



FOWLER

YOUR HOME.
OUR PASSION.

Statement of Environmental Effect

Dr Theo Likos

Prepared by Fowler Homes

Table of Contents

INTRODUCTION	3
GENERAL	3
SITE ANALYSIS & CONTEXT.....	3
SITE ANALYSIS	3
ENVIRONMENTAL CONSTRAINTS	5
PROPOSED DEVELOPMENT.....	7
ASSESSMENT OF ENVIRONMENTAL IMPACTS	7
STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022	7
STATE ENVIRONMENTAL PLANNING POLICY NO. 55 (RESILIENCE AND HAZARDS) 2021 – REMEDIATION OF LAND	7
STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021	8
STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021	8
LOCAL ENVIRONMENTAL PLAN	8
CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023	10
4.15 EVALUATION	14
(1) MATTERS FOR CONSIDERATION – GENERAL	14
CONCLUSION	16

Supporting Documents

Document	Prepared By
Architectural Plans	Fowler Homes
Schedule of Colour and Finishes	Fowler Homes
Survey Plan	Aspect Development & Survey
Landscape Plan	Ecodesign
Hydraulic Plan	Engineering Studio
Waste Management Plan	Fowler Homes
Traffic & Parking Impact Assessment	Common Sense Management Consultancy
BASIX & NatHERS	Frys Energywise & Building Energy Consultants
Arborist Impact Assessment	Bellevue Tree Consultants

Introduction

General

This Statement of Environmental Effects ('SEE') has been prepared by Fowler Homes for the owner of the property. This Statement is to accompany a development application to the Canterbury Bankstown Council, seeking development consent for a construction of a double storey dwelling at 79 Maiden Street, Greenacre – Lot 57 DP 24154.

The Statement of Environmental Effects has been prepared and considered the provisions in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act).

The purpose of the SEE is to provide a detailed description of the proposed development and its context. Specifically, to assess the proposal against the applicable planning controls and assess the potential environmental impacts measures.

The proposal is permissible with consent and is consistent with the zoning requirements, the proposed development is generally compliant with The Canterbury Bankstown Local Environmental Plan 2023 and The Canterbury Bankstown Development Control Plan 2023. The proposal responds appropriately to the character and streetscape of the immediate neighbourhood and results in no unreasonable impacts to its surroundings.

The development seeks an architectural appearance and forms that respond to the surrounding context and is in the public interest.

Site Analysis & Context

Site Analysis

The subject site is legally known as Lot 57 DP 24154 at No. 79 Maiden Street, Greenacre, 2190. The subject site is located north of Punchbowl, east of Hume Highway, west of Roberts Road and south of Remembrance Driveway.

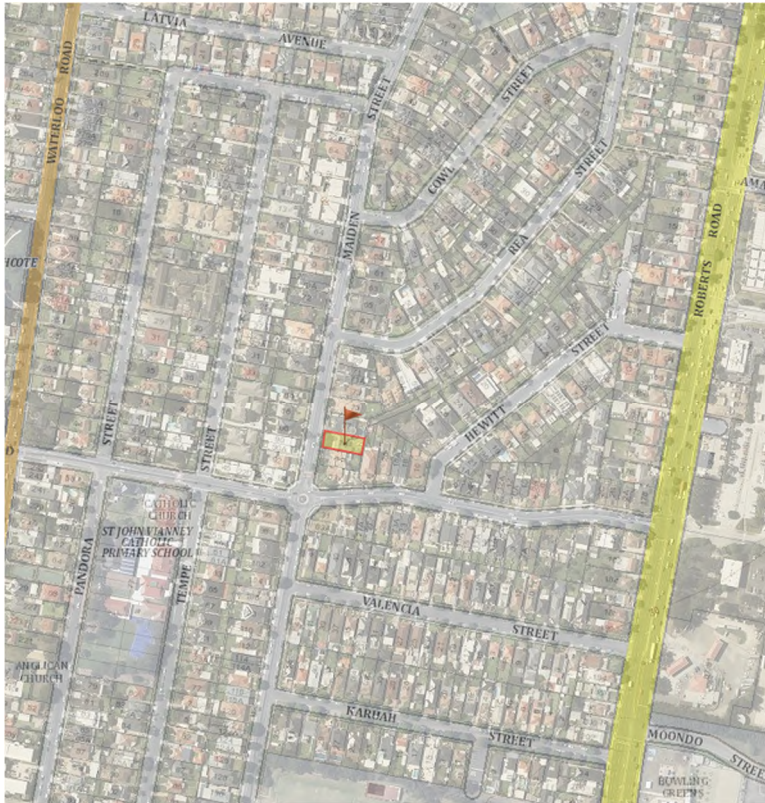


Figure 1. 79 Maiden Street, Greenacre
Source: Six Maps

The site is rectangular in shape. The site has a total area of approximately 557.4m², consisting of a frontage and rear boundary of 15.24m in length and side boundaries of 36.575m.

