



# STATEMENT OF ENVIRONMENTAL EFFECTS

24 SALVIA AVE, BANKSTOWN 2200

FOR SECTION 4.55 APPLICATION

ASPIRE DESIGN & ENGINEERING  
PREPARED BY

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## Introduction

This Statement of Environmental Effects has been prepared in conjunction with a Section 4.55 application for the minor modification to the layout and position of the Proposed Secondary Dwelling approved under DA for 'Alterations and additions to the existing dwelling and detached outbuilding to create one dwelling house and construction of a new detached secondary dwelling.'. This application has been prepared pursuant to Sec 4.12 of the Environmental Planning and Assessment Act (EPA Act), 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000.

The purpose of this document is to provide a context of the subject site and its surrounding local environment, provide details of the proposed development and assess the compliance of the proposal against Canterbury-Bankstown Local Environmental Plan 2023 and Canterbury-Bankstown Development Control Plan 2023 pursuant to the evaluation criteria prescribed under Section Sec 4.15 of the EPA Act, 1979.

The proposed development is permissible with council's consent in land zoned R2 Low Density Residential zone under Canterbury Bankstown LEP 2023. The proposal is consistent with the aims and objectives of the relevant environmental planning instruments and an assessment of the proposal has not identified any adverse impacts that are likely to result from the proposed development.

## Site Analysis

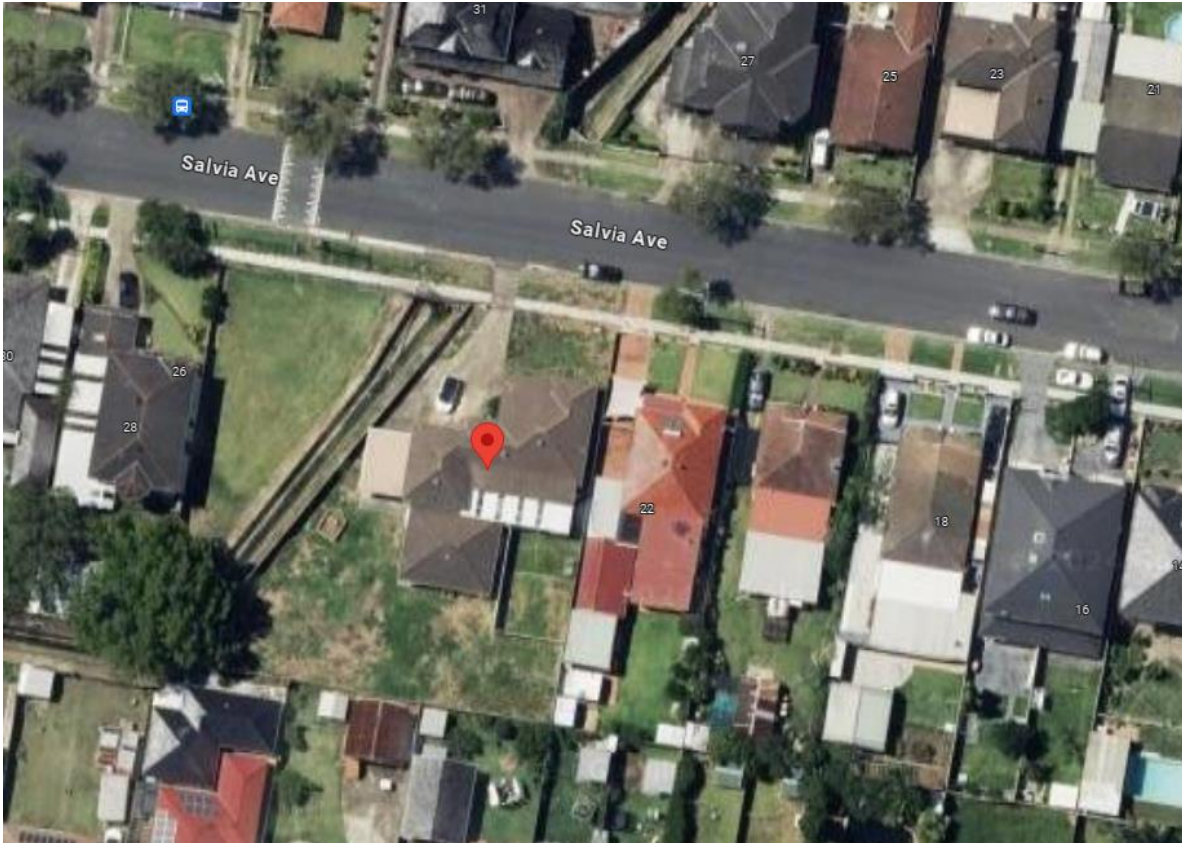
- The Site is approx. 1365m<sup>2</sup>, irregular in shape, and currently has an existing single storey dwelling with attached garages and teenage retreat

- Lot 10 Sec C DP 9293

The lot is located along Salvia Avenue.

