



## **Development Application Statement of Environmental Effects**

**133 Highclere Avenue, Punchbowl NSW 2196**

*Demolition of the existing house and construction of a  
single storey dwelling house with existing granny flat to  
remain*

submitted to  
Canterbury-Bankstown Council

September 2023

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# 1 Introduction

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This report has been prepared by ES Planning in support of a development application (DA) to City of Canterbury-Bankstown Council with regards to the land at 133 Highclere Avenue, Punchbowl NSW 2196. Pursuant to Canterbury-Bankstown Local Environmental Plan (CBLEP) 2023, the site is currently zoned R2 and the proposed use is permissible with consent.

The DA seeks to approve the proposed demolition of the existing house and construction of a single storey dwelling house with existing granny flat to remain. The proposal intends to remain compatible with the established building forms in the immediate locality. It endeavours to comply with all the requirements of Canterbury-Bankstown LEP 2023 and Development Control Plan (CBDCP) 2023.

Good design goes far beyond the application of numerical standards. Systematic analysis of the subject site, its relationship with adjoining developments and considerations of any natural and man-made constraints are essential starting points.

Design and layout of the development proposed aims to maintain the objective of the current development control plan.

This report describes the site, surrounding properties, proposed development, provides background information and justifies the proposed development.

All works carried out on site are to comply with all the requirements of the National Construction Code (NCC), relevant Australian Standards and Canterbury-Bankstown Council's planning instruments and regulations.

This report should be read in conjunction with the architectural plans attached with the submission prepared by ES Design.

Any environmental concerns not covered directly in this document or which arise during construction will be handled in an appropriate fashion, so as to minimise environmental concerns.

## 2 Site Analysis

### 2.1 Site Location and Context

The subject site is located to the west of Highclere Avenue, in between Wattle Street and Waratah Street, and is legally identified as Lot 28/Sec F DP 5720 – 133 Highclere Avenue, Punchbowl NSW 2196 (see Figure 1 & 2). The locality is a residential area where the surrounding development consists of a mixture of low density residential developments.

