



STATEMENT OF ENVIRONMENTAL EFFECTS

CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO THE EXISTING
DWELLING HOUSE

8 HAMPDEN STREET | HURLSTONE PARK

REF: 2542
DATE: 4 June 2026

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1 INTRODUCTION

This Statement of Environmental Effects is to accompany a development application to Canterbury Bankstown Council seeking consent to construct alterations and additions to an existing dwelling house located at No. 8 Hampden Street, Hurlstone Park.

The proposal has been designed by Mason Projects and is detailed on the accompanying architectural drawings. The subject site is located within the Duntroon Street, Heritage Conservation Area and the proposed works include alterations to the rear portion of the dwelling, whilst maintaining the original and intact single level element that fronts the street. In doing so, the proposal will ensure that the contributory elements of the existing building remain unaltered and the proposal will remain contributory within the heritage conservation context.

As outlined in this report, the proposal complies with the relevant planning controls as prescribed by Canterbury Bankstown LEP and DCP 2023. This Statement of Environmental Effects is supplemented by the following:

- **Survey Plan:** Prepared by TJ Surveyors;
- **Architectural Plans:** Prepared by Mason Projects;
- **Acoustic Report:** Prepared by Acoustic Dynamics;
- **Arboricultural Impact Assessment:** Prepared Tree Talk Arboricultural Consulting;
- **Concept Drainage Design:** Prepared by E2 Engineers; and
- **Basix Certificate:** Prepared by Clockwork Consulting.

This Statement of Environmental Effects evaluates the subject site and its context, details the proposed works, and provides an assessment of the proposed development with consideration to the relevant planning framework and the impacts of the development on the natural and built environment in accordance with S.4.15 of the Environmental Planning & Assessment Act, 1979 (Section 4).

This Statement concludes that the application is satisfactory and achieves an appropriate development outcome as anticipated within the R2 – Low Density Residential Zone and the heritage conservation area. In addition, this Statement concludes that the development will have an acceptable impact on the natural and built environment and is recommended for approval.

2 SUBJECT SITE AND SURROUNDING DEVELOPMENT

The subject site is located on the southern side of the street and extends to the Sydenham to Bankstown railway corridor at the rear boundary. The site is known as No. 8 Hampden Street, Hurlstone Park and contains a legal description of Lot 1 in DP 930063. Figure 1 below identifies the location of the site.



Figure 1: Subject Site (Source: portal.spatialviewer.nsw.gov.au)

The development site is located on a north to south axis. The submitted survey identifies a frontage width of 7.64m and a site depth of between 37.85m and 41.15m, resulting in a site area of 301.9m². The land falls approximately 1.67m towards the rear boundary, from RL27.7 to RL26.03.

Situated on the site is an existing part 1 and part 2 storey dwelling house of masonry construction. The original portion of the dwelling is a single level contributory form within the conservation area. A more contemporary two storey addition exists to the rear of the original building as indicated at Figure 2.



Figure 2: Subject site, viewed from the street frontage

Pedestrian access is gained to the site via the primary frontage, and the site does not contain vehicular access or parking.

The single level portion fronting the street comprises two bedrooms and a small living space. The rear / contemporary addition maintains the prolongation of the eastern alignment of the original portion. The eastern element is setback 230mm from the side boundary. The contemporary addition extends to a setback of between 920mm and 865mm to the western boundary. The junction between the original and contemporary addition adjacent to the western boundary is indicated at Figure 3.



Figure 3: Junction between the original and contemporary forms at the western boundary

The rear portion of the dwelling contains living areas and a bathroom at the ground floor level as well as stair access to the first floor. A master bedroom and balcony are oriented towards the rear boundary (Figure 3).



Figure 4: Rear of the site, looking north from the open space to the existing dwelling

Whilst the site does not contain any existing significant trees, some existing trees are located on each adjoining property that are to be protected as part of the proposed works. The species, health and condition of the trees on the adjoining properties are identified in the submitted Arborist Report.

The site is located within a distinctly residential locality, within the Duntroon Street Heritage Conservation Area.

Development in the vicinity of the site comprises low density houses of mostly single level presentation at the street frontage, many of which contain contemporary additions located beyond the street fronting elements.