- The neighbourhood is mainly zoned R2 Low Density Residential.

**Figure 1:** Aerial Map



**Source:** Google Maps 2025

## Development Proposal

The Section 4.55 Application seeks to modify the approved secondary Dwelling layout.

## Present and Previous Uses

- Previously the site has been for residential use.
- Currently the site currently occupies an existing single storey dwelling with garages and teenage retreat

## Detailed Description- Proposed modifications

Approved Rear Addition to existing Dwelling: NO CHANGE

Secondary Dwelling:

1. Removal of Porch area and associated roof above
2. Relocate BBQ Area/ Patio to the western side of the proposed Secondary Dwelling
3. Addition of entry door to Secondary Dwelling
4. Relocation of windows 5, 6 and Sliding door SD1
5. Reconfiguration of proposed roof
6. Increase rear setback from 0.9m to 2.6m
7. Relocation of proposed Rainwater tank

Notes:

1. No proposed changes to approved floor level, ceiling level including ridge height

## Planning Framework

### SEPP Sustainability Index (BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development and aims to encourage sustainable residential development.

A BASIX certificate does accompany the development application.

### Canterbury Bankstown Local Environmental Plan 2023

#### Zoning

The site is zoned R2 – Low Density Residential, as described by the Canterbury Bankstown LEP 2023 Zoning Map. The proposal achieves the objectives of this zone and is permissible with consent.

