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STRATHFIELD COUNCIL
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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed new 2 storey dwelling over basement + pool + front fence

Lot B DP345704

4 Torrington Road

Strathfield

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LOT B DP345704
4 Torrington Road Strathfield

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1 Introduction

This Statement of Environmental Effects accompanies a development application for proposed new 2 storey dwelling over basement + pool + front fence on land identified as Lot B DP345704, 4 Torrington Road Strathfield.

The primary topics addressed in this report are:

- Site description
- Details of the proposal;
- Summary and assessment against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 (as amended).

This Statement of Environmental Effects confirms that the proposed development is suitable and appropriate in the context of the area and all relevant statutory and non statutory planning policies. As such it is considered that the proposal can be supported and approved by Council.

1.1 Site Description

The subject land is identified as Lot B DP345704, 4 Torrington Road Strathfield. Located on site is an existing dwelling and is surrounded by dwellings of a similar size. Access to the site is via Torrington Road with rear access on Woodward Ave. The site is a regular shape and has a site depth of 50.6m and a width of 17m.

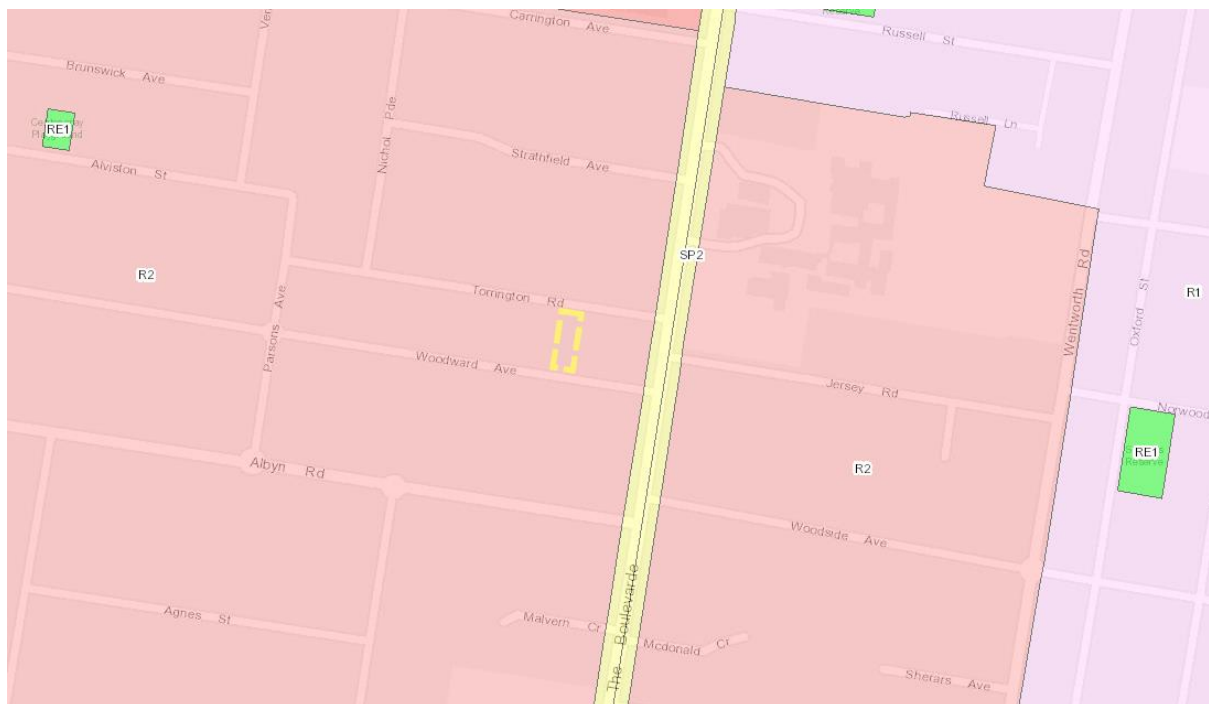


Figure 1: Aerial Image of Site & Surrounding Area



Figure 2: Map of the subject site

1.2 Proposed Development

The proposed development involves the proposed new 2 storey dwelling over basement, pool, front fence.

The proposed development comprise of:

- Demolition of existing dwelling
- Demolition of existing pool
- Removal of existing trees
- Construction of a new dwelling with basement garage
- New covered swimming pool
- New front fence

1.3 Approvals Sought

The application, which this Statement of Environmental Effects supports, seeks consent under section 4.15 of the Environmental Planning and Assessment Act, 1979 for the proposed development.

2 Planning Assessment

2.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

The relevant objects of the Act are:

(a) to encourage:

(ii) the promotion and co-ordination of the orderly and economic use and development of land.

This application is consistent with the objects of the Act as the proposed development enables the orderly and economic use of the land.

2.1.1 Integrated Development

Section 4.46 of the EP&A Act defines integrated development as development that requires development consent by one or more approvals under another Act. **The subject proposal does not trigger integrated development as detailed under S.4.46 of the EP&A Act.**

2.1.2 Designated Development – Section 4.10

Schedule 3 of the Environmental Planning and Assessment Regulations 2000 prescribes development which, if of the relevant type and size, may be considered to be Designated Development. In this case it is our opinion that the development would not trigger any of the designated development provisions.

2.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matter for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

2.2.1 Environmental Planning Instruments - Section 4.15 (1)(a)(i)

2.2.1.1 State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 is a NSW-wide planning approach to the remediation of contaminated land. When considering a Development Application, the consent authority must observe the requirements of SEPP 55. The significant clause of SEPP 55 is clause 7, which is outlined below.

Clause 7 - Contamination and remediation to be considered in determining development application

Under Clause 7, a consent authority must not consent to the carrying out of any development on land unless:

(a) It has considered whether the land is contaminated, and

(b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

In accordance with Clause 7 of SEPP 55, Council must consider whether the land is potentially contaminated. The land where the proposed development is located is in an existing residential area and shows no sign of previous contamination.

