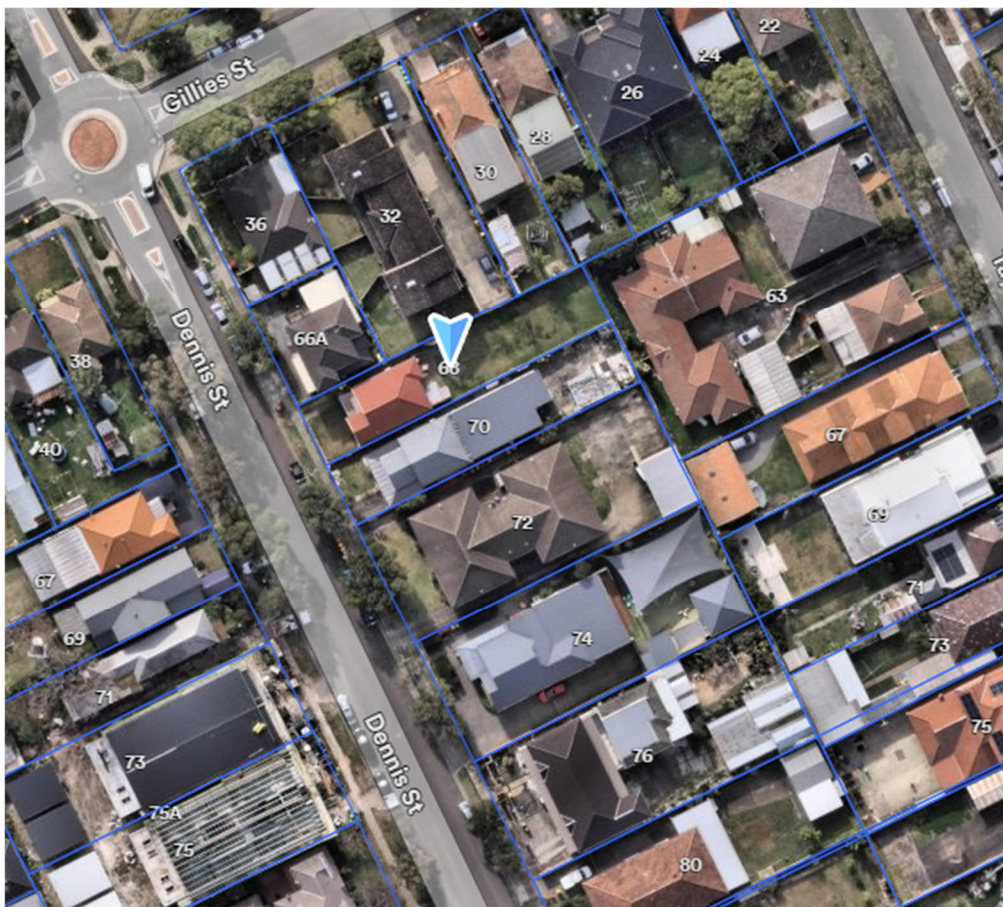


STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:
McDonald Jones Homes
PO Box 7994
BAULKHAM HILLS NSW 2153

Site Address:
Lot 1 DP 960514
68 Dennis Street
LAKEMBA NSW 2195

Construction of a Two Storey Dwelling and Detached Secondary dwelling.

INTRODUCTION

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) bedroom and detached secondary dwelling.

The site is rectangular in shape, with a frontage to Dennis Street, and a total land area of 488.4m². The site currently contains a dwelling to be demolished under a separate application. No tree removal is required, with landscaping capable of being provided post construction to maintain suitable landscaped area.

The site is relatively level, 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 Dennis Street.

ENVIRONMENTAL EFFECTS

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 2023

4.15 EVALUATION

(1) Matters for Consideration – general:

(a)(i) Relevant environmental planning instruments

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 R3 Medium 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'* and *'secondary dwelling'* being *'a self-contained dwelling that—*

- (a) is established in conjunction with another dwelling (the principal dwelling), and*
- (b) is on the same lot of land as the principal dwelling, and*
- (c) is located within, or is attached to, or is separate from, the principal 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 R3 Zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium 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 allow for development that provides a suitable visual transition between high density residential areas and low density residential areas.*
- *To ensure suitable landscaping in the medium density residential environment.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*

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

restraints of the site. The proposed dwelling will not interrupt any non-residential compatible uses.

