



Development Application Statement of Environmental Effects

10 Hillcrest Street, Wiley Park



Submitted to: Canterbury Bankstown Council

On behalf of: FLDC Architects

Date: December 2024

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for on behalf of: **FLDC Architects (the Applicant)** in support of a Development Application (DA) to Canterbury Bankstown Council, prepared in accordance with Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2021.

The proposed development comprises of demolition of the detached secondary dwelling and subsequent construction of a new detached secondary dwelling and landscaping works.

1.1 Report Structure

This SEE is structure in the following manner:

- **Section 1** – Introduction;
- **Section 2** - Analysis of site and surrounding context;
- **Section 3** - Background to the project;
- **Section 4** - A description of the proposed development;
- **Section 5** - Assessment of the proposal's compliance with relevant planning instruments and policies;
- **Section 6** - Impact assessment and consideration of key planning issues as required by Section 4.15 of the EP&A Act; and
- **Section 7** – Conclusion.

1.2 Supporting Documentation

The technical and design documents that have been prepared to accompany this DA are identified in **Table 1** and are as follows;

Document:	Prepared by:	Dated:
Architectural Plans	FLDC Architects	November 2024
Survey Plan	Ensure Consulting Pty Ltd	November 2019
Stormwater Plans	Lomford Engineers	January 2022
Landscape Plans	FLDC Architects	November 2024

2. SITE ANALYSIS AND CONTEXT

2.1 The Subject Site

The subject site is located within the Local Government Area (LGA) of Canterbury Bankstown. **Figure 1** below provides a plan view identifying the location of the site within its defining context.



Figure 1: Site Plan (Base Map)

Source: Six Maps

Subject site 

2.2 Site Description

The site is legally described as Lot 8 in DP 10742 and is commonly known as 10 Hillcrest Street, Wiley Park. The subject site is located on the southern side of Hillcrest Street, in-between Ferguson Avenue and Renown Avenue. The site has a frontage to Hillcrest Street of 12.2m and respective eastern and western boundary lengths of 44.78m and 44.42m. The site yields a total land area of 543.9m². It has a gentle cross fall from the rear boundary towards the front boundary of up to approximately 500mm.

2.3 Existing Built Form and Landscaping

The site currently accommodates an existing detached single storey dwelling at the front of the allotment and a detached secondary dwelling structure within the rear yard. There is an existing driveway which runs adjacent to the eastern side boundary, providing vehicular access to the site. There is existing soft landscaping within the front setback area to Hillcrest Street. There is also additional soft landscaping in the area between the existing dwelling and existing detached structure within the rear yard.

2.4 Site Surrounds

The subject site is located within a residential area that is predominately characterised by a mixture of one and two storey detached dwellings, many of which are original housing stock. Pitched, tiled roof forms are quite common throughout, as is low front fencing along the street alignment to Hillcrest Street. Immediately adjoining the site to the east is No.8 Hillcrest Avenue which contains a single dwelling with detached structure at the rear of the site. Immediately adjoining to the west is an older single dwelling, also with a detached structure at the rear of the site. Adjoining the rear boundary is the side boundary of a townhouse development located at No.24-26 Renown Avenue. Opposite the site, on the northern side of Hillcrest Street are single dwellings alongside school grounds associated with Wiley Park Girls High School.

3. THE PROPOSAL

3.1 Background

DA-993/2020 for conversion of existing garage to a secondary dwelling was issued with deferred commencement consent by Council on 15 June 2021.

3.2 Description

The proposed development is for demolition of the existing secondary dwelling and subsequent construction of a new single storey secondary dwelling. The proposed secondary dwelling has an internal floor area of 59.65m² which incorporates a kitchen/dining/lounge, laundry, bathroom and two bedrooms. There are three (3) skylights proposed over the main internal living areas to maximise residential amenity.

A dedicated area of private open space in the form of a deck is proposed within the rear setback area. There is an additional deck at the front (northern end) of the secondary dwelling. New soft landscaping is proposed around the perimeter of the proposed secondary dwelling. The proposed secondary dwelling is single storey in scale, accommodating a pitched roof and a range of external materials including James Hardie Brushed Concrete Cladding, aluminium windows and a colourbond metal roof.

