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# STATEMENT OF ENVIRONMENTAL EFFECTS

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DEMOLITION, 2 LOT SUBDIVISION & CONSTRUCTION OF 2 STOREY SEMI-  
ATTACHED DUAL OCCUPANCY WITH 2 SWIMMING POOLS

47 CRAGG STREET, CONDELL PARK NSW





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## TABLE OF CONTENTS

	PAGE
<b>1 INTRODUCTION</b>	<b>1</b>
<b>2 THE SITE AND SURROUNDS</b>	<b>2</b>
<b>3 THE PROPOSAL</b>	<b>5</b>
3.1 DESCRIPTION	5
3.2 DEMOLITION	6
3.3 EARTHWORKS	7
3.4 DEVELOPMENT AND BUILT FORM SNAPSHOT	7
3.5 PEDESTRIAN AND VEHICULAR ACCESS AND PARKING	8
<b>4 PLANNING FRAMEWORK</b>	<b>8</b>
<b>5 SECTION 1.7 EVALUATION EP&amp;A ACT, 1979</b>	<b>9</b>
5.1 BIODIVERSITY CONSERVATION ACT, 2016	9
5.2 FISHERIES MANAGEMENT ACT, 1994	9
<b>6 SECTION 4.15 EVALUATION EP&amp;A ACT, 1979</b>	<b>9</b>
6.1 SECTION 4.15(1)(A) OF THE EP&A ACT, 1979	9
6.2 SECTION 4.15(1)(B) OF THE EP&A ACT, 1979	26
6.3 SECTION 4.15(1)(C) OF THE EP&A ACT, 1979	30
6.4 SECTION 4.15(1)(D) OF THE EP&A ACT, 1979	30
6.5 SECTION 4.15(1)(E) OF THE EP&A ACT, 1979	30
<b>7 SECTION 4.46 EVALUATION EP&amp;A ACT, 1979</b>	<b>31</b>
<b>8 CONCLUSION</b>	<b>31</b>

## FIGURES

## PAGE

FIGURE 1: LOCATION MAP	3
FIGURE 2: AERIAL PHOTO	3
FIGURE 3: VIEW OF THE SITE FROM CRAGG STREET	4
FIGURE 4: VIEW OF DRIVEWAY CAR PARK	4
FIGURE 5: REAR VIEW OF THE SITE	4
FIGURE 6: VIEW OF PROPERTY 50 CRAGG STREET ADJACENT TO THE NORTH	4
FIGURE 7: VIEW OF 30 NORMAN STREET ADJOINING TO THE SOUTH	4
FIGURE 8: VIEW OF PROPERTY 45 CRAGG ST, ADJOINING TO THE EAST	5
FIGURE 9: VIEW OF PROPERTY 49 CRAGG ST ADJOINING TO THE WEST	5
FIGURE 10: PROPOSED SUBDIVISION LAYOUT OF THE SITE	6
FIGURE 11: PROPOSED DEMOLITION PLAN OF ALL EXISTING STRUCTURES	7
FIGURE 12: SCHEDULE 5 – CATCHMENTS AFFECTED BY STORMWATER FLOODING APPLICABLE CONTROLS	20

## TABLES

## PAGE

TABLE 1: LOCAL PLANNING PANEL MINISTERIAL DIRECTION CRITERIA	2
TABLE 2: DEVELOPMENT AND BUILT FORM SNAPSHOT	8
TABLE 3: SEPP BIODIVERSITY & CONSERVATION APPLICABLE CHAPTERS	9
TABLE 4: BIODIVERSITY & CONSERVATION SEPP CHAPTER 6 ASSESSMENT	11
TABLE 5: BIODIVERSITY & CONSERVATION SEPP CHAPTER 13 ASSESSMENT	12
TABLE 6: RESILIENCE AND HAZARD SEPP APPLICABLE CHAPTERS	12
TABLE 7: RESILIENCE & HAZARDS SEPP APPLICABLE CHAPTERS	13
TABLE 8: TRANSPORT & INFRASTRUCTURE SEPP APPLICABLE CHAPTERS	13
TABLE 9: TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS	14
TABLE 10: TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS	14
TABLE 11: TRANSPORT & INFRASTRUCTURE SEPP - ROADS AND TRAFFIC PROVISIONS.	15
TABLE 12: CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 COMPLIANCE TABLE	18
TABLE 13: CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 COMPLIANCE TABLE	25
TABLE 14: MATTERS FOR CONSIDERATION UNDER THE EP&A REGULATION, 2021	26
TABLE 15: INTEGRATED DEVELOPMENT TRIGGERS	31



## LEGISLATION CHECKLIST

STATE ENVIRONMENTAL PLANNING POLICY	APPLICABLE?
SEPP NO 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT	✗
SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2023	✓
SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008	✗
SEPP (BIODIVERSITY AND CONSERVATION) 2021	✓
SEPP HOUSING 2021	✗
SEPP (INDUSTRY AND EMPLOYMENT) 2021	✗
SEPP (PLANNING SYSTEMS) 2021	✗
SEPP (PRECINCTS - CENTRAL RIVER CITY) 2021	✗
SEPP (PRECINCTS - EASTERN HARBOUR CITY) 2021	✗
SEPP (PRECINCTS - REGIONAL) 2021	✗
SEPP (PRECINCTS - WESTERN PARKLAND CITY) 2021	✗
SEPP (PRIMARY PRODUCTION) 2021	✗
SEPP (RESILIENCE AND HAZARDS) 2021	✓
SEPP (RESOURCES AND ENERGY) 2021	✗
SEPP (TRANSPORT AND INFRASTRUCTURE) 2021	✓



# 1 INTRODUCTION

This Statement of Environmental Effects has been prepared by PLANZONE to accompany the Development Application to the City of Canterbury Bankstown Council seeking consent for the demolition of all existing improvements, removal of 14 trees & shrubs, removal of 2 separate concrete driveways and all ancillary structures, construction of a 2-storey attached dual occupancy accompanied with 2 swimming pools and Torrens Title Subdivision at 47 Cragg Street, Condell Park NSW.

This Statement of Environmental Effects has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979* (the Act) and Part 3 of the *Environmental Planning and Assessment Regulation, 2021* (the Regulation), and provides the following:

- ▶ Identifies any environmental impacts of the development;
- ▶ Indicates how any environmental impacts of the development have been identified;
- ▶ Outlines the steps to be taken to protect the environment or to lessen the expected harm to the environment; and
- ▶ Considers any matters required to be indicated by any guidelines issued by the Planning Secretary.

The proposed development adopts a modern appearance that responds to the characteristics of the site and is sited amongst a landscaped site and surrounds. The orientation and design ensure that the dwellings are provided with ample amenity through the provision of natural light and cross flow ventilation and a functional private open space area for each dwelling and lot. The development also respects and aims to maintain acceptable levels of amenity for adjoining properties having regard to the variable lot width and general site constraints. The proposed development is considered to have appropriately balanced competing priorities and a built form that is both compatible and respectful with the existing residential character stock of the locality.

The proposed development responds to the characteristics of the site and is set amongst a low-scale residential area within highly dense residential land uses surrounding. The orientation and envelope of the building complies with the relevant controls & standards established in Council's LEP/DCP. The design elements of the proposed internal fitout, particularly the proposed first-floor component, presenting an articulated floor layout that achieves the client requirements whilst presenting building envelope that's responsive to the surrounding characteristics in respect to building height, gross floor area, and floor space ratio.

Accordingly, the proposed development achieves a high level of compliance with the requirements prescribed in *Canterbury-Bankstown Local Environmental Plan 2023* (the LEP) and *Canterbury-Bankstown Development Control Plan 2023* (the DCP).

Upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will integrate with the character of existing developments in the streetscape. The proposed development has a modern appearance that will significantly enhance the existing streetscape and provide a catalyst for future similar developments of a high standard in the locality.

Accordingly, the proposed development achieves a high level of compliance with the requirements prescribed in *Canterbury-Bankstown Local Environmental Plan 2023* (the LEP) and *Canterbury-Bankstown Development Control Plan 2023* (the DCP).

The DA is made pursuant to Part 4 of the Act and also seeks consent for the subdivision of land. The DA is not Integrated Development or Designated Development under the Act. The development has a Capital Investment Value of less than \$30 million and the application is not an application that requires determination by the Local Planning Panel by Ministerial Direction issued under Section 9.1 of the Act

## LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY

STATEMENT OF ENVIRONMENTAL EFFECTS  
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47 CRAGG STREET, CONDELL PARK NSW



as detailed below:

DEVELOPMENT	TRIGGER
1. Conflict of Interest	N/A
2. Contentious Development	The consideration of submissions cannot be made at the time of preparing this Statement.
3. Departure from Development Standards	The DA does not seek consent for a development standard under Clause 4.6 of the LEP.
4. Sensitive Development	(a) The DA is not designated development. (b) The DA does not seek consent for a residential flat building. (c) The DA does not seek consent for demolition of a heritage item. (d) The DA is not for a licensed premises. (e) The DA is not for a sex-services or restricted premises. (f) The DA does not propose to enter into a planning agreement.

TABLE 1: LOCAL PLANNING PANEL MINISTERIAL DIRECTION CRITERIA

Accordingly, City of Canterbury-Bankstown Council is the consent authority for the purpose of determining the DA.

