

# MAXIMUS DEVELOPMENTS AUSTRALIA

## TOWN PLANNING / URBAN DESIGN / PROJECT MANAGEMENT

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### STATEMENT OF ENVIRONMENTAL EFFECTS

#### 26 HAIG AVENUE GEORGES HALL NSW 2198

#### ALTERATIONS AND ADDITIONS TO EXISTING DWELLING HOUSE TO FORM SUBDIVISION INTO TWO ALLOTMENTS



#### PROJECT DETAILS

<b>Legal Description</b>	Lot A DP 24233	<b>Property Address</b>	26 Haig Avenue Georges Hall NSW 2198
<b>Project Reference</b>	2022-684		
<b>Date</b>	21 September 22	<b>Revision</b>	C
<b>Client</b>	Premium Design and Engineering	<b>Land Owner</b>	Oday Jawad Al Haddad

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BPlan (Hons) UNSW, MUDD UNSW, Grad Cert (Project Management) UTS  
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## **PROPOSAL**

The proposal seeks development consent for alterations and additions to dwellings house to form Torrens Title Subdivision in to two allotments on land known as 26 Haig Avenue Georges Hall NSW 2198.

This Statement of Environmental Effects has been prepared in accordance with the Statutory considerations of Schedule 1 of the Environmental Planning and Assessment Regulation 2000 (as amended).

## Report Summary

### 1. Strategic Context

Strategic Direction	Authority	Proposal meets objectives and spirit of plan
A Plan for Growing Sydney	NSW Department of Planning	Yes
Canterbury-Bankstown Community Strategic Plan 2028	City of Canterbury-Bankstown	Yes
Bankstown Local Environmental Plan 2015	City of Canterbury-Bankstown	Yes

### 2. Evaluation Planning considerations

Planning Considerations	Compliance
State Environmental Planning Policies	Yes
Bankstown Local Environmental Plan 2015	Yes
Bankstown Development Control Plan 2015	Yes

### 3. Key impacts and considerations

Consideration	Comment	Compliance
Character, bulk and scale	The proposal results in a compatible residential built form in relation to the existing streetscape character within the visual catchment which generally comprises dwelling houses.	Yes
Car parking	Compliant car parking provided is to be provided site in accordance with Council requirements.	Yes
Trees and landscaping	No significant trees located on site. The proposal as part of this application does not seek the removal of any trees on site or on the Council reserve.	Yes
Overshadowing / Solar access	Compliant levels of solar access achieved to the subject site and adjoining properties with appropriate spatial separation.	Yes
Stormwater	Proposal to drain to the front of the site via gravity to the street.	Yes
Privacy	The proposal is not considered to result in unacceptable privacy issues given the nature of the proposal.	Yes

## Research Background

The proposal has taken in consideration with the Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000 (as amended), State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, Bankstown Local Environmental Plan 2015 and Bankstown Development Control Plan 2015 (as amended).

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## PART A: SITE DESCRIPTION AND PROPOSAL

### Description of subject site

The subject site is legally described as Lot A DP 24233 and is known as 26 Haig Avenue ,Georges Hall NSW 2198. The site is zoned R2 Low Density Residential under the Bankstown Local Environmental Plan 2015. The site forms a deep rectangular corner block as follows; 12.190m southern frontage to Haig Avenue, 5.17m splay at the south-west front corner, 56.59m along the western side boundary (secondary frontage to Ashcroft Street), 15.85m along the northern rear boundary, 60.35m along the eastern side boundary with a total site area of 948.5sqm. The site contains a fall from the rear north-east corner (high) to south-west corner (low). A single storey dwelling house is located along the front southern section of the site. A detached garage is located within the rear setback with vehicular access to Ashcroft Street. A swimming pool and metal shed are located within the rear setback.

