



14 AVOCA STREET, YAGOONA

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STATEMENT OF ENVIRONMENTAL EFFECTS

REALIGNMENT OF THE SHARED BOUNDARY AND CONSTRUCTION
OF A DUAL OCCUPANCY DEVELOPMENT ON PROPOSED LOT 1 (WITH
POST SUBDIVISION AFTER COMPLETION) AND A SINGLE DWELLING
AND GRANNY FLAT ON PROPOSED LOT 2

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1. Executive Summary

The proposal seeks consent for the realignment of the shared boundary and construction of a dual occupancy development on proposed lot 1 (with subdivision post completion) and a single dwelling and granny flat on proposed lot 2.

The site is legally described as 67/-/DP6376 and 68/-/DP6376 and is known as 14 Avoca Street, Yagoona, 2199. The property has a site area of 1,226.4m².

The application is also accompanied by the following:

- Survey Plan
- Landscape Plan
- Stormwater Management Plan with Sediment Erosion Control.
- Arboricultural Impact Assessment
- Architectural Plans
- Construction and Operational Waste Management Plan
- Quantity Surveyor Report
- Owner's Consent

This Statement has been prepared pursuant to section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000. The Statement provides an assessment of the development proposal having regard to the relevant legislative context, social, economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The statement details the proposed development's compliance against the applicable environmental planning instruments and development control plan including:

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Canterbury Bankstown Local Environmental Plan 2023
- Canterbury - Bankstown Development Control Plan 2023

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan whilst being compatible with the emerging character of the locality and minimising any potential impacts on the amenity of the adjoining properties.



2. Contextual Analysis

2.1 Site Description

Area:	1,226.4m ²
Allotment Shape:	Rectangular allotment shape.
Max Allotment Width:	24.38m
Existing Structures:	Dwelling house, detached garage, trees
Topography:	The site falls 2.62m from the western rear facing boundary (RL 60.36m) to the eastern front facing boundary (RL 62.98m)
Constraints:	Nil.

2.2 Adjacent Development

North-East:	Dwelling house, awning, trees.
North-West:	Dwelling house, carport, outbuilding, awning, trees.
South-East:	Dwelling house, detached garage, outbuilding, awning, trees.
South-West:	Multi-dwelling housing.





3. Description of the Proposal

3.1 Planning Definition of the Proposed Development

Proposed Use:	Dwelling house, dual occupancy, secondary dwelling
Definition of Use:	Dual occupancy means a dual occupancy (attached) or a dual occupancy (detached). Note - Dual occupancies are a type of residential accommodation Dwelling house means a building containing only one dwelling. Note - Dwelling houses are a type of residential accommodation Secondary dwelling means 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. Note - See clauses 5.4 and 5.5 for controls relating to the total floor area of secondary dwellings. Secondary dwellings are a type of residential accommodation

3.2 Proposed Development

Re-alignment of the shared boundary and construction of a dual occupancy development on proposed lot 1 (with post subdivision after completion) And a single dwelling and granny flat on proposed lot 2

3.3 Features of the Development

3.3.1 Car Parking and Access

Parking Configuration:	3x Single-car Garage.
Number of Parking Spaces:	3
AS2890:	The access driveway complies with AS2890.1.

3.3.2 Stormwater Disposal

The proposed stormwater management system for the development comprises a below-ground network collecting roof runoff via Ø100 mm uPVC downpipes and surface water via grated inlet pits, dish drains and kerb inlets connected by reinforced concrete (DN ≥ 300 mm) and uPVC (DN100–225 mm) pipes, with subsoil drains intercepting shallow groundwater; slimline rainwater recycling tanks (sized per BASIX); surplus flows are conveyed to absorption trenches and transpiration bed system site infiltration; and any additional overflow passes through a non-return valve and rising main to an inspection pit before discharging to the Council kerb-and-gutter via kerb inlet pits. The entire system is designed for 5% AEP “minor” and 1% AEP “major” storms in accordance with AS 3500.3 and Council guidelines, thereby meeting impervious-area limits while maximising reuse and reducing reliance on external drainage capacity.

3.3.3 Earthworks






Max Fill:	600mm
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3.3.4 Waste Management

A Waste Management Plan has been submitted with this development application. Refer to the Waste Management Plan for further information.

