

# **Statement of Environmental Effects**

Demolition of existing structures and  
construction of an attached dual  
occupancy, Torrens Title Subdivision

LOT: 61 DP: 819327

**742 Henry Lawson Drive, Picnic Point**

New South Wales, 2213

**Canterbury-Bankstown Council**

# Statement of Environmental Effects

## Table of Contents

Introduction .....	i
Local Character and Context.....	i
Neighbourhood Scale & Streetscape .....	ii
Site Location and Analysis.....	v
Planning History .....	vi
The Proposal .....	vi
Considerations under section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979.....	vii
(a)(i) – Provisions of any environmental planning instrument.....	vii
State Environmental Planning Policies .....	vii
Bankstown Local Environmental Plan (LEP) 2015.....	x
(a)(ii) – Provisions of any draft environmental planning instrument.....	xii
(a)(iii) – Provisions of any development control plan.....	xiv
Bankstown Development Control Plan (DCP) 2015.....	xiv
(a)(iia) – Provisions of any planning agreement.....	xxii
(a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) .....	xxii
(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.....	xxii
(c) – the suitability of the site for the development.....	xxii
(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation .....	xxii
(e) – the public interest.....	xxii
Conclusion .....	xxiii

### Revision

12.09.2021 – Issued to Designer & Client - Waiting on Additional information.  
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# Statement of Environmental Effects

## Introduction

This Statement of Environmental Effects has been prepared to accompany an application for the demolition of existing structures and the construction of an attached dual occupancy and torrens title subdivision into two lots at the subject site, 742 Henry Lawson Drive, Picnic Point in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).



This Statement, along with the supporting plans and reports, provide all the necessary information to assist the consent authority in making an informed assessment and favourable determination of the proposal in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).

## Local Character and Context

*Character is what makes a neighbourhood distinctive. It is created by a combination of the land, public and private spaces and how they interact to make a distinctive character and identity of an area.*

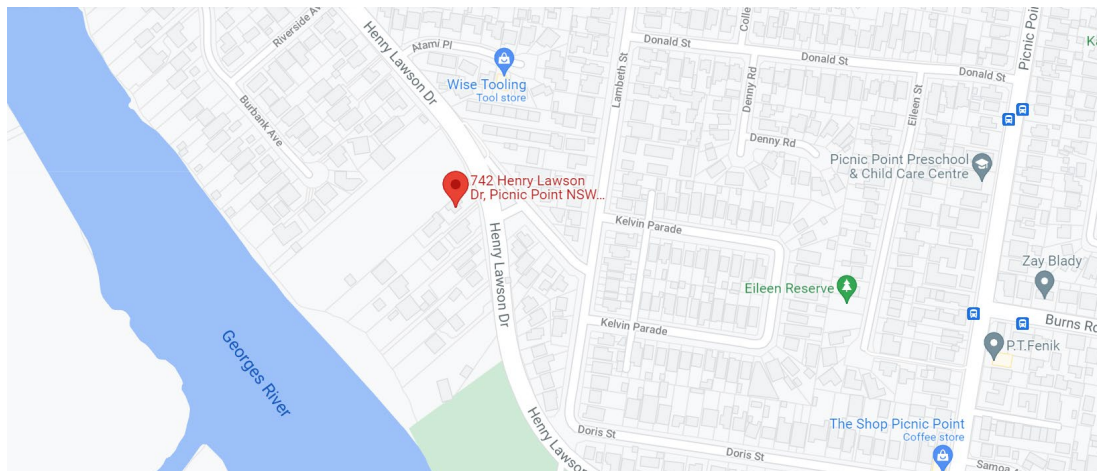
*This includes the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.<sup>1</sup>*

The site is situated south west of Panania Town Centre, and close to Picnic Point recreation areas.

<sup>1</sup> <http://www.planning.nsw.gov.au/Policy-and-Legislation/Local-character>



## Statement of Environmental Effects



## Neighbourhood Scale & Streetscape

The locality is characterised by similar lot sizes and frontages and containing single and double storey dwellings associated pools, outbuildings and attached and detached garages of varying age and architectural styles.



