



STATEMENT OF ENVIRONMENTAL EFFECTS

BUILDING APPROVAL SOLUTIONS - 2025

22B Bardwell Crescent, Earlwood NSW 2206 – Proposed swimming pool and outbuilding

Lot 2 in DP:1240583

Submitted to Canterbury-Bankstown Council

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1.0 INTRODUCTION

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to **Canterbury-Bankstown Council** as part of a Development Application (DA) for **proposed swimming pool and outbuilding**. This SEE describes the site, its environs and the proposed development, provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Within this report, references to “the site” mean the land to which this DA relates.

1.1 SUBJECT SITE

The site of the proposed works is at 22B Bardwell Crescent, Earlwood and can be legally identified as Lot 2 in DP: 1240583.

1.2 DESCRIPTION OF THE PROPOSED

The subject DA seeks development consent to carry out construction of an in-ground swimming pool and an outbuilding. The proposed developments are to be located behind the existing dwelling house contained on the site.

- The proposed swimming pool has a capacity of 11,500 litres with maximum depth of 1.44m.
- The proposed outbuilding which will improve the amenity of the residents for relaxation has an area of 23.12sqm.
- The outbuilding will be elevated due to the flood levels on the site. The finished floor level proposed for the outbuilding is 30.13m AHD.

Note: This Statement is to be read in conjunction with the submitted Plans set.

1.3 APPLICABLE STATUTORY & NON-STATUTORY PLANS/POLICIES

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Sustainable Buildings) 2022

1.0 INTRODUCTION

Canterbury- Bankstown Local Environmental Plan 2023

Canterbury- Bankstown Development Control Plan 2023

2.0 SITE ANALYSIS

2.0 Site Analysis

2.1 DESCRIPTION OF THE SUBJECT SITE

The subject site is commonly known as 22B Bardwell Crescent, Earlwood. (see FIGURE 1 below). The site is an irregularly shaped allotment and is located on the southern side of Bardwell Crescent, between Morgan Street(north) and Richard Avenue (east). The site area is approximately 448.1sqm by calculation with a frontage of 9.04m to Bardwell Crescent. The site has a steep fall of approximately 5.38m from front to rear. The site is currently occupied by a detached carport at the front of the site and 2 -storey dwelling of brick finish. There are several trees located at the mid-section and rear of the site.



FIGURE 1 (Source: Nearmap, Accessed 04.03.2025)

2.2 ADJOINING LAND USE & LOCALITY CHARACTER

The land is located within a R2 Low Density Residential. The immediate locality is characterised by low density residential developments of different architectural styles and finishes consistent with its zoning as may be seen in Figure 2 below.

2.0 SITE ANALYSIS



FIGURE 2 (Source: Nearmap, Accessed 04.03.2025)

2.3 ZONING

Zoning Map



FIGURE 3: (NSW Planning Portal Spatial Viewer. Accessed 04.03.2025)

2.0 SITE ANALYSIS

The subject site is zoned **R2 Low Density Residential**. The proposed works are permissible under this zoning and consistent with the objectives of the zone.

CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

Zone R2 Low Density Residential

Objectives of zone

- 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 uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To promote a high standard of urban design and local amenity.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

3.0 MATTERS FOR CONSIDERATION

3.0 Matters for Consideration

This chapter contains the assessment of the environmental effects of the proposed development as required under *Section 4.15 of the EP & A Act 1979*. In determining a development application, the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments, impacts to the built and natural environment, social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

These matters for consideration are further discussed in the ensuing sections.

3.1 RELEVANT STRATEGIC AND STATUTORY PLANS AND POLICIES

Summary of compliance

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) 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, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose."

In considering the above, there is no evidence of contamination on the site.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

This chapter of the SEPP concerns protection/removal of vegetation and gives effect to the local tree preservation provisions of Council's DCP.

The application seeks removal of low retention value trees from within the site. Overall, the proposal is considered acceptable having regard to this chapter of the SEPP.

