

Statement of Environmental Effects

For a

Two Storey Dwelling House and Attached Secondary Dwelling

at

10 Braesmere Road

Panania

Prepared for Wisdom Homes

Planning Outcomes Pty Ltd

February 2024

0417 467 509

***Statement of Environmental Effects
Two Storey Dwelling House and Attached Secondary Dwelling
10 Braesmere Road Panania
Lot 13 DP 35471***

1. Description of Proposal

Two storey dwelling house with attached secondary dwelling.

Dwelling House:

Ground Floor: Double garage, powder room, front porch, entry, living room, guest bedroom, bathroom, laundry, storeroom, internal stairs, kitchen with butler's pantry, dining room, leisure room and outdoor leisure room.

First Floor: Master bedroom with ensuite and walk-in robe, two bedrooms with walk-in robes and shared ensuite, one bedroom, linen, void, bathroom and games room.

Secondary Dwelling:

Ground Floor: Carport, downstairs room, internal stairs.

First Floor: Living room, eat-in kitchen, laundry, ensuite, bedroom.

2. Site Analysis

The site is located on the northern side of Braesmere Road and has a north-south orientation. The site has a splayed frontage to Braesmere Road of 17.105m and a maximum length of 36.695m. The site area is 600.70m².

The site has a fall of approximately 1m from the front boundary to the rear boundary.

The site has an existing dwelling house which will be demolished as part of a separate application. A sewer main runs parallel to the rear boundary and parallel to the eastern side boundary.

The site is adjoined by detached dwellings on each side. The site is not bushfire prone.

Flood Affected Site

The site is located within the flood planning area and is subject to flood related development controls.

Trees

The site does not contain any significant trees.



Subject Site: 10 Braesmere Road Panania

3. State Policies

3.1 SEPP (Resilience and Hazards) 2021 - Chapter 4 - Remediation of Land

The site has a history of residential use and is therefore considered unlikely to be contaminated. No further investigation is considered to be necessary.

3.2 BASIX

A BASIX Certificate has been lodged with the development application.



Locality Plan

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

The site is located within the Georges River catchment. The Regional Plan aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment.

Stormwater will be managed throughout the life of the project with a rainwater tank for water retention and reuse. Stormwater will be disposed of to Council's drainage system. Erosion and sedimentation will be controlled during construction and will not impact on the catchment.

3.4 State Environmental Planning Policy (Housing) 2021

Part 1 Secondary dwellings

Division 1 Preliminary

49 Definition

In this Part—

development for the purposes of a secondary dwelling includes the following—

- (a) the erection of, or alterations or additions to—
 - (i) a secondary dwelling, or
 - (ii) an ancillary structure within the meaning of Schedule 2,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

residential zone means the following land use zones or an equivalent land use zone—

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential.

50 Application of Part

This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.

51 No subdivision

Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part.

Division 2 Secondary dwellings permitted with consent.

52 Development may be carried out with consent

(1) Development to which this Part applies may be carried out with consent.

2 (a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and

(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and

(c) the total floor area of the secondary dwelling is—

(i) no more than 60m², or

(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

53 Non-discretionary development standards—the Act, s 4.15

- (1) *The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.*
- (2) *The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—*
 - (a) *for a detached secondary dwelling—a minimum site area of 450m²,*
 - (b) *the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.*

The site is zoned R4 Low Density Residential, Dwelling houses are permissible under the provisions of the *Canterbury-Bankstown Local Environmental Plan 2023* and secondary dwellings are also a permissible use in the zone.

The subject site, where the detached secondary dwelling is proposed is above the minimum 450m².

The total gross floor area of the proposed secondary dwelling is no more than 60m².

No land subdivision is proposed with this application.

The proposal is found to comply with the controls in the *State Environmental Planning Policy (Housing) 2021* for Secondary dwellings.

3.5 SEPP (Transport and Infrastructure) 2021

The site is located in proximity to Panania Railway Station and the south-western railway line.

The site may be affected by railway noise and under Clause 2.100 of the SEPP the following LAeq levels are not to be exceeded—

- (a) *in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,*
- (b) *anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

As the site is located more than 50m from the railway line, noise impacts are unlikely to be significant.

