

# Statement of Environmental Effects

19 Bebe Avenue, Revesby

Supporting Development Application

## Content

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1.0	Site Analysis
2.0	Existing Uses
3.0	Arial View
4.0	Proposal
5.0	Statutory Considerations
5.1	Canterbury - Bankstown Local Environmental Plan 2012
5.2	Canterbury - Bankstown Development Control Plan 2023
5.3	State Environmental Planning Policy – BASIX 2004
6.0	Environmental Impacts
7.0	Suitability of the Site
8.0	Public Interest
9.0	Development Standard
10	Conclusion

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## 1.0 SITE ANALYSIS

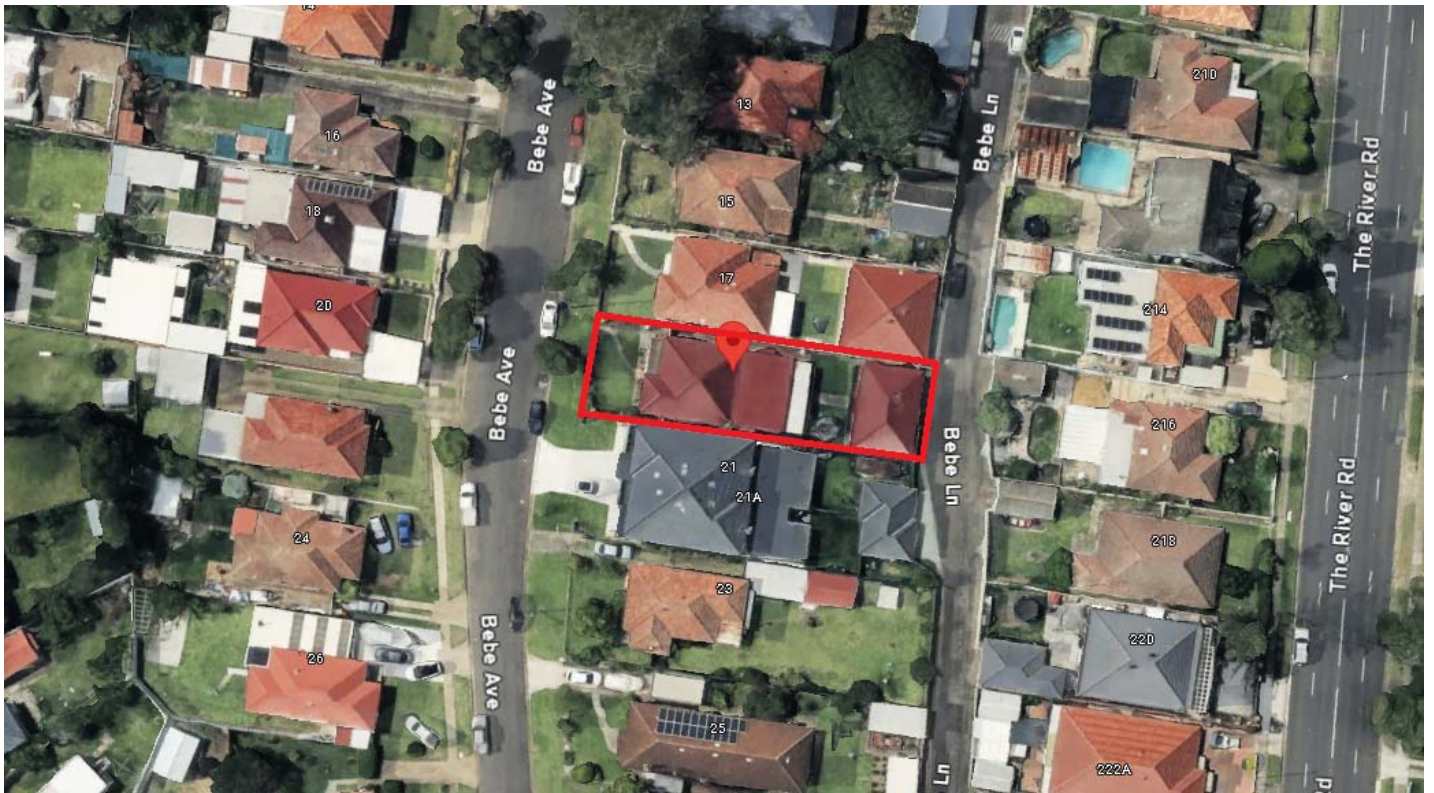
The site is a regular allotment located on the eastern side of Bebe Avenue, Revesby NSW. The site is rectangular in shape with a front width of 12.190m (approx.) measured from the building line and a total site area of 520.2m<sup>2</sup>.

