

Statement of Environmental Effects

56 Prescott Parade, Milperra

Stage 3C Integrated Housing
Riverlands Estate

PREPARED FOR

MIRVAC

DECEMBER 2023

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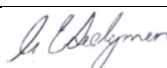
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* This document is for discussion purposes only unless signed and dated by the persons identified.
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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of Mirvac to support a Development Application (DA) to Canterbury-Bankstown Council (Council) for an integrated housing development comprising two (2) detached dual occupancies, and one (1) two-storey dwelling, resulting in a total of five detached, two storey dwellings, as well as subdivision of the dual occupancies and provision of landscaping.

The subject site has been approved for a community title subdivision creating 180 residential allotments under DA-4/2020. The proposed development is lodged over three of those allotments for further subdivision and the creation of an additional two (2) dwellings.

The proposal is supported by a Cost Estimate report confirming an overall cost of development of \$2,489,722.00 (including GST and professional fees). For the purposes of calculating the cost of works associated with the development (includes GST, excludes professional fees) is **\$2,219,003.00** which has been determined in accordance with Planning Circular PS13-002 Calculating the genuine estimated cost of development.

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EPA Act) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents. Specifically, the SEE includes the following information:

- Description of the site in its local context,
- Identifies the proposed works,
- Identifies and addresses relevant policies,
- Assessment against relevant State and Council plans and policies; and
- Assessment of potential environmental impacts and identification of mitigation measures.

This SEE has found that the proposal will deliver a high-quality integrated residential development that complies with key controls in *Canterbury-Bankstown Local Environmental Plan 2023* (LEP); generally, complies with key relevant controls in *Canterbury-Bankstown Development Control Plan 2023* (DCP), with sufficient justification provided for any variation; has minor and manageable environmental impacts; and is compatible with the existing and desired local area character.



2 The Site

The site is located on the former Riverlands Golf Course at Milperra in the local government area (LGA) of Canterbury-Bankstown. The site is surrounded by a mix of low-density residential development to the north and east, the M5 Motorway to the south and Georges River to the west. The area in the vicinity of the site includes a range of existing dwellings with some newer dual occupancy developments, open space areas, and a school. The site is located approximately 1.5km from Bankstown Airport and 6km from Bankstown Central Business District.



FIGURE 1: AERIAL IMAGE

Source: Mecone Mosaic



2.1 Site History

On 16 June 2022, consent was granted to DA-1107/2019 for 'Re-subdivision of existing 27 lots into 6 lots under Torrens title (no works)'. Refer to the draft Deposited Plan in Figure 2 below.

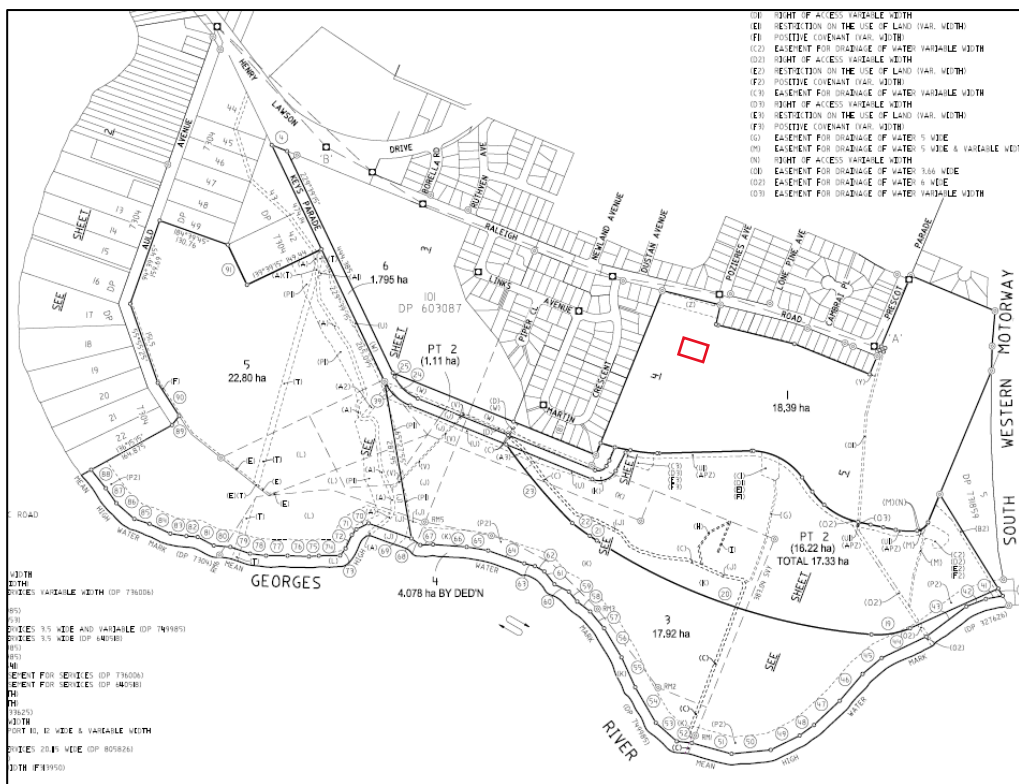


FIGURE 2: SITE CONTEXT MAP (SUBJECT SITE OUTLINED IN RED)

Source: Daniel James Hannigan

On 16 June 2022, consent was granted to DA 108-2020 for the construction of Keys Parade and associated works, including an upgraded signalised intersection at Henry Lawson Drive.

On 16 June 2022, consent was granted to DA 370-2020 for bank stabilisation works along the Georges River, and remediation and environmental rehabilitation works on the Riverlands Golf Course Site.

On 16 June 2022, consent was granted to DA 4-2020 for the 'Subdivision of proposed Lot 1 (proposed to be created under DA-1107/2019) into 180 residential allotments and five (5) residue lots, with bulk earthworks, construction of internal roads, drainage and associated services over three (3) construction stages, including the construction of a temporary sales office on the site fronting Prescott Pde'. Refer to the draft Deposited Plan in Figure 3 below with the subject site outlined in red.



A DA (DA-887/2023) for the construction of a total of 14 dwellings known as Stage 5C of the Riverlands Estate, including one (1) attached dual occupancy, on sites approved under DA-4/2020 along the northern side of Road No. 1 (backing onto Martin Cres) has been lodged with Council and is currently under assessment.

A DA (DA-1211/2023) for the construction of two (2) two-storey detached dual occupancies and one (1) two-storey dwelling on three (3) lots to be created under DA-4/2020 known as Stage 3 of the Riverlands Estate, and Torrens title subdivision of each dual occupancy into two (2) Torrens title lots has been lodged with Council and is currently under assessment.

2.2 Site Description

The subject site is identified as Lots 3-07, 3-08 and 3-09 to be created through DA-4/2020 at 56 Prescott Parade, Milperra. Each of the proposed dwellings will have frontage to Road 04.

Table 1 provides the legal description, and a brief summary of the site and surrounding context.

TABLE 1: SITE DESCRIPTION

ITEM	DESCRIPTION
Legal Description:	Currently: Lot 10 DP731859 Approved as: Lot 1 Proposed DP 1261511 Further Subdivided into Lots 3-07, 3-08 and 3-09 under DA-4/2020 Proposed Development: Lots 3-071, 3-072, 3-081, 3-082, 3-09
Total Area	1,989.30m ²
Address	56 Prescott Parade, Milperra NSW 2214
Street Frontage	Approx. 60m to Road 04
Existing Use and Development	The subject site was previously used as a golf course and is currently vacant. The site contains existing vegetation which has been approved for removal under preceding applications.
Zoning	The site is zoned R2 Low Density Residential
Dwelling Access	Access to each of the residential dwellings will be provided from Road 04
Public Transport	Bus services are provided in Raleigh Road and Pozieres Avenue.
Topography	The site is relatively flat, with final earthworks providing a slope toward Road 04.





3 The Proposal

The proposed development seeks consent for an integrated housing development and subdivision of the dual occupancies comprising the following works:

- Construction of:
 - Two (2) detached dual occupancies,
 - One (1) two-storey dwellings,
- Subdivision of each dual occupancy into two (2) lots, resulting in an additional two (2) lots and a total of five (5) lots upon completion of the development,
- Minor civil works including site benching, retaining walls and stormwater connections, and
- Landscaping works.

The proposed development layout is shown in Figure 5 below. Please refer to the attached site plans and dwelling design plans for further detail.

The proposed development will generally include the works identified in the table below.

TABLE 2: SUMMARY OF PROPOSED DEVELOPMENT

ITEM	DESCRIPTION
Number of dwellings	5 x two storey dwellings, comprising of 4 x 4 bedrooms and 1 x 4 bedrooms plus multipurpose room
Parking	5 x double garage with driveway parking
Gross Floor Area	887.80 m ²
Site Area	1867.20 m ²
FSR	0.47:1
Height	The site is subject to a height limit of 9 metres as illustrated on the Height of Buildings Map. The maximum height of any building proposed is 7.5 metres.
Landscape area	1,021.89m ²

Figures 4 and 5 provide site plans of the proposal.