This Statement of Environmental Effects undertakes an assessment of the proposal against the requirements and the matters for consideration under Sections 1.7, 4.15 and 4.46 of the Act and should be read in conjunction with the plans and documents accompanying the application including:

- Survey Plan prepared by East West Surveyors Surveys;
- Architectural Plans prepared by Visualised Concepts;
- BASIX Certificates prepared by Perz Architectural Services PTY LTD;
- Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services;
- Council Stormwater System report prepared by City of Canterbury Bankstown;
- Stormwater Drainage Plans prepared by Statiker;
- Landscape Plans prepared by Visualised Concepts;
- Quantity Surveyor prepared by Visualised Concepts; and
- Waste Management Plan prepared by PLANZONE;

## 2 THE SITE AND SURROUNDS

ADDRESS: 47 Cragg Street, Condell Park NSW

LEGAL DESCRIPTION: Lot C in Deposited Plan 387995

SITE AREA: 641 m<sup>2</sup> (by survey)

DIMENSIONS:	BOUNDARY	DIMENSION
	Front (Northern):	21.03 metres
	Rear (Southern):	21.03 metres
	Side (Eastern):	30.48 metres
	Side (Western):	30.48 metres

ORIENTATION: The site is situated on the southern side of Cragg Street, Condell Park as shown

### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY





in Figure 1.

LOCATION MAP:



FIGURE 1: LOCATION MAP

AERIAL MAP:



FIGURE 2: AERIAL PHOTO

EXISTING

The subject site contains an existing single storey residential development.

LEGEND:

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47 CRAGG STREET, CONDELL PARK NSW





**IMPROVEMENTS:** Figures 3-5 illustrate the existing improvements on the site.



**FIGURE 3: VIEW OF THE SITE FROM CRAGG STREET**



**FIGURE 4: VIEW OF DRIVEWAY CAR PARK**



**FIGURE 5: REAR VIEW OF THE SITE**

**EXISTING  
VEGETATION:**

The subject site does contain various trees, shrubs and fruit trees on site, 14 are proposed to be removed to facilitate the subdivision and access driveways. Refer to the Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services outlining the tree protection zones and strategies adopted to ensure the safeguard of all existing vegetation.

**SURROUNDS:**

The local surrounding area is characterised by low density residential dwellings to the north, east, south and west. The land uses adjoining and situated opposite the site are illustrated in Figures 6 to 9:



**FIGURE 6: VIEW OF PROPERTY 50 CRAGG**



**FIGURE 7: VIEW OF 30 NORMAN STREET**

**LEGEND:**

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



STREET ADJACENT TO THE NORTH

ADJOINING TO THE SOUTH



FIGURE 8: VIEW OF PROPERTY 45 CRAGG ST, ADJOINING TO THE EAST



FIGURE 9: VIEW OF PROPERTY 49 CRAGG ST ADJOINING TO THE WEST

#### PAST USES AND DEVELOPMENT HISTORY:

A review of 1943 aerial imagery indicates that the subject was vacant and has no surrounding land uses. Further assessment suggests in 1950's the subject site became a low-density residential zone. A review of City of Canterbury-Bankstown Council's online DA tracking system has revealed prior development consent DA-1129/2016 for "Demolition of existing structures and construction of an attached dual occupancy and Torrens title subdivision AMENDED PLANS" approved on 14/02/2018. The consent has since collapsed, and this application seeks to propose a new design for similar proposal.

## 3 THE PROPOSAL

### 3.1 DESCRIPTION

The subject DA seeks consent for the demolition of all existing improvements, removal of 14 trees & shrubs, removal of 2 separate concrete driveways and all ancillary structures, construction of a 2-storey attached dual occupancy accompanied with 2 swimming pools and Torrens Title Subdivision at 47 Cragg Street, Condell Park NSW. The proposed subdivision plan prepared by Visualised Concepts outlining each subdivision footprint shown below:

#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY

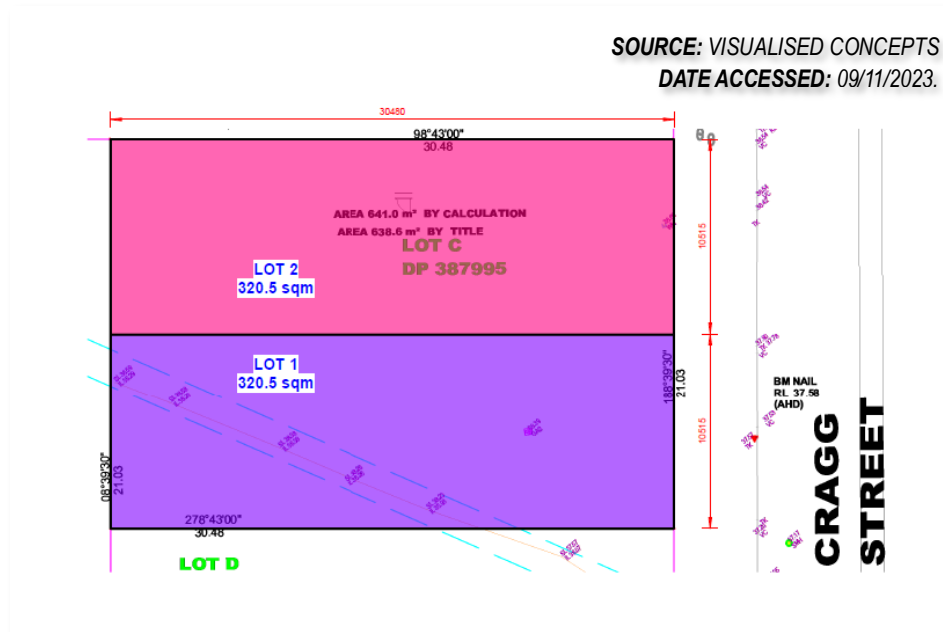


FIGURE 10: PROPOSED SUBDIVISION LAYOUT OF THE SITE

The proposed development is defined as 'dual occupancy (attached)' and 'swimming pool', pursuant to the definitions contained in *Canterbury-Bankstown Local Environmental Plan 2023* and 'subdivision' pursuant to the Act:

“ **dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling. ”

“ **swimming pool** has the same meaning as in the *Swimming Pools Act 1992*.  
Note - The term is defined as follows -  
swimming pool means an excavation, structure or vessel -  
(a) that is capable of being filled with water to a depth of 300 millimetres or more, and  
(b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act. ”

“ **subdivision** of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition (*EP&A Act, Clause 6.2(1)*) ”

### 3.2 DEMOLITION

The application seeks consent for the demolition of all existing structures on the site as shown on the accompanying demolition plan prepared by Visualised Concepts illustrated below:

LEGEND:  
✓ COMPLIES  
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S SATISFACTORY

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47 CRAGG STREET, CONDELL PARK NSW

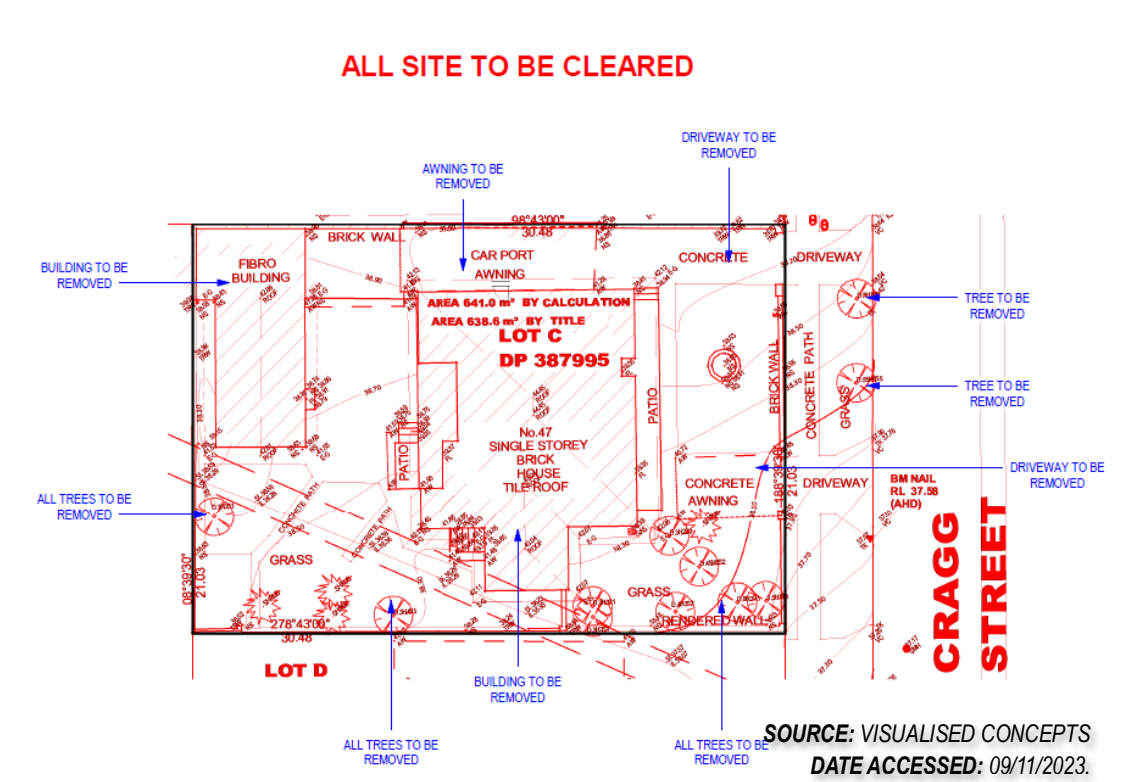


FIGURE 11: PROPOSED DEMOLITION PLAN OF ALL EXISTING STRUCTURES

### 3.3 EARTHWORKS

The application proposes minor earthworks ancillary to the development proposed including excavation for the swimming pools as well as some filling of the land to facilitate site levels that are more responsive to the design and topography of the land. Also, evacuation is required to facilitate access driveway.