An extract of the proposed floor plan is reproduced below for reference:

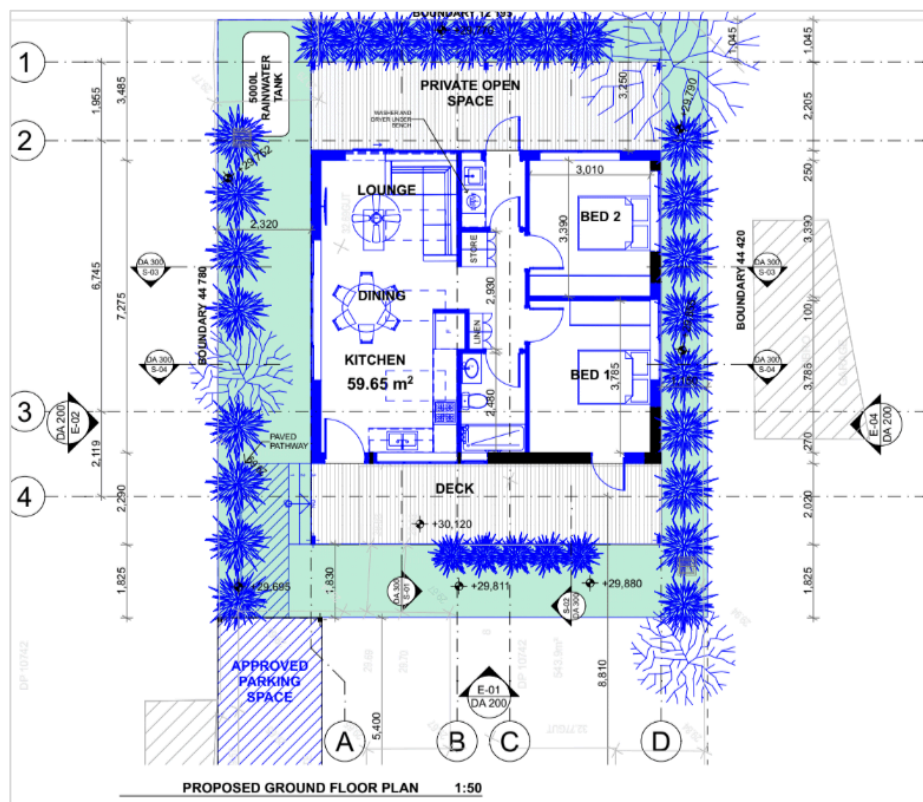


Figure 2: Proposed Ground Floor Plan

Source: FLDC Architects

4. NUMERICAL OVERVIEW

The key numerical aspects of the proposed development are outlined in **Table 2** and described in further detail in the following sections.

Parameter	Proposal
Site Area	543.9m ²
Total GFA	59.65m ²
Building Height (Maximum)	3.8m

Table 1: Numeric Overview of the proposed development

4.1 Building Design

The proposed secondary dwelling at the rear of the site has been designed to be a low impact structure. It does this by virtue of its relatively minor overall height (with a low-pitched roof), building setbacks from all allotment boundaries and internal area. Externally, the secondary dwelling presents a single, contemporary architecturally designed building.

4.1.1 Materials and Finishes

The proposed development incorporates a range of external materials and finishes which result in a secondary dwelling which has a contemporary architectural appearance. The selection of materials and finishes includes: colourbond roof, aluminium windows and James Hardie Brushed Concrete Cladding.

