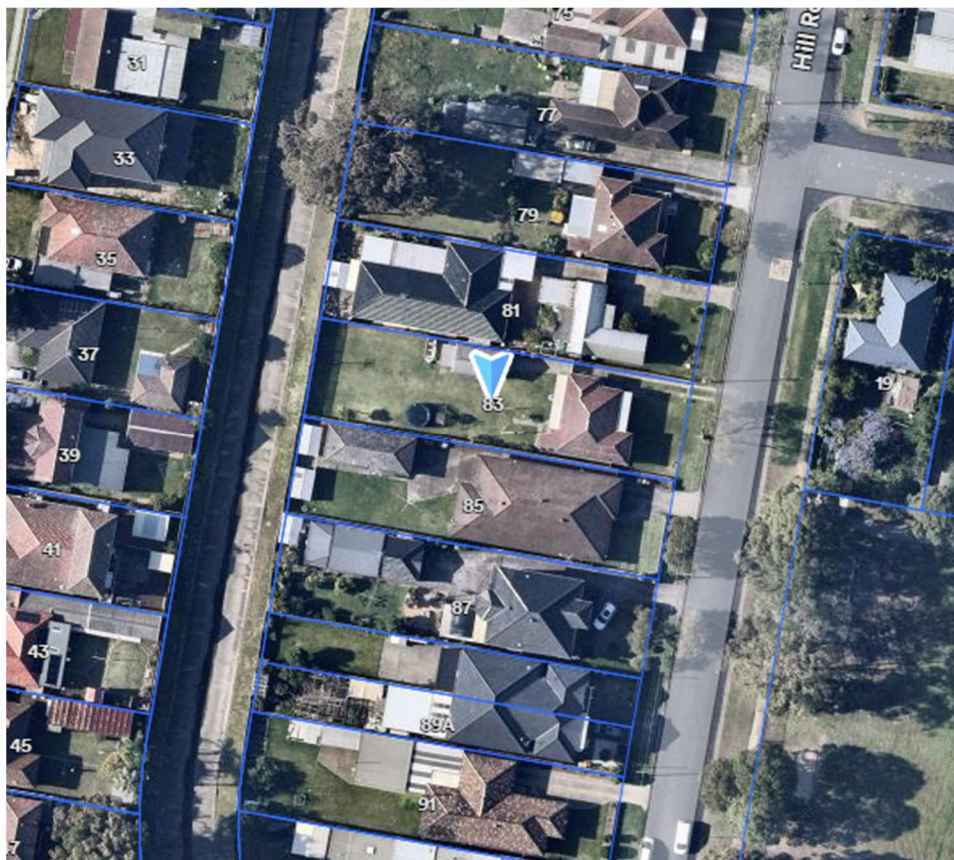


# STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:  
McDonald Jones Homes  
PO Box 2092  
DANGAR NSW 2309

Site Address:  
Lot 112 DP 26982  
83 Hill Road  
BIRRONG NSW 2143

Construction of a Two Storey Dwelling.

## INTRODUCTION

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This Statement of Environmental Effects is submitted to Canterbury-Bankstown Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a two storey dwelling containing four (4) bedrooms, upper childrens activities, guest, study, family and dining rooms, along with an attached garage and outdoor alfresco dining area.

The site is rectangular in shape, with a frontage to Hill Road, and a total land area of 882.8m<sup>2</sup>. The site currently contains a dwelling and ancillary structures to be demolished under separate application, with existing secondary dwelling to be retained.

The site has a gentle fall to the rear of the site, with drainage to be directed to an appropriate system as per the Drainage Details.

The neighbourhood generally consists of a mix of residential dwellings of one and two storey construction as anticipated within an established residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscape of Hill Road.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Canterbury-Bankstown Local Environmental Plan 2023
- Canterbury-Bankstown Development Control Plan

## 4.15 EVALUATION

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### (1) Matters for Consideration – general:

#### (a)(i) Relevant environmental planning instruments

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#### Applicable State Environmental Planning Policy's

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| <i>SEPP</i>                                                       | <i>Comment</i>                                                                                                                                                                                                                                                                                       | <i>Compliance</i> |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| State Environmental Planning Policy (Housing) 2021                | Not applicable.                                                                                                                                                                                                                                                                                      | N/A               |
| State Environmental Planning Policy (Sustainable Buildings) 2022  | Please refer to accompanying BASIX Certificate.                                                                                                                                                                                                                                                      | Complies          |
| State Environmental Planning Policy (Resilience and Hazards) 2021 | <i>Chapter 4</i><br>No known previous land uses have occurred on the site that would render the allotment susceptible to contamination. Site and surrounding sites have been used for residential purposes for a number of years (Nearmap Search of site shows dwelling house being used from 2009). | Complies          |

## Canterbury-Bankstown Local Environmental Plan 2023

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 Canterbury-Bankstown Local Environmental Plan 2023.

