

Statement of Environmental Effects

**For a
Two Storey Dwelling House
at
5 Killara Avenue Panania**

**Prepared for

EDEN BRAE HOMES**

**Planning Outcomes Pty Ltd
September 2024
0417 467 509**

1. Description of Proposal

The proposal seeks consent for construction of a two storey dwelling house with detached double garage and associated works at 5 Killara Avenue Panania.

The new dwelling house is proposed to contain:

Ground Floor:

Front porch, entry, lounge, study, laundry, powder, linen, guest with built-in-robe, internal staircase, living and dining with open kitchen with walk-in-pantry and walk-in-Butler's, outdoor alfresco.

First Floor:

Bedroom with walk-in-robe and ensuite, three (3) bedrooms with built-in-robos, bathroom, separate toilet, storage, upper games area with front balcony.

Notes

A detached double garage is proposed at rear.

The existing dwelling on site is to be demolished as part of a separate application.

2. Site Analysis

The subject site is legally known as Lot 28 in DP 17269. The site has an east-west orientation and is located on the south-eastern corner of Killara Avenue, and Lawson Street.

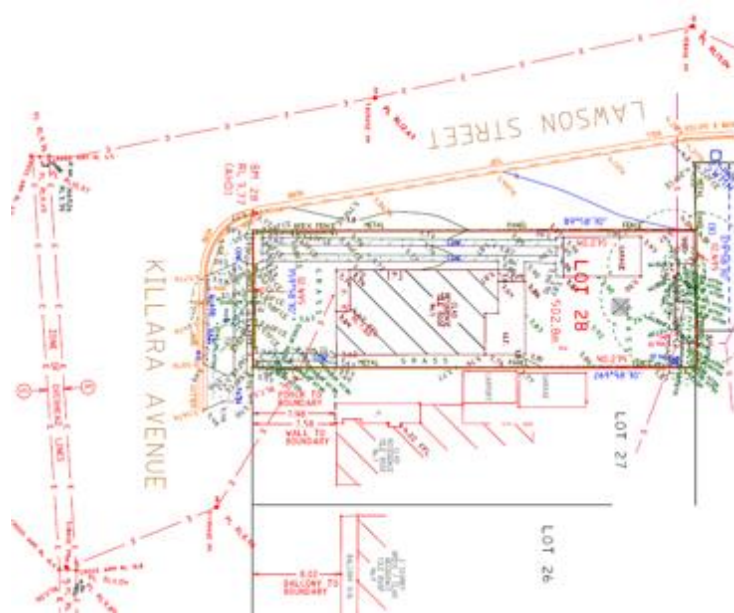
The site has a regular shape, with a primary frontage to Killara Avenue of 12.495m and a secondary frontage to Lawson Street of 40.235m. The site area is 502.8m². The site has a mild 0.4m fall to Killara Avenue (west).

The site currently contains a clad dwelling with detached rear garage and ancillaries. All developments on site will be demolished separately.

The subject site is surrounded to east and south by single and two storey dwelling houses. Across Killara Avenue, towards south-west, there is Killara Reserve and the cricket grounds.



View of subject site from Killara Avenue - Google Maps



Survey of subject site

The sewer runs in the back yard. A 3.05m wide drainage easement adjoins just outside the subject site.

A public green verge wraps the site along both frontages. The triangularly shaped public green space located forward to the Lawson Street frontage is deeper on the eastern side and narrows towards the street intersection.

Utility services are available to the site and it is not anticipated that the proposal will have adverse impacts on the provision or availability of these services.



View of subject site from Lawson Street - Google Maps



Subject Site on Google Maps

The site is not bushfire prone.

The subject site is affected by 100 year ARI Georges River flood levels. The design takes flooding into account.

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.

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.

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:

- 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 characters of Killara Avenue and Lawson Street will be enhanced.



The site remains visible when traveling along Lawson street - Google Maps

Standard	Compliance
Zoning - R2 - Low Density Residential	A dwelling house is permissible in the zone
Lot size map - min 450m ²	n/a size of lot is 502.8m ² - no subdivision proposed
Height - maximum 9m	Yes - 8.095m RIDGE LEVEL RL 11.795 MAX BUILDING HEIGHT PERMISSIBLE = 9000 MM PROVIDED = 8095 MM Complies.
FSR - 0.5:1 or 251.4m ²	Yes - 0.48:1 SITE AREA = 502.8 SQM FLOOR SPACE RATIO PERMISSIBLE= 50% OR 251.4 SQM PROVIDED = 243.2 SQM Complies.
Flooding	Yes Further details below.
Acid Sulfate Soils	Yes

	Class 5 Acid Sulfate Soils -
Heritage	n/a 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.

