

---

# STATEMENT OF ENVIRONMENTAL EFFECTS

---

TWO STOREY DWELLING WITH BASEMENT PARKING  
3 GUNGAROO PLACE BEVERLY HILLS NSW 2209





**ABN:** 30 605 941 482  
**PHONE:** (02) 8706 9797  
**EMAIL:** [info@planzone.com.au](mailto:info@planzone.com.au)  
**WEB:** [planzone.com.au](http://planzone.com.au)  
**POST:** PO Box 3, Liverpool NSW 1871

**QA RECORD:**

**DOC ID:** SEE.250237.NR.AH  
**VERSION:** 1.0  
**ISSUE DATE:** 6 April 2025

**DISCLAIMER:**

While every reasonable effort has been made to ensure that this document is correct at the time of publication, PLANZONE Pty Ltd, its subsidiaries, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

**© COPYRIGHT**

This document and any attachments referenced herein remain the property of PLANZONE Pty Ltd. Copying, editing, reproducing, disseminating or redistributing this document is not permitted without the prior consent of PLANZONE Pty Ltd.



Planning  
Institute  
Australia



## TABLE OF CONTENTS

	PAGE
<b>1 INTRODUCTION</b>	<b>1</b>
<b>2 THE SITE AND SURROUNDS</b>	<b>2</b>
<b>3 THE PROPOSAL</b>	<b>5</b>
<b>4 PLANNING FRAMEWORK</b>	<b>6</b>
<b>5 SECTION 1.7 EVALUATION EP&amp;A ACT, 1979</b>	<b>7</b>
5.1 BIODIVERSITY CONSERVATION ACT, 2016	7
5.2 FISHERIES MANAGEMENT ACT, 1994	7
<b>6 SECTION 4.15 EVALUATION EP&amp;A ACT, 1979</b>	<b>7</b>
6.1 SECTION 4.15(1)(A) OF THE EP&A ACT, 1979	7
6.2 SECTION 4.15(1)(B) OF THE EP&A ACT, 1979	22
6.3 SECTION 4.15(1)(C) OF THE EP&A ACT, 1979	25
6.4 SECTION 4.15(1)(D) OF THE EP&A ACT, 1979	26
6.5 SECTION 4.15(1)(E) OF THE EP&A ACT, 1979	26
<b>7 SECTION 4.46 EVALUATION EP&amp;A ACT, 1979</b>	<b>27</b>
<b>8 CONCLUSION</b>	<b>27</b>



## FIGURES

### PAGE

FIGURE 1: LOCATION MAP	3
FIGURE 2: AERIAL PHOTO	3
FIGURE 3: STREET VIEW OF THE SUBEJCT SITE	4
FIGURE 4: VIEW OF ADJOINING PROPERTY TO THE EAST	4
FIGURE 5: VIEW OF OPPOSITE PROPERTY	5
FIGURE 6: VIEW OF ADJOINING PROPERTIES TO THE WEST	5

## TABLES

### PAGE

TABLE 1: LOCAL PLANNING PANEL MINISTERIAL DIRECTION CRITERIA	2
TABLE 2: DEVELOPMENT AND BUILT FORM SNAPSHOT	6
TABLE 3: BIODIVERSITY & CONSERVATION SEPP APPLICABLE CHAPTERS	8
TABLE 4: RESILIENCE & HAZARDS SEPP APPLICABLE CHAPTERS	8
TABLE 5: TRANSPORT & INFRASTRUCTURE SEPP APPLICABLE CHAPTERS	9
TABLE 6: TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS	9
TABLE 7: TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS	9
TABLE 8: TRANSPORT & INFRASTRUCTURE SEPP - ROADS AND TRAFFIC PROVISIONS	10
TABLE 9: CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 COMPLIANCE TABLE	14
TABLE 10: CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 COMPLIANCE TABLE	21
TABLE 11: MATTERS FOR CONSIDERATION UNDER THE EP&A REGULATION, 2021	22
TABLE 12: INTEGRATED DEVELOPMENT TRIGGERS	27



## LEGISLATION CHECKLIST

STATE ENVIRONMENTAL PLANNING POLICY	APPLICABLE?
SEPP NO 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT	N/A
SEPP (SUSTAINABLE BUILDING) 2022	✓
SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008	N/A
SEPP (BIODIVERSITY AND CONSERVATION) 2021	✓
SEPP (HOUSING) 2021	N/A
SEPP (INDUSTRY AND EMPLOYMENT) 2021	N/A
SEPP (PLANNING SYSTEMS) 2021	N/A
SEPP (PRECINCTS - CENTRAL RIVER CITY) 2021	N/A
SEPP (PRECINCTS - EASTERN HARBOUR CITY) 2021	N/A
SEPP (PRECINCTS - REGIONAL) 2021	N/A
SEPP (PRECINCTS - WESTERN PARKLAND CITY) 2021	N/A
SEPP (PRIMARY PRODUCTION) 2021	N/A
SEPP (RESILIENCE AND HAZARDS) 2021	✓
SEPP (RESOURCES AND ENERGY) 2021	N/A
SEPP (TRANSPORT AND INFRASTRUCTURE) 2021	✓



# 1 INTRODUCTION

This Statement of Environmental Effects has been prepared PLANZONE to accompany an application to City of Canterbury-Bankstown Council seeking consent for the partial demolition of existing shed and construction of a two-storey dwelling house, with basement parking at 3 Gungaroo Place Beverly Hills NSW 2209.

This Statement of Environmental Effects has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979* (the Act) and Part 3 of the *Environmental Planning and Assessment Regulation, 2021* (the Regulation), and provides the following:

- Identifies any environmental impacts of the development;
- Indicates how any environmental impacts of the development have been identified;
- Outlines the steps to be taken to protect the environment or to lessen the expected harm to the environment; and
- Considers any matters required to be indicated by any guidelines issued by the Planning Secretary.

The application proposes partial demolition of the existing shed at the rear and construction of a new two storey dwelling with basement level parking and media room. The application retains the remaining portion of the shed which will be fitted to function as a gym. The development achieves the objectives and satisfies the controls prescribed in the *Canterbury-Bankstown Local Environmental Plan 2023* and *Canterbury-Bankstown Development Control Plan 2023* (the DCP). The proposed development responds to the characteristics of the site and the lot orientation ensures that future dwellings will be provided with ample amenity through the provision of natural light and cross flow ventilation and a functional private open space area.

Upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will integrate with the character of existing developments in the streetscape. The proposed development will significantly enhance the existing streetscape and provide a catalyst for future similar developments of a high standard in the locality.

The site is not impacted by any easements or other site constraints that would restrict the proposed development or otherwise render the site unsuitable for the proposed development and accordingly, the proposed development will be in the local and wider public interest.

The DA is made pursuant to Part 4 of the Act and is not Integrated or Designated Development under the provisions of the Act. The development has a Capital Investment Value of less than \$30 million and the application is not one that requires determination by the Local Planning Panel by Ministerial Direction issued under Section 9.1 of the Act as detailed below:

DEVELOPMENT		TRIGGER	✓/✗
1. Conflict of Interest	N/A		N/A
2. Contentious Development	The consideration of submissions cannot be made at the time of preparing this Statement.		N/A
3. Departure from Development Standards	The DA does not seek consent for a departure from a development standard under Clause 4.6 of the LEP.		N/A
4. Sensitive Development	(a) The DA is not designated development. (b) The DA does not seek consent for a residential flat building. (c) The DA does not seek consent for demolition of a heritage item.		N/A

**LEGEND:**

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



DEVELOPMENT	TRIGGER	✓/✗
	(d) The DA is not for a licensed premises.	
	(e) The DA is not for a sex-services or restricted premises.	
	(f) The DA does not propose to enter into a planning agreement.	

TABLE 1: LOCAL PLANNING PANEL MINISTERIAL DIRECTION CRITERIA

Accordingly, Council is the consent authority for the purpose of determining the DA unless submissions are received that would trigger a requirement for the application to be referred to the Local Planning Panel for determination.

