



## Statement of Environmental Effects

**Proposal:** Demolition of Existing Structures; Subdivision into Two (2) Lots

**Address:** No. 45 Hillcrest Avenue, Greenacre NSW 2190 / Lot 1 DP 21703

**Council:** Canterbury-Bankstown Council

**Date:** October 2022



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## 1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared to accompany the Development Application to Canterbury Bankstown Council that seeks consent for the **proposed demolition of existing structures and subdivision into 2 Torrens-titled lots at No. 45 Hillcrest Avenue, Greenacre NSW 2190 / Lot 1 DP 21703.**

The site is not identified to be a heritage item, nor is it located within a conservation area. The proposal is designed to minimize adverse impact upon the adjoining surrounds, whilst adopting contemporary development within the existing established precinct.

This Statement of Environmental Effects addresses the merits of the proposal with particular reference to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

## 2.0 THE SITE AND SURROUNDS

### 2.1 Legal Description

The subject site falls into **Zone R2 – Low Density Residential** and is legally described as **Lot 1 DP 21703** with an area of 1226 m<sup>2</sup>. It has its street frontage to Hillcrest Avenue with a lot width of 15.24m and a depth of 80.46m. Onsite stands a fibro dwelling and a detached garage with studio.

The site has a slight gradient, with the front portion about 4m higher than the rear portion.

### 2.2 Location

The subject site is located at **No. 45 Hillcrest Avenue, Greenacre NSW 2190** and falls within the jurisdiction of **Canterbury-Bankstown Council** local government area shown in Figures 1 and 2 below with its general context to Greenacre and surrounds. Surrounding land uses are typically single and double storey dwelling houses and a small cluster of neighbourhood shops nearby.

*Proposed Demolition of Existing Structures and Subdivision into 2 Torrens-titled Lots  
45 Hillcrest Avenue, Greenacre NSW 2190*

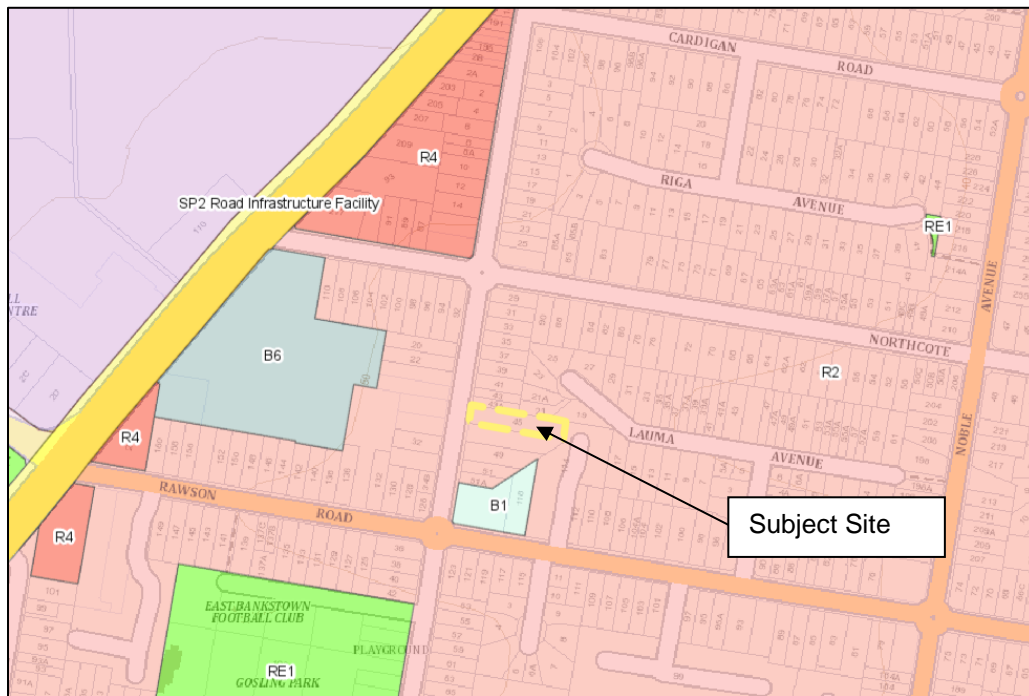


Figure 1: Map illustrating the location of subject site  
(Source: NSW Planning Portal)