#### **Zone R2 Low Density Residential**

##### *1 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.

2 Permitted without consent

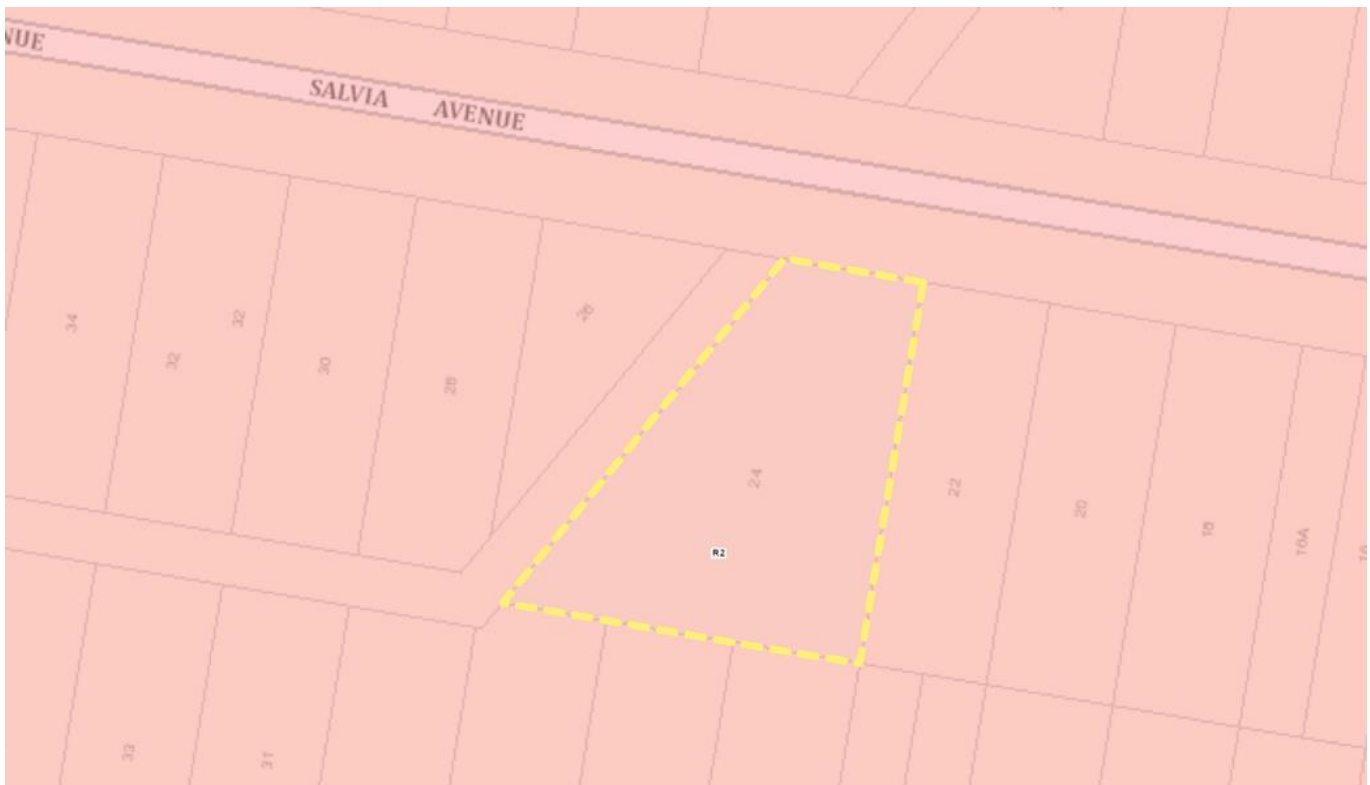
Home occupations

3 Permitted with consent

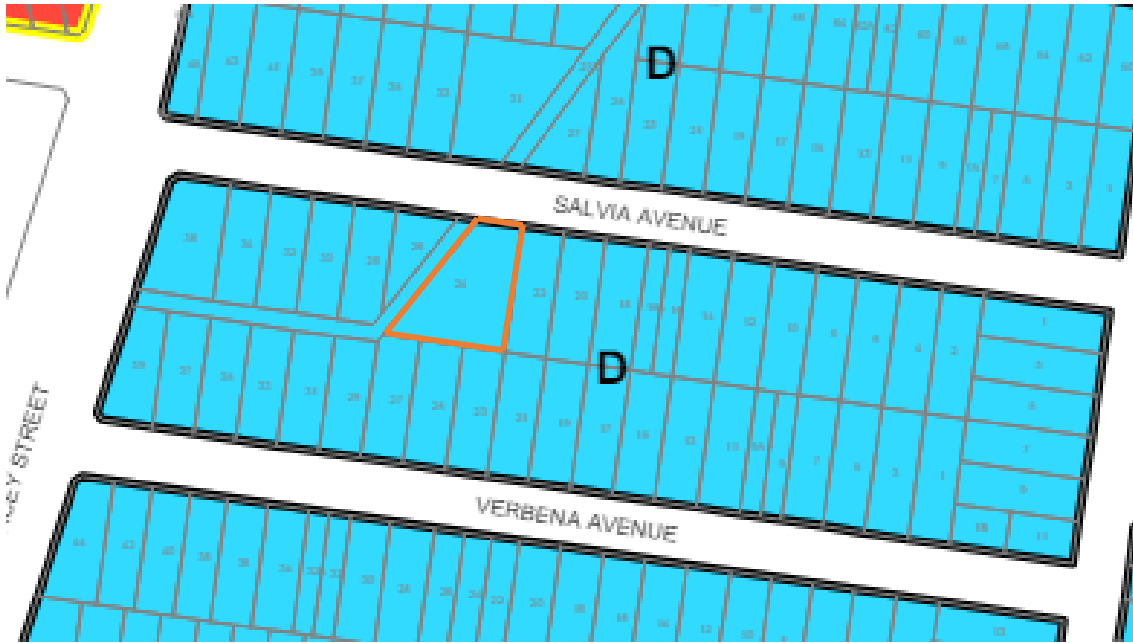
Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition 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 Prohibited