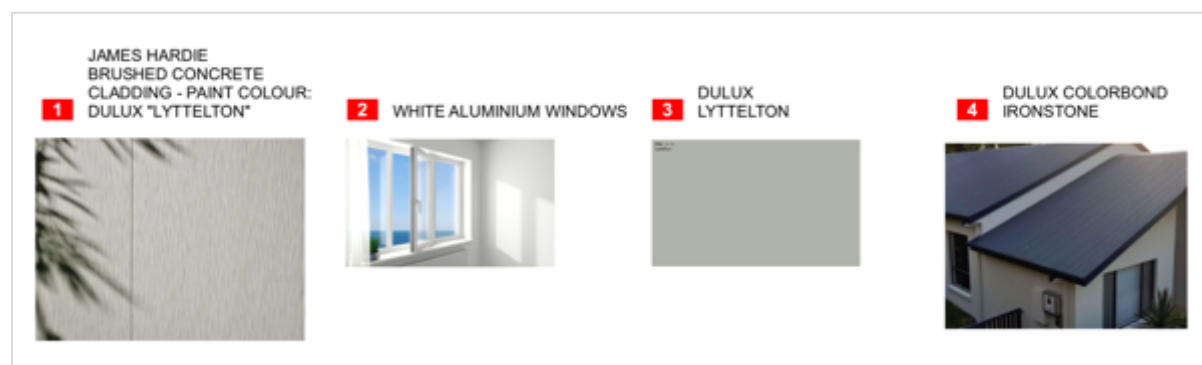


Figure 3: Proposed materials and finishes

Source: FLDC Architects

4.2 Vehicular Access and Parking

4.2.1 Vehicular Access/Parking

No changes are proposed to the existing/approved vehicular/access and car parking arrangements on site. The submitted plans identify the location of a car parking space on site that has been approved via a separate application.

4.3 Waste Management

A Waste Management Plan (WMP) has been prepared and is submitted with the Development Application. The WMP covers operational waste management details, describing the location and capacity of waste storage areas, waste volumes that are anticipated to be generated by the development, and reporting and management responsibilities.

5. STATUTORY PLANNING CONSIDERATIONS

5.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Canterbury Bankstown Local Environmental Plan 2023; and
- Canterbury Bankstown Development Control Plan 2023.

The relevant provisions and controls of the above Instruments and Plans are summarised in the following sections of this SEE.

5.2 Environmental Planning and Assessment Act 1979

5.2.1 Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) to promote the orderly and economic use and development of land,*
- d) to promote the delivery and maintenance of affordable housing,*
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g) to promote good design and amenity of the built environment*
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is considered to be consistent with the objects of the EP&A Act for the following reasons:

- It promotes the orderly and economic use and development of the land by proposing a residential built form that is consistent with the emerging character of the locality, noting that older building stock is gradually being replaced by new construction; and
- It promotes good design and amenity by providing for an appropriately designed built form that responds to the characteristics of the site and locality, whilst ensuring that the amenity of the built environment in the immediate vicinity remains uncompromised.

5.3 Environmental Planning and Assessment Regulations 2021

5.3.1 Section 69 – Compliance with the BCA

The proposed development has been designed in a manner whereby the requirements of the BCA are capable of being met.

5.4 State Environmental Planning Policies

5.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of this state policy applies to the whole of the State. The object of this chapter is to provide for a State-wide planning approach to the remediation of contaminated land. In accordance with the provisions of clause 4.6(1) of this state policy, Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and 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. Due to the existing and surrounding residential land uses, there is nothing to indicate that the site would be affected by soil contamination within the meaning of the contaminated land planning guidelines. As such, the subject site is considered suitable in its current state for continued residential use and the proposed residential development.

5.4.2 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the State Environmental Planning Policy (Sustainable Buildings) 2022, a BASIX Certificate has been provided. The proposed development satisfies the requirements of the Certificate in terms of water, thermal comfort and energy efficiency.

5.4.3 State Environmental Planning Policy (Housing) 2021

Chapter 3 – Diverse Housing : Part 1 – Secondary dwellings

Clause 50 – 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.

The proposed development is for a secondary dwelling. Development for the purposes of a dwelling house is permissible on the land under the CBLEP 2023.

Clause 51 – No subdivision

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

Subdivision is not proposed.

Clause 52 – Development may be carried out with consent

Development consent must not be granted for development to which this Part applies unless—

- (a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and
- (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
- (c) the total floor area of the secondary dwelling is—
 - (i) no more than 60m², or
 - (ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

The proposal is compliant with the above in that:

- There will be a principal dwelling and a secondary dwelling on the land only.
- The floor area is compliant with the applicable FSR development standard within CBLEP 2023.
- The floor area of the secondary is no more than 60m² (59.65m² proposed).

Clause 53 – Non discretionary development standards – the Act, s 4.15

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.

(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—

- (a) for a detached secondary dwelling—a minimum site area of 450m²,
- (b) 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 site area of the subject allotment is 543.9m², thus exceed 450m². The number of parking spaces provided on the site would not be altered as a result of the proposed development, accordingly, the car parking requirements set out in the DCP cannot be imposed by the consent authority.