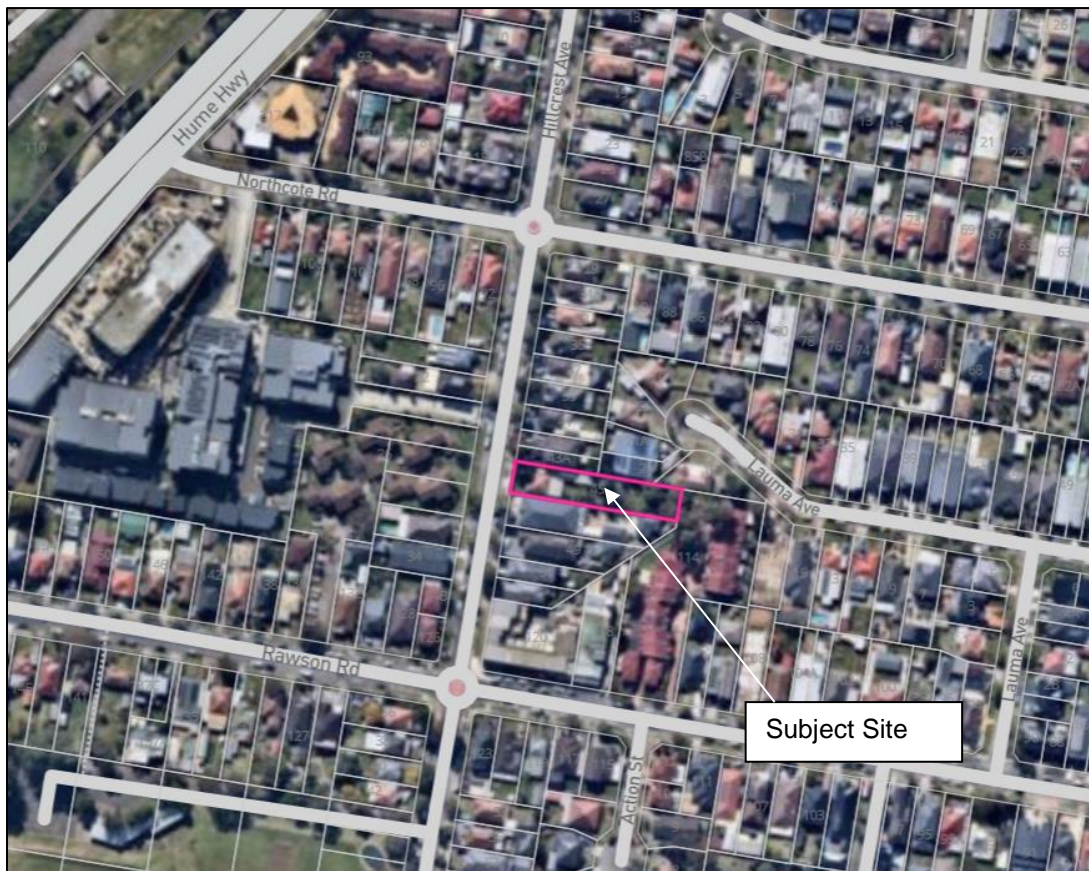


Figure 2: An aerial map illustrating the site and surrounds.  
(Source: NearMaps)



## 3.0 THE PROPOSAL

### 3.1 Description

This Application seeks Development Approval (DA) for the **proposed demolition of existing structures and subdivision into 2 Torrens-titled lots in a battle-axe formation at No. 45 Hillcrest Avenue, Greenacre NSW 2190 / Lot 1 DP 21703.**

The resulting lots will have the following lot areas:

- Lot 1 – 485 sqm
- Lot 2 – 488 sqm (excluding access handle with area of 253sqm)

Notes:

- a) Access handle will have a 5.24m width
- b) Final lot area will be subject to verification by a licensed surveyor.