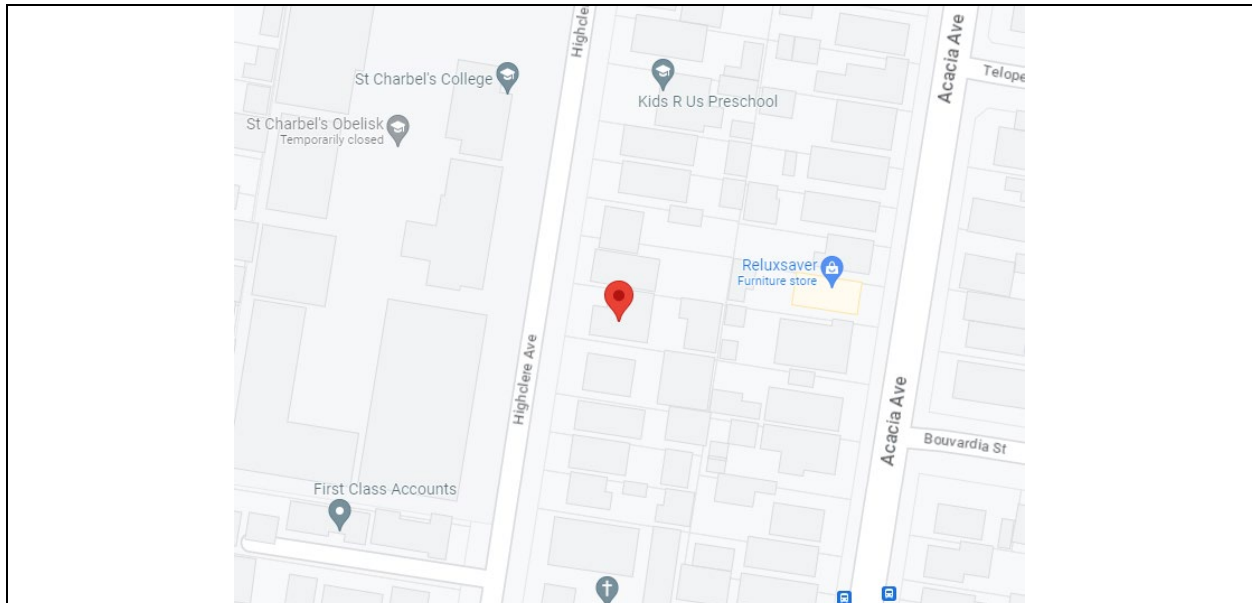


Figure 1. Location Map - No. 133 Highclere Avenue, Punchbowl NSW 2196



Figure 2. Satellite Photo - No. 133 Highclere Avenue, Punchbowl NSW 2196

## 2.2 Site Description

The subject site has a street frontage of 16.825m and a maximum depth of 48.77m. The site is rectangular in shape and has a total land area of 838.00sqm.

## 2.3 Landform and Topography

The site has a cross fall of approximately 0.20m from the south at the rear towards the front of the site.

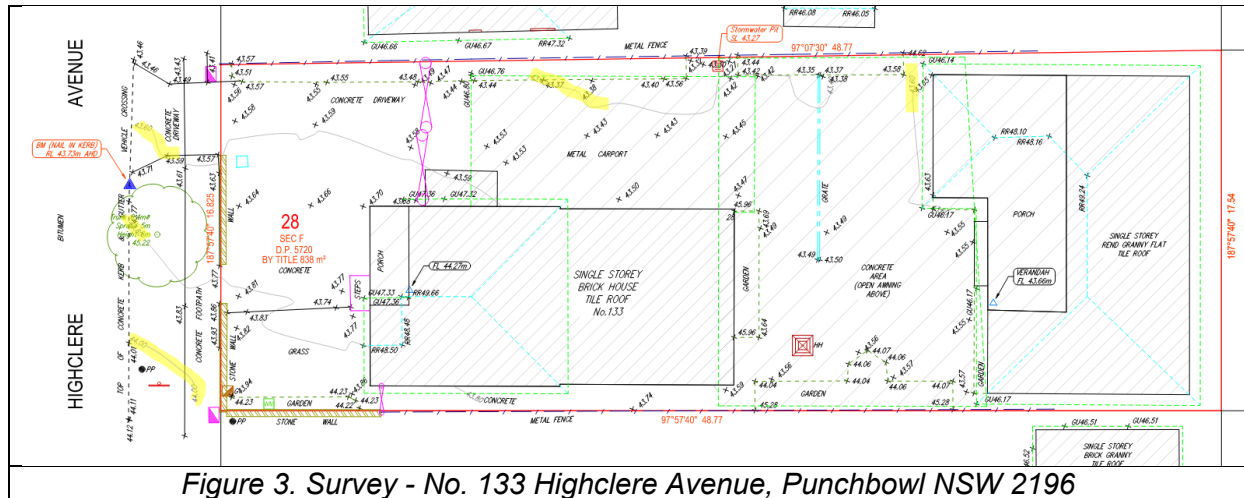


Figure 3. Survey - No. 133 Highclere Avenue, Punchbowl NSW 2196

## 2.4 Existing Development

The subject site currently has a single storey dwelling house. The proposal aims maintain the residential use of the site. Refer to Figure 3 for photos of the existing dwelling house.



Figure 3. Elevation of existing dwelling house as seen from Highclere Avenue



### 3 Surrounding Development

The site is in an existing residential streetscape with generally medium/large sized allotments. Allotments consist of both single storey and two storey houses and vary between materials, height, fences, and front landscaping. Number 33 and 37 Cabarita Road are both single storey dwellings with brick construction and either masonry or brick front fences. The prevailing roof forms is pitched roofs, and this is reflected within the proposal.



