

STATEMENT OF ENVIRONMENTAL EFFECTS

CANTERBURY-BANKSTOWN COUNCIL

MAY 2025

PROPOSED SECONDARY DWELLING WITH ATTACHED ALFRESCO

Prepared By:



BEYOND VISION DESIGN
CONNECTING SPACES WITH PEOPLE

In Respect Of:

Lot 259 | DP 12303

Also Known As:

145 Rose Street, Yagoona

1.0 INTRODUCTION

This document comprises a Statement of Environmental Effects to accompany a Development Application for the construction of a single storey secondary dwelling at 145 Rose Street, Yagoona.

This report aims to assess the potential impacts and environmental effects of the proposed development for the subject site under section 4.15 (formerly 79c) of the Environmental Planning and Assessment Act 1979.

The subject property is legally identified as; Lot 259 | D.P 12303

The subject site is located close to public transport links such as Yagoona Station as well as other infrastructure, which provides a good opportunity for redevelopment. This has been recognised through the current zoning of land in the general locality, which allows various forms of residential development including single dwelling housing.

2.0 SITE/LOCALITY DESCRIPTION

The subject land no. 145 Rose Street, Yagoona is located on the Southern side of the highway with the nearest cross street being Buist Street situated approximately 85m South of the subject site. The site is rectangular in shape, the subject site has an Western boundary frontage to Rose Street of 12.19m, Northern side boundary of 40.235m, Eastern side Boundary 40.235m, and an Eastern rear boundary of 12.19m. The subject site comprises a total site area of 490.5m² by calculation and 486.9m² by DP.



Figure 1 – Captured from <https://maps.six.nsw.gov.au/>

Subject Site No. 145; is currently occupied with a single storey rendered brick dwelling with tiled roof dwelling and associated structures / associated hard surface areas.



View of existing dwelling at subject site 145 Rose Street, Yagoona



View of adjoining neighbouring dwelling at 143 Rose Street, Yagoona (Single storey dwelling)



View of adjoining neighbouring dwelling at 147 Rose Street, Yagoona (Two storey dwelling)

3.0 THE PROPOSAL

The proposed secondary dwelling includes the following features:

- 2 Bedrooms
- Main Bathroom
- Kitchen
- Laundrette Cupboard
- Open-Plan Living and Dining Area

4.0 RELEVANT PLANNING CONTROLS

State Environmental Planning Policy (Housing) 2021

Consideration has been given to the provisions of the Housing SEPP 2021, specifically Division 2 – Secondary Dwellings Permitted with Consent. The proposed development complies with all relevant non-discretionary development standards under Clauses 52 and 53, as outlined below:

52 Development may be carried out with consent

The proposed secondary dwelling satisfies the requirements of Clause 52, as:

- Only two dwellings (the principal dwelling and the proposed secondary dwelling) are located on the land (Clause 52(2)(a)).
- The combined floor area of the principal and secondary dwellings does not exceed the maximum floor area permitted for a dwelling house on the land under the applicable LEP (Clause 52(2)(b)).
- The secondary dwelling has a floor area of no more than 60m², consistent with Clause 52(2)(c)(i).

53 Non-discretionary development standards—the Act, s 4.15

The proposal also complies with the non-discretionary development standards under Clause 53, which are designed to simplify the assessment process where certain conditions are met:

- The site has a minimum area of 450m², satisfying the requirement for detached secondary dwellings under Clause 53(2)(a).
- The number of parking spaces on site will remain unchanged, in accordance with Clause 53(2)(b). No additional parking is required or proposed, as the standard allows retention of the existing parking arrangement.

Canterbury Bankstown Local Environmental Plan

The Canterbury Bankstown Local Environmental Plan (LEP) 2023 replaces LEP 1979.

Consideration of Canterbury Bankstown Local Environmental Plan 2023 has been given to the proposed development. The proposed development is consistent with the objectives of R2 Residential zone and other relevant provisions of Canterbury Bankstown Local Environmental Plan 2023.

The subject site is zoned residential R2 under the Canterbury Bankstown Local Environmental Plan 2023. The proposed development is permissible with the consent of council provided that the proposal satisfies the objectives of the environmental planning instrument.

