

## Statement of Environmental Effects



### 21 Narelle Crescent, GREENACRE

Demolition of existing dwelling, construction of a new two storey attached dual occupancy with in ground swimming pool and Torrens Title Subdivision.

Masterplaning Services Report: Version 1, prepared on 20 August 2023

## Contents

<b>1. SUMMARY .....</b>	<b>3</b>
<b>2. THE SITE .....</b>	<b>3</b>
<b>3. BACKGROUND / RELEVANT HISTORY .....</b>	<b>4</b>
<b>4. DESCRIPTION OF PROPOSAL .....</b>	<b>4</b>
<b>5. ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15 .....</b>	<b>5</b>
5.1 Integrated Development .....	5
5.2 Relevant State Instruments and Legislation .....	5
5.3 Bankstown Local Environment Plan 2023 .....	6
<b>6. DEVELOPMENT CONTROL PLANS .....</b>	<b>10</b>
Bankstown Development Control Plan 2023 .....	10
<b>7. APPLICABLE REGULATIONS .....</b>	<b>13</b>
<b>8. THE LIKELY IMPACTS OF THE PROPOSAL .....</b>	<b>13</b>
<b>9. THE SUITABILITY OF THE SITE .....</b>	<b>14</b>
<b>10. THE PUBLIC INTEREST – CONCLUSION .....</b>	<b>14</b>

## 1. SUMMARY

It is proposed to undertake demolition of the existing single storey dwelling on site and construction of a new two storey attached dual occupancy with in ground pools, single garages and 2 lot Torrens Title subdivision. This Statement responds to the planning considerations required to be assessed by Canterbury Bankstown Council.

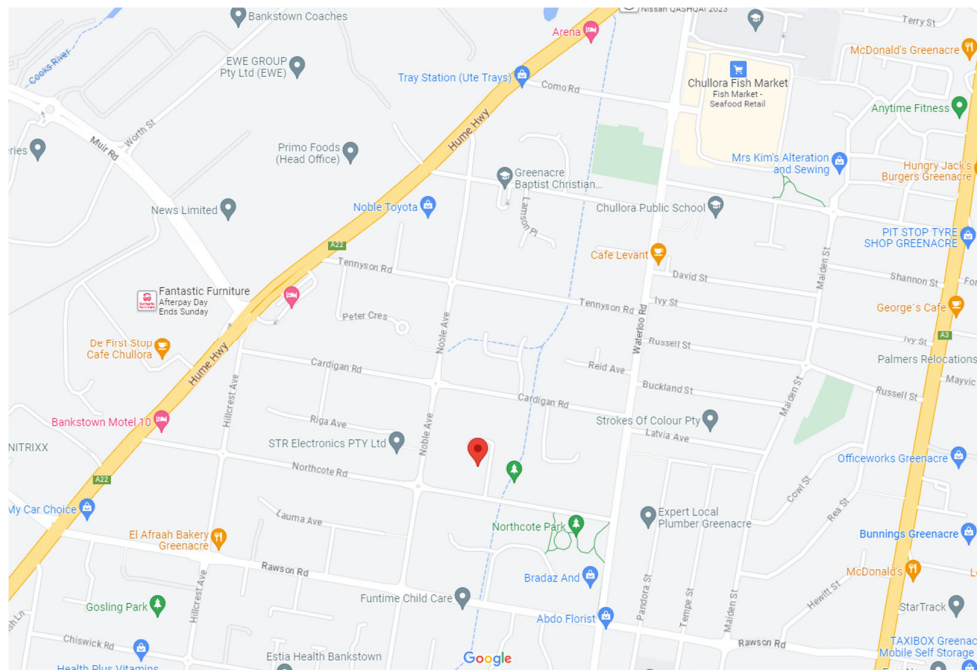
The proposal has been designed to relate to its site, and have minimal impact in terms of design, materials, visible height and local amenity impacts.

The preparation of this Statement is pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (As amended) and Clause 50 of the *Environmental Planning and Assessment Regulation 2000*. It provides for an assessment of the development proposal, having regard to relevant legislation, contextual analysis, social, economic and environmental impacts, potential amenity impacts on the surrounding locality and the measures proposed to mitigate impacts.