SEPP Infrastructure 2007

This policy sets out certain requirements to smooth the path of mainly large infrastructure projects. In this case the policy requires the consent authority to ensure infrastructure is adequate to accommodate the development proposal, which is held to be of the traffic-generating variety. As the development is for a residential development, 104 (2) of the SEPP is not triggered in this instance.

2.2.1.2 Strathfield Local Environmental Plan 2013

The Strathfield Local Environmental Plan 2013 (LEP 2013) is the applicable local planning instrument for the site.

Local Environmental Plan	
Matter	Relevant Control
Zoning	R2 – Low Density Residential
Zone Objectives	<p>The objectives of this residential zone are:</p> <ul style="list-style-type: none">• 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 ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.
Permitted without consent	Home occupations
Permitted with consent	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture; Water recycling facilities
Prohibited	Any development not specified in item 2 or 3

Height of Building	The site is located in the Area J with a 9.5m height of building limit
Architectural Roof	Clause 5.6 allows Height of Building exceedance.
Floor Space Ratio	The site is located in an area with a prescribed floor space ratio of 0.5:1.
Minimum Lot Size	The site is located in the Area K (560sqm) of the minimum lot size map.
Heritage	Not of heritage significance.
Acid Sulphate Soils	Not identified as acid sulphate
Land Acquisition	Not identified for acquisition.
Mine Subsidence	Not identified as mine subsidence.
Bushfire	The site is not located within a bushfire area.
Flood Prone Land	Not identified as being flood prone land
Wetlands	Not identified as Wetlands.
Watercourses	No identified watercourses.

Clause 4.1 Minimum subdivision lot size

The clause provides the minimum lot size requirements for subdivision. The minimum subdivision lot size for the site is 560sqm. The development is not for subdivision.

Clause 4.3 Height of buildings

The clause provides the maximum building height limit for the area. The maximum height of a building allowed within that area is 9.5m. The proposed development complies with the standard.

Clause 4.4 Floor space ratio

The site is located within the 0.525:1 FSR Ratio area of the Floor Space Ratio Map. The proposed development complies with the FSR development standard with a proposed FSR of 0.523:1

Clause 4.6 Exceptions to development standards

The clause provides an avenue to seek a variation to development standards. It is noted that the development complies with all the LEP Development Standards.

Clause 5.10 Heritage conservation


Subclause (5) allows Council to require a heritage management plan to be prepared where a development is proposed on a site that is *within the vicinity of a heritage item*. The site is not listed as being a heritage item or in the vicinity of a heritage item.

2.2.2 Proposed Instruments - Section 4.15 (1)(a)(ii)

There are no proposed instruments that are or have been the subject of public consultation under the Act and that have been notified to Council that would have implications for this development application.

2.2.3 Strathfield Development Control Plan 2005 - Section 4.15 (1)(a)(iii)

Strathfield Development Control Plan 2005 (DCP) applies to the site and outlines specific development requirements for residential development. The provisions of the DCP must be considered in the assessment of the proposed development.

Development	Controls
<p>2.2.1 Streetscape Presentation</p> <p>New dwellings must be positioned and oriented on their site to address the street frontage with a clearly identifiable entry. Consistently occurring positive building façade features within the existing streetscape should be incorporated into the proposed dwelling design such as roof shape, pitch and overhangs; entry porches, verandas, balconies and terraces; materials, finishes, fixtures, patterns, fenestrations, colours and detailing; and the location and proportion of windows and doors. Excessive parapets, irregular- shaped and irregular-spaced windows, excessive glazing to building facades and double-height vertical elements including columns are not permitted.</p> <p>Streetscape elements that should be taken into account in the design of new and altered residential development include topography; width and location of carriageway; street tree planting and landscaping; allotment size/width; boundary fences; setbacks; building character and scale; bulk; setback and rhythm; and roof forms.</p> <p>Where security grilles/screens, ventilation louvres and garage doors are proposed, they must be integrated into facade designs. Solid security shutters will not be permitted</p>	<p>The development is orientated to address the street with the frontage of the house clearly being identifiable from the street. The dwelling is noted to have a dual parallel frontage to Torrington Avenue and Woodward Avenue. The front façade is considered to be a positive building façade and is considered to be within the character of the streetscape.</p>  <p>WOODWARD AVE TORRINGTON AVE STRATHFIELD SCALE 1:100/200</p>
<p>2.2.2 Scale, Massing and Rhythm of Street</p> <p>1. The overall scale, massing, bulk and layout of the proposed building must complement the existing streetscape. New buildings and alterations and additions should reflect the dominant building</p>	<p>The proposed new dwelling is of a scale that is in context with the street. The bulk and scale of the development is considered to be in accordance with the context of the street. It is noted that the building height and mass does not result in a loss of amenity for adjoining neighbours.</p>

<p>rhythm in the street as illustrated in Figure A.4.</p> <p>2. Building height and mass must not result in loss of amenity to adjacent properties, open space or the public domain.</p>	
<p>2.2.3 Building Forms</p> <p>1. The building form must be articulated to avoid large expanses of unbroken wall. Articulation can be provided by setbacks, verandahs, awnings, recesses, blade walls or projecting bays.</p> <p>2. Where a dwelling is located on a street corner it shall be designed to address both street frontages as shown in Figures A.5 and A.6. Blank walls shall not be presented to either frontage and walls shall be articulated or staggered so as to avoid appearing unduly bulky or long.</p> <p>3. An attic may be built in the roof space of either a two (2) storey dwelling or a single storey dwelling or garage provided access to the attic is via internal stairs.</p> <p>4. Attics are prohibited in flat roofed developments.</p> <p>5. Rooftop terraces are prohibited in dwelling houses, secondary dwellings and ancillary developments.</p>	<p>The proposed development has been designed to provide articulation for the dwelling and is considered to comply with the control.</p>
<p>Architectural Detailing, including Roof Forms, Materials and Colours</p> <p>Roof Forms</p> <p>The proposed roof design must be similar in pitch, materials and colour to roofs in the immediate streetscape. Roof forms should complement, but not necessarily replicate the predominant form in the locality. The proposed roof form shall minimise the appearance of bulk and scale of the building and be treated as an important architectural element in the street. First floor additions must complement the architectural style of the ground floor and where possible permit the existing roof form, slope and ridge to be easily discerned.</p> <p>For flat roofed dwellings, the height of the parapet is to be kept to the minimum</p>	<p>The proposed development complies with the control with the roof form and colours and materials being in accordance with the surrounding development.</p>

