



FEMME BUILD
RESIDENTIAL DESIGN

STATEMENT OF ENVIRONMENTAL EFFECTS

102 Sandakan Road,
Revesby Heights NSW 2212

Demolition of existing structures, and new proposal of Detached Dwellings, Torrens Title Subdivision and one Swimming Pool.

Date: 15/03/2025

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1.0 DEVELOPMENT APPLICATION OVERVIEW

This Statement of Environmental Effects (SEE) forms part of a Development Application submitted to Canterbury Bankstown Council for Demolition of existing structures, new proposal of detached dwellings, torrens title subdivision and a swimming pool at 102 Sandakan Rd, Revesby Heights NSW 2212 (the subject site).

This application is made under the Canterbury Bankstown Council Local Environmental Plan 2023 and the Canterbury Bankstown Council Development Control Plan 2023 to be included in a Development Application (DA) to be submitted to Canterbury Bankstown Council seeking development consent.

SUMMARY OF PROPOSAL	
Proposal	Demolition of existing structures, new proposal of detached dwellings, torrens title subdivision and a swimming pool.
Property Details	102 Sandakan Rd, Revesby Heights NSW 2212
	Lot/Section/Plan no: 4167/-/DP217130
Local Government Area	Canterbury Bankstown Council
Client	Livingston Homes
Project no.	0077
Date	April 2024



Figure 1: 102 Sandakan Rd, Revebsy Heights NSW 2212 (Source: SIX Maps)

1.1 CONTEXT ANALYSIS

The location of the subject site within Revesby Heights means that it is well serviced by public, social and economic infrastructure such as schools, shops, transport, and recreational facilities.

As a result, the subject site can be advertised as being in a suburban location with easy access to many services and facilities that promote activity within the South Western suburbs. The location of these elements therefore creates an ideal setting for the development of land and its continued integration into the surrounding environment.

Revesby Heights is predominately defined by single & double residential dwellings.



Figure 2: Local Site Context (Source: Six Maps)

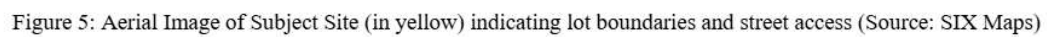
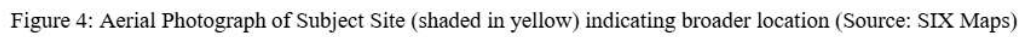
1.2 SITE ANALYSIS

The subject site at 102 Sandakan Rd, Revesby Heights is located within the South West of the Sydney Central Business District and within the ward of the Canterbury Bankstown Local Government Area (LGA). The subject site is a single storey dwelling allotment with pedestrian and vehicular access from Sandakan Road. The site is an irregular shaped allotment with a eastern orientation. The site has a 24.205m frontage to Sandakan Road, a site depth of minimum 41.105m and a total site area of 783m².

The subject site is located within an R2 Low Density Residential zone. Currently, the site contains a single storey dwelling. The topography of the site falls down from West to East 4.23m. Images of the existing dwelling on the site are shown below:



Figure 3: Subject site



2.0 DEVELOPMENT PROPOSAL

This Development Application (DA) is made for Demolition of existing structures, new proposal of detached dwellings, torrens title subdivision and a swimming pool at 102 Sandakan Rd, Revesby Heights NSW 2212. The proposed works are permitted within Canterbury Bankstown Council LEP 2023 and Canterbury Bankstown Council DCP 2023.

The Architectural plans submitted alongside this Statement of Environmental Effects further indicate the extent of the built works and should be referred to as a part of this application.

2.1 Scope of Proposed Works

The following list details the extent of the proposed works under this Development Application. Further clarification of the below details is made clear in the attached plans and drawings submitted with this application.