Based on the Survey Plan provided, the site is relatively slopy, where the highest RL of the site being approximately RL 44.4m and lowest point of the site being approximately RL 42.8m. A detailed Survey by a Registered Surveyor outlining boundary lengths and RL's has been submitted with the DA application.

The site currently contains a single dwelling and shed. Clients are to remove existing structures on site before Fowler Homes commence any construction works.



FOWLER
YOUR HOME. OUR PASSION.



Figure 2. 79 Maiden Street, Greenacre
Source: Six Maps



Figure 3. 79 Maiden Street, Greenacre
Source: Fowler Homes

Environmental Constraints

Land Slip

No.

Tidal Inundation

No.

Subsidence

No.

Acid Sulfate Soils

No.

Contamination

Council has adopted by resolution a policy concerning the management of contaminated land. The policy applies to all land in the Canterbury-Bankstown Local Government Area and will restrict development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Council's website at www.cbcity.nsw.gov.au. Council is not aware of the land being affected by any matters as prescribed by Section 59 (2) of the Contaminated Land Management Act 1997.

Please refer to the NSW Environment Protection Authority (EPA) for more information.

Salinity

No.

Coastal Hazards

No.

Bush Fire Prone Land

No.

Mine Subsidence

No.

Biodiversity Certified Land.

No.

Western Sydney Aerotropolis

No.

Flooding

The land, or part of the land, is within the flood planning area (FPA) and consequently the probable maximum flood (PMF).

The land, or part of the land, is subject to flood related development controls.

Please note that a Stormwater Systems Report (SSR) will be required from Council (cost applies) to further understand constraints that may relate to development of the property. An SSR can be ordered online from Council website.

Proposed Development

This development proposal seeks consent for the construction of the double storey dwelling.

The new dwelling house proposed on Lot 57 will contain:

Ground Floor:

Garage, Home Cinema, Guest Suite with Ensuite & Walk in Robe, Family, Dining, Kitchen, Butler's Pantry, Laundry, Powder Room, Outdoor retreat and patio.

First Floor:

Master Suite, His and Hers Walk in Robe, Ensuite, 2 Bedrooms with Robe, 1 Bedroom with Walk in Robe, Bathroom, Powder Room and Leisure.

The proposed development will require the existing development be demolished to allow for the construction of the new dwelling. Demolition by Owner

Assessment of Environmental Impacts

In accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) the proposal has been made in conjunction with the relevant planning instruments are as follows:

State Environmental Planning Policy (Sustainable Buildings) 2022

SEPP (Sustainable Building) 2022 aims to ensure consistent assessment of sustainable residential development.

A BASIX certificate has been prepared and submitted with the development application. The certificate confirms that the proposed development will meet the NSW government's requirements for sustainability consistent with the aim of the SEPP (Sustainable Build) 2022.

State Environmental Planning Policy No. 55 (Resilience and Hazards) 2021 – Remediation of Land

SEPP (Resilience and Hazards) 2021 applies to all land and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Under Chapter 4 of SEPP (Resilience and Hazards) it requires the consent authority to consider if the land is contaminated, it is satisfied that the land is suitable for in its contaminated state for the purpose for which the development is proposed to be carried out.

Council has adopted by resolution a policy concerning the management of contaminated land. The policy applies to all land in the Canterbury-Bankstown Local Government Area and will restrict development of the land if the circumstances set out in the policy prevail.

A copy of the policy is available on Council's website at www.cbcity.nsw.gov.au. Council is not aware of the land being affected by any matters as prescribed by Section 59 (2) of the Contaminated Land Management Act 1997.

State Environmental Planning Policy (Housing) 2021

SEPP (Housing) applies to the state to ensure new housing development provides residents with a reasonable level of amenity and minimising adverse climate and environmental impacts of new housing developments.

The proposed plan is consistent with the relevant clauses which applies to the land and proposed development.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

SEPP (Biodiversity and Conservation) aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity on non-rural areas of the State through the preservation of trees and other vegetation.

It is not permitted for clearing or the removal of vegetation or trees in a non-rural area of the State which 'Part 2.3 Land to which Chapter applies' without the authority conferred by a permit granted by the council.

However, if the proposed development requires the removal of trees or other vegetation. The obligation of the applicant that will clear the trees or vegetation will comply with before or after the clearing is carried out.