### 3.4 DEVELOPMENT AND BUILT FORM SNAPSHOT

	LOT 1	LOT 2
<b>STARTING SITE AREA:</b>	641.0 m <sup>2</sup> (per survey)	
<b>PROPOSED LOT SIZES:</b>	320.5m <sup>2</sup>	320.5m <sup>2</sup>
<b>PROPOSED LOT WIDTHS:</b>	10.515 metres	10.515 metres
<b>GROSS FLOOR AREA:</b>	<b>Ground Floor:</b> 80 m <sup>2</sup> <b>First Floor:</b> 80 m <sup>2</sup> <b>Total:</b> 160 m <sup>2</sup>	<b>Ground Floor:</b> 80 m <sup>2</sup> <b>First Floor:</b> 80 m <sup>2</sup> <b>Total:</b> 160 m <sup>2</sup>
<b>FLOOR SPACE RATIO:</b>	<b>STANDARD:</b> 0.5:1 <b>PROPOSED:</b> 0.5:1	<b>STANDARD:</b> 0.5:1 <b>PROPOSED:</b> 0.5:1
<b>BUILDING HEIGHT:</b>	<b>STANDARD:</b> 9 metres <b>PROPOSED:</b> 8.050 metres	<b>STANDARD:</b> 9 metres <b>PROPOSED:</b> 7.390 metres
<b>FRONT SETBACK:</b>	<b>GROUND FLOOR :</b> 6 metres to garage façade/ 5.5 metres (to Guest bedroom) <b>FIRST FLOOR:</b> 5.5 metres (from	<b>GROUND FLOOR :</b> 6 metres to garage façade/5.5 metres (to Guest bedroom) <b>FIRST FLOOR:</b> 5.5 metres (from

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	bedroom 2)	bedroom 2)
<b>REAR SETBACK:</b>	<b>GROUND FLOOR:</b> 7.780 metres	<b>GROUND FLOOR:</b> 9.810 metres
	<b>FIRST FLOOR:</b> 7.790 metres	<b>FIRST FLOOR:</b> 12.070 metres
<b>SIDE SETBACKS:</b>	<b>GROUND FLOOR:</b>	<b>GROUND FLOOR:</b>
	<b>SOUTHERN BOUNDARY:</b> 2.100 meters ( from garage)	<b>NORTHERN BOUDNARY:</b> 1.049 metres (from garage)
	<b>FIRST FLOOR:</b>	<b>FIRST FLOOR:</b>
	<b>SOUTHERN BOUNDARY:</b> 2.100 meters ( from garage)	<b>NORTHERN BOUDNARY:</b> 1.049 metres (from garage)
<b>CAR PARKING:</b>	2 car parking spaces (1 garaged and 1 on driveway)	2 car parking spaces (1 garaged and 1 on driveway)
<b>POS</b>	141 m <sup>2</sup> (43.9%)	146 m <sup>2</sup> (45.5%)
<b>LANDSCAPED AREA:</b>	97 m <sup>2</sup> (30.2%)	121 m <sup>2</sup> (37.7%)

TABLE 2: DEVELOPMENT AND BUILT FORM SNAPSHOT

### 3.5 PEDESTRIAN AND VEHICULAR ACCESS AND PARKING

Pedestrian access to the proposed dwellings is provided via Cragg Street frontage. Vehicular access is also proposed via the Cragg Street frontage via a separate concrete driveway for each dwelling. For both Lot 1 and Lot 2, the development proposes 2 car parking spaces with 1 car parking space provided in the proposed single garage and 1 car parking space provided on the proposed driveway.

## 4 PLANNING FRAMEWORK

The *Environmental Planning and Assessment Act, 1979* (the Act) prescribes the following matters that have been taken into consideration in the assessment of the subject application, as detailed under the respective headings below:

- Section 1.7 - Significant effect on threatened species, populations or ecological communities, or their habitats;
- Section 4.15 - Evaluation:
  - Section 4.15(1)(a)(i) - The provisions of any Environmental Planning Instrument;
  - Section 4.15(1)(a)(ii) - The provisions of any exhibited Draft Environmental Planning Instruments;
  - Section 4.15(1)(a)(iii) - The provisions of any Development Control Plan;
  - Section 4.15(1)(a)(iiia) - The provisions of any Planning Agreement entered into under s7.4 or proposed Planning Agreement;
  - Section 4.15(1)(a)(iv) - The provisions of the Regulations;
  - Section 4.15 (1)(b) - The likely environmental impacts on both the natural and built environments, and social and economic impacts of the development;
  - Section 4.15(1)(c) - The suitability of the site for the development;
  - Section 4.15(1)(d) - Any submissions made in accordance with the Act or the regulations; and
  - Section 4.15(1)(e) - The public interest.
- Section 4.46 - Integrated Development.

#### LEGEND:

- ✓ COMPLIES
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## 5 SECTION 1.7 EVALUATION EP&A ACT, 1979

Section 1.7 of the Act prescribes matters for consideration in determining whether a development is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. The relevant provisions from the Act are discussed below.

### 5.1 BIODIVERSITY CONSERVATION ACT, 2016

The development is not *likely to significantly affect threatened species* as required to be considered under Part 7 of the *Biodiversity Conservation Act, 2016*.

### 5.2 FISHERIES MANAGEMENT ACT, 1994

The development is not *likely to significantly affect threatened species, population or ecological community* as required to be considered under Part 7A of the *Fisheries Management Act, 1994*.

## 6 SECTION 4.15 EVALUATION EP&A ACT, 1979

### 6.1 SECTION 4.15(1)(A) OF THE EP&A ACT, 1979

#### (i) SECTION 4.15(1)(A)(I)

THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

The following environmental planning instruments are applicable as detailed below:

- State Environmental Planning Policy (BASIX) 2023;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021; and
- Canterbury-Bankstown Local Environmental Plan 2023.

#### STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2023

Pursuant to the Regulations, the development is defined as *BASIX affected development*. A *BASIX Certificate* for each dwelling accompanies the DA indicating full compliance with the BASIX requirements by achieving or surpassing the minimum water, energy, and thermal comfort scores.

#### STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

CHAPTERS	APPLICABLE?
<b>CURRENT VERSION FOR 21 NOVEMBER 2022</b>	
CHAPTER 2: VEGETATION IN NON-RURAL AREAS	✓
CHAPTER 3: KOALA HABITAT PROTECTION 2020	✗
CHAPTER 4: KOALA HABITAT PROTECTION 2021	✗
CHAPTER 5: RIVER MURRAY LANDS	✗
CHAPTER 6: WATER CATCHMENTS	✓
CHAPTER 7-12: REPEALED	N/A
CHAPTER 13 STRATEGIC CONSERVATION PLANNING	✓

TABLE 3: SEPP BIODIVERSITY & CONSERVATION APPLICABLE CHAPTERS

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## CHAPTER 2: VEGETATION IN NON-RURAL AREAS

Chapter 2 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas.

The subject site is located in an R2: Low Density Residential Zone. The development does seek consent for the removal of 14 trees, shrubs and fruit trees to facilitate the subdivision and concrete driveway. Refer to the Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services outlining the tree protection zones and strategies adopted to ensure the safeguard of all existing vegetation. No removal of vegetation of significance or native vegetation is proposed to preserve the amenity of non-rural areas.

## CHAPTER 6: WATER CATCHMENTS

An assessment of the development against the relevant matters in Chapter 6 of the Biodiversity & Conservation SEPP is provided in the table below”:

SECT.	BIODIVERSITY & CONSERVATION SEPP CHAPTER 6 ASSESSMENT		✓/✗
PART 6.1: PRELIMINARY			
6.1	<b><i>Land to which Chapter applies</i></b>	The subject site is located within the Georges River Catchment.	✓
6.2	<b><i>Definitions</i></b>	Noted.	✓
6.3	<b><i>Relationship with other environmental planning instruments</i></b>	The development is permissible with consent.	✓
6.4	<b><i>Maps</i></b>	Noted.	✓
PART 6.2 DEVELOPMENT IN REGULATED CATCHMENTS			
DIVISION 1 PRELIMINARY			
6.5	<b><i>Definitions</i></b>	Noted	✓
DIVISION 2 CONTROLS ON DEVELOPMENT GENERALLY			
6.6	<b><i>Water quality and quantity</i></b>	The development will have a neutral effect on the quality of water entering any nearby waterway and will have no impact on water flow in any nearby natural waterbody.	✓
6.7	<b><i>Aquatic ecology</i></b>	The development will not have any direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation or aquatic reserves.	✓
6.8	<b><i>Flooding</i></b>	The subject site is not identified as flood prone land and the development will not result in a release of pollutants that may have an adverse impact on the water quality of any nearby natural waterbody if there is a flood or have any adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	✓
6.9	<b><i>Recreation and</i></b>	The development is unlikely to have any impact on recreational land uses in the regulated catchment. The	✓

