

STATEMENT OF ENVIRONMENTAL EFFECTS

Dwelling House



7 Solomon Court, Greenacre

16 March 2022

Prepared by Chapman Planning
Member PIA

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1.0 INTRODUCTION and SUMMARY

This statement has been prepared for Fawaz Habib (owners of subject site) as part of the supporting documentation for a development application in relation to 7 Solomon Court, Greenacre.

The development proposal is for the demolition of the existing dwelling and associated structures and the construction of a 2 storey dwelling house with basement, swimming pool and associated landscape works.

The subject site is zoned R2 – Low Density Residential under the Bankstown Local Environmental Plan 2015 and dwelling houses are permissible with Council consent.

The subject site is located within a residential area located between the Chullora and Greenacre industrial areas. The locality is a low density residential area defined by a mix of 1 – 2 storey detached dwellings and dual occupancy developments. The area is currently undergoing a transition associated with the uplift in planning controls with a number of recently constructed dwellings in the vicinity of the site.

The subject site is located on the southern side of Solomon Court, a cul-de-sac street that is accessed from Waterloo Road, a connecting road that runs north-south through Greenacre residential area. The Chullora marketplace is located 350m north of the subject site. Bankstown centre is located 3.2 km south west of the subject site.

The subject site currently contains a single storey dwelling with a detached shed in the rear setback. The site is largely devoid of vegetation with the front and rear setbacks largely containing turf. The site is relatively level, with a minor fall of less than 1 metre from the rear boundary to the street. The north western corner of the subject site is identified on Council flood mapping. This flood affectation is minor and addressed in documentation prepared by NY Civil Engineering.

This statement of environmental effects should be read in conjunction with the following plans/documents:

- *Survey Plan numbered A1-23062020 dated 15 June 2020, prepared by XY Position Pty Ltd;*
- *Architectural Plans numbered 00 – 09 dated February 2022 prepared by Vision Group Architects;*
- *Landscape Plans, dated 3 March 2022, Issue B, prepared by Dapple Designs;*
- *Stormwater Management Plan sheets D1 – D8, Revision A dated 16 March 2022 prepared by NY Civil Engineering;*
- *Flood Level Design Letter dated 11 April 2022 prepared by NY Civil Engineering;*
- *Basix Certificate*

In this report, the proposal is presented and assessed in relation to the relevant planning controls, being:

- *SEPP (Building Sustainability Index: Basix) 2004;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *Bankstown Local Environmental Plan 2015;*
- *Bankstown Development Control Plan 2015;*
- *Draft Canterbury Bankstown Consolidated Local Environmental Plan (LEP);*
- *Draft Canterbury Bankstown Development Control Plan (DCP) 2021;*
and
- *S.4.15 Environmental Planning and Assessment Act 1979.*

In summary detailed assessment against the matters referred to above, as detailed further in this report, has found that the proposal is compliant with these policies and is therefore worthy of support by Council.

2.0 SITE and CONTEXT

2.1 Site Description

The subject site is currently legally identified as Lot 5 in Deposited Plan DP 200837 known as 7 Solomon Court, Greenacre. The site is regular in shape with a 19.65m frontage to Solomon Court, a site length of approximately 41m and a resulting site area of 834.7m².

The subject site currently contains a single storey dwelling with a detached shed in the rear setback. The site is largely devoid of vegetation with the front and rear setbacks largely containing turf. The site is relatively level, with a minor fall of less than 1 metre from the rear boundary to the street. The north western corner of the subject site is identified on Council flood mapping. This flood affectation is minor and addressed in documentation prepared by NY Civil Engineering.

The subject site is located on the southern side of Solomon Court, a cul-de-sac street that is accessed from Waterloo Road, a connecting road that runs north-south through Greenacre residential area. The adjoining development includes a single storey dwelling located to the east and a two storey dwelling to the west located at the head of the cul-de-sac.

The aerial photograph below depicts the position of the adjoining dwellings and structures on the site.



Source: *SIX Maps Viewer*

Figure 1 shows the subject site as viewed from Solomon Court.



