises the overall bulk and massing of the building when viewed from the streetscape and adjoining properties.

The objectives of Clause 6.2 are successfully achieved as follows:

- a) Proposed excavation is contained wholly within the building envelope and will not have a detrimental impact on environmental functions and processes, neighbouring land uses, cultural or heritage items or features of the surrounding land. The development has been sensitively designed to respond to the natural landform and avoid significant impacts to mature trees and vegetation on the site and surrounds that contribute to the scenic quality of the locality. The subject site does not contain any heritage items and is not located within an area of historical significance. The overall development will set a desirable precedence for future works in the area.
- b) The proposed earthworks are considered to be suitable and necessary in providing a functional and liveable floor plan and basement level, without compromising the quality of the natural environment or the privacy and amenity of adjoining properties.

The form and massing of the development, including height and overall bulk and scale, is considered to achieve a uniform integration with the characteristics of the streetscape. The proposed basement car parking configuration will not generate detrimental impacts to the environment. The proposed development scheme is highly compatible with, and sympathetic to, the site conditions and will positively contribute to the visual quality of the streetscape.

#### **4.5 CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023**

The Canterbury-Bankstown Development Control Plan 2023 (CBDPC 2023) provides more detailed objectives and controls to guide the form of development across the Canterbury-Bankstown LGA. The table below provides a compliance assessment of the proposed development against the relevant controls of the CBDPC 2023.

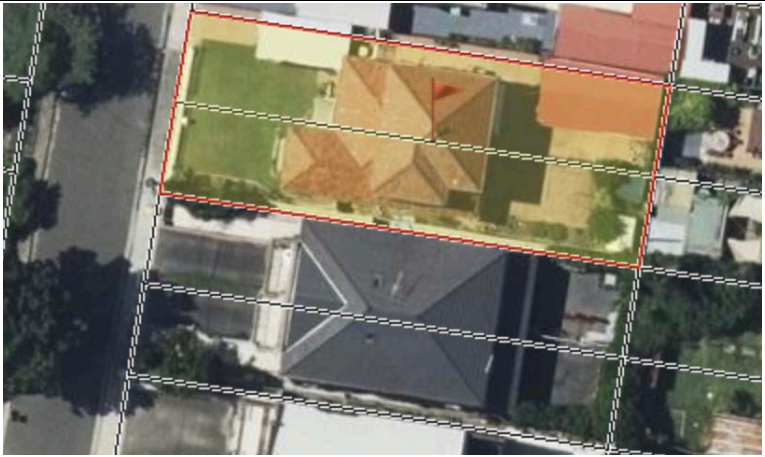


## CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

### PART 2.3 – TREE MANAGEMENT

DCP CONTROL	ASSESSMENT	COMPLIANCE
<b>TREE MANAGEMENT</b>		
A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.	The proposed development does not require the removal of significant trees or vegetation.	Yes
<b>PART 3.2 – PARKING</b>		
<b>OFF-STREET PARKING RATES</b>		
Dwelling houses: <ul style="list-style-type: none"> <li>2 car spaces per 3 or more bedrooms</li> </ul>	Two car parking spaces are proposed for each dwelling within the basement level in a stacked configuration.	Yes
<b>DESIGN &amp; LAYOUT</b>		
Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semidetached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling.	Each dwelling features a single width garage with the basement level that will accommodate to vehicles in a stacked configuration.	Yes
<b>ACCESS DRIVEWAY WIDTH AND DESIGN</b>		
The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.	A new driveway is proposed at the site frontage within a suitable location to provide direct access to the basement level garage of each dwelling. The proposed driveway has the smallest configuration at the front boundary and tapers out to suitably service each garage.	Yes
The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.	The proposed driveway has a width of 4.5m at the front boundary and tapers out to suitably service the basement level garage of each dwelling whilst retaining on-street car parking space within the site frontage.	Yes
For new residential development, necessary clear driveway widths are provided in the following table: <ul style="list-style-type: none"> <li>3m</li> </ul>	The proposed driveway has a width of 4.5m at the front boundary and tapers out to suitably service the garage of each dwelling.	Yes
<b>BASEMENT PARKING</b>		
Design and integrate basement parking so as not to accentuate the scale or bulk of a building, or detract from the streetscape or front setback character.	The form and massing of the development, including height and overall bulk and scale, is considered to achieve a uniform integration with the emerging	Yes