The aerial photograph at Figure 5 identifies the subject site and its relationship with the adjoining properties.



Figure 5: Aerial View (Source: portal.spatial.nsw.gov.au)

Adjoining the eastern boundary of the site is No. 6 Hamden Street. Situated on this property is a part 1 and part 2 storey dwelling house. The two storey addition is a contemporary addition that exists behind the alignment of the original form as it presents to the street.

The contemporary addition extends towards the rear boundary, and beyond the rear alignment of the existing dwelling at the subject site. The dwelling at No. 6 contains a covered alfresco area that extends onto a landscaped rear yard.

No. 6 Hampden Street as it exists in the immediate streetscape with the site is indicated at Figure 6.



Figure 6: No. 6 Hampden Street, adjacent to the subject site

To the west of the site is a single level dwelling house with an associated single garage. This dwelling is located on a wider allotment and is identified as No. 10 Hampden Street. The dwelling as it presents to the street is indicated at Figure 7.



Figure 7: No. 10 Hampden Street as viewed from the street frontage

The rear portion of No. 10 contains a landscaped yard and existing vegetation located adjacent to the common boundary that provides excellent physical separation between the external open space at this property and the subject site.

3 PROPOSED DEVELOPMENT

The proposal seeks consent for the construction of alterations and additions to the existing dwelling. In particular, the proposal will maintain the original single level element and includes various alterations to the internal and external portions of the more contemporary two storey portion at the rear of the site. The extent of work is identified on the accompanying architectural drawings and are detailed below.

3.1 Demolition Works

The proposal includes the demolition of the internal walls of the rear extent of the existing dwelling as indicated on the ground floor demolition plan. Demolition works at the first floor level include removing the balcony and roof structure of the alfresco deck below. The proposal also seeks to partially demolish some of the external walls to allow for openings to improve light and ventilation.

3.2 Alterations and Additions to Rear of the Existing Dwelling

The proposal will not alter the street fronting portion of the existing dwelling, however, seeks to alter the rear portion of the existing dwelling as follows:

- The ground floor level will be altered to adjust the step in the floor plan, reducing the area located at RL27.61 to be an accessway to the first floor stairs and new external door;
- The ground floor level will contain a bathroom, laundry and pantry at the eastern extent;
- The remaining areas of the ground floor level will contain a reconfigured kitchen, dining and living area that extends onto a covered alfresco area. The living space will have access to improved light and ventilation via a new pop up roof element and skylight over the rear extent;
- New window openings are proposed within the eastern and western walls, to accommodate glass bricks, or new window openings that improve access to light and ventilation; and
- The first floor level will be accessed via a new internal stair at RL30.72 and will contain a new master bedroom, ensuite and sunroom.

3.3 External Finishes & Appearance

The proposal is designed to ensure that the single level dwelling maintains the prominent presentation to the street frontage, including the primary form, materials and appearance. The proposed additions are located to the rear and will be visually distinguished from the original dwelling in a similar manner to the existing arrangement.

As indicated on the accompanying Schedule of Materials, the contemporary element will contain corrugated cladding and select timber treatments and new window openings and window will comprise aluminium window profiles.

The design narrative remains that the proposed works are distinguished from and setback behind the prominent original single level cottage which will remain unaltered as part of the proposed works.

3.4 Landscaping and Tree Protection

The proposal does not include the removal of any existing trees from the site. All works are designed in a way that maintains and protects existing trees on adjoining properties as detailed in the accompanying Arboricultural Impact Assessment. In particular, the proposal includes the construction of a light weight deck in the vicinity of Trees A, B and C. The accompanying Arborist Report is supportive of the proposal and its resulting impacts on the trees to be retained on neighbouring properties.

3.5 Stormwater Management

The proposal includes minor works that will largely maintain the existing roof form and result in a small extension at ground level. The extended roof will capture stormwater to be discharged to the street via a pit and piped system as detailed on the submitted Concept Drainage Plan.

3.6 Acoustic Measures

The submitted Acoustic Assessment contains recommendations and design advice relating to the construction of external walls, roof, windows and glazed doors. Subject to compliance with the recommendations of the Report it is concluded that the proposal is capable of complying with the Canterbury Bankstown DCP, SEPP (Infrastructure) 2021, and relevant Australian Standards.

