



**WESTERN SYDNEY PLANNING**

SPECIALIST PLANNING AND DEVELOPMENT ADVISORY CONSULTANCY

## STATEMENT OF ENVIRONMENTAL EFFECTS

# Proposed Subdivision of One (1) Lot into Two (2) Lots

On behalf of  
Landpro Developments

February 2025

**Western Sydney Planning**

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# 1 Introduction

## 1.1 Background

This Statement of Environmental Effects (SEE) report has been prepared on behalf of Landpro Developments (client) to support a Development Application (DA) to the Canterbury Bankstown Council (Council) for a residential subdivision of one (1) lot into two (2) lots at 55 Homer Street, Earlwood (the site).

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

## 1.2 Structure of the SEE

This SEE includes an assessment of the proposed works in terms of the matters for consideration listed at Section 4.15 of the EP&A Act. It should be read in conjunction with the following information:

Appendix 1 Subdivision Plan

Appendix 2 Site Survey

Appendix 3 Stormwater Plan

Specifically, the SEE:

- Describes the site in its local context,
- Describes the proposed works,
- Identifies and addresses relevant Council and State controls, policies, and guidelines,
- Identifies and addresses the potential environmental considerations of the proposal, and
- Provides potential measures for minimising or managing the potential environmental considerations.

### 1.3 Proponent and Project Team

The DA and SEE have been prepared on behalf of Landpro Developments. The project team is listed in **Table 1**.

Table 1. Project Team	
Discipline	Consultant
Urban Planning	Western Sydney Planning
Subdivision Plan	RGM Property Surveys
Site Survey	RGM Property Surveys
Stormwater	Telford Civil Consulting Engineers

## 2 The Site

### 2.1 Site Background

The site is located on land known as 55 Homer Street, Earlwood, legally referred to as Lot X DP386920. It is within the Canterbury Bankstown Local Government Area (LGA).

The site is located 70m south of the Cooks River, approximately 130m south of Marrickville Golf Course, and 2.5km west of Sydney International Airport.

The site comprises a single, irregular shaped allotment with a primary frontage to Homer Street of 20.115m to the south, a secondary south facing frontage to Riverview Road of 40.615m to the north.

The site is zoned R2 Low Density Residential. As indicated in **Figure 1**, the surrounding area is characterised by predominately single dwellings within landscape settings. The land along Homer Street is characterised by a slope to the north towards Riverview Road.

A Survey Plan for the site has been provided in Appendix 2 which identifies the existing conditions, including structures on site.