This Statement of Environmental Effects undertakes an assessment of the proposal against the requirements and the matters for consideration under Sections 1.7, 4.15, 4.46. 8.2 and 8.3 of the Act and should be read in conjunction with the plans and documents accompanying the application.

TITLE	AUTHOR	REF NO	REVISION	DATE
Architectural Plans	Complete Project Home	3 Gungaroo Place, Beverly Hills	A	19/06/2025
BASIX Certificate	GEC Design	1807239S	-	06/08/2025
Driveway Plan and Standard Detail	AE Consulting Engineers	C25066	B	07/08/2025
Quantity Surveyor Report	HD Quantity Surveyors	-	-	18/04/2025
Landscape Plan	A Total Concept [ATC] Landscape Architects	CHP – L/01-L/04	C	07/08/2025
Notification Plan	Complete Project Home	A06-004	A	08/07/2025
Stormwater Drainage Plans	AE Consulting Engineers	D25066	B	31/07/2025
Survey Plan	Nexus Survey Group	240177	A	19/11/2024
Waste Management Plan	Complete Project Home	-	-	-

## 2 THE SITE AND SURROUNDS

**ADDRESS:** 3 Gungaroo Place Beverly Hills NSW 2209

**LEGAL DESCRIPTION:** Lot 981 in DP 13705

**SITE AREA:** 663.9 m<sup>2</sup> (title)

**DIMENSIONS**  
**NORTHERN FRONT:** 15.21 metres  
**EASTERN SIDE:** 37.15 metres  
**WESTERN SIDE:** 46.15 metres  
**SOUTHERN REAR:** 20.8 metres

**ORIENTATION:** The subject site is located on the north side of Gungaroo Place, Beverly Hills as shown in Figure 1.

**LEGEND:**  
✓ COMPLIES  
✗ DOES NOT COMPLY  
S SATISFACTORY





#### LOCATION MAP:

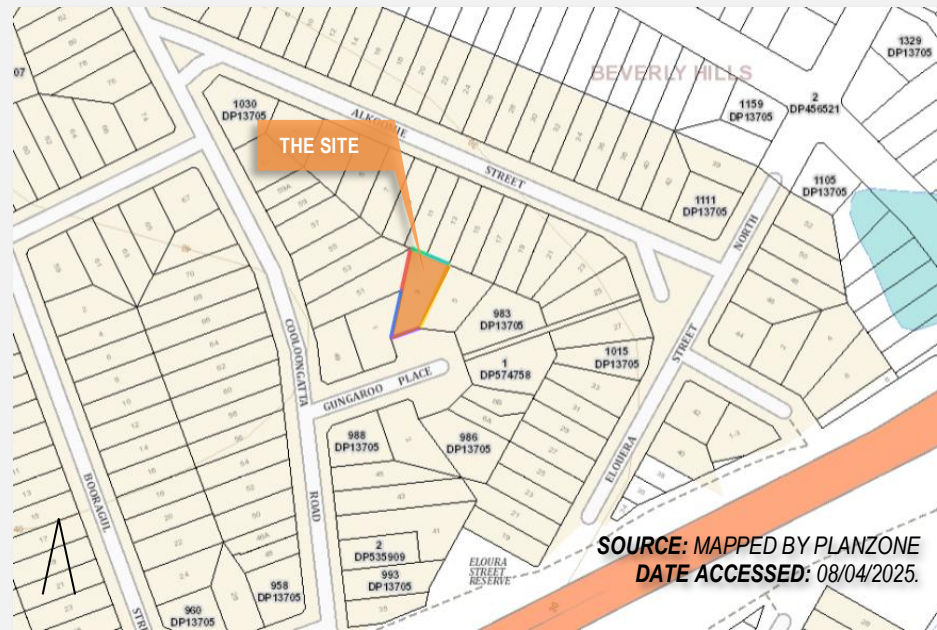


FIGURE 1: LOCATION MAP

#### AERIAL MAP:



FIGURE 2: AERIAL PHOTO

#### EXISTING IMPROVEMENTS:

The subject site has a one storey dwelling and shed at the rear of the property. An aerial map is provided above and photographs illustrating the site and existing structures are provided below:

#### LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY





FIGURE 3: STREET VIEW OF THE SUBEJCT SITE

**EXISTING  
VEGETATION:**

The site does not contain any trees or vegetation of significance. The application does not propose tree removal, clearance of native vegetation or any vegetation of significance.

**SURROUNDS:**

The local surrounding area is characterised by medium density residential uses on all sides.



FIGURE 4: VIEW OF ADJOINING PROPERTY TO THE EAST

**LEGEND:**

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



SOURCE: GOOGLE STREET VIEW  
DATE ACCESSED: 08/04/2025.

FIGURE 5: VIEW OF OPPOSITE PROPERTY



SOURCE: GOOGLE STREET VIEW  
DATE ACCESSED: 08/04/2025

FIGURE 6: VIEW OF ADJOINING PROPERTIES TO THE WEST

**PAST USES AND  
DEVELOPMENT  
HISTORY:**

A review of NSW Historical Imagery shows the site was vacant till 1955 when a single storey dwelling house was constructed. The outbuilding was later constructed and is visible in aerial imagery for 1971. Review of 1955-2024 aerial imagery shows the lot as used for residential purposes for a lengthy period of time. A review of Council's DA tracking system has an application for demolition of existing structures – CD-33/2025 for the subject site.

### 3 THE PROPOSAL

**PROPOSED  
DEVELOPMENT:**

The subject application seeks consent for partial demolition of existing shed and construction of a two-storey dwelling house, with basement parking at 3 Gungaroo Place Beverly Hills NSW 2209.

**LEGEND:**

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



<b>DEFINED LAND USE:</b>	<b>“ Dwelling house means a building containing only one dwelling. ”</b>	
<b>DEMOLITION:</b>	The application proposes partial demolition of the existing shed on site.	
<b>EARTHWORKS:</b>	Earthworks are proposed as part of this application for basement level parking.	
<b>SITE AREA:</b>	663.9m <sup>2</sup> (title)	
<b>GROSS FLOOR AREA:</b>	<b>BASEMENT FLOOR:</b> 28.45m <sup>2</sup> <b>GROUND FLOOR:</b> 159.39m <sup>2</sup> <b>FIRST FLOOR:</b> 140.77m <sup>2</sup> <b>TOTAL GFA:</b> 328.60 m <sup>2</sup>	
<b>FLOOR SPACE RATIO:</b>	<b>STANDARD:</b> 0.5:1 <b>PROPOSED:</b> 0.49:1	
<b>BUILDING HEIGHT:</b>	<b>STANDARD:</b> 8.5 metres <b>PROPOSED:</b> 6.181 metres (front) and 8.014 metres (rear)	
<b>FRONT SETBACK:</b>	<b>GROUND FLOOR:</b> 6.565 metres (with portion of porch in articulation zone) <b>FIRST FLOOR:</b> 6metres (to balcony) and 8.579 metres (to bed 1)	
<b>REAR SETBACK:</b>	<b>GROUND FLOOR:</b> 9.492metres (to alfresco) <b>FIRST FLOOR:</b> 11.553 metres (to terrace)	
<b>SIDE SETBACKS:</b>	<b>EASTERN BOUNDARY</b>	<b>WESTERN BOUNDARY</b>
	<b>GROUND</b> 3.531 meters	1.190 metres
	<b>FIRST FLOOR</b> 2.95 metre	1.190 metres
<b>CAR PARKING:</b>	The application proposes 4-space basement parking.	
<b>PRIVATE OPEN SPACE:</b>	Over 250 sqm of POS is proposed are shown on Architectural Plans including alfresco and rear landscaped area. (41.6 m <sup>2</sup> alfresco + rear landscape)	
<b>LANDSCAPED AREA:</b>	<b>PROPOSED:</b> 256.57 m <sup>2</sup>	
<b>STORMWATER:</b>	Concept stormwater drainage plans provided in a separate cover.	