3.3.5 Schedule of External Finishes



-  **1** Garage/door- Light white Color or similar
-  **2** Austral wilderness design blackbutt
-  **3** Rendered balcony and balcony Shade / Light White Aluminium cladding or similar
-  **4** Glass Balustrade to AS
-  **5** Aluminum Windows- clear glass and Grey frame
-  **6** Driveway and Stepping stone Colored concrete (Natural Light gray)
-  **7** Brown stone cladding



4. Clause 4.15(1) Assessment of the EPAA Act 1979

4.1 Environmental Planning Instruments Provisions

4.1.1 State Environmental Planning Policy (Housing) 2021

Objective/Standard	Discussion	Y/N
Chapter 3 Diverse housing		
Part 1 Secondary dwellings		
Division 2 Secondary dwellings permitted with consent		
49 Definitions		
In this Part— development for the purposes of a secondary dwelling includes the following— (a) the erection of, or alterations or additions to— (i) a secondary dwelling, or (ii) an ancillary structure within the meaning of Schedule 1, (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling. residential zone means the following land use zones or an equivalent land use zone— (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential, (e) Zone R5 Large Lot Residential.	The site is located within the R2 zone which is defined as a residential zone. secondary dwelling means 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. Therefore the detached configuration of the secondary dwelling is permissible under the state policy.	YES
50 Application of Part		
This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.	Dwelling houses are permissible under the CB LEP and therefore secondary dwellings are permissible.	YES
51 No Subdivision		
Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part.	Subdivision is not proposed.	YES
Division 2 Secondary dwellings permitted with consent		
52 Development may be carried out with consent		
(1) Development to which this Part applies may be carried out with consent. (2) Development consent must not be granted for development to which this Part applies unless— (a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and (b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and (c) the total floor area of the secondary dwelling is— (i) no more than 60m ² , or (ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.	The secondary dwelling is being proposed in addition to the existing dwelling on the subject allotment, and is consistent with the Housing SEPP 2021. The area of the secondary dwelling is not greater than 60m ² .	YES



Objective/Standard	Discussion	Y/N
53 Non-discretionary development standards—the Act, s 4.15		
<p>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</p> <p>Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</p> <p>(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—</p> <p>(a) for a detached secondary dwelling—a minimum site area of 450m²,</p> <p>(b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.</p>	<p>The subject allotment has a site area of 472.72m², which is greater than the minimum required site area of 450m². Therefore, the proposed secondary dwelling is on an allotment of area 472.72m².</p> <p>The number of parking spaces provided on the subject allotment is retained.</p>	YES

4.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The property has historically been used for residential purposes, and does not involve any potential hazards. Therefore, further assessment of the site contamination is not required for the subject allotment.

4.1.3 State Environmental Planning Policy (Sustainable Buildings) 2022

The SEPP (Sustainable Buildings) 2022 came into effect on 29/8/22 and commenced 1/10/23. This policy applies to the proposed development. As required by the SEPP, a BASIX Certificate must be submitted with the development application.

The plans submitted with the application demonstrate that the proposed development will meet the water, thermal comfort, and energy efficiency requirements outlined in the policy once the development is constructed.

Refer to the BASIX Certificate numbered 1798777M issued on 5/6/25.

4.1.4 Canterbury Bankstown Local Environmental Plan 2023

	Discussion	Y/N
Permitted and Prohibited Development		
Zoning:	R2 - Low Density Residential	YES
Development Definition:	Attached Dual Occupancy (with Subdivision) & Dwelling and Secondary Dwelling	YES
Is the Development Permissible with Consent?	<p>The proposed development of attached dual occupancy dwelling house and secondary dwelling is permitted with consent under the Land Use Table.</p> <p>Torrens Title subdivision of allotment is permitted under Section 2.6 of the Local Environmental Plan</p>	YES