Statement of Environmental Effects





Statement of Environmental Effects

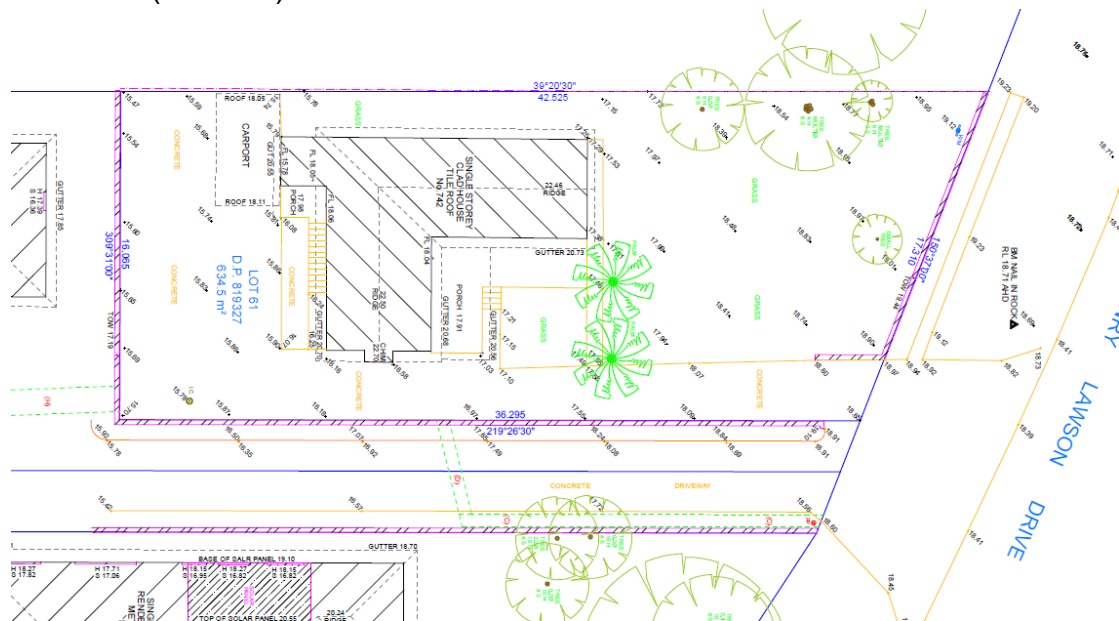




# Statement of Environmental Effects

## Site Location and Analysis

Lot: 61 DP: 819327 (742 Henry Lawson Drive, Picnic Point) is a fairly regular shaped allotment located on the south western side of Henry Lawson Drive with a total area of 634.5m<sup>2</sup> and a 17.31m frontage to Henry Lawson Drive and a variable depth of between 36.29m and 42.52m. The site has a gradient from the front to the rear of the site of 3.52m (RL 19.12 – RL 15.60). The proposed site currently contains a single storey clad and tile dwelling with a detached carport. The site is bound to the south by an access handle servicing two (2) residential allotments to the rear (west) and to the east by an Infrastructure allotment (defence).



# Statement of Environmental Effects

## Planning History

A search of Councils online DA Tracker does not reveal any applications or determinations for the site.

## The Proposal

The development proposes an attached Dual Occupancy consisting:

Lower Ground floor:

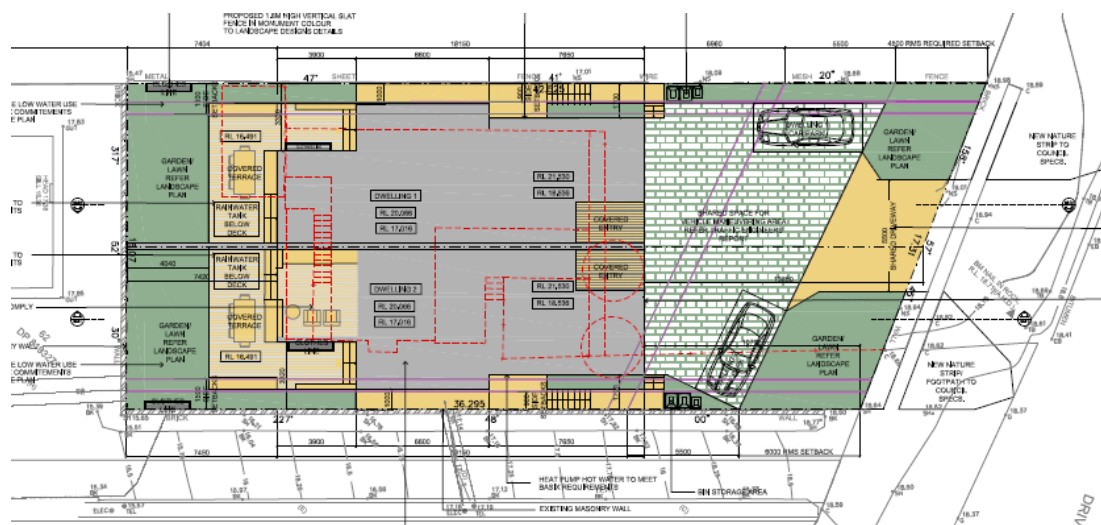
- Subfloor
- Bedroom 1 & 2
- Bathroom
- Laundry & Wetbar
- Living room (Unit 1)
- Covered alfresco (Unit 2)
- Rear terrace
- Access to ground level private open space

Ground floor

- Single attached garages including storage
- Entry foyer
- Combined kitchen, dining & rumpus
- Access to a rear balcony.