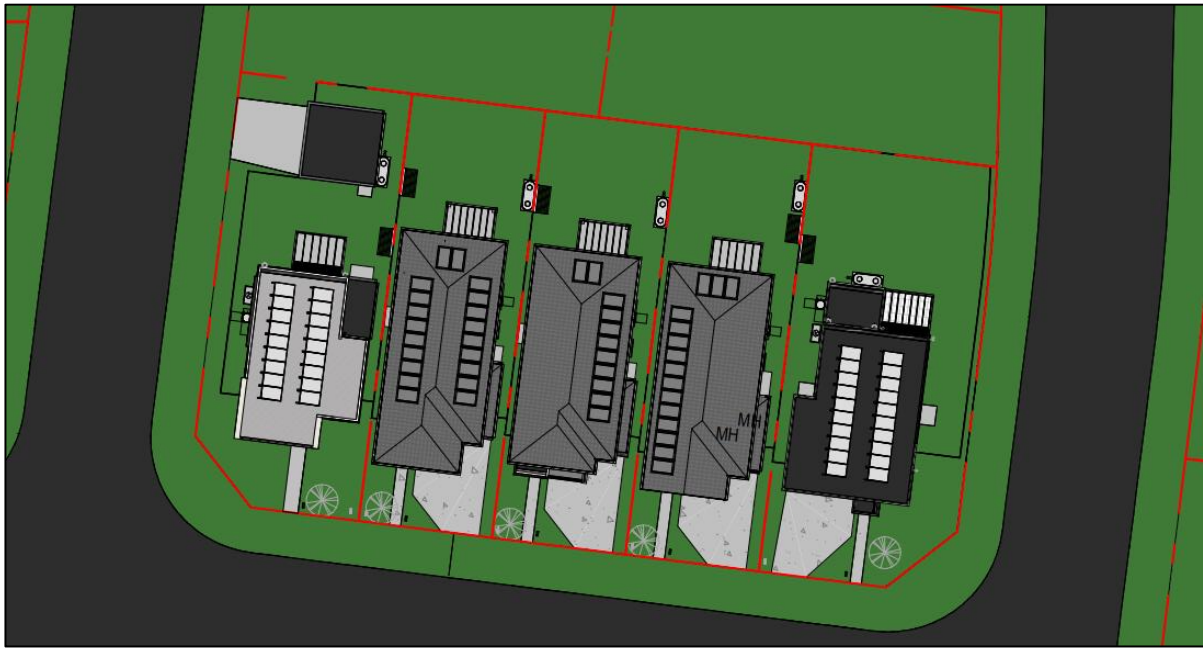


FIGURE 4: SITE PLAN (PROPOSED LOTS 3-09, 3-071, 3-072, 3-081, 3-082)

Source: Mirvac Design

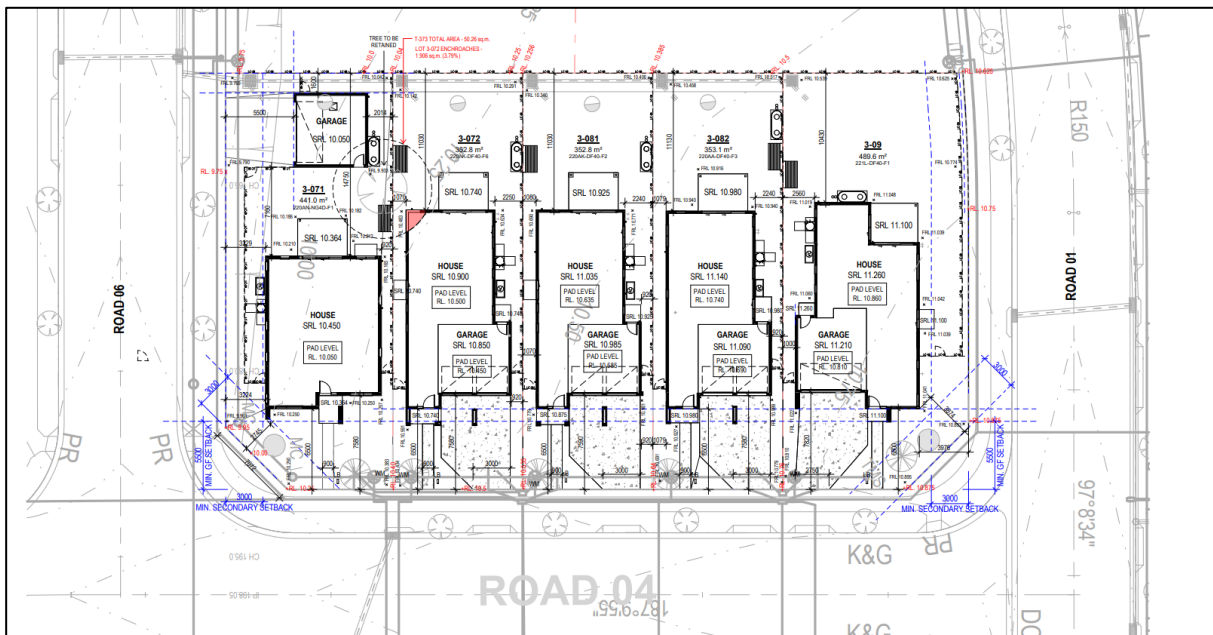


FIGURE 5: SITE PLAN FOR PROPOSED DEVELOPMENT (PROPOSED LOTS 3-09, 3-071, 3-072, 3-081, 3-082)

Source: Mirvac Design



3.1 Dwellings

A total of five (5) dwellings are proposed, comprising a mix of detached dual occupancies and two-storey dwellings. As noted above, the proposed dwellings comprise the following:

1. Construction of 2 x detached dual occupancies and subdivision (shown red)
2. Construction of 1 x two-storey dwelling (shown blue)

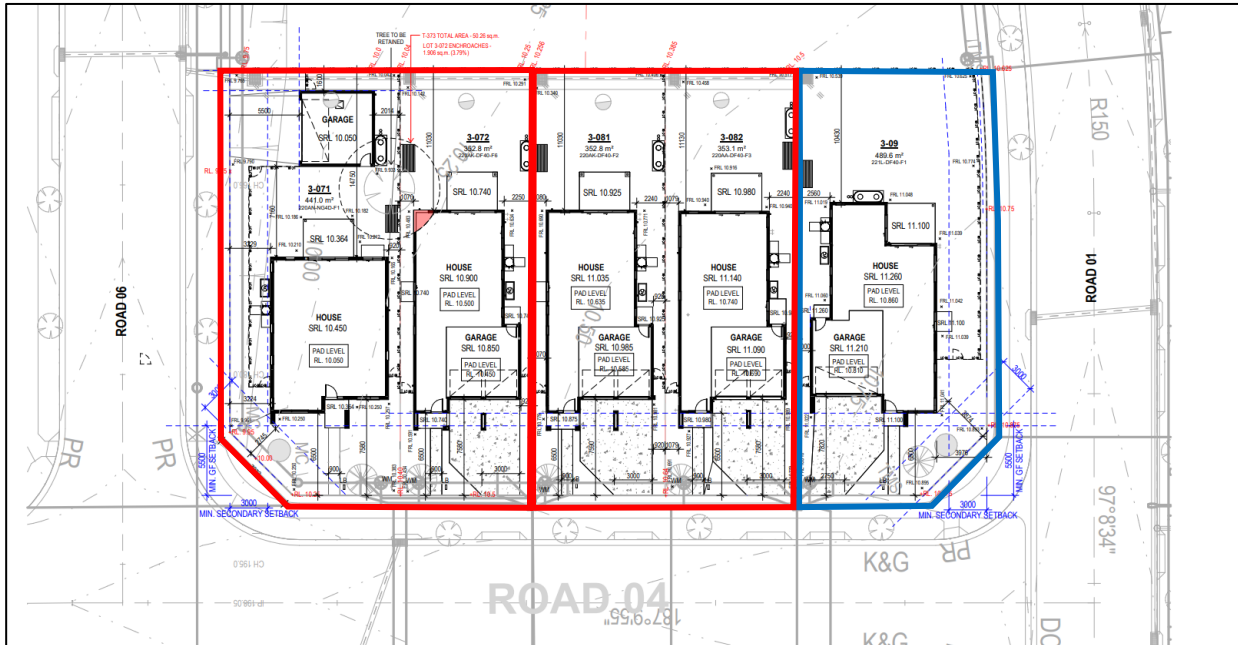


FIGURE 6: PROPOSED DEVELOPMENT (PROPOSED LOTS 3-09, 3-071, 3-072, 3-081, 3-082)

Source: Mirvac Design

Each of the dwellings will be two storeys in height and provide a range of colours, materials and façade treatments to ensure a positive and varied streetscape is maintained. Figure 9 below provides a streetscape view of the proposed development.



3.2 Subdivision

The proposed development includes subdivision of the proposed dual occupancies into two lots, resulting in an additional two (2) lots and a total of five (5) upon completion of the development. The proposed lot layout is shown in the draft subdivision plan in Figure 7 below.

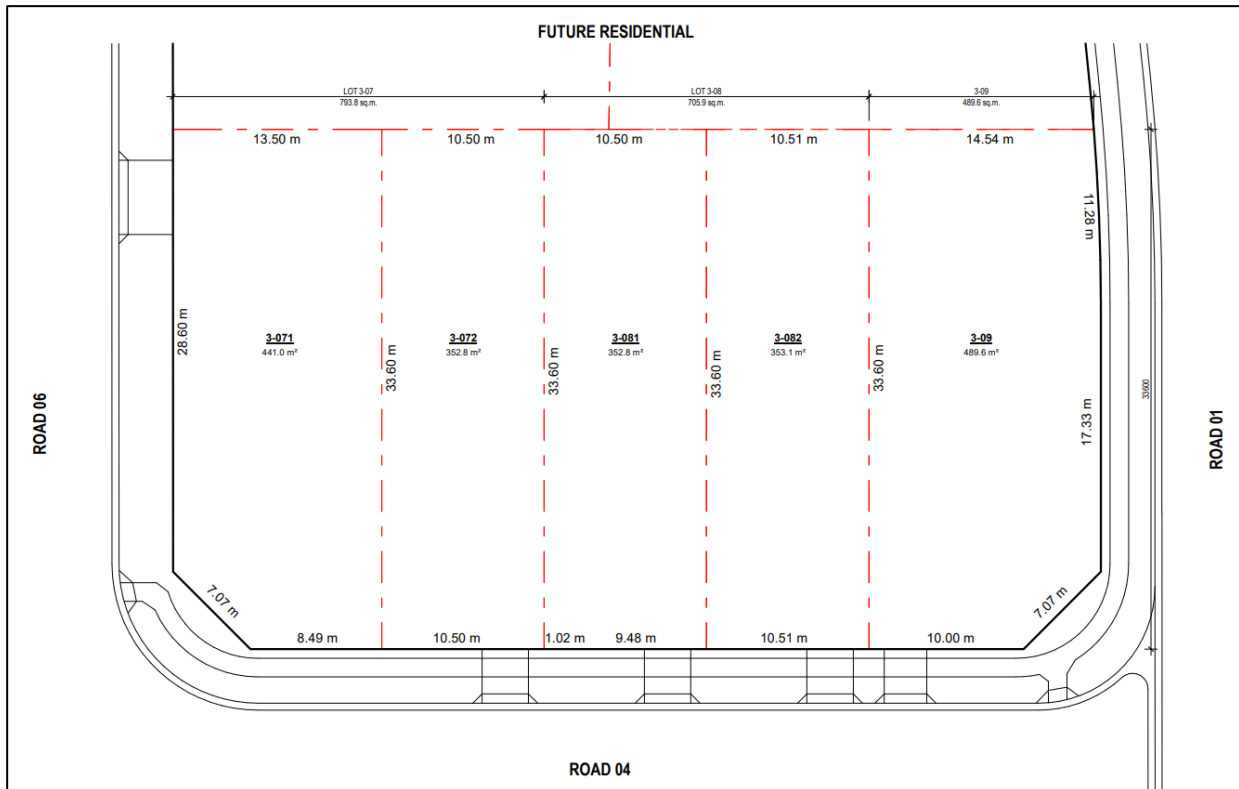


FIGURE 7: PROPOSED SUBDIVISION PLAN (PROPOSED LOTS 3-09, 3-071, 3-072, 3-081, 3-082)

Source: Mirvac Design

3.3 Landscaping

The development has been designed with integrated landscaping for all proposed dwellings, including deep soil zones capable of accommodating canopy trees and private open spaces capable of accommodating the needs of future residents. Street tree planting is approved under DA 4-2020 fronting public roads. Soft landscaping including trees, shrubs, ground covers and turf are proposed to the front setback of all lots, to soften the visual impact of the development and provide a suitably vegetated streetscape once the trees reach maturity.

