

Statement of Environmental Effects

38 Rochester Street
Strathfield NSW 2135

Development Application for:

Two Lot Torrens Title Subdivision involving retention of an existing dwelling house

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1 Introduction

Council Approval Group has been engaged by Niraj Chib to prepare and submit a Development Application for a Two Lot Torrens Title Subdivision at Lot 1 DP 950953 No. 38 Rochester Street, Strathfield. Once determined, this proposal will create opportunity for appropriate infill development of an existing large residential allotment which is currently underutilised.

We thank Strathfield Council staff who have been of assistance during the formulation phase of this Development Application.

Specifically, this Statement of Environmental Effects (SoEE) includes:

- an analysis of the subject site and the surrounding locality;
- a description of the proposed development;
- an analysis of the proposal against the provisions of the Strathfield (LEP 2012), relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- conclusion.

This SoEE is submitted in accordance with Schedule 1 of The Environmental Planning and Assessment Regulation 2000 for the purposes of

- demonstrating that the environmental impact of the development has been considered; and
- outlining the steps to be undertaken to protect the environment and to mitigate any potential harm, if necessary.

This SoEE concludes that the proposal is consistent with the objectives and provisions of the *LEP 2012*. We are pleased to present this SoEE for a Two Lot Torrens Title Subdivision which, once approved, will be an appropriate infill development of an existing large and underutilised residential allotment also involving the appropriate retention of the existing dwelling house and curtilage in the streetscape.

2 The Subject Site and Locality

2.1 Description of site and surroundings

The site subject to this report is known as 38 Rochester Street, Strathfield, being legally described as Lot 1 in DP 950953. The Site exhibits an area of approximately 1161m² with road frontage to Rochester Street. The Site in its current state contains a modest, older single storey residential dwelling with other residential dwellings located to the north, south, east and west of the site.

Address	Title Details	Site Area	Site Frontage
38 Rochester Street, Strathfield NSW 2135	Lot 1 DP 950953	1161m ²	15.24 metres



Diagram 1: Aerial Photos

Subject Site



Diagram 2: Locality Plan



2.2 Summary environmental mapping constraints

Heritage: A site adjoining the northern boundary is identified as a local heritage item.

2.3 Site zoning

The site is zoned under Strathfield Local Environmental Plan 2012 (LEP) as Zone R2 Low Density Residential.

2.4 Development history

A search of Council's online database did not reveal any recent development history for the site.

3 The Proposed Development

3.1 Description of proposed development

The proposal involves the Torrens Title subdivision of an existing large and underutilised 1161m² residential single allotment. The subdivision proposes two allotments.

One allotment will retain the existing dwelling house fronting Rochester Street on a regularly shaped allotment of 560.06m² (Lot 1) and a battle axe allotment at the rear with an area of 600.65m² (or 463.38m² excluding the access handle) is proposed (Lot 2) – refer **Appendix A**.

A 3 metre wide right of carriageway will burden Lot 2 and benefit Lot 1 so that vehicles can park at the rear of Lot 1 to preserve the existing streetscape.

3.2 Details of proposed development

3.2.1 Privacy, Views, Overshadowing, and Noise

These will remain consistent with that existing. Although vehicles will be passing alongside the existing dwelling house to access the proposed rear allotment (Lot 2) this will also be occurring for proposed Lot 1 and is consistent with the current vehicular access/egress arrangement along the northern side of the existing

dwelling house. This will not cause privacy concerns for the existing dwelling as there are minimal openings along this elevation.

To the north of the existing and proposed driveway access is a non-habitable services substation and rear yard areas with substantial separation to dwellings fronting Broughton Road, therefore no impact is envisaged by an additional 9 traffic movements if and when a dwelling house is constructed on proposed Lot 2.

3.2.2 Trees and Vegetation

No vegetation is required or is proposed to be removed as part of this subdivision application. The existing tree in the road reserve will be retained as the existing driveway crossover will be utilised for both of the proposed lots.

3.2.3 Access and Traffic

Vehicular access/egress will remain in its current location; however, it will be via a 3 metre wide right of carriageway along the northern side of the existing dwelling house. The existing gates along the driveway will be removed to allow unrestricted access to the rear yard of proposed Lot 1 and access to proposed Lot 2.

Due to the minimal length of the access handle along the existing dwelling house, clear and straight sight distances and minimal additional traffic movements if and when a dwelling house is constructed on proposed Lot 2, a passing bay is not required along the handle.

3.2.4 Stormwater and Sewerage

A stormwater concept is provided at **Appendix C**. There is a slight but adequate fall from the rear of the existing allotment to the existing stormwater drainage systems in Rochester Street which will allow for adequate drainage of stormwater and sewerage. These services will be provided in and along the proposed battle axe handle for proposed Lot 2 and existing service connection will be retained for proposed Lot 1 via easements where required over the proposed battle axe handle.

