

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR**

**PROPOSED SECONDARY  
DWELLING GRANNY FLAT &  
ASSOCIATED LANDSCAPING  
WORK**

**AT**

**2 CARNATION AVENUE, BANKSTOWN**

**NSW 2200**

**Lot / Plan No: 2 / - / DP 15845**

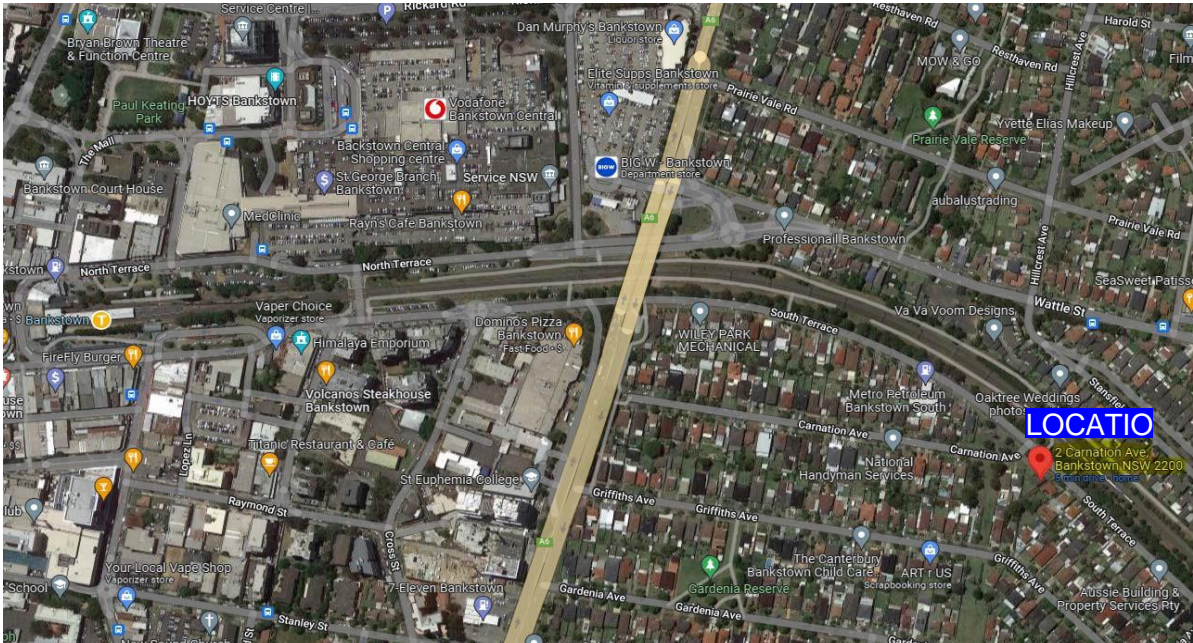
**PREPARED BY: ARCHITECT ZIAD ZAHRAN  
REG NO # 10650**

*(Revised and updated by Jadara Planning on 21  
January 2023 to include compliance with the BLEP  
2015)*

**NOVEMBER 2022**

## DESCRIPTION OF SITE & SURROUNDS

The subjected site is located close to Bankstown Central, Bankstown Train Station, Local Schools, Shops and transports. Figure 001 is an aerial view of the subject site and surrounding area.



**Figure 01 The site and its surrounding**

The existing house is a brick veneer construction, has tiled roof and offers three bedrooms with timber floorboards, family room, dining area, kitchen, bathroom and big backyard. The site is irregular in shape. North & North east frontages consist of 26.315m to Carnation Avenue and South Terrace, and, 5.95 to South Terrace. The South Eastern boundary's length is bout 43.42m, with South boundary of 33.67m. The overall site area is approx.562.132 m<sup>2</sup>. The site is slightly sloping from front down to back.