Source: *Google Maps*

2.2 Locality Description

The subject site is located within a residential area located between the Chullora and Greenacre industrial areas. The locality is a low density residential area defined by a mix of 1 – 2 storey detached dwellings and dual occupancy developments. The area is currently undergoing a transition associated with the uplift in planning controls with a number of recently constructed dwellings in the vicinity of the site.

The Chullora marketplace is located 350m north of the subject site. Bankstown centre is located 3.2 km south west of the subject site.

The location of the subject site is shown in the aerial photograph below.



Source: SIX Maps Viewer

Figure 2 shows the streetscape of Solomon Court looking east from the subject site.



Source: Google Maps

Figure 3 shows the adjoining development to the west of the subject site at the head of the cul-de-sac



Source: Google Maps

Figure 4 shows the development opposite the site to the north on the northern side of Solomon Court.



Source: Google Maps

3.0 DEVELOPMENT PROPOSAL

The development proposal is for the demolition of the existing dwelling and associated structures and the construction of a 2 storey dwelling house with basement, swimming pool and associated landscape works.

Architectural plans prepared by Vision Group Architects are submitted with the development application package.

The development proposal is described as follows:

- **Basement Level**

The basement parking area is accessed via driveway and new crossover at the north western corner of the site. the basement is located beneath the building footprint and includes 2 x car spaces with associated turning area and storage area. A central lobby area provides lift access and stair access to the upper levels.

- **Ground Floor**

The ground floor includes the entry and primary living areas of the dwelling house. The ground floor has been designed with a central entry gallery opening out to a open plan kitchen, dining and living area at the rear of the site. The eastern part of the ground floor adjoining the entry gallery includes office and service areas including laundry and scullery, directly connecting to the kitchen at the rear. The western part of the ground floor includes prayer room, powder room and formal lounge.

The open plan internal areas and formal lounge directly connect to an undercover alfresco and colonnade space at the rear of the property.

The rear private open space area includes a pool with spa and a detached single storey cabana.

- **First Floor**

The first floor of the dwelling house includes 5 x bedrooms and central family bathroom and has been designed around a central void over the colonnade at ground floor level. The first floor is accessed by stair and lift which connects basement, ground and first floor level. Bedrooms 2 – 5 include built in wardrobes, bedroom 2 includes a ensuite bathroom. The master bedroom is located at the rear of the floorplate and includes a large walk in wardrobe and ensuite. The master bedroom has access to a balcony oriented to the rear yard.

The development proposal has been designed with a pitched roof form and 7m wall height in accordance with the applicable planning controls, the design and site context is addressed at Section 2.2 of this statement.

The development proposal is supported by a landscape plan prepared by Dapple Designs that includes a variety of groundcovers, shrubs, and canopy trees ensuring the proposed dwelling will be viewed within a landscape setting envisaged by the landscape controls of the Bankstown Development Control Plan 2015.

4.0 PLANNING CONTROLS

4.1 SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been prepared for the development and found that the proposed *dwelling house* complies with the State Government's water and energy reduction targets.

4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated and if contaminated the consent authority must be satisfied that the land is suitable for the purpose.

The subject site has been historically used for residential purposes and in this instance the consent authority – Canterbury Bankstown Council can be satisfied that clause 4 of the SEPP has been satisfied and the land is suitable for the proposed use.

4.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the SEPP (Biodiversity and Conservation) 2021 provides provisions regarding vegetation in non-rural areas. The development proposal does not involve the removal of any significant vegetation on site. Regardless the development proposal is supported by a landscape plan prepared by Dapple Designs that includes a variety of groundcovers, shrubs, and canopy trees ensuring the proposed dwelling will be viewed within a landscape setting envisaged by the landscape controls of the Bankstown Development Control Plan 2015.

