

Statement of Environmental Effects

Proposed Secondary Dwelling and Alterations
to Primary Dwelling (Sunroom)

Zoned R2 Medium Density Residential

13 Wales St, Greenacre

Prepared by:
Aspire Design & Engineering

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INTRODUCTION

This Statement of Environmental Effects has been prepared in conjunction with a development application for the ‘Proposed Secondary Dwelling and Alterations to Primary Dwelling (Sunroom)’. This application has been prepared pursuant to Sec 4.12 of the Environmental Planning and Assessment Act (EPA Act), 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000.

The purpose of this document is to provide a context of the subject site and its surrounding local environment, provide details of the proposed development and assess the compliance of the proposal against Canterbury-Bankstown Local Environmental Plan 2023 and Canterbury-Bankstown Council’s Development Control Plan 2023 pursuant to the evaluation criteria prescribed under Section Sec 4.15 of the EPA Act, 1979.

The proposed development statement will demonstrate that the proposed development is permissible with council’s consent in land zoned R3 Medium Density Residential zone under Canterbury-Bankstown Councils LEP and DCP controls. The proposal shall demonstrate consistency with the aims and objectives of the relevant environmental planning instruments, LEP’s, DCP’s, Environmental & Social considerations in accordance with S 4.15 (1) (b), Suitability in accordance with S 4.15 (1) (c), Public interest in accordance with S 4.15 (1) (e).

DEFINITIONS:

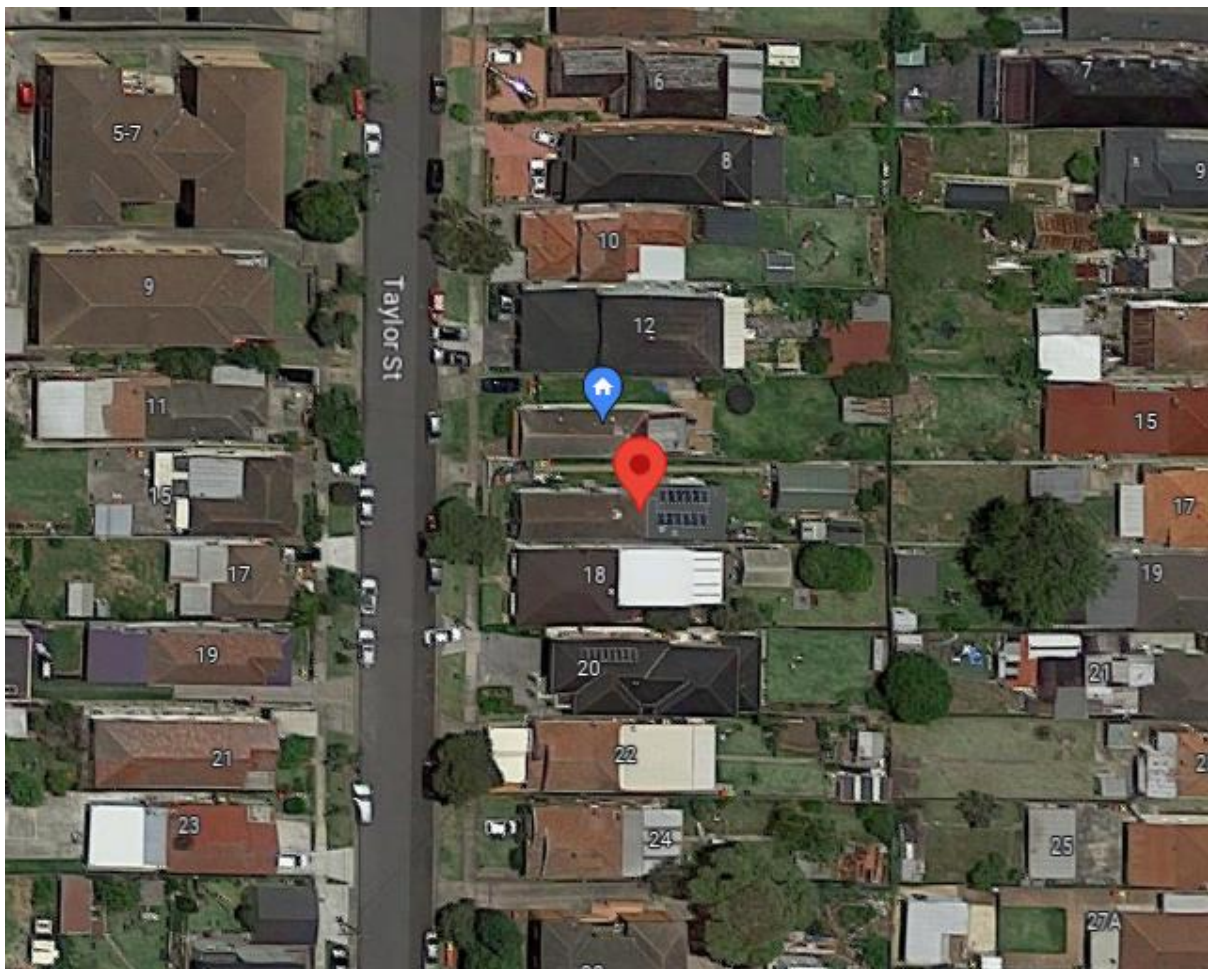
Public interest: *Undefined by any relevant planning instrument, however the department of planning describes public as consideration the consent authority should have in the interest of the
“The broader public interest”*