3.2.5 Contamination

The site has been utilised for residential purposes for a substantial and continuous period of time. There is no evidence of past or current land uses that would have caused contamination.

3.2.6 Demolition and Asbestos

No demolition or works are required or proposed to the existing dwelling house as part of this application. Only the removal of the existing gates and open carport structure along the driveway will be required along with a low set brick retaining wall, garden bed and pavers for the extension of the driveway. These works are considered to be minor and exempt development.

3.2.7 Cut and Fill

Only minor and shallow excavation works will be required for the extension of services along the proposed battle axe handle to service proposed Lot 2. The site is not identified as being affected by acid sulfate soils.

3.2.8 Construction/Waste Management Plan

Based on the minor works proposed as part of this application, a construction management plan and waste management plan are not considered warranted or necessary.

No additional dwelling house is proposed as part of this application and there is ample area to provide this on proposed Lot 2 in the future. Existing residents of proposed Lot 1 and future residents of proposed Lot 2 will also be able to readily and easily wheel bins along the battle axe handle to Rochester Street for collection. This is beneficial as it will allow storage of waste bins at the rear of the existing dwelling to preserve the view of the streetscape.

4 Environmental Assessment

4.1 State Environmental Planning Policies

4.1.1 State Environmental Planning Policy 55 Remediation of Land

SEPP 55 is relevant; however, the site is within a well-established residential area that has been utilised for this purpose for a number of decades. There is no evidence that the site has been utilised for any potentially contaminating activities or land uses in the past. Therefore, further investigation as to whether the site is contaminated, including any Preliminary Site Investigation into site contamination, should not be required as part of any development application for further subdivision for residential purposes.

4.1.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The NSW Building Sustainability Index (BASIX) is applicable to any new dwelling. The BASIX index measures the potential performance of all dwelling types against sustainability indices, with the specific aim of reducing water and energy consumption. This SEPP applies to all new dwellings, certain swimming pools and any residential works valued at over \$50,000. A BASIX assessment looks at three important components of sustainable building design, namely water, energy and thermal comfort.

No works are proposed to the existing dwelling that would exceed \$50,000 and therefore a BASIX statement is not required.

4.2 Local Environmental Plan

4.2.1 Strathfield Local Environmental Plan 2012

Strathfield Local Environmental Plan 2012 (LEP) applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan.

Zoning and Permissibility

Part 2 of LEP identifies that the subject site is zoned R2 Low Density Residential. The Land Use Table for the zone is as follows:

2 Permitted without consent

Home occupations

3 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

4 Prohibited

Any development not specified in item 2 or 3

The subject Development Application to Council seeks approval for a two lot Torrens Title subdivision of an existing large residential allotment. The proposal is permitted with the consent of Council by virtue of clause 2.6 of the LEP, particularly as a secondary dwelling does not currently exist on the site.

The objectives of the Zone R2 Low Density Residential are as follows:

- *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.*

It is considered that the proposal is consistent with these objectives, in that:

- The subdivision will create a well sized and configured allotment consistent with that in the locality for future low density residential development.
- The vacant allotment will not adversely impact of the heritage significance of the adjacent heritage item to the north as it will remain consistent with that which currently exists and only adjoins the rear yard and shed outbuilding of the heritage item at 16 Broughton Road. Further, the heritage item building is located approximately 20 metres from the common rear boundary fence.

Other Relevant Clauses

Clause 4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows—

- (a) to promote consistent subdivision and development patterns that reflect and reinforce the predominant subdivision pattern of the area,
- (b) to ensure a variety of lot sizes are maintained of sufficient size and shape to accommodate a variety of development types,
- (c) to preserve large industrial lots in order to provide a range of large-scale sites suitable for industrial activities that require integrated and large floorplates.

- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or
 - (b) by any kind of subdivision under the [Community Land Development Act 1989](#).

Comment:

Both proposed lots are at or above the minimum lot size of 560m² applying to the site and locality. The proposed configuration of the lots is similar but much better than that approved at 91a and 91b Rochester Street to the west of this site. The creation of the rear vacant proposed Lot 2 will allow for the future redevelopment of the site due to its sufficient size and shape, whilst proposed Lot 1 adequately retains the existing dwelling and a reasonable curtilage.

It should be noted that clause 4.1 does not stipulate that the battle axe handle is not included in the site area calculations and has therefore been included and a clause 4.6 variation to the minimum lot size is not required or sought via this application.