The proposed dwellings are considered to meet the objectives of the R3 Zone.

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
Building height – 9m	7.55m	Yes
Wall height – 7m	Max. Approx. 6m	Yes

Clause 4.4 Floor Space Ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
0.5:1	0.385:1	Yes

Clause 4.6 Exceptions to development standards

The proposed dwelling does not contravene the development standards.

Clause 5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,*
- (b) 10% of the total floor area of the principal dwelling.*

The proposed secondary dwelling has a total floor area of 59.7m² complying with the above.

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.

* * *

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 BLEP 2015.

(a)(ii) Relevant draft environmental planning instruments

There are no draft EPIs that affect the subject site.

(a)(iii) Relevant development control plans

Canterbury-Bankstown Development Control Plan 2023

Chapter 2 – Site Considerations

2.2 Flood Risk Management

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.

Chapter 3 – General Requirements

3.2 – Parking

Dwelling houses are required to provide 2 spaces per dwelling. The proposed dwelling provides a single space within the garage and one within the hardstand driveway.

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

5.2 Former Canterbury LGA

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>2.1 Min Lot Size and Frontage</u> Min. width – 15m Rectangular in shape	Existing allotment.	Yes

<u>2.2 Site Coverage</u> Floor area: Sites <450m ² - 300m ² <i>Sites 450-599m² - 330m²</i> Sites 600-899m ² - 380m ² Sites >900m ² - 430m ² Site Coverage: Sites <450m ² - 60% <i>Sites 450-599m² - 50%</i> Sites 600-899m ² - 40% Sites >900m ² - 40%	295.82m ² 38.87%	Yes Yes
<u>2.4 Landscaping</u> Deep soils area: Sites <450m ² - 15% <i>Sites 450-599m² - 20%</i> Sites >600m ² - 25% Min. dimension – 2.5m At least half located within rear setback	>20% Min. 2.5m Appropriate allocation of deep soil areas provided within rear setback area.	Yes Yes Yes
<u>2.4 Layout and Orientation</u> Orientate new development to maximise solar access and natural lighting. Site dwelling to avoid casting shadows onto neighbouring dwellings POS, living areas and solar cells. Provide natural ventilation. Site POS to avoid existing shadows cast by nearby developments.	North to rear corner, appropriate solar access and natural lighting provided given the orientation of the site. Shadows cast as a result of the development considered to be at levels anticipated for the area, particularly given the orientation of the sites. Shadows cast will move throughout the day and will provide suitable solar access to POS. Any northern facing windows are unlikely to be detrimentally impacted. Provided. Suitable location of POS area.	Yes Yes Yes
<u>2.5 Height</u> Max. 2 Storeys Max. Wall height – 7m where	Two storey dwelling. <7m at highest point.	Yes Yes

LEP indicates 8.5m height		
Max. Wall height – 8m where LEP indicates 9.5m height.	N/A	N/A
Max. FGL 1m	<1m	Yes
Retaining walls Max. 3m on steep sites Max. 1m all other sites	N/A – no retaining walls proposed.	N/A
Cut and Fill Max 1m cut Max. 0.6m fill	<1m cut <0.6m fill proposed within drop edge beam design. Suitable floor level for flood requirements.	Yes Yes
Engineers details required where cut / fill >1m.	Capable of complying.	Yes
<u>2.6 Setbacks</u> Lots <12.5m wide Front – Min. 5.5m from building line. Side – 0.9m Rear – 6.0m <i>Lots >12.5m wide</i> Front – 6.0m or average of streetscape. Side – 1m Secondary Frontage – 2m Rear – 6m <i>Outbuildings</i> External wall Height >2.7m min. 450mm setback. Wall height <2.7m may encroach. <i>Exceptions</i> Articulation elements permitted to encroach 1.5m into front setback	5.5m Min. 915mm >6m N/A N/A – no outbuildings. N/A – articulation zone behind building line.	Yes Yes Yes N/A N/A Yes
<u>2.8 General Design</u> Contemporary design	Suitable design of the façade is provided	Yes