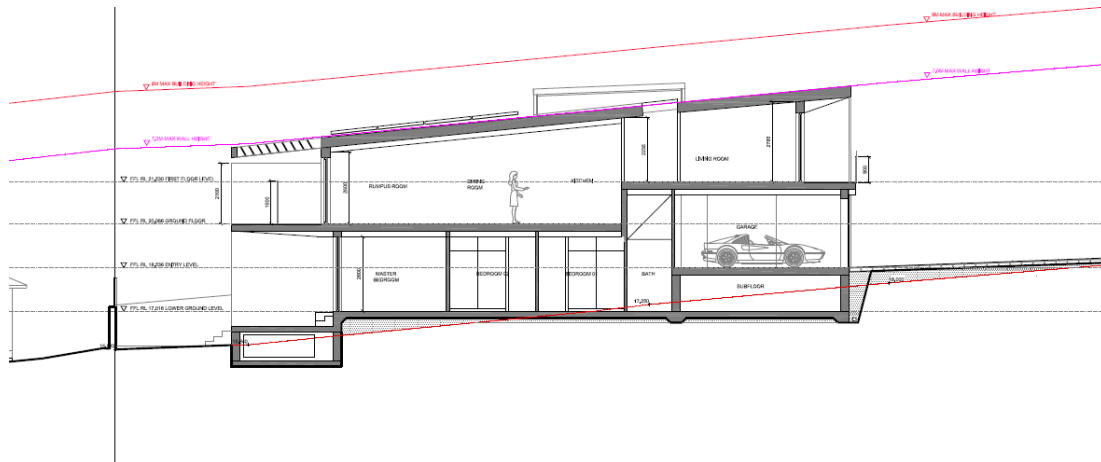
1<sup>st</sup> Floor:

- Powder room and Master bedroom with access to a front balcony (Unit 1)
- Powder room and Living room with access to a front balcony (Unit 2)





## Statement of Environmental Effects



The development proposes Torrens title subdivision of the attached Dual Occupancy consisting:

Lot 1: 290.78sqm

Lot 2: 258.78sqm

### Considerations under section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979

#### (a)(i) – Provisions of any environmental planning instrument

##### State Environmental Planning Policies

The following State Environmental Planning Policies are applicable to the land:

##### State Environmental Planning Policy (Biodiversity and Conservation) 2021

##### Chapter 2 Vegetation in non-rural areas

*The aims of this Chapter are—*

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

A significant tree to the front of the site is to be retained. The development is not within the area requiring tree protection measures.

##### Chapter 6 Bushland in urban areas

## Statement of Environmental Effects

*(1) The general aim of this Chapter is to protect and preserve bushland within the urban areas referred to in Schedule 5 because of—*

- (a) its value to the community as part of the natural heritage,*
- (b) its aesthetic value, and*
- (c) its value as a recreational, educational and scientific resource.*

The alterations do not remove any areas of bushland.

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

This policy aims to ensure consistency in the implementation of the BASIX scheme throughout the State by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme

A BASIX Certificate is provided with this application

### **State Environmental Planning Policy (Resilience and Hazards) 2021**

#### Chapter 4 Remediation of Land

*(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.*

*(2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—*

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and*
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
- (c) by requiring that a remediation work meet certain standards and notification requirements.*

The site is not identified as requiring remediation under the *Contaminated Land Management Act 1997*.

### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

#### Chapter 2 Infrastructure

*The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State by—*

## Statement of Environmental Effects

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- (g) providing opportunities for infrastructure to demonstrate good design outcomes.*

The site is not fronting or adjacent to a rail corridor or within the vicinity of a telecommunications structure requiring consideration under the SEPP.

The site fronts Henry Lawson Drive which is a classified road.

- Clause 2.118 Development with frontage to classified road

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
  - (i) the design of the vehicular access to the land, or*
  - (ii) the emission of smoke or dust from the development, or*
  - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The development is for a dual occupancy with off street parking for two cars per dwelling. Each vehicle is able to enter and exit in a forward direction. The proposal is accompanied by a Traffic and Parking Assessment prepared by Terraffic Pty Ltd.