4 STATUTORY PLANNING ASSESSMENT

Provided below is a statutory planning assessment of the proposed development in accordance with the matters for consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979. This assessment considers the following:

- Relevant planning policies and controls - Section 4.15(1)(a);
- Significant likely impacts on the natural & built environment - Section 4.15(1)(b);
- The suitability of the site for the development - Section 4.15(1)(c); and
- The public interest - Section 4.15(1)(e).

4.1 Compliance with Planning Controls (Section 4.15(1)(a))

The following provides an assessment of the statutory and non-statutory planning policies that apply to the application under Section 4.15(1)(a) of the Environmental Planning and Assessment Act, 1979. The relevant policies are listed as follows:

- SEPP (Resilience and Hazards) 2021;
- SEPP (Transport and Infrastructure) 2021;
- SEPP (Sustainable Buildings) 2022;
- Canterbury Bankstown Local Environmental Plan 2023; and
- Canterbury Bankstown Development Control Plan 2023.

Provided below is a consideration of the relevant State and Local planning provisions and an assessment of the proposed development.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Provided below is a response to Chapter 4 Remediation of Land. Chapter 2 Coastal Management and Chapter 3 Hazardous and offensive Development are not relevant to the site and subject proposal.

Chapter 4 – Remediation of Land

A review of aerial photographs indicates that the subject site has been historically used for residential purposes, with no other known use of the property. On this basis, there are no reasons to suspect that it is contaminated or requires any remediation works. The provisions of Chapter 4.6 of the SEPP are therefore satisfied, and the consent authority is able to support the proposed development.

4.1.2 SEPP (Transport and Infrastructure) 2021

The subject site adjoins a Rail Corridor. Table 1 below undertakes an assessment of the relevant provisions that apply to the site and proposed development.

Table 1: SEPP (Transport and Infrastructure) 2021 Requirements		
Control	Proposal	Complies
2.100 Impact of rail noise or vibration on non-rail development (1) This section applies to development for any of the following purposes that is		

Table 1: SEPP (Transport and Infrastructure) 2021 Requirements		
Control	Proposal	Complies
on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration— (a) residential accommodation, (b) a place of public worship, (c) a hospital, (d) an educational establishment or centre-based child care facility.	Applies to the proposal for alterations and additions to an existing dwelling, being a type of residential accommodation.	Yes
(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.	Noted.	-
(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded— (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am, (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	Refer to the accompanying Acoustic Assessment which identifies that the proposal will comply with the required internal noise criteria.	Yes

As detailed at Table 1 above, the proposal is acceptable with regard to the relevant requirements relating to development adjoining a railway corridor and is consistent with all relevant requirements of SEPP (Transport and Infrastructure) 2021.

4.1.3 SEPP (Sustainable Buildings) 2022

The proposal is defined as BASIX development and under the SEPP a BASIX Certificate is required, which also quantifies the embodied energy of the proposal. BASIX Certificates have been obtained for the proposal which demonstrates that the development, once operational, will comply with the thermal and energy requirements of the SEPP, and specifies the proposed primary building materials.

Where required the BASIX commitments have been indicated on the DA drawings.

4.1.4 Canterbury-Bankstown LEP 2023

C-BLEP 2023 identifies the subject site as being located within the *R2 – Low Density Residential* zone. Amongst other things, dwelling houses are permissible with consent from Council. In addition, the proposal is consistent with the relevant zone objectives as it will maintain and improve the low density residential development at the site, as detailed below:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

A review of relevant LEP maps indicates that the site is not flood affected, bushfire prone, as containing terrestrial biodiversity, natural landform nor as riparian land.

Provided at Table 1 is a consideration of the development standards and relevant LEP provisions that apply to the subject site and proposed development.