TABLE 2: DEVELOPMENT AND BUILT FORM SNAPSHOT

## 4 PLANNING FRAMEWORK

The *Environmental Planning and Assessment Act, 1979* (the Act) prescribes the following matters that have been taken into consideration in the assessment of the subject application, as detailed under the respective headings within Sections 5, 6 and 7 of this Statement:

- Section 1.7 - Significant effect on threatened species, populations or ecological communities, or their habitats;
- Section 4.15 - Evaluation:
  - Section 4.15(1)(a)(i) - The provisions of any Environmental Planning Instrument;
  - Section 4.15(1)(a)(ii) - The provisions of any exhibited Draft Environmental Planning Instruments;
  - Section 4.15(1)(a)(iii) - The provisions of any Development Control Plan;
  - Section 4.15(1)(a)(iia) - The provisions of any Planning Agreement entered into under s7.4 or proposed Planning Agreement;
  - Section 4.15(1)(a)(iv) - The provisions of the Regulations;
  - Section 4.15(1)(b) - The likely environmental impacts on both the natural and built environments,





- and social and economic impacts of the development;
- Section 4.15(1)(c) - The suitability of the site for the development;
- Section 4.15(1)(d) - Any submissions made in accordance with the Act or the regulations; and
- Section 4.15(1)(e) - The public interest.
- Section 4.46 - Integrated Development.

## 5 SECTION 1.7 EVALUATION EP&A ACT, 1979

Section 1.7 of the Act prescribes matters for consideration in determining whether a development is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. The relevant provisions from the Act are discussed below.

### 5.1 BIODIVERSITY CONSERVATION ACT, 2016

The development is not *likely to significantly affect threatened species* as required to be considered under Part 7 of the *Biodiversity Conservation Act, 2016*.

### 5.2 FISHERIES MANAGEMENT ACT, 1994

The development is not *likely to significantly affect threatened species, population or ecological community* as required to be considered under Part 7A of the *Fisheries Management Act, 1994*.

## 6 SECTION 4.15 EVALUATION EP&A ACT, 1979

### 6.1 SECTION 4.15(1)(A) OF THE EP&A ACT, 1979

#### (i) SECTION 4.15(1)(A)(I)

THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

The following environmental planning instruments are applicable to this development:

- State Environmental Planning Policy (Sustainable Building) 2022;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021; and
- Canterbury-Bankstown Local Environmental Plan 2023.

#### STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

Pursuant to the provisions of the *Environmental Planning & Assessment Regulations 2021*, the proposed development is defined as *BASIX affected development*. A *BASIX Certificate* for the proposed dwelling accompanies the application indicating full compliance with the BASIX requirements by achieving or surpassing the minimum water, energy, and thermal comfort scores.

#### STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

CHAPTERS	APPLICABLE?
<b>CURRENT VERSION FOR 7 MARCH 2025</b>	
CHAPTER 2: VEGETATION IN NON-RURAL AREAS	✓
CHAPTER 3: KOALA HABITAT PROTECTION 2020	✗
CHAPTER 4: KOALA HABITAT PROTECTION 2021	✗
CHAPTER 5: RIVER MURRAY LANDS	✗

#### LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



CHAPTER 6: WATER CATCHMENTS	x
CHAPTER 7-12: REPEALED	N/A
CHAPTER 13 STRATEGIC CONSERVATION PLANNING	x

TABLE 3: BIODIVERSITY & CONSERVATION SEPP APPLICABLE CHAPTERS

## CHAPTER 2: VEGETATION IN NON-RURAL AREAS

Chapter 2 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (SEPP Biodiversity and Conservation) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The subject site is located in a R3 Medium Density Residential. The application does not seek removal of any trees or vegetation of significance.

## STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

CHAPTERS	APPLICABLE?
<b>CURRENT VERSION FOR 4 AUGUST 2023</b>	
CHAPTER 2: COASTAL MANAGEMENT	x
CHAPTER 3: HAZARDOUS AND OFFENSIVE DEVELOPMENT	x
CHAPTER 4: REMEDIATION OF LAND	✓

TABLE 4: RESILIENCE & HAZARDS SEPP APPLICABLE CHAPTERS

Chapter 4 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (the Resilience & Hazards SEPP) contains planning matters for consideration for potentially contaminated land that prevents land from being developed if it is unsuitable for a proposed use because it is contaminated.

The history of land uses for the site has been considered as an indicator for potential contamination. A review of early 1955's Historical Aerial Imagery of the site reveals that the site contained a residential development at that time and Council's DA tracker revealed a prior development application for demolition of this house. The site also contains an outbuilding towards the rear which was constructed sometime during 1971 which still exists on site. Accordingly, there is no reason to suspect that the site may be contaminated, and further investigation of the site's potential contamination is not required. Therefore, Council can be satisfied of its obligations under Section 4.6 of the Resilience & Hazards SEPP as the application appropriately considers the potential for contamination under the SEPP.

## STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

CHAPTERS	APPLICABLE?
<b>CURRENT VERSION FOR 13 DECEMBER 2024</b>	
CHAPTER 2: INFRASTRUCTURE	✓
CHAPTER 3: EDUCATIONAL ESTABLISHMENTS AND CHILDCARE FACILITIES	x
CHAPTER 4: MAJOR INFRASTRUCTURE CORRIDORS	x
CHAPTER 5: THREE PORTS - PORT BOTANY, PORT KEMBLA & NEWCASTLE	x

LEGEND:  
 ✓ COMPLIES  
 x DOES NOT COMPLY  
 S SATISFACTORY



CHAPTERS	APPLICABLE?
CHAPTER 6: MOOREBANK FREIGHT INTERMODAL PRECINCT	x

TABLE 5: TRANSPORT & INFRASTRUCTURE SEPP APPLICABLE CHAPTERS

## CHAPTER 2: INFRASTRUCTURE

### PART 2.3 - DIVISION 5 - ELECTRICITY TRANSMISSION OR DISTRIBUTION

#### SECTION 2.48: DETERMINATION OF DEVELOPMENT APPLICATIONS - OTHER DEVELOPMENT

Section 2.48 in Chapter 2 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Transport & Infrastructure SEPP) identifies triggers which require the local electricity supply authority to be given written notice of a DA (or modification) as identified below:

SECT.	TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS	✓/x
(1)(a)	<i>The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower.</i>	x
(1)(b)	<i>Development carried out-</i> (i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i> (ii) <i>immediately adjacent to an electricity substation, or</i> (iii) <i>within 5m of an exposed overhead electricity power line.</i>	x
1(c)	<i>installation of a swimming pool any part of which is-</i> (i) <i>within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</i> (ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.</i>	x
(1)(d)	<i>Development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</i>	x

TABLE 6: TRANSPORT & INFRASTRUCTURE SEPP ELECTRICITY REFERRAL TRIGGERS

Accordingly, no triggers are met requiring Council to notify the DA to the local Electricity Provider.

