



STATEMENT OF ENVIRONMENTAL EFFECTS

Development address:

Lot A, DP 313783
45 SECOND AVENUE
CAMPSIE

Clients:

CHAUVO HOLDINGS PTY LTD

Council:

CANTEBURY BANKSTOWN COUNCIL

Date:

08th December 24

RKN Designs

PO Box 360
Kellyville 2155

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1. Introduction

This Statement of Environmental Effects relates to a Development Application seeking Council's consent to the construction of a new secondary dwelling at 45 Second Avenue Campsie.

This Statement:

- describes the site and its surrounding area,
- details the nature of the proposed development,
- undertakes an assessment of the proposal regarding compliance with relevant Canterbury - Bankstown council planning instruments, and
- undertakes an assessment of the proposal under all other heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The conclusion reached is that the proposal is acceptable with regard to all relevant planning issues.

2. Site Description

The site is situated at 45 Second Avenue Campsie and is zoned as R4. The site consist of single storey rendered dwelling, shed and some vegetation on site. The subject site is a rectangular block, bounded by a frontage to Second Avenue of 8.38 meters, and both side boundaries of 60.35 meters, and a East (rear) boundary of 8.38 meters comprising a total area of 505.9m² as per DP noted in the Survey plan. The site is almost flat with slight slope towards the Western side (to the front).



3. Proposal

The proposed development, as illustrated on the accompanying plans

- Construction of detached 60sqm secondary dwelling

The attached drawings outline the subject site, internal layout and elevations of the proposed development.

The dwelling will display a modern external appearance; composed of selected cladding wall, metal roof. Combined; these components will ensure the proposal is compatible with the residential dwelling in surrounding locality.

Earthworks associated with the installation of services and drainage infrastructure and establishment of the building foundation (concrete slab) is proposed, limited to within the building footprint.

4. Environmental Planning Instruments

RELEVANT CLAUSE	COMMENT
Clause 1.1– Name of Plan	This Plan is <u>CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023.</u>
Clause 1.3 – Land to which Plan applies	The subject site is land governed by the plan.
Clause 2.1– Land use zones The land use zones under this Precinct Plan are as follows— ZONE R4 HIGH DENSITY RESIDENTIAL	2. Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Home businesses; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Serviced apartments; Shop top housing
Clause 2.4 – Area of Outstanding Biodiversity Value	Not Applicable
Clause 2.5 – Heritage Conservation Not Applicable	The subject site is not listed as a heritage item or Located in the immediate vicinity of any heritage- listed items.

LEP MAP REQUIREMENT	CONTROLS	PROPOSAL
Land area		505.9m2.
Land Zoning		R4 High Density Residential.
FSR ratio	.9:1	Refer to DCP & SEPP 2008 &2021.
Height of Buildings	11.50m	Secondary dwelling 4.016m Max.
Heritage	Not affected	N/A
Flood Planning		As per Stormwater System Report, the site is not affected by council / Sydney water / private stormwater system components.
Acid Sulfate Soils	Affected- Class 5	The site has been identified to have Acid Sulphate Soils-class 5, however the proposal involves no heavy footing construction or serious excavations- and under the circumstances there is no issue or danger of exposing any contaminated soils.

Cantebury Bankstown Development Control Plan 2023.

	Control	Application
Site Area	A secondary dwelling is permissible on a site with a minimum lot size of 450m ² .	Site area = 505.9sqm
<u>Section 7- Secondary Dwellings:</u> Development controls	Where an application to Council is made for a secondary dwelling, the minimum frontage required for secondary dwellings will be considered on merit taking into consideration compliance with Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295). All applications for secondary dwellings will be assessed against Schedule 1 of the State Environmental Planning Policy (Housing) 2021.	The site area is 505.9 sqm which complies with the minimum requirement under the SEPP 2021, however the frontage requirement of 12.0m is not available- the actual available frontage is 8.38m and therefore the application's approval depends on Council's consideration on merit. Therefore, the design of the new secondary dwelling in this application is based on the requirements of the State Environmental Planning Policy (Housing) 2021:
Development impacted by stormwater systems	Applicants must apply to Council for a Stormwater System Report (SSR), prior to submitting an application, if the site is noted on Council's SSR register as affected by Council's stormwater drainage pipelines and/or affected by potential local stormwater flooding. The development must be designed to consider the recommendations of the SSR and satisfy the requirements of this DCP.	As per Stormwater system Report (SSR), the site is not affected by council / Sydney water / private stormwater system compnents. Attached is the concept stormwater drainage drawing
Off-Street Parking Schedule	Off-Street Parking Schedule Dwelling houses 2 car spaces. Secondary dwelling= the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.	The dwelling at present have in place more than 2 open parking space located at the side of the site which shall be preserved as an open parking space for the dwelling -as shown on the plans. The secondary dwelling as per adjoining column does not have a requirement for any off street parking spaces and under the circumstances none is provided.
2.28 Landscaping		The application is accompanied with a landscape plan as well a landscape calculation table which shows full compliance with the minimum area requirements as well full compliance with all the controls in the adjoining column.
2.11 Access to sunlight	At least one living area must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.	Rear living area open to eastern sunlight
2.14 Access to sunlight	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites	Single level dwelling
Visual privacy 2.15-2.17	Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council. Where development proposes a window that directly looks into the private open	Single level dwelling