5.4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

Chapter 2 of this state policy applies to the non-rural areas of the State inclusive of the subject local government area and aims to (a) *protect the biodiversity values of trees and other vegetation in non-rural areas of the State* and (b) *preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation*.

The proposed development does not seek consent for any tree removal.

5.5 Local Environmental Plans

5.5.1 Canterbury Bankstown Local Environmental Plan 2023

The Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023) applies to the subject site which is identified as being within Zone R3 – Medium Density Residential. The proposed development is best characterised as a **secondary dwelling** which is a permissible form of development with the consent of Council in the R3 zone.

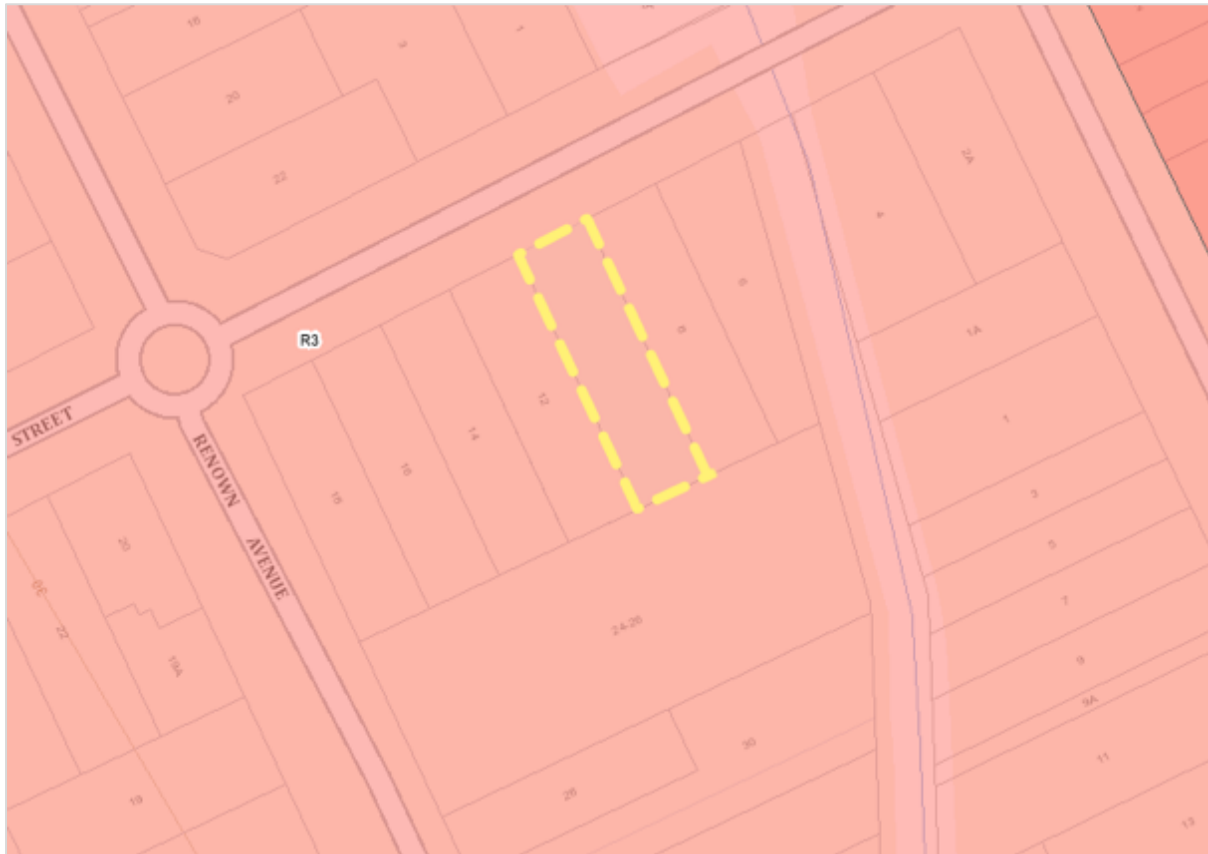


Figure 4: Zoning Map

Source: CBLEP 2023

Subject site 

The objectives of the R3 – Medium Density Residential Zone are as follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To allow for development that provides a suitable visual transition between high density residential areas and low density residential areas.
- To ensure suitable landscaping in the medium density residential environment.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.
- To promote a high standard of urban design and local amenity.