### PART 2.3 - DIVISION 15 - RAILWAYS

SECT.	TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS	✓/x
2.98	<i>Development Adjacent to Rail Corridors</i> Is the land in or adjacent to a rail corridor?	x
2.99	<i>Excavation in, above, Below or adjacent to Rail Corridors</i> Does the development involve at least 2 metres excavation below ground level within, below or above a rail corridor, or within 25 metres of a rail corridor?	x
2.100	<i>Impact of Rail Noise or Vibration on Non-Rail Development</i> Is the development for any of the following purposes that is on land in or adjacent to a rail corridor: (a) residential accommodation, (b) a place of public worship, (c) a hospital, (d) an educational establishment or centre-based child care facility.	x

TABLE 7: TRANSPORT & INFRASTRUCTURE SEPP - RAILWAYS PROVISIONS

LEGEND:  
✓ COMPLIES  
x DOES NOT COMPLY  
S SATISFACTORY



## PART 2.3 - DIVISION 17 - ROADS AND TRAFFIC

SECT.	TRANSPORT & INFRASTRUCTURE SEPP - ROADS & TRAFFIC PROVISIONS		✓/✗
2.119	<i>Development with frontage to classified road</i>	Does the site have a frontage to a Classified or Regional Road?	✗
	(a) where practicable and safe, is vehicular access to the land is provided by a road other than the classified road?		N/A
	(b) Will the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—		
	(i) the design of the vehicular access to the land, or		N/A
	(ii) the emission of smoke or dust from the development, or		
	(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land?		
	(c) Is the development is of a type that is sensitive to traffic noise or vehicle emissions?		N/A
2.120	<i>Impact of road noise or vibration on non-road development</i>	Does the street have an AADT exceeding 20,000 vehicles?	✗
	Is the development for any of the following?		
	(a) residential accommodation,		N/A
	(b) a place of public worship,		
	(c) a hospital,		
	(d) an educational establishment or centre-based child care facility.		
2.122	<i>Traffic generating development</i>	Is the development a traffic generating development specified in Column 1 of the Table to Schedule 3?	✗

TABLE 8: TRANSPORT & INFRASTRUCTURE SEPP - ROADS AND TRAFFIC PROVISIONS

## CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

*Canterbury-Bankstown Local Environmental Plan 2023* (the LEP) is the principal environmental planning instrument that applies to the land and contains all the applicable development standards for the development of the site. An assessment against the applicable LEP provisions is provided below.

CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
<b>PART 1 - PRELIMINARY</b>			
1.2	Aims of Plan	<p>The proposed development achieves the aims of the LEP in the following ways:</p> <p>(a) The development will allow for sustainable growth of Canterbury-Bankstown;</p> <p>(b) The development does not pose any impacts on the landform and vegetation, especially foreshores and bushland, of Canterbury-Bankstown;</p> <p>(c) The development does not pose any impacts on the Aboriginal, natural, cultural and built heritage of Canterbury-Bankstown;</p> <p>(d) The development is compatible with the desired future character and amenity of the locality, as</p>	✓

### LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY





CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
		<p>demonstrated in this Statement;</p> <p>(e) The development is not proposed on land that is sensitive to urban and natural hazards;</p> <p>(f) The development will provide residential accommodation that will meet the changing needs of the population;</p> <p>(j) The development achieves good urban design in terms of the site layout, building form, streetscape and public and private safety;</p> <p>(k) The development does not generate intensive car usage and traffic;</p> <p>(l) The development will not pose any cumulative impact on the health of the natural environment and waterways and on the capacity of infrastructure and the road network;</p> <p>(m) The development will support healthy living and enhance the quality of life and the social well-being and amenity of the community by providing a larger format dwelling to meet the changing needs of occupants;</p> <p>(n) The development does not require any upgrades to existing infrastructure; and</p> <p>(o) The development has been designed in an ecologically sustainable manner.</p>	
1.4	Definitions are contained in the dictionary	The proposed development is defined as a “dwelling house”.	✓
<b>PART 2 - PERMITTED OR PROHIBITED DEVELOPMENT</b>			
2.2	Zoning of Land	The site is zoned R3 Medium Density Residential zone.	✓
2.3	Zone objectives and Land Use Table	<p><b>ZONE OBJECTIVES:</b></p> <p>The proposed development is consistent with the objectives of the zone, as it provides for housing needs of the community within a medium-density residential environment. The proposed development is compatible with the existing dwelling stock within the locality and will provide for a suitable level of amenity for occupants as well as maintain suitable levels of amenity for adjoining properties in the locality.</p> <p><b>LAND USE TABLE:</b></p> <p>Development for the purpose of a “dwelling house” is permitted with consent in the zone.</p>	✓
2.5	Additional permitted uses for particular land	The site is not afforded with additional permitted uses in Schedule 1 of the LEP.	N/A
2.6	Subdivision - consent requirements	No subdivision is proposed as part of this application.	N/A
2.7	Demolition requires development consent	No demolition works are proposed.	N/A
<b>PART 4 - PRINCIPAL DEVELOPMENT STANDARDS</b>			

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
4.3	Height of Buildings	<b>STANDARD:</b> 8.5metres <b>PROPOSED:</b> 7.664 metres (measured from lowest existing ground level to top of the roof)	✓
4.3 (2A)	Height of the building	<b>STANDARD:</b> 8.5metres <b>PROPOSED:</b> 7.664 metres The site is zoned R3 Medium Density Residential and mapped as Area 2 in the <i>Clause Application Map</i> .	✓
4.3 (2b & C)	Wall height	<b>STANDARD:</b> 7 metres <b>PROPOSED:</b> 6.346 metres Below 7 m as shown on Architectural plans except for master bedroom and rumpus room where it exceeds the standard. Master bedroom: 7.4 metres (measured from NGL at that point) Rumpus room: 7.194 metres (measured from NGL at that point) However, the site is zoned R3 Medium Density Residential and mapped as Area 2 in the <i>Clause Application Map</i> , therefore the 7m wall height restrictions is not applicable.	✓
4.4	Floor Space Ratio	<b>STANDARD:</b> 0.5:1 <b>PROPOSED:</b> 0.49:1	✓
4.5	Calculation of floor space ratio and site area	The floor space ratio and site area have been calculated pursuant to the provisions of this Clause.	✓
4.6	Exceptions to development standards	The application does not seek consent for any exceptions to development standards.	N/A
<b>PART 5 - MISCELLANEOUS PROVISIONS</b>			
5.1	Relevant acquisition authority	The site is not mapped as reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> .	N/A
5.3	Development near zone boundaries	The development is permissible with consent and does not rely on the provisions of this Clause.	N/A
5.4	Controls relating to miscellaneous permissible uses	Not applicable as the development is not for any of the uses mentioned under this clause.	N/A
5.6	Architectural roof features	The application does not seek consent for architectural roof features above the maximum building height.	N/A
5.7	Development Below Mean High Water Mark	The site is not situated below the mean high-water mark.	N/A
5.10	Heritage Conservation	Heritage Item: ✗ Conservation Area: ✗ In vicinity of item or area: ✗ Archaeological Site: ✗ Aboriginal Heritage: ✗	The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. The site is not identified as an archaeological site. There are no known Aboriginal sites in or near the subject site and no known Aboriginal places

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
		declared in or near the site.	
5.11	Bush fire hazard reduction	The subject site is not identified as a bushfire prone land.	N/A
5.21	Flood Planning	The subject site is not mapped as being in a <i>Flood Planning Area</i> or <i>Flood Prone Land</i> on the <i>Flood Planning Area Map</i> .	N/A
<b>PART 6 - ADDITIONAL LOCAL PROVISIONS</b>			
6.1	Acid sulfate soils	The site is not mapped as affected by 'Acid sulfate soils' in the Acid Sulfate and Soils Map.	N/A
6.2	Earthworks	<p>The application proposes earthworks ancillary to the development as part of the construction works associated with the basement level which consists of media room, storage and car parking. The earthworks:</p> <ul style="list-style-type: none"> <li>(a) Will not disrupt or have any detrimental effect on drainage patterns and soil stability in the locality of the development; and</li> <li>(b) Will not affect the future use or redevelopment of the land which can continue to be used for residential purposes and can be re-filled if necessary; and</li> <li>(c) Include soil excavation which is not required to be assessed within residential zone as the site remains for residential purposes; and</li> <li>(d) Will not pose any significant impacts on the existing and future amenity of adjoining properties; and</li> <li>(e) Include excavation of soils and the destination of any excavated material will be to the nearest facility to the site capable of taking the excavated material; and</li> <li>(f) Are unlikely to disturb any relics as none are known to exist on or around the site; and</li> <li>(g) Are unlikely to have any impact on any nearby waterbody; and</li> <li>(h) Will implement appropriate measures to avoid, minimise and mitigate any impacts of the development, subject to appropriate conditions being imposed on any consent granted by Council.</li> </ul> <p>Appropriate measures will be undertaken during the construction stage to protect the surrounding land uses and the immediate environment in accordance with any conditions imposed on any consent granted by Council.</p>	✓
6.3	Stormwater Management and water sensitive urban design	Appropriate stormwater detention and management is achieved that will minimise stormwater runoff from the site. Refer to stormwater drainage plan accompanying the application.	✓
6.4	Biodiversity	The subject site is not identified as 'Biodiversity' in	N/A