acceptable where subject site or adjoining lots are not heritage listed.	to ensure streetscape character is maintained.	
Entry and front door to be clearly identifiable from street.	Entry and front door within front façade and clearly identifiable from the street.	Yes
At least 1 habitable room within front façade.	Habitable room located within front façade.	Yes
Principal living area and bedroom Min. dimension 3.5m.	Proposed living room >3.5m dimension. Primary Bed 4.08m min.	Yes
Secondary bedrooms min. dimension 3m.	Min dimensions for bedrooms 3-4: Bedroom 2 & 3 min. dimension 2.99m, Bed 4 (guest) 2.58m.	No*
Address street frontage(s)	Proposed dwelling is considered to suitably address the street frontage through the location of the front portico and entry door.	Yes
Max wall length: Street façade – 4-6m Side elevations – 10-15m	Appropriate wall lengths and articulation provided to break up the walls.	Yes

*Minimum Bedroom Dimensions – Council's controls require secondary bedrooms to have a minimum dimension of 3m. Bedroom 2 & 3 has a minimum dimension of 2.99m and Bedroom 4 has a minimum dimension of 2.58m requiring a variation to Council's controls. The minor non-compliance for the bedroom is not anticipated to have any detrimental impact on the suitability or intended use of the room within the dwelling.

The non-compliance will not create any detrimental impact upon the amenity of the dwelling as the bedroom can suitably accommodate a double bed and is still capable of being furnished with all necessary items typical of a bedroom, capable of accommodating their intended use. The dwelling is designed with the site dimensions in mind to ensure suitable amenity and maintain areas that can readily accommodate bedroom furniture. The proposed dwelling design is considered to achieve the objectives of the control and it is therefore requested that a variation be supported in this instance.

<u>2.9 Roof Design and Features</u>		
Simple pitched roof in keeping with surrounding developments.	Pitch roof design.	Yes
Max. roof pitch – 30°	22.5 degree roof pitch proposed.	Yes

<p><u>2.10 Solar Access and Overshadowing</u> Primary living areas to receive min. 2hrs sunlight between 9am and 3pm on June 21st.</p> <p>POS areas to receive min. 2hrs sunlight between 9am and 3pm on June 21st to 50% of the area.</p> <p>Min 2hrs solar access to adjoining properties between 9am and 3pm on June 21st.</p>	<p>North is located to the rear corner of the site, suitable northern solar access to study and master bedrooms, with reasonable solar access to rear POS area given orientation.</p> <p>The POS areas are able to receive suitable solar access throughout the year.</p> <p>Suitable dwelling design ensure suitable solar access to rear yards maintained.</p>	<p>Yes</p> <p>Yes</p> <p>Yes.</p>
<p><u>2.11 Visual Privacy</u> Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site, and to minimise direct overlooking of rooms and private open space Narrow windows or raised sill heights to be used to limit overlooking.</p>	<p>Privacy between the dwellings and the adjoining sites is able to be achieved as living areas are orientated largely to the rear. Windows to the side elevations, have been suitably designed and setback to ensure minimal impact upon privacy of surrounding dwellings. Suitable setbacks and locations of the windows ensure the privacy between the dwellings and the POS areas will be maintained. Upper floor windows to the side are minimised, with bedrooms windows suitably setback and offset. Upper activities room windows are proposed towards the rear portion of the dwelling and suitably offset ensure no overlooking of adjoining properties.</p>	<p>Yes</p>
<p><u>2.12 Acoustic Privacy</u> Protect sensitive rooms from likely noise sources such as major roads or neighbouring living areas.</p> <p>Address all requirements in 'Development Near Rail Corridors and Busy Roads (Interim Guideline)'</p>	<p>Living areas and bedrooms have a suitable building separation distance to ensure acoustic privacy is maintained.</p> <p>N/A</p>	<p>Yes</p> <p>N/A</p>