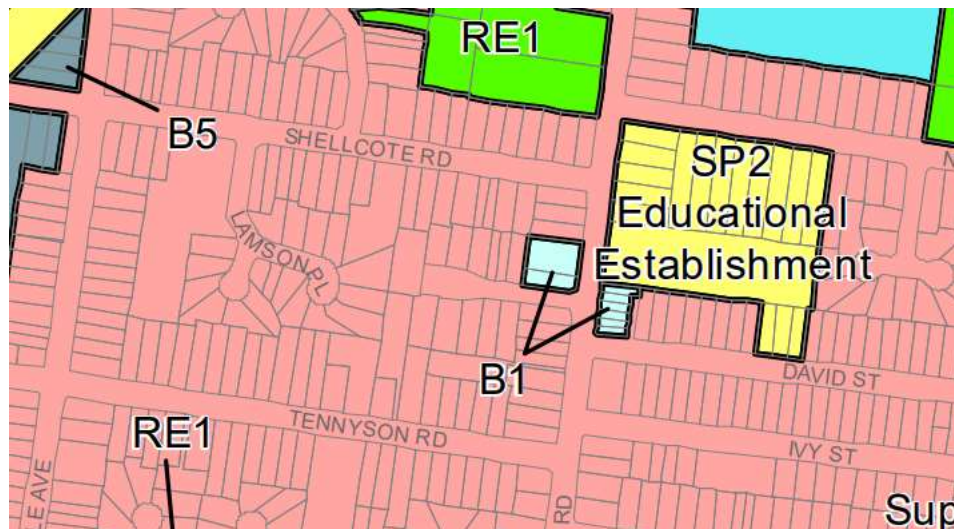
Chapter 11 of the SEPP includes provisions relating to the Georges Rivers Catchment. The development proposal is for a new dwelling house and accordingly this SEPP is required to be addressed in the assessment of the development application. Pursuant to Clause 11.5 of the SEPP, specific planning principles must be taken into account in the assessment of an application. The subject site does not directly adjoin a waterway and so the consent authority can be satisfied the proposal impact the matters prescribed.

4.4 Bankstown Local Environmental Plan 2015

Permissibility

Bankstown LEP 2015 applies to the subject site and this development proposal. The subject site is zoned R2 - Low Density Residential and *dwelling houses* are permissible with the consent of Bankstown Council.

The following plan depicts the zoning of the subject site.



Source: Bankstown LEP 2015

Zone Objectives

The objectives of the R2 Low Density Residential zone are listed as:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.*
- *To allow for the development of low density housing that has regard to local amenity.*
- *To require landscape as a key characteristic in the low density residential environment.*

The proposed dwelling house has been designed to meet the objectives for development in the low density residential area. The proposed 2 storey dwelling provides for housing choice within the area and contributes to a diversity of dwellings types, whilst respecting the low density residential character of the locality.

Clause 4.3 Height of Buildings Clause 4.3(2) & (2B) of the LEP prescribes a maximum building height 9m and maximum wall height of 7m for the subject

site. The proposed dwelling has a maximum building height of 8.9m. The wall height of the development is 6.9m.

Clause 4.4 Floor Space Ratio Clause 4.4(2) of the LEP contains the floor space ratio (FSR) development control for the subject site of 0.5:1. The proposed dwelling has a Gross Floor Area (GFA) of 415.3m², resulting in an FSR of 0.49:1, complying with the FSR development standard.

Clause 5.10 Heritage Conservation provides the requirements for the consideration of potential heritage and conservation area impacts. The subject site is not identified as a heritage item nor located within a heritage conservation area, and therefore this clause does not apply to the proposal.

Clause 5.21 Flood Planning applies to the subject site, noting the north western portion of the site is identified on Council Flood Mapping. The building footprint is not located in the area impact by flooding and the development application is supported by Stormwater Systems Report from Canterbury Bankstown Council and flood advice prepared by NY Civil Engineering.

Clause 6.1 Acid Sulfate Soils does not apply to the development proposal noting the subject site is not identified as containing acid sulfate soils.

Clause 6.2 Earthworks applies to the development proposal noting the proposal includes excavation to accommodate the basement garage. The earthworks are ancillary to the dwelling house and the proposal will be supported by engineering reports at construction certificate stage.

The proposal is supported by stormwater plans prepared by NY Civil Engineering confirming the run off from the site will be effectively managed.

Clause 6.4 Biodiversity does not apply to the subject site noting the site and foreshore is not mapped as biodiversity.