The proposed development is defined in the plan as a 'dwelling house', being 'a building containing only one dwelling'.

The identified zone permits the construction of a 'dwelling house' and 'secondary dwelling' subject to development consent from Council.

### Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are:

- *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 development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.*
- *To allow for the development of low density housing that has regard to local amenity.*
- *To require landscape as a key characteristic in the low density residential environment.*

The proposed development is for a low-density residential dwelling being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for adjoining residents whilst considering the natural restraints of the site.

The proposed dwellings are considered to meet the objectives of the R2 Zone.

### Clause 4.3 Height of Buildings

| <i>Requirement</i>                       | <i>Provision</i> | <i>Compliance</i> |
|------------------------------------------|------------------|-------------------|
| Building height – 9m<br>Wall height – 7m | 8.287m<br><7m    | Yes<br>Yes        |

### Clause 4.4 Floor Space Ratio

| <i>Requirement</i> | <i>Provision</i> | <i>Compliance</i> |
|--------------------|------------------|-------------------|
| 0.5:1              | 0.34:1           | Yes               |

#### Clause 4.6 Exceptions to development standards

The development does not contravene any development standards within the LEP.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance.

#### Clause 5.21 Flood planning

The subject site has been identified as being within a flood planning area as per the 10.7 Certificate. The proposed dwelling has a suitable floor level to ensure minimal damage in the event of a flood. The dwelling will not unreasonably impact upon flood functions and behaviours and will not increase affectation on other properties. The dwelling is of an intended scale and incorporates a raised floor level to reasonably minimise risk in the event of a flood.

#### Clause 6.1 Acid Sulfate Soils

The subject property is not identified as being affected by Acid Sulphate Soils.

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#### Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within CBLEP 2023.

#### (a)(ii) Relevant draft environmental planning instruments

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There are no draft EPIs that affect the subject site.

#### (a)(iii) Relevant development control plans

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#### Canterbury-Bankstown Development Control Plan 2023

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##### Chapter 3 – General Requirements

##### 3.2 – Parking

Dwelling houses are required to provide 2 spaces per dwelling. The garage will provide space for two parking spaces on the site.

## Chapter 4 - Heritage

### 8.4.3 – Heritage Conservation Areas

Subject site is not within any heritage conservation area, is not identified as a heritage item and is not within the vicinity of any heritage items.

## Chapter 5 – Residential Accommodation

### 5.1 Former Bankstown LGA

#### Section 2 – Dwelling Houses

| <i>Requirement</i>                                                                                                                                          | <i>Provision</i>                                                                                                    | <i>Compliance</i>     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------------|
| <u>Storey Limit</u><br>Max. 2 Storeys                                                                                                                       | Two storey dwelling proposed.                                                                                       | Yes                   |
| Fill not to exceed 600mm unless contained within perimeter of dwelling of dwelling to a max. 1m above NGL.                                                  | Fill contained within drop edge beam design.                                                                        | Yes                   |
| <u>Setback restrictions</u><br>Dwellings prohibited within 9m of an existing animal boarding facility.                                                      | N/A                                                                                                                 | N/A                   |
| <u>Street Setbacks</u><br>Primary frontage<br>Ground – 5.5m<br>First – 6.5m<br><br>Secondary frontages<br>Building wall – 3.0m<br>Garages – 5.5m            | 5.605m<br>6.5m<br><br>N/A                                                                                           | Yes<br>Yes<br><br>N/A |
| <u>Setbacks to side boundary</u><br>Wall height <7m – 0.9m<br>Wall height >7m – 1.5m<br><br>Basement levels must not project beyond the ground floor walls. | Min. 950mm proposed.<br>N/A<br><br>N/A                                                                              | Yes<br>N/A<br><br>N/A |
| <u>Private Open Space</u><br>Min. 80m <sup>2</sup> behind building line.<br><br>Min. dimension 5m                                                           | 80m <sup>2</sup> provided behind the building line, to the rear of the dwelling.<br><br>Min. 5m dimension provided. | Yes<br><br>Yes        |
| <u>Access to sunlight</u><br>Greater than 3hrs solar access to                                                                                              | North to side, with suitable solar access                                                                           | Yes                   |