<p>height required to ensure adequate screening of the proposed flat or low pitch skillion roof.</p> <p>Roof structures must be designed so that roof installations including solar energy panels, telecommunication facilities, hot water tanks or skylights are not visible from the public domain and are integrated into the design of the development.</p> <p>Materials</p> <p>Materials must be compatible with the existing dwelling house (in the case of alterations and additions) and compatible with adjoining dwelling houses and the streetscape in terms of type, form and colour.</p> <p>Monotone face brick walls and terracotta tiles for roofs shall be used where they are existing in the immediate streetscape.</p> <p>Alternative materials may be considered as architecturally appropriate to the style of the dwelling and the locality in some circumstances.</p> <p>Highly reflective materials are not acceptable for roof or wall cladding. New buildings and facades must not result in glare that causes discomfort or threaten the safety of pedestrians or motorists. A Reflectivity Report that analyses the effects of potential glare from the proposed new development on pedestrian and motorists may be required by Council.</p> <p>Colours</p> <p>New development must incorporate colour schemes that have a hue and tonal relationship with the traditional colours or the predominant colours of the street.</p> <p>The colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevations must be integrated harmoniously with the external design of the building.</p>	
<p>2.2.5 Two (2) Storey Porticoes</p> <p>Two (2) storey porticoes may be considered only where they are in scale with the proposed dwelling and compatible with the streetscape and any adjoining heritage items.</p>	<p>The development complies.</p>

<p>Two (2) storey porticoes are to be vertically articulated or broken to reduce their height as</p> <p>No porticoes or associated porches shall protrude more than 1m forward of the front building façade.</p> <p>Porticoes are not to extend higher than the understorey of the eaves/guttering.</p>	
<p>2.2.6 Dormers</p> <p>Where compatible with the architectural design of a dwelling, dormers (whether gabled, hipped or eye-lid) need to be traditionally proportioned and rectilinear. The form and location of dormer windows to existing buildings should not overwhelm or detract from the integrity of the original building, especially heritage items and dwellings in heritage conservation areas.</p>	<p>The development complies.</p>
<p>4 Building Envelope</p> <p>4.2.1 Floor Space Ratio</p> <p>The maximum floor space ratio (FSR) permitted on a site is indicated on the SLEP 2012 Floor Space Ratio Map. Development must be compatible with the lot size. Larger sites should not allow dwellings that are so large and bulky that they would create undesirable environmental impacts. Smaller sites must provide for adequate sized dwellings.</p>	<p>The maximum floor space ratio for lot size 900-999m² is 0.525:1. The proposed FSR is 476.0m² (0.523:1) and complies with the LEP requirements.</p>
<p>4.2.2 Building Height</p> <p>The maximum height of dwelling houses in accordance with the SLEP 2012 Height of Buildings Map is 9.5 metres.</p> <p>The maximum height to the top of parapet for flat roofed dwelling houses is to be 7.8 metres.</p> <p>The maximum height of the parapet wall for flat roofed dwelling houses is to be 0.8 metres above the uppermost ceiling level.</p> <p>The maximum height of the external wall from the existing ground level to the underside of the uppermost ceiling level is to be 7.2 metres.</p> <p>The maximum internal floor to ceiling height is to be 3.0 metres for any residential level.</p> <p>The maximum height of outbuildings, detached garages and carports is to be</p>	<p>The height of the proposed dwelling is 9.155m and complies with the DCP maximum building height.</p> <p>The height of the external wall from existing ground level complies with the 7.2m height to the underside of the uppermost ceiling level.</p> <p>The floor to ceiling level of the proposed dwelling complies with the 3m maximum height.</p>

<p>3.5m to the highest point on the roof above natural ground level</p> <p>Dwelling houses and any ancillary structures are to be no more than two (2) storeys high.</p> <p>The building height should respond to the gradient of any given site and minimise the need for cut and fill.</p>	
<p>4.2.3 Setbacks</p> <p><i>Note: In accordance with SLEP 2012, "setback" is the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:</i></p> <ul style="list-style-type: none"> <i>a) A building wall, or</i> <i>b) The outside face of any balcony, deck or the like, or</i> <i>c) The supporting posts of a carport or verandah roof,</i> <p><i>whichever distance is the shortest.</i></p> <p>4.2.3.1 Street Setbacks</p> <p>1. The street setbacks apply to new dwellings and extensions (where the building footprint is proposed to be altered) except where exempted below in Subclause 2:</p> <p>Minimum setback required:</p> <p>Primary street setback: 9m</p> <p>Primary street frontage for battle-axe blocks: 4.5m</p> <p>Secondary street setbacks for dwellings on corner allotments</p> <p>Where the main entrance to the dwelling is from the secondary frontage: 3m</p> <p>2. Despite Subclause 1 above, a primary street setback of less than 9m may be considered where:</p> <ul style="list-style-type: none"> a) The predominant front setback in the street is less than 9m; b) The proposed setback is not less than the setback of the existing dwelling; or c) The proposed setback would not conflict with the character of the existing streetscape. 	<p>The proposed new dwelling is set back from the front street by 9m and complies with the DCP requirement.</p>

