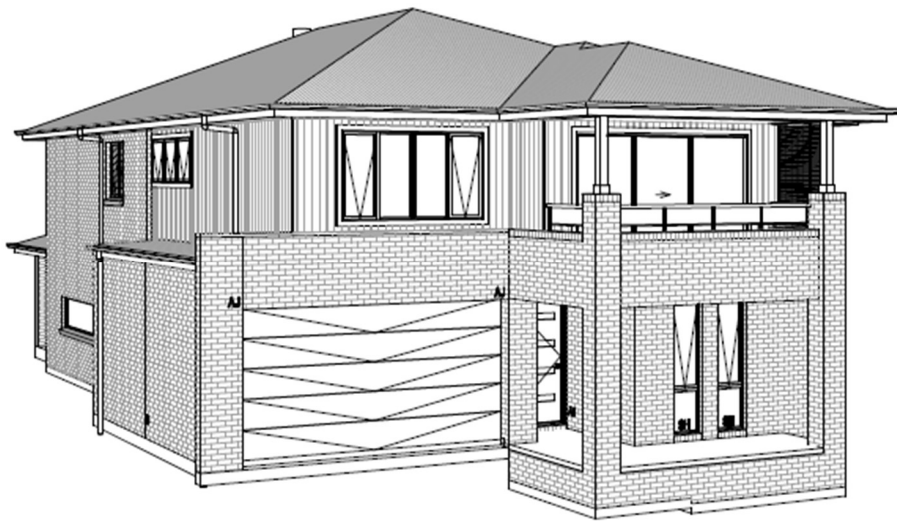


STATEMENT OF ENVIRONMENTAL EFFECTS

CONSTRUCTION OF A TWO STOREY DWELLING, ACCESS DRIVEWAY AND ASSOCIATED EARTHWORKS



42 Rea Street Greenacre 2190

Lot 96 DP 29412

10th December 2024

TABLE OF CONTENTS

1	Summary.....	2
2	Introduction.....	2
3	Site & Locality Description	3
4	Proposed Development in Detail.....	3
5	Compliance Assessment	4
5.1	Environmental Planning and Assessment Act 1979 (EPAA)	4
	Section 4.15 Evaluation	4
5.2	State Environmental Planning Policy (Sustainable Buildings) 2022	5
	Chapter 2 Standards for Residential Development - BASIX	5
5.3	State Environmental Planning Policy (Resilience and Hazards) 2021	5
	Chapter 2 Coastal Management.....	5
	Chapter 3 Hazardous and Offensive Development	5
	Chapter 4 Remediation of Land	5
5.4	State Environmental Planning Policy (Transport and Infrastructure) 2021	6
	Chapter 2 Infrastructure	6
5.5	State Environmental Planning Policy (Biodiversity and Conservation) 2021.....	6
	Chapter 2 Vegetation in Non-Rural Areas	6
	Chapter 4 Koala Habitat Protection 2020.....	6
5.6	Canterbury-Bankstown Local Environmental Plan 2023	7
5.7	Canterbury-Bankstown Development Control Plan 2023	8
	Chapter 2 – Site Considerations	8
	Chapter 3 – General Requirements.....	8
	Chapter 5 - Residential Accommodation (Former Bankstown LGA – Dwelling Houses)	9
6	Conclusion.....	11

1 SUMMARY

Property Address	42 Rea Street Greenacre NSW 2190 Lot 96 DP 29412
Proposed Development	Construction of a Two Storey Dwelling, Access Driveway and Associated Earthworks
Land Zoning	R2 - Low Density Residential
Development permissibility	Permitted with consent
Existing Use Rights	Not applicable to this development
Consent Authority	City of Canterbury Bankstown Council

2 INTRODUCTION

This Statement of Environmental Effects assesses against the applicable planning controls for the site, including the relevant provisions of:

- ⇒ Environmental Planning and Assessment Act 1979 (EPAA);
- ⇒ Environmental Planning and Assessment Regulation 2021(2021 EP&A Regulation);
- ⇒ State Environmental Planning Policy (Sustainable Buildings) 2022;
- ⇒ State Environmental Planning Policy (Resilience and Hazards) 2021;
- ⇒ State Environmental Planning Policy (Transport and Infrastructure) 2021;
- ⇒ State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- ⇒ Canterbury-Bankstown Local Environmental Plan 2023 (LEP 2023)
- ⇒ Canterbury-Bankstown Development Control Plan 2023 (DCP 2023);

in support of the development application for the proposed Construction of a Construction of a Two Storey Dwelling, Access Driveway and Associated Earthworks at **42 Rea Street Greenacre NSW 2190**, legally identified as Lot 96 DP 29412.

