



Statement of Environmental Effects

Dwelling House – Ancillary Development (Swimming Pool & Associated Safety Barriers)

102A Lang Street, Padstow NSW 2211

approved



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Introduction

Approved Pty Ltd hereby certifies that this Statement of Environmental Effects has been prepared in accordance with the requirement of the Environmental Planning and Assessment Act 1979 and its associated Regulations. It is certified that to the best of our knowledge, the information contained within this Report is neither false nor misleading.

This Statement of Environmental Effects (SEE) accompanies the Development Application (DA) to the City of Canterbury-Bankstown for the installation of a concrete swimming pool and associated safety barriers.

Development Application Details

Property Address	Lot 2/-/DP1128873 102A Lang Street, Padstow NSW 2211
Local Government Area	City of Canterbury-Bankstown
Zone	R2 Low Density Residential
Existing Development	Dwelling house
Calculations	Lot Area: 615.7m ² Swimming Pool Capacity: 16,875L

The statement is intended to provide further details, where necessary, on aspects covered in the drawings as well as provide additional information where required. The information following is provided to detail the merit of the proposed development in relation to the provisions set out in both the Canterbury-Bankstown Local Environmental Plan 2023 and Canterbury-Bankstown Development Control Plan 2023. The DA and statement have been prepared on behalf of the applicant and addresses the matters referred to in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the matters required to be considered by the consent authority. The purpose of this Statement is to:

- Describe the existing environment to which the DA relates and the character of the surrounding area,
- Describe the proposed development,
- Outline the statutory planning framework within which the DA is assessed and determined; and
- Assess the proposed development in considering the relevant heads of consideration.

Document Details

Revision	A
Prepared By	Lewis Grainger Town Planner

1.0 Site Location and Description



Figure 1: Aerial view, showing subject Lot outlined in red in context to surrounding lands (Source: Nearmap Viewer).

The subject site (the site) is a battle-axe lot located on the western side of Lang Street, within an established residential environment. Surrounding development is predominately comprised of low-density residential accommodation. Neighbouring properties are noted to contain ancillary development in the rear yards.

The allotment is irregular in shape and is accessed via the established access handle from Lang Street. The site displays a total site area of 615.7m². The site is oriented on an east to west axis and can be described as having a relatively flat topography.

The displays managed landscaped area, predominately within the rear setback, containing managed lawn areas and soft landscaping.

2.0 Proposed Development

The applicant is proposing to install a fibreglass swimming pool. The proposal has the following details:

- The 16,875L swimming pool; will be located in the rear southwest portion of the site and will not be visible from the primary frontage.
- Measured from the waterline the proposal is setback;
 - 1.5m from the south side boundary and;
 - 1.5m from the rear west boundary.
- Associated barrier fencing (1.2m in height) will be constructed in accordance with the AS 1926.1-2012.
- Associated pool pump and filter will be housed in a soundproof enclosure, south of the proposed pool.

The total capacity of the pool is less than 40,000L and as such a BASIX Certificate is not required.

An assessment of the proposed development has not identified any unreasonable adverse environmental impacts likely to arise as a result of the proposal. It is therefore recommended that consent for the proposed development is granted subject to Council's standard conditions.

3.0 Statutory Requirements

This section deals with the proposal's consistency with the various statutory and non-statutory provisions. It also addresses the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

3.1 Commonwealth Legislation - Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, in conjunction with the Commonwealth Environmental Protection and Biodiversity Conservation Regulations 2000, provide the basis for national environmental protection and conservation.

The subject site is not situated on or near an area of environmental significance and does not contain any national environmental significance items.

3.2 Other Acts

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

- Fisheries Management Act 1994
- Heritage Act 1977
- National Parks and Wildlife 1974
- Petroleum Act 1991
- Protection of the Environment Operations Act 1997
- Roads Act 1993
- Rural Fires Act 1997
- Water Management Act 2000

3.3 State Environmental Planning Policies (SEPP)

All State Environmental Planning Policies have been considered with respect to the proposed development. It is considered that the proposal does not contravene the objectives of any State Environmental Planning Policy.

3.3.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

This Policy seeks 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 site is not mapped as Biodiverse land, nor includes the removal of any trees to facilitate the development.

4.0 Local Environmental Plans (LEP)

4.1 Canterbury-Bankstown Local Environmental Plan 2023

Part 2 Permitted or Prohibited Development

The site of the proposed development is located within the *R2 Low Density Residential* zone as identified by the Canterbury-Bankstown LEP 2023. The proposed development is defined as ancillary development to a *Dwelling House (including ancillary development)* and is permissible with consent in this zone.

- The objectives of the zone are as follows:
- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To promote a high standard of urban design and local amenity.