|                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| living area of subject residence and neighbours 8am to 3pm / Mid-winter solstice.                                                                                                                           | to POS and living areas of the proposed dwelling throughout the day. Suitable solar access to the dwelling (and secondary dwelling) is provided given the orientation of the site. In this instance, an appropriate outcome is achieved.                                                                                                                                                                                                                                                |     |
| Greater than 3hrs solar access to 50% of POS on subject site and neighbouring allotments 9am to 5pm / Equinox                                                                                               | 3hrs available to 50% of POS areas of proposed dwelling. 3hrs solar access to the POS of the adjoining dwellings is capable of being provided throughout the day.                                                                                                                                                                                                                                                                                                                       | Yes |
| Overshadowing of existing solar panels should be avoided.                                                                                                                                                   | Proposed dwelling not anticipated to overshadow any existing solar panels.                                                                                                                                                                                                                                                                                                                                                                                                              | Yes |
| <u>Visual Privacy</u><br>Windows looking directly into living rooms or POS areas of neighbouring properties should be:<br>- Offset or,<br>- provided with a 1.5m high sill or,<br>- provided with screening | Windows are suitably setback, offset and orientated to ensure privacy is retained. Windows are appropriately setback and offset from living and POS areas and privacy will be a concern to both the subject and adjoining residents. Privacy is maintained from these windows given the location. Upper floor childrens activity room windows suitably orientated to overlook the front setback, with side windows suitably setback and provided towards the front to maintain privacy. | Yes |
| Upper floor side/rear balconies permitted where not accessed from living areas, <1.5m wide and provided with screening.                                                                                     | N/A – no balcony.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A |
| Roof top balconies are not permitted.                                                                                                                                                                       | N/A – No roof top balcony proposed as part of this development.                                                                                                                                                                                                                                                                                                                                                                                                                         | N/A |
| <u>Building Design</u><br>Max. roof pitch – 35°                                                                                                                                                             | 22.5° roof pitch proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Yes |
| Attic spaces to contain maximum of 2 rooms and a bathroom.                                                                                                                                                  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A |
| Dormers to be <2m wide, below                                                                                                                                                                               | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A |

|                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                           |                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <p>ridge line and not dominate the roof plane.</p> <p>Development in foreshore areas must use non-reflective materials that are compatible with the natural characteristics of the area.</p>                                                                                                                                                                                                                                             | N/A                                                                                                                                                                                                                                                                                       | N/A                                                    |
| <p><u>Building Design (Car Parking)</u></p> <p>Car parking to be located behind the building line.</p> <p>At least 1 covered parking space.</p> <p>Setback 6.0m from primary or secondary street frontages if providing only one space.</p> <p>Garages to be integrated and does not dominate the façade.</p> <p>Triple garages only permitted on two storey dwellings where it is architecturally integrated with the upper storey.</p> | <p>Parking setback 1m behind the building line.</p> <p>2 spaces in double garage provided.</p> <p>&gt;6m setback.</p> <p>Garage integrated within dwelling and appropriate articulation of front façade ensures garage is not a dominant feature.</p> <p>N/A – Single garage proposed</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> |
| <p><u>Landscaping</u></p> <p>Retain and protect significant trees where possible.</p> <p>Min. 45% landscaped area between dwelling and street frontage.</p> <p>At least 1 x 75L tree in front setback</p> <p>In foreshore protection areas, native trees with a mature height of 12m to be planted adjacent to water bodies.</p>                                                                                                         | <p>No tree removal required. Trees to be pruned.</p> <p>&gt;45% provided.</p> <p>Provided per landscape plan.</p> <p>N/A</p>                                                                                                                                                              | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>            |

\* \* \*

#### Conclusion with respect to DCP requirements

The proposal is considered to reasonably satisfy the objectives of the relevant design provisions relating to dwellings as contained within the Canterbury-Bankstown Development Control Plan 2023.

**(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.**

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The following matters are considered relevant when considering onsite impacts.

**Siting and Design**

The proposed two storey dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

**Sedimentation Control**

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

**Waste Minimisation**

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

**Noise and Vibration**

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

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

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The subject site is within an existing area designed for medium density housing. The site is within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The two storey dwelling can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The development is permissible with development consent under the provisions Canterbury-Bankstown LEP 2023, and generally satisfies the objectives of the relevant development control plans as discussed above.

#### (d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

#### (e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

### CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Canterbury-Bankstown Local Environmental Plan 2023 and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of a new two storey dwelling will complement and blend with the existing residential character of Birrong. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd  
January 2025