*Figure 4. Front elevation of existing neighbouring dwelling north of subject site.  
No.135 Highclere Avenue*



*Figure 5. Front elevation of existing neighbouring dwelling east of subject site.  
No.131 Highclere Avenue*

## 4 Proposal

The proposal comprises of the following:

- Demolition of existing structures
- Construction of single storey dwelling house

Proposal Calculations	
Total Site Area	838.00 sqm
Existing Granny Flat Area	60.98 sqm
Ground Floor Area	158.87 sqm
<b>Total Floor Area</b>	<b>219.85 sqm</b>
Floor Space Ratio	0.26:1.0
Private Open Space	157.25 sqm
Landscape Area	179.64 sqm
Landscape Area Ratio	0.21:1.0
Impervious Area	651.96sqm
Impervious Area Ratio	0.77:1.0

## 5 Assessment Under Relevant Planning Controls

### 5.1 Canterbury-Bankstown Local Environmental Plan 2023

Canterbury-Bankstown LEP 2023 seeks to manage sustainable growth and provide development opportunities that are compatible with the prevailing suburban character and amenity of residential areas. Below illustrates the relevant clauses that apply to the subject site.

For all site calculations and compliance with Canterbury-Bankstown LEP 2023 and DCP 2023, please refer to the 'Compliance Tables' below.

#### 5.1.1 Land Zoning

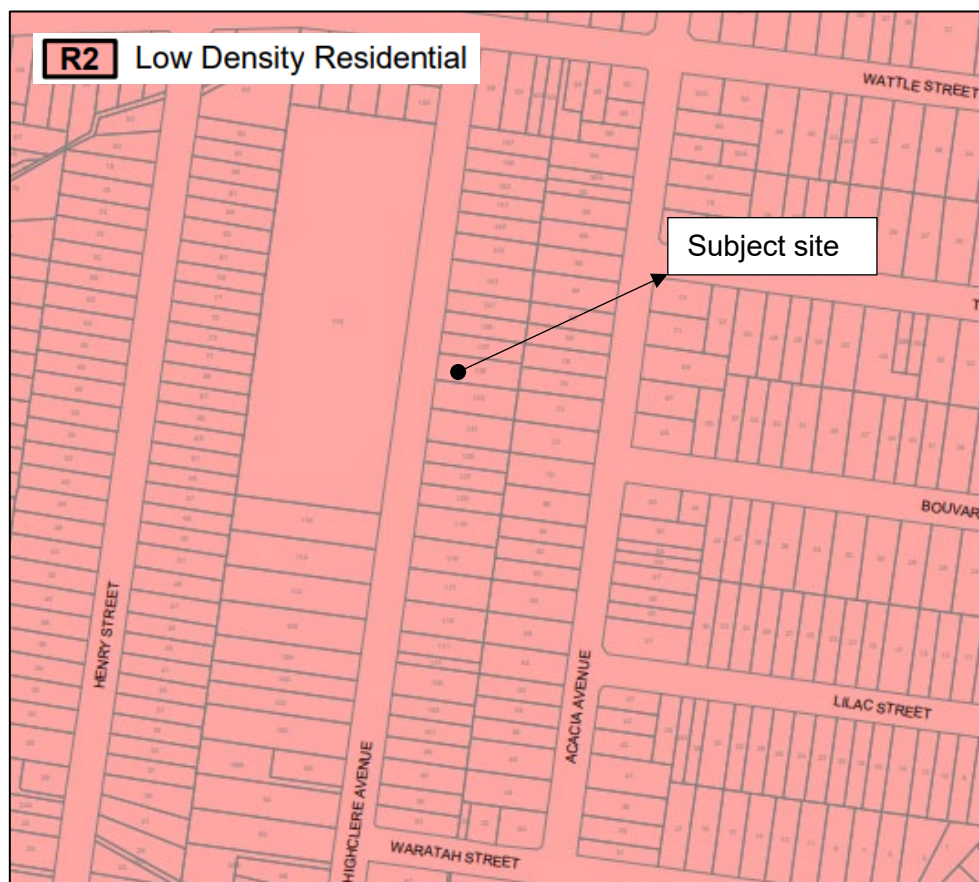


Figure 6: Zoning Map

#### 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*

**4 Prohibited***Any development not specified in item 2 or 3***Assessment:**

The site is located in R2 low density residential zone where dwelling house is permissible. It is a low-impact residential development designed for single household. The building mass and scale is compatible with the surrounding developments without unreasonable adverse impacts regarding overshadowing, traffic, overlooking issues.