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	REQUIREMENT	PROPOSED	✓/✗
		the Biodiversity Map.	
6.5	Riparian land and watercourses	The subject site is not identified as 'Riparian Land' or 'Watercourse' on the Riparian Lands and Watercourses Map.	N/A
6.6	Limited development on foreshore area	The subject site is not within the foreshore area.	N/A
6.7	Development in areas subject to aircraft noise	The subject site is not within Bankstown airport.	N/A
6.8	Airspace operations	The subject site is not around airports.	N/A
6.9	Essential Services	The augmentation and provision of water, electricity, sewage and stormwater drainage utilities and infrastructure will be necessary as a result of the proposed development. However, these services are already existing and available to the subject site.	✓
6.10	Active street frontages	The subject site is not identified as 'Active Street frontage' on the Active Street Frontages Map.	N/A
6.15	Design excellence	The application is not for any of the listed purposes.	N/A

TABLE 9: CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 COMPLIANCE TABLE

(ii) SECTION 4.15(1)(A)(II)

THE PROVISIONS OF ANY PUBLICLY EXHIBITED DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

At the time of preparing this Statement, there were no draft environmental planning instruments that applied to the land or development. Accordingly, the proposal is considered acceptable having regard to the provisions of the Draft EPI's under Section 4.15(1)(a)(ii) of the Act.

(iii) SECTION 4.15(1)(A)(III)

THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN

**CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023**

Canterbury-Bankstown Development Control Plan 2023 (the DCP) contains objectives and development controls for development on land within the boundaries of the former Canterbury Local Government Area. An assessment against the applicable sections of the DCP is provided below.

CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
<b>CHAPTER 2 - SITE CONSIDERATIONS</b>			
2.1	Chapter 2.1 - Site Analysis	A Site Analysis Plan accompanies this DA in a separate cover.	✓
2.2-2.4	Chapter 2.2 - Flood Risk Management Chapter 2.3 - Tree Management Chapter 2.4 -	The subject site integrates and acknowledges the principles of the subject site's constraints; however, deemed unnecessary considering the nature of works for:  Flood risk management plan	✓

LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



## CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

REF	CONTROL	PROPOSED	✓/✗
	<b>Pipeline Corridors</b>	<p>👉 Tree management plan</p> <p>👉 Pipeline corridors</p>	

This Statement further assess these considerations and their application to the proposed development.

### CHAPTER 3 - GENERAL REQUIREMENTS

#### CHAPTER 3.1 - DEVELOPMENT ENGINEERING STANDARDS

2	<b>Civil Engineering Requirements</b>	Civil engineering specifications and structure will be conditioned in OC/CC stages. Stormwater Drainage Plans are attached in separate cover.	✓
3	<b>Stormwater Drainage System</b>	<p>The Council's Stormwater System Report does not show any Council's stormwater drainage pipeline affecting the site. The site is not mapped as being in a <i>Flood Planning Area</i> or <i>Flood Prone Land</i> on the <i>Flood Planning Area Map</i>.</p> <p>The site stormwater system is designed in accordance with the site slope and flow under gravity. The accompanying stormwater plans indicate the stormwater works required as part of the proposed development.</p> <p>Following the DCP guidelines, four properties were identified for stormwater easement and easement drainage was designed for one of the four options. However, the neighbouring properties have refused any discussion and denied the permission request. As such, an alternative solution for stormwater disposal is proposed according to provisions of clauses 3.6 and 3.7.</p> <p>The application proposes an absorption system incorporating overflow pump-out to the kerb system designed by a qualified engineer in accordance with clause 3.10 of the DCP.</p> <p>The proposed system has an area of 11.70m<sup>2</sup> and the size is calculated at the rate of 0.015m<sup>3</sup> void volume per 1.0m<sup>2</sup> of drained impervious area. The stormwater plans provide detailed calculation for the total volume required &amp; proposed and details for pump out rate capacity and impervious area.</p> <p>The application also proposed two 2000L rainwater tanks to be installed as per BASIX specifications to support water management and absorption trench.</p> <p>Overall, the proposed development includes an appropriate stormwater system that will not create any adverse impacts to the existing stormwater system in the locality.</p> <p>The signed letter of correspondence rejecting the offer accompanies the application in a separate cover. The owners for 11 Alkoomie Street have refused any further communication. The other three properties – 13 Alkoomie Street, 15 Alkoomie Street and 17 Alkoomie Street, have provided signed letter refusing consent for stormwater.</p> <p>Refer to Stormwater Drainage Plans prepared by AE Consulting Engineers detailing compliance with this control.</p>	✓

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
4	<b>On-site Detention Systems</b>	The application does not seek on-site detention system.	N/A

### CHAPTER 3.2 - PARKING

1-2	<b>Various controls</b>	4 car park basement is proposed in accordance with off-streetcar parking provisions. No mechanical parking devices are proposed as part of the design. Refer to Basement plans and FF Ramp Section plans outlining design and layout of the driveway/basement proposed.	✓
3	<b>Various controls</b>	No mechanical parking devices are proposed as part of the basement design. The basement level garage is 11.732m wide and 11.212m deep with 2.45m in garage headroom dimension clearance, and can accommodate 4 cars. The garage also has a car turning area 6.873m wide and 4.157m (smaller side) & 5.642m (larger side) deep. The application proposes clearly, defined pedestrian access points from Gungaroo Place separate to driveway access.	✓
<b>Basement Parking:</b> <ul style="list-style-type: none"> <li>▶ The proposed basement level parking arrangements provide for adequate ventilation;</li> <li>▶ The design of basement level is well integrated and concealed within the building envelope to mitigate bulk and scale of overall development or detract from streetscape or front setback characteristics.</li> </ul>			

### CHAPTER 3.3 - WASTE MANAGEMENT

2	<b>Standard services specifications for residential development</b>	<p>The proposed dwelling will have a waste storage cupboard in the kitchen capable of holding two days waste and recycling, as well as a kitchen caddy to collect food waste.</p> <p>Bin storage space is proposed behind the front building line in the western side setback, which is appropriately screened and away from windows of habitable room and public domain.</p> <p>No composting and worm farming space is proposed within the landscaped area or private open space. The development complies with the applicable Waste Design for New Developments Guide.</p> <p>In accordance with Guide A - Single Dwellings, the Waste Management Plan proposed details the waste storage, separation, and disposal arrangements during and after construction which is attached in a separate cover.</p>	✓
---	---	--	---

### CHAPTER 3.4 SUSTAINABLE DEVELOPMENT

2	<b>Water conservation</b>	A <i>BASIX Certificate</i> accompanies the application. The <i>BASIX Certificate</i> details full compliance with the BASIX requirements by achieving or surpassing the minimum water, energy and thermal comfort scores and these commitments have been indicated on the accompanying plans.	✓
3	<b>Energy Minimisation</b>	A <i>BASIX Certificate</i> accompanies the application. The <i>BASIX Certificate</i> details full compliance with the BASIX requirements by achieving or surpassing the minimum water,	✓

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		energy and thermal comfort scores and these commitments have been indicated on the accompanying plans.	