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.

Permitted without consent

Home occupations

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

4.3 Height of buildings

(1) The objectives of this clause are as follows—

- (a) to establish the height of development consistent with the character, amenity and landform of the area in which the development will be located,
- (b) to maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of 2 storeys in Zone R2,
- (c) to provide appropriate height transitions between development, particularly at zone boundaries,
- (d) to minimise overshadowing to existing buildings and open space,
- (e) to minimise the visual impact of development on heritage items and heritage conservation areas,
- (f) to support building design that contributes positively to the streetscape and visual amenity of an area.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

Planning Comment: The subject site is located within a zone where the maximum permissible building height is 9 metres, as stipulated under the applicable Local Environmental Plan (LEP). The proposed secondary dwelling has a maximum height of 4.5 metres, which is well below the prescribed height limit.

4.4 Floor space ratio

(1) The objectives of this clause are as follows—

1. (a) to establish the bulk and maximum density of development consistent with the character, amenity and capacity of the area in which the development will be located,
2. (b) to ensure the bulk of non-residential development in or adjoining a residential zone is compatible with the prevailing suburban character and amenity of the residential zone,
3. (c) to encourage lot consolidations in commercial centres to facilitate higher quality built form and urban design outcomes,
4. (d) to establish the maximum floor space available for development, taking into account the availability of infrastructure and the generation of vehicular and pedestrian traffic,
5. (e) to provide a suitable balance between landscaping and built form in residential areas
 - (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).
 - 2B) Despite subclause (2), the following maximum floor space ratios apply—
 - (a) for a building used for non-residential purposes—
 - (i) on land in Zone R2 in Area 1—0.4:1, and

- (ii) on land in Zone R2 or R3 in Area 2—0.5:1, and
 - (iii) on land in Zone R4 in Area 2—0.75:1,
- (b) for a building used for the purposes of dwelling houses or semi-attached dwellings on land in Area 2—
 - (i) for a site area less than 200m²—0.65:1, and
 - (ii) for a site area greater than 200m² but less than 600m²—0.55:1, and
 - (iii) for a site area of 600m² or more—0.5:1,
- (c) for a building used for the purposes of dual occupancies on land in Zone R2 in Area 2—0.5:1,
- (d) for a building on land identified as “Area 5” on the [Floor Space Ratio Map](#), where mid-block connections of at least 20m wide are not provided for public use—2:1.

Planning Comment - Under the provisions of the applicable Local Environmental Plan (LEP), the subject site has a prescribed maximum Floor Space Ratio (FSR) of 0.5:1.

The proposed development, inclusive of the existing primary dwelling and the new secondary dwelling, results in a total FSR of 0.43:1, which is below the maximum permissible limit.

Section 3 - Secondary Dwellings - Canterbury Bankstown Development Control Plan 2023 - Former Bankstown LGA

Lot size 3.1	A secondary dwelling is permissible on a site with a minimum lot size of 450m ² .	The subject allotment has a total site area of 490.5sqm by calculation and 486.9sqm by deposited plan.	Complies
Site cover 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 (b) the total floor area of the secondary dwelling is no more than 60m ² or, if a greater floor area is permitted in respect of a secondary dwelling on the land under an environmental planning instrument, that greater floor area.	The proposed secondary dwelling measures at a total maximum floor area of 60m ² - this is the maximum as identified under an environmental planning instrument.	Complies
Storey Limit 3.3 , 3.4 & 3.5	<p>The storey limit for attached secondary dwellings is two storeys.</p> <p>The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3m.</p> <p>The siting of secondary dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.</p>	<p>The secondary dwelling is limited to a single storey design.</p> <p>The secondary dwelling has a proposed maximum wall height limit of 3m.</p> <p>The siting of the secondary dwelling is sympathetic to the existing natural ground line and does not involve excessive platforming or terracing, excavation and or retaining walls</p>	Complies

