

Statement of Environmental Effects

**For a
Two Storey Dwelling House
at
4 Clifford Street Panania**

**Prepared for

EDEN BRAE HOMES**

**Planning Outcomes Pty Ltd
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0417 467 509**

1. Description of Proposal

The proposal seeks consent for construction of a two storey dwelling house and associated works. The new dwelling house is proposed to contain:

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Ground Floor:

Single garage, front porch, entry, lounge, laundry, powder, linen, guest, internal staircase, dining and family with open kitchen with walk-in-pantry and walk-in-pantry and alfresco.

First Floor:

Master bedroom with walk-in-robe, ensuite and balcony, three (3) bedrooms with built-in-robos, bathroom, upper games area with wc and linen.

2. Site Analysis

The subject site is legally known as Lot 8 in DP 20218. The site has an east-west orientation and is located on the western side of Clifford Street.

The site has an approximately regular shape, with frontage to Clifford Street of 11.175m, rear boundary width of 12.44m and side boundary lengths of 39.795m and 39.95m. The site area is 379.8m². The site has an approximately 1.5m crossfall from rear to Ruthven Street (north).

The sewer runs in the back yard, within the subject site. The site currently contains a dwelling with ancillaries, that will be demolished separately. A 1.83m wide drainage easement traverses the south-eastern corner of the subject site.

The site is surrounded by two storey dwelling houses.

The site is not bushfire prone.

The land is not located within a flood planning area.

The site is not biodiversity certified land within the meaning of Part 8 of the Biodiversity Conservation Act, 2016 and does not contain riparian land and is not subject to an approved property vegetation plan. The land is not biodiversity stewardship land.



Subject Site: 4 Clifford Street Panania

3. State Policies

This report has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 and pursuant to *Part 3, Division 1 Making development applications* of the *Environmental Planning and Assessment Regulation 2021* (2021 EP&A Regulation).

The purpose of this statement is to:

- provide a detailed description of the proposal,
- provide a description of the site context, including identification of the site, existing development on the site, and surrounding development,
- undertake an assessment of the proposal in terms of the matters for consideration as listed under Section 4.15 of the Act, *and*
- identify and assess the issues relevant to the proposed development.

This statement must be read in conjunction with the plans and the supporting information submitted separately.

3.1 State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 - Land Remediation

State Environmental Planning Policy (Resilience and Hazards) 2021 applies to all land and aims to provide a State-wide planning approach to the remediation of contaminated land. This new consolidated SEPP includes in Chapter 4 the provisions of the repealed SEPP 55 - Remediation of Land.

Chapter 4 of SEPP (Resilience and Hazards) requires the consent authority to consider whether the land is contaminated prior to granting consent to carrying out any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

As the site is currently used as residential, it is considered unlikely to be contaminated. For this reason, no further investigation is considered necessary.

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

SEPP (BASIX) 2004 applies to the proposed development and aims to encourage sustainable residential development. A BASIX Certificate has been submitted with the development application to achieve compliance with the BASIX SEPP. The proposal achieves the minimum performance levels / targets associated with water, energy and thermal efficiency.

3.3 SEPP (Biodiversity and Conservation) 2021 - Chapter 6 - Water Catchments - Georges River Catchment

The subject site is located within the catchment of the Georges River. Part 11.2 of the Plan contains planning principles that the consent authority must take into account when determining a development application. These include acid sulfate soils, land degradation, effluent disposal and urban/stormwater runoff.

It is considered that the proposed development will not have an adverse environmental impact on the Georges River Catchment for the following reasons:

- subject site is not identified as being affected by Acid Sulfate Soils, and an Acid Sulfate Soils Management Plan is not required,
- the works do not involve deep excavation,
- sediment and erosion will be appropriately controlled during construction,
- stormwater will be appropriately controlled and managed on the site throughout the life of the project including water retention and re-use, and
- the site benefits from a reticulated sewerage system.

In conclusion, the proposed development is consistent with the relevant aims and objective of the plan.

4. Canterbury-Bankstown Local Environmental Plan 2023

The site is located in the R2 Low Density Residential Zone. Dwelling houses are permissible with consent in the R2 zone.