Upon completing the assessment against all aforementioned documents, it is concluded that the development satisfies, or otherwise comes within the 'four corners' of the relevant development standards.



Figure 1: Aerial Photograph of the site (Courtesy - NearMap)

3 SITE & LOCALITY DESCRIPTION

- The subject allotment is irregular shaped lot, known as Lot 96 DP 29412 with an area of 517.2 m².
- The site faces Rea Street with a frontage of 15.24 m. Width of the Lot is 15.24 m at the front part and narrows down to 13.69 m towards the rear and length is 35.89 m at north eastern boundary and 36.06m at south western side.
- The site is zoned R2 - Low Density Residential. The lot has a lawful dwelling entitlement, proposed dwelling house is a permissible use within the zone.
- The site is currently occupied by a clad dwelling with a tile roof, a carport (These structures will be demolished).
- Sewer, water, power, telephone and stormwater connection are available to the site for connection.
- Vehicular access remains via Rea Street, the new driveway is connected to the proposed double garage.

4 PROPOSED DEVELOPMENT IN DETAIL

The proposed development is for the Construction of a Two Storey Dwelling, Access Driveway and Associated Earthworks. To facilitate the proposed dwelling, existing structures will be demolished, and the demolition will be under a separate application and works will be complied with AS 2601—2001 The demolition of structures.

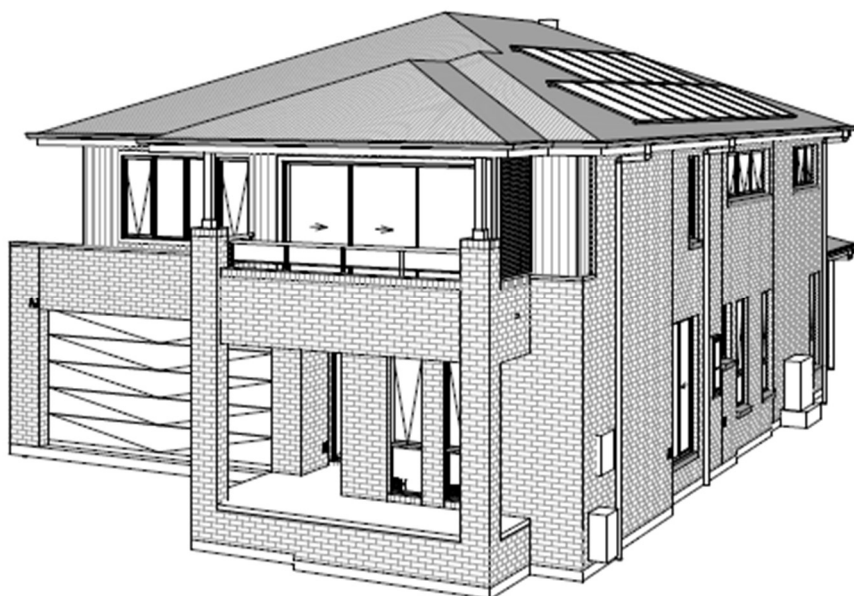


Figure 2 : 3D Perspectives of the development – Rea Street view (Courtesy – McDonald Jones Homes)

The ground floor of the two-storey dwelling house consists of an entry foyer with a patio, guest bedroom, laundry and powder room, study nook, an open plan kitchen with a walk-in pantry, family & dining area connecting to the alfresco at the rear. Also, there is a double car garage proposed as well.

The first floor consists of the master bedroom with a walk-in robe, Ensuite and a balcony, 3 more bedrooms and the main bathroom, and an activities area.

Stormwater will be managed by a 4,990-litre rainwater tank (minimum for BASIX) with all roof water and surface turn up points directed to the rainwater tank via the down pipes. The overflows from the rainwater tank will be gravity fed to be dispersed to the easement at the rear of the lot.