The ‘public interest’ is a term for which there is no specific and undisputable definition. “What is the public interest?” depends almost entirely on the circumstances in which the question arises. However, as a general concept it has been described as referring to considerations affecting the good order and functioning of the community and government affairs for the wellbeing of citizens. It has also been described as the ‘common good’.

SITE ANALYSIS

- The Site is 519.328 m², rectangular in shape lot.
- The lot is located between Plasto street and Pelman Ave. The subject site is located Approximately 250m West of Parry Park.
- The neighbourhood is mainly zoned R2 Low Density.
- Currently the site contains an existing single storey weatherboard cottage with a tiled roof.

Figure 1: Aerial Map



Source: Google Maps 2023

DEVELOPMENT PROPOSAL

The Development Application seeks to obtain approval for a Proposed Secondary Dwelling and Alterations to Primary Dwelling (Sunroom).

PRESENT & PREVIOUS USES

- Previously the site has been used as residential housing.
- The site has remained consistent and is currently used for residential purposes.
- An approval for a garage and workshop additions have been obtained on the 25/05/1995 [Application No. ZCBAB-374/1995]
- An Approval for an Alterations and Additions to the Existing Dwelling had been obtained on the 12/05/2004 [Application No. DA-155/2004]

PRIVACY, OVERSHADOWING & SUNLIGHT

- The Proposed Structure does not affect or alter the privacy, overshadowing or sunlight into neighbouring/ adjoining properties.

PLANNING FRAMEWORK

SEPP Sustainability Index (BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development and aims to encourage sustainable residential development.

For all new houses, dual occupancies, alterations, and additions to the value of \$50,000 and over.

A BASIX certificate has been attached with the Development Application.

Canterbury - Bankstown Council Local Environmental Plan 2023

Zoning

The site is zoned R2 – Low Density Residential, as described by the Bankstown LEP Land Zoning Map. The proposal achieves the objectives of this zone and is permissible with consent.