An extract of the concept landscape plan by Green Tree Design is provided below.



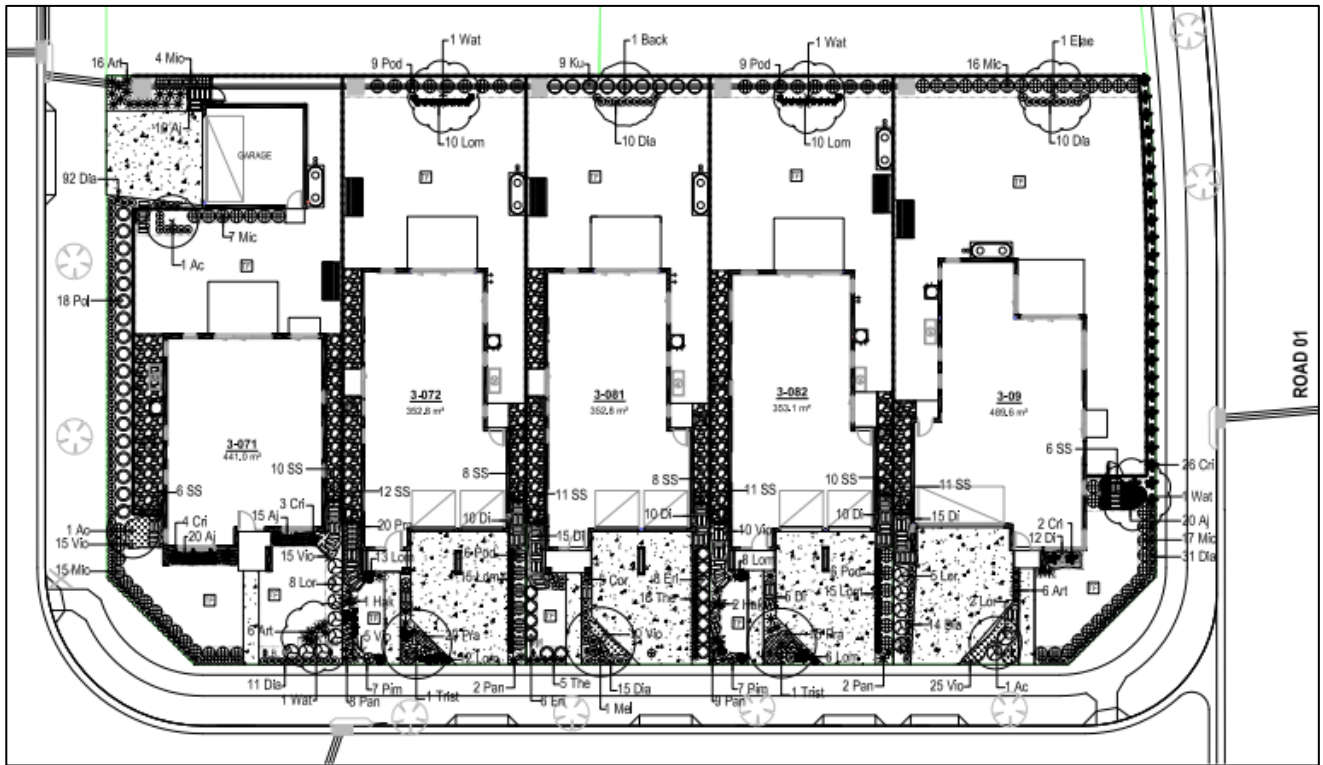


FIGURE 8: PROPOSED LANDSCAPE PLAN (PROPOSED LOTS 3-09, 3-071, 3-072, 3-081, 3-082)

Source: Green Tree Design



3.4 Civil works

The proposal includes minor civil works including benching of lots and drainage. The proposed earthworks are limited to benching of building platforms. Drainage works include direction of stormwater runoff to rainwater tanks for each dwelling in accordance with BASIX requirements, with runoff being directed to stormwater pits at the rear of each lot before being directed to the approved public drainage system.



FIGURE 9: STREETSCAPE VIEW

Source: Mirvac Design



4 Planning and Environmental Assessment

Mecone has undertaken an assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and mitigation measures. The potential environmental impacts and their mitigation measures are discussed below.

4.1 Environmental Planning and Assessment Act 1979

4.1.1 Section 4.15

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EPAA) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

TABLE 3: SECTION 4.15 ASSESSMENT SUMMARY

CLAUSE NO.	CLAUSE	ASSESSMENT
(1)	Matters for consideration – general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	The development has been considered in line with all relevant EPIs and has been shown to be consistent with its provisions.
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not Applicable
(iii)	Any development control plan, and	As discussed in Section 4.3 of this SEE, the proposed will result in a development that is consistent with Canterbury-Bankstown DCP.
(iiia)	Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and	A Voluntary Planning Agreement (VPA) was entered into between Council and the Developer on 15 September 2015 and amended in August 2021. The obligations within the VPA include bank stabilisation works, construction of Keys Parade, road infrastructure upgrades, public recreation works (walkways and crossings), riparian works and land dedication.



(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The proposal remains consistent with the regulations applying to the development application.
(v)	(Repealed)	Not Applicable
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The proposed works for the subject site, which form part of the existing Development Application for subdivision (DA-4/2020), have undergone a thorough assessment of its likely impacts on the environment, social, and economic factors. The development is considered to have a positive effect on all aspects. There are no anticipated negative environmental impacts, as sustainable practices have been integrated into the design. Socially, the project enhances community well-being and maintains neighbourhood character as per the subdivision plan. Moreover, the development is not expected contribute negatively to any economic factors.
(c)	The suitability of the site for the development,	The proposed integrated housing development is considered to be suitable for the site. The development complies with the relevant provisions of the Canterbury-Bankstown Local Environmental Plan 2023.
(d)	Any submissions made in accordance with this Act or the regulations,	If required, the proposed application will be notified in accordance with Council's policies and any submissions will be considered.
(e)	The public interest.	The proposal remains in the public interest as it promotes the orderly and economic use and development of the land and will not result in any negative environmental, social or economic impacts.

4.1.2 Section 4.46

The proposed development is categorised as integrated development pursuant to Section 4.46 of the EPA Act. Whilst the future lots/dwellings pursuant to this application will not be located on bushfire prone land, the subject application will be lodged on Lot 10 DP731859 which is mapped as bushfire prone land in the southern and western extents.

It is worth noting the mapped bushfire prone areas are a minimum of 297 metres from the location of the proposed development, as illustrated in **Figure 10** below. It is therefore considered the threat of bushfire to the subject site and proposed development is negligible, and the categorisation of the proposal as integrated development is an administrative requirement rather than a technical consideration.





FIGURE 10: BUSHFIRE PRONE LAND MAP

Source: Mecone Mosaic

4.2 Environmental Planning Instruments

4.2.1 State Environmental Planning Policy (Resilience and Hazard) 2021

The Resilience and Hazards SEPP establishes the requirements relating to contamination of land and the controls to ensure land is suitable for development. The SEPP stipulates that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated, and if so whether the land is suitable in its contaminated state for the purpose of the development or whether remediation is required.

A Contamination Assessment Report prepared by Sullivan Environmental Services was prepared and submitted with the facilitating subdivision DA 1107-2019. The report provided an assessment of the entire site, including the residential area and the subject site. As a result of the investigations, a remedial action plan (RAP) titled Remedial Action Plan Residential Development Area Riverlands New Residential Project Milperra NSW, reference SES-539, revision 03 dated 21 March 2022, prepared Sullivan Environmental Services was prepared.

The conditions of DA 04-2020 require that remediation be undertaken prior to the issue of a Subdivision Works Certificate. Following remediation of the relevant areas, the site will be suitable for the residential development. The areas identified as requiring remediation are not located on land to which this application applies. Notwithstanding, all areas requiring remediation will be undertaken in accordance with the existing approvals.

Based on the above, all remediation works will be undertaken prior to the proposed development being undertaken. In accordance with the conditions of DA04-2020, a site audit statement is required to be issued, which will confirm all remediation works are complete and the site is suitable.



Having regard to the above, the subject site will be made suitable for the proposed development and Council can be satisfied that all works will be undertaken prior to the commencement of this development. As such, the development complies with clause 4.6 of the Resilience and Hazards SEPP.

4.2.2 State Environmental Planning Policy (Sustainable Buildings) 2022

The *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) came into effect in October 2023 and has repealed the *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*. The Sustainable Buildings SEPP intends to deliver sustainable buildings, ensure consistent assessment of sustainable buildings, enable data collection, monitor the embodied emissions of materials used, minimise the consumption of energy, reduce greenhouse gas emissions, minimise consumption of mains-supplied potable water, and ensure good thermal performance of buildings.

Chapter 2 provides standards for residential development. It requires that development reduces waste, electricity, energy, and water consumption and that embodied emissions attributable to the development have been quantified. The proposed dwellings are accompanied by BASIX Certificates which confirm that the proposed dwellings will meet the standards highlighted in Schedule 1 of the Sustainable Buildings SEPP. Therefore, the subject proposal complies Sustainable Buildings SEPP.

