



Application Pursuant to Clause 4.15 of
The Environmental Planning and Assessment
Act 1979

Statement of Environmental Effects in support of the
Demolition of existing structures and construction of a two-storey
dwelling house with basement and in-ground swimming pool

50 Rea Street, Greenacre NSW 2190



Client:	Dianna Kheir
Project No:	25226
Date:	03/2026
Prepared By:	Nikola Verusheski

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1 EXECUTIVE SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) is to accompany the plans lodged as part of the development proposal to Canterbury-Bankstown Council for demolition of existing structures and construction of a two-storey dwelling house with basement and in-ground swimming pool, at 50 Rea Street, Greenacre.

The statement addresses the relevant elements of Section 4.15 of the Environmental Planning and Assessment Act 1979, together with relevant State Environmental Planning Policies and Regional Environmental Plans, The Regulations and local plans and policies.

1.2 LEGISLATIVE REQUIREMENTS

The site is located in the Canterbury-Bankstown Local Government Area (LGA) within the R2 Low Density Residential Zone. The following state and local legislative controls are relevant to the proposal:

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

1.3 NON-LEGISLATIVE REQUIREMENTS

The following non-Legislative control is applicable to the development:

- Canterbury-Bankstown Development Control Plan 2023

1.4 CONCLUSION

It is our professional opinion that the proposal is consistent with the relevant controls, their underlying objectives, together with the plans and policies at both local and state levels. The proposal offers a high-quality, flexible, contemporary, residential outcome. The proposal will provide for and contribute to the character of two storey dwellings in this residential precinct, comprised of a varied and eclectic mix of types of dwellings.

We recommend the proposal for your approval, subject to standard conditions of consent.

2 SITE SUMMARY

2.1 SITE ATTRIBUTES

Address of Site:	50 Rea Street, Greenacre
Local Government:	Canterbury-Bankstown City Council
Local Environmental Plan:	Canterbury-Bankstown L.E.P. 2023
Development Control Plan:	Canterbury-Bankstown D.C.P. 2023
Zone:	R2- Low – Density Residential
Brief Description / Purpose of Proposal:	Construction of a two-storey dwelling house with basement and in-ground swimming pool

2.2 SITE DESCRIPTION

The site is legally known as Lot 100, DP29412 and is commonly referred to as 50 Rea Street, Greenacre. The subject site is regular in shape with a frontage of 15.24m and an average site depth of 36.575m. These measurements equate to an overall site area of 555.90m². The topography generally has a slope to the front by 3.41% from north west boundary at the rear down to south east boundary at the front.