	character of the area, with many examples of two storey detached and semi-detached developments with basement parking throughout the locality, as demonstrated in <b>Section 2.4</b> above. The proposed basement level provides for the on-site car parking requirements of the development only and will not generate detrimental impacts to the environment as the depth of excavation and fill has been minimised as far as practicable. The basement level has minimal projection above natural ground level to ensure that it will not be highly perceivable from the public domain and will be completely screened from adjoining properties. When viewed from the side and rear building elevations, the development will present as a standard two storey building.	
Vehicular access should be via secondary streets, rear lanes or internal driveways where possible.	The subject site has a singular frontage to Grove Street.	Yes
Provide secure bicycle parking at basement level which is easily accessible from ground level, from apartments and other uses within the development.	Bicycle parking is proposed within the basement level.	Yes
Optimise opportunities for deep soil, active street frontages, and good streetscape design, and minimise loss of street parking.	The proposed basement level does not preclude the development from achieving compliance with the deep soil requirement for the site. The final development is highly articulated and softened by landscaping throughout the front, side and rear setbacks. The proposed driveway has a width of 4.5m to the front boundary to maintain on-street parking on either side.	Yes
<b>CHAPTER 5 – RESIDENTIAL ACCOMODATION</b> <b>DUAL OCCUPANCIES AND SEMI-DETACHED DWELLINGS</b>		
<b>MINIMUM LOT SIZE &amp; FRONTAGE</b>		
Dual occupancy and semi-detached dwellings must have a street frontage.	The subject site contains two separate parcels of land, each with direct frontage to Grove Street.	Yes
Minimum 15m width, measured at the street boundary. On corner lots, this means the short boundary.	<p>The subject site has a total width of 12.19m, resulting in a minor shortfall of 2.81m. It is demonstrated throughout this report that the proposed development achieves complete compliance across the prescribed development controls, including maximum building height, floor space ratio, setback distances, excavation, landscaped surfaces and private open space. Further, the development maintains compliance with the solar access provisions to adjoining residential properties and does not result in adverse visual or acoustic privacy impacts. The development therefore achieves a highly suitable balance between the built form and landscaped surfaces and will not appear as an overdevelopment of the site.</p> <p>The size of the subject site is identical to the adjoining property at 16-18 Grove Street, Earlwood, that also has a frontage of 12.19m and contains two semi-detached dwellings (refer to image below).</p>	Variation Requested

	 <p>The development is in keeping with the bulk, massing and scale of the adjoining development and continues the established location of building envelopes and rhythm of development throughout Grove Street.</p> <p>Reference is made to Table 7 of the CBDP 2023 that prescribes setback controls for semi-detached developments on sites less than 12.5m in width and Clause 3.2C1 that prescribes a minimum private open space calculation of 40m<sup>2</sup> to semi-detached development with a frontage of less than 7.5m. The development controls are clearly tailored to semi-detached development on lots that are approximately 12m in width and the proposed development achieves compliance across all controls.</p>	
Each dwelling is required to have a minimum frontage width of 7.5m.	Each parcel of land presently has a frontage of 6.095m to Grove Street, resulting in a minor shortfall of 1.405m. As discussed above, this report demonstrates that each dwelling will achieve complete compliance with the relevant development standards within each lot. The proposed development is suitable within the context of the site and in accordance with the precedence set by similar developments on nearby sites.	Variation Requested
On irregular blocks, the site width is measured at the required front setback.	The subject site is not irregular.	N/A
Dual occupancy (detached) is acceptable only where each dwelling can face and have frontage to the street, such as on a corner site.	The proposed development is for semi-detached dwellings.	N/A
<b>PRIVATE OPEN SPACE</b>		