The proposal seeks to provide high quality design and functionality in terms of layout and open space elements. The proposed development represents a good example of revitalization of infill development and is appropriate in scale when viewed in consideration against surrounding developments. The design of the dwelling is consistent with the existing character of the area comprising brick facades, cladding features, and a pitched roof.

5 COMPLIANCE ASSESSMENT

Environmental Planning Instruments, Development Controls Plans, and Council Policies have been considered in the merit assessment of this proposal. In this regard, whilst all provisions of each Environmental Planning Instruments, Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the documents are not relevant or enacting, definitions and operational provisions which the proposal is considered to be acceptable against. As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EPAA)

Section 4.15 Evaluation

The proposed development has been assessed in consideration of the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979.

Likely Impacts of the Development

The proposal is consistent with the surrounding residential environment and respects the constraints both upon the site and in the immediate context. The proposed development will add to the quality and variety of existing building stock in the local area. The height and scale of the proposed works will be entirely commensurate with that established within the site's visual catchment with no unacceptable residential amenity impacts in terms of visual bulk, views, privacy or overshadowing.

Social and Economic Impact in the Locality

The proposal will provide a new high-quality family home within the area. Construction of the dwelling will help to sustain construction jobs in the region, whilst occupation of the home will likely result in increased personal spending within the local area, helping to sustain local businesses. The proposed development will not have any significant negative impact on economic factors within the area notwithstanding that it will generate short term employment opportunities through the construction period of the development.

Site Design and Internal Design

The site is ideally suited to the proposed development, having been designed and zoned specifically for the purpose. The proposal has been designed to suit the site, topography and constraints. The proposed development complies with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on future occupants.

Site Suitability

The site is suited to the proposed development, and accordingly the proposal has been carefully designed to reflect the site's attributes. The development is consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 where it has been formed and considered in opinion that most observers would not find the proposed development offensive, jarring or unsympathetic in a streetscape context nor having regard to the built form characteristics of development within the site's visual catchment.

The Public Interest

We are not aware of any relevant issues in the public interest which would relate to this development. The provision of new, quality, compliant housing within a zoned residential environment could unlikely to be seen as anything other than a public benefit. The proposed works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposed works given the topography of the land. The development would not be contrary to the public interest.

5.2 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

Chapter 2 Standards for Residential Development - BASIX

SEPP (Sustainable Buildings) 2022, Chapter 2: Standards for residential development – BASIX, applies to the subject site. Clause 2.1.2 of the SEPP Provisions prescribe that the proposal is deemed a ‘BASIX affected development’ under the Environmental Planning and Assessment Act 1979, and a BASIX certificate is required to accompany any prospective development application for the proposed works.

A BASIX certificate has been submitted with the application, would satisfy the relevant water and energy reducing targets and comply with the BASIX requirements. Please refer to the BASIX Certificate provided with the development application for further details.

5.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 2 Coastal Management

The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by –

- a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.

The site does not contain Coastal wetlands and littoral rainforests. It is noted that the site is not located within a coastal environmental area or within a coastal use area to which this SEPP applies.

Chapter 3 Hazardous and Offensive Development

In determining an application to carry out development to which this part applies, the consent authority must consider;

- a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and
- b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and
- c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and
- d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and
- e) any likely future use of the land surrounding the development.

The development is for a residential dwelling house and hazardous and offensive industries will not be carried in the property. There is no indication of likely future use of the land surrounding the development other than the intended residential purposes.

Chapter 4 Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

A consent authority must not consent to the carrying out of any development on land unless-

- a) it has considered whether the land is contaminated, and
- b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The subject site is situated within an established residential zone and is designated for residential use. There is no documented history of prior land uses that would make the property vulnerable to contamination. As such, no additional assessment or consideration is deemed unnecessary in this particular case.

5.4 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Chapter 2 Infrastructure

Division 5 Electricity transmission or distribution

This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—

- a. the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- b. development carried out—
 - i. within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - ii. immediately adjacent to an electricity substation, or
 - iii. within 5m of an exposed overhead electricity power line,

Due to the proximity of the overhead powerlines, It is understood that the proposal may be referred to **Ausgrid** and will be subject to conditions which be applicable.