TABLE 2: RELEVANT PROVISIONS OF CBLEP 2023		
Provision	Proposal	Complies
4.3 Building Height (2) The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u> - maximum 8.5m.	The submitted Sections detail that the proposal is located below the maximum 8.5m height limit.	Yes
(2C) The maximum wall height for a dwelling house or dual occupancy in Zone R2 on land identified as "Area 1" on the <u>Clause Application Map</u> is 7m.	Not applicable.	N/A
4.4 Floor Space Ratio No FSR maximum identified.	Noted.	-
5.10 Heritage Conservation (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or	N/A – no heritage item at the site. The site is located within a heritage conservation area and the proposal seeks to maintain the existing original building element that fronts the street. All proposed works are limited to the rear two storey portion that has been historically altered as a contemporary and subordinate addition. The proposed works therefore ensure that the site maintains a positive contribution to the conservation area and no further detailed assessment is determined to be necessary.	N/A Yes
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),	The site is not located within the visual catchment of any heritage items to the	N/A

TABLE 2: RELEVANT PROVISIONS OF CBLEP 2023		
Provision	Proposal	Complies
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	extent that further detailed assessment is required.	
6.1 Acid Sulfate Soils The site is located within an area identified as containing Class 5 Acid Sulfate Soils.	No Management Plan is required as there is no excavation at the site that will lower the water table below RL1m AHD.	Yes
6.2 Earthworks In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity and structural integrity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	No excavation proposed. No excavation will impact on future use of the site for residential purposes. No fill to be imported or excavation material to be taken off site. No excavation will impact on the structural integrity of the adjoining properties. No fill material imported and no excavated material to be transported off site. Negligible likelihood given the lack of excavation and the historic use of the site. No likely impacts subject to typical construction management. No mitigation measures proposed other than construction management to avoid runoff of silt during the proposed works.	Yes Yes Yes Yes Yes Yes

In light of the above, the proposal is permitted with consent from Council and consistent with all relevant zone objectives and development standards contained within C-BLEP 2023.

4.1.5 Canterbury Bankstown DCP 2023

A response to the relevant provisions of CBDCP 2023 as they apply to dwelling houses, in the R2 Zone is provided in Table 2.