An arborist report and architectural plan has been prepared and submitted with the development applicant.

Existing trees within site and street trees to be protected by installing tree protection fence to comply with AS4970-Protection of Tree on Development Sites, as advised by Arborist.

Local Environmental Plan

The site is subject to the provisions of Canterbury Bankstown Local Environmental Plan 2023. The proposed development is consistent with the controls relevant to the land under the LEP, as outlined below.

Clause 2.1 – Zoning of land to which Plan applies

The subject site is zoned as R2 Low Density Residential.

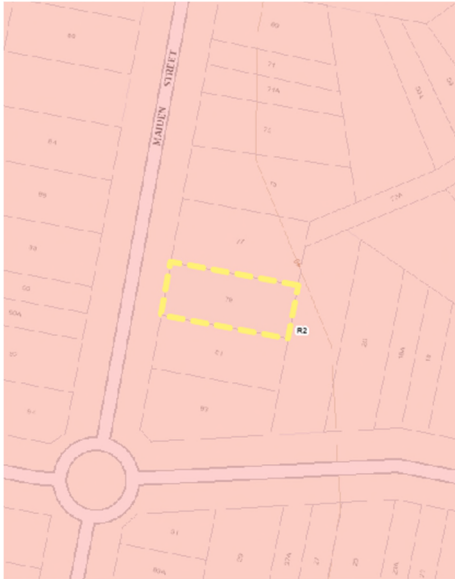


Figure 4. 79 Maiden Street, Greenacre
Source: Planning Portal

Clause 2.3 – Zone objectives and Land Use Table

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Oyster aquaculture; Places of public worship; Pond-based

aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

The proposed development on this site is listed as a permissible use within the R2 Low Density Residential. Therefore, the proposal of a double storey dwelling is permissible on site with development consent.

Clause	Standard	Compliance
4.3 Height of buildings	9m	7.653m
4.4 Floor Space Ratio (FSR)	0.5:1 or 278.7m ²	49.61% or 276.5m ²
5.10 Heritage Conservation	N/A	
5.11 Bush fire hazard reduction	N/A	
5.21 Flood planning	Affected	Plans have been designed to comply as per Stormwater System Report provided by Council

Canterbury Bankstown Development Control Plan 2023

The proposed development generally complies with the planning controls set out in the DCP. It is considered the development responds well to its surroundings and streetscape characteristics detailed in the development control plan.

In the case, where a development control has not been met or achieved, an argument has been provided to demonstrate the proposal still achieves a satisfactory level of compliance and no adverse impacts on surrounding context.

A summary of the proposed development against the DCP is detailed in the table below:

Controls	Assessment	Compliance
Storey limit	2.1 The storey limit for dwelling houses is two storeys	Proposed Two Storey Complies.
Fill	2.3 Any reconstituted ground level on the site within the ground floor perimeter of dwelling houses must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.	Fill: 665mm Cut: 385mm Complies.



	<p>2.4 Any reconstituted ground level on the site outside of the ground floor perimeter of dwelling houses must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.</p>	
Street setbacks	<p>2.6 The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey.</p> <p>2.7 The minimum setback to the secondary street frontage is: (a) 3m for a building wall; and (b) 5.5m for a garage or carport that is attached to the building wall.</p>	<p>Front: 7820mm</p> <p>N/A</p> <p>Complies.</p>
Side setbacks	<p>2.8 For the portion of the building wall that has a wall height less than or equal to 7m, the minimum setback to the side boundary of the site is 0.9m.</p> <p>2.9 For the portion of the building wall that has a wall height greater than 7m, the minimum setback to the side boundary of the site is 1.5m. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.</p>	<p>GF Side A: 910mm Side B: 1620mm</p> <p>FF Side A: 1510mm Side B: 1620mm</p> <p>Complies.</p>
Private Open Space	<p>2.11 Dwelling houses must provide a minimum 80m² 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 5m throughout.</p>	<p>PPOS: 175.62m²</p> <p>Complies.</p>



Access to sunlight	<p>2.12 At least one living area must receive a minimum three 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.</p> <p>2.13 At least one living area of a dwelling on an adjoining site must receive a minimum three 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.</p> <p>2.14 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 site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.</p> <p>2.15 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p>	<p>The dwelling is east-west orientated.</p> <p>The living area is located to the rear where the most sunlight is directing. Receiving more than three hours of sunlight between 8:00am and 4:00pm.</p> <p>Complies.</p> <p>The orientation of the site allows more than 50% of the private open space to receive more than 3 hours of sunlight between 9am to 5pm.</p> <p>Complies.</p> <p>Proposed development will not cause overshadowing to adjoining neighbouring sites. Shadow diagram have been provided with the submission.</p> <p>Complies.</p>
--------------------	--	--