4.5 Draft Canterbury Bankstown Local Environmental Plan

The Draft Canterbury Bankstown Consolidated LEP was exhibited and submitted to the Department of Planning Industry & Environment in June 2020. As such, the proposed development addresses the relevant objectives of the Draft Consolidated LEP as follows:

R2 Low Density Residential zone objectives contains additional zone objectives to harmonise the objectives of the Bankstown and Canterbury LEPs:

- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- To allow for the development of land uses that achieve a high standard of urban design and have regard to local amenity.*

- *To require landscape as a key characteristic in the low density residential environment.*
To minimise and manage traffic and parking impacts.

The proposed dwelling house has been designed to meet the objectives for development in the low density residential area. The proposed 2 storey dwelling provides for housing choice within the area and contributes to a diversity of dwellings types, whilst respecting the low density residential character of the locality.

4.6 Bankstown Development Control Plan 2015

Part B1 Residential applies to the development proposal, where the proposal has been assessed against the Section 2 - Dwelling Houses numerical development controls including density, height, building envelopes and setbacks, landscaping and open space, and are addressed in the Development Control Table at section 5 of this statement.

Further Part B1 includes planning controls for design and streetscape qualities, privacy, views, solar access and overshadowing. The planning provisions are addressed in section 6 – Environmental Assessment of this statement. The remaining relevant provisions are discussed below.

Section 1 of Part B1 Residential contains design character principles relating to the existing character of the immediate locality and streetscape.

The proposed development is consistent with the visual character of recent development in the locality and generally complying with the required building scale and setbacks.

“The desired characters for the residential zones are:

- (a) *To have a low density residential environment in Zone R2 where the typical features are dwelling houses, dual occupancies and multi dwelling housing within a generous landscaped setting.”*

The proposal is consistent with the above desired character provision, noting the proposed dwelling house has been designed with a traditional form with a pitched roof meets the intent of the height and floor space ratio development standards. The dwelling house includes a range of materials and finishes which uplift the built form and compliment the massing of the proposal.

The application is supported by a Landscape Plan prepared by Dapple Designs that includes a variety of groundcovers, shrubs, and canopy trees ensuring the proposed dwelling will be viewed within a landscape setting envisaged by the landscape controls of the Bankstown Development Control Plan 2015.

Section 2 – Dwelling Houses contains objectives for the development of dwelling houses as follows:

- (a) To ensure lot sizes provide adequate space for dwellings, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.*
- (b) To ensure the building form, building design and landscaping of dwelling houses are compatible with the prevailing suburban character of the residential areas.*
- (c) To ensure the building form and building design of dwelling houses provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.*
- (d) To ensure the building form and building design of dwelling houses do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.*
- (e) To ensure the building form of dwelling houses in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.*
- (f) To minimise the visual impact of off-street parking on the streetscape.*

The proposed dwelling house meets the relevant objectives based on the following assessment:

- The proposed lot size is consistent with adjoining allotments and adequate to accommodate the proposed dwelling with regard to setbacks and the provision of open space and landscape area.
- The built form responds with the setback and height controls under the planning legislation and is compatible with the transitioning form and scale of recent development in the locality.
- The proposed dwelling will achieve good residential amenity and will not result in unreasonable amenity impacts to the adjoining properties. ‘
- The proposal has been designed with a basement parking area, reducing the dominance of parking structures fronting the street.

Part B4 Sustainable Development contains design principles to maximise solar access, natural ventilation and water saving measures to dwelling houses. A BASIX certificate has been prepared for the new contemporary dwelling and complies with the State Government’s water and energy reduction targets.

Part B12 Flood Risk Management applies to the development application. The north western portion of the site is identified on Council Flood Mapping. The building footprint is not located in the area impact by flooding and the development application is supported by Stormwater Systems Report from Canterbury Bankstown Council and flood advice prepared by NY Civil Engineering.

The flood advice provides the following:

The habitable floor level of the building is proposed at RL 31.90m AHD – 1100mm above the 1% AEP top water level, thus meeting freeboard requirements. The driveway also reaches a crest level of RL 30.80m AHD at the boundary prior to descending into the proposed basement. The level of RL 30.80m AHD at the boundary is achieved with a vehicle crossing of

approx. 7.4% grade from back of layback to the kerb, with transition grades internally compliant with AS2890.1:2004.