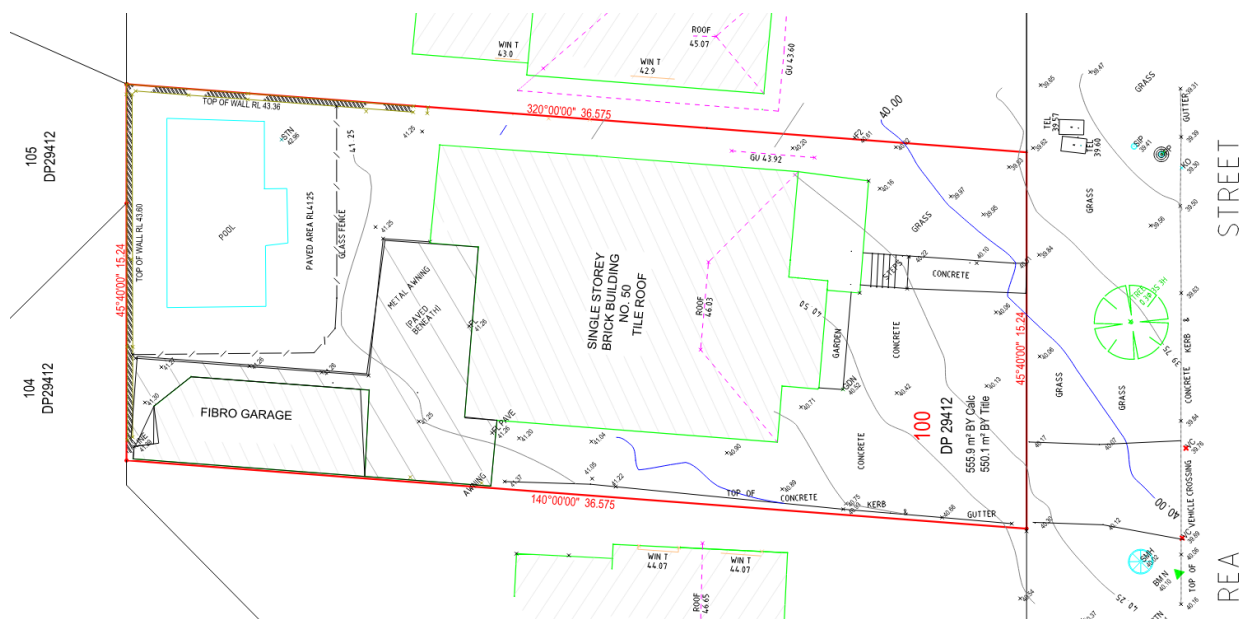


Figure 1: Site Survey

Source: The Masry Survey Group

The subject allotment is currently occupied by single storey dwelling. The pedestrian and vehicle access is via Rea Street.



Figure 2: Street View of No.50 Rea Street, Greenacre

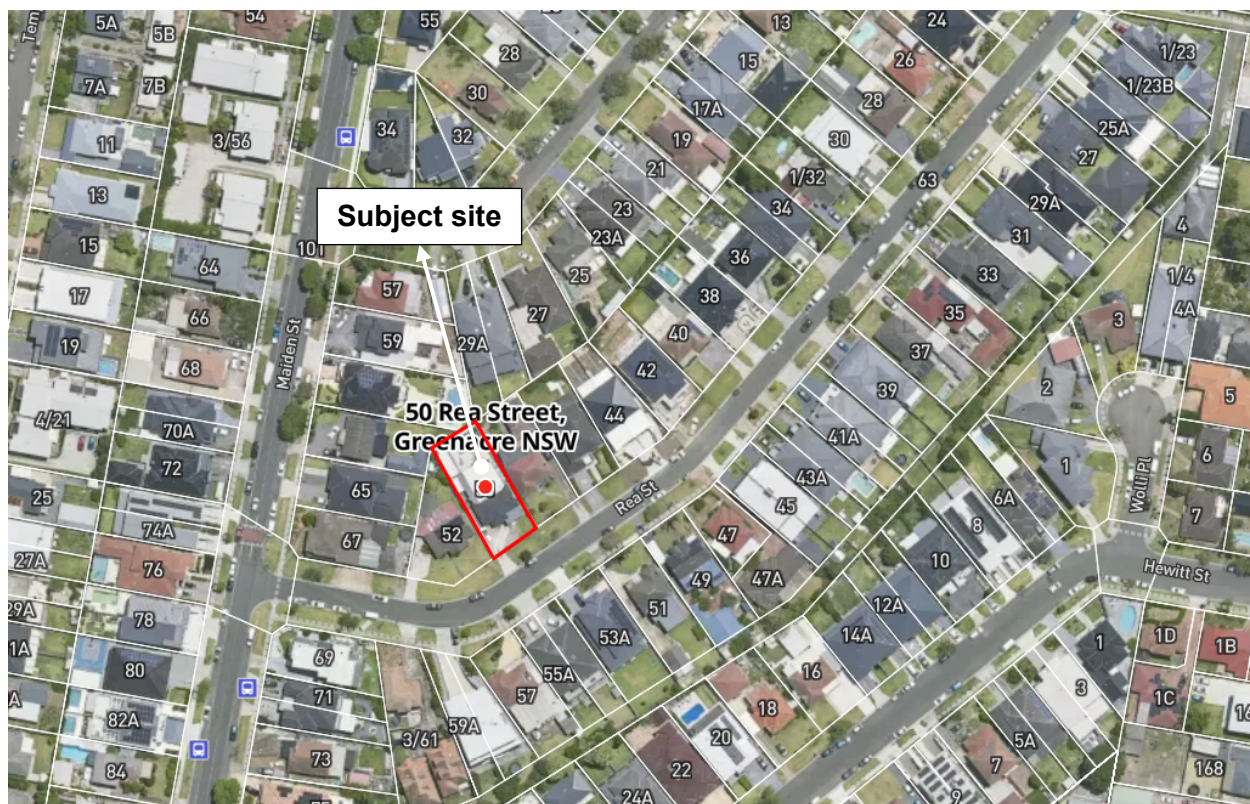


Figure 3: Aerial View

Source: Metro Map

2.2.1 Site Surrounds

Reviewing the surrounds, the locality is characterized by low residential density dwellings with associated landscaping and parking. The sites are all of similar allotments sizes and contain either a single or two storey dwelling houses and dual occupancies. Figures 4, 5 and 6 show examples of dual occupancies with basements at No.59A-59, No.25A-25 and No.44-44A Rea Street.