Clause 5.21 Flood planning

The subject site is identified as being affected by flooding.

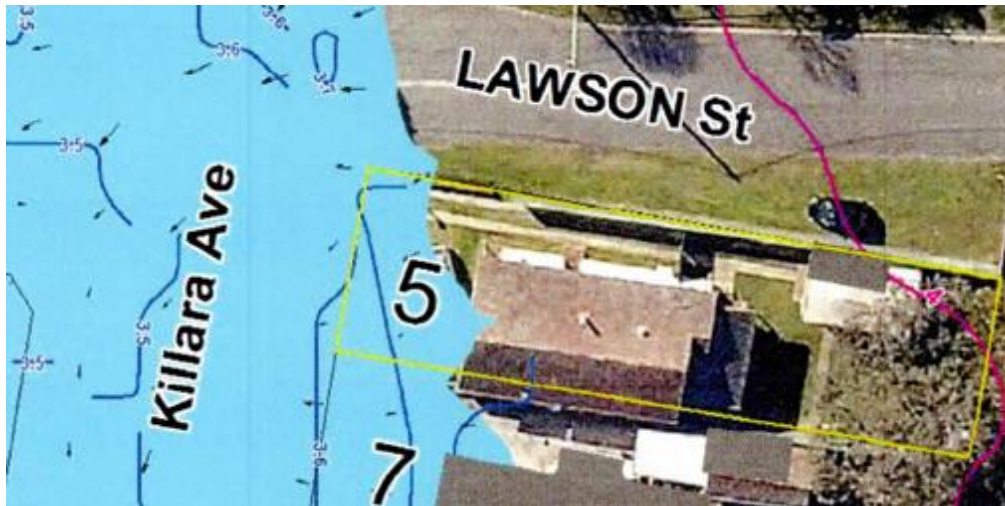
In accordance with City of Canterbury Bankstown:

The site is affected by the probable maximum flood from the Georges River; the level of inundation is RL 10.3 m AHD** **(This level is not any restriction for residential development).**

The Probable Maximum Flood is the largest flood that could occur. It is derived from the maximum amount of atmospheric moisture that can occur in the locality. The 100 year flood is a very large flood. It is derived from a statistical analysis of rainfall records to give a 1 in 100 (ie 1%) chance of occurring, or being exceeded, in any one year. The last 100 year Georges River flood was in 1889.

**The site is affected by 100 year ARI* Georges River flood levels.
The 100 year ARI* flood level at the site is 3.75m AHD**.**

Habitable floor levels are to be at least 500mm above this level at RL 3.75m AHD.**



Medium Risk Area - 100 year flood contours

Habitable Floor Levels of the dwelling are proposed at RL 4.3, above the minimum required RL 4.25.



Further, I accordance with City of Canterbury Bankstown:

The site will be subject to stormwater inundation from this overland flowpath during large storm events. Refer to the attached "**100 Year ARI Flood Extent Maps from Kelso Swamp Catchment Study**" showing the flood contours to m AHD**. Provision should be made on site, and at boundary fences, for this stormwater runoff to pass unobstructed over the site. Stormwater flowing naturally onto the site must not be impeded or diverted.

For this development, a flood /overland flow] study to determine the 100 year ARI* water surface level is not necessary.

The objectives of Clause 5.21 Flood planning are to:

- (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 proposed design took into account potential flood risk to life and property associated with the use of land and aimed to minimise the risk.

As the Habitable Floor Levels of the dwelling are at RL 4.3, the proposal enables its safe occupation.

Professional Stormwater Plan done by IBRAHIM STORMWATER CONSULTANTS ensures that the proposed stormwater drainage works are designed to minimise any nuisance caused by stormwater drainage flows from local catchment flooding. Stormwater runoff is appropriately managed and damage to buildings and property is prevented.

The proposed dwelling house is regarded as being compatible with the flood function and behaviour on the land. The dwelling will not adversely affect the safe occupation and efficient evacuation of people in the event of a flood. No detrimental increases in the potential flood affectation of other developments or properties occurs with the proposal.

Further, the proposed dwelling 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.