<p>4.2.3.2 Side and Rear Setbacks</p> <p>1. New dwellings and extensions (where the building footprint is proposed to be altered) are to have a combined side setback equivalent to 20% of the width of the block (measured at right angles for splayed frontages). The combined side setback may be unevenly distributed between both sides as long as a minimum side setback of 1.2m is provided on each side.</p> <p>Where an allotment is deemed to be undersized or irregular, a variation to the minimum setback may be considered (e.g. blocks less than 12m wide). Examples of side and rear setbacks are provided in Figure A.11.</p> <p>Dwellings are to have a minimum rear setback of 6m to provide adequate open space and deep soil areas for shading/screening trees.</p> <p>Subject to meeting the minimum landscaped area (as per section 5 of this part of the DCP) in the rear of the site, ancillary facilities such as garages/outbuildings may be located within the rear setback area.</p> <p>Garages and carports are to comply with the minimum setbacks below:</p> <p>Minimum setback required for Detached Garages and Carports:</p> <p>Minimum setback from side and rear boundaries for carports (open on three (3) sides): Nil</p> <p>Minimum setback from side and rear boundaries: 0.5m</p> <p>Where the side of the dwelling, garage or carport is proposed to face the secondary frontage: 1.5m</p>	<p>The proposed new dwelling has setback of 1.8m from each side which equals to 21% of the width of the block which complies with the development control.</p> <p>The proposed dwelling complies with the minimum rear setback of 6m with a setback of 12.97m.</p> <p>The proposed swimming pool and roof structure has a rear setback of 1.89m which does not comply with the rear setback/secondary street setback control. It is noted that Woodward Avenue is characterised by development being built to the front setback including garages as well as swimming pools.</p>
<p>4.2.4 East-West Lots</p> <p>For east-west oriented lots with the primary street frontage facing east, the minimum side setback should be on the</p>	<p>The proposed development is located on a north-south facing lot.</p>

<p>north and the larger side setback should be on the south so that overshadowing is reduced.</p> <p>The southern side setback should be utilised for the driveway/garage entry so that potential overshadowing of adjacent properties is reduced.</p>	
<p>5 LANDSCAPING</p> <p>5.2.1 Landscaped Area</p> <p>The minimum landscaped area required on each lot is indicated below:</p> <p>Area of site: Minimum Landscape Area</p> <p>200 - 500m²: 35%</p> <p>501 - 600m²: 38.5%</p> <p>601 - 700m²: 41.5%</p> <p>701 -799m²: 43%</p> <p>800 -1300m²: 45%</p> <p>At least 50% of the minimum landscaped area should be located behind the building line to the rear boundary.</p> <p>At least 50% of the front yard should be maintained as deep soil soft landscaping.</p> <p>The amount of hard surface area (in the form of concrete/brick/stone paving and bitumen) shall be minimised to reduce run-off and to maintain the prevailing early twentieth century garden character. Run off from hard surfaces is to be directed to permeable surfaces such as garden beds.</p> <p>Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in locations where they will soften the built form.</p> <p>The design and quality of front gardens must respond to the character of the street and surrounding area and contribute to the garden character of Strathfield.</p> <p>Where the landscape pattern in the prevailing streetscape and surrounding locality is desirable, this must be retained and reinforced, particularly in relation to heritage items and heritage conservation areas.</p> <p>In relation to conservation and energy efficiency, plant species must be retained, selected and planted to:</p> <ul style="list-style-type: none"> - shade buildings in summer; - reduce glare from hard surfaces; 	<p>The proposed new dwelling has a landscaped area of 45.4% of the block. This complies with the minimum requirement of 45%.</p>

<ul style="list-style-type: none"> - permit sunlight access into living rooms in cooler months; - cool air currents channelled into the dwelling in summer; and - act as windbreaks where desirable. 	
<p>5.2.2 Tree Protection Applicants must engage an Australian Qualification Framework (AQF) Level 5 Arborist to prepare an Arboricultural Impact Assessment Report in accordance with Australian Standards 4970: Protection of trees on development sites to determine the feasibility of retaining existing site trees prior to the design of a development. The Arboricultural Impact Assessment Report must include a site plan and at a minimum indicate the following for trees on the subject site, adjoining sites and nature strip:</p> <p>Number of tree(s); Location of tree(s); Species of tree(s); Whether the tree(s) is proposed to be retained or removed; Stockpile(s); Detailed scaffold plans accurately depicting setbacks from buildings and trees; Detailed and complete map of all underground services; and Where necessary, recommendations of detailed tree sensitive construction methods.</p> <p>Development shall provide for the retention and protection of existing significant trees, especially near property boundaries and within the front setback, and natural features such as rock outcrops. The proposed removal of any significant tree will need to be considered based on the submission of an Arboricultural Impact Assessment Report. The significance of a tree must be checked at the pre-lodgement development application stage.</p> <p>With the exception of trees that are first approved by Council for removal, new dwellings and alterations and additions to dwellings must be set back an appropriate distance from all trees in accordance with the Arboricultural Impact Assessment Report to ensure that tree branches and</p>	<p>The proposed development consist of 6 trees approved for removal.</p>

roots will not be affected by the works. Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size. Hand excavation is mandatory in the immediate vicinity of trees especially within the dripline.

Where applicable, Council may request the applicant to engage a project Arborist. Council shall not issue an Occupational Certificate until Council is satisfied that relevant "hold points" have been reviewed and endorsed by the project Arborist to ensure tree protection measures have been implemented for trees to be retained onsite.

New developments should provide opportunities for planting new canopy trees within the front setback, except where the existing front setback already contains at least two (2) trees. These trees should achieve a minimum mature height of 10m.

At least one (1) canopy tree must be provided in the rear yard if not already provided.

Generally, the trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings. New trees must have a minimum setback of 3m from all boundaries, unless a species with non-invasive root system is proposed.

Provided existing trees are not adversely affected, new trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a minimum 0.6m deep root deflection barrier provided for a minimum of 1.5m either side of the tree centre.

The construction of driveways must not result in the removal, lopping or root damage to any street tree.

A minimum of 25% of canopy trees and other vegetation shall be locally sourced indigenous species.