Figure 4: Street View of No.59A-59 Rea Street, Greenacre



Figure 5: Street View of No.25A-25 Rea Street, Greenacre



Figure 6: Street View of No.44A-44 Rea Street, Greenacre

3 RELEVANT SITE HISTORY

The subject allotment has been subject to the following works and applications:

- CD-412/2017 – Pool (Approved 28/08/2017)

4 PROPOSED WORKS

The applicant seeks approval for the proposed works which entail the following:

- Demolition of existing structures;

Basement Floor:

- Garage parking for 2 car spaces;
- A lift and stairs with access to upper levels;
- Comms room;
- Storage area.

Ground Floor:

- An entry way and porch at the dwelling frontage;
- Stairs with access to upper level;
- Lounge and study area;
- Bedroom with ensuite with access from the hallway;
- Powder and laundry with access from the hallway;
- Open living area with combined dining and kitchen area;
- Walk in pantry and cool room with access from the kitchen;
- Alfresco with access from the living area opening into the rear yard;
- In-ground swimming pool.

First Floor:

- Stairs with access to lower level;
- A master bedroom with walk in robe and ensuite with balcony at the front elevation;
- Two (2) additional bedrooms accessed from the hallway;
- Bedroom with ensuite with access from the hallway;
- Bathroom accessed from the hallway;
- Balcony at the rear elevation with access from bedroom four.

5 HEADS OF CONSIDERATION AND EVALUATION

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

5.1.1 State Environmental Planning Policy - Sustainable Buildings 2022

A BASIX certificate has been provided indicating the proposal achieves the appropriate energy targets. No further assessment is required.

5.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

CHAPTER 4 REMEDIATION OF LAND

The State Environmental Planning Policy requires consideration as to whether land is contaminated. A review of Council records and an inspection of site attributes indicates that the site has been utilised for residential dwelling and zoned R2 Low Density Residential for residential purposes for a significant period.

In this regard, the works will not result in risks being posed in terms of contamination of land and thus no further consideration is required under the provisions of the SEPP. A review of the site indicates there is no evidence contamination on site or within the wider locality. The area is well established, and the land is suitable for the continuation of the land use. No further assessment with regards to contamination is required.

5.1.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

The relevant elements of the policy are outlined within the table below:

CHAPTER 2 INFRASTRUCTURE	
2.48 Determination of development applications—other development	
(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following:	
(a) 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,	No ground penetration is proposed.
(b) development carried out:	
(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or	Not applicable
(ii) immediately adjacent to an electricity substation, or	
(iii) within 5m of an exposed overhead electricity power line,	
(c) installation of a swimming pool any part of which is:	Not Applicable
(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	Not Applicable
(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,	Not Applicable
(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is	Not Applicable

in force between the electricity supply authority and the council for the land concerned. (3) Subsection (2) does not apply to development specified in subsection (1)(b) if the development involves only one or more of the following: (a) internal alterations to a building, (b) a change of use of an existing building, (c) a change to the hours of operation specified in the development consent, (d) a subdivision that does not involve construction work.	The works are for a new dwelling. The proposal must be assessed against the Policy.
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5.1.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2, Vegetation in non-rural areas is applicable to this site as per this State Environmental Planning Policy as the site is within the Canterbury-Bankstown Council.

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.*

In accordance with Section 2.10 of the SEPP, Council may issue a permit for the clearing of vegetation.

The proposal does not include any removal of trees, therefore assessment against this SEPP is not required.

5.1.5 Canterbury - Bankstown Local Environmental Plan 2023

PART 1 - PRELIMINARY

The proposal is subject to the provisions of Canterbury - Bankstown Local Environmental Plan 2023. The proposals response to the relevant objectives of the Plan are as follows:

Clause 1.2 Aims of the Plan

The particular aims of this Plan are as follows:

Aim

To provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown.

Comment

The development is compatible with the future surrounding context as the neighbouring developments have the potential to develop two storey dwelling with similar roof form and height.

Aim

To achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety.

Comment

The proposal is consistent with the building form, streetscape, architectural roof features and urban character.

PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT

The Canterbury-Bankstown L.E.P.2023 identifies the land use as a:

- **Dwelling House** means a building containing only one dwelling.