4.2.3 Canterbury-Bankstown Local Environmental Plan 2023

Canterbury-Bankstown LEP is the primary environmental planning instrument applicable to the site and outlines the zoning, objectives and key development standards applying to the subject site and proposed development.

Table 4 provides an assessment of the proposal against the key provisions of the LEP.

The land subject to the development is zoned R2 Low Density Residential, as shown below.

TABLE 4: CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

CLAUSE	CONTROL	ASSESSMENT
4.1 Minimum Subdivision lot size	This clause applies to the subdivision of any land shown on the Lot Size Map .	<p>Complies</p> <p>The parent subdivision approved each of the lots with an area equal to or greater than the mapped minimum lot size of 450m².</p> <p>The minimum lot size requirement does not apply to dual occupancies that meet certain lot area requirements, which is discussed under Clause 4.1A below.</p>
4.1AA Minimum subdivision lot size for community title schemes	This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 2021 of land in various zones.	<p>Complies</p> <p>The proposed development is located on lots approved within a community title subdivision. The lots proposed as part of this application are subject to the requirements of Clause 4.1A which are discussed below.</p>
4.1A Minimum lot sizes and special	(2) Development consent must not be granted to development for the purposes of dual	Complies



provisions for dual occupancies	<p>occupancies on a lot in Zone R2 in Area 1 unless—</p> <p>(a) the lot is at least—</p> <p>(i) for dual occupancies (attached)—500m², and</p> <p>(ii) for dual occupancies (detached)—700m², and</p> <p>(b) the width of the lot at the front building line is at least—</p> <p>(i) for dual occupancies (attached)—15m, and</p> <p>(ii) for dual occupancies (detached)—20m, and</p> <p>(c) each dwelling will have a frontage to a road.</p> <p>(3) Development consent must not be granted to the subdivision of a dual occupancy in Zone R2 in Area 1 unless each resulting lot will be at least—</p> <p>(a) for dual occupancies (attached)—250m², and</p> <p>(b) for dual occupancies (detached)—350m².</p> <p>(4) Development consent must not be granted to development for the purposes of dual occupancies on a lot in Area 2 unless—</p> <p>(a) the lot is at least 600m², and</p> <p>(b) the width of the lot at the front building line is at least 15m, and</p> <p>(c) each dwelling will have a frontage to a road.</p> <p>(5) Development consent must not be granted to the subdivision of a dual occupancy on a lot in Area 2 unless—</p> <p>(a) each resulting lot will be at least 300m², and</p> <p>(b) there will be 1 dwelling on each lot created.</p>	<p>The proposed development includes attached and detached dual occupancies which comply with the minimum lot size and frontage requirements under this clause.</p> <p>Each dwelling will have frontage to a road.</p> <p>For subdivision, each lot associated with a detached dual occupancy dwelling will have an area of at least 350 square metres. Therefore, the proposed dual occupancies can be subdivided and comply with the requirements of Clause 4.1A.</p>
4.3 Height of Buildings	<p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>(2A) Despite subclause (2), the following maximum building heights apply—</p> <p>(a) 6m for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1,</p> <p>(b) 8.5m for a dwelling house in Zone R4 in Area 2,</p>	<p>Complies</p> <p>The mapped maximum height of buildings for the site is 9 metres. All structures are less than 9 metres in height.</p> <p>All structures have a wall height less than 7 metres.</p> <p>The proposal complies with Clause 4.3 of the LEP.</p>



(c) 11m for a building on a lot that is less than 5,000m² on land identified as "Area 1" on the Height of Buildings Map that is in Zone B6,

(2B) The maximum wall height for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1 is 3m.

(2C) The maximum wall height for a dwelling house or dual occupancy in Zone R2 in Area 1 is 7m.

(2D) In this clause—

wall height means the vertical distance between the ground level (existing) and the higher of—

(a) the underside of the eaves at the wall line, or

(b) the top of the parapet or the flat roof.

4.4 Floor space ratio

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

Complies

A maximum FSR of 0.5:1 applies to the site. An overall FSR of 0.47:1 is proposed and therefore complies with the requirements of Clause 4.4 of the LEP. A summary of the FSR for the development is provided below.

	Gross Floor Area	Lot Area	FSR
TOTAL	887.80m²	1867.20m²	0.47:1

4.5 Calculation of floor space ratio and site area

Clause 4.5 of the LEP outlines the areas to be included and excluded in the calculation of FSR.

Clause 4.5(2) defines floor space ratio as "*...the ratio of the gross floor area of all buildings within the site to the site area.*"

Complies

The FSR calculations provided on the Architectural Plans (Drawing No. 101) comply with the requirements for calculating the FSR and site area. The FSR is calculated as the ratio of floor space for the dwellings to the site area, resulting in a total of 0.47:1 complying with Clause 4.4.

5.10 Heritage conservation

Clause 5.10 outlines the various requirements for consideration of potential impacts on heritage on or near the subject site.

The nearest heritage item is identified as 'Milperra Soldier Settlement (former)' being I29 in Schedule 5 of the LEP.

Complies

The subject site does not contain any heritage items, is not within a heritage conservation area and will have no adverse impact on any heritage items in the locality. The proposed dwellings will have no impact on the heritage significance of the nearby Milperra Soldier Settlement.

5.21 Flood planning

(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

(a) is compatible with the flood function and behaviour on the land, and

Complies

The subject site is not located on flood prone land as identified in the Kelso Stormwater Catchment Flood Study (December 2009).



(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and

(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and

(d) incorporates appropriate measures to manage risk to life in the event of a flood, and

(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

(a) the impact of the development on projected changes to flood behaviour as a result of climate change,

(b) the intended design and scale of buildings resulting from the development,

(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,

(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

(4) A word or expression used in this clause has the same meaning as it has in the *Considering Flooding in Land Use Planning Guideline* unless it is otherwise defined in this clause.

(5) In this clause—

Considering Flooding in Land Use Planning Guideline means the *Considering Flooding in Land Use Planning Guideline* published on the Department's website on 14 July 2021.

flood planning area has the same meaning as it has in the *Floodplain Development Manual*.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.



6.1 Acid sulfate soils	<p>Clause 6.1 seeks to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p>	<p>Complies</p> <p>The subject site is mapped as containing Class 5 Acid Sulfate Soils. Clause 6.1(6) states that development consent is not required under this clause to carry out any works if</p> <p>(a) the works involve the disturbance of less than 1 tonne of soil, and</p> <p>(b) the works are not likely to lower the watertable. The proposed development will not disturb more than 1 tonne of soil and will not lower the watertable as all earthworks are being undertaken with the works approved under DA 4-2020.</p>
6.2 Earthworks	<p>(2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development under this plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are ancillary to—</p> <p>(i) development that is permitted without development consent under this plan, or</p> <p>(ii) development for which development consent has been granted.</p> <p>(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following—</p> <p>(a) the likely disruption of, or the detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill and the soil to be excavated,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of the fill material and the destination of the excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>Complies</p> <p>The proposed development does not seek consent for earthworks as all earthworks are being undertaken with the approved residential subdivision under DA 4-2020. Minor benching works will be required to achieve level building pads for the slabs.</p>
6.4 Biodiversity	<p>(2) This clause applies to land identified as “Biodiversity” on the Biodiversity Map.</p>	<p>Complies</p>



(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—

(a) whether the development is likely to have the following—

(i) an adverse impact on the condition, ecological value and significance of the fauna and flora on the land,

(ii) an adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna,

(iii) the potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land,

(iv) an adverse impact on the habitat elements providing connectivity on the land,

(b) appropriate measures to avoid, minimise or mitigate the impacts of the development.

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—

(a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or

(b) if a significant adverse environmental impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise the impact.

The proposed development will not result in any adverse impact on biodiversity. The subject site is not identified on the Terrestrial Biodiversity Map and the proposal does not seek consent for any tree removal. There will be no adverse impact on biodiversity as a result of the proposal.

Further to the above assessment against the LEP, Clause 6.17 'Development on Riverlands Golf Course site' provides site specific objectives and controls for the development of the Riverlands Golf Course site.

Whilst the majority of the controls relate to the preceding applications and redevelopment of the site, the proposed development further contributes to compliance with the objectives and controls of Clause 6.17. In particular, Objective (2)(a) seeks '*to ensure that development on the site reflects the low-density residential character of the surrounding area*'. The proposed development directly achieves this through developing a dwelling and detached dual occupancies – all of which are considered to contribute to the low-density residential character of the area. Urban renewal within the established area of Milperra is seeing existing dwellings being demolished for redevelopment as attached or detached dual occupancies. It is considered the proposed development is consistent with, and contributes to, the low-density character of the area.

The proposal also complies with the remaining objectives of the clause as the development will not generate traffic that will adversely affect the efficient and safety of Henry Lawson Drive and surrounding local roads, will protect and conserve the heritage, ecological, habitat and scenic values of the site, as well as surrounding waterways and riparian corridors, and will ensure the development integrated with the landform, vegetation, overland flow path and landscape of the site.

Clause 6.17(3) states that the consent authority is required to be satisfied of the items listed (a) to (j) prior to granting consent. Compliance with each sub-clause is demonstrated below.



(a) that the development is consistent with the low-density residential scale and character of the surrounding area,

As outlined above, the proposed development is consistent with, and contributes to, the low-density residential scale and character of the surrounding area through the proposed construction of a dwelling and detached dual occupancies.

The proposed development seeks consent for a dwelling and detached dual occupancies – each of which are considered to contribute to the low-density residential character of the area. The proposal is consistent with the transitioning character of Milperra which comprises a mix of older, residential dwellings which are being redeveloped for the purposes of new dwellings and detached dual occupancies. It is considered the proposed development is consistent with, and contributes to, the low-density character of the established area of Milperra.

The subject site is zoned R2 for low density residential development, the proposal is for development/land uses that are permissible in the zone and is consistent with the established character adjoining and surrounding the site. The appearance of the proposed dwelling and dual occupancies will ensure consistency with the prevailing character of Milperra being two storey dwellings separated from public roads by landscaped front setbacks and tree lined streets.

The low-density nature of the proposal will not adversely affect the efficient and safety of Henry Lawson Drive and surrounding local roads, will protect and conserve the heritage, ecological, habitat and scenic values of the site, as well as surrounding waterways and riparian corridors, and will ensure the development integrated with the landform, vegetation, overland flow path and landscape of the site.