Note: A canopy tree is a tree which is expected to have a minimum mature height of 10m planted within a minimum 50 litre container (Refer to Appendix 1 of General

<p><i>Introduction of SCDP 2005 for weblink to Council's recommended tree list).</i></p>	
<p>5.2.3 Private Open Space <i>Note: In accordance with SLEP 2012, "Private open space" means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.</i> <i>Private open space does not include non-recreational structures such as garages, tool sheds, swimming pools, driveways, car spaces, drying areas and pathways.</i> Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area. The principal private open space must include a deep soil area compliant with the minimum landscaped area. For terraces and decks to be included in calculations of areas for private open space, they must be of a usable size (at least 10m²) with one length or width being at least 3 metres and be directly accessible from an internal living area of the dwelling. To be included in a calculation of private open space, decks cannot be located more than 500mm above natural ground level. Areas within setbacks are not to be included as private open space unless they have a minimum width of 3m. 5. The primary private open space is to be located at the rear of the property.</p>	<p>The living spaces of the proposed new dwelling directly open onto a terrace located at the rear of the building.</p>
<p>5.2.4 Fencing <i>Note: Historically, fencing and gates were an extension of the architecture of the house.</i> 1. Front and side fencing including fencing facing the secondary street on a corner site must be designed to be sympathetic to the particular style of the dwelling and be compatible with the style and height of fencing on adjoining properties and the streetscape. A number of different styles of fencing appropriate to particular architectural styles.</p>	<p>The front fence is 1.5m high with 0.7m from ground level a solid fence with 0.5m iron railing. Solid piers in the fence reach a height of 1.5m. The front fence complies with the DCP.</p> <p>The rear fence is 2.1m high, and does not comply with the DCP requirements of a maximum height of 1.8m. It is requested that Council consider the non compliance on merit as the fencing has been chosen to reduce the impact on the residence.</p>

Front fences must not be erected where the streetscape is characterised by an absence of front fences. In these instances, landscaping shall be used to create identifiable street address and privacy.

Fencing forward of the building line (including the building line to a secondary street frontage on a corner site) shall not exceed a height of 1.5m. In these cases, a solid fence shall not exceed a height of 0.7m above natural ground level and may be topped by an additional maximum 0.8m high open timber picket, wrought iron, palisade or similar element. Brick piers over 1m in height are permitted to support the decorative elements, provided they are equally spaced along the street and do not exceed a height of 1.5m. Where the predominant height of fencing in the street is higher, the solid fence component shall not exceed a height of 1m.

Solid fencing up to a maximum 1.8m in height may be permitted along a secondary street frontage, provided it only encloses private open space. The design of any section of solid fencing along a secondary street frontage shall be consistent and compatible with the style of fencing provided along the primary frontage.

Side and rear fences (including any retaining walls) are to be no taller than 1.8m, but may be capped with a maximum 300mm of open weave timber lattice privacy screen where the consent of the neighbouring property owner has agreed.

Side fences forward of the front building line shall be designed to taper down to the height of the front fence.

Front fences should be designed to be visually permeable and where applicable, the main infill panels should have an appropriate width and spacing to provide an open appearance and enable casual surveillance.

Front fences, particularly on busy roads, must be designed to provide adequate acoustic attenuation whilst ensuring an appropriate level of visibility and outlook, casual surveillance, privacy and security.

The following materials and finishes are not permitted to be used in any fence forward

<p>of the front building line (including the building line to a secondary street frontage on a corner site):</p> <p>Un-rendered cement block; galvanised or aluminium sheeting; fibre-cement board; brushwood; or barbed wire.</p> <p>Fencing on corner allotments shall incorporate a minimum 1.5m x 1.5m splay adjacent to the road intersection to maintain sight distances for pedestrians and motorists as illustrated in Figure A.13. Solid fences adjoining vehicular access driveways (including driveways on adjoining properties) are to be provided with a minimum 1m x 1m splay to maintain sight distances for pedestrians and motorists.</p> <p>The remaining areas created by providing a splay adjacent to a road intersection or driveway entrance must be landscaped with low-growing vegetation or suitable paving.</p> <p>Council will not allow significant trees to be removed to facilitate a fence design.</p> <p>Side and rear fences on a slope must be designed to allow stormwater to flow through or under the fence without the flow becoming unduly concentrated.</p> <p>Dividing fences between private property and Council parks, reserves, open space, etc. must be constructed only of timber palings (lapped and capped) with a maximum height of 1.8m.</p> <p>Gates or entries from private property onto Council parks, reserves, open space, etc. are permitted, subject to them being kept locked when not in use.</p> <p>Gatehouses are not permitted unless they are compatible with the surrounding streetscape.</p>	
<p>6 SOLAR ACCESS 6.2.1 Sunlight access In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p>	<p>The proposed development complies with the solar access control with the development providing sufficient solar access for adjoining neighbouring properties.</p>

<p>In the case of alterations or additions to existing dwellings, solar access to the windows of habitable rooms and to the majority of private open space must be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p>	
<p>7 PRIVACY Visual Privacy 7.2.1 Building Envelope and Dwelling Layout Private open space, bedrooms, balconies and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking by locating living areas on the ground floor and orientating them towards the rear and front setback. Provide adequate separation of buildings. Ensure finished floor levels are not excessively elevated above natural ground level. Appropriate evergreen screen plants and trees may assist in providing improved privacy to adjacent properties.</p>	<p>The proposed development has been designed to reduce the privacy impact on adjoining dwellings.</p>
<p>7.2.2 Windows Windows should not directly face the windows, balconies and courtyards of adjoining dwellings. Where a transparent window is to be located within 9m of any window of a habitable room of an adjoining dwelling, the window must: be offset from the edge of any windows in an adjoining dwelling by a distance of at least 0.5m; or have a sill height of at least 1.7m above the finished floor level or have fixed, obscure glazing in any part of the window less than 1.7m above the floor level. 3. Where windows directly face a balcony or courtyard of an adjoining dwelling, the windows should: a) be narrow; and/or b) incorporate obscure glazing; and/or c) have a sill height of at least 1.7m above the finished floor level</p>	<p>The windows have been designed and positioned to reduce privacy impacts on adjoining neighbours.</p>