	<p>space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p>	
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State Environmental Planning Policy (Housing) 2021:

Chapter 3 Diverse Housing- Part 1 Secondary dwellings.

Development for the purposes of a secondary dwelling includes the following—

- (a) the erection of, or alterations or additions to—
 - (i) a secondary dwelling, or
 - (ii) an ancillary structure within the meaning of Schedule 2,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

Residential zone means the following land use zones or an equivalent land use zone—

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,**
- (e) Zone R5 Large Lot Residential.

Application of Part

This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.

No subdivision

Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part

Division 2: Secondary dwellings permitted with consent:

Controls	Compliance
<p>Development may be carried out with consent</p> <p>(1) Development to which this Part applies may be carried out with consent.</p> <p>(2) Development consent must not be granted for development to which this Part applies unless—</p> <p>(a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and</p> <p>(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and</p> <p>(c) the total floor area of the secondary dwelling is—</p> <p>(i) no more than 60m², or</p> <p>(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.</p>	<p>The site contains at present an existing single storey principal dwelling with an maximum GFA area of 135.3m².The proposed new detached secondary dwelling shall have a maximum floor area of 60.0m² as per SEPP 2021 definition.</p>
<p>Non-discretionary development standards—the Act, s 4.15</p> <p>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</p> <p>(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—</p> <p>(a) for a detached secondary dwelling—a minimum site area of 450m²,</p>	<p>As mentioned above the site area is 505.9m² which complies with the controls in the adjoining column.</p>

Division 3 Complying development:

Controls	Compliance
<p>Development for purposes of secondary dwellings that is complying development</p> <p>(1) This Division applies to development for the purposes of a secondary dwelling that—</p> <p>(a) is on land in a residential zone other than Zone R5 Large Lot Residential, and</p> <p>(b) does not involve the erection of, or alterations or additions to, a basement, and</p> <p>(c) does not involve the erection of, or alterations or additions to, a roof terrace on the topmost roof of a building.</p> <p>(2) If development to which this Division applies relates to a secondary dwelling attached to or separate from the principal dwelling, the development is complying development if the development—</p> <p>(a) meets the general requirements for complying development set out in the Codes SEPP, clauses 1.17A and 1.18(1) and (2), and</p> <p>(b) is not on land referred to in the Codes SEPP, clause 1.19(1), and (c) is on a lot with an area of at least 450m², and</p> <p>(d) meets the development standards set out in Schedule 1.</p> <p>(3) If development to which this Division applies relates to a secondary dwelling located within the principal dwelling, the development is complying development if the development—</p> <p>(a) meets the relevant provisions of the Building Code of Australia, and</p> <p>(b) is not on land that is an environmentally sensitive area within the meaning of the Codes SEPP, and</p> <p>(c) is not on land that comprises, or on which there is, a heritage item or a draft heritage item within the meaning of the Codes SEPP, and</p> <p>(d) involves no external alterations to the principal dwelling other than the provision of an additional entrance, and</p> <p>(e) will not result in a dwelling on the land, other than the principal dwelling and the secondary dwelling, and</p> <p>(f) will not result in the floor area of the secondary dwelling being—</p> <p>(i) more than 60m², or</p> <p>(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—more than the greater floor area.</p>	<p>None of the controls in the adjoining column affect the proposal as the site is well over the 450m² area and the proposed secondary dwelling's area is just on the 60,0m².</p> <p>The land is situated within an allowable Zone R4 High Density Residential. Furthermore the existing building is not a heritage item and finally it is a detached new structure without impacting or altering the existing main dwelling.</p> <p>In any case the application is lodged as a Development Application due to the shortage of the minimum frontage width control and we are seeking Council's D.A approval on merit.</p>
<p>Development carried out for secondary dwellings and principal dwellings at same time.</p>	<p>The application is not seeking to carry any works to the main dwelling.</p>

