

# STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:  
Clarendon Homes  
PO Box 7105  
BAULKHAM HILLS NSW 2153

Site Address:  
Lot 53 DP 26182  
44 McCrossin Avenue  
BIRRONG NSW 2143

Construction of a Two Storey Dwelling.

## INTRODUCTION

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This Statement of Environmental Effects is submitted to Canterbury-Bankstown Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a two storey dwelling containing four (4) bedrooms, upper leisure and IT, guest, home theatre, family and dining rooms, along with an attached garage and outdoor alfresco dining area.

The site is rectangular in shape, with a frontage to McCrossin Avenue, and a total land area of 580.6m<sup>2</sup>. The site currently contains a dwelling to be demolished under separate application.

The site has a gentle fall to the front of the site, with drainage to be directed to an appropriate system as per the Drainage Details.

The neighbourhood generally consists of a mix of residential dwellings of one and two storey construction as anticipated within an established residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscape of McCrossin Avenue.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Canterbury-Bankstown Local Environmental Plan 2023
- Canterbury-Bankstown Development Control Plan

## 4.15 EVALUATION

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### (1) Matters for Consideration – general:

#### (a)(i) Relevant environmental planning instruments

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#### Applicable State Environmental Planning Policy's

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<i>SEPP</i>	<i>Comment</i>	<i>Compliance</i>
State Environmental Planning Policy (Housing) 2021	Not applicable.	N/A
State Environmental Planning Policy (Sustainable Buildings) 2022	Please refer to accompanying BASIX Certificate.	Complies
State Environmental Planning Policy (Resilience and Hazards) 2021	<i>Chapter 4</i> No known previous land uses have occurred on the site that would render the allotment susceptible to contamination. Site and surrounding sites have been used for residential purposes for a number of years (Nearmap Search of site shows dwelling house being used from 2009).	Complies

## Canterbury-Bankstown Local Environmental Plan 2023

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 Canterbury-Bankstown Local Environmental Plan 2023.

The proposed development is defined in the plan as a '*dwelling house*', being '*a building containing only one dwelling*'.

The identified zone permits the construction of a '*dwelling house*' subject to development consent from Council.

### Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are:

- *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 development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.*
- *To allow for the development of low density housing that has regard to local amenity.*
- *To require landscape as a key characteristic in the low density residential environment.*

The proposed development is for a low-density residential dwelling being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for adjoining residents whilst considering the natural restraints of the site.

The proposed dwellings are considered to meet the objectives of the R2 Zone.

### Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
Building height – 9m Wall height – 7m	8.744m <7m	Yes Yes

### Clause 4.4 Floor Space Ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
0.5:1	0.499:1	Yes

#### Clause 4.6 Exceptions to development standards

The development does not contravene any development standards within the LEP.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance.

#### Clause 5.21 Flood planning

The subject site has been identified as being within a flood planning area as per the 10.7 Certificate. The proposed dwelling has a suitable floor level to ensure minimal damage in the event of a flood. The dwelling will not unreasonably impact upon flood functions and behaviours and will not increase affectation on other properties. The dwelling is of an intended scale and incorporates a raised floor level to reasonably minimise risk in the event of a flood.

#### Clause 6.1 Acid Sulfate Soils

The subject property is not identified as being affected by Acid Sulphate Soils.

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#### Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within CBLEP 2023.

#### (a)(ii) Relevant draft environmental planning instruments

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There are no draft EPIs that affect the subject site.

#### (a)(iii) Relevant development control plans

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#### Canterbury-Bankstown Development Control Plan 2023

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##### Chapter 3 – General Requirements

##### 3.2 – Parking

Dwelling houses are required to provide 2 spaces per dwelling. The garage will provide space for two parking spaces on the site.

## Chapter 4 - Heritage

### 8.4.3 – Heritage Conservation Areas

Subject site is not within any heritage conservation area, is not identified as a heritage item and is not within the vicinity of any heritage items.

## Chapter 5 – Residential Accommodation

### 5.1 Former Bankstown LGA

#### Section 2 – Dwelling Houses

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Storey Limit</u> Max. 2 Storeys	Two storey dwelling proposed.	Yes
Fill not to exceed 600mm unless contained within perimeter of dwelling of dwelling to a max. 1m above NGL.	Fill <600mm.	Yes
<u>Setback restrictions</u> Dwellings prohibited within 9m of an existing animal boarding facility.	N/A	N/A
<u>Street Setbacks</u> Primary frontage Ground – 5.5m First – 6.5m  Secondary frontages Building wall – 3.0m Garages – 5.5m	5.309m to porch 6.5m to first floor.  N/A	See Below Yes  N/A

\*Front Setback – The DCP requires the front setback of the ground floor to be 5.5m and the first floor of a dwelling to be setback a minimum 6.5m from the boundary, the proposed dwelling is setback a minimum 5.309m to the ground floor porch, requiring a variation within this instance.

The proposed dwelling does not present an excessive visual bulk to the street, with protruding elements and articulation being provided to ensure the dwelling is an attractive addition to the street. The high quality design of the dwelling, and articulation provided to the front façade will ensure the dwelling maintains the building form and design of the streetscape. Landscaping within the front yard will ensure the dwelling is softened from the street.