This statement assesses any numeric non-compliance as acceptable on merit, demonstrating the development will not result in any unacceptable adverse impacts. The proposal is however, generally in compliance with all relevant DCP and LEP objectives.

## 2. THE SITE

The site is located on the western side of Narelle Crescent off Northcote Road to the north. The site has a frontage of 15.24 m, a depth of a maximum of 45.11 m and an overall area of 557.3 m<sup>2</sup>. The site is an irregular trapezoid with its narrowest point at the rear of the site of 4.57 m. The site falls by approximately 1 m from the rear to the front of the site.



**Figure 1: Location Plan of the site (Source: Google Maps)**



The site is legally identified as LOT 21 DP222501. The existing structures on the site include a single storey dwelling with detached outbuildings and a granny flat. The surrounding land use is low density residential. To the further north east is Chullora Shopping Centre.



**Figure 2:** Aerial photo of the site. (Source: Google Earth)

### 3. BACKGROUND / RELEVANT HISTORY

There is no noteworthy notable history regarding the construction of the original dwelling on site. Council records indicate there is an old DA approval on Nov 2005 for an attached dual occupancy which has not been implemented. As all structures are to be demolished on site, this application has no relevance to the subject proposal.

### 4. DESCRIPTION OF PROPOSAL

Consent is sought from Canterbury Bankstown Council to demolish the existing dwelling and outbuildings and construction of a new two storey attached dual occupancy with single garages, in ground pools and associated Torrens title subdivision of the new dwellings. The works in detail include:

#### Ground Floor

- Demolition of existing dwelling, granny flat and removal of redundant driveway concrete and layover crossing.

- Construction of new attached dual occupancy dwellings with single garage for each dwelling.
- New ground level (of each respective dwelling) to comprise entry area with formal lounge, guest powder room, laundry, open plan kitchen/dining living room.
- Access stairs to first floor with storage under.
- Rear alfresco terrace and general landscaping works leading to an in ground swimming pool.
- Entry porch for each dwelling.

#### First Floor

- First floor (of each respective dwelling) to comprise four bedrooms and bathroom.
- The master bedroom has its separate ensuite.
- Master Bedroom and bedroom 4 to have a minor balcony.

#### Torrens Title Subdivision

- Torrens Title subdivision proposed of the lot two unequal allotments being 290.25 m2 for proposed lot 21 and 267.05 m2 for lot 21A.
- Width of each respective lot at Narelle Crescent will be 7.62 metres.
- Only one dwelling will exist on each allotment after subdivision

The architectural suite of plans is prepared by Bellevue Architects and accompanies the application.

## **5. SECTION 4.15(1)(a) ENVIRONMENTAL PLANNING INSTRUMENTS**

### **5.1 Integrated Development**

The proposal does not constitute Integrated Development and does not require concurrent approval from any other State Government Bodies.

### **5.2 Relevant State or Regional Instruments and Legislation**

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

As the proposal involves new residential dwellings which exceeds \$50,000.00 in value, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") requires that a valid BASIX certificate is prepared detailing any required commitments for energy efficiency measures. A valid BASIX certificate has been included for Councils consideration as per of the development application package with commitments as required noted on the plans.

#### **State Environmental Planning Policy No. 55 – Remediation of Land**

This SEPP provides a state-wide practice for the remediation of contaminated land. Under clause 7 (1) (a) of State Environmental Planning Policy No. 55 – Remediation of Land, consideration has to be given as to whether the land is contaminated.

The site appears to have been in residential use since its original subdivision and construction.

Prior to this, the site was likely to have been naturalized bushland. There is no evidence of any potentially contaminating uses occurring. It can be concluded that there is no likelihood of contamination on this site and the site will continue to be suitable for residential purposes. No further consideration is therefore required under clause 7 (1) (b) and (c) of SEPP 55.