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDCP 2023		
Provision	Proposal	Complies
Chapter 3 – General Requirements		
3.2 Parking 2 spaces required	No existing parking spaces are provided at the site. The proposal will maintain the existing contributory building and as such will not provide any additional parking on site.	Existing
3.3 Waste Management		
3.3 Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins.	Bin storage will be within the western setback.	Yes
3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings.	Bins will be concealed by the street fence and will not impact on the streetscape.	Yes
3.5 The location of the bin storage area should ensure this area: (a) is screened or cannot be viewed from the public domain; and (b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.	As above. No windows will be impacted by the bin storage location.	Yes Yes
3.6 The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/dwelling and must avoid stairs or slopes.	Convenient location proposed, which is directly accessed from the dwelling.	Yes
3.8 Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection.	Bulky waste storage can be accommodated within the western portion of the dwelling in the vicinity of the site frontage.	Yes
3.9 Development must comply with the requirements of the applicable Waste Design for New Developments Guide.	N/A – existing dwelling to be modified.	N/A
3.7 Landscape Existing vegetation and natural features 2.1 New landscaping is to complement the existing street landscaping and	Existing deep soil areas remain within the rear of the site capable of	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
improve the quality of the streetscape.	establishing additional plantings and the landscaping at the site frontage remains unaltered.	
2.2 Development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.	Excavation is minimised.	Yes
<u>Trees</u> 2.6 Development must consider the retention of existing trees in the building design.	Existing trees located on adjoining properties are to be retained and protected as indicated in the accompanying Arboricultural Impact Assessment.	Yes
2.7 Development must plant at least one canopy tree for every 12m of front and rear boundary width and: (a) Canopy trees are to be of a minimum 75 litre pot size. (b) Use deciduous trees in small open spaces, such as courtyards, to improve solar access and control of microclimate. (c) Place evergreen trees well away from the building to allow the winter sun access. (d) Select trees that do not inhibit airflow. (e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils.	Council may wish to impose a suitable condition of consent if this is determined to be necessary having regard to existing vegetation at the site.	Yes
2.8 Development must provide street trees that will contribute to the canopy where possible.	An existing street tree is located within the road verge at the site frontage.	Yes
Chapter 5 – Residential Accommodation		
Section 2 – Dwelling Houses		
<u>2.1 Minimum lot size and frontage</u> C1 The minimum primary street frontage width for dwelling houses is 15m.	7.64m, as existing.	Existing
<u>2.2 Site coverage (Site area 297.2m²)</u> Maximum building footprint of 300m ² Maximum area of all outbuildings 30m ² Maximum total site coverage of 60%	Proposed building footprint - 138m ² No existing or proposed outbuildings. Site coverage - 46% of site area.	Yes Yes Yes
<u>2.3 Landscaping</u> Min. deep soil area – 15% with min. dimension of 2.5m.	Required – 44.58m ² Proposed – 74.5m ² , min. 2.5m dimension and total 25%.	Yes
<u>2.4 Layout and Orientation</u> C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.	High levels of solar access, natural light and ventilation will be available, due to modifications which increase light via new windows and skylights.	Yes
C2 Site the development to avoid casting	Overshadowing is compliant with the	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.	DCP requirements as discussed at Section 4.2 of this Statement.	
C3 Coordinate design for natural ventilation with passive solar design techniques.	High levels of solar access, natural light and ventilation will be available and improved as part of the proposed works.	Yes
C4 Site new development and private open space to avoid existing shadows cast from nearby buildings.	The development is appropriately sited to maximise the opportunities available, including solar access, and cross ventilation.	Yes
C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.	As above.	Yes
C6 Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.	Excellent passive surveillance of the street frontage will be available from the existing dwelling and habitable room windows that face Hampden Street that will remain unaltered.	Yes
<u>2.5 Height</u>		
• Max. 2 storey form	Maximum two storey height.	Yes
• Max. 7m wall height	The existing building extends to a wall height of 7.22m. The proposed additions will result in a maximum wall height of 6.67m.	Yes
• Finished ground floor level is not to exceed 1m above the natural ground level.	Finished ground level is consistent with the existing dwelling and is stepped in respect of the proposed alfresco area to be less than 1m above ground level.	Yes
<u>Cut and fill</u>		
Development without basement parking Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.	No cut or fill proposed.	Yes
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.	No cut proposed.	Yes
Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.	No fill proposed.	Yes
<u>2.6 Setbacks (less than 12.5m frontage)</u>		
• Front – min. 5.5m or average of neighbours, max. 2m recess for building entry	Existing front setback is maintained.	Yes
• Side – 900mm or alterations and	Alterations and additions are	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
additions can maintain the existing ground level walls.	designed to maintain the alignment of the existing dwelling to each side boundary.	
Rear – 6m	Rear setback exceeds 6m as detailed on the proposed Ground Floor Plan.	Yes
<u>Exceptions and other requirements</u> C3 External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.	No external walls proposed beyond the alignment of the existing side boundary setbacks.	Yes
C4 For first floor additions, front and side setbacks may match the ground floor wall alignment of the existing dwelling for a depth of 10m or 50% of the length of the facade, whichever is the greater.	The first floor walls maintain the alignment of the ground floor walls and comprise a maximum length of 9.8m or 35% of the northern and western façade.	Yes
C5 Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.	No pool proposed.	N/A
C6 Swimming pools must not be located within any front setback.	No pool proposed.	N/A
C7 One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.	No parking proposed.	N/A
2.8 General design <u>Contemporary built form</u> C1 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 site and neighbouring buildings are not heritage listed. The proposed addition is setback from the alignment of the original single level part of the dwelling that fronts the street. The rear addition is sought to be remodelled in accordance with the requirements of the DCP.	Yes Yes Yes
C2 New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.	Noted, the proposed works are undertaken in a contemporary and subordinate manner to the original single level dwelling that presents to the street.	
C3 Access to upper storeys must not be via external stairs.	Access to the first floor is via internal stairs.	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
C4 All dwellings must contain one kitchen and laundry facility.	A kitchen and laundry are located at the ground flood level.	Yes
C5 Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).	Existing significant roof structure is maintained when viewed from the street.	Yes
C6 Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.	The existing roof is largely maintained as viewed from the street frontage.	N/A
<u>Building entries</u> C7 Entries to residential buildings must be clearly identifiable.	The existing dwelling entry is maintained via the original single level portion that fronts the street.	Yes
C8 The front door to a dwelling house may face a side boundary, or may be located beneath a carport, provided it is clearly identified by a porch or awning, and pathways.	N/A – existing dwelling entry is maintained.	N/A
C9 A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.	The existing habitable room will maintain an orientation to the street.	Yes
C10 Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures. Internal dwelling layout	Existing window openings to the street will remain.	Yes
C11 Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.	Furniture locations are detailed on the submitted drawings.	Yes
C12 The primary living area and principal bedroom must have a minimum dimension of 3.5m.	Minimum dimension 5m.	Yes
C13 Secondary bedrooms must have a minimum dimension of 3m.	All proposed bedroom exceed 3m in any one direction.	Yes
C14 Provide general storage in addition to bedroom wardrobes and kitchen cupboards.	Storage provided within the pantry and under stairs to the first floor level.	Yes
<u>Facade treatment</u>	Not applicable.	Yes
C16 Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall	Refer to the accompanying Schedule of Materials for suitable material palette proposed to the contemporary	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
surfaces with anti-graffiti coating.	addition at the rear of the property.	
C17 Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.	Existing street fronting façade is maintained and new elements contain shading devices as necessary to meet requirements of BASIX.	Yes
<u>2.9 Roof design and features</u>		
C1 Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.	Existing roof profiles are maintained.	Yes
AMENITY		
<u>2.10 Solar access and overshadowing</u>		
Solar access to proposed development		
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.	West facing living rooms incorporated into the primary living area will facilitate 4 hours of sunlight access between 12.00pm and 3.00pm at mid winter.	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.	The shadow diagrams detail that sunlight is gained to at least 50% of the principal areas of open space within the rear of the site for the full extent of the winter period between 8.00am and 3.00pm.	Yes
Solar access to neighbours		
C4 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.	Refer to Section 4.2 for details of compliance.	Yes
C5 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.	N/A	N/A
C6 Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following: (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June. (b) If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight.		Yes
	Solar collectors on the neighbouring property at No. 6 Hampden Street remain unaffected by shadow cast from the proposal 9.00am and 3.00pm at mid-winter.	Yes
C7 Clothes drying areas on adjoining	Drying areas within the rear of each	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
residential properties must receive a minimum of 3 hours of sunlight on 21 June.	dwelling will maintain 3 hours of sunlight as detailed at Section 4.2 of this Statement.	
<u>2.11 Visual privacy</u> C1 Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.	The proposed works will improve amenity for the existing dwelling by extending the internal and external living areas without giving rise to any fundamental change in the existing relationship of impacts on the privacy enjoyed by each neighbour as detailed at Section 4.2 of this Statement.	Yes
C2 Minimise direct overlooking of rooms and private open space through the following: (a) Provide adequate building separation, and rear and side setbacks; and (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.	The proposed works are located on compliant setbacks and window locations concentrate lines of sight towards the rear of the property and away from sensitive areas of each adjoining property.	Yes
C3 If living room windows or private open spaces would directly overlook a neighbouring dwelling: (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.	No unacceptable overlooking that requires the application of screening to proposed windows. Window openings are limited to high level or glass bricks with no resultant privacy impacts.	Yes Yes
<u>2.12 Acoustic privacy</u> C1 Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.	All living room windows and open space are maintained at the ground floor level and will comply with the recommendations of the accompanying Acoustic Report in respect of noise generated by the adjacent railway line.	Yes
Character Statement – Hurlstone Park Heritage Conservation Areas – Section 2 Duntroon Street Heritage Conservation Area, Hurlstone Park		
2. Building Contribution Ranking		
Contributory buildings (buildings ranked Contributory 1 or 2) are to be retained and conserved with their significant setting.	8 Hampden Street, Hurlstone Park is identified as a No. 1 Contributory building. No works proposed to the existing contributory parts of the building.	Yes
Original or largely intact main roof forms are to remain unaltered except for the reinstatement of missing detail.	No works proposed to existing visible roof forms.	Yes
The front or main section of contributory	Existing single level element to be	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023