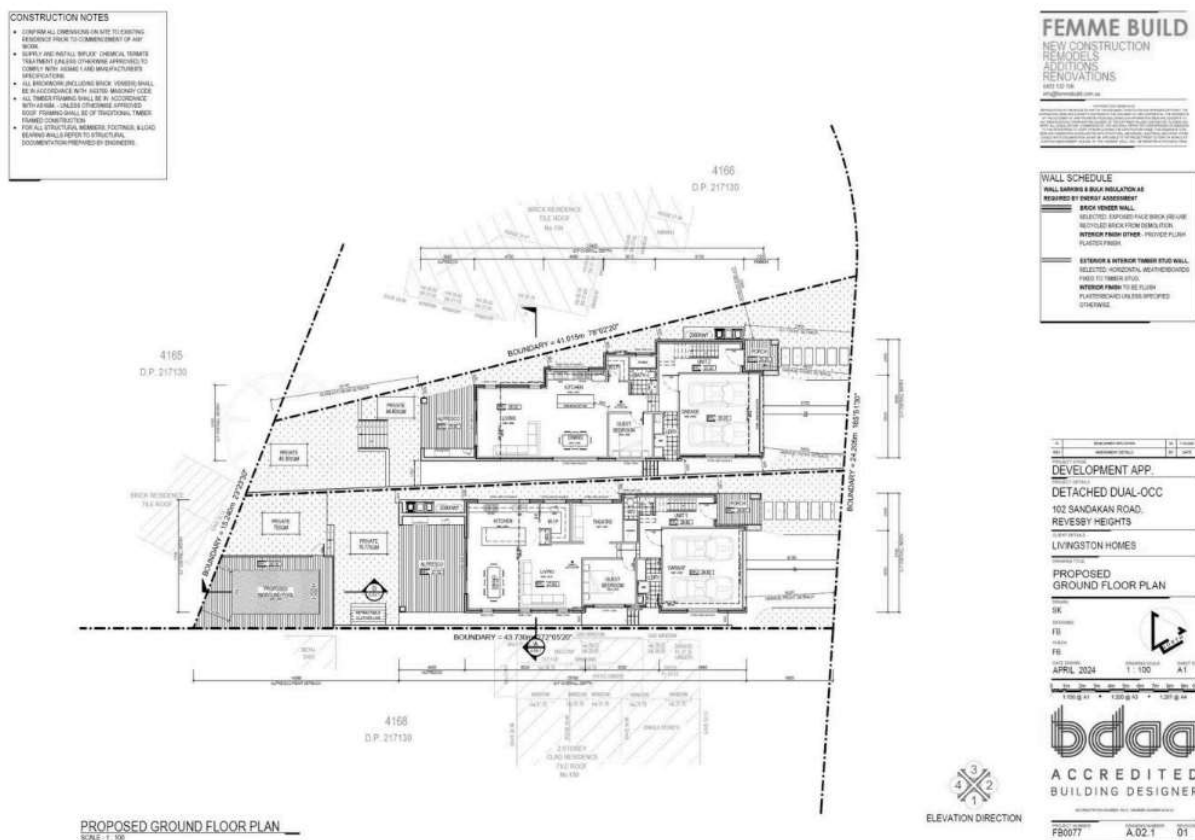


Figure 6: Proposed Ground Floor (Source: Femme Build)