(b) that the development will not significantly impact on the efficiency and safety of the surrounding road network,

The proposed addition of 2 dwellings will not significantly impact the efficiency and safety of the surrounding road network. The road layout approved under DA 4-2020 and construction of Keys Parade under DA 108-2020 has been designed to accommodate the proposed lots/dwellings with the vision of providing a suitable road network to cater for additional residential development. The works required under the VPA ensure new roads and cycleways/footpaths are provided to ensure the development will not significantly impact on the efficiency and safety of the surrounding road network. In particular, the construction of Keys Parade and signalised intersection at Henry Lawson Drive will ensure a safe access point to the dwellings is provided for vehicles and pedestrians.

(c) that the development of the site integrates with the road, pedestrian and cycle networks of the surrounding established Milperra neighbourhood area,

The concept subdivision layout approved under DA 4-2020 provides an integrated road, pedestrian and cycle network connecting with the established parts of Milperra. The works approved under DA 370-2020 facilitate the stabilisation of the banks along the Georges River, with the VPA requiring provision of road infrastructure upgrades including provision of a foreshore pedestrian/cycleway, access to the public foreshore walkway, pedestrian/cycleway crossings, and new footpaths.

(d) that the development, including any lots created by the development, will be compatible with the topography of the site and integrate with the landform, vegetation and landscape of the site,

The proposed development includes minor benching of the site and stormwater works which will be compatible with the topography of the site. Tree removal and bulk earthworks have been approved under DA 4-2020 and will be complete prior to the construction of the dwellings.

(e) that the development is appropriate given the environmental capabilities of, and environmental constraints that affect, the site (including, but not limited to, flood risks, land contamination, acid sulfate soils and bushfire risks),



The proposed dwellings are considered appropriate given the environmental capabilities of the land which were considered with DA 4-2020. The proposed dwellings/site are not subject to any natural hazards or environmental constraints.

(f) that the development will protect the cultural heritage values of the site and the scenic values of the surrounding waterways and riparian and biodiversity corridors,

The subject site and proposed dwellings are not located on land identified as containing any heritage items, is not near any heritage items and is not within a conservation area. The proposed development will not detract from the cultural heritage or scenic and landscape values of the site.

(g) that the development will protect and conserve the ecological communities and areas on the site,

No tree removal is proposed with this application as tree removal will be undertaken as part of DA 4-2020. The proposed development will protect and conserve ecological communities as far as practicable.

(h) that adequate provision has been made for protecting and conserving hollow bearing trees on the site,

As noted under (g), no tree removal is proposed under this application.

(i) that any adverse impacts of stormwater on the site, or caused by stormwater runoff on adjoining properties, native vegetation, wetlands or waterways, are properly managed or mitigated,

The proposed dwellings are each provided with a rainwater storage tank which will capture stormwater runoff from the roof. Any overflow will be directed to the street drainage network which will be directed to the appropriate detention/treatment facility before entering waterways. The appropriate measures are proposed as part of this application and have been approved under DA 4-2020.

(j) that any lot created by the development will be compatible with the stormwater management measures on the site.

As noted in (i) above, appropriate stormwater measures are in place as approved under DA 4-2020 and are proposed with this application, including rainwater tanks and stormwater connections as shown on the plans accompanying this application.

As demonstrated above, the proposal is fully compliant with the applicable provisions of the LEP.



4.2.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 of the Biodiversity and Conservation SEPP applies to all land within water catchments specifically in the case of the subject site, Georges River catchment as identified on the Catchment Map. The provisions in Chapter 6 aim to maintain and improve the water quality and river flows of the Georges River and protect and enhance the environmental quality of the Catchment. The proposed development will be connected to all appropriate services (sewer, water and stormwater) and will not result in adverse run off or environmental damage.

Appropriate sediment and erosion controls will be installed to comply with applicable guidelines and standards. All sediment and building waste will be appropriately managed during the construction phase as well as through the ongoing life of the building.

Further detail in this regard will be provided at the detailed design stage and comply with the relevant requirements. The proposal complies with the Biodiversity and Conservation SEPP.

4.3 Development Control Plans

The site is subject to the provisions of Canterbury-Bankstown Development Control Plan 2023 (DCP). An assessment against key relevant provisions of the DCP. The proposed development will comprise 2x detached dual occupancies (resulting in a total of 5 dwellings) and 1x single dwelling and the assessment against the relevant sections of Canterbury-Bankstown DCP is provided in **Appendix 1**.



5 Environmental Impacts

5.1 Built Form

The proposal has been architecturally designed to create a pleasant low density-built form. Supporting street elevations have been prepared to demonstrate that the proposal maintains a streetscape compatible with the existing character of the Milperra area and immediately adjoining properties.

The proposal provides for a variety of dwelling types which will be extensively landscaped as per the provided landscape plans prepared by Green Tree Design. The considered design has reduced garage dominance and perceived dwelling bulk, with proposed articulation elements, building facades and landscaping providing for an attractive streetscape.

Furthermore, the proposed development provides a positive visual outcome which delivers a housing product which is consistent with the existing duplexes, townhouses and detached dwellings surrounding the subject site.

5.2 Arboriculture

Earthworks associated with the facilitating and residential subdivisions will be undertaken prior to the construction of the proposed development under DA 04-2020. The site contains one tree as illustrated on the plans which will be retained and protected with the proposed development.

The proposed development ensures retained trees are protected with the establishment of Tree Protection Zones (TPZs).

5.3 Contamination

Whilst the sites the subject of this DA do not contain any contaminated areas, a Contamination Assessment Report and Remedial Action Plan prepared by Sullivan Environmental Services was submitted and approved with the facilitating subdivision (being DA 04-2020). The works required by the RAP will ensure the site is suitable for the proposed residential development. The proposal complies with the requirements of the Resilience and Hazards SEPP and is considered suitable for the proposed residential development.

5.4 Stormwater

A Hydraulic Concept Plan prepared by Mirvac accompanies the DA which outlines the stormwater drainage method for each proposed dwelling. The stormwater management system has been designed and approved under DA 04-2020 in accordance with the provisions of Canterbury-Bankstown DCP, Council's Development Engineering Standards and the BASIX Certificates.

5.5 Services

Electricity

Electricity is currently available off Raleigh Road. The proposed dwellings will be serviced by an underground network.

Telecommunications

NBN is available along Raleigh Road, with a detailed design to be provided during construction to service the proposed development.



Potable Water Supply

Water mains will extend the potable water supply to the proposed dwellings from Raleigh Road. Each dwelling will have adequate access to water.

Wastewater

Reticulated sewer will be provided to each dwelling.

5.6 Traffic

Road layout and vehicular access

Access to each dwelling will be provided off Raleigh Road which is an existing public road.

Waste collection and loading

Waste collection will occur on-street within the public road. Waste collection occurs for the existing dwellings on the western side of Raleigh Road and this service will be extended to the proposed dwellings once constructed.

Traffic generation

It is noted that the subject DA of for 5 homes and as such does not impact traffic generation, however the proposed overall development is expected to generate a reasonable level of vehicular traffic associated with the approved subdivision and number of residential lots as noted in the traffic reports completed and approved under DA 04-2020. It is considered that the existing and approved road network can readily support this minor increase in peak hour vehicle trips generated by the proposed development for this residential development.

The proposed addition of 5 dwellings will not significantly impact the efficiency and safety of the surrounding road network. The road layout approved under DA 4-2020 and construction of Keys Parade under DA 108-2020 has been designed to accommodate the proposed lots/dwellings with the vision of providing a suitable road network to cater for additional residential development. The construction of Keys Parade and signalised intersection at Henry Lawson Drive will ensure a safe access point to the dwellings is provided for vehicles and pedestrians.

Parking

For dual occupancies, Canterbury-Bankstown DCP requires the provision of 1 car space per 1-2 bedroom dwellings and 2 car spaces per 3 bedroom or more dwellings. For dwelling houses, Canterbury-Bankstown DCP requires the provision of 2 car spaces per dwelling behind the front building line. The dwelling designs provided demonstrate that each site and dwelling can provide a minimum of two car parking spaces, in accordance with Canterbury-Bankstown DCP requirements.

All parking spaces have been designed in accordance with the relevant Australian Standard (*Parking Facilities Part 1 - Off-Street Car Parking AS2890.1:2004*).

5.7 Waste

A Waste Management Plan (WMP) has been prepared and submitted with this application using Council's WMP template. The WMP outlines the waste management measures during construction and on-going use of the development, noting there is no demolition proposed as part of the development. Each dwelling has suitable frontage to Road 04 for presentation of bins for collection on a weekly basis.



6 Site Suitability and Public Interest

6.1 Site Suitability

The proposed development is suitable on the site for the following reasons:

- The proposal is consistent with the zone objectives,
- The proposal is consistent with the relevant LEP and DCP controls,
- The proposal provides additional housing within an identified low density residential redevelopment area close to services and facilities,
- The proposal will not result in any adverse impacts on the environment; and
- There are no environmental constraints on or around the site of such significance as to preclude the proposal.

6.2 Public Interest

The proposed development is suitable on the site for the following reasons:

- The proposal is consistent with the zone objectives;
- The proposal is consistent with the relevant SEPP, LEP and DCP controls;
- The proposal will not result in any adverse impacts on the environment; and
- There are no environmental constraints on or around the site of such significance as to preclude the proposal.

The proposed development is considered to be within the public interest for the following reasons:

- The proposal provides for a combination of employment opportunities through the demolition and construction phases of the development,
- The proposal provides a suitable use for development of the site whilst managing the constraints,
- Environmental impacts associated with the proposal are considered acceptable given the location and envisaged built form outcomes,
- The proposal will not reduce the safety, sustainability, or efficiency of surrounding uses,
- The proposal will establish the framework for a high-quality architectural design and deliver a quality product within the Canterbury-Bankstown LGA, and
- The proposal does not give rise to any additional amenity impacts including noise, intensity of use and overshadowing.



7 Conclusion

This Statement of Environmental Effects has been prepared on behalf of Mirvac to support a DA to Canterbury-Bankstown Council for an integrated housing development comprising two (2) detached dual occupancies, and one (1) two-storey dwelling, subdivision of the dual occupancies and landscaping at 56 Prescott Parade, Milperra. The former use of the site as Riverlands Golf Course has ceased and the site is in the process of being redeveloped for the purposes of a low-density residential housing development.