Any development not specified in item 2 or 3



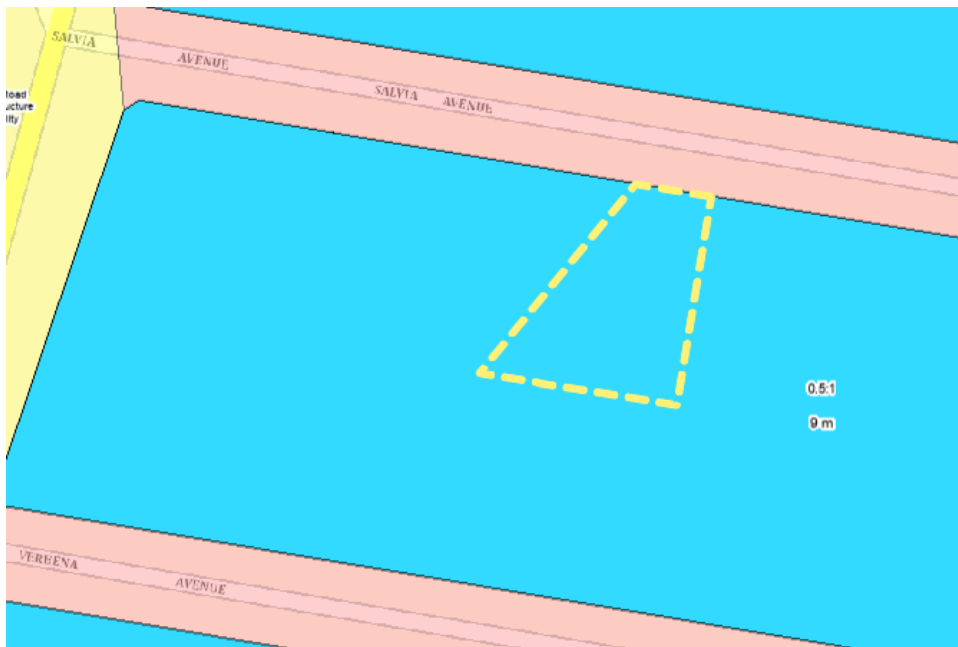
Source – Canterbury Bankstown LEP 2023 FSR MAP



### Building Height

The maximum permitted Building Height is 9m as described by the Canterbury Bankstown LEP 2023, Height of Buildings Map

Source- NSW Planning Spatial Viewer – FSR MAP



## Heritage

The site is not heritage listed and is not located within a heritage conservation area.

## Acid Sulfate Soils

The land is not affected by a policy restriction relating to acid sulfate soils.

## Flooding

The land, or part of the land, is within the flood planning area (FPA) and consequently the probable maximum flood (PMF).

The land, or part of the land, is subject to flood related development control.

## Compliance Table

Canterbury Bankstown Development Control Plan 2023 (CBDPC 2023) Chapter 5-RESIDENTIAL ACCOMMODATION-  
Section 5.1- Former Bankstown LGA

| REQUIREMENTS  | REQUIRED  | PROPOSED  | COMPLIANCE |
|---|---|---|------------|
| <b>SECTION 3–<br/>SECONDARY<br/>DWELLINGS</b><br>Lot size                               | 3.1 A secondary dwelling is permissible on a site with a minimum lot size of 450m <sup>2</sup>  | The subject site has an area of 1365m <sup>2</sup>  | YES        |
| <b>SECTION 3–<br/>SECONDARY<br/>DWELLINGS</b><br>Site Cover                             | 3.2 (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<br><br>The maximum FSR is 0.5:1, maximum floor area permissible of 682.50m <sup>2</sup> | The existing floor areas and proposed secondary dwelling floor area is approx. 298.07m <sup>2</sup> , FSR 0.218:1 | 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 land under an environmental planning instrument, that greater floor area.  | Proposed 60m <sup>2</sup>   | YES        |
| <b>SECTION 3–<br/>SECONDARY<br/>DWELLINGS</b><br>Storey limit (not including basements) | 3.3 The storey limit for attached secondary dwellings is two storeys.   | N/A, proposed detached secondary dwelling   | N/A        |
|   | 3.4 The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3 metres.   | The maximum wall height for the proposed secondary dwelling is approx.3m  | YES        |