4. Canterbury Bankstown LEP 2023

The site is zoned Low Density Residential R4. The objectives of the R4 zone are:

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.*
- To provide a variety of housing types within a high density residential environment.*
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- To promote a high standard of urban design and local amenity.*

It is considered that the proposed dwelling house is consistent with the objectives of the R4 High Density Residential zone. Both dwelling houses and secondary dwellings are permissible within the R4 zone. The proposal achieves a density of one dwelling per 300.35m² and the minimum lot size is 450m²
The proposal contributes to achieving a variety of housing types within a high density residential environment.

LEP Standard	Compliance
Zoning-R4	Dwelling house is permissible. Secondary dwelling is permissible.
Height- 10m	Complies - height 6.99m
FSR - 0.75:1 or 450.5 m ² Secondary Dwelling: Clause 5.4(9)Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater— (a) 60 square metres,	Complies - 0.75:1 or 450.13m ² Complies -Secondary Dwelling - 59.88m ²

(b) 10% of the total floor area of the principal dwelling.	
Minimum Lot Size - 450m ²	Complies - 600.70m ²
Heritage	The site does not contain a heritage item nor is it in the vicinity of any heritage items. The site is not located in a heritage conservation area.
Flood Planning Area	The site is located in a flood planning area.

5.21 Flood planning

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

- (a) *to minimise the flood risk to life and property associated with the use of land,*
- (b) *to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) *to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) *to enable the safe occupation and efficient evacuation of people in the event of a flood.*

The site is located in a flood planning area. Floor levels determined following consultation with Council and to address any flood related requirements. The proposal is consistent with the objectives of the controls for flood planning.

5. Canterbury Bankstown DCP 2023

Table of Compliance

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>

	<i>Proposed front setback is 6.5m to the two storey wall. Complies with the minimum front setback and the prevailing building line.</i>
Side Setback	<p><u>1 or 2 storey</u> For wall heights less than or equal to 7m:</p> <ul style="list-style-type: none"> • Minimum 0.9m building walls; • Minimum 0.45m eaves/gutter setback. <p><i>Wall height is less than 7m. Side setbacks are 920mm and 928mm. Complies.</i></p>
Rear Setback	<p>The setback to the rear boundary is not stipulated</p> <p><i>The proposed rear setback is 5.031m. Complies.</i></p>
Height Limit	<p>Maximum height is 2 storeys. The maximum roof pitch is 35 degrees.</p> <p><i>The proposed building is two storeys with a flat/skillion roof. Complies</i></p>
Site Coverage	<p>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 for a primary and secondary dwelling.</p> <p><i>Total site coverage is less than 75% of the site area (approximately 68.42%). Complies.</i></p>
Design Requirements	<p>A development must use architectural elements to articulate facades and minimise large expanses of blank walls and glazed areas.</p> <p><i>The proposed dwelling has adequate articulation on all elevations.</i></p>

	<p>If the proposed dwelling contains a garage with more than 2 parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:</p> <ul style="list-style-type: none"> • the building is at least two storeys in height and • the garage is architecturally integrated with the upper storey by: <ul style="list-style-type: none"> -Ensuring the garage does not project more than 3 metres forward of the upper storey street façade; and -Designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. <p><i>The building is two storeys high and the double garage is recessed behind the front porch and first floor balcony. The secondary dwelling is located above the single carport.</i></p> <p><i>It is considered that the proposed dwelling has sufficient articulation to meet the requirements of Council's DCP. Complies.</i></p>
Landscape and Open Space Requirements	<p>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.</p> <p><i>Complies - minimum dimension of 5m. Total area: 89.6m² of POS.</i></p> <p><u>Landscaping</u> 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).</p>