The L.E.P lists the land use as:

- **Dwelling Houses** are permissible with development consent within the R2 Low Density Residential Zone

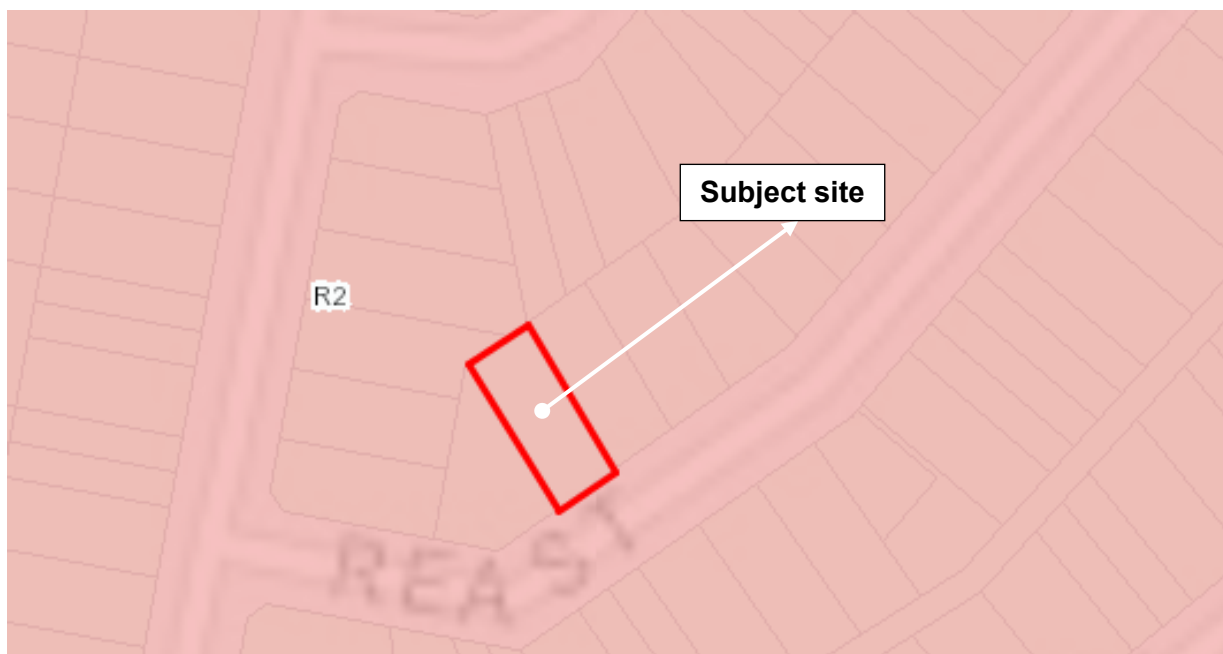


Figure 7: Zone Map

Source: Canterbury-Bankstown L.E.P. 2023

Relevant Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.*

Comment

The construction of the proposed two storey dwelling house is ancillary to the existing dwelling house which is permissible in the R2 Low Density Residential Zone.

- To ensure suitable landscaping in the low-density residential environment.*

Comment

The proposal is consistent with landscaping in this zone.

- To promote a high standard of urban design and local amenity.*

Comment

The proposal will achieve high quality urban form and is compatible with the surrounding built form context.

PART 4 – PRINCIPAL DEVELOPMENT STANDARDS (LEP)

PART 4 - BUILT FORM CONTROLS (CBLEP 2023)				
Control	Required	Provided	Comment	Complies
Minimum Site Area	500m ²	555.9m ²	Complies	YES
Building Height	Max.9m	7.15m	Complies	YES
Wall Height	Max.7m	6.55m	Complies	YES
Floor Space Ratio	0.5:1 or 277.95m ²	0.5:1 or 277.87m ²	Complies	YES

PART 5 MISCELLANEOUS PROVISIONS

There are no miscellaneous provisions relevant to the subject proposal.

PART 6 – ADDITIONAL LOCAL PROVISIONS

Clause 6.2 Earthworks

Control
(1) <i>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</i> (2) <i>Development consent is required for earthworks unless:</i> (a) <i>the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</i> (b) <i>the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</i> (3) <i>In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i>

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any watercourse, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Comment:

Clause 6.2 of the Canterbury Bankstown Local Environmental Plan (CBLEP) 2023 relates to earthworks and sets out assessment criteria to ensure that any land disturbance associated with development does not adversely impact the environmental functions or processes of the subject site or surrounding land. The proposed development involves excavation to accommodate a basement level for car parking, storage area, technical rooms and communications. These works have been carefully designed to avoid adverse impacts on drainage patterns and soil stability. All excavated material will be retained within the site boundary through appropriate engineering solutions, and the works are not expected to cause any disruption to the site's environmental performance or its immediate surrounds.