**Figure 2 – South Terrace View**



**Figure 3– Carnation Avenue-Entry to Backyard**

## SECONDARY DWELLING PROPOSAL

The Statement of Environmental Effects which accompanies the DA application, seeks consent approval for a proposed secondary dwelling located behind the principal dwelling. The proposed secondary dwelling has the following design configuration:

- A living room, open plan kitchen & dining area
- 3 Bedrooms with builds in robes
- One bathroom with laundry area
- Outdoor private space
- Setbacks, small backyard & green areas

## 2.0 PLANNING CONTROLS

### 2.1 Bankstown Local Environmental Plan 2015

#### 2.1 Zoning and Permissibility

The subject site is zoned R2 Low Density Residential under the provisions of Bankstown Local Environmental Plan 2015 (last updated 1 December 2022) (BLEP 2015)

The zone objective as extracted from BLEP 2015:

#### **Zone R2 Low Density Residential**

##### *1 Objectives of zone*

- *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.*

##### *2 Permitted without consent*

*Home occupations*

##### *3 Permitted with consent*

*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*

*Given the above, secondary dwellings are permissible within the R2 Zone. The proposal also aligns with the relevant objectives of the zone in that it will provide for housing need for the community and will not have adverse impact on the amenity of adjoining properties.*

## **Section 5.21 Flood planning of the BLEP 2015**

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

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

*(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

*(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) the intended design and scale of buildings resulting from the development,*
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*



*(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

*(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.*

*(5) In this clause—*

*Considering Flooding in Land Use Planning Guideline means the Considering Flooding in Land Use Planning Guideline published on the Department's website on 14 July 2021.*

*flood planning area has the same meaning as it has in the Floodplain Development Manual.*

*Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.*

*The following advice has been obtained from Council (Full advice has also been submitted as part of this DA)*

*The site is affected by the following Council stormwater system components:*

- *600 mm diameter stormwater pipeline (according to Council records) and associated drainage reserve located along the southern site boundary adjacent to the site.*
- *Overland flowpath for excess stormwater runoff from the upstream catchment and associated with the drainage system located south of the site.*

*The site will be subject to stormwater inundation from this overland flowpath during large storm events. Refer to the attached "100 Year ARI Flood Extent Maps from Salt Pan Creek Catchment Study" showing the flood contours to m AHD\*\*.*

*Provision should be made on site, and at boundary fences, for this stormwater runoff to pass unobstructed over the site. Stormwater flowing naturally onto the site must not be impeded or diverted.*

*The estimated 100 year ARI\* flood level at the site is **RL 26.8m AHD\*\*** (rear of the site).*

*For this development, a flood /overland flow study to determine the 100 year ARI\* water surface level is not necessary.*

*The Development Application submission shall be based on an AHD datum for levels where sites are affected by overland flow / flooding. Refer Bankstown Council's Development Engineering Standards\*\*\*.*

*The proposed development including floor levels, shall comply with the development controls specified in Part B12 Schedule 5, of Bankstown's Development Control Plan 2015 - Catchments Affected by Stormwater Flooding.*

*Habitable floor levels are to be **at least 500mm** above the 100-year ARI\* flood level at the*

site adjacent proposed buildings.

Garage / outbuilding floor levels are to be no lower than the 100-year ARI\* flood level.

Runoff from the garage/outbuilding is to be disposed of to Council's requirements detailed in Bankstown Council's Development Engineering Standards\*\*\*

Flood information obtained from Council required a minimum floor level of RL26.8 plus 500mm. The proposed finished floor level for the proposed secondary dwelling is at RL **27.8** which is above the minimum required level by 500mm.

In addition, and in order to minimise the obstruction of the flow paths , the secondary dwelling is proposed to be elevated on piers, thus allowing the water to run freely under the secondary dwelling. Stormwater existing flow path will not be obstructed and will be maintained as is in accordance with Council's above advice. The only part that is not lifted on piers, is the garage. This is considered minor, as the majority of the proposed structure is on piers.

