

STATEMENT OF ENVIROMNETAL EFFECTS

**DEMOLITION OF EXISTING GARAGE & OUTBUILDING
AND CONSTRUCTION OF A SECONDARY DWELLING**

65 DEFOE STREET, WILEY PARK NSW 2195

MAY 2025

Prepared by

Click In Design



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1. Summary of Site

The subject site is located at 65 Defoe Street, Wiley Park NSW 2195 being Lot 27 in D.P. 17062, with an overall site area of 548.6m².

This application seeks approval for:

- Demolition of existing garage and outbuilding
- Construction of a 59.98m² secondary dwelling (granny flat)
- Associated construction of stormwater works.



Figure 1: Site Location (Source: SIX MAPS)

65 Defoe St, Wiley Park NSW
(Lot 27 in D.P. 17062)

The site of 65 Defoe St, Wiley Park, is in a rectangle shape located 0.52km north west to Wiley Park Railway Station with up to 10.866m frontage from the streetscape. The existing single storey dwelling with tiled roof stands in the middle of the site, facing towards west direction. There is a slight topography rise about approximately 0.03m from west to east boundary.



Figure 2: Street view of subject site from 65 Defoe St, Wiley Park

The adjacent buildings are more in the form of stand - alone single storey brick dwelling with pitched roof. The proposed development is located behind which will induce minimal impact to streetscape of Defoe Street.



67 Defoe St



63 Defoe St



1 Robinson St



60 Defoe St

2. The proposed development

The proposed secondary dwelling is located behind the primary dwelling at the rear yard. The secondary dwelling contains 1 living area, 1 dining area, 1 kitchen, 2 bedrooms, 1 laundry, 1 common bathroom.

There is an above ground rainwater tank proposed at appropriate location and hence, all stormwater collected from roof of secondary dwelling is collected to detention tank and then proposed to be connected to existing pipe and drained to public stormwater system via gravity.

The following table summarizes the feature of the site at the end of development:

| Feature | Proposed Development |
|--|--|
| Site Area | 548.6m ² |
| No. of Bedrooms: | 5 |
| Primary dwelling | 3 (existing, not part of this DA) |
| Secondary dwelling | 2 |
| No. of carport spaces | 2 (existing, not part of this DA) |
| Gross Floor Area | |
| -Existing primary dwelling | 114.20m ² |
| -Secondary dwelling | 52.06m ² |
| Total GFA | 166.26m ² |
| FSR | 0.5:1 |
| Site Coverage (Building Structures Only) | |
| Primary dwelling | 127.81m ² |
| Secondary dwelling | 59.98m ² |
| Total site coverage | 187.79m ² =34.2% (187.79/548.6) |
| Landscape Area | Total: 184.1m ² |
| Landscape Area Ratio | 33.6% (184.1/548.6) |

3. The Development Application

This application is subtitled with the architectural drawings and associated documentation, the details below illustrate details of actual submission.

| Drawings | Dwg No. | Revision | Date |
|-----------------------|---------|----------|------------|
| Site Analysis Plan | DA 0400 | 1 | 07/03/2025 |
| Sediment Control Plan | DA 0401 | 1 | 07/03/2025 |
| Landscape Plan | DA 0402 | 1 | 07/03/2025 |
| Sediment Control Plan | DA 0401 | 1 | 07/03/2025 |
| Shadow Diagrams | DA 0404 | 1 | 07/03/2025 |
| Floor Layout Plan | DA 1000 | 1 | 07/03/2025 |
| Window Schedule | DA 1010 | 1 | 07/03/2025 |
| Elevations | DA 2100 | 1 | 07/03/2025 |
| Sections | DA 3100 | 1 | 07/03/2025 |
| Notification Plan | DA 3101 | 1 | 07/03/2025 |

This statement shall be read with the following reports and other supplementary materials:

| <u>Documentation</u> | <u>Prepared By</u> |
|----------------------------|--------------------------------|
| Surveyor | Helensburgh Surveying Services |
| BASIX | Click In Design |
| Stormwater Management Plan | Exact Engineers |

The proposal has been assessed having regard to the relevant matters for consideration under Section 79C, the Environmental Planning & Assessment Act 1979 and the relevant State and environmental planning instruments below:

- SEPP 2022 (BASIX)
- SEPP 2021 Housing SEPP
- Canterbury-Bankstown Development Control Plan 2023 - 5.2 Former Canterbury LGA
- Canterbury-Bankstown Local Environmental Plan 2023

Overall, the development proposal is found to be in full compliance with all the relevant planning instrument and the Building Code or other regulatory requirements.