### LEGEND:

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SECT.	BIODIVERSITY & CONSERVATION SEPP CHAPTER 6 ASSESSMENT		✓/✗
	<b>public access</b>	development will not have any impact on public access to and around foreshores.	
6.10	<b>Total catchment management</b>	The development is not likely to have an adverse environmental impact on any adjacent or downstream local government area.	✓
<b>DIVISION 3 CONTROLS ON DEVELOPMENT IN SPECIFIC AREAS</b>			
6.11	<b>Land within 100m of natural waterbody</b>	The subject site is not land within 100m of a natural waterbody.	N/A
6.12	<b>Riverine Scenic Areas</b>	The subject site is not land in a Riverine Scenic Area.	N/A
6.13	<b>Hawkesbury-Nepean conservation area sub-catchments</b>	The subject site is not land in a Hawkesbury-Nepean conservation area sub-catchment.	N/A
6.14	<b>Temporary use of land in Sydney Harbour Catchment</b>	The subject site is not land in the Sydney Harbour Catchment.	N/A
<b>DIVISION 4 CONTROLS ON DEVELOPMENT FOR SPECIFIC PURPOSES</b>			
6.15	<b>Aquaculture</b>	N/A	N/A
6.16	<b>Artificial waterbodies</b>	N/A	N/A
6.17	<b>Heavy and hazardous industries</b>	N/A	N/A
6.18	<b>Marinas</b>	N/A	N/A
6.19	<b>Moorings</b>	N/A	N/A
6.20	<b>On-site domestic sewerage systems</b>	N/A	N/A
6.21	<b>Stormwater management</b>	N/A	N/A
6.22	<b>Waste or resource management facilities</b>	N/A	N/A
6.23	<b>Demolition on certain land</b>	A local environmental plan that adopts the Standard Instrument applies to the land.	N/A
<b>PART 6.3 FORESHORES AND WATERWAYS AREA</b>			
<b>DIVISION 1 PRELIMINARY</b>			
6.24	<b>Application of Part</b>	This Part is not applicable as the land is not in and does not abut the Foreshores and Waterways Area.	N/A
<b>PART 6.4 HERITAGE CONSERVATION IN SYDNEY HARBOUR</b>			
6.51	<b>Application of Part</b>	This Part is not applicable as the land is not land located in the Sydney Harbour catchment.	N/A
<b>PART 6.5 SYDNEY DRINKING WATER CATCHMENT</b>			
6.58	<b>Objectives of Part</b>	This Part is not applicable as the land is not land located in the Sydney Drinking Water Catchment.	N/A

TABLE 4: BIODIVERSITY & CONSERVATION SEPP CHAPTER 6 ASSESSMENT

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY

STATEMENT OF ENVIRONMENTAL EFFECTS  
 DEMOLITION, 2 LOT SUBDIVISION & CONSTRUCTION OF 2 STOREY SEMI-ATTACHED DUAL OCCUPANCY WITH 2 SWIMMING POOLS  
 47 CRAGG STREET, CONDELL PARK NSW



## CHAPTER 13: STRATEGIC CONSERVATION PLANNING

An assessment of the development against the relevant matters in Chapter 13 of the Biodiversity & Conservation SEPP is provided in the table below”:

SECT. BIODIVERSITY & CONSERVATION SEPP CHAPTER 13 ASSESSMENT			✓/✗
<b>PART 13.1: PRELIMINARY</b>			
13.1	<b>Land to which Chapter applies</b>	The subject site is located on land to which the Chapter applies.	✓
<b>PART 13.2: DEVELOPMENT CONTROLS-GENERAL</b>			
13.6	<b>Koala fences and fauna crossings</b>	The development does not involve the erection, maintenance or modification of a fauna crossing or koala fence.	N/A
<b>PART 13.3: DEVELOPMENT CONTROLS-AVOIDED LAND</b>			
13.7	<b>Preservation of native vegetation on avoided land</b>	The subject site is not identified as “avoided land”.	N/A
<b>PART 13.4: DEVELOPMENT CONTROLS-STRATEGIC CONSERVATION AREA</b>			
13.11	<b>Preservation of native vegetation in strategic conservation area</b>	The subject site is not identified as being located within a “strategic conservation area”.	N/A
<b>PART 13.5: DEVELOPMENT ON CERTIFIED URBAN CAPABLE LAND</b>			
13.15	<b>Asset protection zones</b>	The development does not involve an asset protection zone on certified urban capable land.	N/A
<b>PART 13.6: MISCELLANEOUS</b>			
13.17	<b>Relevant acquisition authority</b>	Noted.	N/A
13.18	<b>Clearing for construction and maintenance of fences and farm tracks</b>	The subject site is not identified as being “avoided land” or “land in a strategic conservation area”.	N/A

TABLE 5: BIODIVERSITY & CONSERVATION SEPP CHAPTER 13 ASSESSMENT

## STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

CHAPTERS	APPLICABLE?
<b>CURRENT VERSION FOR 21 NOVEMBER 2022</b>	
CHAPTER 2: COASTAL MANAGEMENT	N/A
CHAPTER 3: HAZARDOUS AND OFFENSIVE DEVELOPMENT	N/A
CHAPTER 4: REMEDIATION OF LAND	✓

TABLE 6: RESILIENCE AND HAZARD SEPP APPLICABLE CHAPTERS

## STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

LEGEND:  
 ✓ COMPLIES  
 ✗ NON COMPLIANT  
 S SATISFACTORY

STATEMENT OF ENVIRONMENTAL EFFECTS  
 DEMOLITION, 2 LOT SUBDIVISION & CONSTRUCTION OF 2 STOREY SEMI-ATTACHED DUAL OCCUPANCY WITH 2 SWIMMING POOLS  
 47 CRAGG STREET, CONDELL PARK NSW



CHAPTERS	APPLICABLE?
CHAPTER 2: COASTAL MANAGEMENT	✗
CHAPTER 3: HAZARDOUS AND OFFENSIVE DEVELOPMENT	✗
CHAPTER 4: REMEDIATION OF LAND	✓

TABLE 7: RESILIENCE & HAZARDS SEPP APPLICABLE CHAPTERS

## CHAPTER 4: REMEDIATION OF LAND

Chapter 4 of *State Environmental Planning Policy (Resilience and hazards) 2021* (the Resilience & Hazards SEPP) contains planning controls for the remediation of contaminated land, and states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.

The historical land uses of the site have been considered as indicators for potential contamination. A review of 1943 aerial imagery indicates that the subject was vacant and has no surrounding land uses. Further assessment suggests in 1950's the subject site became a low-density residential zone. A review of City of Canterbury-Bankstown Council's online DA tracking system has revealed prior development consent DA-1129/2016 for "The development remains for residential uses within residential dense zone. Therefore, there is no reason to suspect that the site is contaminated, and Council can be satisfied of its obligations under Section 4.6, Chapter 4 of the Resilience & Hazards SEPP, as the application appropriately considers potential contamination.

## STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

CHAPTERS	APPLICABLE?
CHAPTER 2: INFRASTRUCTURE	✓
CHAPTER 3: EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES	✗
CHAPTER 4: MAJOR INFRASTRUCTURE CORRIDORS	✗
CHAPTER 5: THREE PORTS - PORT BOTANY, PORT KEMBLA & NEWCASTLE	✗

TABLE 8: TRANSPORT & INFRASTRUCTURE SEPP APPLICABLE CHAPTERS

## CHAPTER 2: INFRASTRUCTURE

### PART 2.3 - DIVISION 5 - ELECTRICITY TRANSMISSION OR DISTRIBUTION

#### SECTION 2.48: DETERMINATION OF DEVELOPMENT APPLICATIONS - OTHER DEVELOPMENT

Section 2.48 in Chapter 2 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Transport & Infrastructure SEPP) identifies triggers which require the local electricity supply authority to be given written notice of a DA (or modification) as identified below:

SECT.	TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS	✓/✗
(1)(a)	<i>The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower.</i>	N/A
(1)(b)	<i>Development carried out-</i> <i>(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i> <i>(ii) immediately adjacent to an electricity substation, or</i> <i>(iii) within 5m of an exposed overhead electricity power line.</i>	N/A
1(c)	<i>installation of a swimming pool any part of which is-</i>	N/A

#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



SECT.	TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS	✓/✗
	(i) <i>within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</i>	
	(ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.</i>	
(1)(d)	<i>Development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</i>	N/A

TABLE 9: TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS

Given the above, the local electricity supply authority is not required to be given written notice of the subject application.

### PART 2.3 - DIVISION 15 - RAILWAYS

SECT.	TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS	✓/✗
2.98	<i>Development Adjacent to Rail Corridors</i> Is the land in or adjacent to a rail corridor?	N/A
2.99	<i>Excavation in, above, Below or adjacent to Rail Corridors</i> Does the development involve at least 2 metres excavation below ground level within, below or above a rail corridor, or within 25 metres of a rail corridor?	N/A
2.100	<i>Impact of Rail Noise or Vibration on Non-Rail Development</i> Is the development for any of the following purposes that is on land in or adjacent to a rail corridor: (a) residential accommodation, (b) a place of public worship, (c) a hospital, (d) an educational establishment or centre-based child care facility.	N/A

TABLE 10: TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS

### PART 2.3 - DIVISION 17 - ROADS AND TRAFFIC

SECT.	TRANSPORT & INFRASTRUCTURE SEPP - ROADS & TRAFFIC PROVISIONS	✓/✗
2.119	<i>Development with frontage to classified road</i> Does the site have a frontage to a Classified or Regional Road?	N/A
	(a) where practicable and safe, is vehicular access to the land is provided by a road other than the classified road?	N/A
	(b) Will the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of— (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land?	N/A
	(c) Is the development is of a type that is sensitive to traffic noise or vehicle emissions?	N/A
2.120	<i>Impact of road noise or vibration on non-road development</i> Does the street have an AADT exceeding 20,000 vehicles?	N/A

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



SECT.	TRANSPORT & INFRASTRUCTURE SEPP - ROADS & TRAFFIC PROVISIONS	✓/✗
	Is the development for any of the following? (a) residential accommodation, (b) a place of public worship, (c) a hospital, (d) an educational establishment or centre-based child care facility.	N/A
2.122	<i>Traffic generating development</i> Is the development a traffic generating development specified in Column 1 of the Table to Schedule 3?	N/A

TABLE 11: TRANSPORT & INFRASTRUCTURE SEPP - ROADS AND TRAFFIC PROVISIONS.

## CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

*Canterbury-Bankstown Local Environmental Plan 2023* (the LEP) is the principal environmental planning instrument that applies to the land and contains the development standards for development of the site. An assessment against the applicable sections of the LEP is provided below:

CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
<b>PART 1 - PRELIMINARY</b>			
1.2	Aims of Plan	The proposed development achieves the aims of the LEP in the following ways: (a) The proposed development manages the sustainable growth that contributes to Canterbury-Bankstown; (d) The proposed development will provide housing opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown; (f) The proposed development will provide range of housing accommodations to meet the changing needs of the population; (k) The proposed development does not contribute to excess car usage or traffic generation that would impact the locality of public infrastructure; (n) The proposed development accommodates properties infrastructure such as access driveway to ensure unified development.	✓
1.4	Definitions are contained in the dictionary	The development is defined as a 'dual occupancy (attached)' and 'swimming pool' under the LEP and 'subdivision' under the Act.	✓
<b>PART 2 - PERMITTED OR PROHIBITED DEVELOPMENT</b>			
2.2	Zoning of Land	The land is zoned R2 Low Density Residential.	✓
2.3	Zone objectives and land use table	<b>ZONE OBJECTIVES:</b> The development is consistent with the objectives of the zone as it proposes a development that will provide 2 dwellings that will provide for the housing needs of the community within the low-density residential environment and will contribute to the variety of housing types within	✓

### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
		the low density residential environment. <b>LAND USE TABLE:</b> 'Dual occupancy (attached)' and 'swimming pool' are permissible with consent. Subdivision is permissible pursuant to Clause 2.6 of the LEP.	
2.5	Additional permitted uses for particular land	The site is not afforded with additional permitted uses in Schedule 1 of the LEP.	N/A
2.6	Subdivision - consent requirements	The subject application proposes subdivision of the land into 2 Torrens Titled lots.	✓
2.7	Demolition requires development consent	The application seeks consent for the demolition of all existing structures on the subject site. Refer to Page 3.0 of the demolition plan prepared by Visualised Concepts in separate cover.	✓
<b>PART 4 - PRINCIPAL DEVELOPMENT STANDARDS</b>			
4.1A	Minimum lot sizes and special provisions for dual occupancies	<b>STANDARD:</b> 500m <sup>2</sup> & 15 metre frontage <b>PROPOSED:</b> 641.0 m <sup>2</sup> & 21.03 metre frontage	✓
4.3	Height of Buildings	<b>STANDARD:</b> 9 metres <b>PROPOSED:</b> <b>LOT 1</b> - 8.050 metres <b>LOT 2</b> - 7.390 metres	✓
4.3 (2C)	Maximum wall height for dwelling or dual occupancy in Zone R2 in Area 1 is 7m	<b>STANDARD:</b> 7 metres <b>PROPOSED:</b> <b>LOT 1</b> - 6.92 metres <b>LOT 2</b> - 6.19 metres	✓
		The parapet roof feature as separate architectural element isn't continuation of wall height, as such, is not part of wall component.	
4.4	Floor Space Ratio	<b>STANDARD:</b> 0.5:1 <b>PROPOSED:</b> <b>LOT 1</b> - 0.5:1 (160 m <sup>2</sup> per lot) <b>LOT 2</b> - 0.5:1 (160 m <sup>2</sup> per lot)	✓
4.5	Calculation of floor space ratio and site area	The floor space ratio and site area have been calculated pursuant to the provisions of this Clause.	✓
4.6	Exceptions to development standards	N/A	N/A
<b>PART 5 - MISCELLANEOUS PROVISIONS</b>			
5.1	Relevant acquisition authority	The site is not mapped as reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> .	N/A
5.1A	Development on land intended to be acquired for public purposes	The site is not mapped as reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> for future road development.	N/A
5.3	Development near zone boundaries	The proposed development is permissible and the application does not rely on the provisions of this Clause.	N/A
5.4	Controls relating to miscellaneous uses	The proposed development is not for any of those listed in this Clause.	N/A

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
5.7	Development below mean high water mark	The site is not situated below the mean high-water mark.	N/A
5.10	Heritage Conservation Heritage Item: ✗ Conservation Area: ✗ In vicinity of item or area: ✗ Archaeological Site: ✗ Aboriginal Heritage: ✗	The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. The site is not identified as an archaeological site. There are no known Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site.	N/A
5.11	Bush fire hazard reduction	The application does not propose any bushfire hazard reduction work.	N/A
5.21	Flood Planning	The subject site is situated within a flood planning area. Council's Stormwater System Report details that flood/overland flow study is not required.	

The consent authority can be satisfied that;

- ▶ The proposed development is compatible with floor function and behaviour as majority of southern section is preserved for easement and landscaping;
- ▶ The proposed development has neutral impact on flood behaviour and shall no increase the potential flood affectation of other development or properties; ✓
- ▶ The proposed development will not adversely affect the safe occupation and efficient evacuation of people;
- ▶ The proposed development incorporates appropriate 500 mm lift to the site to mitigate flood disturbance; and
- ▶ The proposed development retains landscaping elements and easement expansion to 2.5 m to ensure appropriate easement for drainage whilst protecting environmental characteristics of the site.

## PART 6 - LOCAL PROVISIONS

6.1	Acid Sulfate Soils	The site is not mapped as being potentially affected by Acid Sulfate Soils on the <i>Acid Sulfate Soils Map</i> .	N/A
6.2	Earthworks	The application proposes minor earthworks ancillary to the development proposed including excavation for the swimming pool as well as some filling of the land to facilitate site levels that are more responsive to the design and topography of the land. The proposed earthworks: (a) Will not disrupt, or have any detrimental effect on, drainage patterns and soil stability in the locality; (b) Will not prevent future use or development of the land; (c) Will involve no imported fill and no excavated soil with all cutting and filling balanced across the site; (d) Will not impact the amenity of adjoining properties;	✓

### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY





CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
		(e) Will involve no imported fill and no excavated soil with all filling balanced across the site; (f) Will not impact any known relics on the site; (g) Are not in proximity to any waterway, drinking water catchment or environmentally sensitive area; and (h) Will implement appropriate measures to avoid, minimise and mitigate the impacts of the development as detailed on the Sediment Control Plan.	
6.3	Stormwater management and waster urban design	<p>The proposed development proposes an expansion of thee existing easement from 1.83 m to 2.5 m wide in accordance with Council's Stormwater System Report. The development satisfies the consent authority by:</p> <ul style="list-style-type: none"> <li>➤ The proposed development maximises permeable surfaces with large soil characteristics;</li> <li>➤ The proposed development includes practical on-site stormwater retention,, refer to Stormwater plans accompanying this DA;</li> <li>➤ The proposed development does not adversely impact stormwater run-off, designated easement with landscaping facilitates efficient run-off.</li> <li>➤ The proposed development includes flood measures and stormwater measures; and</li> <li>➤ The proposed development incorporates water sensitive urban design principals.</li> </ul> <p>Refer to Stormwater Drainage Plan accompanying this DA in separate cover.</p>	
6.4	Biodiversity	The subject site is not identified as " <i>Biodiversity</i> " on the <i>Terrestrial Biodiversity Map</i> .	N/A
6.5	Riparian land and watercourses	The subject site is not identified as " <i>Riparian land</i> " on the <i>Riparian Lands and Watercourses Map</i> .	N/A
6.5	Limited development on foreshore area	The subject site is not located within a foreshore area.	N/A
6.7	Development in areas subject to aircraft noise	The subject site is not located within an area with an ANEF contour of 20 or above.	N/A

TABLE 12: CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 COMPLIANCE TABLE

(ii) SECTION 4.15(1)(A)(III)

THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN

**CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023**

*Canterbury-Bankstown Development Control Plan 2023* (the DCP) contains objectives and development controls for development on land within the boundaries of the former Bankstown Local Government Area. An assessment against the applicable sections of the DCP is provided below.

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗

## CHAPTER 2 - SITE CONSIDERATIONS

2.1 & 2.4	<b>Chapter 2.1 - Site Analysis &amp; Chapter 2.4 - Pipeline Corridor</b>	<p>The subject site integrates and acknowledges the principles of the subject site's constraints; however, deemed unnecessary considering the nature of works for:</p> <ul style="list-style-type: none"> <li>✗ Sites analyse plan; and</li> <li>✗ Moomba to Sydney Ethane Pipeline.</li> </ul>	✓
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2.2	<b>Chapter 2.2 - Floor risk management</b>	<p>The subject site based on Council's Stormwater System report is classified as 'medium flood risk precinct'. As such, Schedule 5 – Catchments affected by Stormwater Flooding is deemed the applicable Floodplain Risk Management development controls.</p>	
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As identified by Council, a flood/ overland flow study is no required for this site. Notwithstanding, a performance criteria assessment in accordance with Council's Development Controls show compliance as follows:

### Section 3 -Development Controls

**3.1** The proposed development does not increase the risk to human life, or in a significant increase in economic or social costs.

**3.2** The proposed development shall provide effective warning time and reliable access to an area free risk of flooding. The northern proponent of the site is generally non-flood impacted.

**3.3** The proposed development does not increase the potential for damage or risk for other properties.

**3.4** The proposed development has designed site levels to compliment Reduced levels (RL) suggested in Council's Stormwater System Report.

**3.5** The proposed development is for residential, as such, warning systems, signage or excavation drills are not required.

**3.6** Refer to 3.4.

**3.7** The proposed development lift does not impact the surrounding amenity or create overshadowing concerns.

### Section 5 – Fencing

As identified by Council, a flood/ overland flow study is no required for this site. Notwithstanding, a performance criteria

LEGEND:  
 ✓ COMPLIES  
 ✗ NON COMPLIANT  
 S SATISFACTORY



## CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

REF

CONTROL

PROPOSED

✓/✗

assessment in accordance with Council's Development Controls show compliance as follows:

**5.1** The proposed development is not within high-risk flood area.

**5.2** The proposed development is constructed from floor durable materials to withstand flood effects. Notwithstanding, this control can be conditioned as part of CC stage.