It is noted that the modified application may be referred to the RMS for comment.

- Clause 2.119 Impact of road noise or vibration on non-road





## Statement of Environmental Effects

development

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—*

- (a) residential accommodation,*
- (b) a place of public worship,*
- (c) a hospital,*
- (d) an educational establishment or centre-based child care facility.*

As the proposal is for residential accommodation, this clause applies as follows:

*(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—*

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,*
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

The proposal is accompanied by an Acoustic Report that provides minimum construction requirements to meet the internal noise requirements required by the SEPP.

### Bankstown Local Environmental Plan (LEP) 2015

**Bankstown Local Environmental Plan 2015, applies to this parcel of land in particular:**

#### 2.1 – 2.3 Zoning

Zone is R2 – Low Density Residential and SP2 Infrastructure. The development is to be carried out on the portion zoned R2 Low Density Residential zone which seeks to:

- *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 development is permissible with consent (Dual Occupancies) and complies with the objectives of the zone.



## Statement of Environmental Effects

### 4.1A Minimum lot sizes and special provisions for dual occupancies

*(2) Development consent must not be granted to development for the following purposes—*

*(a) a dual occupancy (attached) on a lot in Zone R2 Low Density Residential unless the lot has an area of at least 500 square metres and is at least 15 metres wide at the front building line,*

*(b) a dual occupancy (detached) on a lot in Zone R2 Low Density Residential unless the lot has an area of at least 700 square metres and is at least 20 metres wide at the front building line,*

*(c) a dual occupancy on a lot being land identified as “Area 2” on the [Special Provisions Map](#).*

*(3) Despite subclause (2), development consent must not be granted to development for the purpose of a dual occupancy unless the consent authority is satisfied that each dwelling will have a frontage to a road.*

*(4) The consent authority may grant development consent for the subdivision of—*

*(a) a dual occupancy (attached), if the size of each lot to be created will be at least 250 square metres, or*

*(b) a dual occupancy (detached), if the size of each lot to be created will be at least 350 square metres.*

The proposal is for an attached dual occupancy in Zone R2 Low Density and the lot has an area in excess of 500 square metres (634.5sqm by DP, 550.12sqm after acquisition) and is greater than 15 metres wide at the building line (17.31 metres). The site is not identified as “Area 2” on the Special Provisions Map. Each dwelling will have a frontage to Henry Lawson Drive.

The proposal includes subdivision of the dual occupancy (attached) and the size of each resulting lot will be more than 250 square metres (Lot 1: 290.78sqm, Lot 2: 258.78sqm)

### 4.3 Height of Buildings

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum building height shown on the Height of Buildings Map is 9m. The proposed dual occupancy is double storey in height and not more than 9m not exceeding the height on the Height of Buildings map.

Additionally (2B) of this clause provides that despite subclause (2), as the site is located on land in Zone R2 Low Density Residential and the development is for a dual occupancy—the maximum wall height is 7 metres. The dual occupancy proposes a maximum wall height of 7 metres.

### 4.4 Floor Space Ratio

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. The maximum floor space ratio shown on the Floor Space Ratio Map is 0.5:1 and the proposal is for residential development. The proposed dual occupancy has a floor space ratio of 0.49:1 (calculated after acquisition) not exceeding the floor space ratio on the Floor Space Ratio Map.

## Statement of Environmental Effects

### 5.1A Development on land intended to be acquired for public purposes

This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.

The site includes an area to the front of the site to be acquired associated with Henry Lawson Drive. The proposal does not seek to build within this area.

### 5.10 Heritage Conservation

The site is not identified as being a heritage item or within a heritage conservation area.

### 5.11 Bush fire hazard reduction

The [Rural Fires Act 1997](#) makes provision relating to the carrying out of development on bush fire prone land.

The site is identified as being wholly affected by bushfire. A Bushfire Hazard Assessment prepared by Probabal dated 13 August 2021 and concludes:

*It is demonstrated that by virtue of complying with the acceptable solutions in PBP 2019, the aims and objectives of PBP 2019 have been satisfied, and the site may be considered as not BFPL. Council may therefore elect to determine that the requirements of 4.14 (1) (a) & (b) of the EPAA 1979 are satisfied, and may determine the DA without any conditions or requirements for bush fire protection.*

### 5.21 Flood Planning

The land, or part of the land, is **not** identified as being within the flood planning area (FPA) or probable maximum flood (PMF). The land, or part of the land, is **not** subject to flood related development controls.