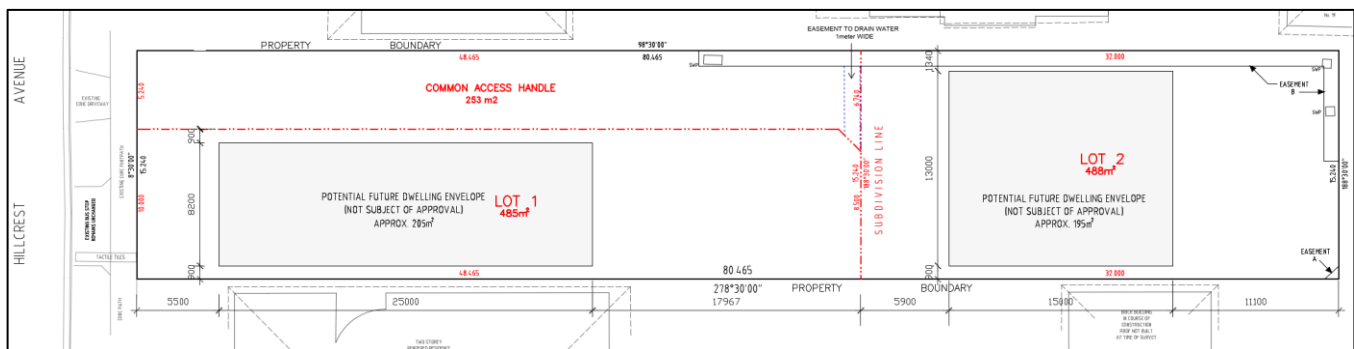


Figure 3: Proposed Subdivision Scheme

### Amenity Impacts:

The proposal will not impart unreasonable negative impacts upon the subject locality and will promote an example of environmentally sensitive contemporary development to an existing establish precinct. The proposal is designed to minimum or have no impact on the land uses with this zone or adjoining zones, further assessment and consideration is made within this report.

## 4.0 SECTION 4.15 EVALUATION EP&A ACT, 1979

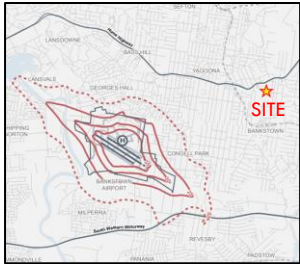
### 4.1. Section 4.15(1)(a) of the EP&A Act, 1979

(i) Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument

#### Bankstown Local Environmental Plan 2015 (BLEP)

The subject site is identified to be located within the jurisdiction of the BLEP and as such is impacted by the planning laws prescribed within the said planning instrument. An assessment is made against the relevant sections of the BLEP.

<b>Bankstown Local Environmental Plan 2015</b>		
<b>Reference to Part of LEP</b>	<b>Development Standard</b>	<b>Notes</b>
2.1 Land use zoning	<ul style="list-style-type: none"> <li>Site is within R2 - Low Density Residential Zone</li> </ul> <p><b>Permitted with consent</b></p> <p>Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Hospitals; Information and education facilities; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water recreation structures; Water supply systems</p>	<p>Complies</p> <p>Site is appropriate for residential development such as dwelling and secondary dwelling, among others.</p>
4.1 Minimum subdivision lot size	<p>(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.</p> <p>(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.</p>	<p>Complies</p> <p>The minimum lot size for the site is 450sqm (Refer to Appendix of this Statement). The proposed Torrens-titled</p>