### Schedule 5 – Catchments affected by stormwater flooding.

The proposed development is within medium flood risk area for residential development 'dual occupancy' as prescribed in Schedule 2 – Land Use Categories. As such the following 'highlighted yellow' is applicable for this development:

SCHEDULE 5–CATCHMENTS AFFECTED BY STORMWATER FLOODING

Flood Precinct	Low						Medium						High					
	Critical Uses and Facilities	Sensitive Uses and Facilities	Subdivision	Residential	Tourist Related Development	Recreation and Non-Urban	Critical Uses and Facilities	Sensitive Uses and Facilities	Subdivision	Residential	Commercial and Industrial	Tourist Related Development	Recreation and Non-Urban	Critical Uses and Facilities	Sensitive Uses and Facilities	Subdivision	Residential	Commercial and Industrial
Floor Level										1,2,3,4,5,6	1,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Building Components										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Structural Soundness										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Flood Effects										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Parking and Driveway Access										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Evacuation										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6
Management and Design										1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6	1,2,3,4,5,6					1,2,3,4,5,6

■ = POTENTIALLY UNSUITABLE LAND USE

■ = Not relevant

FIGURE 12: SCHEDULE 5 – CATCHMENTS AFFECTED BY STORMWATER FLOODING APPLICABLE CONTROLS

- Freeboard:** The proposed development is elevated by approx. 500 mm to comply with Council's RL's within medium flood risk precinct.
- Permissibility of development:** The proposed development is within an establish residential precinct, is prescribed as permissible development with consent in LEP and is designed to address all flooding concerns outlined in 2.2 of the DCP.
- Unsuitable land uses:** The proposed development the subject site is not classified as 'unsuitable land uses'.
- Filling:** The proposed development retains site levels and proposes elevation of building to achieve 500 mm freeboard.
- Multiple flood risk precincts:** The proposed development is only classified as medium floor risk area.
- Fencing:** The proposed development is construction with flood resistant materials capable of flood effect. Notwithstanding, this control can be conditioned as

#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		part of CC stage.	
		Refer to Stormwater Drainage Plans prepared by Statiker.	
2.3	<b>Chapter 2.3 – Tree Management</b>	The proposed development seeks consent for the removal of 14 trees, shrubs and fruit trees. Refer to the Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services.	✓
<b>CHAPTER 3 - GENERAL REQUIREMENTS</b>			
<b>CHAPTER 3.1 - DEVELOPMENT ENGINEERING STANDARDS</b>			
2	<b>Civil Engineering Requirements</b>	Civil engineering specifications and structure will be conditioned in OC/CC stages.	✓
3	<b>Stormwater Drainage System</b>	<p>The stormwater plans accompanying the application indicate are designed in accordance with Council's Stormwater System Report (SSR).</p> <p>The application proposed a typical above ground rainwater tank to support water management and typical surface inlet pit for effluent flows after it leaves the tank. No OSD system is not needed as the development remain substantially the same and impervious area is not increased past &lt;66 sqm. Refer to stormwater drainage plans prepared by Statiker.</p> <p>In accordance with SSR, the drainage width is increased to 2.5 m to accommodate 600 mm pipe diameter.</p> <p>Overall, the proposed development includes an appropriate stormwater system that will not create any adverse impacts to the existing stormwater system in the locality. Refer to stormwater plans prepared by Statiker detailing stormwater systems adopted.</p>	✓
4	<b>On-site Detention Systems</b>	The application does not seek on-site detention system.	N/A
<b>CHAPTER 3.2 - PARKING</b>			
1-2	<b>Various controls</b>	Two car parking spaces per lot is provided in accordance with car parking provisions.	✓
<b>CHAPTER 3.3 - WASTE MANAGEMENT</b>			
2	<b>Standard services specifications for residential development</b>	In accordance with Guide A - Single Dwellings, the Waste Management Plan proposed aligns with the controls and objectives regarding details on waste storage, separation, and disposal arrangements during and after construction, waste generation, bin sizes, bin location and waste allocation.	✓
<b>CHAPTER 3.4 SUSTAINABLE DEVELOPMENT</b>			
2	<b>Water conservation</b>	Pursuant to the Regulations, the development is defined as <i>BASIX affected development</i> . A BASIX Compliance Certificate accompanies the DA indicating full compliance with the relevant standards.	✓

## LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
3	<b>Energy Minimisation</b>	Pursuant to the Regulations, the development is defined as <i>BASIX affected development</i> . A BASIX Compliance Certificate accompanies the DA indicating full compliance with the relevant standards.	✓

#### CHAPTER 3.5 SUBDIVISION

2.5	<b>Section 3 – Housing Estates</b>	<p>The proposed subdivision layout is appropriately orientation in accordance with LEP minimum lot size taking account solar access, open space, safety and security, road networks, waste collection and emergency vehicles.</p> <p>Refer to Figure 10 of this Statement, outlining subdivision layout, and Shadow Diagrams prepared by Visualized Concept illustrating compliance with amenity and solar access for surrounding neighbourhood.</p>	✓
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#### CHAPTER 3.7 LANDSCAPE

2	<b>Landscaping Design</b>	<p><b>2.1</b> The proposed development proposes landscaping characteristics that complement the existing street landscaping and improve the quality of the streetscape by providing a soften built element for visual cohesiveness.</p> <p><b>2.2</b> The application does not proposed alterations and additions.</p> <p><b>2.3</b> The proposed development adopts similar landscaping characteristics and vegetation networks of the surrounding neighbourhood.</p> <p><b>2.4</b> The landscape design improves the quality of streetscape and communal space by:</p> <ul style="list-style-type: none"> <li>▶ Appropriate tree replacement positioned to provide additional shading within POS area;</li> <li>▶ The proposed landscaping design is easily accessible and provides for attractive application of communal space;</li> <li>▶ The proposed landscaping design acts as natural screening to mitigate overlooking and privacy concerns;</li> <li>▶ The proposed landscaping design accommodates minimal hard surface paving and encourages open communal landscaping;</li> <li>▶ The proposed landscaping design provides for 'soften visual and physical built; but accommodates rich vary of vegetation networks and tree canopy schedule; and</li> <li>▶ Suitable replacement trees, shrubs and other landscaping elements are proposed as part of the landscaping plan.</li> </ul> <p><b>2.5</b> As stated above, the landscaping design is more than capable of providing for deep soil planting and landscaping elements.</p>	✓
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#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		<p><b>2.6</b> Unfortunately, due to site constraints, easement considerations and subdivision layout, the application proposes removal of all existing shrubs and trees on site. Notwithstanding, appropriate reallocation of trees and shrubs and management is proposed.</p> <p>Refer to Landscape Plan prepared by Visualized Concepts and the Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services outlining the tree protection zones and strategies adopted to ensure the safeguard of all existing vegetation.</p>	
<b>3</b>	<b>Biodiversity</b>	The proposed development is not situated within biodiversity mapped area in accordance with LEP.	✓
<b>CHAPTER 5 - RESIDENTIAL ACCOMODATION</b>			
<b>CHAPTER 5.1 – FORMER BANKSTOWN LGA</b>			
<b>SECTION 4 – DUAL OCCUPANCIES</b>			
<b>4.1</b>	<b>Subdivision</b>	There are no secondary dwelling proposed.	N/A
<b>4.2-4.4</b>	<b>Storey limit (not including basements)</b>	<p>The dual occupancy remains 2 storey.</p> <p>Necessary free boarding is proposed in accordance with floor levels mention in Chapter 2.2.</p> <p>The ground levels have been constructed and finished as per the approved development.</p>	✓
<b>4.5</b>	<b>Setback restrictions</b>	<p>The site is not within 9 metres of an existing animal boarding or training establishment.</p> <p><b>GROUND:</b> 5.5 to guest bedroom 2</p> <p><b>FIRST:</b> 5.5 metres to bedroom 2</p> <p>The first floor is setback by 5.5 with shortfall of 1 m from standard control. The shortfall is associated with stormwater requirements conditioned with easement increase to 2.5 m as part of Council Stormwater Report, hence restricting building footprint in respect to site coverage, rear setback and building height. Notwithstanding, a variation assessment is provided below:</p>	N/A
<b>4.6-4.7</b>	<b>Street setbacks</b>	<p><b>OBJECTIVE ASSESSMENT:</b></p> <p>O1) The building form, building design and landscape of the proposed lots are compatible and respective of the prevailing suburban character of the residential areas. As noted, the setbacks is associated with easement diameter pipeline in accordance with Bankstown Council's Development Engineering Standards. This area is reserved for landscaping to create a further compatible development. Careful consideration in design aspect has concluded a holistic planning approach where the rear and side setback are compatible with surrounding building design, with building envelope being pushed forward to achieve compliance in solar access.</p>	✓

## LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		<p>O2 &amp; O3) As stated above, the proposed dual occupancy design has asymmetrical, compatible built form that adopts articulation element that breaks down visual bulk and provides for causal surveillance. The rear wall entering the balcony addition is setback by 7 meters and is appropriately enclosed to side to minimise overlooking. The only break in setback comes with Bedroom 2 of each lot, which are centralised and overbearing street frontage. The front setback break is associated with site constraints and not the design approach taken. To further setback front portion of the building, planning inconsistent regarding rear setback, visual privacy and Council's diameter drainage pipeline easement will lead to negative planning outcome. The front portion of the dwelling does not overlook private open space, interrupt with sunlight and privacy, and has no impact on amenity of surrounding properties.</p> <p>O5) The application proposes 2 car parking spaces in accordance with car parking provisions, the car parking spaces is well concealed and designed with building footprint to ensure that front portion facilitate pedestrian and vehicle access. No other structures are proposed in front setback that would dominate the streetscape.</p> <p>Pursuant to Section 4.15(3A)(b) of the Act and based on this assessment above, Council is required to adopt a flexible approach in applying the provisions and allow the reasonable alternative solutions that achieve the objects of the control in dealing with this aspect of the development.</p> <p>Refer to development and built form snapshot outline the setbacks for each lot.</p>	
4.8-4.11	<b>Side setbacks</b>	<p>Lot 2 first floor side setback is required to be 1.5 m consistent with DCP control. The non-compliance is associated with widening of easement to 2.5 m, creating further restrict footprint, and thus limiting the ability to achieve 1.5 setback without disrupting the building envelope. A detailed variation assessment is provided in above section.</p> <p>All other setbacks generously comply with the relevant standards, ensuring no additional visual or amenity impacts are as of the overall development.</p>	✓
4.12	<b>Private space</b>	<p>The proposed POS for each lot is as follows:</p> <p>LOT 1: 141 sqm</p> <p>LOT 2: 146 sqm</p> <p>Both lots have sufficient dimensions and area to support the development.</p>	✓
4.13-	<b>Access sunlight</b>	<p>to The design takes account design to achieve a minimum of three hours of sunlight for neighbouring properties between</p>	✓

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY





CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
4.16		8.00am and 4.00 pm at the mid-winter solstice. 50% of the POS area have a minimum of 3 hours of sunlight.	
		Refer to shadow diagrams demonstrating these achievements.	
4.17-4.20	<b>Visual Privacy</b>	The size and position of all first-floor openings have been constructed to address the street frontage, with each side window opening appropriately sill height by 1.5m and offset to mitigate visual concerns and present a holistic building envelope. Overall, the proposed building design has minimal visual concerns.	✓
4.21-4.26	<b>Building design</b>	All existing dwellings are proposed to be demolished as part of the development works. The street façade proposes an asymmetrical design when viewed from the street. A front porch and living area window to each dwelling remains facing the street. The basement garage, driveway and front fences do not dominate the front of the building and front yard. The dual occupancy does not contain any attics or dormers windows.	✓
4.27-4.30	<b>Building design (car parking)</b>	No changes are proposed to the approved appearance of the basement garage from the street, albeit that the proposal includes an enlarged basement that can accommodate additional storage and other vehicles (boat, bicycle, motorcycle, scooter, etc).	✓
4.31-4.32	<b>Landscaping</b>	Some tress, shrubs and fruit trees as part of the subdivison. Refer to the Landscape plan prepared by visualised Concepts and Arboricultural Impact Assessment and Tree Management Plans prepared by Horticultural Management Services.	✓
<b>SECTION 13 – ANCILLARY DEVELOPMENT (OUTDOOR STRUCTURES)</b>			
<b>SWIMMING POOLS AND SPAS</b>			
13.1 2		Both swimming pools are located behind front building line.	✓
13.1 3		The swimming pools are setback below <1 m required. This is associated with easement expansion to 2.5 m and associated POS, landscape and rear setback requirement. Please refer to section 4.6 Setback variation justification outlining the natural site constraints and planning requirements.	✓
13.4	N/A		N/A

TABLE 13: CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 COMPLIANCE TABLE

(iia) SECTION 4.15(1)(A)(IIIA)

THE PROVISIONS OF ANY PLANNING AGREEMENT ENTERED INTO UNDER SECTION 7.4

There are no known Planning Agreements entered into under Section 7.4 and no draft Planning Agreements are proposed to be entered into under Section 7.4 for this proposed development.

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



(iii) SECTION 4.15(1)(A)(IV)

THE PROVISIONS OF THE REGULATIONS

**ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION, 2021**

Pursuant to Section 4.15(1)(A)(iv) of the Act, the following additional matters are required to be taken into consideration (where relevant) for a DA:

SEC.	MATTER FOR CONSIDERATION	✓/✗
29	<i>Residential apartment development</i>	✗
61(1)	<i>In the case of a DA for the demolition of a building, the provisions of AS 2601</i>	✓
61(2)	<i>Any subdivision order made under Schedule 7 to the Act</i>	✗
61(3)	<i>The Dark Sky Planning Guideline</i>	✗
61(4)	<i>Medium Density Design Guide for DA for manor house or multi dwelling housing (terraces)</i>	✗
61(6)	<i>Development Assessment Guideline: An Adaptive Response to Flood Risk Management for Residential Development in the Penrith City Centre</i>	✗
62	<i>Fire safety and other considerations</i>	✗
63	<i>Considerations for erection of temporary structures</i>	✗
64	<i>Consent authority may require buildings to be upgraded</i>	✗

TABLE 14: MATTERS FOR CONSIDERATION UNDER THE EP&A REGULATION, 2021

**SECTION 61(1): DEMOLITION**

Section 61(1) of the Regulations prescribes that the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures* are to be taken into consideration, pursuant to Section 4.15(1)(a)(iv) of the Act, in the case of a DA for the demolition of a building. Demolition work is proposed as part of the proposal. Council may impose suitable conditions on any consent granted for the proposal to ensure compliance with the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures*.

**6.2 SECTION 4.15(1)(B) OF THE EP&A ACT, 1979**

THE LIKELY IMPACTS OF THE DEVELOPMENT

INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY.

The subject DA seeks consent for the demolition of all existing improvements, removal of 14 trees & shrubs, removal of 2 separate concrete driveways and all ancillary structures, construction of a 2-storey attached dual occupancy accompanied with 2 swimming pools and Torrens Title Subdivision at 47 Cragg Street, Condell Park NSW.

An assessment of the proposal against the provisions prescribed in the relevant and applicable State Environmental Planning Policies, *Canterbury-Bankstown Local Environmental Plan 2023* and *Canterbury-Bankstown Development Control Plan 2023* has been provided throughout this Statement detailing the proposal's likely environmental impacts on both the natural and built environments, and social and economic impacts in the locality, as further summarised below:

**6.2.1 SITING, DESIGN AND THE BUILT FORM**

The proposed development's compliance with the relevant applicable development controls indicates that the proposed development is appropriately sited, observes a high

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



standard of design and proposes a built form that will be compatible with the local area and the desired future character.

The development has been appropriately sited having regard to the site features such as outlook, solar access, natural ventilation and visual and acoustic privacy. The development has been designed to integrate and be consistent with the character of development envisaged in the local area with the proposed development to be finished in light colours to compliment the setting and context of the area.

The overall built form is consistent with the building envelope controls for development on the site with minimal variations sought to the building envelope controls prescribed in the *Canterbury-Bankstown Local Environmental Plan 2023* and the *Canterbury-Bankstown Development Control Plan 2023*.

### 6.2.2 PRIVACY

The development will not create any adverse privacy impacts for adjoining residential properties. The assessment provided in Section 6 of this Statement demonstrates that the development is acceptable and would have acceptable visual and acoustic privacy impacts on adjoining properties.

### 6.2.3 SOLAR ACCESS AND OVERSHADOWING

The development has been designed to ensure suitable levels of solar access are achieved for the proposed dwellings as well as maintaining suitable levels of solar access for adjoining properties. The orientation of the dwellings allows for each dwelling to achieve suitable levels of solar access via their western and northern frontages.

The application proposes built forms that will not unreasonably overshadow adjoining properties or internally overshadow the proposed dwellings in the development itself as shown on the accompanying shadow diagrams. The additional overshadowing anticipated as a result of the proposed development will not be significant or detrimental to adjoining properties.

The shadow diagrams that accompany this application demonstrate that the proposed development will not cause any overshadowing on any neighbouring solar panels.

### 6.2.4 LANDSCAPING, TREE REMOVAL, FLORA & FAUNA

The site contains 14 existing trees, shrubs and fruit trees that are all proposed to be removed in order to facilitate the development. The site does not contain any vegetation of significance or native vegetation and is not identified as environmentally significant land or riparian land on Council's online mapping system. Given the above and proposed replacement landscaping, no adverse impacts on flora and fauna will eventuate from the proposal.

### 6.2.5 ACCESS, TRAFFIC & PARKING

Pedestrian access and vehicular to the proposed Lots are provided via the Cragg Street frontage. For both Lot 1 and Lot 1, the development proposes 2 car parking spaces with 1 car parking space provided in the proposed single garage and 1 car parking space provided on the proposed driveway.

#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



## 6.2.6 UTILITIES/INFRASTRUCTURE

The augmentation and provision of new and additional utilities and infrastructure will be necessary as a result of the proposal and will be borne by the person acting on any consent granted.

## 6.2.7 NATIONAL CONSTRUCTION CODES/BUILDING CODE OF AUSTRALIA

The design of the development has had regard to achieving compliance with the National Construction Code (NCC)/Building Code of Australia (BCA). Compliance with the NCC/BCA will be addressed in detail at the Construction Certificate stage. If necessary, conditions may be imposed by Council in relation to the development complying with the provisions of the NCC/BCA.

## 6.2.8 HERITAGE IMPACTS

The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. The site is not identified as an archaeological site. There are no known Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site.