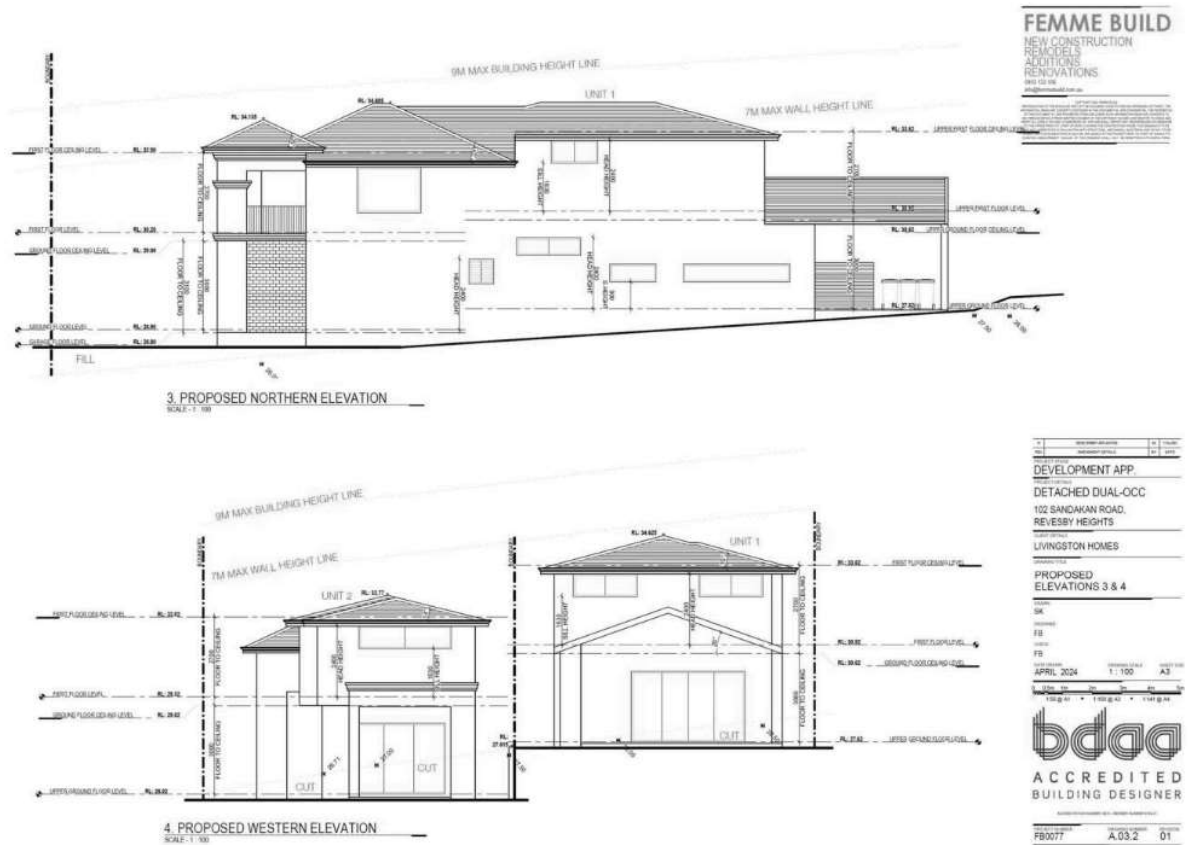


Figure 9: Proposed Northern & Western Elevation (Source: Femme Build)