Zoning Map

It is considered that the proposed development meets the objectives of the R2 Low Density zone, specifically:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

The subject site is considered suitable to accommodate the proposed new two storey dwelling house. The new dwelling is consistent with the relevant objectives of the R2 Low Density Residential zone on the basis that:

- The proposal does not seek to modify the current land use of the site,
- The proposal responds to the specifics of the site and the current modern housing needs,
- Traffic and parking impacts are minimised and as expected with any proposal for a single residential dwelling,
- The proposed configuration, design and finishes are of high quality, and proposal complies with landscaping requirements, and
- The amenity of adjoining neighbours, including access to sunlight, and the character of Clifford Street will be enhanced.

Standard	Compliance
Zoning - R2 - Low Density Residential	A dwelling house is permissible in the zone
Height - maximum 9m	<p>Yes - 8.64m</p> <p>MAX BUILDING HEIGHT PERMISSIBLE = 9000 MM PROVIDED = 8640 MM</p> <p>Complies.</p>
FSR - 0.5:1 or 247.8m ²	<p>Yes - 0.5:1</p> <p>SITE AREA = 495.6 M²</p> <p>FLOOR SPACE RATIO (LEP) PERMISSIBLE = 50% OR 247.8 M² PROVIDED = 247.8 M²</p> <p>Complies.</p>
Heritage	<p>n/a</p> <p>The site is not in a heritage conservation area. The site does not contain a heritage item nor is it in the vicinity of any heritage items.</p>

5. Canterbury-Bankstown Development Control Plan 2023

The Objectives that apply to dwelling houses located on land within the former Bankstown Local Government Area are:

O1 To ensure the building form, building design and landscape of dwelling houses are compatible with the prevailing suburban character of the residential areas.

O2 To ensure the building form and building design of dwelling houses provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.

O3 To ensure the building form and building design of dwelling houses do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.

O4 To ensure the building form of dwelling houses in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.

O5 To minimise the visual impact of off-street parking on the streetscape.


The proposal is compatible in form, design and landscape with the character of Panania, provides appropriate amenity to residents, and does not adversely impact on the amenity of neighbours. The proposal includes a single garage, although it provides opportunities for several cars to be parked off-street, in order to minimise the visual impact of garages on the streetscape.

It is considered that the proposal meets the relevant objectives that apply to dwelling houses in *Chapter 5 Residential Accommodation* in *Canterbury-Bankstown Development Control Plan 2023* in former Bankstown LGA.

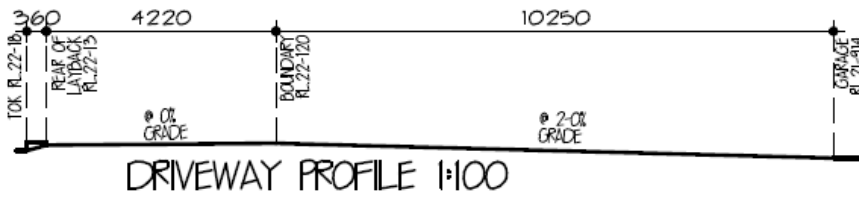
Further details of the proposal are discussed below.

Design Element or Item	Minimum Standard or Control
Front Setback	<ul style="list-style-type: none">• Minimum 5.5m primary setback for first storey (ground floor).• Minimum 6.5m primary setback for second storey. <p>NOTE: Front setback is measured to the wall of the dwelling.</p>

	<p>Proposed front setback is 7.372m to the front porch and 9.355m to the front two storey wall.</p> <p>Complies with the minimum front setback and the prevailing building line.</p>
Side Setback	<p><u>1 or 2 storey</u> <i>For wall heights less than or equal to 7m:</i></p> <ul style="list-style-type: none"> • <i>Minimum 0.9m building walls;</i> • <i>Minimum 0.45m eaves/gutter setback.</i> <p>Wall height is less than 7m. Side setbacks are 1m and 1.248m.</p> <p>Complies.</p>
Rear Setback	<p>The proposed rear setback is 11.708m to ground floor and 16m to first floor.</p> <p>Complies.</p>
Height Limit	<p><i>Maximum height is 2 storeys. The maximum roof pitch is 35 degrees.</i></p> <p>The proposed building is two (2) storeys with a 22.5 degrees roof pitch.</p> <p>Complies.</p>
Site Coverage	<p><i>For dwellings houses, site coverage (total impervious surfaces) is not to exceed 75%. If the site coverage (total impervious surfaces) is more than 75% then on site detention is required.</i></p> <p>Total site coverage is less than 75% of the site area (approximately 60%).</p> <p>Complies.</p>
Design Requirements	<p><i>A development must use architectural elements to articulate facades and minimise large expanses of blank walls and glazed areas.</i></p>