	<p>(3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included when calculating the size of the lot for the purposes of this clause.</p> <p>(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 2021.</p>	<p>lots will have the following lot areas:</p> <p>Lot 1 – 485sqm  Lot 2 – 488sqm</p> <p>Note that the area of the access handle (253sqm) for the proposed battle axe subdivision is excluded from the above lot areas.</p>
4.3 Height of Building	<p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <a href="#">Height of Buildings Map</a>.</p>	<p>Not relevant</p> <p>The maximum allowable building height for site is 9.0m. No structure proposed with this Application.</p>
4.4 Floor Space Ratio	<p>(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 <a href="#">Floor Space Ratio Map</a>.</p>	<p>Not relevant</p> <p>The maximum allowable FSR for the site is 0.5:1. No structure proposed with this Application.</p>
6.6 Development in areas subject to aircraft noise	<p>(2) Development consent may be granted to development that is the erection of a dwelling (other than a dwelling house) on land in the vicinity of the Bankstown Airport where the ANEF contour is between 20 and 25 only if the dwelling meets the standards specified in AS 2021—2000.</p> <p>(3) Development consent may be granted to development that is the erection of a dwelling house or seniors housing on land in the vicinity of the Bankstown Airport where the ANEF contour exceeds 25 only if the consent authority is satisfied that the nature of occupation or internal noise attenuation measures enable reasonable amenity for the occupants.</p>	<p>Not relevant</p> <p>Subject site is not within an ANEF Contour area. No new structure proposed.</p> 

**Table 1: BLEP Compliance Table**



(iii) Section 4.15(1)(a)(iii)

*The provisions of any Development Control Plan*

**Bankstown Development Control Plan 2015 (BDCP)** provides comprehensive design guidelines and development controls for the Canterbury Bankstown City Council local government area.

An assessment of the proposal against the relevant provisions of the BDCP is included in Table 2 below, which demonstrates compliance with the relevant objectives and controls.

<b>Bankstown Development Control Plan 2015</b>		
<b>PART B1 RESIDENTIAL DEVELOPMENT</b>		
<b>SECTION 2–DWELLING HOUSES</b>		
<b>Reference to Part of DCP</b>	<b>Development Control</b>	<b>Assessment</b>
Subdivision	2.1 Council may allow the subdivision of land to create not more than 4 battle–axe lots, provided that the average area of the lots, exclusive of any access corridor, is not less than 450sqm, and each lot contains a rectangle with sides of 10 metres and 15 metres behind the setbacks of the proposed dwelling house.	Complies  Proposed battle axe subdivision will create two lots with the following lot areas, excluding the lot area of the access handle:  Lot 1 – 485sqm Lot 2 – 488sqm  Proposed subdivision configuration will allow each lot to have a 10m x 15m rectangle at the rear of future dwellings that may be proposed, as shown in the submitted plans.
	2.2 Where the subdivision of land is creating:  (a) a single battle–axe lot, the minimum width of an access handle is 3.5 metres; or  (b) 2 or more battle–axe lots, the minimum width of an access handle is 3.5 metres plus a passing bay at 30 metre intervals.	Complies  The proposed access handle will have a width of 5.24m.

	Vehicle access to battle-axe lots must be provided via access handles and not rights-of-way.	
	<b>PART B11 TREE MANAGEMENT ORDER</b>	
Prescribed Trees	<p>2.3 Part B11 applies to the following trees:</p> <p>(a) All trees that are 5.0 metres or more in height; and</p> <p>(b) All mangroves, regardless of size; and</p> <p>(c) All trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the Biodiversity Conservation Act 2016; and</p> <p>(d) All trees, regardless of size, listed under the Environmental Protection and Biodiversity Conservation Act 1999; and</p> <p>(e) All trees, regardless of size, located on lands included on the Terrestrial Biodiversity Map under Bankstown Local Environmental Plan 2015; and</p> <p>(f) All trees, regardless of size, located on properties listed as a heritage item in Schedule 5 of Bankstown Local Environmental Plan 2015; and</p>	<p>Not relevant</p> <p>The proposed demolition of structures and subdivision will not impact on any existing trees onsite.</p>
<b>PART B13 WASTE MANAGEMENT AND MINIMISATION</b>		
SECTION 2– DEMOLITION AND CONSTRUCTION	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.	<p>Complies</p> <p>A Waste Management Plan is submitted with this Application.</p>