4. State Environmental Policies 2022 (BASIX)

A BASIX certificate measures have been taken on board to ensure the development minimized energy and water consumption.

5. Local Council Planning Instrument

5.1 Compliance to Canterbury-Bankstown Local Environmental Plan 2023

The subject land is located in R3 – Medium Density Residential zoned land. Under Part 2 Land Use Table, secondary dwelling is permitted with consent in R3 zoned area.

Clause 5.4 (9) allows secondary dwelling to be built with the greater of 60m² or 10% of the total floor area of primary dwelling. The proposed GFA of secondary dwelling is 59.98m² which complies plan controlling criteria.

Building Height

Max. building height allowed under LEP is 8.5m. Proposed secondary dwelling height is 4m which complies with LEP requirements.

5.2 Compliance with Canterbury-Bankstown Development Control Plan 2023

The following table provides a review of compliance in relation to the planning code described in 5.2 - Former Canterbury LGA – Section 7 Secondary Dwelling above.

| Clause | Control | Comments | Complies? |
|------------------|--|----------------------|-----------|
| C1 Min. Frontage | The min. 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). | Complies | Y |
| C2 | All applications for secondary dwellings will be assessed against Schedule 1 of the State Environmental Planning Policy (Housing) 2021. | Complies. See below. | Y |

5.3 Compliance to State Environmental Planning Policy (Housing) 2021

The following table provides a review of compliance in relation to the planning code described in SEPP 2021. Where non-compliance is discovered, justification is provided in section 5.4.

| Clause | Control | Comments | Complies? |
|--|--|---|----------------|
| 2 Lot requirements & Division 2 | only 1 principal dwelling and 1 secondary dwelling | Complies | Y |
| | Min. 12m frontage for a lot with an area of 450m ² – 900m ² | 10.866m | N ¹ |
| | For a detached secondary dwelling – min. site area 450m ² | The site area is 548.6m ² > 450m ² | Y |
| 3 Site Coverage | Lot area 450m ² - 900m ² with max. 50% site coverage | Proposed site coverage = 187.79m ² < 274.3m ² (548.6x50%) | Y |
| 4 Floor Area | Max. floor area of secondary dwelling 60m ² | Floor area 59.98m ² | Y |
| | Max. total floor area 380m ² for lot area 600m ² - 900m ² | Total floor area = 187.78 m ² < 380m ² | Y |
| 5 Setbacks & floor area for balconies & decks etc. | 12sqm max if the structure at any point is located within 6m of the side or rear & any point of its finished floor more than 2m of the NGL | NIL | Y |
| 6 Building Height | 8.5 m max from NGL | 4m from NGL | Y |
| 7 Setbacks from roads other than classified roads | The average distance of setback of the nearest 2 dwelling houses - 7.97m | Complies – 30.741m. | Y |
| 9 Setbacks from Side Boundary | 0.9 m if the lot has an area of more than 450m ² - 900m ² min to a building height of 3.8m and to any carport, garage, pergola etc. 0.9m and 1/4 of the additional building above 3.8 -(4-3.8) x 1/4 + 0.9m = 950mm | Complies - 950mm proposed. | Y |

| | | | |
|--------------------------------|---|--|------------|
| 10 Setbacks from Rear Boundary | - 3 m if the lot has an area of 450m ² - 900m ² min to a building height of 3.8m and to any carport, garage, pergola etc. - 3 m plus an amount that is equal to 3 times of the additional building height above 3.8m if the lot has an area of at least 450m ² -900m ² - (4-3.8) x3+3m=3600mm | Complies – 5020m proposed. | Y |
| 16 Landscape Area | 25% if the lot has an area of 600m ² - 900m ² 50% of landscape area to be located behind building line | Complies – 33% proposed. Complies – 65% proposed. | Y Y |
| 17 Private Open Space | 24m ² of P.O.S with more than 4m wide | Complies – refer drawing DA 0402 | Y |

5.4 Discussion

In part 5.3, where non-compliance is discovered, comments have been made to clarify/justify development intent. These are expanded in the following discussion.