**5.1.2 Building Height**

Figure 7: Building height map

### 4.3 Height of buildings

**(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 land in Zone B2 Local Centre—if a lot is in “Area 1” as identified on the Height of Buildings Map and has a width of less than 20 metres at the road frontage, the maximum building height is 17 metres, and
- (b) for land in Zone B6 Enterprise Corridor—if a lot is in “Area 2” as identified on the Height of Buildings Map and has an area less than 5,000 square metres, the maximum building height is 11 metres.

**(2B) Despite subclause (2), the following restrictions apply to development on land in Zone R2 Low Density Residential—**

- (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,
- (b) for a dwelling house or a dual occupancy—the maximum wall height is 7 metres,
- (c) for boarding houses—
  - (i) the maximum building height for a dwelling facing a road is 9 metres and the maximum wall height is 7 metres, and
  - (ii) the maximum building height for all other dwellings at the rear of the lot 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).**

**Assessment:**

The maximum building height of the development is 6.3m and the proposed wall height is 4.5m which is lower than the maximum building height (9m) and wall height (7m) in accordance with the CBLEP2023. The building height is compatible with the local area and meet the ideal design outcome of the future. The building has been designed to follow the terrain. It is impossible to create overlooking impacts to the rear due to the substantial rear setback and the location of the site.

### 5.1.3 Floor Space Ratio



Figure 8: Floor space ratio

#### 4.4 Floor space ratio

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

- (a) to establish the bulk and maximum density of development consistent with the capacity and character of the locality of a development site,
- (b) to ensure the bulk of non-residential development in or adjoining a residential zone is compatible with the prevailing suburban character and amenity of the residential zone,
- (c) to encourage lot consolidations in commercial centres to facilitate higher quality built form and urban design outcomes.

**(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 Floor Space Ratio Map.**

(2A) Despite subclause (2), the maximum floor space ratio for non-residential development on land in Zone R2 Low Density Residential is 0.4:1.

(2B) Despite subclause (2), the maximum floor space ratio for development for the purpose of high technology industries on land in Zone R2 Low Density Residential and identified as “Area 6” on the Floor Space Ratio Map is 0.6:1.

(2C) Despite subclause (2), the maximum floor space ratio for development on land in Zone B2 Local Centre—

(a) that has a width of less than 20 metres at the front building line and is identified as “Area 1” on the Floor Space Ratio Map is 1:1, and

(b) that has a width of less than 18 metres at the front building line and is identified as “Area 7” on the Floor Space Ratio Map is 2:1.

(2D) Despite subclause (2), the maximum floor space ratio for development on land in Zone B4 Mixed Use that has a width of less than 30 metres at the front building line and is identified as “Area 4” on the Floor Space Ratio Map is 2:1.

(2E) Despite subclause (2), the maximum floor space ratio for development on land in Zone B4 Mixed Use that has a width of less than 18 metres at the front building line and is identified as “Area 2” on the Floor Space Ratio Map is 1:1.

(2F) Despite subclause (2), the maximum floor space ratio for development on land in Zone B4 Mixed Use that has a width of less than 18 metres at the front building line and is identified as “Area 3” on the Floor Space Ratio Map is 2:1.

(2G) Despite subclause (2), the maximum floor space ratio for development on land in Zone B4 Mixed Use that does not provide at least a 20 metre wide mid-block connection for public use and is identified as “Area 5” on the Floor Space Ratio Map is 2:1.

### **Assessment:**

The maximum floor space ratio is substantially lower than the maximum requirement in accordance with the Clause 4.4 of the CBLEP 2023. The proposal has been designed to have large side setback to the side boundaries to eliminate the building scale and mass and the building is designed to suit the terrain. The design has paid great attention to protect the vegetation on the site and respect the environmental value of the site. The landscaped area has been maximised on the site to improve the outdoor amenity for residents.