Division 17 Roads and traffic

(1) The objectives of this section are—

- a. to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and
- b. to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- a. where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- b. the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—
 - i. the design of the vehicular access to the land, or
 - ii. the emission of smoke or dust from the development, or
 - iii. the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
 - iv. the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The subject site is located appx 200m away from Roberts Road (A3), which is a classified road (State Road), as such referral to Transport for NSW (TfNSW) is not required under S138 of the **Roads Act 1993**.

Furthermore, **Rea Street** is identified as a local government road under the maintenance of Canterbury Bankstown Council. As such, referral to Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.116, 2.117, 2.118 as well.

5.5 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 Vegetation in Non-Rural Areas

This Chapter applies to the following areas of the State (the non-rural areas of the State) - land in the local government areas of Canterbury-Bankstown and land within the Zone R2 Low Density Residential.

There are 9 trees to be removed to facilitate the proposed dwelling house. None of these trees are over 5 m in height and considered as exempted or low retention value, there are no native trees proposed to be removed.

Chapter 4 Koala Habitat Protection 2020

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

A Koala plan of management has not been prepared since the development will not have a significant impact on koalas or koala habitat. Proposed development has been planned and sited to have a minimal to no impacts on Koala Habitat and makes adequate provision to protect the areas of natural vegetation.

5.6 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The **Canterbury-Bankstown Local Environmental Plan 2023** aims to make local environmental planning provisions for land in City of Canterbury Bankstown local government area in accordance with the relevant standard environmental planning instrument under section 3.20 of the Environmental Planning and Assessment Act 1979.

Clause	Requirement	Response
Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	Demolition of existing structures requires to facilitate the proposed dwelling house. Demolition will be under a separate application and the work shall be complied with AS 2601—2001 The demolition of structures.
Objectives of zone and Land Use Table	The site is zoned R2 Low Density Residential.	The proposed dwelling house is permissible within zone R2, subject to Development Approval. The proposed development supports the objectives of the zone by providing for the housing needs of the community through the construction of a dwelling house which is sympathetic to the built form and natural environment. The proposal is a low impact use that will have minimal impact on the environmental qualities of the area.
Minimum subdivision lot size	The site is identified as having a minimum lot size of 450 m ² under the LEP.	Not applicable - No subdivision is proposed
Height of buildings	The site is identified as having a maximum building height of 9.0 m under the LEP.	The proposed development has a maximum building height of 8.439 m from existing ground level and comply with the maximum building height.
Floor space ratio	The applicable FSR to the site is 0.5 : 1 under the LEP.	The proposed development indicates a FSR of 0.47 : 1 which complies with the clause 4.4 of the LEP.
Heritage conservation	The site is not heritage listed, within a heritage area, or in close proximity to any heritage item	Not applicable
Flood Planning	The site is not identified as being within a Flood Planning Area under the LEP.	Not applicable
Acid sulfate soils	The site is identified as having acid sulfate soil conditions.	The land is not affected by a policy restriction relating to acid sulfate soils. As such, a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual is not required.

5.7 CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

The **Canterbury-Bankstown Development Control Plan 2023** supports the LEP by providing additional objectives and development controls to enhance the function, design and amenity of residential accommodation. The development controls include storey limits, setbacks, building design and landscape to promote good design and amenity for residents. An analysis of the proposed development against the relevant sections of the DCP has been undertaken and appears below. Any areas of non-compliance are discussed in greater detail.

Chapter 2 – Site Considerations

Control	Response
Site Analysis	Not Applicable
Flood Risk Management	The land, or part of the land, is not within the flood planning area (FPA) or probable maximum flood (PMF). The land, or part of the land, is not subject to flood related development controls.
Tree Management	To facilitate the proposed dwelling house, nine trees will need to be removed. None of these trees exceed 5 meters in height and are considered either exempt or of low retention value. Importantly, no native trees are proposed to be removed.
Pipeline Corridors	Not Applicable