	<p><i>The front landscaped area is less than 45% due to the need to provide driveway access for the double garage and single carport.</i></p> <p><i>The DCP stipulates that one parking space is required for a secondary dwelling and two parking space for a dwelling house.</i></p> <p>Objectives O1 To ensure the building form, building design and landscape of dwelling houses are compatible with the prevailing suburban character of the residential areas.</p> <p><i>The front setback comprises soft landscaping apart from the driveway.</i></p> <p><i>The front setback is sufficient to include a landscaped front garden consistent with the prevailing character of the area despite the numerical non-compliance.</i></p>
Energy Efficiency	<p>All new dwellings and secondary dwellings require a BASIX Certificate.</p> <p><i>Complies.</i></p>
Overshadowing	<p>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.</p> <p>A minimum 50% of the private open space for adjoining dwellings on an allotment must receive at least 3 hours of sunlight between 9am and 5pm on 21 June.</p> <p><i>The site has a north-south orientation so that shadows fall towards the street away from the rear POS of adjoining dwellings on either side of the subject site during mid-winter.</i></p> <p><i>Shadow diagrams have been provided showing that 50% of the private open space of the adjoining properties and their north facing living areas will receive solar access from 9am noon to 3pm during mid-winter.</i></p>

	<i>Complies.</i>
Stormwater	<p>If the site coverage (total impervious surfaces) is more 75% then on site detention is required. <i>Site coverage is less than 75% of the site area.</i></p> <p><i>Site Coverage: 67% of site area. A 3,000L tank is proposed for stormwater collection and re-use. Excess stormwater is to be disposed of according to Council requirements.</i></p> <p><i>Complies.</i></p>
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. • 1 parking space for the secondary dwelling. <p><i>Three parking spaces are provided in the carport and double garage which is located behind the building line.</i></p>
Access	<p>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.</p> <p><i>It is proposed to construct a new driveway for the dwelling house.</i></p> <p><i>Maximum gradient is 16.2%. The site is not located on a main road or collector road.</i></p> <p><i>Complies.</i></p>
Privacy and Noise	<p><u>Privacy</u></p> <p>The windows of proposed dwellings that directly look into the living area/bedroom windows of an adjoining dwelling must:</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>The outlook from a window of a proposed dwelling looking directly into the private open space of another dwelling does not require screening where:</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>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.</p> <p><i>There is one balcony proposed for the first floor which faces towards the street.</i></p> <p><i>There is one living area on the first floor - an upper living room which has its windows facing towards the street.</i></p> <p><i>The secondary dwelling also has a living room facing towards the street with small western side facing windows.</i></p> <p><i>Views from side facing living areas on the ground floor will be partially screened by boundary fences.</i></p> <p><i>The impact of the proposed dwelling house and secondary dwelling on the privacy of future adjoining dwellings is considered to be reasonable.</i></p> <p><u>Noise</u> <i>The site is not located on a main road and is not a noise affected site.</i></p>
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Safety (security)	<p>The front porch to a dwelling house must face the street.</p> <p>A window to the living area or bedroom of a dwelling house must face the street.</p> <p><i>The front porch and first floor balcony faces the street. The living room on the ground floor and the living areas on the first floor both face the street.</i></p> <p><i>Complies.</i></p>
Cut & Fill	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • the dwelling house is required to be raised to achieve a suitable freeboard; or • the fill is contained within the ground floor perimeter of the dwelling house to a height no greater than 1m above the ground level (existing) of the site. <p><i>Maximum fill of 135mm. Fill is contained within drop edge beam. Maximum cut of 795mm.</i></p> <p><i>Complies with DCP requirements.</i></p>

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 10 Braesmere Road Panania is zoned R4 High Density Residential and the proposed dwelling house complies with the development standards of the *Bankstown Local Environmental Plan 2015* and the Bankstown Development Control Plan 2015. 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.

- It is considered that the proposed development will not have an adverse impact on the environment.
- Stormwater will be disposed of according to Council requirements and sedimentation will be appropriately controlled during construction.
- It is considered that the potential impact of the proposed development in terms of privacy and solar access to adjoining residences is reasonable.
- The social and economic impacts of the development are considered minor due to the size of the development proposal.

(c) The suitability of the site for the development

- The site is considered suitable for the construction of a two storey dwelling house and secondary dwelling 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 Council's Notification Policy.

(e) The public interest

- The proposed development will make a positive contribution to the existing housing stock and is recommended for approval.