<b>TABLE 1: PROJECT DATA/COMPLIANCE – CBLEP 2023</b>			
Site Area: 838.00 sqm			
<b>LEP Provisions</b>		<b>Complies/Comments</b>	
Permissibility	R2	Permissible with consent	
Heritage Item	N/A	N/A	N/A
Conservation Area	N/A	N/A	N/A
Within the vicinity of Heritage	N/A	N/A	N/A
Acid Sulfate Soils	N/A	N/A	N/A
Flood Planning Area	N/A	N/A	N/A
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
Site Area (Min	N/A	N/A	N/A
Floor Space Ratio (Max)	0.5:1.0	0.21:1.0	Yes
Building Height (max)	9m	6.3m	Yes
Wall Height (max)	7m	4.5m	Yes



## 5.2 Canterbury-Bankstown Development Control Plan 2023

**TABLE 2: CBDCP 2023 – CHAPTER 5 RESIDENTIAL ACCOMODATION  
5.1 FORMER BANKSTOWN LGA**

Item	Provision	Compliance / comments
<b>Section 2 – Dwelling Houses</b>		
<b>Storey limit (not including basements)</b>	2.1 The storey limit for dwelling houses is two storeys.	Complies.  Proposed single storey dwelling.
	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.	Noted.
	2.3 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 Chapter 2.2 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.	Complies.
<b>Setback restrictions</b>	2.4 The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.	N/A
<b>Street Setbacks</b>	2.5 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.	Complies.  Ground floor setback is 5.500m.
	2.6 The minimum setback to the secondary road frontage is: (a) 3 metres for a building wall; and (a) 5.5 metres for a garage or carport that is attached to the building wall.	N/A
<b>Side Setbacks</b>	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.	Complies.  1200mm side setback.
	2.8 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 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
	2.9 The basement level must not project beyond the ground floor perimeter of the dwelling house.	N/A
<b>Private open space</b>	2.10 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.	Complies.  Private open space = 157.25sqm
<b>Access to sunlight</b>	2.11 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	Complies.

	these building elements are not the primary source of sunlight to the living areas.	
	2.12 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.	Complies.  Please refer to shadow diagrams in Architectural plans.
	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 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.	Complies.  Please refer to shadow diagrams in Architectural plans.
	2.14 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	Complies.
<b>Visual privacy</b>	2.15 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: <ul style="list-style-type: none"> <li>(a) offset the windows between dwellings to minimise overlooking; or</li> <li>(b) provide the window with a minimum sill height of 1.5 metres above floor level; or</li> <li>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</li> <li>(d) use another form of screening to the satisfaction of Council.</li> </ul>	Complies.
	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: <ul style="list-style-type: none"> <li>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</li> <li>(b) the window has a minimum sill height of 1.5 metres above floor level; or</li> <li>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</li> <li>(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</li> </ul>	Complies.
	2.17 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: <ul style="list-style-type: none"> <li>(a) does not have an external staircase; and</li> <li>(b) does not exceed a width of 1.5 metres throughout; and</li> <li>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</li> </ul>	N/A  No first floor proposed in the design.
	2.18 Council does not allow dwelling houses to have roof-top balconies and the like.	N/A  No rooftop terraces proposed.
<b>Building design</b>	2.19 The maximum roof pitch for dwelling houses is 35 degrees.	Complies.

	<p>2.20 Council may allow dwelling houses to have an attic provided the attic design:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) ensures the attic does not give the external appearance of a storey.</li> </ul>	N/A
	<p>2.21 The design of dormers must:</p> <ul style="list-style-type: none"> <li>(a) be compatible with the form and pitch of the roof; and</li> <li>(b) must not project above the ridgeline of the main roof; and</li> <li>(c) must not exceed a width of 2 metres; and</li> <li>(d) the number of dormers must not dominate the roof plane.</li> </ul>	N/A
	<p>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).</p>	<p>N/A</p> <p>Not within a foreshore protection area.</p>
<b>Building Design (car parking)</b>	<p>2.23 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <ul style="list-style-type: none"> <li>(a) comply with the road pattern shown in Appendix 2; and</li> <li>(b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.</li> </ul>	N/A
	<p>2.24 Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.</li> </ul>	<p>Complies.</p> <p>9.205m proposed car parking setback.</p>
	<p>2.25 Despite clause 2.24, Council may consider a single carport forward of the front building line of an existing dwelling house solely where:</p> <ul style="list-style-type: none"> <li>(a) there is no existing garage on the site;</li> <li>(b) there is no side or rear vehicle access to the site;</li> <li>(c) the site does not contain a heritage item or is not within a heritage conservation area or local character area;</li> <li>(d) the site is in the vicinity of existing, approved carports on adjacent sites that are forward of the front building line;</li> <li>(e) the maximum width of the single carport is 3 metres;</li> <li>(f) it is of a simple posted design, with no side panel infill;</li> <li>(g) there is no solid panel lift or roller shutter door proposed;</li> <li>(h) the carport is setback a minimum 1 metre from the primary and secondary street frontages;</li> <li>(i) the carport achieves a high quality design and has a roof design that is compatible with the dwelling house.</li> </ul>	N/A