The quality of the soil to be excavated is suitable for removal, and any fill material brought onto the site will comply with relevant environmental standards to ensure it does not pose a contamination risk. The source of any fill and the destination of excavated material will be managed by a licensed contractor in accordance with waste management regulations and environmental best practices.

To limit environmental impacts during construction, appropriate sedimentation and erosion control measures will be implemented. These include covering exposed soil and fill to reduce dust generation and prevent runoff. The proposed controls are outlined in the Erosion and Sediment Control Plan included within the Stormwater Plan prepared by Capital Engineering Consultants.

The proposal is not expected to detrimentally affect the amenity of adjoining properties. The earthworks are limited to the basement footprint and will not result in excessive noise, dust, or visual impact beyond what is typical for residential construction. Construction activities will be managed to minimise disruption to neighbouring properties.

The site is not located within an area of known Aboriginal cultural heritage significance, and the potential for uncovering relics is low. Nevertheless, an unexpected finds protocol will be implemented to ensure compliance with heritage requirements should any items of significance be discovered during excavation.

The proposed works do not involve the creation of additional dwellings. Given the planning controls, site constraints, and intended use of the property as a long-term residence for a single household, future redevelopment or intensification of the site is unlikely. The proposed earthworks are therefore not considered to compromise the future use of the land.

Overall, the earthworks are consistent with the objectives of Clause 6.2, are appropriately designed to minimise environmental and amenity impacts, and are considered acceptable in the context of the proposed development.

5.2 Proposed (Draft) Environmental Planning Instruments

There are no Draft Environmental Planning Instruments being formulated at strategic level or on exhibition at the time of preparing this report. Therefore, there are no draft controls relating to the proposal.

No further investigation is required in this regard.

5.3 Development Control Plans

5.3.1 Canterbury-Bankstown Development Control Plan 2023

The following table shows the proposals response to the relevant numerical standards for dwelling houses:

Chapter 3 General Requirements, 3.1 Development Engineering Standards:				
SECTION 2 – CIVIL ENGINEERING REQUIREMENTS				
Control	Required	Proposed	Comment	Complies
VHC (Residential)	Min.2.75m Max.5.5m	3m	Complies.	YES
SECTION 4 – ON SITE DETENTION SYSTEMS				
Control	Required	Proposed	Comment	Complies
Impervious Area (Single dwellings)	Max. 75% or 416.93m ²	72% or 399.83m ²	Complies. Refer to stormwater plans for more details.	YES

Chapter 3 General Requirements, 3.2 Parking:				
SECTION 2 – OFF STREET PARKING RATES				
Control	Required	Proposed	Comment	Complies
Parking (Dwelling Houses)	2 car spaces	2 car spaces	Complies	YES
SECTION 3 – DESIGN AND LAYOUT				
Control	Required	Proposed	Comment	Complies
Driveway (One-way)	Min.3m	3m	Complies	YES

Chapter 5 Residential Accommodation, 5.1 Former Bankstown LGA:				
SECTION 2 – DWELLING HOUSES				
Control	Required	Proposed	Comment	Complies
Primary Front Setback (Ground Floor)	Min. 5.5m	6.550m	Complies	YES
Primary Front Setback (Second Floor)	Min. 6.5m	6.550m	Complies	YES
Side Setbacks (Wall Height <7m)	Min. 0.9m	1.050m	Complies	YES
Storeys	Two (2) storeys	Two (2) storeys	Complies	YES
Building Height (Dwelling House)	Max. 9m	7.15m	Complies	YES
External Wall Height	Max. 7m	6.55m	Complies	YES
Landscape (Forward area)	Min. 45% or 44.28m ²	47.6% or 46.83m ²	Complies	YES
Private Open Space	Min. 80m ²	102.02m ²	Complies	YES
SECTION 13 – ANCILLARY DEVELOPMENT (OUTDOOR STRUCTURES)				
Swimming Pools and Spas				
Setbacks from boundary	Min.1m	1.050m	Complies	YES

6 ADDITIONAL CONSIDERATIONS

Visual Privacy

A review of the plans confirms that the habitable room windows along the side boundaries are appropriately offset from neighbouring windows on adjoining properties, ensuring compliance with visual privacy requirements. Privacy screens with obscured glazing will be installed on the first-floor side windows on the east side of the building where the window sill is lower than 1.5 m above the finished floor level. This is to protect the privacy of both future occupants and neighbouring properties.