<p>least 450m² but not more than 900m²—12m,</p> <p>...</p> <p>(2) A lot on which a new secondary dwelling is erected must have lawful access to a public road.</p> <p>(3) Nothing in this Schedule requires the provision of additional parking spaces for development for the purposes of a secondary dwelling.</p> <p><i>3 Maximum site coverage of all development</i></p> <p>(1) The site coverage of the principal dwelling, secondary dwelling and all ancillary structures on a lot must be no more than the following—</p> <p>(a) if the lot has an area of at least 450m² but not more than 900m²—50% of the area of the lot,</p> <p>...</p> <p><i>4 Maximum floor area for principal and secondary dwellings</i></p> <p>(1) The floor area of a secondary dwelling, excluding an attached ancillary structure, must not be more than—</p> <p>(a) 60m², or</p> <p>(b) if a larger floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the larger floor area.</p> <p>(2) The total floor area of a principal dwelling, secondary dwelling and all attached ancillary structures must not be more than the following—</p> <p>(a) if the lot has an area of at least 450m² but not more than</p>	<p>reasonable with secondary dwelling able to be reasonable sited.</p> <p>Access along side boundary provided.</p> <p>No additional parking proposed.</p> <p>38.87%</p> <p>59.7sqm</p>	<p>Consideration</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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<p>habitable room in the building wall that faces a parallel road.</p> <p>...</p> <p><i>14 Building elements within the articulation zone to a primary road</i></p> <p>...</p> <p><i>15 Privacy</i></p> <p>(1) A window in a new secondary dwelling, or a new window in an alteration or addition to an existing principal dwelling for the purposes of a new secondary dwelling, must have a privacy screen for a part of the window less than 1.5m above the finished floor level if—</p> <p>...</p>	<p>N/A – no elements within articulation zone.</p> <p>Single storey dwelling, no floor level 1m above NGL.</p>	<p>N/A</p> <p>N/A</p>
<p><u>Part 4 Landscaping</u></p> <p><i>16 Landscaped area</i></p> <p>(1) A lot on which development for the purposes of a secondary dwelling or an ancillary structure is carried out must have a landscaped area of at least the following—</p> <p>(a) for a lot with an area of at least 450m² but not more than 600m²—20%,</p> <p>...</p> <p>(2) At least 50% of the landscaped area must be located behind the building line to the primary road boundary.</p> <p>(3) The minimum dimensions of the landscaped area must be more than 2.5m.</p> <p><i>17 Principal private open space</i></p> <p>(1) A lot on which development for the purposes of a secondary dwelling is carried out must have more than 24m² of principal private open space.</p> <p>(2) The principal private open space may be shared by both the</p>	<p>>20% of site landscaped.</p> <p>Provided.</p> <p>Provided.</p> <p>Provided.</p> <p>Separate POS areas capable of being provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

principal dwelling and secondary dwelling and may be in the form of a balcony or deck.		
<p><u>Part 5 Earthworks and drainage</u> <u>18 Earthworks, retaining walls and structural support</u> (1) Excavation for the purposes of a secondary dwelling or an ancillary structure must not be deeper than a maximum depth, measured from ground level (existing), of— (a) if located no more than 1m from any boundary—1m, or ... (2) Fill must not have more than a maximum height, measured from ground level (existing), of— (a) if the fill is for the purposes of a secondary dwelling—1m, or ... (3) The height of fill contained wholly within the footprint of a secondary dwelling or an ancillary structure is not limited. ... (6) Support for earthworks more than 600mm above or below ground level (existing) must take the form of a retaining wall or other structural support that— (a) a professional engineer has certified is structurally sound, including the ability to withstand the forces of lateral soil load, and (b) has been designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and (c) has adequate drainage lines connected to the stormwater drainage system for the site, and (d) does not result in a retaining wall or structural support with a</p>	<p><1m cut proposed.</p> <p><1m fill contained within a drop edge beam.</p> <p>Fill contained wholly within footprint.</p> <p>N/A – no retaining walls proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>

total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is more than the height of the associated excavation or fill, and (e) is separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally, and (f) has been installed in accordance with any manufacturer's specifications, and (g) if it is an embankment or batter—must have its toe or top more than 1m from any side or rear boundary. <i>19 Drainage</i> (1) All stormwater collecting as a result of development for the purposes of a secondary dwelling or an ancillary structure must be conveyed by a gravity fed or charged system to— ... <i>20 Setbacks of secondary dwellings and ancillary structures from protected trees</i>	Suitable drainage system provided.	Yes
	No protected trees.	N/A

* * *

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 and secondary 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 and detached secondary 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 dwelling 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 and secondary dwelling will complement and blend with the existing residential character of Lakemba. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd
September 2024