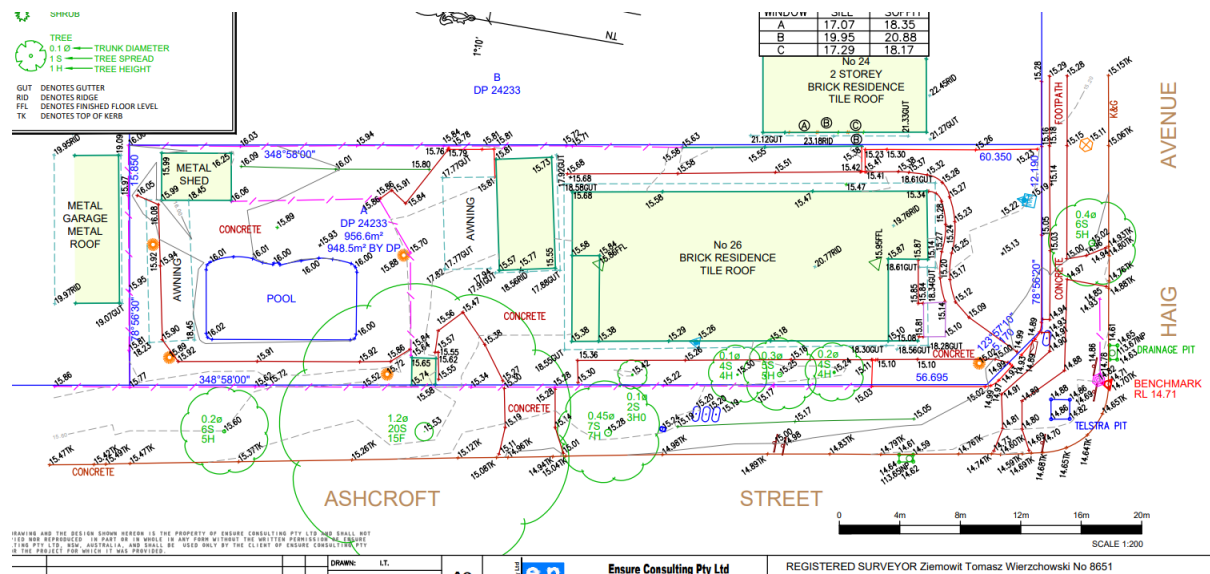


**Fig 1.** Photograph of dwelling house (subject site) at 26 Haig Avenue, Georges Hall (Source: Maximus Developments Australia, 2022)



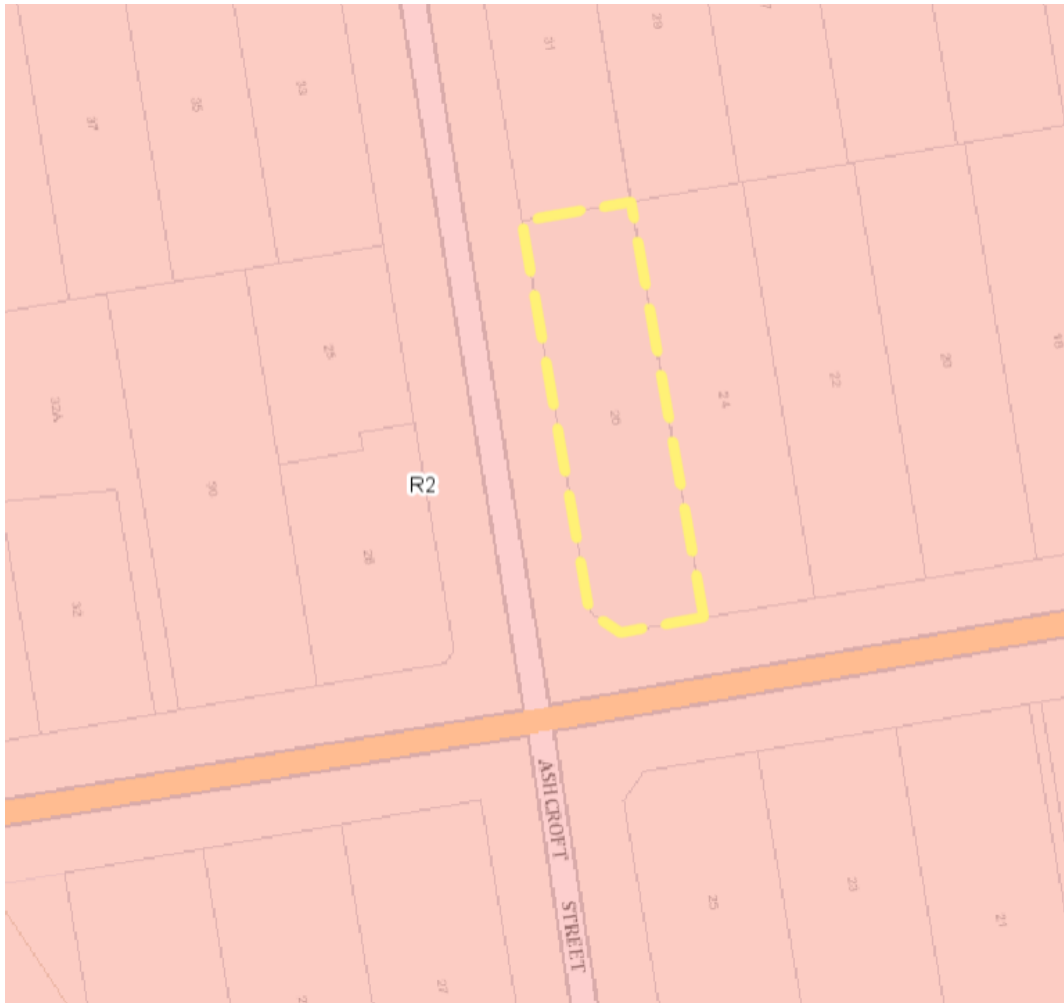


**Fig 2.** Photograph of dwelling house (subject site) at 26 Haig Avenue, Georges Hall viewed from Ashcroft Street (Source: Maximus Developments Australia, 2022).