Visual Privacy	<p>2.16 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <p>(a) offset the windows between dwellings to minimise overlooking; or</p> <p>(b) provide the window with a minimum sill height of 1.5m above floor level; or</p> <p>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or</p> <p>(d) use another form of screening to the satisfaction of Council.</p>	<p>Proposed 1543mm window sill height to habitable rooms and glazed windows to wet areas on first floor to prevent directly looking into the living or bedroom window of adjoining existing dwelling.</p> <p>Complies.</p>
Building design	<p>2.20 The maximum roof pitch for dwelling houses is 35 degrees.</p>	<p>Main roof: 8 degrees Lower ground roof: 25 degrees</p> <p>Complies.</p>
Building design (car parking)	<p>2.25 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:</p> <p>(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</p> <p>(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.</p> <p>2.27 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>	<p>Proposed a double garage covered car parking space located behind the building line.</p> <p>Garage setback: 8900mm</p> <p>The dwelling have been designed to accommodate a two car parking space facing the street with a variety of material elements, columns and parapet. Therefore, the garage will not dominate the street façade.</p> <p>Complies.</p>



Landscape	<p>2.29 Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.</p> <p>2.30 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species):</p> <p>(a) a minimum 45% of the area between the dwelling house and the primary street frontage; and</p> <p>(b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and</p> <p>(c) plant at least one 75 litre tree between the dwelling house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); 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 12m adjacent to the waterbody.</p>	<p>Two street trees located within the street verge. The vegetation within the subject site consists of shrubs & ground covers <5m in height as per the arborist report.</p> <p>Trees located within the street verge will be protected during the demolition provided by Client and the construction of the double storey dwelling by Fowler Homes by installing tree protection fence in compliance with AS4970-Protection of Tree on Development Sites during the demolition stage.</p> <p>(a) 81.272m² or 65%</p> <p>(b) N/a</p> <p>(c) Please refer to Landscape Plan issue 1 prepared by Ecodesign.</p> <p>(d) N/a</p> <p>1. Please refer to Landscape Plan issue 1 prepared by Ecodesign.</p>
-----------	--	--

4.15 Evaluation

(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) The provisions of

- i. Any environmental planning instrument, and*

- ii. *Any development control plan, and*
- iii. *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*
- iv. *The regulations (to the extent that they prescribe matters for the purposes of this paragraph*

The proposed two storey dwelling have shown compliance with the clauses in Canterbury Bankstown Local Environmental Plan 2023.

- The development is within low density residential zone, therefore it is permitted for a double storey dwelling house.
- The proposed development has been designed not be over the FSR allowed, the development have been shown to be suitable to the character of the street and site. Therefore, achieving the balance between the landscaping a built form in residential area
- The proposed development complies with the maximum building height and minimises any overshadowing of adjoining dwellings.

The proposed development complies with Canterbury Bankstown clauses as per the table above for residential dwellings.

(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 development in summary will have minimal impacts on both the natural and built environment, as the cut and fill will be retained within the boundaries so it does not affect the neighbouring boundaries. Stormwater run offs will be contained and disposed of according to Council's requirements.

The social and economic impacts in the locality is considered to be minor and acceptable by council. The proposal will provide and enhance the character of the area, therefore, should gain Council's support.

(c) The suitability of the site for the development,

The site is deemed suitable for the development of a double storey residential dwelling as per the low density residential zone permit with compliance with the LEP clause and DCP controls.

(d) Any submission 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 generally serves the public interest without adverse impact on Maieri Street locality and the built character of Canterbury Bankstown.

Conclusion

The Statement of Environmental Effects (SEE) considers the requirements and requests of the Council. The development proposal of a new double storey has been designed against the relevant controls in the Canterbury Bankstown LEP 2023 & Canterbury Bankstown DCP 2023. This is considered to be appropriate for the subject site for the following reasons:

- The development has been carefully designed to avoid any impacts to the environment. Sediments control and maintenance pit to be located to the rear of the site. Affected trees will be retained and protected as per arborist advice.
- The built area complies with the environmental planning instrument clauses and shown to benefit the character of the street and site.
- Variety of materials and colour selection achieves DCP controls and shows to be compatible with the natural characteristics and colours of the area.

The impact of the proposed development has been assessed under the provisions of Section 4.15 of the EP&A Act and that the proposal achieves the objectives and is found to be satisfactory.

The assessment of this site is therefore considered to be satisfactory, as it has achieved minimal environmental, social, and economic impacts on the surroundings. The development proposal is considered to be in the public interest and worthy of Council's support.