Figure 1 Subject Site. Source: Mecone Mosaic

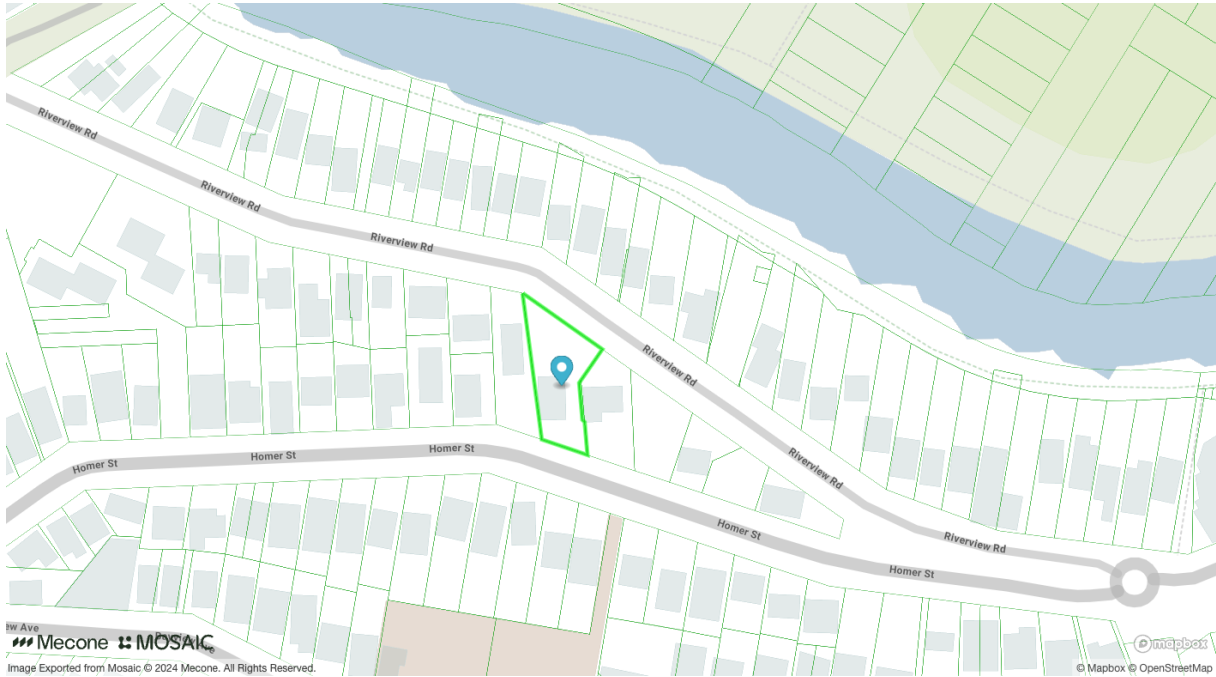


Figure 2 Subject site and surrounding subdivision pattern. Source: Mecone Mosaic

## 2.3 Site Description

Table 2 provides the legal description, and a brief summary of the site and surrounding context.

Table 2. Site Description	
Item	Description
Legal Description:	Lot X within Deposited Plan 386920
Total Area	1182m <sup>2</sup>
Location	The site is located 70m south of the Cooks River, approximately 130m south of Marrickville Golf Course, and 2.5km west of Sydney International Airport.
Street Frontage	The site has a south facing primary frontage of approximately 20.115m to Homer Street and a north facing, secondary frontage of 42.615m to Riverview Road.
Site Description	The site comprises an irregular shaped lot and has been developed with a dwelling house to the southern half of the site.
Previous Uses	The site has historically been used for the purposes of residential.
Surrounding Context	The adjoining properties are occupied by low density residential dwellings within a landscaped setting.

The site's surrounding development context is presented in the following figures.



**Figure 3** View of the subject site from the Homer Street frontage.





Figure 4 View of the subject site from the Riverview Road frontage.



Figure 5 Other developments located on the southern side of Riverview Road.





**Figure 6** Other developments located on the southern side of Riverview Road.



## 4 Planning Assessment

### 4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

#### 4.1.1 Chapter 2 Coastal Management

The subject site is identified as being within the coastal zone and therefore SEPP (Resilience and Hazards) 2021 is applicable to the proposed development.

The stated Aim of the Policy under Clause 3 is to:

The aim of this Policy 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 Coastal Management Act 2016 states within **Clause 3**:

The objects set out in **Clause 3** of the Coastal Management Act 2016 are:

- a) *to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*
- b) *to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*
- c) *to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and*
- d) *to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*
- e) *to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*
- f) *to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*
- g) *to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*
- h) *to promote integrated and co-ordinated coastal planning, management and reporting, and*
- i) *to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*
- j) *to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and*



- k) to support public participation in coastal management and planning and greater public
- l) awareness, education and understanding of coastal processes and management actions, and
- m) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and
- n) to support the objects of the Marine Estate Management Act 2016.

It is submitted that the assessment detailed under the Statement of Environmental Effects confirms that the proposed development is consistent with the objects of the SEPP (Resilience and Hazards) 2021, as set out in Clause 3 of the Coastal Management Act 2016.