**Fig.3** Extract of registered survey (Source: Ensure Consulting, 2021).

Maximus Developments Australia



**Fig 5.** Zoning Extract of Subject site (R2 Low Density Residential) (Source Department of Planning, NSW Planning Portal 2020).

### Surrounding Context

The immediate surrounding context comprises of dwelling houses with various architectural styles and designs. The immediate surrounding area is zoned R2 Low Density Residential under the Bankstown Local Environmental Plan 2015. It is noted that there are narrow depth allotments located opposite the site along Ashcroft Street.





**Fig 6.** Photograph of subject site and adjoining eastern dwelling (Source: Maximus Developments Australia, 2022).



**Fig 7.** Photograph of subject site and adjoining northern dwelling (Source: Maximus Developments Australia, 2022).





**Fig 8.** Example of narrow lot (centre) at No. 25 Ashcroft Street (Source: Maximus Developments Australia, 2022).

### **Description of proposal**

The application seeks development consent for alterations and additions to dwellings house to form Torrens Title Subdivision on land known as 26 Haig Avenue, Georges Hall NSW 2198. In detail, the extent of the proposal seeks development consent for the following works;

Demolition of swimming pool, metal shed, garage with awning, rear of existing dwelling house,

*\*Note: the proposal does not seek the removal of any trees on site or within the Council reserve.*

#### Lot 26 (front lot with existing dwelling to be retained)

- Alterations and additions to existing dwelling comprising of deletion of rear bathroom, bedroom, rear alfresco and reduction of living room,
- This results in a dwelling house which comprises of a front balcony; entry, four (4) bedrooms, three (3) bathrooms, kitchen and rumpus,
- Carport along eastern side boundary and new driveway,

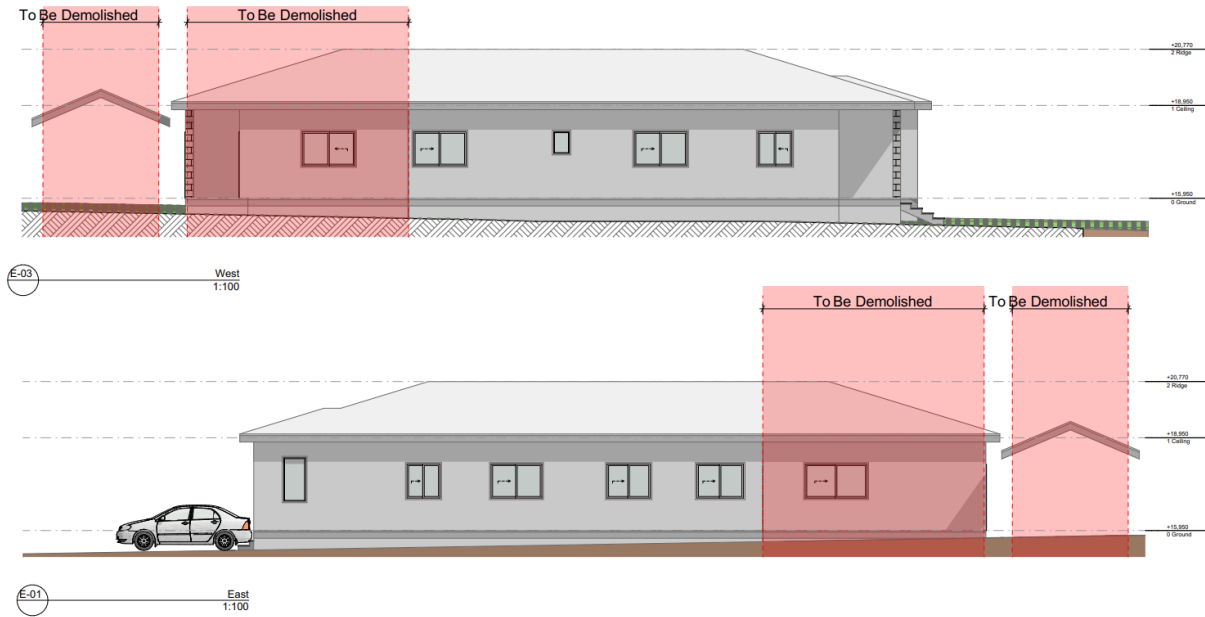
#### Lot 26A (proposed new lot at rear of property with direct access from Ashcroft Street)

- Creation of new rectangular allotment dimensioned 31.536mm along the western front boundary with a depth of 15.850mm,
- This lot is to utilise the existing driveway crossing to Ashcroft Street.