Provision	Proposal	Complies
buildings is to be retained (this is usually the building below the main roof form). Second storey additions to the rear of contributory buildings should not visually dominate contributory buildings or the streetscape of the HCA. They may be considered where: (a) A second storey is set back behind the main roof form and does not visually dominate the main roof of the house when viewed from the street. Retain established garden settings, including mature trees, original and early pathways, gates and front fencing particularly forward of the building line. Development should not obscure or reduce the visual relationship of contributory buildings to each other within a HCA or to the street frontage.	retained. The proposed works are alterations to a previous two storey addition and remain recessive and appropriate. No change to the existing garden, fencing or courtyard at the street frontage. No works will detract from or obscure the relationship between contributory buildings in the streetscape.	Yes Yes Yes
3. Form, Massing and Scale Alterations and additions should reflect the bulk, mass, scale, orientation and setbacks of surrounding heritage and contributory items as well as the immediate property.	Alterations and additions relate to the rear of the dwelling as it was previously altered and include works that comply with the permitted building setbacks and heights as well as the type of extensions completed on adjoining dwellings, thereby ensuring that the proposal is compatible with the contributory buildings.	Yes
6. Verandahs, Porches and Balconies Original verandahs, porches and balconies (including structure, detail and roofs) are to be retained.	No works to the original front porch.	Yes
7. Driveways, Garages and Carports No part of an existing building is to be demolished or altered in order to accommodate a garage, carport or car space within the front or side setbacks.	No carport or garage proposed.	Yes
8. Fences and Gates Retain and conserve original or early fences, gates and associated features.	No works to existing front gates and associated decorative features of the dwelling.	Yes
9. Landscape Elements All front setbacks are to consist primarily of soft landscaping. The only paved areas in the front setback are the driveways and	Existing landscaping at the site frontage is retained.	Yes