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<p>Fill 3.6 & 3.7</p>	<p>Any reconstituted ground level on the site within the ground floor perimeter of secondary dwellings must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.</p> <p>Any reconstituted ground level on the site outside of the ground floor perimeter of secondary dwellings must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.</p>	<p>Fill is wholly contained within the secondary dwellings building footprint.</p>	<p>Complies</p>
<p>Setback restrictions 3.8</p>	<p>The erection of secondary dwellings is prohibited within 9m of an existing animal boarding or training establishment.</p>	<p>No existing animal boarding or training establishment. The closest facility is currently 28kms in distance away from the subject site.</p>	<p>Complies</p>
<p>Street setbacks 3.9</p> <p>3.10</p>	<p>The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey.</p> <p>The minimum setback to the secondary street frontage is: (a) 3m for a building wall; and (b) 5.5m for a garage or carport that is attached to the building wall.</p>	<p>The secondary dwelling has not been sited within the primary frontage not warranting assessment against this control.</p> <p>The subject allotment is not categorised as a corner allotment and does not warrant an assessment against this control.</p>	<p>Complies</p>
<p>Side setbacks 3.11</p> <p>3.12</p>	<p>For the portion of the building wall that has a wall height less than or equal to 7m, the minimum setback to the side and rear boundaries of the site is 0.9m.</p> <p>For the portion of the building wall that has a wall height greater than 7m, the minimum setback to the side and rear boundaries of the site is 1.5m.</p>	<p>The secondary dwelling has been designed to a maximum wall height of 3.0m and a rear/side setback of 0.9m.</p> <p>The secondary dwelling does not result in a wall height of over 3.0m.</p>	<p>Complies</p>

<p>Private open space 3.13</p>	<p>Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.</p> <p>Dwelling houses must provide a minimum 80m² of private open space behind the front building line. This may be in the form of a single area or a sum of areas provided the minimum width of each area is 5m throughout.</p>	<p>The secondary dwelling results in a cumulative private open space when calculated with the primary dwelling of 80m². This satisfies both section 2 & 3 of Canterbury Bankstown DCP 2023</p>	<p>Complies</p>
<p>Access to sunlight 3.14</p> <p>3.15</p> <p>3.16</p>	<p>At least one living area must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.</p> <p>At least one living area of a dwelling on an adjoining site must receive a minimum three 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.</p> <p>A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.</p>	<p>The secondary dwelling will achieve the minimum three hours of sunlight during the mid-winter solstice between the hours of 8.00am and 4.00pm more specifically through 12pm to 3pm.</p> <p>The secondary dwelling does not result in overshadowing neighbouring property to the southern side of the allotment.</p> <p>A minimum 50% of the private open space required for the dwelling house (40m²) and minimum 50% of the adjoining site will receive at least three hours of solar specifically during the hours of 12pm to 3pm.</p>	<p>Complies</p>

Visual privacy			Complies
<p>3.17</p> <p>3.18</p> <p>3.19</p> <p>3.20</p>	<p>Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <p>(a) offset the windows between dwellings to minimise overlooking; or</p> <p>(b)</p> <p>(c)</p> <p>(d) provide the window with a minimum sill height of 1.5m above floor level; or ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or use another form of screening to the satisfaction of Council.</p> <p>Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b)</p> <p>(c)</p> <p>(d) the window has a minimum sill height of 1.5m above floor level; or the window has translucent glazing to a minimum height of 1.5m above floor level; or the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p> <p>Council may allow dwelling houses 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: (a) (b) (c) does not have an external staircase; and does not exceed a width of 1.5m throughout; and incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building</p> <p>Council does not allow secondary dwellings to have roof-top balconies and the like.</p>	<p>The proposed secondary dwelling being a single storey development does not pose a breach to any aforementioned controls listed under visual privacy.</p>	<p>Complies</p>
<p>Building design</p> <p>3.21</p> <p>3.22</p>	<p>The maximum roof pitch for dwelling houses is 35 degrees.</p> <p>Council may allow attached secondary dwellings to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external</p>	<p>The secondary dwelling roof pitch has been designed to 15 degrees.</p> <p>The proposed secondary dwelling does not look to propose an attic space or anything alike, not warranting any further assessment against these controls.</p>	

