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Chapel Rd, Bankstown



## **VARIATION: SECONDARY DWELLING LOT SIZE**

### **PROPOSAL:**

## **PROPOSED SECONDARY DWELLING**

**@ 1277 Canterbury Road, Punchbowl NSW 2196**  
***Lot 4 in DP 16529***

### **Clause justified:**

**Canterbury-Bankstown DCP**

Date: 11.03.2025

To Whom it May Concern,

**The purpose of this document is to justify the proposal of secondary dwelling having less than the required minimum allotment size.**

Under Canterbury-Bankstown LEP 2023, secondary dwellings are permitted with consent within the R2 zone. The proposed secondary dwelling will be assessed under both the Canterbury-Bankstown DCP 2023 and SEPP Housing 2021.

(Canterbury-Bankstown DCP 2023 / Canterbury City Council's Secondary Dwelling (Granny Flat) Policy )

Canterbury City Council  
Policy Register

Secondary Dwellings (Granny Flats)

53-349

## Part 2 Site requirements

### 2 Lot requirements

- (1) Development for the purposes of a secondary dwelling may only be carried out on a lot that:
  - (a) at the completion of the development will have only one principal dwelling and one secondary dwelling, and
  - (b) if it is not a battle-axe lot, has a boundary with a primary road, measured at the building line, of at least the following:
    - (i) 12 metres, if the lot has an area of at least 450 square metres but less than 900 square metres,
    - (ii) 15 metres, if the lot has an area of more than 900 square metres but less than 1500 square metres,
    - (iii) 18 metres, if the lot has an area of at least 1500 square metres, and
  - (c) if it is a battle-axe lot, has an access laneway of at least 3 metres in width and measuring at least 12 metres by 12 metres, excluding the access laneway.
- (2) A lot on which a new secondary dwelling is erected must have lawful access to a public road.

(SEPP Housing 2021)

**Part 2 Site requirements**

**2 Lot requirements**

(1) Development for the purposes of a secondary dwelling or an ancillary structure may only be carried out on a lot that—

(a) at the completion of the development will have only 1 principal dwelling and 1 secondary dwelling, and

(b) for a lot other than a battle-axe lot—has a boundary with a primary road, measured at the building line, of at least the following—

(i) if the lot has an area of at least 450m<sup>2</sup> but not more than 900m<sup>2</sup>—12m,

(ii) if the lot has an area of more than 900m<sup>2</sup> but not more than 1500m<sup>2</sup>—15m,

(iii) if the lot has an area of more than 1500m<sup>2</sup>—18m, and

The lot at 1277 Canterbury Road, Punchbowl NSW 2196 is 420.3 m<sup>2</sup> and minimum required allotment size for secondary dwelling should be 450 m<sup>2</sup>.

**We are out of SEPP compliance by 29.7 m<sup>2</sup>.**

We believe that this non-compliance will not have a negative impact on proposed development as well as neighboring lots due to the following reasons:

- Proposed development will be in keeping with the strategic aims of the Canterbury-Bankstown LEP and be sympathetic to the existing residential developments providing aesthetic continuity,
- We comply with all other DCP requirements, & minimum lot size for secondary dwellings under the DCP

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1. Construction of secondary dwelling will not reduce the minimum **landscape area** (20%) required for the main dwelling (achieved area  $148.7 \text{ m}^2 > 84.1 \text{ m}^2$ ),
2. **Floor space ratio** (achieved FSR (no Maximum)
3. It will not cause any negative impact in terms of solar access or visual privacy,
4. The appearance of a secondary dwelling is not to detract from the visual amenity of the development on the site and surrounding locality as the entrance from the rear lane,
5. The Proposed secondary dwelling did not reduce the minimum area required for **private open space** for the principal dwelling. (achieved P.O.S is  $80 \text{ m}^2$ ).

In relation to meeting the objectives of the DCP & LEP we believe that these non-compliances will not burden the neighbouring properties in any way.

#### Conclusion:

We request that Canterbury-Bankstown Council takes on our proposal for a variation to the DCP based on the below:

- Currently the proposal meets all other council requirements,
- Building heights have been met,
- All other controls have been met,
- We have designed significantly to accommodate for better and efficient design.

Considering these points, we request that Council looks favorably upon our proposal as it currently is. We have demonstrated a proactive approach to ensure all controls are met.

Regards,  
Nemco Design