**Table 2: Bankstown DCP Compliance Table**

<b>NOTE ON THE EXISTING BUS STOP IN FRONT OF SITE</b>
<p>The subject site has an established bus stop along its frontage which is operated by Punchbowl Bus Company (PBC) (stop description: Stop 2190142 – Hillcrest Ave before Rawson Road). It will remain unaffected with the proposed battle-axe subdivision layout. It will likewise be maintained at all times while the demolition and construction (not relevant for this Application) are being undertaken. Communication with Hamish Fraser, Planner and Scheduler of PBC, have been undertaken and is attached here as 'Appendix B'.</p>

*iiia) Section 4.15(1)(a)(iiia)*

*The provisions of any Planning Agreement entered into under Section 7.4*

There are no known Planning Agreements entered into under Section 7.4 and no draft Planning Agreements are proposed to be entered into under Section 7.4 for this proposal.

**4.2. Section 4.15(1)(c) of the EP&A Act, 1979**

*The suitability of the site for the development.*

The subject Development Application seeks consent for the **proposed demolition of existing structures, subdivision into 2 Torrens-titled lots at No. 45 Hillcrest Avenue, Greenacre NSW 2190 / Lot 1 DP 21703.**

The proposal is permissible on the land pursuant to the R2 – Low Density Residential zoning provisions applying to the land, and the proposal achieves the objectives of the zone.

The subject site falls within the jurisdiction of the Canterbury-Bankstown Council local government area shown in Figures 1 and 2 of this report with its general context to Greenacre and surrounds.

The local surrounding area is characterized by detached dwellings. The proposal does not increase adverse impacts upon the subject site or adjoining dwellings by way of visual privacy, excessive overshadowing or acoustic privacy. The proposal will therefore have minimal impact on the locality and amenity of surrounding land uses. The proposed development will increase and enhance the amenity value of the site as well as the precinct whilst preserving the traditional character of the precinct and thus will be in keeping with the desired future character of the said zone.

It is evident from the above and the assessment provided within this Statement that the subject site is suitable for the proposal.

**4.3. Section 4.15(1)(e) of the EP&A Act, 1979**

*The public interest.*

The proposed development satisfies the client's requirements, and Council's planning controls and as such will not result in any unacceptable impacts on the locality. Accordingly, the proposal is considered to be in the public interest.