B13 – Waste Management and Minimisation

The development application is supported by a Waste Management Plan considering the opportunities for retaining, recycling, and reuse of building materials, whilst considering compliant storage and disposal methods of building material waste in a safe and appropriate manner throughout the construction process.

4.7 Draft Canterbury Bankstown Development Control Plan

The Draft Canterbury Bankstown Development Control Plan 2021 finished public exhibition on 3 March 2021 and accordingly should be considered in the assessment of the application.

The provisions of the Draft Canterbury Bankstown Development Control Plan 2021 applicable to the proposal are largely consistent with that of the Bankstown Development Control Plan which are addressed above. Accordingly the proposal remains consistent with these provisions.

5.0 DEVELOPMENT CONTROL TABLE

The following table is an assessment of the development proposal in accordance with the relevant numerical planning controls contained in Bankstown LEP 2015 and the Bankstown DCP 2015.

	Proposed	Control	Compliance
Bankstown Local Environmental Plan 2015			
Height (m)	8.9m	9m	Yes
Wall height	7m	7m	Yes
FSR	415.3m ²	0.5:1 & 417.625m ²	Yes
Bankstown Development Control Plan 2015			
Chapter B1 – Residential Development			
Section 2 Dwelling Houses			
Storeys	2 storeys	2 storeys	Yes
Cut and fill	<600mm excluding basement	Maximum fill 600mm Maximum 1m fill within building envelope	Yes

	Proposed	Control	Compliance
Primary Setback	5.6m – 6.5m ground 5.6m – 6.5m first floor	5.5 metres first storey (ground floor) 6.5 metres second storey.	Note 1
Side Setback	1.5m	Wall height <7m = 0.9m Wall height >7m = 1.5m	Yes
Outbuilding setback	Open Cabana 0.46m – 0.56m	0.45m for non masonry walls	Yes
Basement	Within building footprint	To be located within footprint of dwelling house	Yes
Private Open Space	>80m ²	80m ² Min dimension 5 x 5	Yes
Visual Privacy	Upper level bedroom windows designed as highlight	Upper level windows oriented to side boundaries/ neighbouring POS to be highlight windows	Yes
Roof Pitch	<35 degrees	Maximum roof pitch 35 degrees.	Yes
Landscaping	61.5%, 86.5m ²	45%, 63.5m ² front setback landscaped 1 x 75L tree in front setback	Yes
Part B5 Parking			
Car Parking	2 spaces per dwelling	2 car spaces per dwelling	Yes
Driveway Width	5m at initial entrance point	One-way: minimum clear width 3.0 m	Yes

Note 1: The development proposal presents a minor variation to the front setback at the upper level, with the architectural massing of the front façade and positioning of bedroom 3 resulting in a front setback of 5.6m for this portion of the building aligning with the entry portico below.

When examined across the entirety of the façade the average front setback complies with the control and the minor element which varies the standard provides visual depth the façade, being a good streetscape outcome for the proposal.

6.0 ENVIRONMENTAL ASSESSMENT

6.1 Planning Instruments

The planning instruments applying to the subject site and this development proposal are addressed in detail in the previous section of this report.

In summary, the subject site is zoned R2 Low Density Residential pursuant to the Bankstown Local Environmental Plan 2015 and dwelling houses are permissible with the consent of Council. The development application has been designed in accordance with the applicable height, wall height and floor space ratio development standards applicable to the site.

The development proposal meets the intent and performance criteria of the development controls contained in the Bankstown DCP with a contemporary dwelling that is compatible in the low density residential locality. The proposal generally meets the density, maximum height and scale planning controls and will not result in unreasonable amenity impacts to adjoining properties.

6.2 Design and Streetscape

The dwelling has been designed to meet the intent and performance criteria of the Desired Character provisions contained in Part B1, Section 1, of the DCP. Consideration of the existing and future streetscape demonstrates the existing character of the locality comprises a variety of older 1 – 2 storey dwellings as well as a number of contemporary 2 storey built forms.

The subject site is not located within a heritage conservation area and the development proposal has been well designed to generally comply with the LEP and DCP development provisions as addressed in Section 5 – Development Control Table of this statement.