#### CHAPTER 3.5 SUBDIVISION

2-3	<b>Various controls</b>	No subdivision is proposed as part of this development.	N/A
-----	-------------------------	---	-----

#### CHAPTER 3.6 SIGNS

2-3	<b>Various controls</b>	No signs are proposed as part of this development.	N/A
-----	-------------------------	--	-----

#### CHAPTER 3.7 LANDSCAPE

2	<b>Landscaping Design</b>	The proposed landscaping complements the existing street landscaping and will improve the quality of streetscape. Deep soils are proposed to allow for canopy trees, groundcovers and shrubs at the front and rear of the site. the application proposes decorative pebble mulch area in the western side setback, while the eastern setback accommodates the driveway for basement parking. No tree removal is proposed as part of the application.	✓
		Refer to Landscape Plan prepared by ATC outlining the landscaping design, tree/planting schedule, deep soil planting and other considerations related to this control.	
3	<b>Biodiversity</b>	The subject site is not adjoining bushland. The proposed development seeks two storey dwelling on site that will have minimal adverse impacts of biodiversity of the area.	✓

#### CHAPTER 4 - HERITAGE

4.2	Heritage Item:	✗	N/A
4.3	Conservation Area:	✗	
4.4	In vicinity of item or area:	✗	

#### CHAPTER 5 - RESIDENTIAL ACCOMMODATION

##### CHAPTER 5.2 – FORMER CANTERBURY LGA

##### SECTION 2 – DWELLING HOUSES AND OUTBUILDINGS

##### SITE PLANNING

2.1	<b>Minimum lot size and frontage</b>	The site does not have a typical rectangular shape with a frontage of 15.21m and a site area of 663.90m <sup>2</sup> , which is more than the minimum lot size required for the area. The site is land existing as of 1 January 2013, and is of adequate size and shape to accommodate development while providing adequate amenity for the occupants of the site and surrounds.	✓
2.2	<b>Site coverage</b>	<b>STANDARD:</b> For sites 600m <sup>2</sup> to 899m <sup>2</sup> – Maximum area of building footprint – 380m <sup>2</sup> Maximum floor area of all outbuildings – 60m <sup>2</sup> Maximum site coverage of all structures on a site – 40% <b>PROPOSED:</b> 38.61% Maximum area of building footprint – 238.72m <sup>2</sup>	✓





CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		Maximum floor area of all outbuildings – 15.11m <sup>2</sup> Maximum site coverage of all structures on a site – 256.35m <sup>2</sup> Refer to the Architectural Plans demonstrating compliance with this control.	
2.3	Landscaping	STANDARD: For sites 600m <sup>2</sup> or above – 25% PROPOSED: 256.57 m <sup>2</sup> (38.66%) Refer to the Architectural Plans demonstrating compliance with this control.	✓
2.4	Layout and orientation	The development is designed to maximise solar access and natural lighting, and allow for natural ventilation. The development footprint is consistent with the surrounding and would not overshadow neighbouring dwellings' primary living area, private open space or solar cells. The development would not compromise casual surveillance of the street, communal space and parking areas.	✓
BUILDING ENVELOPE			
2.5	Height	STANDARD: Two-storey built form with maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m. PROPOSED: Two-storey built form with total height of 7.664m. Wall height: 6.346m Below 7 m as shown on Architectural plans except for master bedroom and rumpus area where it exceeds the standard by 5.71% and 2.77% respectively. Master bedroom: 7.4 metres (measured from NGL at that point) Rumpus room: 7.194 metres (measured from NGL at that point) OBJECTIVE ASSESSMENT: <i>O1 – To ensure that development is of scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.</i> The application proposes a two storey with a basement level parking that is visually compatible with the adjacent buildings, character of the area, and the objectives of the zone. The two-storey built form is within the numerical requirements of maximum height of building standards under the LEP. The wall height of the proposed dwelling is 6.346m everywhere except at two sections. The section of non-compliance is located centrally and towards the rear of the proposed dwelling, and is not visible when viewed from the site frontage. The proposed basement does not extend more than 1m above the ground level and therefore is not considered a storey. The basement does not extend the building footprint. Assessment of the proposed basement parking against Chapter 3.2 of the DCP is provided above in this table.	S



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
		No roof terraces or attics are proposed.	
		Refer to the Architectural Plans demonstrating compliance with this control.	
		Pursuant to Section 4.15(3A)(b) of the Act and based on this assessment above, Council is required to adopt a flexible approach in applying the provisions and allow the reasonable alternative solutions that achieve the objects of the control in dealing with this aspect of the development.	
2.6	<b>Setbacks</b>	<p><b>STANDARD:</b> Dwelling houses with frontages widths of 12.5m or greater –</p> <p>Front: 5.5m with 2m recess for main entrance from the front building line</p> <p>Side: 1m</p> <p>Rear: 6m</p> <p><b>PROPOSED:</b></p> <p>Front setback:</p> <p>Ground floor: 6.565m (with portion of porch in articulation zone)</p> <p>First floor: 6m (to balcony) and 8.579m (to bedroom 1)</p> <p>Rear setback:</p> <p>Ground floor: 9.492m (to alfresco)</p> <p>First floor: 11.553m (to terrace)</p> <p>Side setback:</p> <p>Ground floor: 3.531m (eastern side), 1.190m (western side)</p> <p>First floor: 2.95 (eastern side), 1.190 (western side)</p> <p>Outbuilding – the application proposes partial demolition of the existing shed, particularly the southern and western walls (closest to the house). The north (rear) and eastern (side) setbacks are as existing with external wall height of 2.7m.</p> <p>Side setbacks for the shed –</p> <p>North – No changes</p> <p>South – 3.621m (measured to the stairs of alfresco)</p> <p>East – No changes</p> <p>West – 16.595m (measured to the western boundary)</p> <p>Refer to the Architectural Plans demonstrating compliance with this control.</p>	✓
2.7	<b>Building Separation</b>	The application proposes new dwelling house; therefore the provisions of this control do not apply.	N/A
<b>BUILDING DESIGN</b>			

LEGEND:

✓ COMPLIES

✗ DOES NOT COMPLY

S SATISFACTORY



## CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

REF	CONTROL	PROPOSED	✓/✗
2.8	<b>General Design</b>	<p>Contemporary built form –</p> <p>The site is not a heritage listing. The new development does not mimic traditional features, but provides a contemporary design that will integrate with the neighbouring built form. No external staircases are proposed for accessing the upper storeys.</p> <p>Building entries –</p> <p>The main entrance to the dwelling faces the street frontage and is clearly identifiable. One habitable room is oriented towards the street to promote positive social interaction and community safety; and no ancillary structures are proposed that might obscure the sight lines.</p> <p>Internal dwelling layout –</p> <p>The building is designed to accommodate range of furniture typical to the purpose of the room. The primary living area and principal bedroom have a minimum dimension of 3.5m; and the secondary bedrooms have a minimum dimension of 3m. General storage in addition bedroom wardrobes and kitchen cupboards is provided.</p> <p>Façade treatment –</p> <p>The development is designed in accordance with the provisions of this control. Façade design is reflective of the site orientation and uses non-reflective materials and publicly assessable wall surfaces will be coated with anti-graffiti coating. A detailed schedule of colours and finishes accompanies the application.</p> <p>Pavilions –</p> <p>The development is designed to reflect the site topography and stepped to accommodate the natural ground levels. The development proposes a flat roof; however the building layout is articulated such that no facades exceed 25m in length.</p> <p>Windows –</p> <p>Window openings are appropriate located and shaded to reduce summer heat load and maximise sunlight in winter. A window and door schedule accompanies the application with details for screenings provided.</p> <p>Ventilation –</p> <p>The development is designed to encourage natural ventilation and appropriate energy efficient ventilation devices are proposed.</p> <p>Refer to the Architectural Plans demonstrating compliance with this control.</p>	✓
2.9	<b>Roof design and features</b>	<p>The development proposes 2 storey dwelling house with flat roof form. No multiple gables, hips and valleys or turrets are proposed. The parapet roofs are minimised to not increase the height of exterior walls. The proposed roof design will complement the built form and context. The overall design will reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.</p>	✓