Clause 4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
 - (a) to ensure that dwellings are in keeping with the built form character of the local area,
 - (b) to provide consistency in the bulk and scale of new dwellings in residential areas,
 - (c) to minimise the impact of new development on the amenity of adjoining properties,
 - (d) to minimise the impact of development on heritage conservation areas and heritage items,
 - (e) in relation to Strathfield Town Centre—
 - (i) to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and
 - (ii) to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-orientated development,
 - (f) in relation to Parramatta Road Corridor—to encourage a sustainable consolidation pattern that optimises floor space capacity in the corridor.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

Comment:

No floor space ratio applies to the site under clause 4.4.

Clause 4.4C Exceptions to floor space ratio (Zone R2)

Despite clause 4.4, the maximum floor space ratio for a building on a lot being land in Zone R2 Low Density Residential, with an area specified in Column 1 of the Table to this clause, is the floor space ratio specified opposite that lot in Column 2 of the Table.

Column 1	Column 2
Lot area (m ²)	Floor space ratio
< 500	0.65:1
500–599	0.625:1
600–699	0.60:1
700–799	0.575:1
800–899	0.55:1
900–999	0.525:1
≥ 1,000	0.50:1

Comment:

The scale of the existing dwelling on proposed Lot 1 is in keeping with the built form character of the area and will present in the streetscape consistent with that currently. As proposed Lot 1 is 560m², a floor space ration of 0.625:1 or 350m² floor area applies and the existing dwelling house is well below this.

Clause 5.10 Heritage conservation

Note—

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Strathfield,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

- (2) Requirement for consent Development consent is required for any of the following—
- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) When consent not required However, development consent under this clause is not required if—
- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
 - (b) the development is in a cemetery or burial ground and the proposed development—
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (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
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- 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.
- (6) Heritage conservation management plans. The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) Archaeological sites. The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—
- (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) Aboriginal places of heritage significance. The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
 - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.
- (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives. The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Comment:

Having regard for subclause (5)(c), although the site adjoins the rear southern boundary of Item I103, the heritage item known as “Noveba”—Victorian Italianate style house, fronts and presents to Broughton Street to the north and has a substantial newer addition to its rear constructed. This coupled with the substantial separation to the adjoining rear boundary of approximately 20 metres and screening provided between the heritage building and the site by existing vegetation and a shed outbuilding located along the entire southern fence line of the heritage item negates any potential impact.

Further, no redevelopment of the proposed rear lot is proposed via this application and therefore there will be no impact over and above that which currently exists.

Consequently, having regard for the existing setting of the heritage item and the minor nature of this development (i.e. paper subdivision) it is considered that a Heritage Management document is not warranted by this application as there will be no impact.



Clause 6.1 Acid sulfate soils

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
- (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the [Acid Sulfate Soils Map](#) as being of the class specified for those works.

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

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—
 - (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and

(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—

(a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,

(b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),

(c) minor work, being work that costs less than \$20,000 (other than drainage work).

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if—

(a) the works involve the disturbance of less than 1 tonne of soil, and

(b) the works are not likely to lower the watertable.

Comment:

There are only minor excavation works required for the extension of existing services to proposed Lot 2 required by the proposed subdivision. Consequently, subclause (6)(a) and (b) can be relied on despite the site being identified as Class 5 acid sulfate soils.

Clause 6.4 Essential services

(1) Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage,

(d) the disposal and recycling of waste,

(e) stormwater drainage or on-site conservation,

(f) suitable vehicular access.

(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.

Comment:

All essential services will be retained for the existing dwelling on proposed Lot 1, whilst existing services are of adequate capacity to be extended into proposed Lot 2.

4.3 Development Control Plan

4.3.1 Strathfield Consolidated Development Control Plan 2005

Strathfield Consolidated Development Control Plan 2005 applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan, being Part I Provision of Off-Street Parking Facilities and Part R Subdivision.

PART I Provision of Off-Street Parking Facilities

3.0 PART C – PARKING SCHEDULE

3.1 Residential

3.1.1 Dwelling Houses

The proposed subdivision and the right of carriageway will allow 2 spaces to be provided behind the building line as required. Residents of proposed Lot 1 will park behind the existing dwelling. 2 future spaces can be readily provided on proposed Lot 2 if and when a dwelling is proposed.

A driveway width of 3 metres can be provided along the right of carriageway to service both proposed lots. The existing driveway will be utilised in this regard.

PART R Subdivision

2 GENERAL

2.2 Controls

2.2.1 Minimum Lot Size

Both proposed Lot 1 and Lot 2 are at or above the minimum 560m² area requirement for the subdivision of land.

There are no site constraints or environmental features that would warrant either proposed lot to be larger or a different configuration. As shown by the existing dwelling house on proposed Lot 1, proposed Lot 2 can readily accommodate a future dwelling house. On this basis it is not considered necessary to demonstrate or nominate a building envelope on proposed Lot 2, particularly when the future dwelling house will have similar dimensions and wider frontage at any building envelope. The site's topography is relatively flat (slight fall from east to west which will allow stormwater to be gravity drained to the street along the proposed battle-axe handle) and clear of vegetation and easements etc. On this basis this underutilised large allotment is considered warranted for further subdivision, particularly in this location.