Is the Development Consistent with the Objectives of the zone?	<ul style="list-style-type: none"> The proposed construction will accommodate the neighborhood's needs of the household in a low-density setting. The development allow for additional land uses that offer amenities or services to cater to residents' daily requirements and to enable specific non-residential development that coexists with residential uses and does not negatively impact the neighborhood's quality of life or amenities. The development takes into account neighbourhood amenities. and landscaping for low-density residential environments. 	YES
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	Control	Discussion	Y/N
Principal Development Standards			
Minimum subdivision lot size	450m ²	Lot A - 753.4sqm Lot B - 472.72sqm	YES
Minimum lot sizes and special provisions for dual occupancies	Lot - 500m ² At least 15 metres wide at the front building line. Each Lot - 250m ²	Lot A has an area of 753.4sqm with a width of 15m at the building line. Each side of the dual occupancy will be subdivided into 376.7sqm lots after completion.	YES
Height of buildings	9m	7.74 Max	YES
Floor space ratio	0.5:1	612.99 (0.499:1)	YES

	Discussion	Y/N
Additional Local Provisions		
Earthworks	600mm fill - complies.	YES
Stormwater management and water sensitive urban design	Refer to SWMP - complies.	YES



4.2 Development Control Plan

4.2.1 Canterbury - Bankstown Development Control Plan 2023

Control		Discussion	Y/N
Chapter 2.3 Tree Management			
Works requiring a permit	<p>(3) A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.</p> <p>(4) Development consent is required to remove any tree:</p> <p>(a) located on a site listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023; or</p> <p>(b) located on land included on the BiodiversityMapundertheCanterbury-Bankstown Local Environmental Plan 2023.</p>	No tree removal is proposed.	YES
Prescribed trees	<p>(1) Chapter 2.3 of this DCP applies to the following trees:</p> <p>(a) all trees that are 5m or more in height; and</p> <p>(b) all mangroves, regardless of size; and</p> <p>(c) all trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the Biodiversity Conservation Act 2016; and</p> <p>(d) all trees, regardless of size, listed under the Environmental Protection and Biodiversity Conservation Act 1999; and</p> <p>(e) all trees, regardless of size, located on land included on the Biodiversity Map under the Canterbury-Bankstown Local Environmental Plan 2023; and</p> <p>(f) all trees, regardless of size, located on sites listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023; and</p> <p>(g) all trees, regardless of size, located in the foreshore area under the Canterbury-Bankstown Local Environmental Plan 2023.</p>	No tree removal is proposed.	YES



	Control	Discussion	Y/N						
Chapter 3.2 Parking									
Off-street parking rates	(1) Dual occupancies/ semi-detached dwellings: (i) 1 car space per 2 or less bedrooms; or (ii) 2 car spaces per 3 or more bedrooms. (2) Dwelling houses: (i) 2 car spaces.	Each dwelling (including the dual occupancy) has one internal parking space and one hardstand space.	YES						
Access driveway width and design	(1) The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road. (2) The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility. (3) Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits. (4) For new residential development, necessary clear driveway widths are provided in the following table: <table><tr><th>Driveway width</th><th>Minimum clear width</th></tr><tr><td>One-way</td><td>3m</td></tr><tr><td>Two-way</td><td>5.5m</td></tr></table>	Driveway width	Minimum clear width	One-way	3m	Two-way	5.5m	Complies. Noted. All driveways are separated. Each driveway has a width of 3m.	YES
Driveway width	Minimum clear width								
One-way	3m								
Two-way	5.5m								
Sight distance requirement	For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway.	Noted - no concern observed.	YES						
Pedestrian access	Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits.	Complies.	YES						



		Control	Discussion	Y/N
Chapter 3.3 Waste Management				
Weekly generation rates	(i) General waste - 140L (ii) Recycling - 120L (iii) Garden organics - 120L	Refer to WMP. Bin locations are shown on the Architectural Plans.		YES
Bin sizes	(iv) General waste - 140L (v) Recycling - 240L (vi) Garden organics - 240L			
All residential development types	(1) Council or its contractors are solely to provide the waste services to all residential development types as required under the <i>Local Government Act 1993</i> . (2) Each dwelling is to have: (a) A waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials. (b) A suitable space in the kitchen for a caddy to collect food waste.			