	2.26 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.	Complies.
	2.27 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.	N/A
<b>Landscape</b>	2.28 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.	N/A. No trees are located on site.
	2.29 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the dwelling house and the primary street frontage; and (b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and (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 (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.	Complies.  67.85%  N/A  Complies. Refer to Landscape plan.  N/A

<b>TABLE 3: CHAPTER 3 GENERAL REQUIREMENTS 3.1 DEVELOPMENT ENGINEERING STANDARDS</b>		
<b>Item</b>	<b>Provision</b>	<b>Compliance / comments</b>
<b>2.1 Vehicular Footway Crossing (VFC) Design and Construction</b>	<ul style="list-style-type: none"> <li>• Single access – 3.5m (min.) and 5.5m (max.)</li> <li>• Separate access: 2.75m(min.) and 3.5m (max.)*</li> </ul> <p>*A second vehicular crossing will be permitted if:</p> <ul style="list-style-type: none"> <li>• A minimum 6m long parking bay can be provided between the wings of the crossings. Council may vary this requirement under special circumstances, based on technical assessments of the merits of the situation.</li> <li>• The area of paving within the site is minimised.</li> <li>• There is sufficient landscaping being provided to compensate for the additional paved area.</li> </ul> <p>**A second 3.5m wide crossing will be permitted for disabled access or garbage bay access.</p>	<p>Complies.</p> <p>Existing VHC to remain.</p> <p>Driveway width is 3.530m.</p>



<b>VFC Design Criteria</b>	2.2. For any vehicular footway crossing (VFC) application, approval may depend upon the impact of the VFC on existing infrastructure. The VFCs should be designed and located to:	
	<ul style="list-style-type: none"> <li>Maintain clear distances of at least 6.0 metres and multiples of 6.0 metres between proposed VFC's</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Maintain 6.0m minimum distance from adjoining existing VFC wings. Kerb lengths of 3m-5.9m between crossing wings should be avoided to reduce the potential for parked vehicles obstructing other vehicular crossings.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Maintain a minimum separation of 1.8m between VFC's at the road boundary. This will provide a minimum of 0.2m kerb length between laybacks.</li> </ul>	Complies.
	<ul style="list-style-type: none"> <li>Avoid services such as Telstra, Sydney Water, Council stormwater drainage pits and any other existing structures. The cost of relocating any services shall be borne by the applicant.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Be 0.6m clear of power poles to satisfy the electricity authorities requirements.</li> </ul>	Complies.
	<ul style="list-style-type: none"> <li>The wing of the crossing is a minimum of 0.5m clear of the lintel of any street drainage pit.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Be at least 1.0m minimum from property boundaries at the road boundary.</li> </ul>	Complies.
	<ul style="list-style-type: none"> <li>Be no closer to the intersection of the side road than the tangent points of the kerb returns of the intersection in accordance with AS 2890.1.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Maintain adequate sight lines to pedestrians and traffic as required by AS 2890.1.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Avoid existing street and regulatory signs. Existing street signs may be relocated with prior approval from Council's Traffic Section.</li> </ul>	Noted
	<ul style="list-style-type: none"> <li>Avoid existing bus shelters and consider sight distance problems associated with the walls of the bus shelter. Any relocations of the bus shelter must be approved by Council's Traffic Committee, The relevant local bus company and, if applicable, the bus shelter owner, if not Council. The cost to relocate the bus shelter shall be borne by the developer.</li> </ul>	N/A
<b>SECTION 4 – ON SITE DETENTION SYSTEMS</b>		
<b>4.1. Single Dwellings and Dual Occupancies Exemption To OSD</b>	<ul style="list-style-type: none"> <li>It is proven to Council's satisfaction that the lack of OSD will not have an adverse effect on downstream drainage systems. A full local catchment analysis may be required. Applicants are advised to contact Council to find out specific OSD requirements for each catchment.</li> <li>Single dwellings and outbuildings have a combined impervious area of no more than 75% of the site area.</li> <li>Dual occupancies and outbuildings have an impervious area of no more than 66% of the site area.</li> <li>Development is proposed which does not significantly increase the post development stormwater runoff from the site.</li> <li>A subdivision of land is proposed that does not involve the creation of a road reserve. Council may require OSD as part of the future development on the new lots at the building construction stage and may do so by placing a restriction on the use of land on the title of the new lots when created.</li> </ul>	<p>Complies</p> <p>OSD is provided with 6m<sup>3</sup>. Refer to the stormwater plans.</p>