### 6.1 Acid sulfate soils

The site is identified as containing Class 5 Acid Sulfate Soils. The works required for development will not be 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.

### 6.6 Development in areas subject to aircraft noise

Development consent must not be granted to development for the purposes of a dual occupancy, multi dwelling housing, attached dwelling, boarding house or centre-based child care facility on land in the vicinity of the Bankstown Airport where the ANEF contour exceeds 25. The site is not identified as being on land in the vicinity of the Bankstown Airport.

### (a)(ii) – Provisions of any draft environmental planning instrument

#### SEPP (Environment)

The NSW government has been working towards developing a new State Environmental Planning Policy (SEPP) for the protection and management of



## Statement of Environmental Effects

our natural environment. These areas are important to communities in delivering opportunities for physical health, economic security and cultural identity.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. These environmental policies will be accessible in one location and updated to reflect changes that have occurred since the creation of the original policies.

### Proposed SEPP (Design and Place)

The Government is bringing planning processes up to date and making them easier. The new Design and Place State Environmental Planning Policy (DP SEPP) 2021 and supporting guides are part of a broader review of all SEPPs. It aims to simplify and consolidate how to address the need for sustainable and resilient places and deliver good design in NSW.

The DP SEPP puts sustainability, resilience, and quality of places at the forefront of development. Our shared responsibility to sustain healthy and thriving communities, and to care for our environment underpins the policy. The DP SEPP will apply to all of NSW and spans places of all scales, from precincts, large developments and buildings to infrastructure and public space (other than specified exclusions).

Though the DRAFT SEPPs have been taken into consideration when preparing this proposal, the provisions of existing planning controls still apply (and have been applied in this proposal).

### Consolidated Local Environmental Plan and Supporting Studies

In 2019, Council released *Connective City 2036*, which establishes a single strategic planning vision for the Canterbury Bankstown Local Government Area and will guide any changes to our planning framework.

This vision is about sustainably growing our City, protecting environmental values, delivering housing for our next generations and maximising employment opportunities.

The next step is to produce a single set of planning rules for our City based on the vision that was set by *Connective City 2036*. This is the Consolidated Local Environmental Plan, which combines and aligns planning rules of the former Bankstown and Canterbury Councils.

A planning proposal was endorsed by the Canterbury Bankstown Local Planning Panel to progress to exhibition on 6 March 2020. The planning

## Statement of Environmental Effects

proposal and supporting technical studies are now on public exhibition for comment and feedback.

The Consolidated Local Environmental Plan and Supporting Studies does not fundamentally change the proposed development.

### Consolidated Development Control Plan and Guides

At the Canterbury Bankstown Local Planning Panel meeting on 30 June 2020, the Panel adopted the Draft Consolidated Local Environmental Plan (LEP) to produce a single set of planning rules for the Canterbury Bankstown Local Government Area. Council is awaiting the finalisation of the Draft LEP by the Department of Planning, Industry and Environment.

At the Ordinary Meeting on 8 December 2020, Council resolved to exhibit the Draft Consolidated Development Control Plan (DCP) and Guides to support the Draft LEP.

The next step is to exhibit the following documents for comment and feedback until *Friday 5 March 2021*.

The Draft Consolidated Development Control Plan and Guides has been taken into account when preparing the development application.

### **(a)(iii) – Provisions of any development control plan**

#### **Bankstown Development Control Plan (DCP) 2015**

Bankstown Development Control 2015 is applicable to the site. In particular, the following volumes apply:

**Table 1: Compliance with Bankstown Development Control Plan Part B1 – Residential Development**

<b>Subdivision</b>	
<b>4.1</b> The two dwellings forming a dual occupancy (attached) may be subdivided to a minimum lot size of 250m <sup>2</sup> per dwelling.	Subdivision of the dual occupancy (attached) is proposed, and each resulting lot has a lot size greater than 250m <sup>2</sup> per dwelling
<b>4.2</b> The two dwellings forming a dual occupancy (detached) may be subdivided to a minimum lot size of 350m <sup>2</sup> per dwelling.	N/A
<b>4.3</b> For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m <sup>2</sup> per dwelling.	N/A
<b>Storey limit (not including basements)</b>	