The proposed development is consistent with the objectives of R3 – Medium Density Residential Zone. A summary of our assessment of the proposed development against the LEP provisions is detailed below. Some clauses with the LEP have been deliberately omitted because they are not applicable to the proposed development.

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
Part 2 - Permitted or Prohibited development			
2.6	Subdivision – Consent Requirements	The proposal does not seek consent for any subdivision.	Yes
2.7	Demolition requires development consent	This application seeks consent for demolition of the existing ancillary secondary dwelling as identified on the Demolition Plan prepared by <i>FLDC Architects</i>	Yes
Part 4 – Principal Development Standards			
4.3	Height of Buildings The development is subject to the provisions of Clause 4.3, which as indicated on the associated “Height of Buildings” Map, limits the height of buildings to 8.5m.	The proposal will comprise of a maximum height of 3.8m complying with the standard.	Yes
4.4	Floor Space Ratio The development is subject to the provisions of Clause 4.4, which as indicated on the associated “Floor Space Ratio” Map, limits the FSR to 0.5:1.	The proposed gross floor area across the balance of the site would be well below the maximum allowable of 0.5:1 (271.95m ²).	Yes

Canterbury Bankstown Local Environmental Plan 2023

CL	Requirement	Proposed	Y/N
Part 5: Miscellaneous provisions			
5.4	<p>Controls relating to miscellaneous permissible uses</p> <p><i>Secondary dwellings on land other than land in a rural zone</i></p> <p>If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed which of the following is the greater –</p> <p>(a) 60 square metres</p> <p>(b) 10% of the total floor area of the principal dwelling</p>	<p>The proposed secondary dwelling has a total floor area of 59.65m² and is thus compliant.</p>	Yes
5.10	<p>Heritage Conservation</p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the</p>	<p>The building on the site is not identified as a heritage item, is not located in proximity to an item of relevance nor is it located in a heritage conservation area.</p>	N/A

Canterbury Bankstown Local Environmental Plan 2023

CL	Requirement	Proposed	Y/N
	proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.		
Part 6: Additional Local Provisions			
6.2	Earthworks This clause seeks to ensure earthworks would not have a detrimental impact on any environmental functions or existing built environments. It also prescribes that earthworks are required for most earthworks.	The proposal does not require any notable earthworks.	Yes
6.3	Stormwater management and water sensitive urban design (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains	The proposal is accompanied by a stormwater plan prepared by <i>Lomford Engineers</i> which we have been informed, has been designed in response to the controls prescribed across this standard.	Yes

Canterbury Bankstown Local Environmental Plan 2023

CL	Requirement	Proposed	Y/N
	<p>water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) includes riparian, stormwater and flooding measures, and</p> <p>(e) is designed to incorporate the following water sensitive urban design principles—</p> <p>(i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments,</p> <p>(ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes,</p> <p>(iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.</p>		

Canterbury Bankstown Local Environmental Plan 2023			
CL	Requirement	Proposed	Y/N
6.9	<p>Essential Services</p> <p>Development consent must not be granted to development unless the consent authority is satisfied that 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> <p>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access</p>	<p>These services are already available to the site. Where required, the existing services will be upgraded to cater for the proposed development.</p>	Yes

Table 2: Canterbury Bankstown Local Environmental Plan 2023 Compliance Table

5.6 The Provisions of any exhibited Draft Environmental Planning Instruments

There are no exhibited Draft Environmental Planning instruments of direct relevance to the proposed development.

5.7 Development Control Plans

5.7.1 Canterbury Bankstown Development Control Plan 2023

Council adopted the Canterbury-Bankstown Development Control Plan 2023 on 25 May 2021, and it came into effect on 23 June 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 development.

Chapter 2: Site Considerations

Item	Response
2.3 Tree Management	The proposal does not include any tree removal.