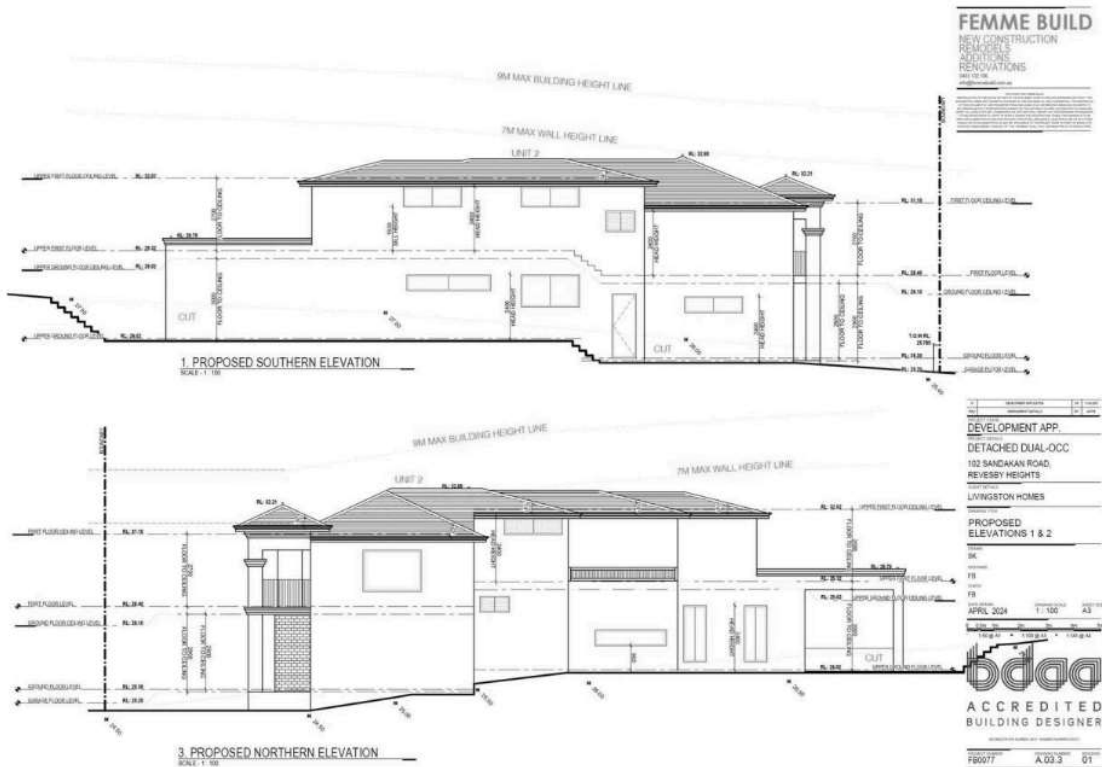


Figure 10: Proposed Southern & Northern Elevation (Source: Femme Build)

3.0 PLANNING ASSESSMENT OVERVIEW

The application is to be assessed against the relevant NSW State Government Environmental Planning Instrument's below.

Relevant Planning Instruments
1. Environmental Planning & Assessment Act (1979)
2. Environmental Planning & Assessment Regulations (2000)
3. Canterbury Bankstown Council Local Environmental Plan 2023

And the following Local Provisions:

Relevant Local Planning Instruments
1. Canterbury Bankstown Council Development Control Plan 2023

4.0 SECTION 4.15 (1) (A) ENVIRONMENTAL PLANNING INSTRUMENTS

4.2 INTEGRATED DEVELOPMENT

The proposal does not constitute Integrated Development and does not require concurrent approval from any other State Government Bodies pursuant to clause 4.8 of the Act.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

This SEPP provides a state-wide practice for the remediation of contaminated land. Under clause 7 (1) (a) of State Environmental Planning Policy No. 55 – Remediation of Land, consideration has to be given as to whether the land is contaminated.

The site appears to have been in non-contaminating business use since its original subdivision and there is no evidence of any potentially contaminating uses occurring. In addition, the proposal does seek to undertake any excavation within the site. There are minimal works under this proposal, and it can be concluded that there is no likelihood of contamination within the site and the site is suitable for its intended use.

No further consideration is therefore required under clause 7 (1) (b) and (c) of SEPP 55.

4.4 STATE ENVIRONMENTAL PLANNING POLICY - BUILDING SUSTAINABILITY INDEX: (BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") is applicable to this application with a valid BASIX Certificate provided along with the application.

5.0 PLANNING ASSESSMENT: CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The following section details the applicable elements of the Canterbury Bankstown Local Environmental Plan (LEP) 2023. The proposed development is compliant with the requirements of the zoning and the applicable clauses in Part 2 of the Canterbury Bankstown LEP 2023.