An assessment of the proposed development against the relevant objectives finds that the proposal supports the above intentions. The applicant seeks consent for ancillary development, which will result in a positive outcome to the increased residential amenity. The proposal does not seek to hinder the day to day needs of residents, nor the walkable nature of the neighbourhood.

Part 4 Principal Development Standards

Clause 4.3 Height of Buildings

The proposed swimming pool is an inground structure.

Clause 4.4 Floor Space Ratio

The development does not increase gross floor area on the site.

Part 6 Additional Local Provisions

Clause 6.1 Acid Sulphate Soils

The site is mapped as affected by acid sulphate soils class 5.

Excavation required to install pool shell below existing ground level does not exceed 1.5m in depth. In this regard the likelihood of development to result in interaction with acid sulphates is deemed unlikely, whereby, the application of acid sulphate preliminary investigation, nor acid sulphate management plan is deemed applicable.

Clause 6.2 Earthworks

The development proposes a maximum cut of 1.5m to facilitate the installation of the concrete swimming pool. This will not have a detrimental impact on any environmental function or process, neighbouring uses or any item of cultural or heritage significance. Soil and erosion control measures will be implemented for the duration of the development.

Clause 6.3 Stormwater Management and Water Sensitive Urban Design

It is not expected that the development will lead to adverse impacts on the land on which the development is to be carried out, adjoining properties and infrastructure, native bushland and receiving waters. Additional runoff is to be directed to the legal point of discharge for the site.

5.0 Development Control Plan (DCP)

Canterbury-Bankstown Development Control Plan 2023

Consideration has been given with regards to the outcomes and prescriptive requirements of the Canterbury-Bankstown Development Control Plan 2023. The proposed development is considered consistent with these requirements in the DCP. The following Chapters are considered applicable to the proposal.

Chapter 2 – Site Considerations

2.3 – Tree Management No tree removal forms part of this application.

Chapter 3 – General Requirements

3.1 – Development Engineering Standards Details of the existing stormwater disposal system for the site are displayed on the architectural plans set. Additional runoff is to be directed to the legal point of discharge for the site, Lang Street.

It is of not that proposed pool development and curtilage is to be constructed adjacent to established easement for drainage. The development does not encroach upon easement, however, has been designed with respect to drainage infrastructure 'zone of influence'.

Necessary approvals have been sought from relevant water authority. Notably, the development is subject to engineering assessment and may accommodate necessary amendments whereby 'ZOL' is affected, deemed at Council's discretion.

3.3 – Waste Management All materials used on site during construction are to be disposed of to Council regulation and recycled where applicable to avoid waste going to landfill. Waste Management both during construction and post construction will be as per Council waste management requirements.

A Waste Management Plan (WMP) accompanies the development application.

Chapter 5 – Residential Accommodation (5.2 Former Canterbury LGA)

Section 2 – Dwelling Houses

2.2 Site Coverage

The inclusion of pool development does not increase the density of built form on site and does not form part of site coverage in this regard.

2.3 Landscaping

The 615.7m² site is required to achieve a minimum 25% landscaped area on site.

The inclusion of pool development will result in a total combined landscaped area of 14.08%. Seek a variation, supported by merit-based-assessment.

The objectives of the control are addressed hereunder.

O1: To ensure new development is appropriately landscaped to provide a pleasant outlook and contribute to the amenity of a property.

- The pool is located entirely within the rear yard, screened from the streetscape and public view by the existing dwelling. It will have no visual impact on the streetscape or neighbouring properties' outlooks from public areas.
- The development incorporates landscape planting adjacent to the pool curtilage, including perimeter plantings, which will soften the pool edge, provide visual interest, screening, and enhance the private amenity of the rear yard for occupants.
- The rear yard will remain a functional, pleasant outdoor living space with opportunities for passive and active recreation, greenery, and outlook from the dwelling (e.g., from rear windows or doors). The pool itself contributes positively to property amenity as a desirable recreational feature, while the adjacent landscaping ensures the area feels verdant and well-resolved rather than dominated by hard surfaces.
- Overall, the proposal maintains or improves the pleasant outlook and amenity for the property's residents, consistent with the objective, even if the numerical landscaped area is reduced.

O2: To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.

- The pool is an in-ground or similar structure, but its surface (the water body) does not generate additional stormwater runoff in the same way as impervious roofs or paving — rainfall lands directly in the pool and is contained/managed within the filtration system, rather than contributing to overland flow.
- The shortfall arises primarily from the pool footprint displacing what would otherwise be landscaped/deep soil area. However, the remaining landscaped portions (including the planting adjacent to the pool) prioritise deep soil zones where feasible, supporting vegetation with root systems that promote infiltration.
- Any hard surfaces associated with the pool (e.g., limited coping or surrounds) are minimised, and the overall site retains substantial pervious area outside the pool zone. The proposal avoids concentrating impervious coverage in a way that would significantly increase runoff volumes or rates compared to a fully landscaped alternative.