Adjoining the site to the northern boundary, respectively, is No. 17 Bebe Avenue, which consists of a single storey residential dwelling of brick construction. Adjoining the site to the southern side is No.21 Bebe Avenue, which consists of a two storey dwelling of brick construction.

## 2.0 EXISTING USES

Existing on site is a single storey residential dwelling of brick construction with and detached garage and storage outbuilding. The subject site is characterized by a mix of residential type developments including single, two storey dwellings, secondary dwelling, and dual occupancy buildings.

## 3.0 ARIAL VIEW



## 4.0 PROPOSAL

The proposal seeks development consent for the change of use of the existing garage storage outbuilding to a secondary dwelling.

## 5.0 STATUTORY CONSIDERATIONS

Pursuant to Section 4.15 (1) Environmental Planning and assessment act 1979, the following provisions have been taken into consideration.

### 5.1 CANTERBURY - BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

Control	Requirement	Proposed	Complies
Zoning	Zoned – R2 Low Density Residential	Proposed “secondary dwelling” that is permissible with consent	Yes
4.3 Height of Buildings  (2B) Despite subclause (2), the following restrictions apply to development on land in Zone R2 Low Density Residential: (a) for a secondary dwelling that is separate from the principal dwelling—the maximum building height is 6 metres and the maximum wall height is 3 metres,	6m (max height)  3m (max wall height)	Proposed maximum heights are under 6m  Proposed max wall height is 3m	Yes  Yes
4.4 Floor Space Ratio	0.5:1	0.5:1	Yes
5.9AA Trees or vegetation not prescribed by development control plan	Preservation of Trees	No trees have been proposed to be removed.	Yes
5.10 Heritage Conservation		Not in a heritage conservation area	Yes
6.1 Acid Sulphate Soils		Not affected by acid sulphate soils	Yes
6.2 Earthworks	Objectives; minimise impact to drainage patters, adjoining properties, future redevelopment, impact on catchment.	Minimal excavation sought which is commensurate of that of a dwelling house and other low form residential densities.	Yes
6.3 Flood Planning		Not a flood affected lot	Yes

## 5.2 BANKSTOWN DEVELOPMENT CONTROL PLAN 2015

No.	Development standard	Proposed	Compliant
<b>Subdivision</b>			
3.1	The subdivision of secondary dwellings is prohibited	No subdivision proposed	Yes
<b>Site cover</b>			
3.2	Council must not consent to development for the purpose of secondary dwellings unless:		
	(a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under an environmental planning instrument; and	total FSR under 50% Primary Dwelling: 153.00sq.m Sec. Dwelling: 41sq.m Total: 194.m FSR 37.29%	Yes
	(b) the total floor area of the secondary dwelling is no more than 60m <sup>2</sup> or, if a greater floor area is permitted in respect of a secondary dwelling on the	secondary dwelling 41m <sup>2</sup>	Yes
<b>Storey limit (not including basements)</b>			
3.3	The storey limit for attached secondary dwellings is 2 storeys. In addition, attached secondary dwellings in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.	not applicable	n/a
3.4	The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3 metres.	External wall heights are under 3m.	Yes
3.5	The siting of secondary dwellings and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Building is of existing nature and keeping with the natural contours of the land.	Yes
3.6	Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where	No excavation is sought	Yes
<b>Setback restrictions</b>			
3.7	The erection of secondary dwellings is prohibited within 9 metres of an existing stable.	not applicable	Yes
<b>Setbacks to the primary and secondary road frontages</b>			
3.8	The minimum setback for a building wall to the primary road frontage is:		

	(a) 5.5 metres for the first storey (i.e. the ground floor); and	located to rear	Yes
	(b) 6.5 metres for the second storey	located to rear	Yes
3.9	The minimum setback to the secondary road frontage is:		
	(a) 3 metres for a building wall; and	not applicable	Yes
	(b) 5.5 metres for a garage or carport that is attached to the building wall.	not applicable	Yes
<b>Setbacks to the side and rear boundaries</b>			
3.10	For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side and rear boundaries of the allotment is 0.9 metre.	Existing	Yes
3.11	3.11 For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side and rear boundaries of the allotment is 1.5 metres.	not applicable	Yes
<b>Private open space</b>			
3.12	Secondary dwellings must not result in the principal dwelling on the allotment having less than the required landscaped area and private open space.	As the structures are of existing nature and no additions to the structures are proposed the development will maintain the current levels of private open space.	Yes
<b>Access to sunlight</b>			
3.14	At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	Structures are of existing nature and no additions to the structures are proposed the development will maintain the current levels of shadows and solar access to adjoining properties.	Yes
3.15	A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	Structures are of existing nature and no additions to the structures are proposed the development will maintain the current levels of shadows and solar access to adjoining properties.	Yes
<b>Visual privacy</b>			
3.16	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	no proposed windows are directly looking into adjoining properties	Yes
3.17	Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:	Windows are not overlooking any adjoining properties.	Yes