The proposal is regarded to meet the relevant objectives, and the requirements specified in Clause 5.21 Flood planning of the *Canterbury-Bankstown Local Environmental Plan 2023* and the objectives and controls in Part 3.1 Development Engineering Standards of *Canterbury-Bankstown Development Control Plan 2023*.

Clause 6.1 Acid sulfate soils

The subject site is identified as being affected by Class 5 Acid Sulfate Soils.

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

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*

(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

<i>Class of land</i>	<i>Works</i>
5	<i>Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</i>

(6) Development consent is not required under this clause to carry out works that—

- (a) involve the disturbance of less than 1 tonne of soil, and*
- (b) are not likely to lower the watertable.*

Large areas in NSW have the potential to be affected by acid sulfate soils which become problematic if exposed during excavations or similar activities. However, in this specific case, no mitigation works are necessary given that the proposal for new dwelling: -

- does not involve deep excavation,
- the site is not located within 500 metres of adjacent site in Class 1, 2, 3 or 4 that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land,
- the works involve the disturbance of less than 1 tonne of soil, and
- the works are not likely to lower the water table.

The proposal is in a flooding area, with habitable areas required to be raised above a certain level - The proposal does not disturb, expose or drain acid sulfate soils and is regarded to not cause environmental damage. Consequently, the proposal is found to be consistent with objectives and the provisions of *Clause 6.1 Acid sulfate soils of the Canterbury-Bankstown Local Environmental Plan 2023*.

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 the amenity of neighbours. Sufficient landscaping, exceeding the control, is provided forward to the dwelling towards both streets. The proposal includes a detached garage located at rear, in order to minimise the visual impact on Killara Avenue and on the segment of Lawson Street that sits forward to the Killara Avenue frontage.

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* (as amended in August 2024).

Further details of the proposal are discussed below.

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

	<p><i>The minimum setback to the secondary street frontage is:</i></p> <ul style="list-style-type: none"> • (a) 3m for a building wall; and • (b) 5.5m for a garage or carport that is attached to the building wall. <p>Proposed front setback to Killara Avenue is 5.52m to the front porch, 7.5m to the front wall of the lounge (behind the Porch) and 8.5m to the body of wall of the study.</p>  <p>Complies.</p> <p>Proposed setback to Lawson Street is 2.377m. The detached garage is also setback 2.377m to Lawson Street.</p> <p>Objectives for erection of dwelling houses are:</p> <p><i>01 To ensure the building form, building design, setbacks and landscape of dwelling houses are compatible with the prevailing suburban character of the residential areas.</i></p> <p><i>02 To ensure the building form, building design, room sizes and internal layout of dwelling houses provide appropriate amenity to residents in terms of private open space, access to sunlight, privacy and useability.</i></p> <p><i>03 To ensure the building form and building design of dwelling houses do not adversely impact on the</i></p>
--	--

	<p><i>amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.</i></p> <p><i>04 To ensure the size, location and design of private open spaces provide appropriate amenity to residents in terms of useability, access to sunlight, privacy and landscape.</i></p> <p><i>05 To ensure the landscape design contributes to a high quality streetscape and amenity.</i></p> <p><i>06 To provide deep soil zones to allow for and support healthy plant and tree growth.</i></p> <p><i>07 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.</i></p> <p><i>08 To minimise the visual impact of off-street parking on the streetscape.</i></p> <p><i>09 To ensure basements are well-designed and integrate into the overall design of the development.</i></p> <p>A high-quality traditional architectural design solution is proposed. The proposed dwelling house will sit comfortably within the corner site. The proposed new dwelling house is two storeys in height, appropriately recessed from Killara Avenue, and designed with articulation and modulation, in order to break its visual dominance.</p> <p>The site is only 12.495m wide. The setback of 2.377m to this secondary street allows for an appropriate width of the dwelling. The unusually large public green verge forward to the site on Lawson Street (north) is considered to contributing to the specific characteristics of the subject site.</p>
--	--



The public green verge forward to the garage is substantially deeper than the green verge of the adjoining neighbours along Lawson Street (east). This green verge exceeds 6m in depth forward to the boundary in front of the garage.