2.11 – Privacy

In-ground pool development does not compromise the privacy levels achieved by adjacent development. Any overlooking opportunity is mitigated by existing boundary fencing.

2.14 Outbuildings and Swimming Pools

Pool development is setback in excess of >1m from each respective boundary. Sited within the rear yard area.

Landscape planting has been included adjacent to pool curtilage.

6.0 Environmental Effects

The proposed development has been evaluated with regard to the matters for consideration of section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) that have not been addressed elsewhere within this statement.

The Provisions of any Environmental Planning Instrument – 4.15(1)(a)(i)

Consideration has been given to relevant Environmental Planning Instruments (EPI) above. The proposed development is not inconsistent with any EPI.

The Provisions of any Draft Environmental Planning Instrument – 4.15(1)(a)(ii)

We are not aware of any Draft Instruments relating to the site or the proposed development.

The Provisions of any Development Control Plan – 4.15(1)(a)(iii)

Consideration has been given to the provisions of the relevant Development Control Plan. The proposed development is not inconsistent with the objectives or controls within any DCP.

The Provisions of any Planning Agreement – 4.15(1)(a) (iiia)

None applicable to this application.

The Provisions of the Regulations – 4.15(1)(a)(iv)

None applicable to this application.

Likely Impacts

Context and Setting	The proposal is appropriate for its location and with respect to adjoining land uses.
Access, Transport and Traffic	Any additional traffic generated by the proposed development would not create any adverse impact on the surrounding road network.
Public Domain	The proposal would not result in any adverse impacts to the public domain.
Utilities	The proposal will be connected to the mains power and reticulated water.
Heritage	Not relevant to the subject site.
Other Land Resources	The proposed development would not alienate other uses within the site or on neighbouring sites and would limit the demands on other lands.
Water Quality	Stormwater management to Council regulation.
Soils	Soil profile considered.
Air and Microclimate	The proposal is expected to have a negligible impact on the existing air quality and microclimate.
Ecological	There are negligible ecological impacts anticipated.
Waste	Waste generated will be handled through existing waste collection and recycling services that are presently available, with additional services used on occasion.
Energy	The proposed development incorporates applicable energy efficient design features.
Noise and Vibration	The proposal would have negligible impact on the existing air quality and microclimate.
Natural Hazards	None identified that apply to this scale of development.
Technological Hazards	None exist in respect to this type of development.
Safety, Security and Crime Prevention	The development is designed and located to ensure safety and security would be maintained.
Social Impact in Locality	The proposal does not introduce a type of development or scale of development that would result in an adverse impact.
Economic Impact in Locality	No adverse economic impact expected, and the proposal would not impact future economic viability of the locality.

Site Design and Internal Design	Commensurate to existing built form and context of surrounding locality.
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Construction	To Council and BCA requirements.
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Cumulative Impacts	None are likely to result from this scale of development.
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Ecologically Sustainable Development

The principles of ecologically sustainable development (ESD) have been considered in preparing this SoEE. Schedule 2 of the Environmental Planning and Assessment Regulation 2000 note that ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. The principles of ESD have been considered in the preparation of this SoEE and development design. The proposed development is considered to be able to comply with the ESD objectives for the site.

Suitability of the Site for Development– 4.15(1)(c)

The subject site is considered suitable for the proposed development in this location. The SoEE has demonstrated in detail that the site is suitable for the proposed development and the proposed works to the dwelling has the following merits:

- The proposed development is permissible development and will be consistent with the relevant zone objectives;
- The works are well proportioned and will fit in with the surrounding built form, appropriate for the site;
- Principal planning controls are complied with;
- The site will maintain useable areas for landscaping and POS;
- Efficient and well-considered design solutions are proposed, consistent with setback objectives within the DCP;
- The amenity of neighbouring properties is not adversely affected by the proposal. In particular the proposal is designed to minimise impacts side and rear neighbours, with solar access, privacy and views not unreasonably impacted; and
- There are no prohibitive constraints posed by the site or those adjacent.

Submissions–4.15 (1)(d)

The proposal will be notified in accordance with the requirements of Council’s DCP, providing opportunity for the public to comment on the development.

All reasonable and concerns raised in any submissions will be considered if deemed substantiated by Council.

Public Interest–4.15(e)

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

7.0 Conclusion

The application for development seeks assessment and consent under the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979. The development is a permissible use of the land under the Canterbury-Bankstown Local Environmental Plan 2023 and displays compliance with the objectives and controls of the Canterbury-Bankstown Development Control Plan 2023. It is therefore submitted to Council for favourable consideration, subject to conditions of consent.