This statement describes the proposal in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to section 4.15 of the EPA Act.

An environmental assessment has been undertaken in Section 5 of this report, supported by additional consultant studies as per the requirements of Council. The environmental assessment found the associated impacts of the proposal are minimal and manageable.

To summarise, the proposal:

- Is compliant with Canterbury-Bankstown LEP and other relevant legislation,
- Is consistent with the objectives and controls of Canterbury-Bankstown DCP,
- Is a suitable development for the subject site,
- Results in negligible environmental impacts,
- Ensures traffic impacts on the area are within acceptable levels; and
- Promotes the efficient development of low density residential zoned land in the Canterbury-Bankstown LGA.

Therefore, we request that Council recommend that the proposed development be granted development consent.



Appendices

Canterbury-Bankstown Development Control Plan 2023 Compliance Table



Assessment against key clauses of the Canterbury-Bankstown DCP 2023		
Element	Control	Compliance
Chapter 3.2 – Parking		
Section 2 – Off-street parking		
<i>Off-street parking spaces</i>		
2.1	Development must calculate the amount of parking required using the schedule of off-street parking requirements. [Extract of schedule below] Dual occupancies 1 car space per 2 or less bedrooms; or 2 car spaces per 3 or more bedrooms. Dwelling houses 2 car spaces per dwelling behind the front building line.	Complies Each dual occupancy provides a minimum of two spaces for each dwelling, with each detached dual occupancy dwelling containing a double garage. The proposed dwelling contains a double garage providing 2 spaces behind the building line.
2.2	In calculating the total number of car parking spaces required for development, these must be: (a) rounded down if the fraction of the total calculation is less than half (0.5) a space; or (b) rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and (c) must include a room that is capable of being converted to a bedroom.	N/A The proposal complies with the rates in the schedule.
2.3	Development comprising more than one land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule.	N/A The subject site does not comprise more than one land use.
Chapter 3.3 – Waste Management		



Section 3 – Residential Development		
<i>All residential development types</i>		
3.1	Council or its contractors are solely to provide the waste services to all residential development types as required under the Local Government Act 1993.	Complies Noted.
3.2	Each dwelling is to have a waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials.	Complies Each dwelling will contain a waste storage area within the kitchen capable of holding domestic waste and recycling.
3.3	Development must provide a bin storage area. The bin storage area must be of adequate size to accommodate all allocated bins.	Complies There is sufficient area behind the front building line for storage of bins.
3.4	The location of the bin storage area should not adversely impact on the streetscape, building presentation or amenity of occupants and adjoining dwellings.	Complies There is sufficient area behind the front building line for storage of bins.
3.5	The location of the bin storage area should ensure this area: (a) is screened or cannot be viewed from the public domain; and (b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise and odour.	Complies Storage of bins behind the front building line ensures they can be screened from the public domain. Bins will not be stored near windows of habitable rooms.
3.6	The location of the bin storage area is to be convenient to use for the dwelling occupants, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin–carting route from the bin storage area to the collection point must not pass	Complies Bins can be easily transported to the kerb for collection.



	through any internal rooms of the dwelling and must avoid stairs or slopes.	
Chapter 5.1 – Residential Accommodation – Former Bankstown LGA		
Section 2 – Dwelling houses [note: this section only applies to the dwellings on lot 3-09]		
<i>Storey Limit</i>		
2.1	The storey limit for dwelling houses is two storeys.	Complies. A maximum of 2 storeys is proposed for the dwelling.
2.2	The siting of dwelling houses and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Complies Minor benching is required to achieve a suitable platform for dwelling construction. No substantial earthworks are required.
2.3	Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where: (a) the dwelling house is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or (b) the fill is contained within the ground floor perimeter of the dwelling house to a height no greater than 1 metre above the ground level (existing) of the site.	Complies No significant cut and fill is required, with only minor benching required to achieve suitable levels for construction of the proposed dwellings.
<i>Setback Restrictions</i>		
2.4	The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.	Complies



		There are no known animal boarding or training establishments within 9 metres of the proposed dwelling.
<i>Street setbacks</i>		
2.5	The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.	Complies A minimum setback of 5.5 metres is provided to the ground floor from the front boundary, and 6.5 metres to the second storey in order to achieve a positive outcome for residents through greater private open space and rear setbacks, resulting in greater separation between the proposed dwellings and future dwellings on Road 04.
2.6	The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.	Complies A minimum setback of 3 metres is provided from the ground floor to the secondary street frontage of lot 3-09.
<i>Side setbacks</i>		
2.7	For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.	Complies The proposed dwelling is equal to or below 6.92m in height overall, therefore external walls are less than 7 metres in height. The proposed dwelling is setback more than 0.9m to both boundaries.
2.8	For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres. Council may vary this requirement where a second storey	N/A



	addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.	
2.9	The basement level must not project beyond the ground floor perimeter of the dwelling house.	N/A
<i>Private Open Space</i>		
2.10	Dwelling houses must provide a minimum 80m ² of private open space behind the front building line. This may be in the form of a single area or a sum of areas provided the minimum width of each area is 5 metres throughout.	Complies The minimum of 80m ² is provided as private open space for the proposed dwelling with a width greater than 5 metres.
<i>Access to sunlight</i>		
2.11	At least one living area must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	Complies The living areas on the ground floor and will receive sufficient sunlight for more than 3 hours.
2.12	At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	Complies The living areas of the adjoining dwellings will receive sunlight for more than 3 hours due to the design that is proposed. The proposed dwelling will not impact the solar access to the adjoining properties.
2.13	A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between	Complies



	9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	The private open space area will receive more than 3 hours of sunlight as shown in the overshadowing plans provided as part of this application.
2.14	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	Complies The proposed dwelling will not overshadow any solar hot water or PV panel.
<i>Visual privacy</i>		
2.15	Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.	Complies Windows on the first floor of dwellings are sufficiently setback or offset to minimise overlooking or potential impacts on visual privacy.
2.16	Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or	Complies The proposed dwelling is sufficiently setback to minimise any overlooking to any proposed/existing neighbouring properties. All windows are staggered and of appropriate sill heights where required. In addition, some windows proposed will have glazing where needed to comply with the noted control.



	(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	
2.17	Council may allow dwelling houses to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	N/A No side or rear balconies are proposed.
2.18	Council does not allow dwelling houses to have roof-top balconies and the like.	N/A Not proposed.
<i>Building design</i>		
2.19	The maximum roof pitch for dwelling houses is 35 degrees.	Complies The roof pitch is less than 35 degrees.
2.20	Council may allow dwelling houses to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.	N/A No attics are proposed.



2.21	The design of dormers must: (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.	N/A
2.22	Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	N/A The site is not in the foreshore protection area.
<i>Building design (car parking)</i>		
2.23	Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.	N/A
2.24	Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and	Complies Car parking associated with the proposed dwelling is setback behind the front building line.



	(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.	
2.25	<p>Despite clause 2.26, Council may allow an existing dwelling house (approved prior to 21 October 1997) to erect a carport forward of the front building line solely where:</p> <p>(a) two car parking spaces behind the front building line is not possible due to the side boundary setbacks being less than 3 metres; and</p> <p>(b) the carport achieves a high quality design with a pitched roof that complements the dwelling house; and</p> <p>(c) the carport is setback a minimum 1 metre from the primary and secondary frontages.</p>	N/A
2.26	Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.	<p>Complies</p> <p>The garage integrates with the dwelling design and established streetscape character.</p>
2.27	Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) the building is at least 2 storeys in height, and (b) the garage is architecturally integrated with the upper storey by: (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in Part B1 of this DCP.	<p>N/A</p> <p>A maximum of 2 car spaces are proposed.</p>
<i>Landscaping</i>		



2.28	Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.	Complies Tree removal is being undertaken with the preceding approval/s and no tree removal is sought with this application.
2.29	<p>Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):</p> <p>(a) a minimum 45% of the area between the dwelling house and the primary road frontage; and</p> <p>(b) a minimum 45% of the area between the dwelling house and the secondary road frontage; and</p> <p>(c) plant at least one 75 litre tree between the dwelling house and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); and</p> <p>(d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.</p>	Complies The proposed dwelling provides 296.06m ² (60.47%) which exceeds the minimum requirements for providing landscape area between the dwelling and the primary road frontage. At least 1x 75 litre tree will be planted in the front setback of the proposed dwelling.
Section 4 – Dual occupancies [note: this section only applies to the dual occupancies on lots 3-071, 3-072, 3-081, 3-082]		
<i>Subdivision</i>		
4.1	For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual	N/A



	occupancy may be subdivided provided the minimum lot size is 450m ² per dwelling.	<p>No secondary dwellings are proposed. The proposal is for dual occupancies only.</p> <p>The minimum lot size assessment is shown in Table 4 in the SEE.</p>
<i>Storey Limit</i>		
4.2	The storey limit for dual occupancies is two storeys.	<p>Complies</p> <p>Each dual occupancy is a maximum of 2 storeys. The external wall height of each dual occupancy dwelling is less than 7.5 metres.</p>
4.3	The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	<p>Complies</p> <p>Minor benching is required to achieve a suitable platform for construction. No substantial earthworks are required or proposed.</p>
4.4	<p>Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:</p> <p>(a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or</p> <p>(b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the allotment.</p>	<p>Complies</p> <p>No significant cut and fill is required, with only minor benching and retaining walls required to achieve suitable levels for construction of the proposed dual occupancies.</p>
<i>Setback Restrictions</i>		



4.5	The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.	Complies There are no known animal boarding or training establishments within 9 metres of the proposed dwelling.
<i>Street Setbacks</i>		
4.6	The minimum setback for a building wall to the primary road frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.	Complies A minimum setback of 6.5 metres is provided to the ground floor from the front boundary, and 6.5 metres to the second storey in order to achieve a positive outcome for residents through greater private open space and rear setbacks, resulting in greater separation between the proposed dwellings and future dwellings on Road 04.
4.7	The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.	N/A Lot 3-071 has a secondary street frontage of more than 3 metres for the building wall and a setback of 5.5 metres for a garage.
<i>Site setbacks</i>		
4.8	For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining property.	Complies All dwellings have an external wall height less than 7 metres with a setback of 0.9m or greater.