## **5.0 CONCLUSION**

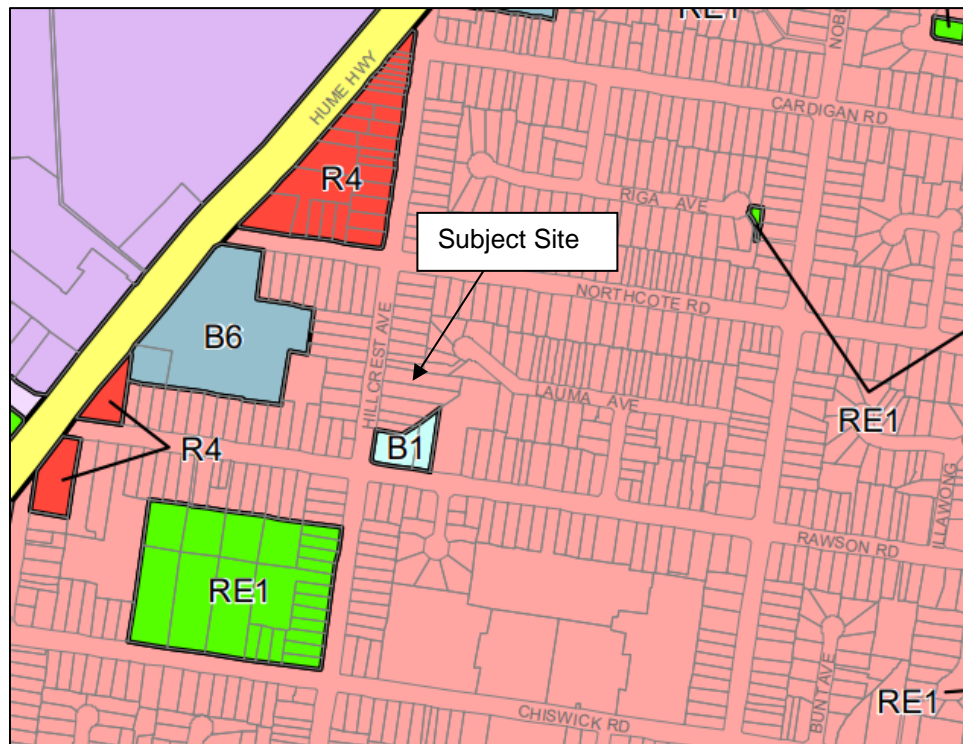
This Development Application seeks consent for the **proposed demolition of existing structures and subdivision into 2 Torrens-titled lots** at **No. 45 Hillcrest Avenue, Greenacre NSW 2190 / Lot 1 DP 21703**.

The proposal meets the prescribed principal development standards of the BLEP and is designed in general keeping with the controls and objectives of the BDCP as assessed within this report.

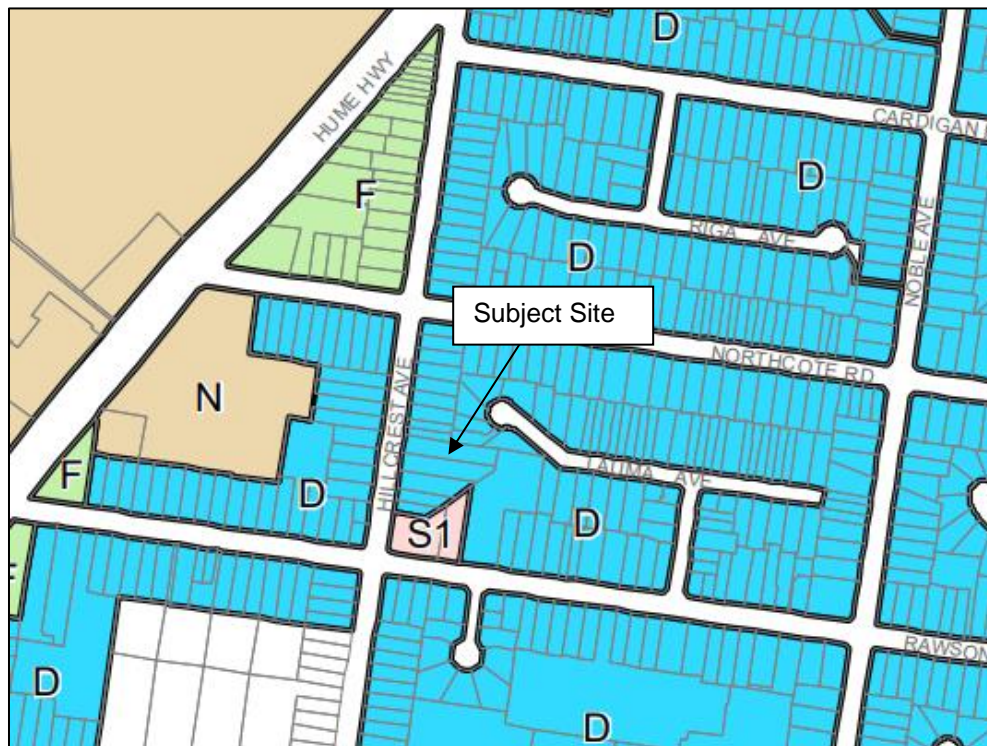
Overall, the proposed development will not pose any adverse or detrimental amenity impacts for the adjoining dwellings by way of visual privacy, excessive overshadowing or acoustic privacy.