Chapter 3: General Requirements

Objective	Provisions	Response
Chapter 3.1 - DEVELOPMENT ENGINEERING REQUIREMENTS		
Section 3- Stormwater drainage systems		
<p>O1 To establish a high standard of stormwater drainage infrastructure within the site.</p> <p>O2 To ensure that the proposed and constructed stormwater drainage system do not adversely impact on Council's stormwater drainage system, the development itself and adjoining sites.</p>	<p><u>Development impacted by stormwater systems</u></p> <p>Applicants must apply to Council for a Stormwater System Report (SSR), prior to DA submission, 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.</p>	<p>Complies</p> <p>The proposed development is not impacted by any stormwater systems.</p>

<p>O3 To ensure that buildings are not affected by inundation from stormwater runoff resulting from the 100-year ARI storm event.</p>	<p><u>Disposal of stormwater runoff</u></p>	<p>Complies</p>
<p>O4 To ensure that any proposed stormwater drainage works are designed to minimise any nuisance caused by stormwater drainage flows from local catchment flooding or mainstream flooding from rivers.</p>	<p>Site stormwater drainage systems should be designed to flow under gravity, and be connected to Council's stormwater drainage system at the nearest suitable location or CDL benefiting the site. Site drainage design should follow the natural fall of the catchment to a pipeline connection point that has been designed for the runoff.</p>	<p>The proposal is accompanied by detailed stormwater drainage plans prepared by <i>Lomford Engineers</i>. We have been advised that these plans have been designed in consideration of the relevant prescribed requirements of this DCP.</p>
<p>O5 To manage stormwater runoff and prevent damage to buildings and property and reduce hazardous flows.</p>	<p><u>Drainage line easement widths</u></p>	<p>Not Applicable</p>
<p>O6 To avoid the location of stormwater drainage infrastructure within tree driplines and deep soil zones.</p>	<p>The creation of an easement to drain water must be agreed to, in writing, by the burdened property owners, prior to an operational DA Consent being issued by Council. Documents relative to the creation of an easement to drain water are to be lodged and registered with Land and Property Information (LPI) prior to issue of the Construction Certificate. All costs must be borne by the developer.</p>	
<p>O7 To give special consideration to development requiring the submission of BASIX Certificate where the use of rainwater storage tanks fitted into stormwater drainage systems may supplement the domestic water supply.</p>		

Chapter 3.2 – PARKING

Section 2- Off Street Parking Rates

<p>O1 To ensure development meets the car, bicycle and service vehicle parking demands generated by various land uses.</p> <p>O2 To minimise on-street car parking to ensure road safety and visual aesthetics.</p>	<p>Development must use the Off-Street Parking Schedule to calculate the amount of car parking spaces required. Secondary dwellings require 1 car parking spaces to be required.</p>	<p>Complies with SEPP</p> <p>The development does not provide any additional parking under this application . Clause 53(2)(b) of SEPP (Housing) 2021 is relied upon in this respect. This is addressed in Part 5.4.3 of this SEE.</p>
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Chapter 3.3 – WASTE MANAGEMENT

Section 3 – Residential Development

<p>O1 To maximise resource recovery and encourage source separation of waste, reuse and recycling by ensuring development provides adequate and appropriate bin storage and collection areas.</p> <p>O2 To ensure development incorporates well-designed and adaptable bin storage areas and collection facilities that are convenient and accessible to occupants.</p> <p>O3 To maximise residential amenity and minimise adverse environmental and health related impacts associated with waste management such as odour and noise from bin storage and collection areas.</p> <p>O4 To ensure bin storage and collection areas are designed to integrate with and meet the requirements</p>	<p>3.1 Council or its contractors are solely to provide the waste services to all residential development types as required under the Local Government Act 1993.</p> <p>3.2 Each dwelling is to have:</p> <p>(a) A waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials.</p> <p>(b) A suitable space in the kitchen for a caddy to collect food waste.</p> <p>3.3 Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins.</p> <p>3.4 The location of the bin storage area must not adversely impact on the streetscape, building design or amenity of dwellings.</p> <p>3.5 The location of the bin storage area should ensure this area:</p> <p>(a) is screened or cannot be viewed from the public domain; and</p>	<p>Complies</p> <p>The bin collection would coincide with the collection arrangements for the existing principal dwelling on the site.</p>
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<p>for Council's domestic waste services.</p> <p>O5 To ensure development facilitates all waste streams being handled, stored and collected in a manner to reduce risk to health and safety of all users including maintenance (such as caretakers), collection staff and contractors (and required vehicles and equipment).</p> <p>O6 To integrate bin storage and collection areas with the building form and landscape to avoid adverse visual impacts on the streetscape and neighbourhood.</p> <p>O7 To assist in achieving Federal and State Government waste minimisation and diversion targets as set by relevant legislation, regulations and strategies.</p>	<p><i>(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.</i></p> <p>3.6 The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/dwelling and must avoid stairs or slopes.</p> <p>3.7 Where possible, development may consider providing each dwelling with a suitable space for composting and worm farming, located within the backyard, private courtyard or open space. Composting facilities should locate on an unpaved area, with a minimum size of 1m² per dwelling.</p> <p>3.8 Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection.</p> <p>3.9 Development must comply with the requirements of the applicable Waste Design for New Developments Guide.</p> <p>3.11 Development that proposes individual bin storage areas is to have all allocated bins presented for kerbside collection.</p> <p>3.12 Where development proposes kerbside collection, the nominated collection point must be of sufficient size to accommodate all allocated bins within the site's frontage.</p>	
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CHAPTER 3.7 LANDSCAPE