<p>7.2.3 Elevated Decks, Verandahs and Balconies Elevated decks, verandahs and upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved. Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary. Small upper floor rear balconies measuring no more than 1m in depth by 2m in length may be permitted where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of adjoining premises (including buildings and outdoor spaces). Second storey balconies extending for the full width of the front façade are not permitted.</p>	
<p>8 VEHICLE ACCESS AND PARKING 8.2.1 Driveway and Grades Existing driveways must be used unless the applicant can demonstrate that: (a) relocation would improve solar access to the property and/or adjoining properties; (b) the amenity of any adjoining residences would not be unduly affected (with regard to sleeping areas); (c) relocation would not impact on street trees, bus stops, bus zones, powerlines and other services, on street parking, heritage values or the streetscape; and (d) relocation would not adversely impact the safety of motorists or pedestrians. The width of driveways at the property boundary is to be 3m. The edge of driveway crossings, including apron and layback shall be located a minimum of 1m clear of any existing stormwater pits or poles and 2m clear of the trunk of any trees within the road reserve. Vehicle access points and parking areas must: - be easily accessible and recognisable to motorists; - not disrupt pedestrian flow and safety; and</p>	<p>The development provides sufficient vehicle access and parking for the development in accordance with the development control.</p>

<p>- be located to minimise traffic hazards and the potential for vehicles to queue on public roads.</p> <p>A maximum of one (1) vehicular crossing to any public road will be permitted per property except for corner allotments where Council may consider one on each frontage in appropriate circumstances.</p> <p>Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction (i.e. vehicle manoeuvring shall be fully maintained within the site).</p> <p>Vehicular turning areas for garages shall comply with the relevant Australian Standard.</p> <p>Where properties have access to a rear lane or secondary street frontage, parking and access shall be provided from the secondary street/lane.</p> <p>Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.</p> <p>A driveway should be set back a minimum of 0.5 metres from side boundaries to provide for landscaping between the driveway and side boundary.</p> <p>Driveways within the property boundary should incorporate unit paving into the design.</p> <p>Areas of concrete visible from a public road (including driveways and pedestrian ways) are to be kept to a minimum and coloured charcoal, grey or brown.</p> <p>Kerb and footpath crossings as part of the public domain must only be finished in natural finished concrete and not customised finishes that match the property driveway. Coloured concrete is not permitted in the driveway crossing outside the property boundary.</p>	
<p>8.2.2 Garages, Carports and Car Spaces</p> <p>Two (2) car parking spaces are to be provided and maintained behind the front building line of all new dwellings (i.e. garage, carport or car space). For lots less than 15m wide consideration may be given to one (1) car space. Where alterations and additions to existing dwellings are</p>	<p>Two car spaces are provided in the basement garage of the proposed dwelling. The garage entry is recessed from the main façade and complies with the DCP.</p>

<p>proposed and two (2) spaces are available, these spaces must be maintained.</p> <p>Garages are to be recessed behind the main front facade of the dwelling and/or designed so as not to dominate the appearance of the building or streetscape. Garages should be no more than 150mm above natural ground level at their entry unless the slope of the site exceeds 1:8 (12.5%) in which case a suspended garage may be acceptable.</p> <p>The minimum dimensions of parking spaces and garages shall comply with the relevant Australian Standards.</p> <p>Garages are not to be converted or used for any purpose other than that for which they are approved, that is, garages must not be converted into rumpus rooms, living areas, bedrooms, offices, etc.</p>	
<p>8.2.3 Basements</p> <p>The maximum area of a basement shall be limited to and contained within the footprint of the dwelling at ground level. No excavation is permitted within the required minimum side setbacks. Furthermore, the location of basement walls may warrant increased setbacks to provide sufficient area for water proofing, drainage etc.</p> <p>Where a basement is proposed, the maximum height of the basement above natural ground level measured to the floor level of the storey immediately above is to be less than 1 metre. Where the basement protrudes above ground level by more than 1 metre, it does not comply with the SLEP 2012 definition of a basement, it will be considered as a storey and the gross floor areas excluded within a basement under SLEP 2012 do not apply and will be included in the floor space ratio. Basement protrusion of more than 1 metre will generally not be accepted especially if it is considered to adversely impact the bulk and scale of the dwelling and may require the setback of the upper level.</p> <p>Minimum internal clearance of 2.2m in accordance with the Building Code of Australia requirements.</p>	<p>The driveway width is 3.7m wide and does not comply with the DCP requirements of 3.5m. The basement garage allows for the cars to reverse and exit in a forward direction as set out in the DCP and the width of the driveway has been chosen to facilitate the safe access and egress to the garage area.</p>

<p>Driveways shall comply with the relevant Australian Standards (AS2890.1: Parking Facilities, AS1248.1: Design for access and mobility) and a maximum 1:4 gradient. Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.</p> <p>Driveway ramps are to be perpendicular to the property boundary at the street frontage.</p> <p>Where site and building dimensions allow it, basements shall be designed to permit vehicles to enter and exit the basement in a forward direction.</p> <p>Basements may not be permissible on flood affected sites. Applicants should check with Council and consider submitting a pre-lodgement application.</p> <p>Provision of pump-out systems and stormwater prevention should be in accordance with Council's Stormwater Management Code.</p> <p>Basements are not to be used for habitable purposes.</p>	
<p>9 ALTERING NATURAL GROUND LEVEL (CUT & FILL)</p> <p>Fill is limited to a maximum of 1m above natural ground level.</p> <p>For all excavation works that require the use of fill, only clean fill is to be used.</p> <p>Cut and fill batters must be stabilised consistent with the soil properties.</p> <p>Vegetation or structural measures are to be implemented as soon as the site is disturbed.</p> <p>All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavation is permitted within the minimum required setbacks.</p> <p>Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings and Council assets on adjoining properties.</p> <p>Applicants may be required to produce a dilapidation report for all buildings which adjoin proposed excavation areas, a copy of which will be made available to the relevant neighbour.</p>	<p>The proposed development has been designed to seek complies with the development control. The proposed garage is a basement level garage but has been designed to minimise impacts on adjoining neighbouring properties.</p>