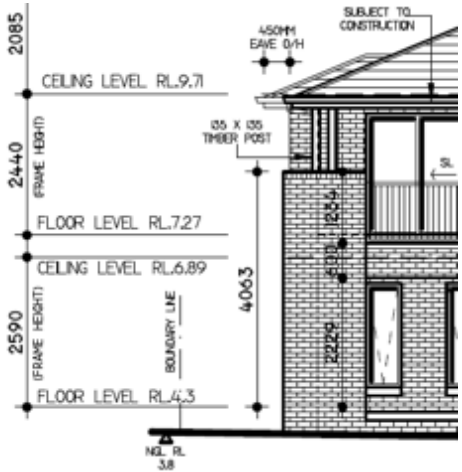
The proposed setback of 2.377m to Lawson Street is considered adequate when considering the deepness of the public green verged forward to this secondary street. This secondary setback allowed for a reasonable sized back yard and sufficient landscaping forward to Lawson Street.



The proposal is designed to be appropriate outcome for the subject site in terms of useability, access to sunlight, privacy and landscape. The dwelling is well placed on site to ensure it contributes to the quality of the streetscapes and sense of place. Proposed landscaping is well distributed, exceeds controls, and will positively contribute to the landscape character of the area.


The proposal is appropriately designed, with a rhythm, form and architectural style that is compatible with the surrounding development. The dwelling does not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.

The setback and location of the detached garage at rear ensures that the visual impact of off-street parking on both streetscapes, but especially on Killara Avenue, is minimised.

It is concluded that, despite the minor non-compliance, the proposal meets the objectives for dwelling houses.

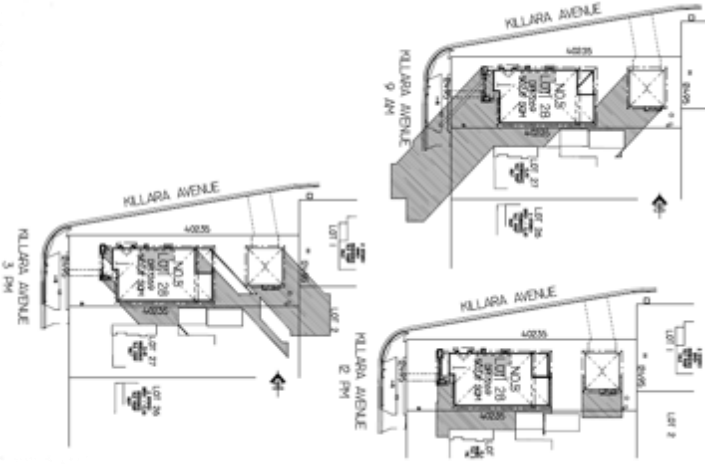
<p>Side Setback</p>	<p><u>1 or 2 storey</u> For wall heights less than or equal to 7m:</p> <ul style="list-style-type: none"> • Minimum 0.9m building walls; • Minimum 0.45m eaves/gutter setback.  <p>Wall height is less than 7m. The minimum side setbacks is 0.92m.</p> <p>Complies.</p>
<p>Rear Setback</p>	<p>The proposed rear setback is 11.708m to ground floor and 16m to first floor.</p> <p>Complies.</p>
<p>Height Limit</p>	<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>An external Summary of Materials and Colours has been submitted, showing warm, earth-like chosen colours and finishes for the dwelling.</p>

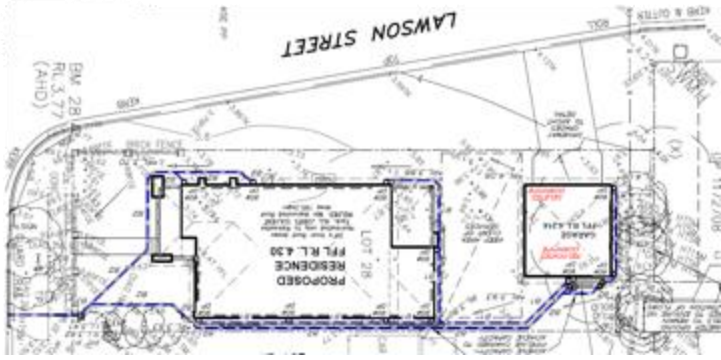
	<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center;">SUMMARY OF MATERIALS</p> <ul style="list-style-type: none"> - 22-5° ROOF PITCH CONCRETE ROOF TILES TO UPPER ROOF - 22-5° ROOF PITCH CONCRETE ROOF TILES TO LOWER ROOF - 22-5° ROOF PITCH CONCRETE ROOF TILES TO GARAGE ROOF - COLORBOND GUTTER & FASCIA - CHARGED PVC DOWNPIPES TO BE PAINTED - PRE-FABRICATED TERMITE RESISTANT HYBRID ADVANCED FRAMING SYSTEM & T2 TREATED PINE ROOF TRUSSES & TO EXTERNAL WALL AREA'S WITH FIBRE-CEMENT CLADDING (ONLY) TO MANUFACTURE SPECIFICATIONS - DIMENSIONS ARE TO FRAME SIZES ONLY EXCLUDES GYPROCK & SKIRTINGS THEREFORE THEY ARE NOT FINISHED ROOM SIZES - FACE BRICKWORK  - CLADDING FINISH  - TIMBER POSTS TO BE PAINT GRADE - ALUMINIUM WINDOWS & DOORS - FRONT ENTRY DOOR & FRAME TO BE PAINT GRADE - SECTIONAL OVERHEAD GARAGE DOOR </div> <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 (max. 68%).</p> <div style="text-align: center; margin-top: 20px;"> <p>GROUND FLOOR AREA = 143.2 SQM</p> <p>GARAGE FLOOR AREA = 36.3 SQM</p> <p>PORCH FLOOR AREA = 11.4 SQM</p> <p>ALFRESCO FLOOR AREA = 12.7 SQM</p> <p>FIRST FLOOR AREA = 128.4 SQM</p> <p>BALCONY FLOOR AREA = 9.9 SQM</p> <hr style="width: 100%;"/> <p>TOTAL FLOOR AREA = 341.9 SQM</p> <hr style="width: 100%;"/> </div> <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 both Killara Avenue and Lawson Street, provides internal amenity and considers neighbours' amenity.</p>