	Control	Discussion	Y/N
All residential development types	<p>(1) Development must provide an adequate sized bin storage area behind the front building line to accommodate all allocated bins.</p> <p>(2) The location of the bin storage area must not adversely impact on the the streetscape, building design or amenity of dwellings.</p> <p>(3) The location of the bin storage area should ensure this area:</p> <p>(a) is screened or cannot be viewed from the public domain; and</p> <p>(b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise, odour and traffic.</p> <p>(4) The location of the bin storage area is to be convenient to use for the dwelling occupants and caretakers, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any internal areas of the building/ dwelling and must avoid stairs or slopes.</p> <p>(5) Where possible, development may consider providing each dwelling with a suitable space for composting and worm farming, located within the backyard, private courtyard or open space. Composting facilities should locate on an unpaved area, with a minimum size of 1m² per dwelling.</p> <p>(6) Dwellings are to have access to an adequately sized on-site storage area to store bulky waste awaiting collection.</p> <p>(7) Development must comply with the requirements of the applicable Waste Design for New Developments Guide.</p>	The bin locations are screened from the public domain.	YES



	Control	Discussion	Y/N
Chapter 3.5 Subdivision			
Lot dimensions and access handles	<p>(1) Council may allow the subdivision of land to create not more than four battle-axe lots provided that:</p> <ul style="list-style-type: none"> (a) the area of each lot, exclusive of any access corridor, is not less than 450m² ; and (b) each lot contains a rectangle with sides of 10m and 15m behind the setbacks of the proposed building. <p>(2) Where the subdivision of land is creating:</p> <ul style="list-style-type: none"> (a) a single battle-axe lot, the minimum width of an access handle is 3.5m; or (b) two or more battle-axe lots, the minimum width of an access handle is 3.5m plus a passing bay at 30m intervals. <p>(3) Vehicle access to battle-axe lots must be provided via access handles and not rights-of way.</p> <p>(4) The access handle must be constructed in concrete, be unobtrusive in colour and be designed to enable vehicles to enter and leave the site in a forward direction:</p> <ul style="list-style-type: none"> (a) Where the access handle serves only one lot, two concrete strips within the access handle are permitted, each to be 1m wide and spaced 0.75m apart. (b) Where the access handle is to serve two or more lots, it must be constructed with kerb and gutter on at least one side, with sealed pavement and drainage discharged. 	Battle-axe subdivision is not proposed.	YES
Chapter 3.7 Landscape			
Existing vegetation and natural features	<p>(1) New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.</p> <p>(2) Development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.</p>	Minimal cut and fill is proposed. The development follows the natural contours of the land.	YES



	Control	Discussion	Y/N
Trees	<p>(1) Development must consider the retention of existing trees in the building design.</p> <p>(2) Development must plant at least one canopy tree for every 12m of front and rear boundary width and:</p> <p>(a) Canopy trees are to be of a minimum 75 litre pot size.</p> <p>(b) Use deciduous trees in small open spaces, such as courtyards, to improve solar access and control of microclimate.</p> <p>(c) Place evergreen trees well away from the building to allow the winter sun access.</p> <p>(d) Select trees that do not inhibit airflow.</p> <p>(e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils.</p> <p>(3) Development must provide street trees that will contribute to the canopy where possible.</p>	The site has no existing vegetation supported on-site or adjacent to the site.	YES

Chapter 5 Residential Accommodation - Former Bankstown LGA

Dwelling Houses

Storey limit (not including basements)	<p>(a) The storey limit for dwelling houses is two storeys.</p> <p>(b) The siting of dwelling houses 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>(c) Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:</p> <p>(i) the dwelling house is required to be raised to achieve a suitable freeboard</p> <p>(ii) the fill is contained within the ground floor perimeter of the dwelling house to a height no greater than 1 metre above the ground level (existing) of the site.</p>	<p>Two storeys is proposed.</p> <p>The development follows the natural contours of the land.</p> <p>Fill is contained within the building envelope with a height less than 1m (no fill exceeds 900mm).</p>	YES
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	Control	Discussion	Y/N
Setback restrictions	The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.	The subject allotment is not within 9 metres of any animal boarding or training establishment.	YES
Street setbacks	(1) The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey. (2) The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.	6m 7.2m	YES
Side setbacks	(1) 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 boundary of the site is 0.9 metre. (2) For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support. (3) The basement level must not project beyond the ground floor perimeter of the dwelling house.	1000mm 1500mm	YES
Private open space	Dwelling houses must provide a minimum 80m ² 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.	80sqm (min 5m dimension) is proposed.	YES



	Control	Discussion	Y/N
Access to sunlight	<p>(1) 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>(2) 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>(3) 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>(4) Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p>	<p>Complies between 1PM - 4PM.</p> <p>Complies between 8AM - 11AM</p> <p>Complies - Refer to Shadow Diagrams.</p> <p>No solar exists on the adjoining property.</p>	YES