	(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;		
3.18	Council may allow attached secondary dwellings to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:	no balconies	Yes
3.19	3.19 Council does not allow secondary dwellings to have roof-top balconies and the like	no balconies	Yes
<b>Building design</b>			
3.20	The maximum roof pitch for attached secondary dwellings is 35 degrees	Existing 25 degrees	Yes
3.21	Council may allow attached secondary dwellings to have an attic provided the attic design:		
	(b) ensures the attic does not give the external appearance of a storey	No attic proposed	n/a
	(e) the two dwellings on a corner allotment each face a different frontage	Not applicable	Yes
3.22	The design of dormers must		
	(a) be compatible with the form and pitch of the roof; and	No dormers proposed	n/a
	(b) must not project above the ridgeline of the main roof; and		
	(c) must not exceed a width of 2 metres; and		
	(d) the number of dormers must not dominate the roof plane		
3.23	The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.	Existing 25 degrees	Yes
3.24	Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	not applicable	Yes
3.25	The change of use of outbuildings to secondary dwellings must comply with the Building Code of Australia.	Outbuilding to be examined by structure engineer and upgraded as per BCA where applicable.	To be conditioned.
<b>Building design (car parking)</b>			
3.26	Secondary dwellings must not result in the principal dwelling on the allotment having less than the required car parking spaces.	Existing attached brick garage and car spaces will be retained.	Yes
<b>Landscaping</b>			

3.27	Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the secondary dwelling.	No trees affected by the proposed change of use.	Yes
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### 5.3 STATE ENVIRONMENTAL PLANNING POLICY: BASIX – 2004

A valid BASIX accompanies the development proposal which identifies the requirements regarding; thermal comfort, rainwater tanks and energy efficiency. In this regard, the intent of the SEPP has been satisfied.

### 6.0 ENVIRONMENTAL IMPACTS

#### Natural Environment Impacts

The proposal is not considered to result in any unacceptable impacts to the natural environment given the nature of works proposed for the reasons contained within this report.

#### Built Environment Impacts

The proposed development is not considered to result in any unacceptable built environment impacts as the proposal forms a residential permissible use.

#### Economic Impacts

The proposal is not considered to result in any unacceptable economic impacts given the proposed residential purpose.

#### Social Impacts

The proposal is not considered to result in any unacceptable social impacts.

### 7.0 SUITABILITY OF THE SITE

The proposal is considered to be suitable for the subject site. The proposal is considered to be appropriate as the proposal adequately satisfies the objectives of the applicable planning controls.

### 8.0 PUBLIC INTEREST

The proposed development is considered to be in the public interest for the reasons contained within this report. As previously stated the proposal adequately satisfies the underlying planning objectives of the controls and do not result in any unreasonable material impact.

### 9.0 DEVELOPMENT STANDARDS

The proposal has been considered against Section 79C Evaluation Clause (3A) (a) (b) which states that;

“(3A) Development control plans - If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:



- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards-is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards-is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.”

In relation to the above, the proposal complies with the objectives of the controls and results in a reasonable residential development which forms part of the desired and future character of the zone.

## 10 CONCLUSION

The proposal is considered to be appropriate as the considerations against the statutory provisions have been met. The proposal satisfies the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, State Environmental Planning Policy – BASIX: 2004, Canterbury - Bankstown City Council Local Environmental Plan 2023 and Canterbury - Bankstown City Council Development Control Plan 2023.

In conclusion, the proposal consists of a change of use to a secondary dwelling which forms a permissible development use subject to development consent. The proposal complies with Council’s prescribed controls and it is considered that the objectives of the controls are met and that no unacceptable natural, built environment, economic or social impacts arise. In this regard, the proposal is considered to be worthy for approval for consideration by Canterbury - Bankstown City Council, as the Consent Authority.