<p>Avoid excessive fill that may create the potential for overlooking of adjoining properties.</p>	
<p>12 ANCILLARY DEVELOPMENT 12.2.1 Secondary Dwellings The total floor area of a secondary dwelling must not exceed whichever of the following is the greater: (a) 60m²; or (b) 20% of the total floor area of the dwelling. Secondary dwellings should have a minimum setback to a secondary frontage (where applicable) of 3m, side setback of 1.5m, a rear setback of 3m and a minimum street setback in accordance with Section 4 (Building Envelope) of this Part. Secondary dwellings should be located at the rear of the primary dwelling. Secondary dwellings must provide deep soil planting within the rear setback. The design, materials, colours, bulk and scale, and location of a secondary dwelling must be compatible with the existing dwelling and established surrounding residential character. Secondary dwellings are to comply with solar access, visual and acoustic privacy controls set out in this Part of the DCP. A secondary dwelling must be accessed via the same street as the principal dwelling. Blank walls facing the street will not be accepted. The roof design must be compatible with the predominant roof forms prevalent in the surrounding residential neighbourhood. A primary private open space is to be provided for the secondary dwelling and must be directly accessible to the internal living areas of the dwelling. It can be in the form of a balcony or at ground level and should be a minimum area of 12m² with a minimum dimension of 3m. Note: Private open space does not include: non-recreational structures such as garages, tool sheds and similar structures; swimming pools; driveways, turning areas, car parking spaces; clothes drying areas; and pathways.</p>	<p>N/A</p>

<p>The primary private open space must be located to maximise solar access.</p> <p>The private open space area must be appropriately landscaped and screened to ensure adequate privacy.</p> <p>Secondary dwellings do not require additional parking or driveway access.</p> <p>No garages or carports are to be attached to secondary dwellings.</p>	
<p>12.2.2 Outbuildings</p> <p>No outbuilding shall be constructed forward of the front building line of the dwelling.</p> <p>The minimum side and rear setback for an outbuilding is 0.5m.</p> <p>New garden sheds, studios, cabanas and the like are limited to a maximum gross floor area of 40m².</p> <p>Windows will not be permitted to face an adjoining property, unless the windows in the proposed outbuilding are: screened by boundary fencing; or have a sill height of at least 1.7m above the floor; or have fixed translucent (or otherwise treated) glazing in any part of the window less than 1.7m above the floor.</p> <p>Under no circumstances is the roof area of an outbuilding to be accessible for any purpose or used as an entertaining or viewing area.</p> <p>Outbuildings are not to be used for habitable purposes.</p> <p>No kitchen facilities will be permitted in an outbuilding. A small fridge and a sink alone are not considered to constitute a kitchen.</p> <p>Any external lighting of an outbuilding is to be positioned or shielded to prevent glare to adjoining premises.</p>	N/A
<p>12.2.3 Retaining Walls</p> <p>Retaining walls are to be a maximum of 1.2m in height.</p>	N/A

<p>Council requires retaining walls in excess of 0.6m to be fully designed and documented by a qualified practising engineer.</p>	
<p>12.2.4 Air-conditioning Air-conditioning units should be located away from the habitable rooms of adjoining properties and/or screened by acoustic treatments. Any building work associated with the installation of an air-conditioning unit must not reduce the structural integrity of any existing buildings. Only residential grade air conditioners are to be installed and not commercial grade air conditioners. Air-conditioning units must be installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008.</p>	<p>Complies</p>
<p>12.2.6 Swimming Pools The minimum side and rear setback of a swimming pool from the outside edge of the pool concourse (and any paved/concreted area adjacent to the concourse) must be at least 1m wide and consist of a deep soil soft landscape area containing a continuous planting of screening shrubs. Where a pool is more than 1m above ground, the space between the bond beam/concourse and the ground is to be suitably finished with decorative blocks or other approved material and landscaped to Council's satisfaction. The pool filter and pump equipment is to be designed and located so as not to emit a noise level that exceeds 5dBA above the ambient background noise level measured at any property boundary. The pool equipment shall be located within an enclosed structure so as to not be readily visible. Any lighting associated with a swimming pool should be positioned to prevent light spillage and minimise any nuisance to adjoining premises.</p>	<p>The paving around the pool is 0.8m wide and does not comply with the 1m setback requirement. It is requested that Council consider the non compliance based on merit as the proposed pool does not result in a impact on adjoining neighbours.</p> <p>The pool area is to be childproof fenced to comply with AS 1926.11. All gates are to be self-closing, self-locking and childproof.</p>

Swimming pool enclosures shall comply with the Swimming Pools Act and relevant Australian Standards as amended.	
<p>13 ECOLOGICALLY SUSTAINABLE DEVELOPMENT</p> <p>13.2.1 Natural Lighting and Heating</p> <p>Where possible, new dwellings should have living areas face north, sleeping areas face to the east or south, and utility areas to the west or south to maximise winter solar access.</p> <p>Where it is proposed to plant trees to the north of the dwelling they must be deciduous to allow solar access during the winter.</p> <p>3. Use materials that have a high thermal mass e.g. bricks to retain heat made available during the day.</p>	The development complies.
<p>13.2.2 Natural Cooling and Ventilation</p> <p>Windows and walls on northern facades should be shaded by shading devices, eaves, louvres and trees as illustrated in Figures A.17-A.19. Shading devices should be sympathetic to dwelling design and not detract from the appearance of the dwelling.</p> <p>Windows should be positioned to capture breezes and allow for cross-ventilation.</p>	The development complies.
<p>13.2.3 Water Tanks</p> <p>Where a water tank is not exempt development under SEPP (Exempt & Complying Development Codes) 2008, the following controls shall apply:</p> <p>Above ground water tanks shall be located behind the dwelling. Where it is not possible to locate a water tank wholly behind the dwelling, it should be located behind the front building line and screened from view from the public domain with appropriate landscaping.</p> <p>Where water tanks are visible, the tanks and any associated support structure and plumbing must be a colour that complements the dwelling.</p> <p>Above ground water tanks must be located at least 450mm from any property boundary.</p>	The development complies.