3.0 MATTERS FOR CONSIDERATION

State Environmental Planning Policy (Sustainable Buildings) 2022

The proposal is defined as Basix development, as such a BASIX certificate is required which quantifies the embodied energy of the development. A BASIX certificate accompanies the development which demonstrates that the development would comply with thermal, water and energy requirements of the SEPP and provides an outline of proposed building materials.

Table 1.1 – Compliance with Canterbury-Bankstown Local Environmental Plan 2023

COMPLIANCE TABLE		
Requirements	Comment	Compliance
Part 2 Permitted or prohibited development		
2.1 Zone R2 Low Density Residential	<p><i>dwelling house</i> means a building containing only one dwelling.</p> <p>The subject swimming pool and outbuilding are to ancillary to the existing 2 storey dwelling house on the site.</p>	Yes
2.3 – Zone Objectives	The development meets the objectives of the zone.	Yes
Part 4 Principal development standards		
4.3 Height of buildings	The maximum height of building applicable to the site is 8.5m. The proposed outbuilding achieves a maximum height of 3.68m	Yes
4.4 (2B) Floor Space Ratio	<p>Area 2 - for a site area greater than 200sqm but less than 600sqm— 0.55:1.</p> <p>Maximum 246.5sqm</p> <p>222.7sqm proposed 0.497:1</p>	Yes
Part 5 Miscellaneous provisions		
5.21 Flood planning	The development site is identified as within the probable maximum flood (PMF). Accordingly, the	Yes

3.0 MATTERS FOR CONSIDERATION

	proposed outbuilding has been designed to minimise flood risk to life and property. The elevated piers proposed would permit the development to be compatible with flood function and avoid adverse and cumulative flood impacts.	
Part 6 Additional local provisions		
6.2 Earthworks	The proposed development comprises minor earthworks which are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes
6.3 Stormwater Management and Water Sensitive Urban Design	The proposed roof area of the outbuilding is to be connected to the existing stormwater system on the site. The development can be conditioned accordingly.	Yes

Canterbury-Bankstown Development Control Plan 2023

Table 1.2 – Compliance with Canterbury-Bankstown Development Control Plan 2023

COMPLIANCE TABLE		
Requirements	Comment	Compliance
Section 2 – Dwelling Houses & Outbuildings		
<i>2.2 Site coverage</i>		
For lots up to 449sqm	448.1sqm	Yes
Maximum area of building footprint – 300sqm	208.2sqm	Yes
Maximum floor area of all outbuildings – 30sqm	25.2sqm	Yes
Maximum site coverage of all structures on a site – 60%	46.46%	Yes
<i>2.3 Landscaping</i>		
Deep soil permeable areas must be minimum 20% of site area	31.5% (141.2sqm)	Yes
<i>2.14 Outbuildings and swimming pools</i>		
<i>Outbuildings</i>		

3.0 MATTERS FOR CONSIDERATION

Maximum No. of outbuildings on a site - 1	2 (proposed outbuilding and carport)	No
Conjunction with principal dwelling	Outbuilding is to be used as ancillary to dwelling	Yes
Maximum site cover of outbuilding is 45sqm for 300sqm to 600sqm site area.	72.2sqm proposed for new outbuilding	No
Landscaped area 20%	31.5% (141.2sqm)	Yes
Maximum No. of outbuilding storeys – 1 storey	1 storey proposed	Yes
Maximum height – 4.5m	3.68m	Yes
Location of outbuilding – behind front building line	Front of building line-acceptable given site context	Yes
Minimum side setbacks – 0.9m for walls with windows	No windows proposed for walls adjacent setbacks	Yes
Retention of significant trees	Low retention trees removed. No significant trees removed.	Yes
<u>Swimming Pools</u>		
Location of swimming pool – not to be located in front setback	Appropriately located given site context	Yes
Minimum side setback – 1m	1m setback provided	Yes

Maximum No. of outbuildings -1

The DCP limits maximum the number of outbuildings to 1 on the site. It is however noted that the subject development proposes 1 outbuilding to be used a rumpus room whilst 1x carport currently exists on the site. Whilst the proposal will result in a departure from the DCP limit of 1, the proposed outbuilding would enhance amenity for residents as it would be used in conjunction with the new swimming pool. Whereas, the carport remains a functional area of carparking with weather cover for residents. The site context also contributes to site limitations to comply with the control. A regularly shaped allotment would have otherwise facilitated 1 outbuilding on the site. The 2 outbuildings would not represent excess, rather, will facilitate improved amenity for residents. It is noted that despite the departure the development maintains a compliant landscaped area for rainwater infiltration. Accordingly, the departure from the control should be considered acceptable on merit.