### AMENITY

#### LEGEND:

- ✓ COMPLIES
- ✗ DOES NOT COMPLY
- S SATISFACTORY



CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
REF	CONTROL	PROPOSED	✓/✗
2.10	<b>Solar access and overshadowing</b>	The development proposes 2 storey dwelling house with basement parking. The living area will receive more than 3 hours of sunlight between 8.00am and 4.00pm on 21 June as shown on shadow diagrams. The proposed private open space will receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area given. Furthermore, the adjoining properties achieve 50% of sunlight access between 8 am and 4.00pm on 21 June as shown on shadow diagrams.	✓
2.11	<b>Visual privacy</b>	The proposed development will maximum visual privacy between the buildings on and adjacent to the site. The development by virtue of separate and articulation mitigate overlooking opportunities. A fenestration schedule with details for screening accompanies the application.	✓
2.12	<b>Acoustic privacy</b>	The development proposes internal layout such that sensitive rooms, such as bedrooms are located away from sources of noise such as neighbouring living areas. The bedroom windows are appropriate raised above and screened from pedestrian pathway.	✓
<b>FENCES AND ANCILLARY DEVELOPMENT</b>			
2.13	<b>Fences</b>	The application proposes 1.2m tall front fences and 1.8m high side fences which taper down to the height of front fence forward of building line.	✓
2.14	<b>Outbuildings and swimming pools</b>	The application does not propose any swimming pool. The existing outbuilding on site is proposed to be altered and will have an area of 15.11m <sup>2</sup> . The external wall height of 2.7m is retained.	✓
2.15	<b>Building services</b>	Design and location of the letterbox will be in accordance with Australia Post standards. Hot water system is proposed in the western side setback and clothes drying area is proposed in the eastern side setback. Both the locations are not visible on the street elevation.  Refer to the Architectural Plans demonstrating compliance with this control.	✓

TABLE 10: CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 COMPLIANCE TABLE

(iia) SECTION 4.15(1)(A)(IIIA)

THE PROVISIONS OF ANY PLANNING AGREEMENT ENTERED INTO UNDER S7.4

There are no known Planning Agreements entered into under Section 7.4 and no draft Planning Agreements are proposed to be entered into under Section 7.4 for this proposed development.

(iv) SECTION 4.15(1)(A)(IV)

THE PROVISIONS OF THE REGULATIONS

**ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION, 2021**

Pursuant to Section 4.15(1)(A)(iv) of the Act, the following additional matters are required to be taken into consideration (where relevant) for a DA:

LEGEND:  
 ✓ COMPLIES  
 ✗ DOES NOT COMPLY  
 S SATISFACTORY



CL	MATTER FOR CONSIDERATION	✓/✗
61(1)	<i>In the case of a DA for the demolition of a building, the provisions of AS 2601</i>	✓
61(2)	<i>Any subdivision order made under Schedule 7 to the Act</i>	✗
61(3)	<i>The Dark Sky Planning Guideline</i>	✗
61(4)	<i>Low Rise Housing Diversity Design Guide for DA for manor house or multi dwelling housing (terraces)</i>	✗
62	<i>Fire safety and other considerations</i>	✗
63	<i>Fire safety and other considerations applying to erection of temporary structures</i>	✗
64	<i>Consent authority may require buildings to be upgraded</i>	✗

TABLE 11: MATTERS FOR CONSIDERATION UNDER THE EP&A REGULATION, 2021

### SECTION 61(1): DEMOLITION

Section 61(1) of the *Environmental Planning and Assessment Regulation, 2021* (the Regulations) prescribes that the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures* are to be taken into consideration, pursuant to Section 4.15(1)(a)(iv) of the Act, in the case of a development application for the demolition of a building.

Demolition work is proposed as part of the proposal. Council may impose suitable conditions on any consent granted for the proposal to ensure compliance with the provisions of *Australian Standard AS2601:2001 - The Demolition of Structures*.

## 6.2 SECTION 4.15(1)(B) OF THE EP&A ACT, 1979

### THE LIKELY IMPACTS OF THE DEVELOPMENT

INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY.

The subject application seeks consent for partial demolition of existing shed and construction of a two-storey dwelling house, with basement parking at 3 Gungaroo Place Beverly Hills NSW 2209.

An assessment of the proposal against the provisions prescribed in the relevant and applicable State Environmental Planning Policies, *Canterbury-Bankstown Local Environmental Plan 2023* and *Canterbury-Bankstown Development Control Plan 2023* has been provided throughout this Statement detailing the proposal's likely environmental impacts on both the natural and built environments, and social and economic impacts in the locality. A further and summarised assessment of these matters is provided as follows:

### 6.2.1 SITING, DESIGN AND THE BUILT FORM

The assessment contained within this Statement indicates that the siting, design and overall built form of the proposed development are an acceptable response to the development standards and controls for the proposed development and the subject site.

The development is appropriately sited having regard to adjoining buildings, observes a high degree of architectural merit and proposes a built form that is compatible with the bulk and scale of adjoining and surrounding developments.

The overall built form is consistent with the building envelope controls for development on the site with no variations sought to the building envelope controls prescribed in the



*Canterbury-Bankstown Local Environmental Plan 2023 and the Canterbury-Bankstown Development Control Plan 2023.*

### 6.2.2 PRIVACY

The development will not create any adverse privacy impacts for surrounding residential properties. The assessment provided in Section 4 of this Statement outlines why the proposal is acceptable and would have an acceptable level of impact on adjoining properties.

In general, the siting of the proposed development provides ample separation from adjoining properties to ensure minimal acoustic and visual privacy impacts for adjoining properties; while also ensuring residents of the proposed first floor addition will be provided with suitable acoustic and visual privacy.

### 6.2.3 SOLAR ACCESS AND OVERSHADOWING

As detailed in this Statement, the proposed development has been designed to ensure suitable levels of solar access are achieved for the proposed development as well as suitable levels of solar access being maintained for adjoining properties.

The proposed development provides a built form that is consistent with the neighbouring dwellings. The building envelope and orientation that achieves high levels of compliance, and levels of additional overshadowing anticipated as a result of the proposed development are not significant or detrimental to adjoining properties which will be able to continue to receive adequate levels of solar access.

### 6.2.4 LANDSCAPING, TREE REMOVAL, FLORA & FAUNA

The site does not contain any existing vegetation of significance or native vegetation. The development does propose adequate landscaping and private open space of the site.

### 6.2.5 TRAFFIC & PARKING

The application proposes basement level parking to accommodate 4 car spaces and various service facilities.

### 6.2.6 UTILITIES/INFRASTRUCTURE

The augmentation and provision of new and additional utilities and infrastructure will be necessary as a result of the proposal and will be borne by the person acting on any consent granted.

### 6.2.7 NATIONAL CONSTRUCTION CODE/BUILDING CODE OF AUSTRALIA

The design of the development has had regard to achieving compliance with the National Construction Code (NCC)/Building Code of Australia (BCA). Compliance with the NCC/BCA will be addressed in detail at the Construction Certificate stage. If necessary, conditions may be imposed by Council in relation to the development complying with the provisions of the NCC/BCA.



### 6.2.8 HERITAGE IMPACTS

The site is not identified as a heritage item, is not located within the vicinity of any heritage items and is not located within a Heritage Conservation Area. There are no known Aboriginal sites in or near the subject site and no known Aboriginal places declared in or near the site. The site is not identified as an archaeological site.

### 6.2.9 SOCIAL IMPACTS

The proposed development is considered to provide a positive social impact for the local and wider community. The following discussion provides an assessment of the potential social impacts the proposed development is anticipated to have on the local community:

<b>COMMUNITY STRUCTURE:</b>	The proposed development is considered to provide a positive benefit for the local community by providing housing to accommodate the increased growth and density within the Local Government Area.
<b>INFRASTRUCTURE:</b>	Having regard to the scale of the proposed development, the proposal development will not pose any significant impacts or strain on the capacity of existing infrastructure.
<b>RESIDENTIAL AMENITY:</b>	The proposed development will have an acceptable level of acoustic and visual privacy impacts on adjoining properties.
<b>SAFETY AND SECURITY:</b>	The built form of the dwelling has been designed having regard to the Crime Prevention Through Environmental Design principles.