The matters for consideration under SEPP (Resilience and Hazards) 2021 are addressed as follows:

### **Division 3 Coastal environment area**

#### **2.10 Development on land within the coastal environment area**

- 1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
  - i. *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
  - ii. *coastal environmental values and natural coastal processes,*
  - iii. *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
  - iv. *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
  - v. *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - vi. *Aboriginal cultural heritage, practices and places,*
  - vii. *the use of the surf zone.*
- 2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
  - a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1),*
  - b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*
- 3) *This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

#### **Comment**

The integrity and resilience of the biophysical, hydrological and ecological environment will not be impacted by the proposed subdivision.

Due to the significant separation from the foreshore area and as there are no physical works proposed, the proposal will not result in an adverse impact to the coastal environmental values and natural coastal processes, whilst also not adversely impacting on water quality.

The subject site is well-removed and located away from the foreshore area, therefore not result in the removal of any existing public access along the foreshore.

The site does not contain any heritage items, nor is it within a conservation area. The site has been previously disturbed, and it is not expected that any items of Aboriginal heritage will be encountered.

The proposal complies with the provisions Division 3 of the SEPP.

#### **Division 4 Coastal use area**

Development on land within the coastal use area

- (1) *Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—*
  - (a) *has considered whether the proposed development is likely to cause an adverse impact on the following—*
    - (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
    - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
    - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
    - (iv) *Aboriginal cultural heritage, practices and places,*
    - (v) *cultural and built environment heritage, and*
  - (b) *is satisfied that—*
    - (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
    - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
    - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
    - (iv) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

#### **Comment**

The proposed subdivision is well-removed from the Cooks River.

Due to there being no physical work proposed and the distance to the Cooks River, safe access to and along the foreshore will continue to be facilitated.

Similarly, the substantial separation of the subdivision from the foreshore area will ensure there will be no adverse impact on overshadowing, wind funnelling and the loss of views from public places to the foreshore.

The visual amenity and scenic qualities of the coastal use area will be unaffected. The heritage aspects of the land and surrounding land will not be affected. Overall, it is considered the design of the dwelling respects the significance and integrity of the coastal use area and minimises any impact.

The proposal complies with the provisions Division 4 of the SEPP.

### **Division 5 General**

#### **2.12 Development in coastal zone generally—development not to increase risk of coastal hazards**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.*

##### **Comment**

The proposal provides for the subdivision of land into two (2) lots. The subdivision will not increase the risk of coastal hazards for the subject property or adjoining land.

#### **2.13 Development in coastal zone generally—coastal management programs to be considered**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.*

##### **Comment**

No coastal management programs have been identified.

#### **2.14 Other development controls not affected**

*Subject to clause 7, for the avoidance of doubt, nothing in this Part:*

- a) permits the carrying out of development that is prohibited development under another environmental planning instrument, or*
- b) permits the carrying out of development without development consent where another environmental planning instrument provides that the development may be carried out only with development consent.*

**Comment:** Noted

#### **2.15 Hierarchy of development controls if overlapping**

*If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:*

- a) the coastal wetlands and littoral rainforests area,*
- b) the coastal vulnerability area,*
- c) the coastal environment area,*
- d) the coastal use area.*

**Comment:** Noted

#### **4.1.2 Chapter 4 Remediation of land**

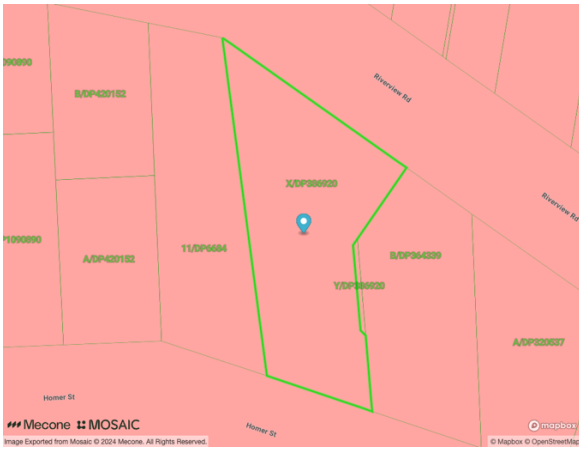
SEPP (Resilience and Hazards) 2021 and in particular Clause 4.6(1)(a) states that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