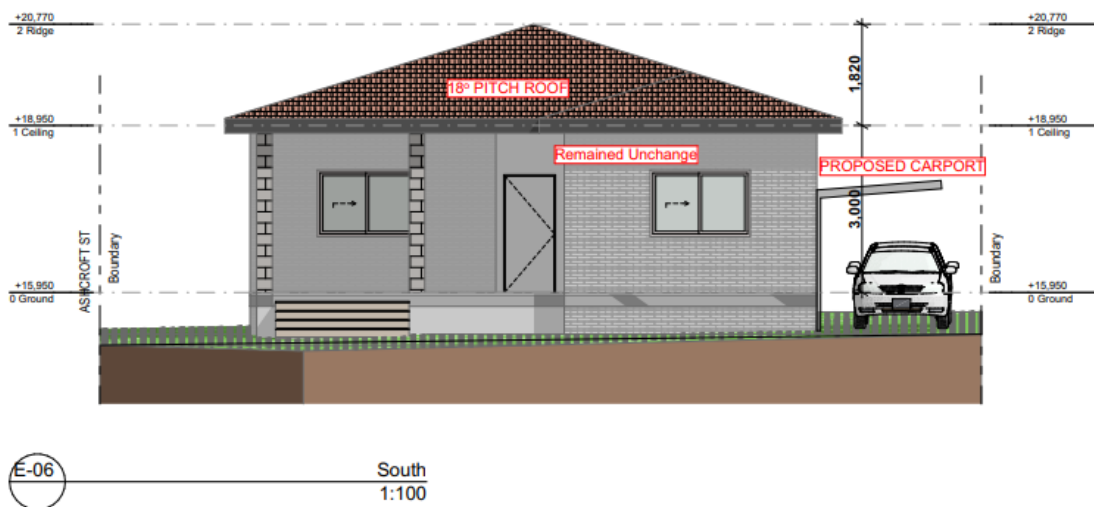
The site plan for No 26A DP 24233 shows a large orange rectangular area labeled "EXPECTED NEW SUSTAINABLE RESIDENCE LAYOUT FOR NEW SUBDIVISION" and a smaller orange area labeled "GARAGE". The site is bounded by No 24 DP 24233 to the north, No 26 DP 24233 to the east, and a "BOUNDARY" line to the south. To the west is a "METAL GARAGE METAL ROOF". The plan includes various setbacks, easements, and proposed new structures. A north arrow is located at the top center. The plan also shows the existing driveway, existing road, and existing footpath. The site is situated on Haig Avenue, with a "PROPOSED NEW CONCERGE" and "PROPOSED NEW CONCERGE" shown. The plan also shows the "EXISTING DRIVEWAY", "EXISTING ROAD", and "EXISTING FOOTPATH". The site is bounded by No 24 DP 24233 to the north, No 26 DP 24233 to the east, and a "BOUNDARY" line to the south. To the west is a "METAL GARAGE METAL ROOF". The plan includes various setbacks, easements, and proposed new structures. A north arrow is located at the top center. The plan also shows the existing driveway, existing road, and existing footpath.

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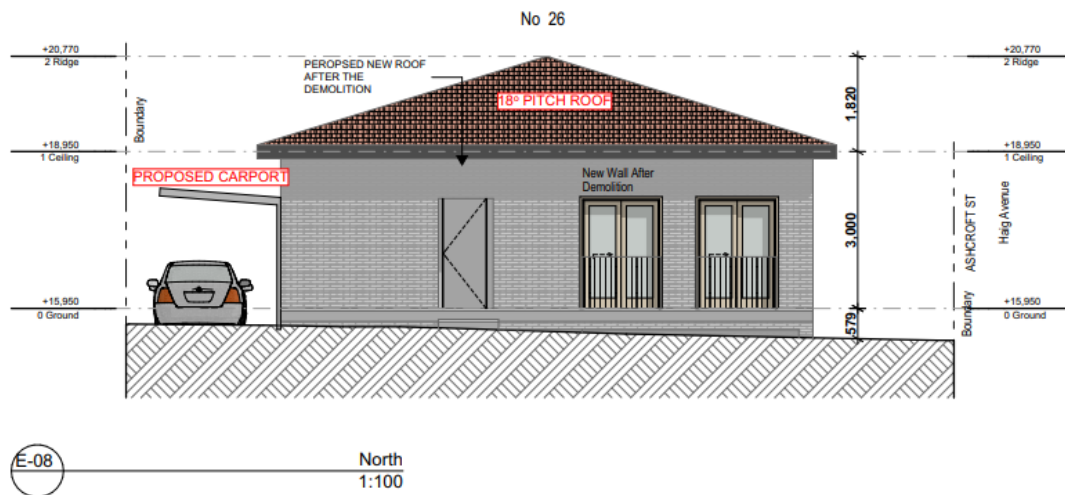




**Fig 11.** Extract of proposed elevations of retained dwelling (Source: Premium Design and Engineering, 2022).



**Fig 12.** Extract of resultant development of No 26 Haig Avenue, Georges Hall (Source: Premium Design and Engineering, 2022).



**Fig 13.** Extract of resultant development rear elevation of No. 26 Haig Avenue, Georges Hall (Source: Premium Design and Engineering, 2022).