It is also important to note, that the secondary dwelling, while proposed to be elevated on piers to address flooding issue, it would still comply with the maximum building height requirement.

#### **Clause 4.3 Height of buildings of BLEP 2015**

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

(a) to ensure that the height of development is compatible with the character, amenity and landform of the area in which the development will be located,

(b) to maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of two storeys in Zone R2 Low Density Residential,

(c) to provide appropriate height transitions between development, particularly at zone boundaries,

(d) to define focal points by way of nominating greater building heights in certain locations.

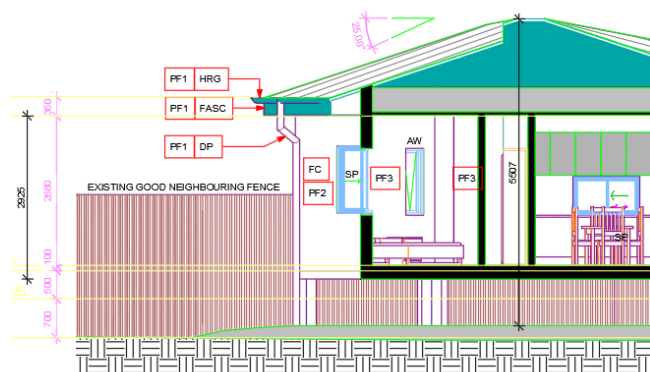
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

(2A) Despite subclause (2)—

,..... —

**(a) for a secondary dwelling that is separate from the principal dwelling—the maximum building height is 6 metres and the maximum wall height is 3 metres,.....**

**(2C) In this clause, wall height means the vertical distance between ground level (existing) and the underside of the eaves at the**



***wall line or the top of the parapet or the flat roof (whichever is the highest).***

The proposed secondary dwelling complies with the building height above provisions under the BLEP 2015 as illustrated in the above figure. However, the proposal does not comply with the maximum wall height requirement of 3 metres. In this regard a Request under Clause 4.6 Exceptions to Development Standards of the BLEP 2015 has been prepared by a qualified and registered planner (Jadara Planning) and submitted as part this development application.

#### **Section 4.4 Floor space ratio of BLEP 2015**

Under the provisions of BLEP 2015, an FSR of 0.5:1 applies to this site.

The exiting dwellings is 88.5 sqm

The proposed secondary dwelling is 60 sqm

The building area is 88.5 plus 60 = 148.5sqm

Site area is 556.4sqm FSR =  $148.5/556.4 = 0.26:1$  which complies with the maximum FSR of 0.5:1 for the site.

## **2.2 Campbelltown DCP 2015**

The proposal has been assessed in relation to compliance with the Development Control Plan – Bankstown Development Control Plan 2015-Part B1. The DCP provides the detailed design guidelines and controls for various types of development within Bankstown Local Government Area.

### **BANKSTOWN DEVELOPMENT CONTROL PLAN (2015)**

#### **PART B1 RESIDENTIAL DEVELOPMENT**

SECTION 3 SECONDARY DWELLINGS 11

##### **OBJECTIVES**

(a) To ensure secondary dwellings are established in conjunction with the principal Dwelling be constructed on the same allotment.

##### **STOREY LIMIT (NOT INCLUDING BASEMENTS)**

3.3 The storey limit for attached secondary dwellings is 2 storeys.

##### **SETBACK & RESTRICTIONS**

###### **Setbacks to the side and rear boundaries**

3.10 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 and rear boundaries of the allotment is 0.9 metre.