4.9	For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres.	N/A Subject site does not contain any wall building heights greater than 7 metres.
4.10	The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.	Complies As illustrated on the site plan, side setbacks are clear of obstacles.
4.11	The basement level must not project beyond the ground floor perimeter of the dual occupancy.	N/A Proposed dwellings do not include any basement.
<i>Private Open Space</i>		
4.12	Dual occupancies must provide a minimum 80m ² of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.	Complies The 'Private Open Space, Permeable Area and Fencing Plan' submitted illustrates the area of private open space of each dual occupancy exceeds 80m ² .
<i>Access to sunlight</i>		
4.13	At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	Complies The living areas on the ground floor of each dwelling will receive adequate sunlight for more than 3 hours.
4.14	At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the	Complies



	development must not result with additional overshadowing on the affected living areas of the dwelling.	The living areas of the adjoining dwellings will receive adequate sunlight for more than 3 hours. The proposed dwellings will not impact the solar access to the neighbouring future dwellings.
4.15	A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	Complies The private open space area is north facing and receives sunlight for more than 3 hours.
4.16	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	Complies The proposed dwellings will not overshadow any solar hot water or PV panel.
<i>Visual privacy</i>		
4.17	Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.	Complies Windows on the first floor of dwellings are sufficiently setback or offset to minimise overlooking or potential impacts on visual privacy.



4.18	<p>Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p>	<p>Complies</p> <p>The proposed dwellings are sufficiently setback to minimise overlooking of the future neighbouring dwellings.</p>
4.19	<p>Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <p>(a) does not have an external staircase; and</p> <p>(b) does not exceed a width of 1.5 metres throughout; and</p> <p>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p>	<p>N/A</p> <p>No side or rear balconies are proposed.</p>
4.20	<p>Council does not allow dual occupancies to have roof-top balconies and the like.</p>	<p>N/A</p> <p>No roof-top balconies are proposed as a part of this application.</p>
<i>Building design</i>		



4.21	Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the allotment.	Complies There are no existing dwellings on any lots.
4.22	The design of dual occupancies must ensure: (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner allotment each face a different frontage.	Complies Each dwelling includes a range of architectural features, materials, finishes and colours. Each dwelling contains a living space in the front of the dwelling. The design of each dual occupancy ensures garages and driveways do not dominate the streetscape.
4.23	The maximum roof pitch for dual occupancies is 35 degrees.	Complies The roof pitch of each dual occupancy is less than 35 degrees.
4.24	Council may allow dual occupancies to have an attic provided the attic design:	N/A No attics are proposed.



	<p>(a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and</p> <p>(b) ensures the attic does not give the external appearance of a storey.</p>	
4.25	<p>The design of dormers must:</p> <p>(a) be compatible with the form and pitch of the roof; and</p> <p>(b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane.</p>	N/A
4.26	<p>Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).</p>	<p>N/A</p> <p>The site is not in the foreshore protection area.</p>
<i>Building design (car parking)</i>		
4.27	<p>Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <p>(a) comply with the road pattern shown in Appendix 2; and</p> <p>(b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.</p>	<p>N/A</p> <p>Proposed development is not land bounded by the highlighted locations.</p>
4.28	<p>Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car</p>	<p>Complies</p> <p>A double garage is provided for each dwelling. Garages are setback a minimum of 7.4 metres which provides sufficient</p>

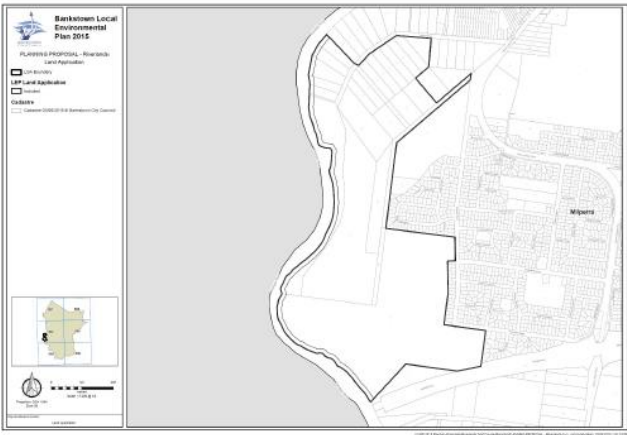


	parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.	area for a vehicle to park in the driveway clear of the road reserve.
4.29	Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.	Complies The garages integrate with the dwelling design and future streetscape character.
4.30	Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) the building is at least 2 storeys in height, and (b) the garage is architecturally integrated with the upper storey by: (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in Part B1 of this DCP.	Complies Each dwelling is two storey and contains a double garage. All dwellings provide elements that project forward of the garage (but not more than 3 metres) to minimise the appearance of garages. Lot 3-071 has a detached garage facing Road 06. Habitable rooms face the street and the design of each dwelling ensures a suitable streetscape presentation is maintained.
Landscaping		
4.31	Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.	Complies Tree removal is being undertaken with the preceding approval/s and no tree removal is sought with this application.



4.32	Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species): (a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and (b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and (c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); and (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody	<p>Complies</p> <p>The 'Private Open Space, Permeable Area and Fencing Plan' submitted illustrates each dual occupancy achieves the minimum landscaped area, with a minimum of 45% of the landscaped area being in front of the dwelling. At least 1x 75 litre tree will be planted in the front setback of each dwelling.</p>
Chapter 11 – Key Development Sites		
Chapter 11.5 – Former Riverlands Golf Course Site – Milperra		
<i>Land Application Map</i>		
	This section applies to the site shown in the Land Application Map (Figure 1).	<p>Complies</p> <p>The proposed development is partly located within the Riverlands Golf Course Site and this section applies.</p> <p>The subject site is located within the Riverlands Golf Course Site and this section applies.</p>



	<p>Figure 1—Land Application Map</p> 	
Subdivision		
1.1	<p>Development that proposes the subdivision of land must submit a concept subdivision plan, landscape plan and detailed tree survey to the satisfaction of Council. These plans must be prepared by suitably qualified persons in the field of town planning, architecture and landscape architecture.</p>	<p>Complies</p> <p>The proposed development includes further subdivision of the proposed dual occupancies. All tree removal and earthworks will be undertaken as part of the approved of DA 4-2020 and will be complete prior to the construction of the proposed dwellings.</p> <p>This application is accompanied by architectural plans landscape plans, with a subdivision plan relative to the dual occupancy lots.</p>
1.2	<p>The intended outcomes of the concept subdivision plan, landscape plan and detailed tree survey are: (a) to identify the overall strategic vision and guiding principles to the subdivision and development of the site; (b) to demonstrate the opportunities and constraints of the site; (c) to contribute</p>	<p>Complies</p>



	to the sustainable growth of the city; and (d) to respond and contribute to the local context and the urban structure of the city.	This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. The proposal complies with this requirement.
1.3	The concept subdivision plan, landscape plan and detailed tree survey must consist of a written statement (supported by plans or illustrations) explaining how the design and layout of the streets, lots and subsequent development on the site have regard to the [matters outlined below].	Complies This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. The proposal complies with this requirement.
<i>Design principles</i>		
(a) Design principles	<p>The design and layout of the streets, lots and subsequent development must have regard to the design principles drawn from the site analysis and local context including:</p> <ul style="list-style-type: none"> (i) Context and character studies. (ii) Visual assessment of the site and the local context. (iii) Survey of the site and neighbouring buildings. (iv) Survey of the topography, stormwater and drainage systems, trees, vegetation and landscape. 	Complies This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. The proposal complies with this requirement. The design of the development has taken into consideration the context and character of the locality to ensure the dwellings are visually cohesive. The topography of the site also ensures dwellings will not be sited to dominate the streetscape and will provide a suitable response with regard to stormwater drainage, tree protection and landscape enhancement.
(b) The studies which informed the planning proposal	<p>The design and layout of the streets, lots and subsequent development are to conform to the studies and their recommendations which informed the planning proposal (PP_2011_BANKS_001) for the site including:</p> <ul style="list-style-type: none"> (i) The 'Flora Assessment: Updated Study of the approximately 82 ha site of the Riverlands Golf Course site at Milperra', dated 23 January 2012, prepared by Anne Clements and Associates. 	Complies Noted. The proposal complies with the relevant studies, noting there is no additional tree removal on the Riverlands Gold Course site, the site is not affected by flooding or bushfire, will not result in any adverse impact on aboriginal heritage, is not located on a part of the site requiring remediation, will not adversely impact acid sulfate soils or



<p>(ii) The 'Fauna Habitat & Species Constraints to Potential Redevelopment of the Riverlands Golf Course, Milperra', dated 22 January 2012, prepared by Ambrose Ecological Services.</p> <p>(iii) The 'Fauna Investigation and Tree Retention Advice', dated June 2015, prepared by NGH Environmental.</p> <p>(iv) The 'Riverlands Flood Study and Evacuation Plan', dated April 2012, prepared by BMT WBM.</p> <p>(v) The 'Bushfire Assessment', dated 30 April 2012, prepared by Eco Logical Australia.</p> <p>(vi) The 'Aboriginal Heritage Study', dated May 2012, prepared by Archaeological & Heritage Management Solutions. This includes the need for subdivision development to undertake additional archaeological investigations in accordance with relevant statutory requirements and guidelines.</p> <p>(vii) The 'Phase 2 Environmental Site Assessment–Riverlands Environmental Site Assessment', dated July 2015, prepared by Environmental Strategies.</p> <p>(viii) The 'Acid Sulfate Soil Preliminary Site Investigation', dated December 2011, prepared by Sydney Environmental & Soil Laboratory.</p> <p>(ix) The 'River Bank Stabilisation Study', dated April 2014, prepared by National Project Consultants.</p> <p>(x) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.</p>	<p>bank stabilisation, and complies with the requirements of the VPA.</p>
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<p>(c) Sustainability and energy efficiency outcomes</p>	<p>The design and layout of the streets, lots and subsequent development must have regard to the sustainability and energy efficiency outcomes through design including:</p> <p>(i) The integration of the streets and development with the topography, stormwater, biodiversity and riparian corridors, native vegetation and hollow bearing trees, and landscape of the site.</p> <p>(ii) Lot orientation. In assessing proposals for residential subdivisions, Council places major emphasis on the ease with which future dwellings with good solar access can be erected on the proposed lots. In general, this condition is best fulfilled when the side boundaries of the majority of the lots are on or near a north–south axis; however, there may be other solutions. It is important to strive for a future residential area in which the great majority of dwellings can achieve good solar access.</p> <p>(iii) The provision of deep soil zones and landscaping.</p> <p>(iv) Passive surveillance.</p>	<p>Complies</p> <p>This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. Notwithstanding, this application is supported by BASIX and NatHERS certificates which demonstrate compliance with the relevant sustainability and energy efficient requirements for the construction of new residential development. Further, shadow diagrams submitted as part of the Architectural Plan set illustrates satisfactory solar access and natural ventilation to living areas of the proposed dwellings to minimise the dependence on heating and cooling.</p>
<p>(d) Built form and character</p>	<p>The design and layout of the streets, lots and subsequent development must:</p> <p>(i) Provide for mostly dwelling houses or a balanced mix of dwelling houses and dual occupancies on the site that is compatible with the character, amenity and built form of the established Milperra neighbourhood area.</p> <p>(ii) Provide for a variety of lot widths other than 15 metres to encourage a diversity of house and dual occupancy designs.</p>	<p>Complies</p> <p>This control primarily relates to the parent subdivision and development of the site approved under DA 4-2020, however the proposed development provides a balanced mix of dwelling houses and detached dual occupancies on the site which is compatible with the established character of the Milperra neighbourhood. The parent subdivision approved under DA 04-2020 provided lots greater than 15 metres wide which provide a suitable area for construction of a range of attached and detached dwellings as proposed.</p>