Maximum site cover for all outbuildings

The total site coverage of outbuildings on the site is 72.2sqm which is inclusive of the existing carport and the proposed new outbuilding. This exceeds the DCP limit of 45sqm, representing a variation of 60.4%.

3.0 MATTERS FOR CONSIDERATION

Despite the departure, the proposed site cover is considered acceptable, given the site context. The unique site qualities limits opportunities to strictly comply with the control. It is noted that the development complies with the landscape area requirements, providing sufficient deep soil area for water infiltration. Accordingly, there are no adverse impacts as it pertains to the cumulative area of outbuildings for the site. It is considered that the development is justified and acceptable for the site.

3.2 CONTEXT AND SETTING

The proposed development is not envisaged to impart adverse impacts in this regard. It complements the existing and envisaged development patterns and imparts negligible effects on the locality character.

The proposed will act to enhance the socio-economic values of the locality whilst assisting the continued viability of the subject site by enabling responsible development thereof.

3.3 ACCESS TRAFFIC & UTILITIES

The subject site and works are not envisaged to impart any notable impacts on traffic conditions for the locality and will utilise existing access provisions. All required utilities are provided to the site and the proposed is again envisaged to impart negligible impacts or increased strain on these services.

3.4 ENVIRONMENTAL IMPACTS

Environmental constraints have been identified and mitigated on the subject site as discussed below, although there are no adverse effects are envisaged in this regard.

3.5 FLORA AND FAUNA IMPACTS

No significant ecological communities of species have been identified on the subject site and minimal disturbance to any existing flora or fauna is envisaged.

3.6 NATURAL & TECHNOLOGICAL HAZARDS

The subject is identified to be flood affected. The development has accordingly been designed to comply with flood levels on the site.

3.7 WASTE MANAGEMENT

All construction waste is to be appropriately removed from site as per the submitted waste management plan. Ongoing waste generated through occupation of the site is to be disposed of as per council's waste management regulations and services.

3.0 MATTERS FOR CONSIDERATION

3.8 SOCIAL & ECONOMIC IMPACTS

The proposed development will result in beneficial social and economic effects being imparted not only on the site but also on the surrounding locality.

3.9 ACOUSTIC IMPACTS

It is anticipated that nil to negligible adverse impacts will be incurred pertaining to noise levels at the site locality. The proposed development does not envisage any adverse acoustic impacts as a result of the proposal obtaining consent.

3.10 HERITAGE IMPACTS

Consideration to the sites historical and archeological aspects are non-applicable in this regard. The subject site has no such aspects associated with it as outlined in the Section 10.7 certificate produced by council and no indicatory features have been identified to warrant further consideration.

3.11 PUBLIC INTEREST

The scope of the proposed is arguably not significant enough to engage public interest considerations. With that said the proposed is envisaged to impart enhanced socio-economic amenity to the immediate locality. Support for the proposed is deemed to be in the public interest through the continuation of viable development in the area, allowing adaptation to the transforming fabric of development inherent to built-form frameworks.

4.0 CONCLUSION

4.0 Conclusion

The Statement of Environmental Effects is submitted to Canterbury -Bankstown Council in the belief that the works itemised below be approved.

- New in-ground swimming pool
- Outbuilding

The development is permissible under the zoning as specified in the relevant planning instruments and successfully achieves the desired objectives of thereof. At all stages the development appears compliant with the performance criteria specified. Specifically, the proposed has been assessed against the Canterbury -Bankstown Local Environmental Plan 2023 and Canterbury -Bankstown Development Control Plan 2023.

The proposed development, if approved, will form an exemplary figure in the area for holistic and thorough application of planning principles implemented through consideration and application of council's development controls. Support for such development is imperative in the continued viability of the areas existing landscape.