TABLE 3: RESPONSE TO RELEVANT PROVISIONS OF CBDP 2023		
Provision	Proposal	Complies
pathways leading to and around the house. Existing trees and plantings that contribute to the character of the heritage conservation areas are to be retained.	No tree removal sought.	Yes
11. Windows and Dormers Original windows and doors visible from the public domain are to be retained and conserved. Original windows and door openings where visible from the public domain are not to be altered or widened. New windows and doors are to reflect the location, proportion, size, materials sill heights, header treatment and glazing pattern of original windows and doors.	No modifications of windows or roof forms that are visible from the street. No modifications to existing contributory doors and window openings that are visible from the street. New windows and doors are not readily visible from the street and are designed to be appropriate to the contemporary addition.	Yes Yes Yes
12. Building Materials, Finishes and Colour A materials and finishes schedule is to be submitted with any proposal for works to a property within a heritage conservation area. New materials, finishes, textures and details on elevations visible from the public domain, must be appropriate to the architectural style of the building. Materials may but do not have to replicate original materials, however if different materials are proposed a design statement must be provided to support any visual change to the building and streetscape.	Refer to the accompanying Schedule of Materials. Material treatments include metal sheeting, painted brickwork, and timber accents that will be applied to the rear portion of the dwelling in a way that is setback from and subordinate to the original street fronting form.	Yes Yes
13. Utility Infrastructure Utility infrastructure is not to be fitted to visible street facing elevations.	Existing utilities are to be maintained.	Yes

In summary, the proposal is highly compliant with the core DCP provisions and objectives and reflects the suitable alterations and additions to the dwelling which are undertaken in a way that ensures the proposed works are recessive to the contributory building form that fronts the street. Accordingly, the proposal is suitable for the site and its context.

4.2 Significant Likely Impacts on Natural & Built Environment (Section 4.15(1)(b))

The recent changes to the Environmental Planning and Assessment Act, 1979 have clarified the scope of assessment having regard to the impacts of a development, requiring consideration of *significant likely impacts* of a development, *including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.*

This shift to assess any *significant likely impacts* is to also be considered in light of the new Objects of the act, one of which implores an assessment of *proportionality*, ensuring that resources are directed to what truly matters having regard to the degree of impact and likelihood of that impact.

Provided below is a consideration of likely impacts noting that no impacts associated with the proposal are significant having regard to the design and mitigation measures proposed.

Natural Environmental Impacts

The proposal has been designed to generally occupy parts of the site that accommodate the existing dwelling and ancillary structures, with the building extending slightly towards the rear of the site. The proposal has been demonstrated to meet landscaping requirements and will not impact on any significant natural features contained on the site.

The neighbouring properties contain existing trees that are located in the vicinity of the proposed works. The existing trees, NRZs and encroachments have been identified and considered in the accompanying Arboricultural Impact Assessment which concludes that the trees will remain in good condition subject to the recommendations contained in the report.