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|  | 3.5 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. | complies  | YES |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Fill</b>                   | 3.6 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.  | N/A   | N/A |
|  | 3.7 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.  | N/A   | N/A |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Setback restrictions</b>   | 3.8 The erection of secondary dwellings is prohibited within 9 metres of an existing animal boarding or training establishment.  | N/A   | N/A |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Street setbacks</b>        | 3.9 The minimum setback for a building wall to the primary street frontage is:<br>(a) 5.5 metres for the first storey (i.e. the ground floor); and   | N/A, the proposed secondary dwelling is proposed at the rear of the property. | N/A |
|  | (b) 6.5 metres for the second storey.  | N/A   | N/A |
|  | 3.10 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.  | N/A   | N/A |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Side and rear setbacks</b> | 3.11 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 site is 0.9 metre.   | Side setback min. 0.9m<br>Rear setback min. 2.6m                              | YES |
|  | 3.12 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 site is 1.5 metres.   | N/A   | N/A |

|  |  |   |            |
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| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Private open space</b> | 3.13 Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.   | The proposed secondary dwelling does not result in the principal dwelling to have less than the required landscaping and Private open space   | <b>YES</b> |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Visual privacy</b>     | <p>3.17 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) provide the window with a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) use another form of screening to the satisfaction of Council.</p> <p>3.18 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) 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>3.19 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:</p> <p>(a) does not have an external staircase; and</p> <p>(b) does not exceed a width of 1.5 metres throughout; and</p> <p>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p> <p>3.19 Council does not allow secondary dwellings to have roof-top balconies and the like.</p> | The proposed secondary dwelling windows do not overlook directly into the existing principal dwelling house, more specifically proposed bedroom therefore does not require any form of screening. | <b>YES</b> |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Building design</b>    | 3.21 The maximum roof pitch for attached secondary dwellings is 35 degrees.  | N/A, not attached secondary Dwelling  | <b>N/A</b> |
|  | <p>3.22 Council may allow attached secondary dwellings to have an attic provided the attic design:</p> <p>(a) accommodates no more than two small rooms (for the purposes of a bedroom</p>   | N/A, the proposed secondary dwelling does not include an attic.   | <b>N/A</b> |

|   |   |  |     |
|---|---|--|-----|
|   | and/or study) and a bathroom plus an internal link to the storey below; and<br>(b) ensures the attic does not give the external appearance of a storey.   |  |     |
|   | 3.23 The design of dormers must:<br>(a) be compatible with the form and pitch of the roof; and<br>(b) must not project above the ridgeline of the main roof; and<br>(c) must not exceed a width of 2 metres; and<br>(d) the number of dormers must not dominate the roof plane. | N/A  | N/A |
|   | 3.24 The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.  | The proposed secondary dwelling roof pitch is 18 degrees and does not include an attic or basement as part of this dwelling              | YES |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Building design (car<br/>parking)</b> | 3.27 Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.  | The secondary dwelling does not result in reducing the min. required car parking spaces  | YES |
| <b>SECTION 3—<br/>SECONDARY<br/>DWELLINGS<br/>Landscape</b>                         | 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.   | N/A, there are no significant trees on the subject site. The proposed development is clear of any existing trees                         | N/A |
| <b>SECTION 2—DWELLING<br/>HOUSES<br/>Private Open Space</b>                         | 2.10 Dwelling houses must provide a minimum 80m <sup>2</sup> 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 5 metres throughout.                                  | The principal dwelling has an area of min. 80m <sup>2</sup> of Private open space, refer to landscape plan accompanying this application | YES |

## Soil and Water

The land, or part of the land, is within the flood planning area (FPA) and consequently the probable maximum flood (PMF) and is subject to flood related development control. Refer to stormwater plan that accompanies this application.

## **Flora and Fauna**

The proposal does not harm any protected habitat, nor is the site identified as an environmental conservation area. There are no existing trees within the private property. Existing thick shrubs along the Eastern corner (side and rear boundary) of the subject site.

## **Waste Collection**

The Site doesn't require demolition. Normal domestic and commercial waste collection applies to this development. Please refer to the Waste Management Plan for estimated volumes and method of disposal/recycling.

## **Conclusion**

The proposed Section 4.55 Application seeks consent for amendments to the approved Secondary Dwelling. The modified secondary dwelling layout generally satisfy the controls and objectives of the relevant Canterbury Bankstown Development Control Plan 2023 (CBDCP 2023) and Canterbury Bankstown Local Environmental Plan 2023 (CLEP 2023). The modification preserves the bulk and scale of the development, ensuring minimal impact. It provides a healthy living environment with all necessary amenities and does not negatively affect neighbouring properties or the environment. Therefore, the development is consistent with planning controls and is suitable for approval.