<p>(e) Traffic and access</p>	<p>The design and layout of the streets, lots and subsequent development must have regard to traffic and access including:</p> <p>(i) The links between the site and the surrounding pedestrian, cycle, public transport and road access and circulation networks. This includes details of the internal and external movement networks, the public transport access routes, the pedestrian and cycle paths, linkages to external networks and pedestrian through– site links. The internal street network should avoid cul–de–sac roads.</p> <p>(ii) The links to the road access to the site being Keys Parade, Pozieres Avenue and Prescott Parade. Road access is not to be provided through Martin Crescent.</p> <p>(iii) The pedestrian / cycle link between the site and the public open space on the foreshore.</p> <p>(iv) The evacuation routes for residents during flooding.</p>	<p>Complies</p> <p>This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020.</p> <p>The 2 additional dwellings will not significantly impact the efficiency and safety of the surrounding road network. The road layout approved under DA 4-2020 and construction of Keys Parade under DA 108-2020 has been designed to accommodate the proposed lots/dwellings with the vision of providing a suitable road network to cater for additional residential development. The works required under the VPA ensure new roads and cycleways/footpaths are provided to ensure the development will not significantly impact on the efficiency and safety of the surrounding road network. In particular, the construction of Keys Parade and signalised intersection at Henry Lawson Drive will ensure a safe access point to the dwellings is provided for vehicles and pedestrians. All dwellings/lots will have access to the pedestrian and public road network and will have access to evacuation routes for residents during flood events.</p>
<p>(f) Infrastructure and stormwater management</p>	<p>The design and layout of the streets, lots and subsequent development must have regard to infrastructure and stormwater management including:</p> <p>(i) The works to be undertaken in accordance with the Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.</p>	<p>Complies</p> <p>This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. The proposal is consistent with the approved subdivision and road layout and will provide satisfactory infrastructure and stormwater arrangements for the proposed development.</p> <p>The construction of Keys Parade under DA 108-2020 and local roads under DA 4-2020 provide access to the public</p>



	<p>(ii) The minimum 17 metre road width for public roads. This comprises a 10 metre wide carriageway and a 3.5 metre wide footpath on each side of the carriageway.</p> <p>(iii) Access for Council's waste trucks and emergency vehicles.</p> <p>(iv) The integration of the streets and development with the overland flow paths shown in Figure 2.</p> <p>(v) The incorporation of water sensitive urban design principles in the street and development design to attenuate runoff and promote water quality. Consideration may be given to treating stormwater runoff from the site by establishing wetlands, or installing bioswales or bio-retention basins prior to surface discharge.</p> <p>(vi) The siting of the electricity power lines and telecommunication lines underground in accordance with the bushfire assessment, and urban design and streetscape guidelines.</p>	<p>road network for residents. With regard to stormwater, the proposed dwellings are each provided with a rainwater storage tank which will capture stormwater runoff from the roof. Any overflow will be directed to the street drainage network which will be directed to the appropriate detention/treatment facility before entering waterways. The appropriate measures for stormwater treatment and disposal are proposed as part of this application and have been approved under DA 4-2020.</p>
<i>Development – general requirements</i>		
1.4	<p>In deciding whether to grant development consent, Council must be satisfied that development on the site conforms to the concept subdivision plan, landscape plan and detailed tree survey approved by Council.</p>	<p>Complies</p> <p>The proposed dwellings comply with the approved subdivision plan/layout, landscape plan and tree survey approved for the site/development under DA 04-2020.</p> <p>As per the 'concept subdivision plan' approved in DA 4-2020, the proposed development will conform to that subdivision layout and associated landscaping requirements.</p>
1.5	<p>Development on the site must provide for mostly dwelling houses on the site, or a balanced mix of dwelling houses and dual occupancies on the</p>	<p>Complies</p> <p>The proposed development contributes to a mix of dwelling</p>



	site that is compatible with the character, amenity and built form of the established Milperra neighbourhood area.	houses and dual occupancies and is compatible with the character, amenity and built form of the established area of Milperra. The proposed development provides a mix of detached dwellings and detached dual occupancies which ensures a balance mix of dwelling types, contributing to diversity in built form whilst maintaining the established residential amenity and character of the Milperra neighbourhood.
1.6	Development on the site must locate the electricity power lines and telecommunication lines underground.	Complies All services will be located underground.
1.7	Development on the site must submit an Environmental Management Plan detailing the extent to which the development will impact on the site during construction in accordance with the flora and fauna studies which informed the planning proposal (PP_2011_BANKS_001) for the site and the Bankstown Demolition and Construction Guidelines.	Complies This is not considered a requirement for the proposed development. This was addressed with DA 4-2020 and the proposed development will adhere to any relevant requirements.
<i>Biodiversity protection</i>		
1.8	In deciding whether to grant development consent, Council must be satisfied that development on the site conforms to the studies which informed the planning proposal (PP_2011_BANKS_001) for the site including: (a) The 'Flora Assessment: Updated Study of the approximately 82 ha site of the Riverlands Golf Course site at Milperra', dated 23 January 2012, prepared by Anne Clements and Associates.	Complies The proposed development is consistent with the studies prepared as part of the planning proposal and residential subdivision approval under DA 4-2020.



	<p>(b) The 'Fauna Habitat & Species Constraints to Potential Redevelopment of the Riverlands Golf Course, Milperra', dated 22 January 2012, prepared by Ambrose Ecological Services.</p> <p>(c) The 'Fauna Investigation and Tree Retention Advice', dated June 2015, prepared by NGH Environmental.</p> <p>(d) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.</p>	
1.9	<p>Development on the site must protect the hollow bearing trees shown in Figure 3 in accordance with the 'Fauna Investigation and Tree Retention Advice', dated June 2015, prepared by NGH Environmental.</p> <p>In deciding whether to grant development consent, Council must be satisfied that the development is designed, and will be sited and managed, to avoid any potentially adverse environmental impact or, if a potentially adverse environmental impact cannot be avoided:</p> <p>(a) the development minimises disturbance and adverse impacts on the native vegetation and habitat; and</p> <p>(b) measures have been considered to maintain native vegetation and habitat in parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors; and</p> <p>© measures have been considered to achieve no net loss of significant native vegetation or habitat.</p> <p>In this clause, biodiversity corridor means an area that facilitates the connection and maintenance of native fauna and flora habitats and, within the urban landscape, includes areas that may be broken by roads and</p>	<p>Complies</p> <p>The proposed development does not include removal of any trees on the Riverlands Golf Course site and will have no adverse impact on biodiversity.</p>



	other urban elements and may include remnant trees and associated native and exotic vegetation.	
<i>Stormwater and water sensitive urban design</i>		
1.10	<p>Development on the site must submit a Water Management Plan that provides the following details:</p> <p>(i) the stormwater management methods during construction and post construction; and</p> <p>(ii) how the water sensitive urban design methods will be used to meet the stormwater reduction targets set out in the Botany Bay and Catchment Water Quality Improvement Plan for greenfield development / large redevelopment.</p>	<p>Complies</p> <p>Stormwater will be connected to the street drainage network as illustrated on the plans provided. The design of the stormwater drainage is in accordance with BASIX and Council's requirements.</p> <p>The water management associated with the Riverlands Golf Course redevelopment provides appropriate water quality and quantity treatment measures which was approved as part of the subdivision DA (DA 04-2020).</p>
1.11	<p>In deciding whether to grant development consent to development on the site, Council must be satisfied that:</p> <p>(a) water sensitive urban design principles are incorporated into the design of the development; and</p> <p>(b) riparian, stormwater and flooding measures are integrated; and</p> <p>(c) the stormwater management system includes all reasonable management actions to avoid any adverse impacts on the land to which the development is to be carried out, adjoining properties, native bushland, waterways and groundwater systems; and</p> <p>(d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, native bushland, waterways and groundwater systems.</p>	<p>Complies</p> <p>As noted above, the proposed integrated housing development directs stormwater to the street drainage system. The detention/treatment measures approved as part of the preceding applications (being DA 04-2020) will be constructed prior to the proposed development and therefore satisfies this requirement. Each proposed dwelling is provided with rainwater storage tanks in accordance with BASIX requirements. The proposed development ensures there will be no adverse environmental impact.</p>



	<p>For the purposes of this clause, the water sensitive urban design principles are:</p> <ul style="list-style-type: none">(i) protection and enhancement of natural waterways;(ii) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments;(iii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes;(iv) integration of stormwater management systems into the landscape in a manner that provides multiple benefits, including water quality protection, stormwater retention and detention, biodiversity / habitat provision, public open space, and recreational and visual amenity;(v) retention, where practical, of on-site stormwater for use as an alternative supply to mains water, groundwater or river water;(vi) reduce peak flows through storage and infiltration.	
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