### 6.2.1 ECONOMIC IMPACTS

The proposed development will generate some short-term economic benefits for the local and wider community via the creation of construction related employment opportunities. The proposed development will not result in long term negative economic impacts on the local and wider community.

### 6.2.2 STORMWATER MANAGEMENT

The stormwater plans accompanying the application indicate the stormwater works required as part of the proposed development. Overall, the proposed development includes an appropriate stormwater system that will not create any adverse impacts to the existing stormwater system in the locality.

### 6.2.3 SOIL MANAGEMENT

The application does propose earthworks ancillary to the construction of basement level. Where necessary, all excavated and disturbed soils will be suitably stored on site to prevent soil erosion and spill into the waterways. Accordingly, the development is not anticipated to have any adverse impacts regarding soil erosion or sedimentation.

The subject site is not mapped as being potentially affected by Acid Sulfate Soils on the *Acid Sulfate Soils Map*. The proposed development does not include works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and is not likely to result in the water table being lowered.





#### 6.2.4 CONTAMINATION

The site is not identified as being contaminated and there is no evidence to suggest that the site has previously been used for any potentially contaminating activity. The proposal will not involve any disturbance of existing ground surfaces.

#### 6.2.5 WASTE MINIMISATION/MANAGEMENT

The Waste Management Plan accompanying the application details the waste minimisation and avoidance measures for the development.

#### 6.2.6 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN - CPTED

The proposed development will not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. An assessment of the proposed development having regard to the CPTED principles has been undertaken below:

<b>SURVEILLANCE:</b>	Increased surveillance of the street will be provided by proposed habitable room within the front of the dwelling house with windows overlooking the public domain which provide opportunity for surveillance and increased security.
<b>ACCESS CONTROL:</b>	The development includes clearly defined boundaries and fencing that will ensure unintended access is avoided and controlled access to the property is achieved.
<b>TERRITORIAL REINFORCEMENT:</b>	The natural topography of the site being a gentle slope, built form and boundary fencing provide clear boundary delineation between the public and private domains creating territorial reinforcement.
<b>SPACE MANAGEMENT AND MAINTENANCE:</b>	The front, side and rear boundary fences proposed will to ensure the development continues to appear cared for and managed with defined boundaries.

#### 6.2.7 CONSTRUCTION IMPACTS

Whilst there is expected to be some impacts during construction of the proposed development, the impacts are not anticipated to be excessive and can be suitably controlled by the imposition of conditions on any consent granted for the proposal.

#### 6.2.8 ESD & THE CUMULATIVE IMPACT

The proposal is not expected to have any cumulative impacts and is not considered to inhibit the ability of future generations to further use or develop the subject site.

### 6.3 SECTION 4.15(1)(C) OF THE EP&A ACT, 1979

#### *THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT.*

The subject application seeks consent for partial demolition of existing shed and construction of a two-storey dwelling house, with basement parking at 3 Gungaroo Place Beverly Hills NSW 2209.

The proposed development is defined as “*dwelling houses*” which is permitted within the R3



Medium Density Residential zone of the *Canterbury-Bankstown Local Environmental Plan 2023* with the proposed development appropriately achieving the objectives of the zone.

The subject site is situated in an area surrounded by residential development and the site is not impacted by any easements or other site constraints that would restrict the proposed development or otherwise render the site unsuitable for the proposed development.

The site is ideally positioned for the proposed development which will have minimal impact on the locality and amenity of surrounding residents and generally integrate with the character of existing developments on the site and on adjoining sites.

The assessment of the proposal contained within this Statement outlines how the proposal achieves a satisfactory level of compliance with Council's LEP and DCP requirements for the siting, location and design of the proposed development. During construction and upon completion, the proposed development will have minimal impact on the locality and amenity of surrounding properties and will provide an appropriate catalyst for similar developments that will shape the future character of the area.

It is evident from the above and the assessment provided within this Statement that the subject site is suitable for the development.

#### 6.4 SECTION 4.15(1)(D) OF THE EP&A ACT, 1979

*ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS.*

The consideration of submissions cannot be made at the time of preparing this Statement.

#### 6.5 SECTION 4.15(1)(E) OF THE EP&A ACT, 1979

*THE PUBLIC INTEREST.*

The proposed development is defined as "*dwelling houses*" which is permitted within the R3 Medium Density Residential zone of the *Canterbury-Bankstown Local Environmental Plan 2023* with the proposed development appropriately achieving the objectives of the zone.

The subject site is situated in an area surrounded by residential development and the site is not impacted by any easements or other site constraints that would restrict the proposed development or otherwise render the site unsuitable for the proposed development.

The development will allow for the orderly and economic use and development of land and is acceptable having regard to the applicable State and Council planning controls.

The proposed development satisfies the client's requirements, is acceptable having regard to the applicable State and Council planning controls and will not result in any unacceptable impacts on the locality.

When completed, the proposed development will have minimal impact on the locality and amenity of surrounding residents and will complement the character of existing developments in the streetscape and will provide a need for the local and wider community.

In view of the above and having regard to the assessment of the development contained within this Statement, the development is considered to be in the public interest.



## 7 SECTION 4.46 EVALUATION EP&A ACT, 1979

Section 4.46 of the Act details requirements for development that requires a separate approval under other environmental planning instrument or related legislation known as “*integrated development*”. An assessment of the proposal has indicated that the DA has not triggered any requirements to be categorised as integrated development.

EPI OR ACT	✓/✗	EPI OR ACT	✓/✗
<i>Fisheries Management Act 1994</i>	N/A	<i>Protection of the Environment Operations Act 1997</i>	N/A
<i>Heritage Act 1977</i>	N/A	<i>Roads Act 1993</i>	N/A
<i>Coal Mine Subsidence Compensation Act 2017</i>	N/A	<i>Rural Fires Act 1997</i>	N/A
<i>Mining Act 1992</i>	N/A	<i>Water Management Act 1912</i>	N/A
<i>National Parks &amp; Wildlife Act 1974</i>	N/A	<i>Water Management Act 2000</i>	N/A
<i>Petroleum (Onshore Act) 1991</i>	N/A		

TABLE 12: INTEGRATED DEVELOPMENT TRIGGERS

## 8 CONCLUSION

The subject application seeks consent for partial demolition of existing shed and construction of a two-storey dwelling house, with basement parking at 3 Gungaroo Place Beverly Hills NSW 2209. The development has been assessed pursuant to the matters for consideration prescribed in Sections 1.7, 4.15, 4.46 and 4.55 of the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000*. The proposed development is not Designated Development or Integrated Development and can be processed in the usual manner.

This Statement provides an assessment of the proposed development against the relevant planning instruments including:

- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021; and
- Canterbury-Bankstown Local Environmental Plan 2023 and;
- Canterbury-Bankstown Development Control Plan 2023

The proposed development is defined as “*dwelling houses*” which is permitted within the R3 Medium Density Residential zone of the *Canterbury-Bankstown Local Environmental Plan 2023* with the proposed development appropriately achieving the objectives of the zone.

The assessment of the proposal contained within this Statement outlines how the proposal complies with Council’s requirements for the siting, location and design of the proposed development. The built form of the proposed development achieves a high level of compliance with the requirements prescribed in the applicable State Environmental Planning Policies, *Canterbury-Bankstown Local Environmental Plan 2023* and *Canterbury-Bankstown Development Control Plan 2023*.

The proposed development will positively contribute to the future housing that will meet the housing targets and desired future character of the area. The subject site is situated in a residential area surrounded by similar scale buildings and uses, making the location ideal for the development. Overall, when completed, the proposed development will have minimal impact on the locality and amenity of



surrounding residents and will integrate within the character of existing developments in the streetscape.

This Statement demonstrates that the development will allow for the orderly and economic use and development of the land, that the subject site is suitable for the proposed development and that the proposed development will be in the local and wider public interest.

In view of the above and having regard to the assessment provided throughout this Statement, the development is considered worthy of Council's approval.