The proposed contemporary dwelling is articulated through the use of a range of materials and finishes and architectural design treatments, and the landscape works will ensure that in time, the proposal is viewed within an established landscape setting. The high quality dwelling will contribute to an uplift in housing stock in the locality.

In summary, the development proposal meets the desired character and building design provisions contained in Part B1 of the Bankstown DCP. The dwelling presents an articulated building form that is compatible in this low density locality and the proposal will not result in unreasonable amenity impacts to the adjoining properties.

6.3 Visual and Acoustic Privacy

The proposal will not result in unreasonable visual or acoustic privacy impacts to surrounding properties. The proposal is located within a low density residential area and the residential land use of the site is maintained.

The active areas of the proposed dwelling are located within the rear setback area at ground floor level. Windows at upper level have largely been designed as highlight windows and oriented to the front and rear boundaries.

The proposed balcony at first floor level is 1.5m in width and located central to the built form. Furthermore the balcony is accessed through the master bedroom, not a high usage room.

In summary, the proposed dwelling meets the intent and performance criteria contained in Part B1 Visual Privacy of the Bankstown DCP 2015.

6.4 Solar Access and Overshadowing

The proposed dwelling has been designed with a series of windows openings and internal voids to maximise amenity and natural light to the internal areas of the dwelling noting the orientation of the site. Solar access to the external areas is maximized through the design with a colonnade running along the western elevation of the dwelling. The shadow diagrams confirm, notwithstanding the site orientation 50% of the required private open space areas will receive solar access from 1:00pm mid winter.

The development application is supported by shadow diagrams prepared by Vision Design Architects. The shadow diagrams show the shadow cast by the dwelling at mid-winter, summarised as follows:

9.00am	The shadow cast at 9am by the proposed dwelling will fall onto the rear of the dwelling, the rear setback of the subject site and the side setback of the adjoining dwelling to the west. The cabana of the subject site will receive solar access
12 noon	The shadow cast at 12 noon by the proposed dwelling will fall onto the rear of the subject site. The pool area and colonnade within western setback area will partially receive solar access.
3pm	The shadow cast at 3pm will fall upon the rear setback of the subject site and the side setback of the adjoining dwelling to the east. The pool area and part of the adjoining lawn will receive solar access.

The above assessment and the shadow diagrams demonstrate that the proposed dwelling results in partial overshadowing of the adjoining properties, however is deemed acceptable noting the shadow cast on adjoining properties is largely within that cast by a fence. Accordingly the proposal meets the Access to Sunlight controls contained in Part B1 of the Bankstown DCP 2015.

7.0 CONCLUSION

In conclusion it is considered that the proposed 2 storey dwelling house is acceptable under the considerations of S.4.15 of the E.P& A. Act 1979. The following conclusions are made in relation to the development proposal:

- *The proposed dwelling house is permissible with consent and is consistent with the relevant objectives of the R2-Low Density Residential zone contained in the Bankstown LEP 2015;*
- *The proposed dwelling has been designed to comply with the 7m wall height and 9m height of buildings development standards within clause 4.3 of the Bankstown LEP 2015.*
- *The proposed dwelling meets the FSR development standard contained in clause 4.4 of the Bankstown LEP 2015;*
- *The proposed dwelling meets the intent and performance criteria of the relevant development controls contained in the Bankstown DCP 2015;*
- *The subject site is not located within a heritage conservation area and the proposed dwelling is consistent with contemporary building forms in the immediate locality and will improve housing stock within the Greenacre locality.*
- *The proposed shadow impact of the adjoining property is acceptable noting adequate solar access is retained at mid-winter consistent with the controls contained in Part B1 of the Bankstown DCP;*
- *The design of the dwelling ensures environmental sustainable measures are achieved and residential amenity is maximized, and*
- *There are no site constraints that restrict the proposed dwelling house on the subject site.*

For reasons outlined in this Statement of Environmental Effects, it is my opinion that the development application for a 2 storey dwelling with basement parking and associated landscape works at 7 Solomon Court, Greenacre should be granted development consent.

Chapman Planning Pty Ltd
Member PIA