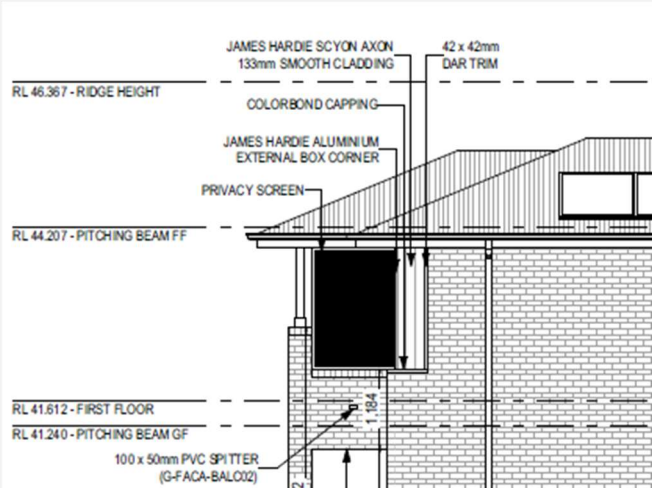
Chapter 3 – General Requirements

Control	Response
Development Engineering Standards	The proposed development has been designed and sited in accordance with civil engineering standards. The location of the proposed vehicular access does not impact existing drainage structures, traffic control devices, street infrastructure, existing utilities, or street trees. Stormwater runoff will be collected through a system of gutters, downpipes, pits, and pipelines located within the site and drained to a Council receiving stormwater system. Additionally, the roof, eaves, and downpipes have been sized using the formulas and tables provided in accordance with Australian Standard AS/NZS 3500.
Parking	The proposed development requires two off-street parking spaces, which are provided by a double car garage. The location and layout of the parking area have been designed to function efficiently and safely. Considerations have been made to balance parking requirements, visual aesthetics, and pedestrian safety. Additionally, the garage is not visually dominant in the streetscape.
Waste Management	Waste storage facilities are provided internally, with an adequately sized bin storage area located behind the front building line to accommodate all allocated bins. The location of the collection point and bin storage area will not adversely impact the streetscape, building design, or the amenity of dwellings. The bin storage area will be screened or otherwise not visible from the public domain and will be situated away from windows of habitable rooms. It will be convenient for use by the dwelling occupants and caretakers. Furthermore, the development complies with the requirements of the applicable Waste Design for New Developments Guide
Sustainable Development	This Control is not applicable to the proposed development, as it applies to buildings classified as Class 5 to Class 9 under the Building Code of Australia.

	The development is compatible with BASIX requirements and has incorporated water conservation measures and energy-efficient practices in its design and operation.
Landscape	The landscape design will enhance the quality of the streetscape and capitalize on the unique characteristics of the site. By incorporating a variety of plant species, including native vegetation, the design will create a visually appealing and environmentally sustainable environment.

Chapter 5 - Residential Accommodation (Former Bankstown LGA – Dwelling Houses)

Control	Response
Desired character	The development will be compatible with the prevailing suburban character, setbacks, parking provisions, and landscaping. It aligns with the desired character of Zone R2 Low Density Residential environments and is consistent with the stated objectives, such as protecting and enhancing the amenity, scenic quality, character, and environmental land areas.
Storey limit (not including basements)	The proposed development has a maximum building height of 8.439 m from the existing ground level and does not exceed two storeys, thereby complying with the maximum building height control. This ensures that the buildings are compatible with the height, bulk, and scale of the existing and desired future character of the locality. Additionally, it protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy, and views.
Fill	The fill for reconstituted ground level on the site, outside the ground floor perimeter of dwelling houses, must not exceed a height of 600 mm above the existing ground level of an adjoining site. The proposed development complies with all relevant controls, and no new retaining walls are proposed.
Setbacks	<u>Street Setbacks</u> The minimum setback for a building wall to the primary street frontage is 5.5 m for the ground floor and 6.5 m for the first floor. The proposed front setback is 7.5 m to the front building line, which complies with the minimum setback requirements. The proposal has been designed to avoid harmful impacts on the views, privacy, and solar access of adjacent properties. <u>Rear Setbacks</u> The proposal provides an 8.382 m setback to the rear boundary at ground floor level and a 12.007 m setback at the first-floor level. <u>Side Setbacks</u> The minimum setback to the side boundary of the site is 0.9 meters. The development provides a 1.00 m setback to the northeastern boundary and a 2.193 m setback to the southwestern boundary, complying with the side setback requirements.
Private open space	Dwelling houses must provide a minimum of 80 m ² of private open space behind the front building line. This may be in the form of a single area, or a sum of areas provided the minimum width of each area is 5m throughout. To ensure practical outdoor living spaces for residents, more than 80 m ² of private open space has been provided, with dimensions of 3 meters or more. Additionally, the principal private open space areas are directly accessible from family and living areas and are adjacent to habitable rooms.