	Control	Discussion	Y/N
Visual privacy	<p>(1) Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <ul style="list-style-type: none">(a) offset the windows between dwellings to minimise overlooking; or(b) provide the window with a minimum sill height of 1.5 metres above floor level; or(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or(d) use another form of screening to the satisfaction of Council. <p>(2) 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> <ul style="list-style-type: none">(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or(b) the window has a minimum sill height of 1.5 metres above floor level; or(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or(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>(3) 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:</p> <ul style="list-style-type: none">(a) does not have an external staircase; and(b) does not exceed a width of 1.5 metres throughout; and(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building. <p>(4) Council does not allow dwelling houses to have roof-top balconies and the like.</p>	<p>Windows on the ground floor are protected from overlooking as a result of the 1.8m boundary fence.</p> <p>The first floor windows do not cause any concern to privacy as they overlook the roof area of the adjoining single storey dwellings. The first floor rooms are also generally associated with bedrooms.</p>	YES



	Control	Discussion	Y/N
Building design	<p>(1) The maximum roof pitch for dwelling houses is 35 degrees.</p> <p>(2) Council may allow dwelling houses to have an attic provided the attic design:</p> <ul style="list-style-type: none"> (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. <p>(3) The design of dormers must:</p> <ul style="list-style-type: none"> (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane. 	<p>The pitch of the development is less than 35 degrees.</p> <p>N/A</p>	YES
Building design (car parking)	<p>(1) 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 to locate forward of the front building line provided:</p> <ul style="list-style-type: none"> (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. <p>(2) 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.</p>	<p>One covered space is located within the garage.</p> <p>One uncovered space is located forward of the front building line in a stacked arrangement.</p> <p>The front setback is 6m.</p>	YES



	Control	Discussion	Y/N
Landscape	<p>(1) 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 dwelling house.</p> <p>(2) 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:</p> <p>(a) a minimum 45% of the area between the dwelling house and the primary street frontage; and</p> <p>(b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and</p> <p>(c) plant at least one 75 litre tree between the dwelling house and the primary street frontage.</p>		YES
Dual Occupancies			
Subdivision	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.	N/A	YES
Storey limit (not including basements)	<p>(1) The storey limit for dual occupancies is two storeys.</p> <p>(2) 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>(3) Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:</p> <p>(a) the dual occupancy is required to be raised to achieve a suitable freeboard; or</p> <p>(b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the site.</p>	<p>Two storeys is proposed.</p> <p>The development follows the natural contours of the land.</p> <p>Fill is contained within the building envelope with a height less than 1m (no fill exceeds 900mm).</p>	YES



	Control	Discussion	Y/N
Setback restrictions	The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.	The subject allotment is not within 9 metres of any animal boarding or training establishment.	YES
Street setbacks	<p>(1) The minimum setback for a building wall to the primary street frontage is:</p> <p>(a) 5.5 metres for the first storey (i.e. the ground floor); and</p> <p>(b) 6.5 metres for the second storey.</p> <p>(2) The minimum setback to the secondary street frontage is:</p> <p>(a) 3 metres for a building wall; and</p> <p>(b) 5.5 metres for a garage or carport that is attached to the building wall.</p>	<p>6m</p> <p>7.2m</p>	YES
Side setbacks	<p>(1) 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 boundary of the site is 0.9 metre. 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.</p> <p>(2) For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.</p> <p>(3) The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.</p>	<p>1000mm</p> <p>1500mm</p>	YES
Private open space	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 5 metres throughout.	80sqm (min 5m dimension) is proposed.	YES



	Control	Discussion	Y/N
Access to sunlight	<p>(1) 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.</p> <p>(2) 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>(3) A minimum 50% of the private open space required for each dwelling 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>(4) Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p>	<p>Complies between 1PM - 4PM.</p> <p>Complies between 8AM - 11AM</p> <p>Complies - Refer to Shadow Diagrams.</p> <p>No solar exists on the adjoining property.</p>	YES