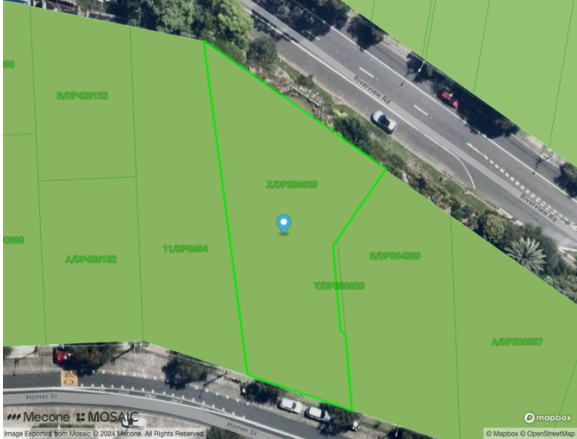
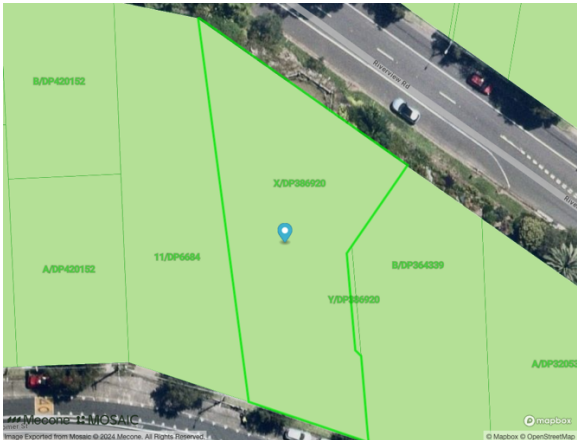
Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

#### 4.4 Canterbury-Bankstown Local Environmental Plan 2023

The Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023) is the primary local planning instrument applying to the site. An assessment against the relevant development standards applying to the site has been provided below.

Table 3. Canterbury-Bankstown Local Environmental Plan 2023

Item	Description	Compliance
2.3 Zone objectives and Land Use Table	<p>The site is zoned <b>R2 Low Density Residential</b>.</p>  <p><b>Figure 8</b> Land zoning map. Source: NSW Spatial Viewer</p> <p>Objectives of the R2 zone are as follows:</p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a low density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>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.</li> <li>To ensure suitable landscaping in the low-density residential environment.</li> <li>To minimise and manage traffic and parking impacts.</li> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>To promote a high standard of urban design and local amenity.</li> </ul>	<p><b>Complies</b></p> <p>The proposed subdivision will provide additional housing to the local area and remain compatible with the surrounding low-density character of the area. Traffic and parking generated by the new residential lot is expected to be consistent with a low-density residential site.</p>

2.6 Subdivision – consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	<p><b>Noted</b></p> <p>The proposal seeks consent for the subdivision of land.</p>
4.3 Height of buildings	<p>The site is subject to an 8.5m building height control.</p>  <p><b>Figure 9</b> Height of buildings map. Source: NSW Spatial Viewer</p>	N/A
4.1 Minimum subdivision lot size	 <p><b>Figure 10</b> Minimum lot size. Source: NSW Spatial Viewer</p> <p>(1) <i>The objectives of this clause are as follows—</i></p> <ul style="list-style-type: none"> <li>(a) <i>to ensure lots are large enough to accommodate proposed dwellings, setbacks to adjoining land, private open space and landscaped areas, driveways and vehicle manoeuvring areas,</i></li> <li>(b) <i>to ensure the subdivision of low density residential zoned land reflects and reinforces the predominant subdivision pattern of the area,</i></li> <li>(c) <i>to ensure lots can be used for buildings that are safe from flooding, bush fire risk and other hazards,</i></li> </ul>	<p><b>Complies</b></p> <p>The proposed subdivision will create Lots 101 and 102, both of which are capable of accommodating a dwelling. As demonstrated in the supporting plans:</p> <ul style="list-style-type: none"> <li>Lot 101 will comfortably accommodate the existing dwelling while ensuring compliance with relevant planning controls, including sufficient setbacks, private open space, and landscaped area.</li> <li>Lot 102 exceeds the minimum lot size requirements and is capable of supporting a future dwelling that complies with relevant controls. This includes appropriate setbacks, private open space, landscaped area, and vehicular access in a manner consistent with other properties along the southern</li> </ul>