The proposed works will therefore have no impact on existing significant natural features at the site or on neighbouring properties and will also be constructed to meet the requirements of the accompanying BASIX Certificate.

Accordingly, the proposal results in acceptable natural environmental impacts.

Built Environmental Impacts

The proposed development is designed to be subordinate to the contributory dwelling within the Heritage Conservation Area, as well as achieve full compliance with the core LEP and DCP provisions in terms of building envelopes and landscaped area. In addition to the building form being reflective of the desired future character of the area, the proposal will not result in any significant built environmental impacts as detailed below.

Solar access: The submitted shadow diagrams identify the existing shadow cast by the dwelling and the incremental additional shadow cast by the proposed additions at mid-winter, the equinox and summer.

In terms of achieving appropriate solar access to neighbouring properties, the DCP contains the following provisions that are drafted to protect the solar amenity of neighbours.

C4 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.

C5 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.

C6 Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:

(a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.

(b) If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight.

C7 Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

Having regard to C4, the shadow diagrams demonstrate that the mid-winter shadow impacts are shared between neighbours owing to the north to south axis of the site. Each adjoining dwelling maintains compliant sunlight to the north facing living room windows contained within typical living rooms that face north and front the street, as well as having access to morning and afternoon sun via side facing windows.

In addition, the shadow diagrams demonstrate that rear open space areas of each adjoining dwelling are only partially affected for either the morning or afternoon period and otherwise maintain three hours of sunlight to rear open space as well as their front courtyards.

Noting the above, C5 is not relevant. Having regard to C6 the shadow cast from the proposal will not impact on either roof of the adjoining dwellings thereby ensuring that existing and future solar collectors are not overshadowed.

Finally, C7 is satisfied in the fact that sufficient open space areas that have access to sunlight are maintained and overshadowing is not introduced to the extent that existing clothes drying areas receive less than 3 hours of sunlight at mid winter.

Given that compliance is demonstrated with the DCP provisions relating to solar access to neighbouring properties, the proposal will result in entirely acceptable overshadowing impacts.

Privacy: The proposal will alter and extend existing living areas in a way that maintain the primary orientation towards the rear of the site as well as primary internal and external living spaces at ground level. The proposal incorporates sensitive window design that maximises light and ventilation whilst minimising overlooking as detailed on the east and west elevations. Where openings are provided in close proximity to side boundaries, glass blocks are proposed to provide diffused light in a way that does not impact on fire separation or overlooking.

In addition, high level windows are proposed within the western façade to maximise access to sunlight whilst ensure that there is no additional opportunity for overlooking.

Given the level of compliance associated with the proposal and design measures to mitigate overlooking of neighbours, the proposal is determined to result in entirely suitable privacy impacts.

View Impacts: The subject site and adjoining properties do not enjoy any significant views over the subject site that will be impacted by the proposed works.

Economic & Social Impacts

There will be neutral to positive social and economic impacts of the proposal.

4.3 The Suitability of the Site (Section 4.15(1)(C))

The site is within an established residential area and it does not contain any identified hazards that would suggest that the proposed development is unsuitable at the site. The proposed works will not compromise the natural environmental qualities of the area and will result in improved amenity as well as a positive urban design outcome. The site will therefore be suitable for the proposed development.

4.4 The Public Interest (Section 4.15(1)(e))

The proposed development is permissible with development consent, is consistent with zone objectives and complies with all relevant aspects of the LEP and DCP.

Accordingly, the proposed development is in the public interest and satisfies the requirements of 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979.

5 CONCLUSION

The proposal seeks consent to construct alterations and additions to the rear portion of an existing dwelling that is identified as a contributory building within a heritage conservation area.

The proposal is permissible with consent and is fully compliant with the relevant numerical controls of the LEP and DCP, and has been designed to maintain the prominent contributory form when viewed from the street frontage. In addition, the proposal has been designed to be visually recessive and results in entirely acceptable impacts on the natural and built environment.

The proposal will result in a remodelled dwelling house that will offer high occupant amenity and functionality. In the absence of any significant likely impacts, the proposal serves the public interest and is assessed as appropriate with respect to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

It is accordingly requested that Council grant development consent to the development as proposed.