The proposal's compliance with the DCP's standards is summarized in the table below:

	Controls	Proposed	Compliance (Yes/No)
<b>3.2 Site cover</b>	The total floor area of the secondary dwelling is no more than 60sq.m	The total floor area of the secondary dwelling is no more than 60sqm Measured to comply with DCP and LEP.	Yes
<b>3.4 The storey limit</b>	The Storey limit for detached secondary dwelling is single storey and do not exceed the 9 meters limits	The proposal is one store secondary dwelling which complies DCP	Yes

<b>3.10 Setbacks to the side and rear boundaries for secondary dwelling</b>	For the portion of the building wall that has a wall height less than or equal to 7 meters, the minimum setback to the side and rear boundaries of the allotment is 0.9 meters.	The proposed development has 1.0m Western side, and 2.015 Southern Side and Front Setback that complies with the requirement of the DCP	Yes
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<b>2.12 Private Open Space</b>	Dwelling houses must provide a minimum 60sqm of private open space behind the front building line.	The proposed private open space is 20 that merge into the open backyard and backside green area, which exceed the 60sqm and does comply with DCP requirement.	Yes
<b>2.31 Landscaping</b>	a) a minimum 45% area between the dwelling house and the primary road frontage b) plant at least on 75 litre trees between the dwelling house and the primary road frontage.	The proposed development still maintain a decent portion of the landscaped backyard and greeneries which complies with DCP requirement.	Yes
<b>3.27 Landscaping for Secondary Dwelling</b>	Development must retain and protect any significant trees on the allotment and adjoining allotments.	The proposed development will not affect any tree on this allotment which complies with DCP requirement.	Yes
<b>3.12 Private open space</b>	Secondary dwellings must not result in the principal dwelling on the allotment having less than the required landscaped area and private open space	The proposed development will not result in the principal dwelling on the allotment having less than the required landscaped area and Private open space Which comply.	Yes

<b>3.20 Building Design</b>	The maximum roof pitch for detached secondary dwellings is 35 degrees.	The roof pitch of proposed development is 25 degrees which complies with DCP requirement	Yes
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### 3.0 Other matters for consideration

#### Noise from the railway line

The proposed development is within close proximity to the Sydenham Bankstown railway line and as such will potentially be impacted by the noise from the railway.

The secondary dwelling is proposed to be located behind the principal dwelling and this will help mitigate the noise from the railway line.


To minimise noise, it is also proposed that the windows that are located on the south east elevation will have double glazing glass. This will reduce noise in bedrooms and living areas significantly.


In addition, proper sealing to prevent sound leaks, for all windows and external doors in accordance with Development Near Rail Corridors And Busy Roads - Interim Guidelines will be implemented from the inside, and outside between the wall opening and the window/door frame.


Given that the proposal is for a secondary dwelling, and not a noise generating land use ( such as childcare), in this instant, it is not considered necessary to prepare an acoustic report, and the proposed actions mentioned above is considered sufficient to deal with the noise issue.

#### Waste Collection

WASTE BINS CALCULATION	RATE	NO. REQUIRED	TO BE PROVIDED
- GENERAL WASTE - RED BIN	140 L	01	01
- RECYCLE WASTE - YELLOW BIN	240 L	01	01
- GREEN WASTE - GREEN BIN	240 L	01	01

 GENERAL WASTE BIN  
COLLECTED WEEKLY

 RECYCLE WASTE BIN  
COLLECTED FORTNIGHTLY

 GREEN WASTE BIN  
COLLECTED FORTNIGHTLY  
ON THE ALTERNATE WEEK TO RECYCLING

### 4.0 CONCLUSION

The proposed secondary dwelling development is compatible with the built form character in terms of building design, siting, bulk and scale.

The design, materials and finishes of the proposed development are also compatible with the adjoining dwellings and developments, and will not detract from the character and visual amenity of the streetscape.

The proposed development will not result in any significant adverse impacts to neighboring properties in terms of overshadowing, loss of privacy, views, or visual bulk.

The proposed development has been designed to ensure that the existing stormwater flow paths will not be blocked nor disturbed.

The proposal will also address the noise impacts from the railway line by providing suitable

seals on windows and doors and double-glazed windows on the south East window Elevations.

Having regard to the merits of the proposal and in the absence of any adverse environmental impacts on the adjoining development or locality, the application is recommended for promising consideration by the respectful Council.