### **5.3 Bankstown Local Environmental Plan 2015 (BLEP 2023)**

#### **Aims and objectives of zone**

The site is zoned "R2 Low Density Residential" Zone under the provisions of the Bankstown Local Environmental Plan 2015. The objectives and permissibility provisions of the zone are:

#### ***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 uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban and local amenity.*

##### **2. Permitted without consent**

*Home occupations.*

##### **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.*

#### 4. Prohibited

*Any development not specified in item 2 or 3"*

The proposed development, being construction of a new "dual occupancy" is permissible with consent. The proposal is generally consistent with the objectives of the zone. The proposed buildings will improve the residential conditions on site without compromising the amenity of the adjoining dwellings. The additions are consistent with new recent builds in the local area and will sit comfortably with surrounding development, built and natural environment.

The Torrens Title Subdivision associated for the proposal is permissible subject to the provisions of Clause 2.6 of the Plan with consent being sought under this application. It is noted the provisions of *Clause 4.1(4A) Minimum Subdivision lot size and special provisions for dual occupancies* will also prevail over the provisions of the Minimum Lot Size map.

Any demolition associated for the proposal is permissible subject to the provisions of Clause 2.7 of the Plan with consent being sought under this application.

#### Relevant LEP clauses/development standards

Note: Only relevant clauses are commented upon

CL. Standard/Control			Complies	Comment
<b>PART 4 PRINCIPAL DEVELOPMENT STANDARDS</b>				
<b>Clause</b>	<b>4.1</b>	<b>Minimum Subdivision Lot size (450 m<sup>2</sup>)</b>	<b>Yes</b>	Whilst it is noted that each allotment would not meet the minimum 450 m <sup>2</sup> , the Torrens title subdivision would be subject to the provisions of Subclause 4A and would result in there being one dwelling on each newly created lot and each proposed allotment exceeding 250 m <sup>2</sup> as a result of the subdivision. See also the comments provided under Clause 4.1A.
<b>Clause 4.1A Minimum lot sizes and special provisions for dual occupancies</b>			<b>Yes</b>	Pursuant to the requirements of (2) the allotment is more than 500 m <sup>2</sup> and exceeds 15 metres at the point of the front building line. The resulting development will be a dual occupancy (attached) and each proposed allotment exceeds 250 m <sup>2</sup>
<b>Clause 4.3 Height of buildings (9 metres)</b>			<b>Yes</b>	The works at their highest point under will be to the parapet and pitch roof ridge at 6.9 metres. Accordingly, the

		proposal complies with the height control for the site.
<b>Clause 4.3(2C)</b> for a dwelling house or a dual occupancy—the maximum wall height is 7m,	<b>Yes</b>	Wall height at the front building line and the building behind is 6.9 metres or less throughout the development.
<b>Clause 4.4 Floor Space Ratio (0.5:1)</b>	<b>Yes</b>	<p>The proposal has been designed to adhere to the maximum allowable floor space ratio of 0.5: 1.</p> <p>The FSR for both units as follows:</p> <p>Lot 21 = 290.25 m<sup>2</sup>; allowable FSR 50% = 145.125 m<sup>2</sup>; Unit 21 = 145.00 m<sup>2</sup>.</p> <p>Lot 21A = 267.05 m<sup>2</sup>; allowable FSR 50% = 133.525 m<sup>2</sup>; Unit 21A = 133.00 m<sup>2</sup>.</p> <p>The FSR does not include the enclosed garage area for each dwelling in accordance with the definition for “gross floor area”.</p>
<b>Clause 4.6 Exceptions to Development Standards</b>	<b>N/A</b>	No Variation is currently sought pursuant to clause 4.6 for Council to consider a variation to any statutory level control. Should any technical non-compliance be uncovered during Council’s assessment of the proposal, the required Clause 4.6 can be prepared and lodged for Council’s consideration.

## PART 5 MISCELLANEOUS PROVISIONS

<b>5.10 Heritage Conservation</b>	<b>N/A</b>	The dwelling is not a listed Heritage item as per the BLEP 2023. The site is not in near vicinity of any identified Heritage items.
<b>5.21 Flood Planning</b>	<b>Yes</b>	The site is affected by Overland flowpath [floodway] for excess stormwater runoff from the upstream catchment and associated with this drainage system but a flood/Overland flow study is not required as per the Council Stormwater System Report attached with the application



documents. Dwelling levels are set 500mm over the estimated 100 yr ARI flood level to comply with Chapter 2.2 (Flood Risk Management) Schedule 5 of BLEP 2023.