## PART B: STATUTORY CONSIDERATIONS

### PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT

#### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

The proposal has been considered against Section 1.3 Objects of the Act as per below;

Object Reference	Object	Comment	Satisfies objective
(a)	To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	To the proposal is considered not to result in any adverse impacts in relation to natural and other resources.	Yes
(b)	To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	A valid and compliant BASIX Certificate accompanies this application.	Yes
(c)	To promote the orderly and economic use and development of land	The proposal results in orderly and economic use of the land given the proposal comprises of the retention of a dwelling house, and creation of new residential subdivision allotment at rear	Yes

		with dwelling house.	
(d)	To promote the delivery and maintenance of affordable housing,	N/A	-
(e)	To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	Not affected by the Threatened Species Act 1995.) Replacement trees proposed to replenish the tree canopy.	Yes
(f)	To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	Not affected by European or Aboriginal cultural heritage	Yes
(g)	To promote good design and amenity of the built environment	Appropriate design proposed which complies with the applicable planning controls and results in a compatible residential built form	Yes
(h)	To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	Noted.	Yes
(i)	To provide increased opportunity for community participation in environmental planning and assessment.	To be notified in accordance with the provisions of the Bankstown Development Control Plan 2015 and Community Engagement Strategy.	Yes

As per the table above, the proposal is considered to reasonably satisfy the underlying intent of the Objects of the Act.

#### **ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2000 (AS AMENDED)**

The application has been prepared in accordance with the Statutory requirements within Schedule 1 and is considered to be acceptable and sufficient for the purposes of assessment.

#### **PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

The nature of works are not considered to be inconsistent with;

- **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

The proposal does not seek any removal of any significant trees, given this it is considered that the proposal is not inconsistent with the SEPP.

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

Council records indicate that the site has been historically used for residential purposes, given this it is considered that the site would unlikely be contaminated.

- **State Environmental Planning Policy BASIX: 2004**

A valid BASIX Certificate accompanies this development application. The requirements of the BASIX Certificate have been considered to be satisfied.

**DRAFT CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2021**

Canterbury Bankstown Local Environmental Plan 2021

**DRAFT CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2021**

The draft Canterbury Bankstown Development Control Plan 2021 has not effect until the gazettal of the Canterbury Bankstown Local Environmental Plan 2021.

**BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015**

**BANKSTOWN COUNCIL LOCAL ENVIRONMENTAL PLAN 2015(AS AMENDED)**

The proposal has been considered against the following provisions as per below;

The proposal adequately satisfies the underlying R2 Low Density Residential Zone objectives as follows;

- ***To provide for the housing needs of the community within a low density residential environment.***

Comment: The proposed use is permissible subject to development consent within the R2 Low Density Residential Zone. The proposal seeks to provide additional housing within the locality with complies with Council's key controls.

- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents.***

Comment: The proposal seeks to provide an additional residential allotment. The proposal complies with Council's controls with the intent to provide good levels of amenity, to which this has achieved. Appropriate development contributions would apply given the extra demand on Council's services and infrastructure as required for all developments seeking an increase in density.

- ***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.***

Comment: N/A

- ***To allow for the development of low density housing that has regard to local amenity.***

Comment: The proposal is considered to of a low density built form which adopts a similar built form to other recent approved alterations and additions to dwelling houses. The proposed new allotments are considered to reasonably accommodate dwellings which would be compatible with the immediate surrounding area.

- ***To require landscape as a key characteristic in the low density residential environment.***

Comment: Compliant levels of landscaping have been provided. Importantly, adequate landscaping and setbacks have been given due consideration to allow for appropriate retention and longevity to new replacement tree planting. The proposal provides compliant front setbacks



which exceed Council's minimum landscape requirements to allow for greater spatial separation between the building built form and the front boundary. This in turn, allows for greater landscaped areas within the front set and allows more space for adequate replacement planting.

Control	Requirement	Proposal	Complies
2.6 - Subdivision	Subdivision requires development consent	Torrens Title Subdivision sought.	Yes
2.7 – Demolition	Demolition requires consent	Consent sought for demolition for pool, rear of dwelling, outbuilding and garage to facilitate proposed works.	Yes
4.1 Minimum Lot	450sqm	Lot 26: 450.01sqm Lot 26A: 499.85sqm	Yes Yes
4.3 Height of buildings	J= 9m  (2b)(c)(i) max height 9m maximum wall height is 7m fronting the street	Lot 26: 4.7m Lot 26A:  Lot 26: 3,579mm Lot 26A:	Yes N/A  Yes N/A
4.4 Floor Space Ratio	D = 0.5:1  Lot 26: 450.01sqm  Lot 26A: 499.85sqm	Lot A: 136.85sqm (0.30:1)	Yes  N/A
4.5 Calculation of Floor Space Ratio and Site Area	Calculation as per defined	Calculated as per definition clause.	Yes
4.6 Exception to Development Standard	Objectives and requirements under Clause must be satisfied	The proposal complies with the applicable Development Standards regarding minimum allotment size, floor space ratio and height.	Yes
5.10 Heritage conservation	Heritage preservation	The site is not listed as heritage item under and State or Local Heritage Register.	Yes
6.1 Acid sulphate soils	Objectives to be satisfied	Not affected by Acid Sulphate Soils	Yes