## Statement of Environmental Effects

<p><b>4.4</b> The storey limit for dual occupancies is 2 storeys. In addition, dual occupancies in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.</p>	<p>The dual occupancy is not more than two (2) storeys at any point. The site is not located in the foreshore protection area</p>
<p><b>4.5</b> The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property.</p> <p>Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.</p>	<p>The siting of the dual occupancy and associated works are compatible with the existing slope and contours of the allotment. Refer to elevation and section plans.</p>
<p><b>4.6</b> Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:</p> <p>(a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or</p> <p>(b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the allotment.</p>	<p>The development does not propose fill of more than 600mm above ground level.</p>
<p><b>Setback restrictions</b></p>	
<p><b>4.7</b> The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.</p>	<p>The site is located within an existing low density residential area not within 9m of an existing animal boarding or training establishment.</p>
<p><b>Setbacks to the primary and secondary road frontages</b></p>	
<p><b>4.8</b> The minimum setback for a building wall to the primary road frontage is:</p> <p>(a) 5.5 metres for the first storey (i.e. the ground floor); and</p> <p>(b) 6.5 metres for the second storey.</p>	<p>The development proposes a setback of:</p> <p>(a) &gt;5.5 metres for the first storey (i.e. the ground floor);</p> <p>(b) &gt;generally 6.5 metres for the second storey with the exception of a small portion of the Unit 1 balcony which does not encroach the 5.5 metre line and can be considered an articulation that does not contribute to bulk, scale or have an adverse effect on privacy</p>
<p><b>4.9</b> The minimum setback to the secondary road frontage is:</p> <p>(a) 3 metres for a building wall; and</p> <p>(b) 5.5 metres for a garage or carport that is attached to the building wall.</p>	<p>N/A. The site does not have a secondary road frontage</p>
<p><b>Setbacks to the side boundary</b></p>	
<p><b>4.10</b> For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining property.</p>	<p>The development proposes a setback of:</p> <p>&gt;1.7 metres for the first storey (i.e. the ground floor);</p> <p>&gt;1.7 metres for the second storey</p>



## Statement of Environmental Effects

<b>4.11</b> For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres.	The development proposes a wall height of 7 metres. The second storey has setback to the side boundary of 1.7 metres.
<b>4.12</b> The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like	The setbacks have been provided as noted and are clear of obstacles.
<b>4.13</b> The basement level must not project beyond the ground floor perimeter of the Dual Occupancy	N/A. No basement proposed.
<b>Private open space</b>	
<b>4.14</b> Dual occupancies must provide a minimum 80m <sup>2</sup> of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.	POS is provided as: Unit 1: 83 sqm Unit 2: 100 sqm The POS are provided as a sum of areas that includes and each of the POS have a minimum dimension of 5 metres throughout
<b>Access to sunlight</b>	
<b>4.15</b> At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	At least one living area of each dwelling will receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.
<b>4.16</b> At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	At least one living area of the dwelling on the adjoining allotment will receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice  Refer to shadow diagrams.
<b>4.17</b> A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space	A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of the dwelling on the adjoining allotment will receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Refer to shadow diagrams.
<b>4.18</b> Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	A solar panel is present to the adjoining dwelling to the south. The existing solar collector will receive sufficient solar access. Refer to shadow diagrams.
<b>Visual privacy</b>	
<b>4.19</b> Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or	A window exists on the upper floor to the dwelling adjoining at the rear. The use of this room is unknown however is not likely to be a living room or bedroom due to the treatment of the window on this elevation (e.g. obscured). A visual analysis is included in the architectural set that shows the potential for overlooking is minimized.

## Statement of Environmental Effects

<p>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) use another form of screening to the satisfaction of Council.</p>	
<p><b>4.20</b> Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p>	<p>N/A. The development does not propose a window that directly looks into the private open space of an existing dwelling</p>
<p><b>4.21</b> Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <p>(a) does not have an external staircase; and</p> <p>(b) does not exceed a width of 1.5 metres throughout; and</p> <p>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p>	<p>An upper floor rear balcony of not more than 1.5m in depth and not including an external staircase is provided to the first floor. As noted, a window exists on the upper floor to the dwelling adjoining at the rear. The use of this room is unknown however is not likely to be a living room or bedroom due to the treatment of the window on this elevation (e.g., obscured). A visual analysis is included in the architectural set that shows the potential for overlooking is minimized.</p>
<p><b>4.22</b> Council does not allow dual occupancies to have roof-top balconies and the like.</p>	<p>No roof-top balconies and the like are existing or proposed.</p>
<p><b>Building design</b></p>	
<p><b>4.23</b> Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the allotment.</p>	<p>The proposal includes the demolition of existing structures on the site.</p>
<p><b>4.24</b> The design of dual occupancies must ensure:</p> <p>(a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or</p> <p>(b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and</p> <p>(c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and</p> <p>(d) the garage, driveway and front fence do not dominate the front of the building and front yard; and</p> <p>(e) the two dwellings on a corner allotment each face a different frontage.</p>	<p>(a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street;</p> <p>(b) the street facade of the dual occupancy incorporates architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, and</p> <p>(c) the front porch and an upper level bedroom / living area face the street; and</p> <p>(d) the garage and driveway do not dominate the front of the building and front yard; and</p> <p>(e) the site is not a corner allotment</p>