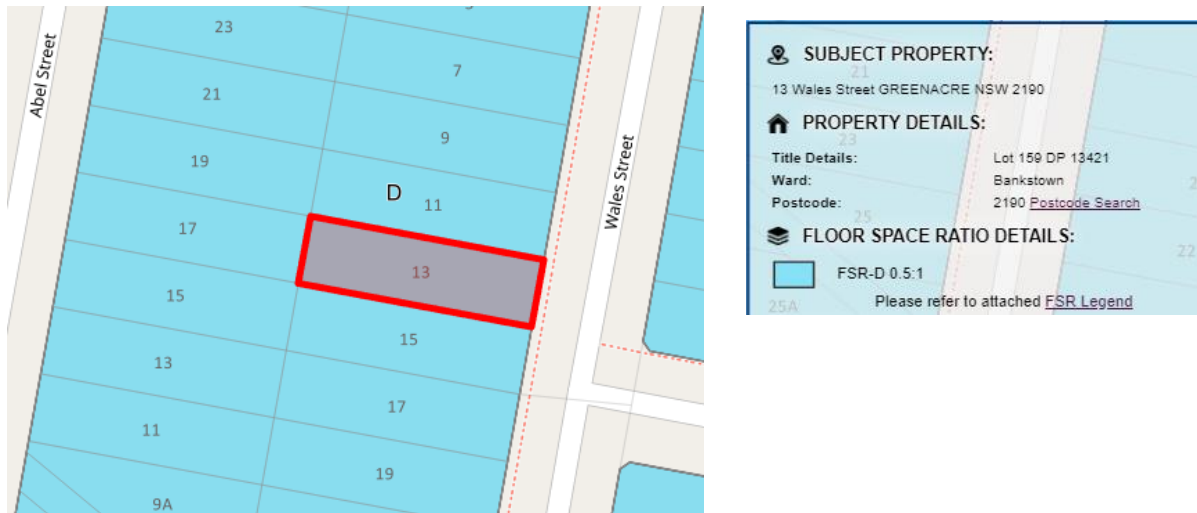


3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

Floor Space Ratio

The permissible floor space ratio for the site identified on Canterbury - Bankstown LEP 2023 is 0:5:1.



Heritage

The site is not heritage listed and is not located within a heritage conservation area

Acid Sulfate

The site is not affected by Acid Sulfate soils.

COMPLIANCE TABLE – CANTERBURY-BANKSTOWN COUNCIL

Canterbury-Bankstown Council Development Control Plan 2023 (CBDPC 2023) / Local Environmental Plan 2015 (CBLEP 2023)

REQUIREMENTS	REQUIRED	PROPOSED	COMPLIANCE
CHAPTER 5 – RESIDENTIAL ACCOMMODATION – 5.1 – FORMER BANKSTOWN LGA			
SECTION 2 – DWELLING HOUSES			
OBJECTIVES	<ul style="list-style-type: none">• O1 To ensure the building form, building design and landscape of dwelling houses are compatible with the prevailing suburban character of the residential areas.• O2 To ensure the building form and building design of dwelling houses provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.• O3 To ensure the building form and building design of dwelling houses do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.• O4 To ensure the building form of dwelling houses in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.• O5 To minimise the visual impact of off-street parking on the streetscape.		
DEVELOPMENT CONTROLS			
STOREY LIMIT (NOT INCLUDING BASEMENTS)			
2.1	The storey limit for dwelling houses is two storeys	proposed development is one-storey	YES
2.2	The siting of dwelling houses and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Proposed Sunroom is compatible with the existing site features	YES
2.3	Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where: (a) the dwelling house is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or (b) the fill is contained within the ground floor	N/A	N/A

	perimeter of the dwelling house to a height no greater than 1 metre above the ground level (existing) of the site.		
Side Setbacks			
2.7	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 site is 0.9 metre.	The side setbacks for the sunroom is greater than 0.9m	YES
2.8	or the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres. 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.	N/A, Wall height does not exceed 7m	N/A
2.9	The basement level must not project beyond the ground floor perimeter of the dwelling house.	N/A, No Basement	N/A
Private open space			
2.10	Dwelling houses must provide a minimum 80m ² 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.	The P.O.S exceeds 80m ² (refer to landscape plan S-07), with a minimum width of 6.75m	YES
Access to Sunlight			
2.11	At least one living area must receive a minimum three 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.	No Alterations to the existing living rooms are proposed. The Existing Living room is north facing, and adequate sunlight has been achieved during the winter solstice	YES
2.12	At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be	The proposed sunroom will not impact sunlight access to living rooms for adjoining neighbours	YES

	met, the development must not result with additional overshadowing on the affected living areas of the dwelling.		
2.13	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 site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	The proposed sunroom will not impact sunlight access to P.O.S for adjoining neighbours and a min. of 50% for the site and adjoining lots has been achieved	YES
2.14	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	N/A	N/A
VISUAL PRIVACY			
2.15	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.	The proposed sunroom does not have a window that looks directly into a living area or bedroom of an existing dwelling	YES
2.16	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	The proposed sunroom does not have a window that looks directly into the POS of an existing dwelling	YES

	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.		
BUILDING DESIGN			
2.19	The maximum roof pitch for dwelling houses is 35 degrees.	No roof pitch exceeds 35 degrees	YES
2.20	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	N/A, No Attic Proposed	YES
2.21	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	N/A
2.22	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).	N/A, Not located within a foreshore protection area	N/A
LANDSCAPE			
2.28	Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.	N/A, no tree removal on the allotment is proposed	N/A
2.29	Development must landscape the following areas on the site by way of trees and shrubs with preference given to native	a) More than 45% of the area between the dwelling house and	YES