6.2 Earthworks	Objectives to be satisfied	Earthworks proposed, commensurate with dwelling houses on relatively flat sites.	Yes
6.3 Flood planning	Objectives to be satisfied	Not affected by flooding	Yes

**PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(II) ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT/ DEVELOPMENT CONTROL PLAN**

N/A

**BANKSTOWN DEVELOPMENT CONTROL PLAN 2015 (AS AMENDED)**

The proposal has been considered against the following key provisions as per below;

**BANKSTOWN CITY COUNCIL DEVELOPMENT CONTROL PLAN 2015 – SECTION 2 DWELLING HOUSES**

Given the extent of works, the proposal has been considered against the following key provisions as per below;

Control	Proposal	Complies
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 450m <sup>2</sup> , and each lot contains a rectangle with sides of 10 metres and 15 metres behind the setbacks of the proposed dwelling house.	Not proposed.	N/A
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. Vehicle access to battle-axe lots must be provided via access handles and not rights-of-way.	Not proposed.	N/A
Storey limit (not including basements) 2.3 The storey limit for dwelling houses is 2 storeys.	Lot 26: Ground floor additions to an existing single storey dwelling proposed.	Yes
	Lot 26A: This lot can accommodate a two storey built form.	N/A
In addition, dwelling houses 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.	The site is not affected by this clause.	N/A
2.4 The siting of dwelling houses and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property.	Proposed works to dwelling house and subdivision are	Yes

Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	compatible with the slope and contours of the site and adjoining properties.	
2.5 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: (a) the dwelling house is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or (b) the fill is contained within the ground floor perimeter of the dwelling house to a height no greater than 1 metre above the ground level (existing) of the allotment.	Less than 600mm fill proposed as part of this application for the extent of works.	Yes
Setback restrictions 2.6 The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.	The site is not located within 9m of an existing animal boarding or training establishment.	Yes
Setbacks to the primary and secondary road frontages 2.7 The minimum setback for a building wall to the primary road frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.	Lot 26: 7.04m to ground floor single storey built form retained.  Lot 26A: A two storey built form which a min ground floor of 5.5m and 6.5m can be accommodated on site.	Yes  N/A
2.8 The minimum setback to the secondary road frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.	Lot 26: No change to existing setback to Ashcroft Street (2.7m) existing. No new element to reduce setback.  Lot 26A: 6m to a double garage can be accommodated.	Yes
Setbacks to the rear and side boundary 2.9 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.	Lot 26: 2.96m to eastern side boundary which is unchanged. Rear, 5.1m.  Lot 26A: over 2,960mm for new dwelling (concept) from rear eastern boundary, 3,097mm from southern side boundary, 8,598mm front northern side boundary.	Yes  Yes
2.10 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.	Lot 26: Walls are less than 7m in height.	Yes  Yes

Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.	Lot 26A: Concept, walls can comply with height limit.	
2.11 The basement level must not project beyond the ground floor perimeter of the dwelling house.	No basement proposed as part of this application for both dwellings.	N/A
Private open space 2.12 Dwelling houses must provide a minimum 80m <sup>2</sup> of private open space behind the front building line. This may be in the form of a single area or a sum of areas provided the minimum width of each area is 5 metres throughout.	Lot 26: Minimum 80sqm of private open space provided behind the front building line with a minimum dimension of 5m within rear northern setback and eastern side setback. It is noted that there is an existing 1.8m side boundary fence presenting to Ashcroft Street which provides privacy and amenity for this space.  Lot 26A: accommodated within northern setback and rear eastern setback.	Yes  Yes
Access to sunlight 2.13 At least one living area 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.	Lot 26 and 26A: Compliant levels of solar access achieved given the orientation of the site.	Yes
2.14 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.	Lot 26 and 26A: Compliant levels of solar access achieved given design and the orientation of the site.	Yes
2.15 A minimum 50% of the private open space required for the dwelling house 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.	Lot 26 and 26A: Compliant levels of private open space achieve sunlight access in accordance with this clause due to the orientation of the site.	Yes
2.16 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	Lot 26A: The extent of works are relate to the ground floor of which unlikely to result in any unacceptable impact regarding solar access.	Yes
Visual privacy	Lot 26: The extent of works are at the ground	Yes



2.17 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 (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.	level and are unlikely to result in any unacceptable privacy impact.	
2.18 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	No new windows proposed.	N/A
2.19 Council may allow dwelling houses 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: (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	Lot 26 and 26A: No upper or side balconies proposed.	N/A
2.20 Council does not allow dwelling houses to have roof-top balconies and the like.	Lot 26 and 26A: Lot A and B: The proposal does not seek a rooftop balcony.	N/A
Building design 2.21 The maximum roof pitch for dwelling houses is 35 degrees.	Lot 26: The new elements seek a pitched roof of 18 degrees to match the existing dwelling.	Yes
2.22 Council may allow dwelling houses 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.	Lot 26 and 26A: The proposal does not seek an attic.	N/A
2.23 The design of dormers must: (a) be compatible with the form and pitch of the roof; and	Lot 26 and 26A: The proposal does not seek dormers.	N/A