Semi-detached dwellings with a frontage of less than 7.5m must provide a minimum of 40m <sup>2</sup> of private open space.	42.01m <sup>2</sup> of private open space is provided to Lot 10 and 41.56m <sup>2</sup> to Lot 11 in the form of an outdoor alfresco area with landscaped open space beyond at the rear of the site.	Yes
Dual occupancy and semi-detached dwellings with a frontage of 7.5m or greater must provide a minimum of 50m <sup>2</sup> of private open space.	Each lot has a frontage of 6.095m.	N/A
Dual occupancy and semi-detached dwellings must provide one area of private open space with a minimum dimension in any direction of 4m.	Each dwelling is provided with a designated private open space area with dimensions 5m x 5m.	Yes
Dual occupancy and semi-detached dwellings must provide one area at least 2.5m x 2.5m suitable for outdoor dining facilities.	A 20.64m <sup>2</sup> outdoor alfresco area is proposed to each dwelling to accommodate a range of recreational uses including outdoor dining.	Yes
<p>The design of private open space must satisfy the following criteria:</p> <ul style="list-style-type: none"> <li>a) Be located at ground level to the rear of an allotment behind the dual occupancy.</li> <li>b) Be located adjacent to the main living areas, such as a living room.</li> <li>c) Have a maximum gradient of 1:50.</li> <li>d) The principal area of open space for each dwelling may comprise a combination of privacy screens, sun-shading devices and landscaped areas.</li> <li>e) Be designed to prevent direct overlooking from a public place or from neighbouring buildings.</li> <li>f) Be designed to accommodate both recreation and service activities.</li> <li>g) Include a suitably screened area for clothes drying facilities.</li> <li>h) Be oriented to provide maximum exposure to midwinter sunlight whilst optimising privacy.</li> </ul>	The proposed private open space areas are accessed directly from the internal living area on the ground floor level of each dwelling, ensuring that the spaces act as an extension of the open plan kitchen, living and dining areas. The proposed location and configuration of private open space on the site will provide a high level of amenity for future occupants whilst retaining the privacy and solar access of neighbouring properties. Fencing and landscape elements within the side and rear setbacks of the site will provide a visual and acoustic buffer to nearby buildings.	Yes
Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.	The proposed development achieves compliance with the deep soil provisions. The projecting front balcony and rear alfresco areas do not encroach into the deep soil zones.	Yes
<b>LAYOUT AND ORIENTATION</b>		
Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.	The proposed development is orientated to the site frontage of Grove Street, with living and private open space areas sited at the rear and orientated to the east to maximise solar access and natural lighting.	Yes
Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.	The proposed development is set below the maximum building height limit, features a stepped building envelope and incorporates generous and compliant setback distances to the property boundaries to mitigate overshadowing. The proposed development complies with the solar access provisions as demonstrated by the Shadow Diagrams submitted with this application.	Yes
Coordinate design for natural ventilation with passive solar design techniques	Each elevation of the development features multiple windows and openings to maximise cross ventilation and solar access to the internal spaces.	Yes
Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	The projecting front balconies and windows to the development façade will provide for casual surveillance of the streetscape and parking areas.	Yes
<b>HEIGHT</b>		

Development for the purposes of dual occupancy and semi-detached dwellings must not exceed the following numerical requirements: a) A maximum two storey built form. b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m. c) A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m. d) Finished ground floor level is not to exceed 1m above the natural ground level.	The proposed development is two storeys in form above existing ground level. The development has a maximum building height of 7.302m and a maximum external wall height of 7m. The finished ground level of the development projects to a maximum of 916mm above existing ground level.	Yes
<b>ATTICS AND ROOF TERRACES</b>		
Attics and mezzanine floors do not comprise a storey.	Attics and mezzanine floors are not proposed.	Yes
Roof top terraces are not acceptable on any building or outbuilding in any residential zone.	Roof top terraces are not proposed.	N/a
<b>CUT AND FILL</b>		
Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.	Proposed excavation will not extend beyond the building envelope.	N/A
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.	Excavation is contained wholly within the building envelope, to facilitate the basement car parking level. The basement level of each dwelling will provide a single width garage to allow for two parked vehicles in a stacked configuration, as well as a laundry, bicycle and bin storage. The basement level does not accommodate habitable rooms.  The proposed basement level has been designed in response to the constraints of the site. The land slopes from the front boundary to the rear which allows the basement level to sit comfortably within the site without requiring excessive excavation. The proposed basement configuration will allow for the minimum car parking requirement of 2 spaces per dwelling to be met within a single width garage space that does not dominate the site. The provision of on-site car parking will reduce reliance on street parking which is presently limited, particularly on Thursday mornings due to Council rubbish pick up. The eastern side of Grove Street becomes a no parking zone between 7am and 1pm due to the narrow street width.  Further, the proposed basement design is compatible with the adjoining property at 16 & 18 Grove Street, Earlwood that also contains a semi-detached dwelling development. There are also many examples of detached and semi-detached dwellings throughout the surrounding streetscapes containing basement, as demonstrated in <b>Section 2.4</b> above.	Yes

Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.	Fill is not proposed to extend beyond the building envelope.	N/A
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 discussed above, proposed excavation is contained to the basement level to facilitate the on-site car parking requirements. It is understood that comprehensive engineering plans will be prepared as part of the Construction Certificate process.	Yes
<b>SETBACKS</b>		
Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.	The subject site does not adjoin a major road.	N/A
<p>Development must comply with the minimum front, side and rear setbacks in the following tables:</p> <p>Front Setback</p> <ul style="list-style-type: none"> <li>Minimum setback of 5.5m from the front boundary.</li> <li>Maximum 2m recess for the main entrance from the front building line.</li> <li>Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li> </ul> <p>Side Setback</p> <ul style="list-style-type: none"> <li>Minimum setback of 900mm from side boundaries.</li> <li>First floor alterations and additions may be in line with the existing ground level walls.</li> <li>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.</li> <li>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 common wall.</li> </ul> <p>Rear Setback</p> <ul style="list-style-type: none"> <li>Minimum setback of 6m from the rear boundary.</li> </ul>	<p>The proposed development has the following site setbacks:</p> <ul style="list-style-type: none"> <li>Front setback – 6.037m</li> <li>Side setback – Minimum 0.9m and 2m to the lightwell adjoining the kitchen of each dwelling</li> <li>Rear setback – 9.251m</li> </ul>	Yes
Front and rear setbacks are to be provided as deep soil areas. Driveways and footpaths may cross deep soil areas.	Deep soil landscaping is proposed within the front and rear setbacks to soften the appearance of the built form and hardstand surfaces.	Yes
<b>BUILDING DEPTH</b>		
Dual occupancy housing and semi-detached dwellings must not exceed a building depth of 25m.	The proposed development has a depth of 17.379m.	Yes
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	Not applicable.	N/A

circumstance, a building depth requirement of 35m from the primary street frontage must not be exceeded.		
<b>BUILDING DESIGN</b>		
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.	The proposed development is contemporary in design, as the site is not located in the vicinity of a Heritage Item or a Heritage Conservation Area.	Yes
Access to upper storeys must not be via external stairs.	Internal stairs are proposed.	Yes
All dwellings must contain one kitchen and laundry facility	Each dwelling contains a kitchen and laundry.	Yes
Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).	Not applicable.	N/A
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.	Not applicable.	N/A
Entries to residential buildings must be clearly identifiable.	The entry to each dwelling is located on the development façade to ensure ease of access.	Yes
A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.	Each dwelling contains multiple windows on the façade that provide for casual surveillance of the streetscape.	Yes
Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.	Ancillary structures are not proposed.	N/A
Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.	Each dwelling features an open plan layout, with sufficient sized rooms that will accommodate a range of furnishings.	Yes
The primary living area and principal bedroom must have a minimum width of 3.5m.	The primary living space of each dwelling is 17.7m <sup>2</sup> in size. The master bedroom of each dwelling is 12.54m <sup>2</sup> in size.	Yes
Secondary bedrooms must have a minimum width of 3m.	Proposed secondary bedrooms are 10.53m <sup>2</sup> (guest bedroom), 10.79m <sup>2</sup> (bedroom 2) and 10.87m <sup>2</sup> (bedroom 3) in size.	Yes
Provide general storage in addition to bedroom wardrobes and kitchen cupboards.	Sufficient storage is provided within each dwelling.	Yes
Development on corner lots must address both street frontages through facade treatment and articulation of elevations.	Not applicable.	N/A
Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.	Non-reflective materials are proposed including brickwork, architectural render, reinforced concrete and timber slats.	Yes
Facades visible from the street should be designed as a series of articulating panels or elements.	The façade of each dwelling is highly articulated by the projecting first floor balcony and entry feature, recessed basement level garage, a combination of curved and straight elements and multiple uniform windows and openings.	Yes

Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.	A range of materials and finishes are proposed including white brickwork, architectural render, reinforced concrete, timber slats, glass balustrades and Colorbond metal roofing to provide further modulation.	Yes
Large windows should be screened with blinds, louvres, awnings or pergolas.	Large windows and openings are contained to the front and rear elevations of the development and will not provide for unreasonable overlooking of neighbouring properties.	Yes
Windows must be rectangular.	Proposed windows are rectangular.	Yes
Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.	Windows have been appropriately designed and positioned to maximise solar access.	Yes
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).	Each elevation of the development features multiple windows and openings to maximise cross ventilation and solar access to the internal spaces.	Yes
<b>ROOF DESIGN AND FEATURES</b>		
Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	A flat roof profile is proposed to minimise the bulk and massing of the development.	Yes
Avoid complex roof forms with multiple gables, hips and valleys, or turrets.	Complex roof forms are not proposed.	N/A
Roof pitches are to be compatible and sympathetic to nearby buildings.	The proposed roof form is highly compatible with the roof characteristics of similar developments in the vicinity of the site, as demonstrated in <b>Section 2.4</b> above.	Yes
<b>FENCING</b>		
Provide boundary definition by construction of an open fence or low hedge to the front street boundary.	1.2m open fencing is proposed to the site frontage.	Yes
Front fences within the front boundary setback are to be no higher than 1.2m.	1.2m open fencing is proposed to the site frontage.	Yes
Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.	1.8m fencing is proposed to the side and rear boundaries.	Yes
<b>SOLAR ACCESS AND OVERSHADOWING</b>		
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%.	The Shadow Diagrams submitted with this application demonstrate that the proposed development achieves the solar access requirements on the site.	Yes
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 Shadow Diagrams submitted with this application demonstrate that the proposed development achieves the solar access requirements to the private open space areas.	Yes



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.	The Shadow Diagrams submitted with this application demonstrate that the proposed development maintains the solar access requirements to adjoining residential properties.	Yes
<b>VISUAL PRIVACY</b>		
Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.	The proposed development is contained to a compliant building envelope. A balcony is proposed to the façade of each dwelling that will provide for casual surveillance of the streetscape without resulting in unreasonable overlooking of adjoining properties. Windows to the first floor level have been carefully sited, offset and feature increased sill heights where necessary to avoid direct view into habitable rooms of neighbouring properties.	Yes
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.	Windows to the first floor level have been carefully sited, offset and feature increased sill heights where necessary to avoid direct view into habitable rooms of neighbouring properties or overlooking of private open space areas.	Yes
<b>ACOUSTIC PRIVACY</b>		
Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.	The proposed development has been sensitively designed to minimise noise transmission by locating car parking within the basement level, living and private open space areas on the ground floor level and bedrooms predominately on the first floor level.	Yes

## 5 CONCLUSION

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The proposed development at 12 Grove Street, Earlwood involves the demolition of existing structures and the construction of a new two storey semi-detached dwelling development with basement car parking. The intention of the proposed works is to achieve the development potential of the site and provide an improved dwelling house that is better suited for modern family living. The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act and is found to be satisfactory. The proposal has also been assessed against the relevant provisions of the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023) and the Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023) and is considered to be appropriate for the subject site for the following reasons:

- The proposed development has been sensitively designed to complement the characteristics of other similar developments on the surrounding streetscapes and will not appear out of character or set an undesirable precedence for future development. The development features a range of recessed and projecting architectural elements finished in a modest colour scheme that will create a respectful dialogue with adjoining properties and a high level of visual interest when viewed from the public domain.
- The proposed development provides a sufficient amount of landscaped open space and deep soil zoning to reflect the well-maintained landscaped setting of the area and maintain a high level of amenity and visual privacy on the site and for adjoining properties.
- The proposed development complies with the relevant guiding objectives and provisions for semi-detached dwelling development under the CBLEP 2023 including land use zoning, maximum building height, floor space ratio, acid sulfate soils and earthworks.
- The proposed development complies with the guiding principles of the CBDCP 2023 including building form, setback distances, solar access, landscaping, car parking, cut and fill and private open space.

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