	<p>vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species):</p> <p>(a) a minimum 45% of the area between the dwelling house and the primary street frontage; and</p> <p>(b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and</p> <p>(c) plant at least one 75 litre tree between the dwelling house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); and</p> <p>(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.</p>	<p>primary street frontage is landscaped;</p> <p>b) N/A</p> <p>c) Trees have been proposed between the dwelling and primary street frontage</p> <p>d) N/A</p>	
END OF SECTION 2 - CHAPTER 5.1 – CANTERBURY BANKSTOWN DCP 2023			

REQUIREMENTS	REQUIRED	PROPOSED	COMPLIANCE
CHAPTER 5.1 – CANTERBURY BANKSTOWN DCP 2023			
SECTION 3 – SECONDARY DWELLINGS			
Objectives			
Objectives	<ul style="list-style-type: none"> • <i>O1 To ensure secondary dwellings are established in conjunction with the principal dwelling on the same site.</i> • <i>O2 To ensure the building form is subservient to the principal dwelling on the same site in terms of visual bulk and scale.</i> • <i>O3 To ensure the building form and building design of secondary dwellings are compatible with the prevailing suburban character of the residential areas.</i> • <i>O4 To ensure the building form and building design of secondary dwellings provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.</i> • <i>O5 To ensure the building form and building design of secondary dwellings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.</i> • <i>O6 To ensure the building form of secondary dwellings in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.</i> 		

LOT SIZE			
3.1	<i>A secondary dwelling is permissible on a site with a minimum lot size of 450m².</i>	<i>The lot size has an area of 519.328m²</i>	Yes
Site Cover			
3.2	<p>Council must not consent to development for the purpose of secondary dwellings unless:</p> <p>(a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under an environmental planning instrument; and</p> <p>(b) the total floor area of the secondary dwelling is no more than 60m² or, if a greater floor area is permitted in respect of a secondary dwelling on the land under an environmental planning instrument, that greater floor area.</p>	<p><i>The total FSR is less than the maximum FSR of 0.5:1</i></p> <p><i>the secondary dwelling a floor area of <60m²</i></p>	YES
Storey Limit			
3.3	The storey limit for attached secondary dwellings is two storeys.	The secondary dwelling is one storey	YES
3.4	The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3 metres.	The Wall height of the secondary dwelling does not exceed 3m	YES
3.5	The siting of secondary dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The secondary dwelling is compatible with the existing site conditions	YES
3.6	Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where: (a) the secondary dwelling is required to be raised to achieve a suitable freeboard in	N/A, No reconstituted ground levels proposed	N/A

	accordance with Chapter 2.2 of this DCP; or (b) the fill is contained within the ground floor perimeter of the secondary dwelling to a height no greater than 1 metre above the ground level (existing) of the site.		
SETBACK RESTRICTIONS			
3.7	The erection of secondary dwellings is prohibited within 9 metres of an existing animal boarding or training establishment.	N/A, Not located within the vicinity of an existing animal boarding or training establishment	N/A
Street Setbacks			
3.8	The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.	The setback of the secondary dwelling is greater than 5.5m from the primary street	YES
3.9	The minimum setback to the secondary street 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.	N/A, No secondary frontage	N/A
Side and Rear Setbacks			
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 site is 0.9 metre.	The side and rear setback of the proposed secondary dwelling is 0.9m	YES
3.11	For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side and rear boundaries of the site is 1.5 metres.	N/A, wall height does not exceed 7m	N/A
Private Open Space			
3.12	Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.	>80m ² of POS is available on the land	YES