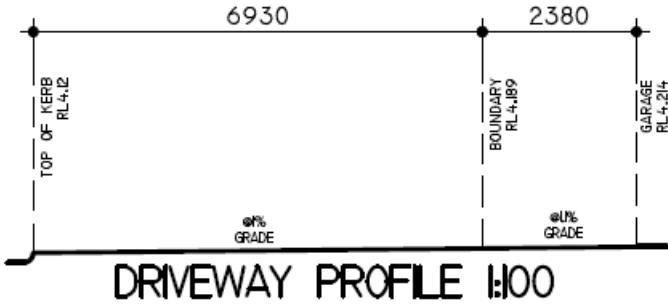
	<p>The proposed dwelling has adequate articulation. The building is two storeys in height and the single garage is recessed 2.98m behind the front porch. A balcony is located above the front porch, for casual surveillance.</p>  <p>WEST ELEVATION 100</p> <p>It is considered that the proposed dwelling has sufficient articulation to meet the requirements of Council's DCP.</p> <p>Complies.</p>
<p>Sustainable Living</p>	<p><u>Requirements for Dwelling Houses</u></p> <p>New dwellings are to provide:</p> <ul style="list-style-type: none"> • capability for a safe and continuous path of travel from the street or car parking area into the dwelling; • internal doors with a clearance of 820mm and corridors with a clearance of 1000mm, that facilitate comfortable unimpeded movement between spaces; • a toilet at the ground floor level; • a bathroom that contains a hobless shower recess; • reinforced walls around the toilet, shower and bath to support safe installation of grabrails at a later date; • stairways that are designed with handrails and safe access. <p>The above dimensions and clearances are to be demonstrated on a floor plan.</p> <p><i>The design includes:</i></p> <ul style="list-style-type: none"> • internal doors with a clearance of 820mm and corridors

	<p>with a clearance of 1000mm, that facilitate comfortable unimpeded movement between spaces;</p> <ul style="list-style-type: none"> • a toilet at the ground floor level; • capability for a safe and continuous path of travel from the street or car parking area into the dwelling around the side of the house and through the front door. <p>Additional requirements can be added at a later date should they be required by the occupants of the dwelling.</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 style="text-align: center;">PRIVATE OPEN SPACE REQUIRED = 80 SQM PROVIDED = 97.9 SQM</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>PRIMARY STREET LANDSCAPE AREA PRIMARY STREET AREA = 69 SQM REQUIRED = 45% OR 31.1 SQM PROVIDED = 90.7% OR 62.6 SQM</p> <p>SECONDARY STREET LANDSCAPE AREA SECONDARY STREET AREA = 71.5 SQM REQUIRED = 45% OR 32.2 SQM PROVIDED = 88.8% OR 63.5 SQM</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>The dwelling benefits from a corner location. The spaces have been designed to respond to urban design rationale and dwelling efficiency in terms of energy use. Solar panels will be accommodated on the northern side of the roof. 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> <p><i>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.</i></p> <p>The site has an east-west orientation. The proposed development will overshadow parts of the adjoining property to the south, however the back yard of this dwelling will receive good solar access in the morning.</p>