## PART 6 ADDITIONAL LOCAL PROVISIONS

<b>6.1 Acid Sulphate Soils</b>	<b>N/A</b>	The subject site is not affected by ASS and is not in distant vicinity of Class 5 ASS affected land. Thus the proposal should not raise any concern in this regard.
<b>6.2 Earthworks</b>	<b>Yes</b>	<p>Consent for excavation exceeding 1 m deep is sought from Council pursuant to this clause. With regard to the heads of consideration set out under Clause 6.2 of Bankstown LEP 2023 the following comments are made regarding the proposal:</p> <p>(a) The excavation is such that it is unlikely to impact upon local drainage patterns. The site is not located in a low point of the local landform.</p> <p>(b) The development will not impair further development in accordance with the zone or desired future character of the locality.</p> <p>(c) the site has been in long term residential usage. Contamination of significance is unlikely.</p> <p>Excavated material will comprise surface soil and local rocks.</p> <p>(d) The proposal will assist in maintaining amenity to adjoining properties by keeping overall height of the building down and reducing potential privacy impacts.</p> <p>(e) Any excavated fill is to either be reused on site or be disposed of at an approved landfill receiving point.</p> <p>(f) The site is not an identified aboriginal or heritage site. The site is unlikely to contain aboriginal or western cultural relics.</p>

		Having regard for the heads of consideration, it is the applicant's contention, that the proposal raises no concern in this regard and can be supported by Council.
<b>6.3 Stormwater management and water sensitive urban design</b>	<b>Yes</b>	The site is affected by Overland flowpath [floodway] for excess stormwater runoff from the upstream catchment and associated with this drainage system but a flood/Overland flow study is not required as per the Council Stormwater System Report attached with the application documents. Dwelling levels are set 500mm over the estimated 100 yr ARI flood level to comply with Chapter 2.2 (Flood Risk Management) Schedule 5 of BLEP 2023.
<b>6.4 Biodiversity</b>	<b>N/A</b>	Not located within any identified bio diversity zone.
<b>6.5 Riparian land and watercourses</b>	<b>N/A</b>	Not located within any identified riparian land and watercourses zone.
<b>6.6 Limited development on foreshore area</b>	<b>N/A</b>	The site is not in near vicinity of any identified foreshore or riparian areas.

## 6.0 DEVELOPMENT CONTROL PLANS

### Bankstown Development Control Plan 2023

*Note: Sections of the DCP clearly not applicable to the proposal have not been included.*

The proposed as modified has been compared to the requirements of Chapter 5.1 Former Bankstown LGA, Section 4 Dual Occupancies of BDCP 2023 as follows:

Note: Only relevant clauses are commented upon

CL. Standard/Control	Complies	Comment
<b>Chapter 5.1 Former Bankstown LGA, Section 4 – Dual Occupancies</b>		
<b>4.1 Subdivision</b>	<b>Yes</b>	Two Torrens Title lots over a dual occupancy (attached) development are proposed which will exceed 250 m <sup>2</sup> .
<b>4.2-4.4 Storey Limit</b>	<b>Yes (storeys)</b>	There are two storey's proposed for the development. Overall building

height and wall height are compliant with clause 4.3 of BLEP 2023.

**Yes (sitting)** Siting including excavation generally conforms to the local slope and contours of the land.

**Yes (fill levels)** With regard to clause 4.4(b) the area under the ground floor slab reaches a maximal point of approximately < 1.0 metres above the ground level.

**4.5-4.11 Setbacks**

**Yes** The front, setback complies with the minimum requirement for both the ground and first floor.

Side setbacks are designed to the required minimum 0.9 metres.

**4.12 Private open space**

**Yes** Each new dwelling will have a dedicated private open space area which exceeds the minimum required 80 m<sup>2</sup>.

**4.13-4.16 Access to sunlight**

**Yes** The site orientation with the front boundary to the east, means the main living areas of the dwelling to the rear oriented to the west will have the required solar access from midday to the afternoon. Notwithstanding this, each new respective dwellings main living area would generally receive adequate solar access in the morning or afternoon relative to siting.

The adjoining dwelling to the north will not be affected while the adjoining property to the south will receive over three hours of solar access to the principle rear private outdoor area from 12 midday to 4:00 pm June 21 enjoying afternoon photo period.