1. Min. 12m frontage for a lot with an area of 450m² – 900m²

Discussion: Although the frontage of subject lot is 10.866m, the proposed secondary dwelling at the rear yard would not have any adverse impacts for the adjoining properties. The reason for that is the site area is 548.6 m², exceeding the minimum lot area in SEPP 2021. Additionally, the side boundary is very long, so the back area has sufficient space to build a secondary dwelling. Thus we wish to be considered on merit.

We believe the impact of those non-compliance to the environment and the adjoining properties is minimal and wish determination to be made with merit.

6. Flood Consideration

Based on the Stormwater System Report issued by the City of Canterbury Bankstown on 2 May 2025, the subject site may be affected by stormwater infrastructure managed by Council, Sydney Water, or private entities.

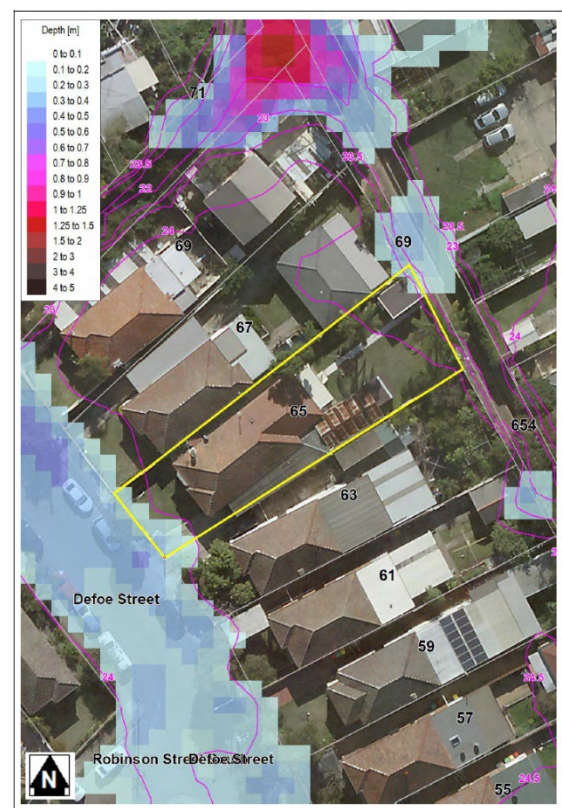
The site falls within the study area addressed by the Canterbury LGA Cooks River Catchment Overland Flow Study (Cardno, April 2016), which identifies the 1% Annual Exceedance Probability (AEP) flood level (equivalent to a 1-in-100-year flood event) in this catchment as ranging between 23.90 m AHD and 24.13 m AHD.

According to surveyed data, the ground levels of the subject property range from approximately 23.64 m AHD (minimum) to 24.23 m AHD (maximum). While this indicates that a portion of the site falls within or close to the modelled flood level range, a review of the associated flood mapping shows that only a small section of the site intersects with the designated flood-affected area (as shown below). Importantly, this affected portion is located well away from both the main residence and the proposed granny flat site.

As such, we believe that the development area is not within a flood-affected zone and is unlikely to be impacted by the modelled flood event.



1% AEP (100 year ARI) Flood Extent



1% AEP (100 year ARI) Flood Depth

7. Conclusion

The proposed development is consistent with the aims and objectives of the relevant planning instruments. We believe the proposed development applications is capable with the requirement of the Canterbury Development Control Plan 2023 and Canterbury-Bankstown Local Environmental Plan 2023 issued by Canterbury-Bankstown Council and will not create any adverse impact to the adjoining property.