<p>Development standards for flood control lots</p> <p>(1) Complying development under this Division must not be carried out on the following parts of a flood control lot, as certified by the council or a professional engineer who specialises in hydraulic engineering—</p> <p>(a) a flood storage area, (b) a floodway area,</p> <p>(c) a flow path,</p> <p>(d) a high hazard area, (e) a high risk area.</p> <p>(2) Complying development carried out under this Division on a flood control lot must comply with the following development standards—</p> <p>(a) if there is a minimum floor level adopted in a development control plan by the relevant council for the lot, the development must not cause a habitable room in the dwelling to have a floor level lower than the minimum floor level,</p> <p>(b) if a part of the principal dwelling or secondary dwelling or an ancillary structure is erected at or below the flood planning level, it must be constructed of flood compatible material,</p> <p>(c) the principal dwelling or secondary dwelling and ancillary structures, if any, must be able to withstand the forces exerted during a flood by water, debris and buoyancy up to—</p> <p>(i) the flood planning level, or</p> <p>(ii) if an on-site refuge is provided on the lot, the probable maximum flood level,</p> <p>(d) the development must not result in increased flooding elsewhere in the floodplain,</p> <p>(e) the lot must have pedestrian and vehicular access to a readily accessible refuge above the probable maximum flood level,</p> <p>(f) vehicular access to the dwelling must not be inundated by water to a level of more than 0.3m during a 1:100 ARI flood event,</p> <p>(g) the lot must not have any open car parking spaces or carports lower than the level of a 1:20 ARI flood event.</p> <p>(3) The requirements in subsection (2)(c) and (d) are satisfied if a flood and risk impact assessment prepared by a professional engineer specialising in hydraulic engineering or civil engineering states the requirements are satisfied.</p> <p>(4) Words used in this section have the same meanings as in the <i>Floodplain Development Manual</i>.</p>	<p>As per Stormwater System Report, the site is not affected by council / Sydney water / private stormwater system components.</p>
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5. Services

Searches have been made of all services. These have shown that services including water, sewer, power, gas, and telecommunications are all available on the site.

6. Other considerations under State Environmental Planning Policies which apply to this property.

Stormwater Management, has been considered by the applicant. And this is reflected in the plan of concept storm water included in the application.

The application includes a certificate complying with to State Environmental Planning Policy (BASIX) 2004.

Consideration has been given to the potential contamination of the site pursuant to State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards) as it applies to the site. The current use of the property for residential purposes makes it unlikely that the continued use of the property for residential purposes poses a risk.

Consideration has been given to State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP). There are no Biodiversity values noted on the planning maps for this site.

7. Considerations under clause 4.15 of Environmental Planning and Assessment Act, 1979

Planning Agreements

No planning agreements apply to this land.

Regulations

The Development Application has been made in accordance with the requirements contained in the Environmental Planning and Assessment Regulation 2000.

Likely Impacts

The development will have no adverse impact on the availability of services, vehicular access, use of common facilities, and open space in the area of Campsie.

Suitability of the site

The site is presently used for residential purposes. The proposed works do not change the existing land use being residential.

Impact on the Built Environment

The development will have minimal impact on the built environment. The proposal is consistent with normal developments found in residential localities in the Canterbury Bankstown City Council area.

Public Interest

The proposal is not considered to be in conflict with the Canterbury Bankstown City Council Planning Scheme and meets with the objectives of CBLEP 2023 for residential properties. Approval of the proposal would be in the public interest.

8. Submissions

It is expected surrounding neighbours will be notified in accordance with Council's Notification Policy. Should objections be received it is hoped Council will enable mediation to occur in order to resolve any issues.

9. Conclusion

The proposal seeks Council's consent to a Development Application seeking approval for the secondary dwelling.

The proposal complies with all Canterbury-Bankstown Local Environmental Plan 2023 controls and generally conforms to Canterbury-Bankstown Council Development Control Plan 2023 guidelines.

The proposal satisfies the relevant heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land. Accordingly, the application should be recommended for approval.

Yours Faithfully

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