The dwelling will not appear out of character and will not dominate the streetscape. Despite the minor decreased front setback, the development is capable of meeting the objectives of the control through providing setbacks that complement the streetscape and protects

privacy and sunlight to adjacent dwellings, a dwelling that is sensitive to the landscape setting and established locality and to ensure the development is of a high visual quality. The proposed extension forward will not have any impacts upon the amenity of adjoining properties and will not have any impact upon privacy or overlooking. Safe vehicular access and egress is still capable of being provided, along with adequate on-site parking within the hardstand driveway. The minor variation will not be noticeable within the streetscape and will maintain an appropriate bulk and scale.

It is considered that the siting of the proposed dwelling will not have any detrimental impact upon the character of the surrounding streetscape. The proposed front setback to the dwellings is considered to be reasonable in this instance as the character of the streetscape will be maintained.

<u>Setbacks to side boundary</u> Wall height <7m – 0.9m Wall height >7m – 1.5m  Basement levels must not project beyond the ground floor walls.	Min. 950mm proposed. N/A  N/A	Yes N/A  N/A
<u>Private Open Space</u> Min. 80m <sup>2</sup> behind building line.  Min. dimension 5m	>80m <sup>2</sup> provided behind the building line, to the rear of the dwelling.  Min. 5m dimension provided.	Yes  Yes
<u>Access to sunlight</u> Greater than 3hrs solar access to living area of subject residence and neighbours 8am to 3pm / Mid-winter solstice.  Greater than 3hrs solar access to 50% of POS on subject site and neighbouring allotments 9am to 5pm / Equinox  Overshadowing of existing solar panels should be avoided.	North to side, with solar access to POS and living areas of the proposed dwelling throughout the day. Suitable solar access to the dwelling is provided given the orientation of the site. In this instance, an appropriate outcome is achieved.  3hrs available to 50% of POS areas of proposed dwelling. 3hrs solar access to the POS of the adjoining dwellings is capable of being provided throughout the day.  Proposed dwelling not anticipated to overshadow any existing solar panels.	Yes  Yes  Yes
<u>Visual Privacy</u> Windows looking directly into living rooms or POS areas of	Windows are suitably setback, offset and orientated to ensure privacy is	Yes

neighbouring properties should be: - Offset or, - provided with a 1.5m high sill or, - provided with screening	retained. Windows are appropriately setback and offset from living and POS areas and privacy will be a concern to both the subject and adjoining residents. Privacy is maintained from these windows given the location. Upper floor leisure room windows suitably orientated and offset towards front of dwelling, with large windows overlooking the front setback. Upper floor bedroom windows are provided with raised sill heights to maintain privacy.	
Upper floor side/rear balconies permitted where not accessed from living areas, <1.5m wide and provided with screening.	N/A – no balcony.	N/A
Roof top balconies are not permitted.	N/A – No roof top balcony proposed as part of this development.	N/A
<u>Building Design</u> Max. roof pitch – 35°	Roof pitch 22.5 degrees.	Yes
Attic spaces to contain maximum of 2 rooms and a bathroom.	N/A	N/A
Dormers to be <2m wide, below ridge line and not dominate the roof plane.	N/A	N/A
Development in foreshore areas must use non-reflective materials that area compatible with the natural characteristics of the area.	N/A	N/A
<u>Building Design (Car Parking)</u> Car parking to be located behind the building line.	Parking setback 1.07m behind the building line.	Yes
At least 1 covered parking space.	2 spaces in double garage provided.	Yes
Setback 6.0m from primary or secondary street frontages if providing only one space.	>6m setback.	Yes



Garages to be integrated and does not dominate the façade.	Garage integrated within dwelling and appropriate articulation of front façade ensures garage is not a dominant feature.	Yes
Triple garages only permitted on two storey dwellings where it is architecturally integrated with the upper storey.	N/A – double garage proposed	N/A
<u>Landscaping</u> Retain and protect significant trees where possible.	Some minor tree removal required, to be provided by owners under separate application.	Yes
Min. 45% landscaped area between dwelling and street frontage.	48.6% provided.	Yes
At least 1 x 75L tree in front setback	Provided per landscape plan.	Yes
In foreshore protection areas, native trees with a mature height of 12m to be planted adjacent to water bodies.	N/A	N/A

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#### Conclusion with respect to DCP requirements

The proposal is considered to reasonably satisfy the objectives of the relevant design provisions relating to dwellings as contained within the Canterbury-Bankstown Development Control Plan 2023.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts.

**Siting and Design**

The proposed two storey dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

**Sedimentation Control**

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

**Waste Minimisation**

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

**Noise and Vibration**

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

(c) The suitability of the site for the development

The subject site is within an existing area designed for medium density housing. The site is within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The two storey dwelling can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The development is permissible with development consent under the provisions Canterbury-Bankstown LEP 2023, and generally satisfies the objectives of the relevant development control plans as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Canterbury-Bankstown Local Environmental Plan 2023 and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of a new two storey dwelling will complement and blend with the existing residential character of Birrong. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd  
March 2025