CANTERBURY BANKSTOWN COUNCIL LOCAL ENVIRONMENTAL PLAN 2023		
CLAUSE	REQUIREMENTS	COMPLIANCE
2.1 Land Use Zone	R2 – Low Density Residential	Complaint
4.1 Minimum Lot Size	500m ²	Compliant
4.3 Height of Building	9m	Complaint
4.4 Floor Space Ratio	0.5:1	Complaint
5.10 Heritage	N/A	N/A
5.21 Flood Planning	N/A	N/A
6.1 Acid Sulphate Soils	N/A	Compliant
6.2 Earthwork	N/A	Complaint

Part 2: Permitted or Prohibited Development

CANTERBURY BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023	
Zone R2 – Low Density Residential	
1 Objectives of Zone	<ul style="list-style-type: none"> □ 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. <p>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.</p>
2 Permitted Without Consent	Home occupations

3 Permitted with consent	Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hostels; Information and education facilities; Markets; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture
4 Prohibited	Any development not specified in item 2 or 3

According to the Land Zoning Map within the Canterbury Bankstown Council LEP2023, the site is zoned R2 – Low Density Residential and is considered suitable to accommodate the proposed development in this application.

Dwelling Houses are permissible with consent in this zone. The proposal is for alterations and additions to the existing semi-detached dwelling house. The proposal does not intend to change the use of the dwelling and will continue to provide for the housing needs of the community within the low-density residential environment and enable other land uses that provide facilities or services that will require the day to day needs of the immediate surrounding residents.

The proposal does not seek to modify the current land use of the site.

PART 4 PRINCIPAL DEVELOPMENT STANDARDS

4.3 HEIGHT OF BUILDINGS

4.3	Height of Buildings	
	(1)	<ul style="list-style-type: none">a) to establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,b) to increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth,c) to accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land,d) to ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.
	(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.

The proposal is for minor alterations and additions to the existing dwelling and will not result in any changed to the maximum building height. The subject site has a maximum building height of 9m in accordance with the Canterbury Bankstown Council LEP 2023 Height of Buildings Map.

4.4 FLOOR SPACE RATIO

4.4	Floor Space Ratio	
	(1)	<ul style="list-style-type: none">a) to ensure that residential accommodation—<ul style="list-style-type: none">(i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and(ii) (provides a suitable balance between landscaped areas and the built form, and(iii) minimises the impact of the bulk and scale of buildings,b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.
	(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.

The Floor Space Ratio applicable to the subject property is defined by the Floor Space Ratio Map - as having a maximum ratio of 0.50:1.

4.6 EXCEPTIONS TO DEVELOPMENT STANDARDS

The application relies on a variation to this Standard, as established in this section. The variation is made against Clause 4.3 to Height of buildings. In this instance, the variation relies on a Clause 4.6 exception to the Standard:

Exceptions to development standards	
4.6	<p>The objectives of this clause are as follows—</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p>
	<p>Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p>
	<p>Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>
	<p>Development consent must not be granted for development that contravenes a development standard unless—</p> <p>(a) the consent authority is satisfied that—</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Planning Secretary has been obtained.</p>

This application therefore submits a written request, as detailed below, seeking to justify the contravention of this Standard.

4.3	Height of Buildings	
	(1)	<ul style="list-style-type: none"> a) to establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views, b) to increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth, c) to accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land, d) to ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.
	(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.

The subject site has a maximum building height of 9m in accordance with the Canterbury Bankstown Council LEP 2023 Height of Buildings Map.

PART 5 MISCELLANEOUS PROVISIONS

5.10 HERITAGE CONSERVATION

5.10	Heritage conservation	
	(1)	The objectives of this clause are as follows— (a) to conserve the environmental heritage of Randwick, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.
	(2)	Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area,

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

5.21 FLOOD PLANNING

6.3	Flood planning	
	(1)	The objectives of this clause are as follows— (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment.
	(2)	This clause applies to— (a) land identified as "Flood planning area" on the Flood Planning Map, and (b) other land at or below the flood planning level.
	(3)	Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is compatible with the flood hazard of the land, and (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

	(4)	A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
	(5)	In this clause— flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event, plus 0.5 metre freeboard.