	Control	Discussion	Y/N
Visual privacy	<p>(1) Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <ul style="list-style-type: none"> (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council. <p>(2) 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> <ul style="list-style-type: none"> (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (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>(3) 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:</p> <ul style="list-style-type: none"> (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building. (d) Council does not allow dual occupancies to have roof-top balconies and the like. 	<p>Windows on the ground floor are protected from overlooking as a result of the 1.8m boundary fence.</p> <p>The first floor windows do not cause any concern to privacy as they overlook the roof area of the adjoining single storey dwellings. The first floor rooms are also generally associated with bedrooms.</p>	YES



	Control	Discussion	Y/N
Building design	<p>(1) Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.</p> <p>(2) The design of dual occupancies must ensure:</p> <ul style="list-style-type: none"> (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 (b) 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 (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner site each face a different frontage. <p>(3) The maximum roof pitch for dual occupancies is 35 degrees.</p> <p>(4) Council may allow dual occupancies to have an attic provided the attic design:</p> <ul style="list-style-type: none"> (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. <p>(5) The design of dormers must:</p> <ul style="list-style-type: none"> (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2 metres; and (d) the number of dormers must not dominate the roof plane. 	<p>N/A</p> <p>Whilst the design is symmetrical, the development still provides an individual identity from the street as a result of the development having separate driveways and entry doors.</p> <p>A bedroom on the first floor of each dwelling faces the street.</p> <p>The dwelling provides for a single garage and meets the landscaping requirements forward of the front building line.</p> <p>The pitch of the roof is less than 35 degrees.</p> <p>N/A</p>	VARIATION SOUGHT



	Control	Discussion	Y/N
Building design (car parking)	<p>(1) 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:</p> <p>(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</p> <p>(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.</p> <p>(2) 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.</p> <p>(3) 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:</p> <p>(a) the building is at least two storeys in height, and</p> <p>(b) the garage is architecturally integrated with the upper storey by:</p> <p>(i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and</p> <p>(ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.</p>	<p>One covered space is located within the garage.</p> <p>One uncovered space is located forward of the front building line in a stacked arrangement.</p> <p>The front setback is 6m.</p>	YES



	Control	Discussion	Y/N
Landscape	<p>(1) 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.</p> <p>(2) 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.</p> <p>(a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and</p> <p>(b) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and</p> <p>(c) plant at least one 75 litre tree between the dual occupancy and the primary street frontage.</p>	<p>The proposal does not seek to remove vegetation.</p> <p>45.1% each dwelling.</p> <p>Council shall condition a species and pot size as a condition of consent to satisfy this control.</p>	YES
Secondary Dwellings			
Lot Size	A secondary dwelling is permissible on a site with a minimum lot size of 450m ²	The secondary dwelling is proposed on a lot that is greater than 450sqm.	YES
Site cover	<p>Council must not consent to development for the purpose of secondary dwellings unless:</p> <p>(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</p> <p>(b) the total floor area of the secondary dwelling is no more than 60m² 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.</p>	A secondary dwelling than is no more than 60sqm is proposed.	YES



	Control	Discussion	Y/N
Storey limit (not including basements)	<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>	A single storey dwelling with a wall height of 3m is proposed.	YES
Fill	<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>	Earthworks associated with the secondary dwelling is less than 1m.	YES
Setback restrictions	The erection of secondary dwellings is prohibited within 9m of an existing animal boarding or training establishment.	The subject allotment is not within 9 metres of any animal boarding or training establishment.	YES
Street setbacks	<p>The minimum setback for a building wall to the primary street frontage is:</p> <ul style="list-style-type: none"> (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey. <p>The minimum setback to the secondary street frontage is:</p> <ul style="list-style-type: none"> (a) 3m for a building wall; and (b) 5.5m for a garage or carport that is attached to the building wall. 	The secondary dwelling is in excess of 5.5m.	YES



	Control	Discussion	Y/N
Side and rear setbacks	<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>	The secondary dwelling has a side setback of 900mm. The rear setback is in excess of 900mm.	YES
Private open space	Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.	80sqm of POS is maintained to the primary dwelling.	YES
Access to sunlight	<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 principal dwelling on the site 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>Complies between 1PM - 4PM.</p> <p>Complies between 8AM - 11AM</p> <p>Complies - Refer to Shadow Diagrams.</p> <p>No solar exists on the adjoining property.</p>	YES