As outlined previously any future dwelling house on proposed Lot 2 will not compromise the setting of the heritage item to the north, particularly due to the substantial curtilage and separation of the heritage item from the site.

3 RESIDENTIAL SUBDIVISION

3.1 Controls

Both proposed Lot 1 and Lot 2 are at or above the minimum 560m² area requirement for the subdivision of land as required by clause 4.1 of the LEP.

Although the frontage of proposed Lot 1 is below the required 15.24m (12.24m or by 3m), the minimum frontage is compatible with the existing subdivision pattern in the locality which is generally below the minimum 15.24m as shown in the Table below.

Rochester Street No.	Frontage (m) Approx.
91A	13.27
95	11.85
36	7.91
40	12.42
42	12.76
48	12.31

On this basis it is requested that Council consider the existing and prevailing subdivision pattern in this locality (i.e. with numerous allotment frontages below 15.24m) along with the added benefit of one crossover point proposed for the two allotments and vary the DCP guideline in this case, particularly when proposed Lot 2 frontage of 3 metres complies with the battle-axe frontage requirements (refer below) and another driveway crossover does not take up useable space/frontage.

Additionally, there will be no material change to the frontage and streetscape of the site and proposed Lot 2 will have the required 15.24 metres at the future building line and will be oriented similar to that in the locality.

Battle-axe Allotments

Although the access handle is excluded from the area calculations under the DCP provisions, it is not expressly excluded in the prevailing LEP provisions.

It is considered that proposed Lot 2 warrants the inclusion of the area within the battle axe allotment in this case as a right of carriageway is proposed along the length of the handle and will service both proposed lots.

4.4 Section 4.15 Considerations

4.4.1 Suitability of the site

The previous sections of this report have demonstrated the suitability of the site for the proposed usage, particularly in terms of:

- The proposal is consistent with the existing development within the locality.
- The proposal is consistent with the objectives and development standards applying to the land.
- Overall, the development is considered an appropriate usage of the site.
- The use of a proposed right of carriageway ensures the streetscape is preserved and avoids duplication of driveway crossovers which is merit for a relaxation of the DCP requirements for frontages in the circumstances of this case.

4.4.2 Public interest

The proposal is considered to accord with the wider public interest in that:

- It provides an appropriate use of the site (which is currently underutilised particularly having regard for its location and site attributes);
- It will have a positive effect on the streetscape and immediate locality; and
- It is consistent with all relevant LEP aims and objectives.

4.4.3 Section 4.15 of the Environmental Planning and Assessment Act, 1979

Matters for Consideration	Considered?
Section 4.15 (1) (a)(i) – Has consideration been given to all relevant provisions of any relevant environmental planning instrument?	Yes
Section 4.15 (1) (a)(ii) – Has consideration been given to any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)?	Yes
Section 4.15 (1) (a)(iii) – Has consideration been given to all relevant provisions of any provisions of any development control plan?	Yes
Section 4.15 (1) (a)(iiia) – Has consideration been given to all relevant provisions of any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?	N/A
Section 4.15 (1) (a)(iv) – Have you considered all relevant provisions of the Regulations (to the extent that they are prescribed for the purposes of this paragraph)?	Yes
Section 4.15 (1) (b) – Are the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality acceptable?	Yes
Section 4.15 (1) (c) – Is the site suitable for the development?	Yes
Section 4.15 (1) (d) – Has consideration been given to any submissions made in accordance with the EPA Act or EPA Regulations?	TBA by Council
Section 4.15 (1) (e) – Is the proposal in the public interest?	Yes

5 Summary and Conclusion

Council Approval Group is pleased to submit this Statement of Environmental Effects and accompanying information for a Two Lot Torrens Title Subdivision involving retention of an existing dwelling house at Lot 1 DP 950953 No. 38 Rochester Street, Strathfield.

This Statement of Environmental Effects for the proposed development has considered:

- the circumstances of the case;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the LEP 2012, as well as relevant DCPS, SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- Section 9.1 Directions.

This report concludes that the proposal will substantially complement the objectives and vision of the Plan, Zone, and DCP in particular:

- 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.

We are pleased to present this SoEE for a Two Lot Torrens Title Subdivision involving retention of an existing dwelling house, which, once approved, will create a non-constrained, desirable and well configured residential allotment of sufficient area and to create a future dwelling in a great location and setting.

5.1 Recommendation

Under all the circumstances of the case, it is therefore recommended to Council for favourable consideration.

Appendix A. Proposed Subdivision Layout Plan

Appendix B. Site Survey

Appendix C. Stormwater Concept Plan