As per the Flood Planning Map - the site is not identified as being located within a flood planning area.

PART 6 ADDITIONAL LOCAL PROVISIONS

6.1 ACIDSULPHATE SOILS

6.1	Acid sulphate soils											
	(1)	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.										
	(2)	Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.										
		<table><tr><th>Class of land</th><th>Works</th></tr><tr><td>1</td><td>Any works.</td></tr><tr><td>2</td><td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td></tr><tr><td>3</td><td>Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</td></tr><tr><td>4</td><td>Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</td></tr><tr><td>5</td><td>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td></tr></table>	Class of land	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
Class of land	Works											
1	Any works.											
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3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.											
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.											
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.											

As per the Acid Sulfate Soils Map - the site is not identified as being affected by Acid Sulfate Soils.

6.2 EARTHWORKS

6.2	Earthworks	
	(1)	The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
	(2)	(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given. .
	(3)	Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposal will result in any additional earthworks.

6.0 PLANNING ASSESSMENT: CANTERBURY BANKSTOWN COUNCIL DEVELOPMENT CONTROL PLAN 2023

The following component of this report details a compliance analysis of the objectives and controls of the applicable sections and subsections of Chapter 5: Residential Accommodation of the Canterbury Bankstown Development Control Plan (DCP) 2023.

The below tables list the parts and controls of the Canterbury Bankstown Council DCP that relate to the proposed residential dwellings. Final compliance is required to be assessed and authorised by council, but this report seeks to identify elements of the design that comply, do not comply, or those that should comply based on merit through use of justifications.

It should be noted that controls that are not affected by the proposed residential dwellings on the subject property, as well as controls that do not apply to or are not required of the development may not be indicated in the body of the report to follow and may not be summarised in the tables.

6.1 COMPLIANCE SUMMARY TABLE

Bankstown DCP 2023–Chapter 5.1 (Amended August 2024)

DESIGN ELEMENT	PROPOSED	COMPLIANCE
For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m ² per dwelling.	783m ²	YES
The storey limit for dual occupancies is two storeys.	Two storeys	YES
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.	5.5m 6.5m	YES
The minimum setback for a building wall to the side boundary of the site is 0.9m. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.	0.9m	YES
Dual occupancies must provide a minimum 80m ² of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5m throughout.	>80m ²	YES
At least one living area of each dwelling 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.	3hours of sunlight	YES
Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) (c) (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.	Minimum sill height of 1.5m above floor level	YES
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 (b) (c) (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.	Minimum sill height of 1.5m above floor level	YES
Council may allow dual occupancies 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.	No side or rear balcony	YES
Council does not allow dual occupancies to have roof-top balconies and the like.	No roof-top balconies	YES
Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.	Demolishing all existing dwellings	YES
The design of dual occupancies must ensure: (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or	The street façade incorporate architectural elements that are compatible with the	YES

(b) (c) (d) (e) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and the front porch and one or more living area or bedroom windows to each dwelling face the street; and the garage, driveway and front fence do not dominate the front of the building and front yard; and the two dwellings on a corner site each face a different frontage.	asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and the front porch and one or more living area or bedroom windows to each dwelling face the street; and the garage, driveway and front fence do not dominate the front of the building and front yard.	
The maximum roof pitch for dual occupancies is 35 degrees.	Maximum of 25 degrees	YES
Council may allow dual occupancies 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 appearance of a storey.	No attic	YES
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.	No dormers	YES
Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.	Two covered car spaces	YES
Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.	The garage architecturally integrates with the development and does not dominate the street facade.	YES
Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided: (a) (b) the building is at least two storeys in height, and the garage is architecturally integrated with the upper storey by: (i) ensuring the garage does not project more than 3m forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.	Two covered car spaces	YES
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 dual occupancy.		YES
Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species): (a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and (b) (c) (d) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and plant at least one 75 litre tree	71.97m ² Plant at least one 75 litre tree between the dual occupancy and the primary	YES YES