<p>3.23</p> <p>3.24</p> <p>3.25</p> <p>3.26</p>	<p>appearance of a storey.</p> <p>The design of dormers must: (a) be compatible with the form and pitch of the roof; and (b) (c) (d) must not project above the ridgeline of the main roof; and must not exceed a width of 2m; and the number of dormers must not dominate the roof plane.</p> <p>The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.</p> <p>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).</p> <p>The change of use of outbuildings to secondary dwellings must comply with the National Construction Code.</p>	<p>The subject allotment is not located within a foreshore protection area warranting no further assessment against this control.</p> <p>The secondary dwelling is not the result of a change of use to an outbuilding warranting no further assessment against this control.</p>	
<p>Building design (car parking)</p> <p>3.27</p>	<p>Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces. .</p>	<p>Existing parking arrangements on the subject allotment is by way of a hardstand tandem parking area located on the northern boundary, the proposal looks to maintain existing parking arrangements as part of this application.</p>	<p>Complies</p>

Landscape 3.28	Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the secondary dwelling.	Existing site conditions provide minimal landscaping to the rear, the application looks to benefit from the existing arrangement in terms of retaining existing concrete areas. We seek councils merit assessment against landscaping which can make part of the conditions of consent.	Complies
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Views and vistas

The proposed development will not affect any significant views or vistas

Water management

Canterbury Bankstown council's goal is to develop the long-term improvement of waterway health, which enhances the ecological integrity of the system, whilst balancing the need to manage flooding, wastewater and stormwater. To achieve this goal the proposed development provides the following:

- ▯ A hydraulic detail plan, demonstrates that stormwater can be collected, stored and discharged to the street at an acceptable rate of flow, ensuring that there will be no adverse impact on council's stormwater system, the development itself or adjoining properties
- ▯ On site stormwater detention compensates for any additional runoff resulting from the development, the storage capacity of the detention system caters for the required storm event, which ensures that there will be no additional impact on natural watercourses
- ▯ Soft soil areas within the site also assist in reducing runoff from the site
- ▯ Erosion and sedimentation control measures will be implemented during construction

Landscaping and soft soil

Soft soil landscaping opportunities are available in the front and rear yards of proposed dwelling, which is consistent with council's principles for Landscaping. The amount of open space available and the selection of planting nominated on the Landscape plan will achieve the objectives outlined in the DCP as follows:

- ▯ Screening between adjoining properties
- ▯ Softening the visual impact of hard surface areas and car parking spaces
- ▯ Appropriate species selection for the climate
- ▯ Enhancement of the streetscape amenity

Private Open Space

The existing primary dwelling includes a private open space area of min. 5m x 5m directly accessible from living rooms.

Waste controls

A waste management plan accompanies this application. The plan adopts the principles of Avoid Reuse Recycle and Dispose to minimise landfill waste.

Safety and security

Design guidelines outlined in the crime prevention through environmental design (CPTED) were considered and incorporated as follows:

- ▯ Provision of clearly visible entry points
- ▯ Passive surveillance treatment has been provided through the provision of habitable room windows that face the street
- ▯ Suitable landscaping will produce a defensible open space at the front resulting in some interaction with the public domain beyond
- ▯ Fencing will be provided to prevent intruders from accessing the rear courtyard areas.

Vehicular Access Parking

The proposed dwellings provide off-street parking in the form of tandem hardstand parking spaces accessed from Rose Street.

Rose Street carries a large volume of traffic. The proposed vehicular driveway is clearly visible from the street and will not compromise pedestrian safety. There are sufficient sight distances available to view oncoming vehicles and pedestrians along the footpath.

5.0 CONCLUSION

The proposed secondary dwelling has been assessed in accordance with the provisions of Section 4.15 (formerly 79c) of the Environmental Planning & Assessment Act, 1979 and Council's planning instruments.

The proposed secondary dwelling has been carefully designed to comply with all relevant planning controls, including the Local Environmental Plan (LEP), Development Control Plan (DCP), and the Housing SEPP 2021.

The proposal is modest in scale, respectful of neighbourhood character, and will have no significant adverse environmental or amenity impacts. On this basis, the secondary dwelling is considered to be compliant with all applicable planning provisions and is suitable for approval.