	<p>Proposal is of a scale, bulk and height appropriate to the desired character of the street and surrounding buildings. It achieves an appropriate built form that addresses Clifford Street, provides internal amenity and considers neighbours' amenity.</p> <p>The proposed dwelling has adequate articulation on all elevations.</p> <p>The building is two storeys in height and the single garage is recessed 2.98m behind the front porch. A balcony is located above the front porch, for casual surveillance.</p>  <p>It is considered that the proposed dwelling has sufficient articulation to meet the requirements of Council's DCP.</p> <p>Complies.</p>
Landscape and Open Space Requirements	<p><i>For a detached dwelling: 80m² minimum private open space. The private open space must be provided as a single space with a minimum width of 5m or as two separate spaces provided each space contains an area greater than 35m² and a minimum width of 5 metres throughout. The remaining open spaces must have a minimum width of 2m. A development must locate the private open space behind the building line.</i></p>

	<p>PRINCIPLE PRIVATE OPEN SPACE REQUIRED = 80 M² PROVIDED = 189 M²</p> <p>Complies with the minimum dimension of 5m.</p> <p><u>Landscaping</u> <i>A minimum of 45% of the area between a building and the primary frontage (this does not include the car parking area, driveway and paths) and secondary frontage where applicable, must be landscaped by way of trees, shrubs, ground cover and grass planting (this does not include the car parking area, driveway and paths).</i></p> <p>The front setback comprises soft landscaping apart from the driveway. The front setback is sufficient to include a landscaped front garden consistent with the prevailing character of the area.</p> <p>LANDSCAPE AREA - FRONT YARD AREA = 115-8 M² REQUIRED = 45% OR 52-1 M² PROVIDED = 55% OR 63-5 M²</p> <p>Complies.</p>
Energy Efficiency	<p><i>BASIX certification required.</i></p> <p>The proposal complies with the Building Sustainability Index (BASIX) requirements. BASIX achievements are marked on the architectural plans.</p> <p>In addition to the standard BASIX requirements, the design creates a functional open plan dwelling house that has excellent access to natural light and ventilation. The proposed development incorporates the principles of Ecologically Sustainable Development (ESD).</p> <p>Complies.</p>
Overshadowing	<p><i>The windows to at least one living area in adjoining dwellings must receive at least 3 hours of sunlight between 9am and 5pm on 21 June.</i></p>

	Complies.
Parking	<p><u>Car parking spaces</u></p> <ul style="list-style-type: none"> • 2 car spaces must be provided for each detached dwelling; • All car parking spaces to be located behind the building line. <p>A minimum of two car parking spaces are provided onsite:</p> <p>A single garage is incorporated into the new dwelling. Sufficient on-site space forward to the garage will ensure on-site parking for minimum an additional car.</p> <p>Complies.</p>
Access	<p><i>The maximum gradient of an internal driveway shall be generally 12% unless this is prohibited by the topography of the site. A maximum allowable grade of 20% is permitted on steep sites. Transition grades will be required for changes in grade in excess of 12.5%. Driveways with a grade in excess of 15% are to be constructed with a non-slip finish.</i></p> <p>It is proposed to construct a new driveway for the dwelling house.</p>  <p>Complies.</p>
Privacy and Noise	<p><u>Privacy</u></p> <p><i>The windows of proposed dwellings that directly look into the living area/bedroom windows of an adjoining dwelling must:</i></p> <ul style="list-style-type: none"> • Offset the windows to minimize overlooking; • Have a minimum sill height of 1.5m above floor level;