The balconies have been located appropriately on the first floor. One balcony is located along the west elevation, adjoining the master bedroom, overlooking the Rea Street. The proposed rear balcony does not exceed a width of 1.5m and incorporates form of screening such as vertical timber battens.

Bulk and Scale

The proposed dwelling house is a two storey in nature and is comparable to the bulk and scale of the Rea Street streetscape. The building envelope is determined by compliance with controls such as setback, landscaped area and height. The development is not designed to be forward of the prevailing setback line in order to minimise the building bulk and mass, keeping the building rhythm in the street. Additionally, the design does not extend beyond the prevailing setback line, effectively minimizing the building's bulk and mass while maintaining the rhythm of the streetscape.

Solar Access and Overshadowing

Referring to the shadow diagrams accompanying the proposal, the dwellings within the development site and adjoining properties at No.52 and No.48 successfully receives greater than 3 hours direct sunlight in habitable living areas between 8am and 4pm, and greater than 50% of the primary private open space between 9am and 5pm on 21st June. No further assessment is required in this regard.

6.1 PLANNING AGREEMENTS

There are currently no Draft Planning Agreements or Planning Agreements applicable to the development. No further investigation is required in this regard.

6.2 THE REGULATIONS

6.2.1 Clause 36 and 91

Were Council to require additional information, consideration must be given to the number of days taken in this assessment in light of this clause within the Regulation. No additional information has been requested at the time of writing of the statement.

6.2.2 Clause 62

The consent authority is to consider the upgrading of a building (including fire safety upgrade of development). This matter may be addressed via a condition of consent.

6.2.3 Clause 69

The consent authority is to consider AS 2601 – 1991: The Demolition of Structures. This matter may be addressed via a condition of consent.

6.3 SITE SUITABILITY

6.3.1 Environmental

The assessment of the proposal has shown that any environmental impacts resulting from the works will be negligible. Regard is shown for the natural environment in terms of on-site management of stormwater and drainage, with appropriate measures incorporated into the overall design that operate in concert with the extensive areas of landscaping provided by the site layout.

The built environment will be enhanced by the upgraded site allowing for the more economical use of the available resource, without impacting or dominating the area in terms of built form. The proposal satisfies the requirements of both the natural and built environments.

6.3.2 Social

The proposal adds to housing diversity, allowing for a more diverse accommodation typology within the appropriate R2 Low Density Residential Zone. This allows a more diverse population cross section to “settle and stay” within the Canterbury-Bankstown LGA. The increased choice of housing in this area provided by the proposal increases the longevity of the site whilst allowing residents an upgraded modern alternative.

The dwelling will continue to utilise local services available to the occupants of dwellings in terms of housing. The proposal adds to the available housing stock within the area and provides opportunities for more varied dwelling choice. The proposal will allow the occupants to “age in place” and remain in occupation. The proposal is consistent with the social requirements in these regards.

6.3.3 Economic

The provision of appropriately serviced housing opportunities within this appropriately zoned locality, contributes to the easing of housing affordability pressure on potential homeowners whilst showing regard for the requirements of this R2 Zone.

Maintaining resident numbers in this appropriate zone will add to the economic stability of the area by allowing for residents to live in a locality that is economically vibrant. The site is in close proximity to local services and within reasonable distance to local business and upgraded infrastructure. All of these entities will benefit from the employment and economic input provided by the future residents.

6.4 SUBMISSIONS

There are no submissions relating to the proposal from the community or the consent authorities at this stage of the proposal process. No further investigation is required in this regard.

6.5 THE PUBLIC INTEREST

The public interest is serviced by the accommodating of an upgraded dwelling in a manner that adds to housing stock and site longevity. The dwelling remains consistent with other dwellings in the street and remains consistent with the streetscape character and built form as existing. The proposal is clearly within the public interest.

7 CONCLUSIONS AND RECOMMENDATIONS

The project, located within suburban Greenacre, offers a high-quality, flexible, contemporary, residential outcome which provides for and contributes to the housing diversity in this residential precinct comprised of a varied and eclectic mix of types of dwellings.

The proposal has demonstrated consistency with the underlying objectives of the controls and general compliance with the numerical standards contained within both State and Local policies and plans. The proposal shows regard for Section 4.15 of the Act, shows regard for all heads of consideration including site suitability, economic, social and environmental impacts and the public interest.