	<p>(d) <i>to ensure lots are large enough to protect special attributes, including natural or cultural features, heritage items, heritage conservation areas, trees and natural topographical features,</i></p> <p>(e) <i>to ensure all lots are provided with adequate and safe access,</i></p> <p>(f) <i>to minimise the likely adverse impact of subdivision and development on the amenity of the area,</i></p> <p>(g) <i>to prevent fragmentation or isolation of land.</i></p>	<p>side of Riverview Road.</p> <p>As shown in <b>Figure 2</b>, the existing subdivision pattern along Homer Street exhibits a generally consistent lot arrangement, with properties fronting both Riverview Road and Homer Street. The pattern indicates that land along Homer Street has been progressively subdivided, creating new lots fronting Riverview Road. Lot sizes in the area range from 500m<sup>2</sup> to 1,000m<sup>2</sup>, demonstrating a degree of variation that aligns with the proposed subdivision. Given this context, the proposed subdivision is considered consistent with the established pattern.</p> <p>There are no known environmental hazards affecting the site, including bushfire or flooding. No heritage-listed items or cultural constraints have been identified.</p> <p>While the site contains a rock face along Riverview Road, this is not expected to hinder future development. The rock face can either be retained or its impact minimised, given the wide road frontage along Riverview Road.</p> <p>Lot 102 is capable of providing future vehicle access from Riverview Road, consistent with existing properties along the street (refer to <b>Figures 5 and 6</b>). The subdivision is not expected to adversely impact local amenity, and future development on Lot 102 will be subject to further assessment to ensure a well-designed dwelling that complements the surrounding area while maintaining privacy and amenity for adjoining properties.</p> <p>The subdivision is not expected to</p>
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		<p>result in land fragmentation or isolation.</p> <p>Having regard to the above considerations, the proposed subdivision is consistent with the objectives of the clause and represents an appropriate and orderly subdivision of the land.</p>
4.4 Floor Space Ratio	The site is not subject to an FSR control.	N/A
5.10 Heritage Conservation	The site is not classified as a heritage item or as being within a heritage conservation area. The site is not within the vicinity of a heritage item or heritage conservation area.	N/A
5.21 Flood Planning	The site is not identified as flood affected	N/A
6.2 Earthworks	The proposal does not involve any earthworks.	N/A
6.11 Essential Services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the disposal and management of sewage,</li> <li>(d) stormwater drainage or on-site conservation,</li> </ul> <p>suitable vehicular access.</p>	<p><b>Complies</b></p> <p>Each lot is capable of being serviced.</p>



## 4.5 Canterbury-Bankstown Development Control Plan 2023

The Canterbury-Bankstown Development Control Plan 2023 (CBDP 2023) is the primary Development Control Plan that applies to the site and sets out the core controls for the site. An assessment against the relevant development controls applying to the site has been completed below.