## 6.2.9 SOCIAL IMPACTS

The proposed development will provide a positive social impact for the local and wider community as detailed below:

<b>COMMUNITY STRUCTURE:</b>	The proposed development will provide a positive benefit for the local community by providing additional housing to accommodate the increased growth and density within the residential zone of the LGA.
<b>INFRASTRUCTURE:</b>	Having regard to the scale of the proposed development and proposed infrastructure works, the development will not pose any significant impacts or strain on the capacity of existing infrastructure.
<b>RESIDENTIAL AMENITY:</b>	The proposed development will have an acceptable level of acoustic and visual privacy impacts on adjoining properties. Due to the nature and context of the site, the proposed buildings are appropriately setback to ensure privacy is maintained for existing adjoining properties.
<b>SAFETY AND SECURITY:</b>	The built form of the development has been designed having regard to the Crime Prevention Through Environmental Design principles as discussed below.

## 6.2.10 ECONOMIC IMPACTS

The proposed development will generate some short-term economic benefits for the local and wider community via the creation of construction related employment opportunities. The proposed development will not result in long term negative economic impacts on the local and wider community.

## 6.2.11 STORMWATER MANAGEMENT

The stormwater plans accompanying the application indicate the stormwater works required as part of the proposed development.

### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



Overall, the proposed development includes an appropriate stormwater system that will not create any adverse impacts to the existing stormwater system in the locality.

#### 6.2.12 SOIL MANAGEMENT

The application proposes minor earthworks ancillary to the development proposed. The development proposes fill beneath the building footprint to accommodate the building flood levels and free boarding measures. All disturbed soils will be suitable stored on site to prevent soil erosion and spill into the waterways.

#### 6.2.13 CONTAMINATION

The historical land uses of the site have been considered as indicators for potential contamination. A review of 1943 aerial imagery indicates that the subject was vacant and has no surrounding land uses. Further assessment suggests in 1950's the subject site became a low-density residential zone. A review of City of Canterbury-Bankstown Council's online DA tracking system has revealed prior development consent DA-1129/2016 for "The development remains for residential uses within residential dense zone. Therefore, there is no reason to suspect that the site is contaminated, and Council can be satisfied of its obligations under Section 4.6, Chapter 4 of the Resilience & Hazards SEPP, as the application appropriately considers potential contamination.

#### 6.2.14 WASTE MINIMISATION/MANAGEMENT

The Waste Management Plan accompanying the application details the waste minimisation and avoidance measures that will be implemented during the construction of the proposed development. The waste, recycling and green waste bins for the proposed dwellings will be stored behind the building lines and will not be visible from the street.

#### 6.2.15 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN - CPTED

The proposed development will not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. An assessment of the proposed development having regard to the CPTED principles has been undertaken as detailed in Part 6 of this Statement and summarised below:

<b>SURVEILLANCE:</b>	The proposal includes openings on the street facing façade that will overlook the street and public domain and activate the street frontage by providing opportunity for surveillance and increased security.
<b>ACCESS CONTROL:</b>	The proposed development includes clearly defined boundaries and fencing that will ensure unintended access is avoided and controlled access to the property is achieved.
<b>TERRITORIAL REINFORCEMENT:</b>	The natural topography of the site, built form and boundary fencing will provide clear boundary delineation between the public and private domains creating territorial reinforcement.
<b>SPACE MANAGEMENT AND MAINTENANCE:</b>	The proposed front, side and rear boundary fences will be constructed from durable materials that will require low levels of maintenance and ensure the development continues to appear cared for.

##### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



### 6.2.16 CONSTRUCTION IMPACTS

Whilst there is expected to be some impacts during construction of the proposed development, the impacts are not anticipated to be excessive and can be suitably controlled by the imposition of conditions on any development consent granted.

### 6.2.17 ESD & THE CUMULATIVE IMPACT

The development is not expected to have any cumulative impacts and will not inhibit the ability of future generations to use or further use or develop the subject site.

## 6.3 SECTION 4.15(1)(C) OF THE EP&A ACT, 1979

### *THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT.*

The DA seeks consent for demolition of all existing improvements, removal of 14 trees & shrubs, removal of 2 separate concrete driveways and all ancillary structures, construction of a 2-storey attached dual occupancy accompanied with 2 swimming pools and Torrens Title Subdivision on the subject property.

The proposed development is defined as “*dual occupancy (attached)*” and is permissible on the land pursuant to the R2 Low Density Residential zoning provisions applying to the land under *Canterbury-Bankstown Local Environmental Plan 2023* and the proposal achieves the objectives of the zone as it proposes a development that will provide 2 dwellings that will provide for the housing needs of the community within the medium density residential environment.

The subject site is situated in a residential area surrounded by similar scale buildings and uses making the location ideal for the proposed development. The site is not impacted by any easements or other site constraints that would otherwise fundamentally restrict the development as proposed or render the site unsuitable for the proposed development.

The assessment of the proposal contained within this Statement outlines how the proposal complies with Council's requirements for the siting, location and design of the proposed development under *Canterbury-Bankstown Local Environmental Plan 2023* and *Canterbury-Bankstown Development Control Plan 2023*.

During construction and upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding properties and will provide an appropriate catalyst for similar developments that will shape the future character of the area.

It is evident from the above and the assessment provided within this Statement that the site is suitable for the proposed development.

## 6.4 SECTION 4.15(1)(D) OF THE EP&A ACT, 1979

### *ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS.*

The consideration of submissions cannot be made at the time of preparing this Statement.

## 6.5 SECTION 4.15(1)(E) OF THE EP&A ACT, 1979

### *THE PUBLIC INTEREST.*

The development is defined as a ‘*dual occupancy (attached)*’ and ‘*swimming pools*’ which are permissible on the land pursuant to the R2 Low Density Residential zoning provisions applying to

#### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY





the land and ‘*subdivision*’ which is permissible pursuant to Clause 2.6 of the *Canterbury-Bankstown Local Environmental Plan 2023*. The proposal achieves the objectives of the zone as it proposes a development that will provide 2 dwellings that will provide for the housing needs of the community within the low-density residential environment.

The development will allow for the orderly and economic use and development of land and is acceptable having regard to the applicable State and Council planning controls. The proposed development satisfies the land owners development capacity and is acceptable having regard to the applicable State and Council planning controls by not posing any unacceptable impacts on the locality and existing adjoining properties.

When completed, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will complement the character of existing developments in the streetscape and will provide a need for the local and wider community.

The assessment of the proposal contained within this Statement outlines how the proposal complies with Council’s requirements for the siting, location and design of the proposed development and the subject site is suitable for the proposed development.

In view of the above and having regard to the assessment of the development contained within this Statement, the development is considered to be in the public interest.

## 7 SECTION 4.46 EVALUATION EP&A ACT, 1979

Section 4.46 of the Act details requirements for development that requires a separate approval under other environmental planning instrument or related legislation known as “*integrated development*”. An assessment as to whether any of the triggers for integrated development are met is provided below:

EPI OR ACT	✓/✗	EPI OR ACT	✓/✗
<i>Fisheries Management Act 1994</i>	✗	<i>Protection of the Environment Operations Act 1997</i>	✗
<i>Heritage Act 1977</i>	✗	<i>Roads Act 1993</i>	✗
<i>Mines Subsidence Compensation Act 1961</i>	✗	<i>Rural Fires Act 1997</i>	✗
<i>Mining Act 1992</i>	✗	<i>Water Management Act 1912</i>	✗
<i>National Parks &amp; Wildlife Act 1974</i>	✗	<i>Water Management Act 2000</i>	✗
<i>Petroleum (Onshore Act) 1991</i>	✗		

TABLE 15: INTEGRATED DEVELOPMENT TRIGGERS

Based on the above, the application is not identified as Integrated Development under the Act.

## 8 CONCLUSION

The subject DA seeks consent for demolition of all existing improvements, removal of 14 trees & shrubs, removal of 2 separate concrete driveways and all ancillary structures, construction of a 2-storey attached dual occupancy accompanied with 2 swimming pools and Torrens Title Subdivision at 47 Cragg Street, Condell Park NSW.

The proposed development has been assessed pursuant to the matters for consideration prescribed in

### LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY



Sections 1.7, 4.15 and 4.46 of the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2021*. The proposed development is not Designated Development or Integrated Development and so the application can be dealt with in the usual manner.

This Statement provides an assessment of the proposed development against the relevant planning instruments including:

- State Environmental Planning Policy (BASIX) 2023;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Bankstown Local Environmental Plan 2015; and
- Canterbury-Bankstown Development Control Plan 2023.

The development is defined as a ‘*dual occupancy (attached)*’ and ‘*swimming pools*’ which are permissible on the land pursuant to the R2 Low Density Residential zoning provisions applying to the land and ‘*subdivision*’ which is permissible pursuant to Clause 2.6 of the *Canterbury-Bankstown Local Environmental Plan 2023*. The proposal achieves the objectives of the zone as it proposes a development that will provide 2 dwellings that will provide for the housing needs of the community within the low-density residential environment.

The assessment of the proposal contained within this Statement outlines how the proposal complies with Council’s requirements for the siting, location and design of the proposed development.

The overall built form is consistent with the building envelope controls for development on the site with minimal variations sought to the building envelope controls prescribed in the *Canterbury-Bankstown Local Environmental Plan 2023* and the *Canterbury-Bankstown Development Control Plan 2023*. In particular, the development exceeds the external wall height development standard for which a Clause 4.6 variation request has been provided demonstrating that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The proposed development will positively contribute to the future housing that will meet the housing targets and desired future character of the area. The subject site is situated in a residential area surrounded by similar scale buildings and uses, making the location ideal for the development.

Overall, when completed, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will integrate within the character of existing developments in the local streetscape.

The development will allow for the orderly and economic use and development of land and the assessment provided within this Statement demonstrates that the subject site is suitable for the proposed development and that the proposed development will be in the local and wider public interest.

In view of the above and having regard to the assessment provided throughout this Statement, the development is considered worthy of Council’s approval.

LEGEND:

- ✓ COMPLIES
- ✗ NON COMPLIANT
- S SATISFACTORY