**TABLE 4: CHAPTER 3 GENERAL REQUIREMENTS**  
**3.2 PARKING**

Item	Provision	Compliance / comments						
Parking rates (Dwelling Houses)	2 Spaces per dwelling	Complies.						
Access driveway width and design	<div>For new residential development, necessary clear driveway widths are provided in the following table:</div> <table><tr><th>Driveway width</th><th>Minimum clear width</th></tr><tr><td>One-way</td><td>3m</td></tr><tr><td>Two-way</td><td>5.5m</td></tr></table>	Driveway width	Minimum clear width	One-way	3m	Two-way	5.5m	<div>Complies.</div> <div>Existing VHC to remain.</div> <div>Driveway width is 3.530m.</div>
Driveway width	Minimum clear width							
One-way	3m							
Two-way	5.5m							
Basement Parking	3.33 Provide ventilation to basement parking. Location and details of mechanical ventilation design must be outlined in applications to Council.	N/A						
	3.34 Design and integrate basement parking so as not to accentuate the scale or bulk of a building, or detract from the streetscape or front setback character.	N/A						
	3.35 New vehicle access to shop top housing is not permitted from Canterbury Road, Beamish Street (Campsie) or Homer Street (Undercliffe Precinct).	N/A						
	3.36 Vehicular access should be via secondary streets, rear lanes or internal driveways where possible.	N/A						
	3.37 Provide secure bicycle parking at basement level which is easily accessible from ground level, from apartments and other uses within the development.	N/A						
	3.38 Keep all loading docks, parking areas and driveways clear of goods and do not use for storage, including garbage storage, so that free movement is available at all times.	N/A						
	3.39 Locate and design so that impacts such as noise, exhaust fumes and headlight glare, are minimised on adjoining residential uses or residential zoned land.	N/A						
	3.40 Optimise opportunities for deep soil, active street frontages, and good streetscape design, and minimise loss of street parking.	N/A						
	3.41 In shop top housing development, separate long-term (resident and employee) and short-term (shopper and visitor) car parking, separate parking for residential and non-residential users, and provide secure access to long-term parking.	N/A						

## 6 Justification of Non-Compliances

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N/A

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## 7 Additional Assessment of the Proposal

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### **Location**

The proposal is considered to be in an appropriate location as the existing use of the site will remain the same. The development is permissible in the zone with consent. A detailed assessment of the location is detailed above.

### **Amenity**

The proposed demolition of the existing house and construction of a single storey dwelling house with existing granny flat to remain will have minimal impacts on the existing and future amenity of the locality.

### **Design of the Premises**

All proposed structures will be of new construction. No existing buildings or structures will be retained.

The proposal will be a visual improvement to the existing development site and surrounding areas. The proposal effectively fills the allocated area, while incorporating styles which complement existing buildings. The visual impact of the proposed development is that which is conceived from the planning controls.

### **Access**

The existing site is accessible from Highclere Avenue and this access will remain the same.