Table 4. Canterbury-Bankstown Development Control Plan 2023

Control	Provision	Compliance
<b>Chapter 3.5 Subdivision</b>		
Section 2 Battle-Axe Lots	No battle-axe lot is proposed.	N/A
Section 3 Housing Estates	No housing estate is proposed.	N/A
<b>Chapter 5 Residential Accommodation</b>		
<b>5.2 Former Canterbury LGA</b>		
2.1 Minimum lot size and frontage	<p>The minimum primary street frontage width for dwelling houses is 15m.</p> <p>Lots must be generally rectangular.</p> <p>Internal and battle-axe blocks and lots with irregular dimensions or shallow depths must satisfy the objectives of the DCP.</p>	<p><b>Complies</b></p> <p>Lot 101 and Lot 102 have street frontage widths of 20.115m and 42.615m, respectively.</p> <p>Given that the parent lot is irregularly shaped, the newly created lots also exhibit an irregular configuration. The irregularity of the parent lot should not preclude the subdivision of land.</p> <p>Notwithstanding this, each lot maintains an adequate area to accommodate a dwelling while ensuring sufficient amenity for future occupants and adjoining properties. The proposed lot dimensions provide ample space for landscaped open areas, contributing to a well-balanced subdivision outcome.</p> <p>Having regard to the above, the irregular shape of the parent lot should not preclude its subdivision, particularly where the proposed lots maintain</p>

Table 4. Canterbury-Bankstown Development Control Plan 2023

Control	Provision	Compliance
		adequate size, functionality, and amenity consistent with planning objectives.
2.2 Site Coverage	<p>All development must comply with the numerical requirements:</p> <ul style="list-style-type: none"> <li>- Maximum area of building footprint: 330m<sup>2</sup></li> <li>- Maximum floor area of outbuildings: 45m<sup>2</sup></li> <li>- Maximum site coverage of all structures on a site: 50m<sup>2</sup></li> </ul>	<p><b>Complies</b></p> <p>The building footprint of the existing dwelling on Lot 101 will not exceed 330m<sup>2</sup>.</p>
2.3 Landscaping	<p>Deep soil permeable areas must be provided as follows:</p> <ul style="list-style-type: none"> <li>- Minimum deep soil area: 20%</li> </ul>	<p><b>Complies</b></p> <p>Lot 101 provides a minimum 20% deep soil area. While Lot 102 can provide compliant deep soil area subject to a future development application.</p>
2.4 Layout and orientation	<p>Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.</p> <p>Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.</p> <p>Site new development and private open space to avoid existing shadows cast from nearby buildings.</p>	<p><b>Complies</b></p> <p>The each lot has a north-south orientation ensuring that solar access is maximised to each lot, while overshadowing of adjacent dwellings will be minimised.</p>
2.5 Height	<p>Development for the purposes of dwelling houses must not exceed the following numerical requirements:</p> <p>A maximum two storey-built form.</p> <p>A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.</p> <p>A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m.</p>	<p><b>N/A</b></p> <p>Height of existing dwelling remains unchanged, while no dwelling is proposed on lot 101.</p>
2.6 Setbacks	<p>Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.</p> <p>Development must comply with the minimum front, side</p>	<p><b>Capable of compliance on merit</b></p> <p>The existing dwelling on Lot 101 will retain its current setback to Homer Street</p>

Table 4. Canterbury-Bankstown Development Control Plan 2023

Control	Provision	Compliance
	<p>and rear setbacks as detailed in the following:</p> <ul style="list-style-type: none"> <li>- Minimum setback of 6m or the average of the existing setback of the nearest dwelling house to either side of the site.</li> <li>- Minimum setback of minimum setback of 1m from side boundaries.</li> <li>- Minimum setback of 6m from the rear boundary.</li> </ul>	<p>while maintaining side setbacks to both the east and west.</p> <p>Due to the location of the proposed boundary, the rear setback of the existing dwelling will not fully comply with rear setback control. The splayed boundary results in a varying rear setback, with greater separation at the north-west corner of Lot 101. The existing rear porch will have a nil setback, while the rear elevation of the dwelling will be set back further at the north-east corner. The splayed boundary increases this setback substantially, allowing for a landscaped buffer along the rear boundary.</p> <p>As no dwelling is currently proposed on Lot 102, setback compliance will be assessed under a future development application in accordance with applicable controls.</p> <p>Having regard to the above, the proposed setbacks are considered reasonable and capable of being supported.</p>
2.10 Amenity	<p>Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.</p> <p>Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.</p> <p>Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.</p>	<p><b>Complies</b></p> <p>The newly created lots have a north-south orientation, while the existing dwelling is uphill from lot 102. No adverse impact on sunlight to either dwelling (existing or proposed) or adjacent dwellings are anticipated.</p>
2.11 Visual privacy	<p>Locate and orient new development to maximise visual</p>	<p><b>Complies</b></p> <p>The proposed lots will ensure</p>