between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12m adjacent to the waterbody.	street frontage	
Max. Building Height	9m	YES
Retaining walls		
<p>4.3 The siting of dual occupancies, 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>Fill</p> <p>4.4 Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies 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>4.5 Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies 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>Proposed</p> <p>The proposal includes excavation of 1.6m and fill of maximum 0.7m towards the mid- eastern portion of the dwelling. The excavation and fill is wholly contained within the building envelope. The proposed excavation on site is not considered to disturb Acid Sulphate Soils within the prescribed class level nor impact the drainage line or patterns throughout the locality. The proposed variation to the cut and fill control within Clause 4.4 of the DCP would be a common characteristic of any redevelopment of a steeply sloping site from front to rear boundaries and often have inconsistent natural ground levels from side boundary to side boundary. Although the proposed variation is numerically non-compliant the variation would result in a development that would be consistent with the height and density of adjoining properties when viewed from the streetscape, lack of visibility from the street or adjoining properties and the variation does not contribute to an excessive bulk and scale. The height variation exists with the current development on site and would exist due to the gradient of the slope for any redeveloped scheme. Although there is a variation to the control the proposed development achieves the objectives of the control and satisfies the intent of storey limit whilst providing a building with a form and scale that is appropriate to the site's context and topography.</p>		

Section 79c Considerations

S.79C (1) (a) The Provisions of any planning instrument, draft environmental planning instrument, development control plan or regulations

The development proposal is pursuant to LEP and DCP. The assessment shows that the proposed development is generally consistent and compliant with the objectives, performance criteria and the controls of the LEP and DCP.

S.79C (1) (b) Impacts on the environment

Context and Setting

The proposed development is considered to be compatible with the scale and character of buildings within the streetscape.

Access, Transport and Traffic

The proposed development will not result in any adverse impact on traffic and transport in the neighbourhood. The development provides sufficient onsite parking, offering a double garage.

Utilities

Existing utility services will be adequate to service the proposed development.

Flora and Fauna

The proposal does not harm any protected habitat, nor is the site identified as an environmental conservation area. No trees are required to be removed if consent is granted.

Waste Collection

Normal domestic and commercial waste collection applies to this development.

Natural Hazards

The Site is not affected by any known hazards.

Economic impact in the Locality

The proposed development will provide temporary employment through the construction of the development and therefore, benefit the surrounding businesses.

Site Design and Internal Design

The scale of the development is appropriate having regard to the context of the site, the objectives of the relevant planning provisions and is compatible with the scale of development currently in the neighbourhood.

Construction

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

S.79C (1) (c) The Suitability of the site for the development

The Subject site does not have any constraints that would affect the proposals suitability to the site.

S.79C (1) (d) Any Submissions received in accordance with this Act or the regulations

Submissions that will be received by Council will be assessed in accordance with the EPA Act, 1979 and other relevant planning controls.

S.79C (1) (e) the public interest

The proposed Development is considered to be compatible with the surrounding development and is consistent with the objectives of the relevant planning controls. Therefore, approval of the proposal is considered to be within the public interest.

7.0 CONCLUSION

Following a review of the relevant planning controls the development complies with all the provisions of the Canterbury Bankstown Council LEP 2023 and Canterbury Bankstown Council DCP 2023. It is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. The proposal made in this application is considerate and relative to the site's immediate context of the residential area.

In general, the proposal is considered to be acceptable, as it does not adversely impact on the integrity or character of the existing building and surrounding area. Furthermore, the proposal will not detract from the streetscape or the inherent nature of the residential area and should be supported. The nature of the site, including its location, topography, zoning, and physical attributes make it an ideal candidate for the proposed redevelopment.

For these reasons outlined above and the response demonstrated throughout this report it is considered that the proposal is entirely tenable and should be supported.