There are a number of different orientation of elevations to the new dwelling additions and ample opportunity for cross ventilation throughout the dwelling.

**4.17-4.20 Visual privacy**

**Yes**

The development incorporates a number of features to maintain privacy to adjoining dwellings. First Floor windows overlooking adjacent property windows are set @ 1800 AFFL to avoid direct overlooking and all others are set @1500 AFFL. The front and rear balconies are also located off bedrooms of adjoining properties.

It is anticipated, Council should not raise any concern to privacy between dwellings however further privacy measures can be incorporated such as privacy screening or opaque glazing and fixing to windows if deemed necessary by the Council assessment.

**4.21-4.26 Building design**

**Yes**

There are no retained portions of the existing dwelling proposed. The development will totally demolish all existing site improvements.

The building will have a flat roof consistent with adjoining and nearby dwellings.

The street presentation is designed to be asymmetric and utilised differing visual appearance and materials to differentiate between the two proposed dwellings.

Overlooking to the street front bedrooms at first floor and formal living at ground floor will be possible.

There is no designated attic proposed.

**4.27-4.30 Building design (car parking)**

**Yes**

Garages are ground level single garages set behind the front building line to comply with an addition car space per dwelling located forward of the front building line.

**4.31-4.32 Landscape**

**Yes**

A significant portion of the front yard of each dwelling will be retained for



landscaping purposes. Front and rear yard areas will be capable of accommodating large trees and a variety of landscaping. Please refer to the accompanying landscaping plan.

## 7.0 APPLICABLE REGULATIONS

Clause 92 of the EPA Regulation 2000 requires consideration of Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this, by standard by condition of consent.

Any demolition will be undertaken in strict accordance with AS 2601-1991.

Demolition works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

## 8.0 THE LIKELY IMPACTS OF THE PROPOSAL

As demonstrated throughout this statement, post construction, the development should result in an acceptable level of impact typical of that for a residential dwelling.

Accordingly, the only other impacts required to be considered as impacts as arising from demolition and construction activities.

Construction works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

Construction works will be carried out in accordance with the Building Code of Australia / National Construction Code.

Excavation will be undertaken in accordance with standard Council conditions of consent and within nominated working hours. Construction noise associated with any excavation is intended to comply with the *Protection of Environment Operations Act 1997* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Precautions will be taken during site works to minimise vibration including the avoidance of sudden stop - start movements.

Any proposed excavation will not result in any pollution or siltation of any waterway or pose a threat to ecological communities or their habitats. Appropriate sediment and erosion control

measures will be adopted during site works and the existing Stormwater system will be protected during works

The above analysis demonstrates that the proposals will have no adverse Environmental Impact and therefore satisfies this section of the Act.

## 9.0 THE SUITABILITY OF THE SITE

The subject site is suitable for the proposal as:

1. The site is zoned R2 Low Density Residential and the proposed dual occupancy is a permissible form of development in the zone with consent from the Council.
2. The design has had regard to its impact to the impacts to adjoining properties.
3. Adequate water, stormwater drainage and sewage facilities are available on the site to service the proposed development.
4. The site is not subject to natural hazards such as bushfire tidal inundation and mass movement.
5. The development has been designed to be consistent with existing and future development on the immediate adjoining sites and in accordance with the land zoning and future intent of the locality.
6. There are no precipitate constraints posed by adjacent land uses.
7. Appropriate erosion and sediment control measures will be employed during works.
8. The development will not result in environmental degradation of the local area.

The application therefore satisfies this section of the Act.

## 10.0 THE PUBLIC INTEREST – CONCLUSION

It is proposed to construct a new attached two storey dual occupancy development and Torrens Title subdivision on site.

The proposed development has been designed to relate well to its site, adjoining sites, in terms of appearance, envelope, setbacks, bulk and scale and which relates well to the streetscape presentation.

The proposed development will be in the public interest, as it will provide improve the amenity of the property and provide for further housing choice in the area without adverse visual impact to streetscape.

The proposal complies with all relevant LEP and DCP objectives.

The application therefore satisfies this section of the Act.

*Mike Darwich*

Registered Architect  
NSWARB 9980