Table 4. Canterbury-Bankstown Development Control Plan 2023

Control	Provision	Compliance
	<p>privacy between buildings, on and adjacent to the site.</p> <p>Minimise direct overlooking of rooms and private open space through the following:</p> <ul style="list-style-type: none"> <li>(a) Provide adequate building separation, and rear and side setbacks; and</li> <li>(b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.</li> </ul>	<p>privacy for private open spaces and internal living areas. Adequate building separation and landscaping will minimize overlooking between dwellings and maintain a high level of residential amenity.</p>

## 5 Site Suitability and Public Interest

### 5.1 Site Suitability

The proposed development is considered to be suitable for the site for the following reasons:

- The proposal is consistent with the objectives of the subject zone;
- The proposal will increase housing supply to the area by providing a well designed and located allotment;
- The proposal is largely consistent with the key planning controls applicable to the site;
- The proposal will not result in any adverse impacts on the environment; and
- The proposal does not result in any adverse amenity impacts to the surrounding properties.

### 5.2 Public Interest

The proposed development is considered to be within the public interest for the following reasons:

- The proposal is consistent with the zone objectives and controls within the LEP;
- The proposal is consistent with the DCP provisions;
- The proposal will not create any significant amenity impacts with regard to overshadowing, privacy and view loss;
- The proposal maintains appropriate deep soil landscaping on site; and
- The proposal will retain the amenity of the site.

## 6 Section 4.15 Compliance Summary

The table below provides an assessment of the matters referred to in S.4.15 (1) of the EP&A Act 1979.

Table 5. Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(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)(i)	The provision of:  Any environmental planning instrument, and	The development has been considered in line with the Canterbury-Bankstown <i>Local Environmental Plan 2023</i> and other relevant EPIs and has been shown to be consistent with the relevant provisions.
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not Applicable
(iii)	Any development control plan, and	The development has been considered against the provision of the <i>Canterbury-Bankstown Development Control Plan 2023</i> and is largely compliant with its controls.
(iiia)	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	Not Applicable
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Not Applicable
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	Not Applicable
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic	The proposed lots are well-designed and orientated, ensuring the impact on the natural environment is minimised. The proposal remains sympathetic to the predominant subdivision layout and pattern of the

Table 5. Section 4.15 Assessment Summary

Clause No.	Clause	Assessment
	impacts in the locality,	area.
(c)	The suitability of the site for the development,	The site is considered suitable for the development given its existing residential use, its zoning, and location.
(d)	Any submissions made in accordance with this Act or the regulations,	To be considered following exhibition.
(e)	The public interest.	The development is considered to be in the public interest and serves to be sympathetic to the existing character of the locality.

## 7 Conclusion

This SEE has been prepared on behalf of Landpro Developments to support a development application to the Canterbury-Bankstown Council for the proposed subdivision of land.

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (**the Act**).

The proposed subdivision will not have any significant environmental impacts, will not change the use or nature of the site, and will be sympathetic to the existing character of the locality.

The proposal will comply with the relevant CBDP 2023 controls applying to the site and are largely compliant with the relevant DCP controls.

A Planning and Environmental Assessment has been undertaken in Section 4 of this report, supported by additional consultant studies as per the requirements of Council. The environmental assessment found the associated impacts of the proposal are considered to be minimal and manageable. Hence, the outcomes of the proposal:

- Is a suitable development for the subject site;
- Responds to the predominant subdivision pattern and layout of the area;
- Is sympathetic to the existing character of the locality.
- Provides sufficient landscaping;
- Provides visual privacy;
- Generates no adverse overshadowing to adjoining properties; and
- Is in the public interest

Therefore, we request that Council recommend that the proposed development be granted development approval.