	 <p>Shadow diagrams have been provided showing that 50% of the private open space of the adjoining southern property and their rear living area will receive solar access for the entire morning and so, comply with the requirement for at least 3 hours of sunlight between 9am and 5pm on 21 June.</p> <p>Complies.</p>
Stormwater	<p><i>If the site coverage (total impervious surfaces) is more 75% then on site detention is required.</i></p> <p>Site coverage is less than 75% of the site area. A 3,000L slimline water tank is proposed for stormwater collection and re-use. The tank is located behind the garage.</p> <p>Excess stormwater is to be disposed of according to Council requirements.</p> <p>A Stormwater Layout Plan completed by Ibrahim Stormwater Consultants accompanies this application.</p>

	 <p><i>Stormwater Layout Plan by Ibrahim Stormwater Consultants</i></p> <p>Complies.</p>
Parking	<p><u><i>Car parking spaces</i></u></p> <ul style="list-style-type: none"> • <i>2 car spaces must be provided for each detached dwelling;</i> • <i>All car parking spaces to be located behind the building line.</i> <p>A minimum of two car parking spaces are provided within the detached garage.</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>Vehicular access is proposed from the secondary street, and so, a new driveway from Lawson Street is proposed.</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"> • <i>Offset the windows to minimize overlooking;</i> • <i>Have a minimum sill height of 1.5m above floor level;</i> • <i>Have fixed obscure glazing to a minimum height of 1.5m above floor level; or</i> • <i>Use another form of screening to the satisfaction of Council.</i> <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"> • <i>The window is to a bathroom, bedroom, toilet, laundry, storage room or other non-habitable room;</i> • <i>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;</i> • <i>The window is designed to prevent overlooking of more than 50% of the private open space of a lower level or neighbouring dwelling.</i> <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>The site has a corner location, with neighbours to east and south.</p>

	<p>Views from side facing living areas on the ground floor and from Alfresco will be partially screened by boundary fences. The rear Alfresco faces Lawson Street.</p> <p>The games room on the first floor has windows towards Killara Avenue.</p> <p>There is one balcony proposed at the first floor which faces towards Killara Avenue. The balcony is located over 5m from eastern boundary.</p> <p>The impact of the proposed dwelling house on the privacy of adjoining dwellings is considered to be reasonable.</p> <p>Complies.</p>
Safety (security)	<p>The front porch, lounge and study face Killara Avenue, as does the upper games room and bedroom.</p> <p>The Alfresco and the upper bedrooms gain views over Lawson Street.</p> <p>The proposal provides casual surveillance over both streets.</p> <p>Complies.</p>
Cut & Fill	<p><i>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.</i></p> <p><i>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.</i></p> <p>Maximum fill of 1000mm located at rear. Fill is contained within drop edge beam.</p>

	<p>The subject site is flood affected. According to Council requirements:</p> <p>The site is affected by 100 year ARI* Georges River flood levels. The 100 year ARI* flood level at the site is 3.75m AHD**.</p> <p>Habitable floor levels are to be at least 500mm above this level at RL 3.75m AHD**.</p> <p>Given the flooding requirements, the proposal is deemed acceptable as:</p> <ul style="list-style-type: none"> • The fill is unavoidable in order to comply with Council's requirements for Habitable Floor Level, • Notwithstanding the flooding constraints, the general landform on site is maintained, with fill generally only on the footprint of the dwelling, • Ground level on the site outside of the footprint of dwelling does not exceed 600mm above the ground level, • 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 of dwelling (over 15m setback from any street) and will not impact built consistency along Killara Avenue or Lawson Street. <p>Given the flooding considerations and the matters above, it is considered that the proposal is acceptable in this regard.</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 5 Killara Avenue 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 new dwelling house with detached garage 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 subject site.
- 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 proposed architectural design.
- Regarding solar access, there will be adequate sunlight access to the proposed development and to the adjoining dwellings.
- Standard precautions will be implemented during the construction stage of the development, to ensure there are no adverse environmental impacts including the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.
- 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 with detached garage will make a positive net contribution to both Killara Avenue and Lawson Street.

(a) 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.

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

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

(c) 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 development will achieve a very good standard of residential accommodation, highly functional and aesthetically pleasing when viewed from both Killara Avenue and Lawson Street, without imposing any unreasonable impacts on the amenity of surrounding lands and public domain.

For these reasons, the proposal is in the interest of the public and worthy of full support from Council.