



Statement of Environmental Effects for a Development Application at
46 Leopold Street Ashbury.

26th April 2025

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1 Introduction

This Statement of Environmental Effects relates to a Development Application seeking Council's consent to the construction of an addition at the rear of the dwelling at 46 Leopold Street Ashbury.

This Statement:

- describes the site and its surrounding area,
- details the nature of the proposed development,
- undertakes an assessment of the proposal regarding compliance with relevant Canterbury-Bankstown council planning instruments, and
- undertakes an assessment of the proposal under all other heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The conclusion reached is that the proposal is acceptable with regard to all relevant planning issues.

2 Site and Surroundings

The site is the land described as Lot 11 in deposited plan DP 16232, located in the suburb of Ashbury. The zoning is R2 Low Density Residential in Canterbury-Bankstown Council 2023. The dwelling is a unsubdivided dual occupancy residence.

The site is a regular block accessed via a driveway off Leopold Street. The land slopes to the front, with a frontage of 13.41 m to Leopold Street. The lot has a length of 41.76 meters. There is a total area of 560m². The land currently has a dwelling on it.

The neighbouring properties are a mix of single storey and two storey dwellings, of brickwork and tiled roofs. The neighbouring areas have established amenities including primary and secondary schools, a shopping centre, and access to transport.

The property is in a heritage conservation area, however there is no adverse impact on the surrounding area.

The site has no existing trees or shrubs to be removed.

3 Proposed Development

This application proposes a brick extension to the existing dwelling at the rear of area approximately 42 m².



4 Environmental Planning Instruments

Canterbury-Bankstown Local Environmental Plan 2023, Zoning R2 Low Density Area 2.

Canterbury-Bankstown Plan 2023 states that objectives of Zone R2 as....

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

The proposal as an alteration to an existing dwelling is permissible

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](#).

(2A) Despite subclause (2), the following maximum building heights apply—

- (a) 6m for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1,*
- (b) 8.5m for a dwelling house in Zone R4 in Area 2,*
- (c) 11m for a building on a lot that is less than 5,000m² on land identified as “Area 1” on the [Height of Buildings Map](#) that is in Zone B6,*



(2B) The maximum wall height for a secondary dwelling that is not attached to the principal dwelling in Zone R2 in Area 1 is 3m.

(2C) The maximum wall height for a dwelling house or dual occupancy in Zone R2 in Area 1 is 7m.

(2D) In this clause—

wall height means the vertical distance between the ground level (existing) and the higher of—

- (a) the underside of the eaves at the wall line, or
- (b) the top of the parapet or the flat roof.

The land at 46 Leopold Street shows on the Height of Buildings Map as a standard of 8.5 meters above natural surface. The proposed height of 5.77 m above Natural Ground Level follows the original line of the roof so the project complies.

4.4 Floor space ratio

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

- (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,
- (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,
- (c) to encourage lot consolidations in commercial centres to facilitate higher quality built form and urban design outcomes,
- (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,
- (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](#).

(2A) Despite subclause (2), the maximum floor space ratio for a building on land specified in Column 1 of the table to this subclause with a lot width at the front building line less than the width specified in Column 2 is the floor space ratio specified in Column 3.

Column	Column 2	Column 3
"Area 1" on the Floor Space Ratio Map	18m	2:1
"Area 2" on the Floor Space Ratio Map	18m	1:1
"Area 3" on the Floor Space Ratio Map	30m	2:1
"Area 4" on the Floor Space Ratio Map	30m	1:1

(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.

The FSR map shows 0.5:1 for this property. The project has a FSR of 0.26:1, therefore the proposal complies.

The proposal complies with all Canterbury-Bankstown Local Environmental Plan 2023.



Canterbury-Bankstown DCP 2023- Former Canterbury Development Control Plan

Dwellings

	Control	Application	Compliance
C2 Setbacks	• Minimum setback of 6m from the rear boundary	12.994 m to the ground floor	Complies
C2 Setbacks	• Minimum setback of minimum setback of 1m from side boundaries. • Corner lots: minimum setback of 2m from the secondary street frontage (the longer street boundary).	3.379 to the North 1.242m to the South	Complies
POS	Unchanged		Complies
2.2 Site coverage	450m ² -599m ² – 330m ² , or 50%	26%	Complies
2.3 Landscaping	450m ² -599m ² – 20%	157 m2 or 21 %	Complies
Solar access	Solar Access	Single Storey Building with minor addition to rear- no additional overshadowing.	Complies

5 Services

Searches have been made of all services. These have shown that services including water, sewer, power, gas, and telephone are all available on site.

6 Other considerations under State Environmental Planning Policies which apply to this property.

Stormwater Management, has been considered by the applicant and this is reflected in the plan of storm water included in the application.

The cost of the extension is less than \$50,000 so no certificate complying with to State Environmental Planning Policy (BASIX) 2004 is required.

Consideration has been given to the potential contamination of the site pursuant to State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards) as it applies to the site. The current use of the property for residential purposes makes it unlikely that the continued use of the property for residential purposes poses a risk.



Consideration has been given to State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP). There are no Biodiversity values noted on the planning maps for this site.

Consideration has been given to State Environmental Planning Policy (Transport and Infrastructure SEPP) 2021 (Transport SEPP). Leopold Street is not a classified road. There is no close transportation infrastructure that would require acoustic analysis.

7 Considerations under clause 4.15 of Environmental Planning and Assessment Act, 1979

Planning Agreements

No planning agreements apply to this land.

Regulations

The Development Application has been made in accordance with the requirements contained in the Environmental Planning and Assessment Regulation 2000.

Likely Impacts

The development will have no adverse impact on the availability of services, vehicular access, use of common facilities, and open space in the area of Ashbury.

Suitability of the site

The site is presently used for residential purposes. The proposed works do not change the existing land use being residential.

Impact on the Built Environment

The development will have minimal impact on the built environment. The proposal is consistent with normal developments found in residential localities in the Canterbury Bankstown City Council area.

Public Interest

The proposal is not considered to be in conflict with the Canterbury Bankstown City Council Planning Scheme and meets with the objectives of CLEP 2023 for residential properties. Approval of the proposal would be in the public interest.

Submissions

We will consider any submissions that are put forward to Council after the notification period had ended.



Summary

The proposal seeks Council's consent to a Development Application seeking approval for the development of an extension at the rear of existing dwelling.

There will be no adverse impact to the heritage conservation area.

The proposal complies with all Canterbury-Bankstown Local Environmental Plan 2023 controls and generally conforms to Canterbury-Bankstown Council Development Control Plan 2023 (former Bankstown DCP) guidelines.

The proposal satisfies the relevant heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land. Accordingly, the application should be recommended for approval.

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