Access to sunlight	The objective of this control is to facilitate solar access to the living areas and private open spaces of both the dwelling and neighbouring properties. According to the shadow diagrams for June 21, there will be at least three hours of unobstructed sunlight between 8 am and 4 pm. At least 50% of the principal private open space for all dwellings and adjoining land will receive a minimum of three hours of unobstructed sunlight during this period. Additionally, there is no indication that the proposed dwelling will overshadow any existing solar hot water systems, photovoltaic panels, or other solar collectors on the site or neighbouring sites. The proposed development complies with building height and envelope setbacks and adequately considers site constraints, including slope and orientation.
Visual Privacy	The objective of the control is to minimize direct overlooking between main living areas and areas of principal private open space within the site and adjoining sites. The proposed dwelling has been designed with consideration to minimize visual impact on neighboring properties. Design solutions have been implemented to avoid or minimize overlooking of adjoining properties. Windows in main living areas and balconies do not face directly onto the windows, balconies, or principal private open spaces of neighboring dwellings. Additionally, privacy screens have been incorporated to prevent direct views into the main living areas and principal private open spaces of adjoining properties.  Figure 3 : Right Elevation of the front balcony (Courtesy – McDonald Jones Homes)
Building design	The building design adheres to all relevant controls and compliance requirements. The proposed dwelling features a roof pitch of 22.5 degrees, with no attic or dormers included in the design. Additionally, non-reflective materials have been selected to ensure compatibility with the natural characteristics and colours of the area.
Building design (Car parking)	The proposed dwelling house includes a double garage, which meets the minimum requirement of providing two off-street car parking spaces. The garage is set back 8.955 meters from the front building line. Its siting and design have been carefully considered to ensure it integrates architecturally with the development and does not dominate the street façade. The garage has been designed to complement the overall development without becoming the dominant feature of the streetscape. Additionally, the car parking access has been planned to minimize potential conflicts between pedestrians and vehicles. The driveway design adheres to the relevant Australian Standards and the provisions of the Council’s Civil Works Specification

Landscape	To accommodate the new development, a few trees and plants will need to be removed. These trees have been considered to have no retaining value. Post-development, a total landscaped area of 276.69 m² will be provided. The landscaping will include trees and shrubs, with a preference for native vegetation endemic to Canterbury-Bankstown. The minimum landscaped area between the dwelling house and the primary street frontage will be 80.16 m², exceeding the required minimum of 45%. Additionally, there will be at least one tree with a capacity of more than 75 litres between the dwelling house and the primary street frontage.
------------------	--

6 CONCLUSION

This Statement of Environmental Effects has considered the submitted plans and all other documentation supporting the application and assessed against all relevantly applicable to planning provisions. The proposal does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be consistent with the objectives of the DCP, zone objectives and aims of the LEP, objectives of the relevant EPIs and objectives of the Environmental Planning and Assessment Act 1979.

The proposal involves a contemporary inspired design that is appropriately setback from the site edges to maximise light, ventilation and openness. The proposal is located and configured to complement the property's established neighbourhood character without any significant changes or impacts on the existing development character or neighbouring amenity.

This report demonstrates that the variation will not give rise to any unacceptable residential amenity or streetscape consequences. The proposed dwelling will increase the quality and variety of housing stock in the local area. Through careful design, the proposal will have a negligible environmental impact on its surrounds and will enhance the appeal of the streetscape.

In our opinion, the proposed development satisfies the appropriate controls. The proposed alterations and additions will integrate with the landform and landscape and be consistent with surrounding developments. In summary, the proposal should be approved as the design is reasonable for the site by virtue of the level of non-compliance that does not create unreasonable amenity impacts.

We have attempted to provide information in this Statement of Environmental Effects to be as accurate as possible. However, we make no claims, guarantees or promises about the accuracy, currency, or completeness of the information provided and are not responsible for any errors or omissions, or for results obtained from the use of the information. Every possible effort is made to keep the content of this document accurate and current, but that may not always be the case.