Access to Sunlight			
3.13	At least one living area must receive a minimum three 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.	The proposed living area achieves a min. of 3hrs of sunlight during the winter solstice	YES
3.14	At least one living area of a dwelling on an adjoining site must receive a minimum three 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.	The proposed secondary dwelling will not impact neighbouring allotments	YES
3.15	A minimum 50% of the private open space required for the principal dwelling on the site and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	50% of sunlight has been achieved for the P.O.S and will not impact adjoining allotments	YES
VISUAL PRIVACY			
3.16	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	The proposed secondary dwelling does not look directly into living rooms or bedrooms of adjoining allotments	YES

	level; or (d) use another form of screening to the satisfaction of Council.		
3.17	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.	The proposed secondary dwelling does not look directly into P.O.S of adjoining allotments	YES
3.18	Council may allow attached secondary dwellings 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.	N/A, No upper level proposed	N/A
3.19	Council does not allow secondary dwellings to have roof-top balconies and the like.	N/A, No rooftop balcony proposed	N/A
Building design			
3.20	The maximum roof pitch for attached secondary dwellings is 35 degrees.	The roof pitch of the secondary dwelling does not exceed 35 degrees	YES
3.21	Council may allow attached secondary dwellings 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	N/A, No attic Proposed	N/A

	bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.		
3.22	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, No dormer proposed	N/A
3.23	The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.	The maximum roof pitch does not exceed 25degrees	YES
3.24	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).	N/A, Not located within a foreshore protection area	N/A
3.25	The change of use of outbuildings to secondary dwellings must comply with the National Construction Code.	N/A, change of use not proposed	N/A
Building design (car parking)			
3.26	Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.	The existing car parking spaces have not been impacted	YES
LANDSCAPE			
3.27	Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the secondary dwelling.	Adequate landscape area and vegetation has been proposed	YES
END OF SECTION 3 – CHAPTER 5.1 – CANTERBURY BANKSTOWN DCP 2023			

Flora and Fauna

The proposal does not harm any protected habitat, nor is the site identified as an environmental conservation area.

Waste Collection

Normal domestic and commercial waste collection applies to this development.

Natural Hazards

The Site is not affected by any known hazards. Checked on the NSW Government Planning Portal.

Construction

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

Conclusion

The development is considered to adequately address the objectives of the All plans and policies that apply – LEPs, DCPs.

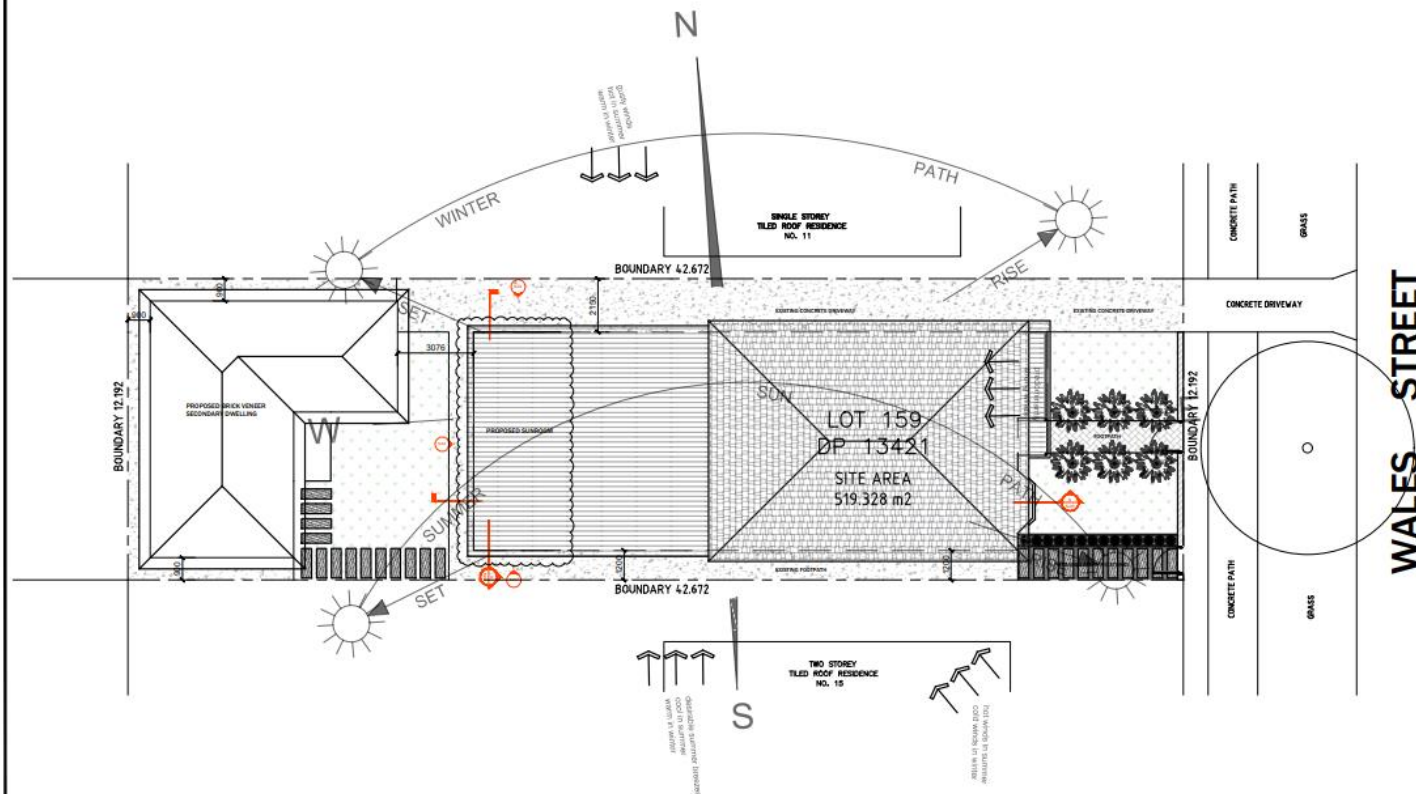
Impacts of your proposal on the natural and built environment has been addressed by complying environmental control factors integrated with Councils LEP, DCP regulations.