Section 2 – Landscape Design

<p>O1 To integrate the landscape design with the overall design of the development.</p> <p>O2 To promote the retention and planting of large and medium size trees, and the healthy growth of trees in urban areas.</p> <p>O3 To provide deep soil zones to manage urban heat and water, and to allow for and support healthy plant and tree growth.</p> <p>O4 To contribute to the quality and amenity of communal open space, podiums and courtyards.</p>	<p>New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.</p> <p>The landscape design is to contribute to and take advantage of the site characteristics.</p> <p>Development must consider the retention of existing trees in the building design.</p>	<p>Complies</p> <p>No tree removal is sought. The application is supported by a Landscape Plan prepared by <i>FLDC Architects</i> which incorporates a new planting scheme for the site.</p>
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Chapter 5: Residential Accommodation

Section 7 – Secondary dwellings

<p>O1 To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.</p> <p>O2 To ensure there is adequate area for vehicle access and parking.</p>	<p>C1 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).</p>	<p>Complies</p> <p>The proposed development has been assessed against Canterbury City Council's Secondary Dwelling (Granny Flat) Policy. Refer to additional discussion of this below which demonstrates that the proposal achieves a high degree of consistency with these requirements.</p>
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<p>O3 To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.</p>	<p>C2 All applications for secondary dwellings will be assessed against Schedule 1 of the State Environmental Planning Policy (Housing) 2021.</p>	<p>Complies</p> <p>This assessment has been undertaken in earlier within this SEE and demonstrates that full compliance is achieved.</p>
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Table 3: Canterbury Bankstown Development Control Plan 2023 Compliance Table

Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295).

The above Policy has been considered against the proposed development as follows:

- *Lot requirements* – the subject site has an area of 543.9m². The frontage width is 12.2m and thus complies with the 12m guideline.
- *Maximum site coverage of all development* – the maximum site coverage control is 50%. The proposed extent of site coverage is considered to be acceptable given compliance with the Floor Space Ratio development standard and provision of appropriate areas of private open space.
- *Maximum floor area for principal and secondary dwelling* – these requirements are established under clause 5.4 of the CBLEP 2023 and SEPP (Housing) 2021.
- *Building Height* – no part of the building would exceed 8.5m in height.
- *Setbacks from side boundaries* – the proposed secondary dwelling is setback 1.15m from the western side boundary and 1.895m from the eastern side boundary, exceeding the 900mm guideline.
- *Setbacks from rear boundaries* – a compliant 3m rear setback is proposed. The height of the proposed secondary dwelling does not exceed 3.8m.
- *Privacy* – The proposed privacy outcomes are considered to be acceptable noting that the finished floor level of the secondary dwelling has been kept as close to existing ground level(s) as possible. All windows proposed incorporate setbacks from the allotment boundaries and contain elevated sill heights so as to restrict overlooking impacts to surrounding properties.
- *Landscaped area* – the proposed development is accompanied a new Landscape Plan which will result in an increase in landscaped area across the balance of the site.
- *Principal private open space* – sufficient, useable private open space is identified in the form of a deck at the rear of the proposed secondary dwelling. A secondary area of private open space is proposed at the front (northern) end of the structure also in the form of a deck.
- *Excavation of sloping sites* – the proposed development would not result in more than 1 metre of excavation below ground level (existing).
- *Run-off and erosion controls* – The plans incorporate an erosion and sediment control plan.
- *Drainage*- Stormwater plans have been provided as part of the DA submission.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

This section will consider the following: The Assessment of the Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15 of the EPA Act.