	<ul style="list-style-type: none"> • Have fixed obscure glazing to a minimum height of 1.5m above floor level; or • Use another form of screening to the satisfaction of Council. <p><i>The outlook from a window of a proposed dwelling looking directly into the private open space of another dwelling does not require screening where:</i></p> <ul style="list-style-type: none"> • The window is to a bathroom, bedroom, toilet, laundry, storage room or other non-habitable room; • Window has a minimum sill height of 1.5m above floor level or translucent glazing to a minimum height of 1.5m above floor level; • The window is designed to prevent overlooking of more than 50% of the private open space of a lower level or neighbouring dwelling. <p><i>An upper floor balcony to a dwelling house will only be permitted if it does not exceed a width of 1.5m, is not accessible from a living area or hallway, does not have an external staircase and incorporates a form of screening such as being partially recessed into the building.</i></p> <p>Views from side facing living areas on the ground floor will be partially screened by boundary fences.</p> <p>There is one balcony proposed for the first floor which faces towards the street and is services a bedroom.</p> <p>The games area on the first floor has high sill side windows. Bedroom windows face either front or back of the dwelling.</p> <p>The impact of the proposed dwelling house on the privacy of future adjoining dwellings is considered to be reasonable.</p> <p>Complies.</p>
Safety (security)	<p>The front porch faces the street.</p> <p>The front porch and first floor balcony face Clifford Street, for casual surveillance.</p> <p>Complies.</p>

Cut & Fill	<p><i>Maximum 500mm of cut and 500mm of fill permitted.</i></p> <p>Maximum fill of 1000mm located at rear. Fill is contained within drop edge beam.</p> <p>Given the slope of the natural ground levels, the proposal achieves the objectives for fill, given that:</p> <ul style="list-style-type: none"> • The general landform on site is maintained, with fill only on the footprint of the dwelling, • The exceedance of the numerical control for fill is unavoidable in order to comply with other controls and ensure enjoyability of the development for current and future users, • The exceedance does not impact the incidence of soil erosion and subsequent sedimentation of waterways, • The alteration of natural ground levels is proposed in a manner that will not compromise the structural stability, integrity and amenity of adjacent developments, • The fill will not impede any structures or service conduits on the subject site or on adjoining lands, • Fill will not result in unreasonable loss of privacy or security for neighbours, • Most fill is located at rear and will not impact built consistency along Clifford Street. <p>It is considered that the proposal is acceptable in this regard.</p>
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6. *Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment (Amendment) Act, 1979*

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) the provisions of—

- (i) any environmental planning instrument, and***
- (ii) any proposed instrument, and***
- (iii) any development control plan, and***
- (iiia) any planning agreement, and***
- (iv) any matters prescribed by the regulations,***

- *that apply to the land to which the development application relates*

The subject site at 4 Clifford Street Panania is zoned R2 Low Density Residential and the proposed dwelling house complies with the development standards of the *Canterbury-Bankstown Local Environmental Plan 2023* and the *Canterbury-Bankstown Development Control Plan 2023*. Any departure from the numeric controls is considered to be minor and is justified in the table above.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.

In summary, it is considered that the proposed dwelling house will have minimal impact on the environment due to the following reasons:

- The proposal recognized the characteristics of the site and the predominant qualities of the area - contextually the proposal is an appropriate fit for the Clifford streetscape.
- The proposal is of a scale that is visually compatible with adjacent buildings, character of the area and the objectives of the zone.
- Traditional design features and proportions are reflected in the quality architectural design proposed.
- Regarding solar access, there will be adequate sunlight access to the internal living areas of the proposed development and of the adjoining dwellings.
- A sediment control barrier will be used to control sediment during construction.
- Stormwater will be adequately disposed of according to Council's requirements.
- The social and economic impacts of the development are considered minor due to the size of the development proposal. The new dwelling will make a positive net contribution to the Airds and Bradbury Urban Renewal areas.

(c) the suitability of the site for the development

- The site is considered suitable for the construction of a new dwelling house and has no major environmental constraints to development.

(d)any submissions made in accordance with this Act or the regulations

- The development will be subject to the Council's Notification Policy.

(e)the public interest

- The proposed development generally serves the public interest by making a positive contribution to Panania, without imposing any significant or adverse impacts on the amenity of the surrounding land.

7. Conclusion

The relevant matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979* have been addressed in this report and the proposed development has been found to be consistent with the objectives of the relevant planning provisions.

The proposed two storey dwelling house: -

- has been carefully designed in response to the applicable controls for development,
- has been architecturally designed, with an aesthetically pleasing and highly functional building form,
- will achieve a very good standard of residential accommodation without imposing unreasonable impacts on the amenity of surrounding land, *and*
- contextually is an appropriate fit to the envisioned character of the Panania and a positive contribution to Clifford Street.

The development application is accompanied by all necessary information to support the conclusions above and therefore the proposal is in the interest of the public and worthy of full support from the Council.