### **Privacy and Shadowing**

The proposed single storey dwelling house has been designed to eliminate any possibilities for the invasion of privacy. The building has been designed to follow the sloping terrain. Shadow diagrams have been provided to demonstrate that the proposal meets the solar access requirements.

The home faces east-west, therefore providing the living areas at the rear of the house including the outdoor living areas that face north with good access to sunlight.

### **Noise**

No noise or odour pollution beyond standard residential acceptable levels is foreseen to be produced from the proposal.

### **General**

Gas water heaters (instantaneous) have been proposed, with a rating of 3 stars, to both dwellings. Locations of which can be found on the proposed floor plan.



### **Stormwater and Site Management**

Stormwater solution and details are outline in the 'Stormwater Plan' by TAA Consulting Group.

Soil and Water Management during construction is detailed in the 'Erosion and Sediment Control Plan'.

### **Acid Sulfate Soils**

The subject site is not located within an acid soils area

### **Flooding**

The subject site is not located within a flood prone area.

### **Bushfire**

The subject site is not located within bushfire prone land.

### **Tree Removal**

No trees are proposed to be removed as part of this application. Additional planting is proposed to be offset the trees removed. This is detailed in the Landscape Plan.

### **Heritage**

The subject site is not a heritage item, nor is it located within a heritage conservation area or located within the direct vicinity of a heritage item.

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## 8 Section 4.15 Considerations

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### General

In considering this development application, Council must consider the relevant planning criteria in Section 4.15 of the Environmental Planning and Assessment Act, 1979.

### Statutory and Policy Compliance – s4.15(1)(a)

The proposal has been assessed in relation to all relevant SEPP's and LEP's above in the Statement of Environmental Effects.

The SEPP's which is relevant to the proposal are:

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

A BASIX Certificate accompanies this application to show that the proposal meets the required energy targets of the SEPP. The proposed commitments have been noted on the plans (refer to section view notes).

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

*Chapter 4, Clause 4.6 of State Environmental Planning Policy Resilience and Hazards 2021 states:*

- (1) A consent authority must not consent to the carrying out of any development on land unless—
  - (a) it has considered whether the land is contaminated, and*
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.**
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

The site is considered acceptable for the proposed development. Given that the site has historically been used for residential and the proposal is not a contaminating use, the site is considered to be consistent with State Environmental Planning Policy Resilience and Hazards 2021.

The LEP which is relevant to the proposal is:

***Canterbury-Bankstown Local Environmental Plan 2023***

The proposal is considered to satisfy the above relevant Local Environmental Planning Instrument as the development is within zoning regulations. It remains consistent with the relevant objectives of the LEP as it promotes the orderly and economic development of the LGA in a manner consistent with the need to protect the environment and does not adversely affect the identity of the area.

**Natural Environment Impacts – s4.15(1)(b)**

The works proposed will not affect the natural environment. Waste will be managed and collected effectively. Furthermore, there is no endangered flora or fauna on the site that might be affected.

Throughout the period of construction, all measures will be taken to ensure that any noise, dust and vibration will be kept to a minimum.

**Social and Economic Impacts – s4.15(1)(b)**

The proposal is unlikely to have any social or economic impacts on the surrounding area.

**Built Environment Impacts – s4.15(1)(b)**

The proposed demolition of the existing house and construction of a single storey dwelling house with existing granny flat to remain been designed to have minimal impacts on the surrounding built environment.

**Suitability of the Site for the Development – s4.15(1)(c)**

The site is well located in terms of suitability, as the proposal is situated in a residential zone.

## 9 Conclusion

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This report has addressed the requirement and relevant provisions of the Council's Canterbury-Bankstown LEP 2023 & DCP 2023.

The assessment illustrates that the proposed demolition of the existing house and construction of a single storey dwelling house with existing granny flat to remain will have no adverse effects on the surrounding community development. The site will be upgraded and will improve the amenity of the local community. The works will be consistent with the residential appearance of the surrounding dwellings and will be beneficial to the current appearance of the subject property.

If you require additional information or clarification, please do not hesitate to contact the undersigned on 0449 500 500 or via email at [planning@es.au](mailto:planning@es.au)

**Nikola Verusheski**  
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Assessment officer