6.1 Assessment of Natural Environmental Impacts

This section will assess the topographic and scenic impacts as well as the water and air quality impacts of the proposed development.

6.1.1 Topography & Scenic Impacts

The proposal will be a positive contribution to the topographic and scenic qualities of the locality. The application is accompanied by a Landscape Plan which documents proposed new plantings which will positively contribute to the character of the setting.

6.1.2 Water & Air Quality Impacts

The proposed development is, in our opinion, unlikely to result in any adverse effects on the locality in terms of water and air quality. Stormwater and runoff will be managed, and the proposal is, in our opinion, acceptable.

6.2 Assessment of Built Environmental Impacts: Character and Context

This section will address the impact of the proposed development on the character and context of the area.

6.2.1 Impact on the Area's Character

The surrounding area is predominately characterised by one and two storey developments which display a mixture of traditional and contemporary architectural styles.

The proposal is for a new secondary dwelling that is reflective of the emerging character of the area. The development will also present a siting, scale and volume which is not inconsistent with the scale and pattern of development observed across the streetscape noting that there a number of surrounding properties that contain detached structures at the rear of the site.

6.3 Assessment of Built Environmental Impacts: Privacy and Amenity

6.3.1 Aural and Visual Privacy

The design and layout of the proposal will maintain aural and visual privacy for residents of neighbouring sites.

The proposed development has been sympathetically designed to ensure that privacy is provided to the future occupants of the proposed secondary dwelling and to adjoining properties. This has been achieved through the compliant built form, complaint setbacks, and the siting and orientation of the proposed private open outdoor space/s.

6.3.2 Solar Access

The proposed secondary dwelling is a single storey structure incorporating a 3m setback from the rear southern boundary, as well as setbacks from the side boundaries. As a result of this, it is unlikely to generate any significant overshadowing impacts for surrounding residential properties.

6.4 Assessment of the Site Suitability

This section will consider the proximity of the site to services and infrastructure; traffic, parking and access issues; and hazards.

6.4.1 Proximity to Services and Infrastructure

As the site is within an established area, electricity, telephone, water and sewerage are also readily available.

6.4.2 Traffic, Parking and Access

No changes are proposed to the existing traffic, parking and access arrangements.

6.4.3 Hazards

The site is not in an area recognised by Council as being subject to any form of hazard that would strictly preclude the ability for the proposed development to take place.

6.5 The Public Interest

This section will consider the social and economic effects of the proposal and the public interest.

6.5.1 Social and Economic Impact

The proposal will have social and economic benefits in the area with the construction of a well-designed secondary dwelling. This will contribute to meeting the demand for housing in the LGA.

6.5.2 The Public Interest

The proposal has been designed with consideration of the adjoining residents' amenity and the streetscape. It will provide a well-designed development which is a contextually appropriate scale and form for the area. The development has been designed with the intent of preserving neighbouring amenity while also providing an architecturally designed building with high internal amenity. The proposal is a quality development which serves the public interest.

7.0 CONCLUSION

The proposal is permissible in the R3 Medium Density Residential Zone under the LEP and is in our opinion, consistent with the relevant objectives of the Zone.

The subject development introduces open plan living area and generously proportioned areas of private open space, which will serve to enhance the internal and external amenity for the residents. A well-articulated built form, with varied setbacks, a range of materials and finishes and an appropriate degree of landscaping, all of which serve to enhance the developments streetscape presentation has been provided. Importantly, the proposal is compatible with the emerging character of development in the locality. The proposal also demonstrates the provision of a high level of internal amenity for future occupants alongside the preservation of neighbouring dwelling amenity.

Having regard to the above, it is considered that the development is an acceptable built form, scale and density and will have acceptable impacts on the amenity of neighbouring development and therefore, can be supported.

DISCLAIMER

This report incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of BMA Urban Pty Ltd opinion in this report. BMA Urban prepared this report on the instructions, and for the benefit only, **FLDC Architects (Instructing Party)** for the purpose of the Statement of Environmental Effects and **(Purpose)**. To the extent permitted by applicable law, BMA Urban expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to BMA Urban at the date of this report, and upon which BMA Urban relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which BMA Urban has no control.

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This report has been prepared with due care and diligence by BMA Urban and the statements and opinions given by BMA Urban in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.