## Statement of Environmental Effects

<b>4.25</b> The maximum roof pitch for dual occupancies is 35 degrees	N/A. The development proposes a flat roof.
<b>4.26</b> Council may allow dual occupancies to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.	N/A. The development does not propose an attic.
<b>4.27</b> The design of dormers must: (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.	N/A. The development does not propose dormers.
<b>4.28</b> Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	The site is not located in the foreshore protection area
<b>Building design (car parking)</b>	
<b>4.29</b> Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.	The site is not land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall
<b>4.30</b> Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.	The development proposes parking for each of the dwellings in an attached garage and as hard stand in front of each of the garages. The garages are contained behind the building line of the dual occupancy and the hard stand areas encroach the forward setback permitted: (a) uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and  (b) the covered car parking space is setback in excess of 6 metres from the primary frontage.
<b>4.31</b> Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.	N/A. The garages are single width.

## Statement of Environmental Effects

<p><b>4.32</b> Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:</p> <ul style="list-style-type: none"> <li>(a) the building is at least 2 storeys in height, and</li> <li>(b) the garage is architecturally integrated with the upper storey by: <ul style="list-style-type: none"> <li>(i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and</li> <li>(ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.</li> </ul> </li> </ul> <p>This clause prevails where there is a numerical inconsistency with another clause in Part B1 of this DCP.</p>	<p>N/A. A maximum of two (2) single garages are proposed.</p>
<b>Landscaping</b>	
<p><b>4.33</b> Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.</p>	<p>A significant tree to the front of the site is to be retained. The development is not within the area required for tree protection measures.</p>
<p><b>4.34</b> Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):</p> <ul style="list-style-type: none"> <li>(a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and</li> <li>(b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and</li> <li>(c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); and</li> <li>(d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.</li> </ul>	<p>Refer to landscape plan</p>

**Table 2: Compliance with Bankstown Development Control Plan Part B5 – Parking**

SECTION 2–OFF STREET PARKING					
<p><b>2.1</b> Development must calculate the amount of parking required using the schedule of off–street parking requirements.</p> <p><b>Schedule: Off–street parking requirements</b></p> <table border="1" data-bbox="121 1899 802 2033"> <thead> <tr> <th>Land use</th><th>Off–street parking requirements</th></tr> </thead> <tbody> <tr> <td>Dual occupancies</td><td>1 car space per 2 or less bedrooms; or</td></tr> </tbody> </table>	Land use	Off–street parking requirements	Dual occupancies	1 car space per 2 or less bedrooms; or	<p>Required: 2 car spaces per 3 or more bedrooms. Provided: 2 car spaces per dwelling</p>
Land use	Off–street parking requirements				
Dual occupancies	1 car space per 2 or less bedrooms; or				



## Statement of Environmental Effects

	2 car spaces per 3 or more bedrooms.		
2.2 Development not included in the schedule of car parking standards must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.	N/A. Car parking is provided in accordance with the above clause.		
2.3 Car parking and driveway access in flood liable land in the City of Bankstown must be in accordance with Part B12–Flood Risk Management of this DCP.	N/A. The site is not identified as being flood affected.		
SECTION 3–OFF STREET PARKING DESIGN AND LAYOUTS			
Parking location			
3.1 Refer to Part B1 of this DCP for information on the location of garages and carports in the residential areas.	The location of garages is deemed suitable in accordance with the requirements of Part B1 as noted above.		
3.2 Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.	N/A. The development is for a dual occupancy.		
Parking bay dimensions for people with disabilities and residential garages			
3.4 Parking bay dimensions for people with disabilities and residential garages are as follows:	A single garage is provided for each dwelling with dimensions in accordance with the relevant Australian Standards		
Parking Type	L (m)	W (m)	Comments
Disabled (900)	6.0	3.2	
Basement parking and single garage	5.5	3	Clear door opening of 2.4m between door jambs
Double garage in residential development	5.5	5.4	Clear door opening of 4.8m between door jambs.
SECTION 4–OFF STREET PARKING ACCESS AND CIRCULATION			
Access driveway width and design			
4.1 The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road	The driveway is the shortest, most direct access over the nature strip from the road		
4.2 The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.	A single driveway is provided with a width that allows for two (2) cars to enter and exit.		
4.3 Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits.	N/A. The development is a new development.		
4.4 For new residential development, necessary clear driveway widths are provided in the following table:			
Driveway width	Minimum Clear Width		
One-way	3.0 m		
Two-way	5.5 m		
4.5 Driveway widths will need to be increased adjacent to parking bays according to AS 2890.1 to provide adequate turning circles.	The driveway is able to accord with the requirements of AS 2890.1		
Queuing distance			