(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.		
2.24 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).	Lot 26 and 26A: The site is not affected by this criterion of this clause	N/A
Building design (car parking) 2.25 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.	Lot 26 and 26A: The site is not affected by this criterion of this clause.	N/A
2.26 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 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.	Lot 26: The proposal seeks to provide one car space behind the building line and one car space forward of the building line which is uncovered.  Lot 26A: Two car spaces can be potentially contained within a double garage.  Lot 26: The proposal seeks to provide one car space located behind the front building line with a minimum front setback of 6m.  Lot 26A: The proposal can potentially accommodate a double garage which is located 6m from the frontage to Ashcroft Street.	Yes  Yes  Yes
2.27 Despite clause 2.26, Council may allow an existing dwelling house (approved prior to 21 October 1997) to erect a carport forward of the front building line solely where: (a) two car parking spaces behind the front building line is not possible due to the side boundary setbacks being less than 3 metres; and	The dwelling house was likely to be approved before 21 October 1997 given the condition of the existing dwelling. The site is not affected by this criterion of this clause given the proposed subdivision works sought.	N/A

(b) the carport achieves a high quality design with a pitched roof that complements the dwelling house; and (c) the carport is setback a minimum 1 metre from the primary and secondary frontages.		
2.28 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.	Lot 26: The design of the proposed carport is minimal and adopts an open style carport with a flat roof which is compatible with the existing built form.  Lot B: Not applicable.	Yes  N/A
2.29 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: (a) the building is at least 2 storeys in height, and (b) the garage is architecturally integrated with the upper storey by: (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in Part B1 of this DCP.	Lot 26: The proposal seeks only two car parking spaces in the form of one carport and one open hardstand space.  Lot 26A: A double garage can be accommodated on site (concept).	Yes  N/A
Landscaping 2.30 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 dwelling house.	Lot 26 and Lot 26A: The proposal seeks to retain the street trees on the Council reserve.	Yes
2.31 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): (a) a minimum 45% of the area between the dwelling house and the primary road frontage; and (b) a minimum 45% of the area between the dwelling house and the secondary road frontage; and (c) plant at least one 75 litre tree between the dwelling house 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 (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.	Lot 26 and Lot 26A: Additional planting can be conditioned to embellish the site.	Yes

Control	Requirement	Proposal	Complies
Car parking: Dwelling house	2 spaces per dwelling behind the building front building line.	Lot 26: Two car spaces are proposed to service Lot A (front).  Lot 26A: 2 car parking space can provided in the form of a double garage:	Yes  Yes
Australian Standards/vehicular manoeuvrability	Standards to apply – minimum car parking dimension = 5.4m x 2.4m	Lot 26 and 26A: Standards meet and satisfied in relation to minimum car parking sizes and dimensions of parking areas.	Yes
Total car spaces	4 spaces	Lot 26 and 26A: 4 spaces in total.	Yes
Driveway width	3m – minimum clear width	Lot 26: 3m Lot 26A: 4.0m	Yes Yes

**BANKSTOWN CITY COUNCIL DEVELOPMENT CONTROL PLAN 2015 – SECTION 13 ANCILLARY DEVELOPMENT (OUTBUILDINGS)**

Control	Proposal	Complies
Site cover 13.1 The sum of the gross floor area of all the outbuildings on the allotment must not exceed 60m <sup>2</sup> .	Lot 26: The outbuilding (carport) is open and does not constitute gross floor area.	Yes
13.2 Outbuildings must not result in the principal dwelling on the allotment having less than the required landscaped area and private open space.	Lot 26: Compliant levels of landscaping and private open space proposed.	Yes
Height 13.3 The storey limit for outbuildings is single storey. An attic or basement is not permitted in outbuildings.	Lot 26: Single storey height. No attic or basement proposed.	N/A
13.4 The maximum building height for outbuildings is 4.8 metres and the maximum wall height for outbuildings is 3 metres.	Lot A: Maximum height is 2.7m.	Yes
13.5 The siting of outbuildings and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Lot 26: Proposed works are considered to be compatible with this clause given the nature of the design.	Yes
13.6 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:  (a) the outbuilding is required to be raised to achieve a suitable freeboard in	Lot 26: On grade.	Yes