<p>Above ground water tanks must not exceed 3m in height above natural ground level including any stand for the tank.</p> <p>Overflow from the water tank is to be piped directly to the approved stormwater drainage system except in cases where stormwater is required to be directed to on-site stormwater detention (OSD) storage (as per Council's Stormwater Management Code).</p> <p>No part of the water tank or support stand may rest on a wall footing.</p> <p>The installation of the tank must not involve the filling of more than 1m above the existing ground level.</p> <p>The tank must not be located over or adjacent to a water main or sewer main or installed over any associated structure or fittings unless it is installed in accordance with any requirements of the public authority that has responsibility for the main.</p> <p>The design of any water tank support structure is to be in accordance with the requirements of a qualified practicing structural engineer or to the maker's specifications.</p>	
<p>13.2.4 Hot Water Heater Units</p> <p>Hot water units shall be located behind the dwelling. Where it is not possible to locate the unit either internally or wholly behind the dwelling, it must be located behind the front building line and screened from view from the public domain with appropriate landscaping.</p> <p>Hot water units including instantaneous gas systems are not to be located on balconies unless they are screened from public view.</p> <p>Hot water units are to be placed within a short distance of the most frequent point of use.</p>	<p>The development complies.</p>

2.2.4 The likely impacts of that development – Section 4.15(b)

2.2.4.1 Aboriginal Archaeology

The requirement for an Aboriginal Heritage Impact Assessment (AHIA) is based on Part 2 of the NPWS Guidelines for Aboriginal Heritage Impact Assessments. Part 2 states that an AHIA is generally not required where:

- a) The proposed development is on land previously subject to intensive ground disturbance and the development will impact only on the area subject to the previous disturbance;*
- b) The impact of the proposed activity is unlikely to cause any additional damage to Aboriginal objects than that which has already occurred; and*
- c) The proposed development is in an area that has been identified in strategic planning, rezoning or other assessment studies as having low Aboriginal heritage potential.*

Based on the abovementioned points it is noted that the proposed development is not likely to cause any damage to Aboriginal objects as the development is located within an existing residential area with existing site disturbances.

2.2.4.2 CONTEXT AND SETTING

The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations and site features informing the overall development design. It has also shown to be consistent with the residential surroundings through its consistency with the existing residential development of the area.

2.2.4.3 VISUAL IMPACT

The development has been designed in a way and style that complements the area. The development is not expected to create an eye sore to the surrounding community.

2.2.4.4 ACCESS, TRANSPORT AND TRAFFIC

Due to the small nature of the development it is not considered to cause any impact on the local road network.

2.2.4.5 PUBLIC DOMAIN

The proposed development will not have an impact on any public domain. The development contributions derived from this development in providing infrastructure and public domain improvements.

2.2.4.6 SERVICES

Electricity, telephone and physical, legal and emergency service access exists to the existing development. The site has reticulated (town) water supply and reticulated sewer service available.

2.2.4.7 European Heritage

The site is in close proximity of the Woodward Avenue Conservation Area, Strathfield. It is a Victorian Ear precinct with local significance for its architecture.



2.2.4.8 Flooding

The site is not located within a flood prone area.

2.2.4.9 Landslip Risk Hazard

The site is not mapped as being a landslip hazard and as such no geotechnical report is required.

2.2.4.10 Bushfire

The site is not located within a bushfire zone.

2.2.4.11 Ecology

The physical works that will result from the proposed development will involve some minor earthworks for the footing/ slab.

2.2.4.12 Noise and Vibration

No potential noise or vibration impacts have been identified. Construction noise will be as per normal construction times/processes.

2.2.4.13 Social and Economic Impact

The proposed development is for the construction of a new dwelling and should have no social or economic impact on the area.

2.2.5 Suitability of the Site – Section 4.15(c)

The subject site is considered suitable for the proposed use as the area is surrounded by similar buildings of a similar size. As such it is considered that the development is suitable for the site and the surrounding area.

2.2.6 The Public Interest – Section 4.15(e)

The proposed development is considered to be in the public interest.

3 Conclusion

This Statement of Environmental Effects comprehensively demonstrates that the proposed *new dwelling and swimming pool* is an appropriate and suitable development when tested against the relevant heads of consideration detailed within the section 4.15(C) of the *Environmental Planning & Assessment Act, 1979*.

This report has identified all key issues associated with the proposal and demonstrated that the proposal can be developed appropriately with respect to these issues. The proposal is consistent with the zone objectives and other planning provisions and will make a positive contribution to the area.

The proposal is considered acceptable and should be approved because:

- The site is suitable for the proposal;
- The SoEE has identified all constraints associated with the land and demonstrated that the proposal can be undertaken whilst effectively minimising these constraints;
- The proposal will generate positive social and economic impacts;
- The proposal will generate only negligible environmental impacts; and
- The proposal is within the public interest.

The proposal has been assessed in accordance with S.4.15 of the EP&A Act 1979. This assessment has concluded that under the zone the development is a permissible land use.

Strathfield Council's Development Control Plan has also been considered and proposal complies with the DCP in all respects of the controls.

This report has assessed environmental considerations of the proposal, including heritage, flooding, access, ecological considerations, waste management, stormwater runoff, Aboriginal archaeology and servicing, and has concluded that there are no likely adverse environmental impacts associated with the proposal and that infrastructure either is, or can be developed to support the proposal.