The development increases the number of housing available in an area which is underdeveloped and allows additional affordable housing options which in turn supports social and economic impacts in the locality.

The development bulk and scale complies with the zoning objectives and surrounding street scape area locality. There are NO adverse impacts to the adjoining premises and environment.

The proposed development allows for healthy living of its occupants with all required amenities provided in the proposed development.

The proposed development enhances the streetscape and also maintains the amenities of the surrounding dwellings. Therefore, the proposal is worthy of approval as it is considered to be a viable and compliant development which essentially be supported by the consent authority in the broader public interest in accordance with Sec 4.15 of the EPA Act, 1979.



GENERAL NOTES

01. BUILDING CODE OF AUSTRALIA

ALL WORK TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA, SAA CODES AND RELEVANT BY-LAWS.

02. DEVELOPMENT APPROVAL

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE DEVELOPMENT APPROVAL, CONSTRUCTION CERTIFICATE AND ANY SCHEDULES ATTACHED THERETO. ALL CONDITIONS MUST BE APPLIED TO THE DEVELOPMENT. WHERE ANY VARIATIONS ARE SOUGHT, IT IS THE RESPONSIBILITY OF THE DEVELOPER TO CONTACT COUNCIL TO OBTAIN APPROVAL FOR ANY SUCH VARIATIONS.

03. ENGINEERING DRAWINGS AND OTHER CONSULTANTS

THESE DRAWINGS SHALL BE READ AS A SET AND IN CONJUNCTION WITH ALL SPECIFICATIONS, ENGINEERING PLANS AND CONSULTANTS PLANS AS SUPPLIED BY THE DEVELOPER. THESE PLANS AND SPECIFICATIONS MAY INCLUDE BUT ARE NOT LIMITED TO STRUCTURAL PLANS, STORMWATER PLANS, LANDSCAPE PLANS, HYDRAULIC PLANS, ELECTRICAL DRAWINGS, MECHANICAL VENTILLATION PLANS, FIRE SERVICES PLANS ETC. FINAL COORDINATION OF PLANS BY BUILDER.

04. NATHERS ENERGY EFFICIENCY REPORT/BASIX CERTIFICATE

DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE NATHERS

15 WALES STREET



13 WALES STREET



11 WALES STREET



1 SITE PLAN AND SITE ANALYSIS

SCALE: 1:200 @ A3

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2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECT'S, SERVICE ENGINEER'S AND RELEVANT SPECIFICATIONS.

LIN Canterbury Bankstown Council

DESCRIPTION
SECONDARY DWELLING

CLUM:

bdac

ASPIRE DESIGN & ENGINEERING
ARCHITECTURAL (CONSULTANT)
ENGINEERING
329/462 Chapel Rd,
Bankstown 2200

REV	DESCRIPTION	DATE
A	DA SUBMISSION	11/07/23

SUBJECT SITE
13 WALES ST, GREENACRE

DRAWING TITLE
SITE PLAN & SITE ANALYSIS

SCALE/ SHEET SIZE 1:100 A3 L.M. SHEET NO. S-01