accordance with Part B12 of this DCP; or (b) the fill is contained within the ground floor perimeter of the outbuilding to a height no greater than 1 metre above the ground level (existing) of the allotment.		
Setbacks to the primary and secondary road frontages 13.7 Outbuildings must locate behind the front building line.	Lot 26: Compliant with front setback of 7.46m to the front of the car port which is 5.2m in depth.	Yes
Setbacks to the side and rear boundaries 13.8 The minimum setback to the side and rear boundaries of the allotment is: (a) zero setback for carports or masonry walls that do not contain windows, eaves and gutters provided the structures comply with the Building Code of Australia; or (b) 0.45 metre for non-masonry walls that do not contain a windows, eaves and gutters; or (c) 0.9 metre for walls with windows, or outbuildings that are or are intended to be used for recreation purposes.	Lot 26: Carport more than 450mm from eastern side boundary.	Yes
13.9 Outbuildings must not function as self-contained dwellings, and must not function or be adapted to function for industrial purposes.	Lot 26: The open carport cannot be readily adapted to a self contained dwelling.	Yes
13.10 The design of outbuildings is limited to the following facilities: (a) a half bowl sink; and (b) a maximum cupboard length of 1.8 metres; and (c) a toilet and shower with external access only; and (d) no cooking facilities or excessive number of large windows.	Lot 26: No facilities in this criterion proposed.	Yes
13.11 The maximum roof pitch for outbuildings is 25 degrees.	Lot 26: Less than 25 degrees.	Yes
13.12 Council does not allow outbuildings to have roof-top balconies and the like.	Lot 26: No roof top balcony proposed.	Yes
Landscaping 13.13 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 outbuilding.	Lot A: No trees affected by the proposed sitting of this outbuilding.	Yes

Given the above, the proposal is considered to generally satisfy the requirements of this subsection.

#### **BANKSTOWN CITY COUNCIL DEVELOPMENT CONTROL PLAN 2015 – PART B11 TREE PRESERVATION ORDER**

Previously addressed within report.

#### **BANKSTOWN CITY COUNCIL DEVELOPMENT CONTROL PLAN 2015 – PART B12 FLOOD RISK MANAGEMENT**

The proposal satisfies the intent of Council's controls (refer to stormwater concept plan for more detail) whereby sufficient stormwater disposal and treatment is sought which is to drain via gravity to Council's asset infrastructure.

## **BANKSTOWN CITY COUNCIL DEVELOPMENT CONTROL PLAN 2015 – PART B13 WASTE MANAGEMENT AND MINIMISATION**

A waste management plan accompanies this application which specifies the disposal, reuse and recycling of materials.

### **PART 4 DIVISION 4.3 SECTION 4.15 (1)(B) THE LIKELY IMPACTS OF THAT DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY**

#### **Natural Environment Impacts**

As previously discussed, the proposal seeks minimal cut and fill similar to other dwellings and subdivisions within the locality within R2 Low Density Residential Zones. The proposal does not result in any amenity or drainage impacts. No trees are proposed to be removed as part of this application. In this regard, no unacceptable unreasonable natural environmental impacts are generated by this proposal.

#### **Built Environment Impacts**

The proposal is also considered to satisfy and meet the objectives and intent and requirements of the planning controls. In this regard, the proposal is not considered to result in any unacceptable unreasonable adverse built environment impacts by virtue of the design. The proposal adopts a reasonable built form for a dwelling house and proposed Torrens title subdivision which is responsive to the allotment shape and context of the surrounding area which is considered to be undergoing transitional change to infill development.

#### **Economic Impacts**

The proposal is not considered to result in any unacceptable economic impacts given the proposed residential purpose which forms a permissible use within the zone.

#### **Social Impacts**

The proposal seeks to increase the existing housing stock within the locality with the addition of a dwelling house and secondary dwelling whilst retaining the existing dwelling house. The proposal is not considered to result in any unacceptable social impacts by virtue of the design of the proposal and is compatible with the immediate surrounding context and aligns with the residential character of the area.

### **PART 4 DIVISION 4.3 SECTION 4.15 (1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

#### **Suitability of the site**

The proposal is considered to be suitable for the subject site given the site orientation, dimensions, slope and design of the proposal. The proposal results in a reasonably built form which adequately addressed the street frontage with appropriate visual massing, breaks and design cues to positively contribute to the streetscape. The proposal is considered to be appropriate as the proposal

adequately satisfies and does not offend the underlying objectives of the applicable planning controls as stated within this report.

#### **PART 4 DIVISION 4.3 SECTION 4.15 (1)(E) THE PUBLIC INTEREST**

##### **Public Interest**

The proposed development is considered to be in the public interest for the reasons contained within this report. As previously stated the proposal adequately satisfies the underlying planning objectives of the controls given the virtue of the design.

#### **PART C: CONCLUSION**

The proposal is considered to be appropriate as the considerations against the Statutory provisions have been met. The proposal satisfies the Environmental Planning and Assessment Act 1979 (as amended), Environmental Planning and Assessment Regulation 2000 (as amended), State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, Bankstown Local Environmental Plan 2015 and Bankstown Development Control Plan 2015. In this regard, it is considered that the proposal for alterations and additions to dwellings house to form Torrens Title Subdivision on land known as 26 Haig Avenue, Georges Hall NSW 2198 is reasonably acceptable.

Kind regards,

**Mark Raymundo**

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**Principal**

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