## Statement of Environmental Effects

4.6 Parking studies are necessary to determine minimum queuing length for developments fronting state roads	Refer to traffic impact assessment
Use	Queuing Distance
Residential and mixed use	Absolute minimum 6m; Desirable minimum 7.5m
Drive-in take away	8 spaces (each approx. 8 m long) in a marked lane for the exclusive use of drivers; plus 7 additional queue spaces at the end of the marked queue lane to be within the site.
4.7 The queuing area between the vehicular control point and the property boundary should be sufficient to allow a free influx of traffic which will not adversely affect traffic or pedestrian flow in the frontage road.	Refer to traffic impact assessment
<b>SECTION 5–OTHER CONSIDERATIONS</b>	
Sight distance requirement	
5.8 For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. Refer to Australian Standard 2890.1 for minimum sight distance requirements.	Adequate sight distance is provided for vehicles exiting driveways

**Table 3: Compliance with Bankstown Development Control Plan Part B12 – Waste Management and Minimisation**

<b>SECTION 2–DEMOLITION AND CONSTRUCTION</b>	
1.1 All development applications are to be accompanied by a Waste Management Plan prepared in accordance with the Waste Management Guide for New Developments and the Bankstown Demolition and Construction Guidelines.	Refer to waste management plan.
<b>SECTION 4–RESIDENTIAL DEVELOPMENT</b>	
2.1 Each dwelling is to have a waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials	Sufficient area for waste is available in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials
2.2 Development must provide a bin storage area. The bin storage area must be of adequate size to accommodate all allocated bins.	Sufficient area is available to side of each dwelling for the storage of waste bins
2.3 The location of the bin storage area should not adversely impact on the streetscape, building presentation or amenity of occupants and adjoining dwellings.	The location of the bin storage area does not adversely impact on the streetscape, building presentation or amenity of occupants and adjoining dwellings.
2.4 The location of the bin storage area should ensure this area: (a) is screened or cannot be viewed from the public domain; and	The location of the bin storage area ensures this area: (a) is screened or cannot be viewed from the public domain; and

## Statement of Environmental Effects

(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise and odour	(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise and odour
<b>2.5</b> The location of the bin storage area is to be convenient to use for the dwelling occupants, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin–carting route from the bin storage area to the collection point must not pass through any internal rooms of the dwelling and must avoid stairs or slopes.	The location of the bin storage area is convenient to use for the dwelling occupants, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin–carting route from the bin storage area to the collection point must does not pass through any internal rooms of the dwelling and avoids stairs or slopes

### **(a)(iia) – Provisions of any planning agreement**

There is no planning agreement in conjunction with this proposal.

### **(a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)**

The Application has been made in accordance with the relevant matters prescribed by the Regulations.

### **(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality**

- (i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Development Control Plan section in this report and are satisfactory.
- (ii) The proposed development will not have a detrimental social impact in the locality considering the nature of the proposal.
- (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.

### **(c) – the suitability of the site for the development**

The site is considered suitable for the proposed development.

### **(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation**

This application will be exposed to public comment in the usual manner, as outlined in the Development Control Plan, however it is not anticipated that this process will raise any significant objections if any. We do not anticipate any submissions from neighbouring properties.

### **(e) – the public interest**

The proposed development is within the public interest.

### Conclusion

The proposed development has been designed in a way that it addresses the site abilities and constraints whilst satisfactorily demonstrating compliance with the Environmental Planning and Assessment Act 1979 and Council's local planning instruments and guidelines.

Accordingly, this Development Application is submitted in the belief that it deserves council's favourable consideration.

Yours Faithfully,

Tania Hannaford (BURP, Dip.Proj.Management, Cert IV NatHERS Assessment)

**Plan for Tomorrow**

*Plan for Tomorrow has not undertaken a site visit for the purposes of this report. This report is provided exclusively for the purposes described in this report. No liability is extended for any other use or to any other party. The report is based on conditions prevailing at the time of the report and information provided by the client. The report is only for which the land to which the report relates and only for the day it is issued. This report should be read in conjunction with submitted documents and plans relevant to the Development Application*