	Control	Discussion	Y/N
Visual privacy	<p>Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <ul style="list-style-type: none">(a) offset the windows between dwellings to minimise overlooking; or(b) provide the window with a minimum sill height of 1.5m above floor level; or(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or(d) use another form of screening to the satisfaction of Council. <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:</p> <ul style="list-style-type: none">(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or(b) the window has a minimum sill height of 1.5m above floor level; or(c) the window has translucent glazing to a minimum height of 1.5m above floor level; or(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>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> <ul style="list-style-type: none">(a) does not have an external staircase; and(b) does not exceed a width of 1.5m throughout; and(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building. <p>Council does not allow secondary dwellings to have roof-top balconies and the like.</p>	<p>Windows on the ground floor are protected from overlooking as a result of the 1.8m boundary fence.</p> <p>The first floor windows do not cause any concern to privacy as they overlook the roof area of the adjoining single storey dwellings. The first floor rooms are also generally associated with bedrooms.</p>	YES



	Control	Discussion	Y/N
Building design	<p>The maximum roof pitch for attached secondary dwellings is 35 degrees.</p> <p>Council may allow attached secondary dwellings to have an attic provided the attic design:</p> <ul style="list-style-type: none">(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. <p>The design of dormers must:</p> <ul style="list-style-type: none">(a) be compatible with the form and pitch of the roof; and(b) must not project above the ridgeline of the main roof; and(c) must not exceed a width of 2m; and(d) the number of dormers must not dominate the roof plane.	N/A	YES
	<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 roof pitch of the secondary dwelling is less than 25 degrees.</p> <p>N/A</p>	



	Control	Discussion	Y/N
Building design (car parking)	Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.	No additional parking is triggered by the secondary dwelling.	YES
Landscape	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.	There are no trees that exist on the site.	YES

4.3 Planning Agreements

A planning agreement is not proposed in response to Section 4.15(1)(iiiia) of the EPAA Act 1979.

4.4 Impacts of the Development

There are several factors to consider when evaluating the potential environmental impacts on the natural and built environments, as well as the social and economic impacts in the local area, in accordance with the Environmental Planning and Assessment Act 1979. These may include:

- The potential for the development to affect air quality, water resources, soil quality, flora and fauna, and other natural resources
- The potential for the development to cause noise, vibration, or other types of pollution
- The potential for the development to contribute to climate change or other environmental issues
- The potential for the development to affect the character or amenity of the local area
- The potential for the development to have social or economic impacts on the local community, including impacts on housing affordability, employment, and local businesses.

The proposed development is considered to be satisfactory because the development does not conflict with the criteria above.

4.5 Suitability of the Site for the Development

The proposed development is located in a zoning that allows for the type of development being proposed and has access to the necessary infrastructure to support it. The property's physical characteristics, including its size and shape, are suitable for the development, and the location is appropriate given the surrounding land uses and the needs and desires of the community. There is sufficient demand for the development in the local area. There are no environmental constraints that haven't been appropriately considered, that would prevent the development from proceeding.



4.6 Submissions

Council must consider any submissions received in accordance with Council's Notification Policy.

4.7 The Public Interest

The proposed development has been carefully designed to minimize its environmental impacts as demonstrated by the assessment of the relevant SEPPs, LEP and DCP. The development will have a positive social impact by providing new housing options and it will have an economic impact by creating new jobs and stimulating economic growth in the area. The development's design is compatible with the surrounding area and will enhance the character and amenity of the local community. It will not generate significant additional vehicle traffic or have any negative impacts on local roads or transportation networks. The development meets all health and safety standards and will not negatively affect the cultural or heritage values of the area. It also aligns with regional and state planning objectives.

5. Conclusion

The proposed development is permissible with the consent of Council under the Environmental Planning and Assessment Act 1979. This Statement of Environmental Effects has assessed the proposal against the relevant SEPPs, Local Environmental Plan and Development Control Plan. The proposal has demonstrated that it is compatible with the aims of objectives of the LEP and DCP.

Council should therefore be supportive of the proposed realignment of the shared boundary and construction of a dual occupancy development on proposed lot 1 (with post subdivision after completion) and a single dwelling and granny flat on proposed lot 2.

Should you wish to discuss the matter further, please do not hesitate to contact the undersigned.

Yours faithfully,

Steven Sammut
Director
Developable Pty Ltd