Given the above, the proposed development is considered worthy of approval.

## 6.0 APPENDIX A – BANKSTOWN LEP 2015 MAPS



Land Zoning Map - Sheet LZN\_004 / R2 – Low Density Residential



Floor Space Ratio Map – 0.5:1 Maximum FSR





Height Of Buildings Map – Maximum 9.0m



Lot Size Map – Minimum 450sqm

## APPENDIX B

(SEE HIGHLIGHTED)

Begin forwarded message:

**From:** Hamish Fraser <[hamish@punchbowlbus.com.au](mailto:hamish@punchbowlbus.com.au)>  
**Subject:** RE: DA Drawings\_ Punchbowl Bus Company - Case: 01513145  
**Date:** 4 October 2022 at 12:15:25 pm AEDT  
**To:** Olga Gruzdeff <[olgagruzdeff@yahoo.com.au](mailto:olgagruzdeff@yahoo.com.au)>, Tony Petrovski <[tony@punchbowlbus.com.au](mailto:tony@punchbowlbus.com.au)>  
**Cc:** Leeka <[leekart@optusnet.com.au](mailto:leekart@optusnet.com.au)>, Clayton Thickett - Local Approvals <[clayton@localapprovals.com.au](mailto:clayton@localapprovals.com.au)>, "[lucy.read@urbanpulse.com.au](mailto:lucy.read@urbanpulse.com.au)" <[lucy.read@urbanpulse.com.au](mailto:lucy.read@urbanpulse.com.au)>

Hi Olga

PBC raise no concerns as long as the current bus zone is maintained. In addition to this it would be expected that arrangements be made to ensure the full bus zone is maintained at all times during demolition and construction.

Regards

Hamish Fraser  
Planner & Scheduler  
Punchbowl Bus Company  
56-58 Hannans Road Riverwood 2210  
E [hamish@punchbowlbus.com.au](mailto:hamish@punchbowlbus.com.au)  
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**From:** Olga Gruzdeff <[olgagruzdeff@yahoo.com.au](mailto:olgagruzdeff@yahoo.com.au)>  
**Sent:** Thursday, 29 September 2022 5:42 PM  
**To:** Hamish Fraser <[hamish@punchbowlbus.com.au](mailto:hamish@punchbowlbus.com.au)>; Tony Petrovski <[tony@punchbowlbus.com.au](mailto:tony@punchbowlbus.com.au)>  
**Cc:** Leeka <[leekart@optusnet.com.au](mailto:leekart@optusnet.com.au)>; Clayton Thickett - Local Approvals <[clayton@localapprovals.com.au](mailto:clayton@localapprovals.com.au)>; [lucy.read@urbanpulse.com.au](mailto:lucy.read@urbanpulse.com.au)  
**Subject:** DA Drawings\_ Punchbowl Bus Company - Case: 01513145

Hi Hamish,

Back in June of this year, I had emailed you to ask about the bus stop in front of my mother's property.

The address is

45 Hillcrest Avenue,  
Greenacre, NSW, 2190.

Your case number: 01513145

My mother, Helen Gruzdeff has engaged the town planners Local Approvals to apply for the the subdivision of her property.

There is currently your bus stop in front of this property. The subdivision plan, being a battle axe, will not affect your bus stop.

A new shared driveway will be in the same position as the existing.

If I could please ask if you could provide a letter from your company Punchbowl Bus Company to acknowledge that the bus stop will not be affected by the proposed sub division

This will assist in our application to council and will be included in the application as requested by the council during a pre-DA meeting.

If I could please ask if you could prepare this letter at your earliest convenience so the application can be submitted as soon as possible.

Please let me know if you have any questions.

Kind Regards,

Olga

On behalf of Helen Gruzdeff,

m. 0416 433 510