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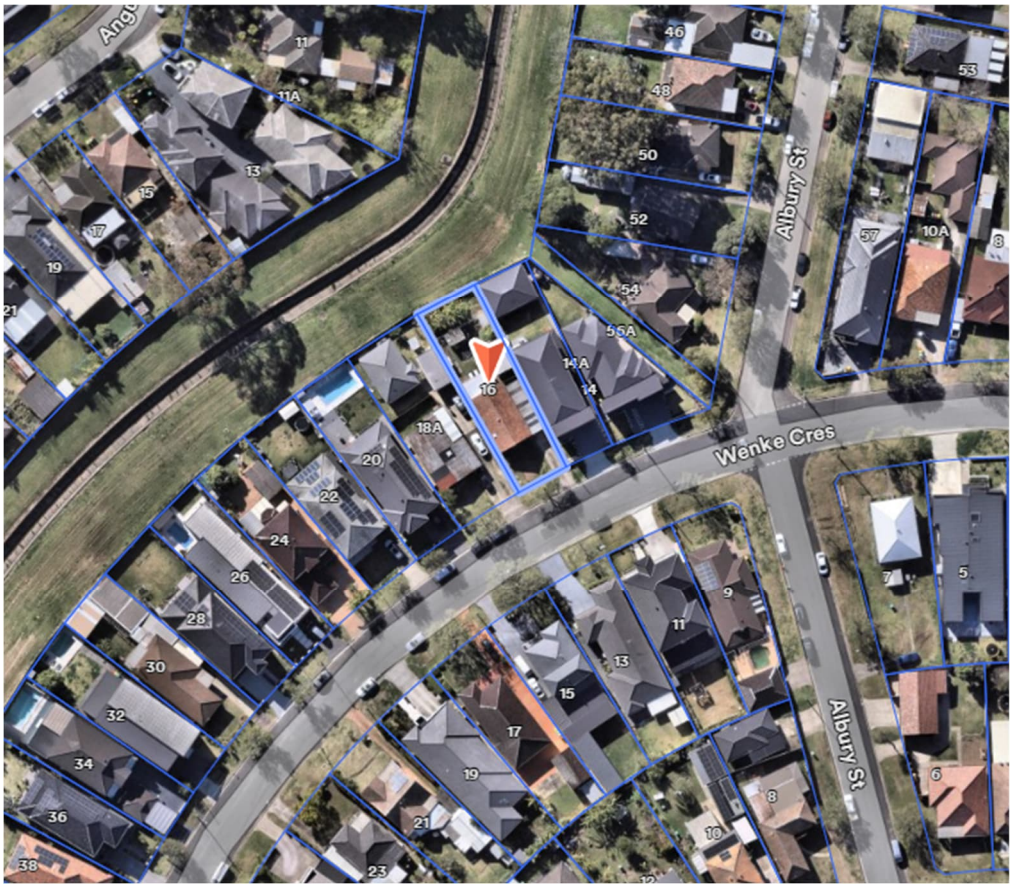
STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:
Clarendon Homes
PO Box 7105
BAULKHAM HILLS NSW 2153

Site Address:
Lot 337 DP 12782
16 Wenke Crescent
YAGOONA NSW 2199

Proposed construction of a Two Storey Dwelling and Detached Secondary Dwelling.

INTRODUCTION

This Statement of Environmental Effects is submitted to Canterbury-Bankstown Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a two storey dwelling containing four (4) bedrooms and a detached secondary dwelling.

The site is rectangular in shape, with primary frontage to Wenke Crescent and a total land area of 527.7m^2. The site currently contains a dwelling to be demolished under a separate application.

The site has a moderate fall to the front of the site, with drainage to be directed to an appropriate system as per the Drainage Details.

The neighbourhood generally consists of a mix of residential dwellings of one and two storey construction as anticipated within an established residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscapes.

ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
    - Chapter 2
    - Chapter 6
- State Environmental Planning Policy (Housing) 2021
    - Chapter 3
- State Environmental Planning Policy (Resilience and Hazards) 2021
    - Chapter 4
- Canterbury-Bankstown Local Environmental Plan 2023
- Canterbury-Bankstown Development Control Plan

4.15 EVALUATION

(1) Matters for Consideration – general:
(a)(i) Relevant environmental planning instruments

Applicable State Environmental Planning Policy's

SEPP	*Comment*	*Compliance*
State Environmental Planning Policy (Biodiversity and Conservation) 2021	*Chapter 2 – Vegetation in Non-Rural Areas* Subject tree removal is not sought on land subject to the Biodiversity Conservation Act. The clearing is not likely to exceed the biodiversity threshold scheme given the site area and clearing required. Suitable planting and landscaping provided following construction of the development. *Chapter 6 – Water Catchments* Stormwater drainage is proposed to be directed to an approved system as per the hydraulic details. The plans submitted, along with anticipated conditions of development consent, demonstrate that the cumulative impact on water quality will be minimal. The proposal will be consistent with the objectives of the SEPP, particularly in relation to total catchment management and water quality.	Complies
State Environmental Planning Policy (Housing) 2021	See below.	Yes.
State Environmental Planning Policy (Sustainable Buildings) 2022	Please refer to accompanying BASIX Certificate.	Complies

State Environmental Planning Policy (Resilience and Hazards) 2021	*Chapter 4* No known previous land uses have occurred on the site that would render the allotment susceptible to contamination. Site and surrounding sites have been used for residential purposes for a number of years (Nearmap Search of site shows dwelling house being used from 2009).	Complies

Chapter 3 DIVERSE HOUSING
Part 1 Secondary Dwellings
Division 1 Preliminary

49 Definition

In this Part—

development for the purposes of a secondary dwelling includes the following—

(a) the erection of, or alterations or additions to—

(i) a secondary dwelling, or

(ii) an ancillary structure within the meaning of Schedule 2,

(b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

residential zone means the following land use zones or an equivalent land use zone—

(a) Zone R1 General Residential,

(b) Zone R2 Low Density Residential,

(c) Zone R3 Medium Density Residential,

(d) Zone R4 High Density Residential,

(e) Zone R5 Large Lot Residential.

The proposed development relates to the construction of a Secondary Dwelling in conjunction with the proposed Principal Dwelling complying with this definition. The site is zoned R2 under the Canterbury-Bankstown Local Environmental Plan 2023.

50 Application of Part

This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.

The subject site is zoned R2 and dwelling houses are a permissible form of development under the Canterbury-Bankstown Local Environmental Plan 2023.

51 No subdivision

Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part.

Subdivision is not sought.

Division 2 Secondary dwellings permitted with consent

52 Development may be carried out with consent

(1) Development to which this Part applies may be carried out with consent.

Consent is sought from Council via the subject Development Application.

(2) Development consent must not be granted for development to which this Part applies unless—

(a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and

Principal dwelling and detached secondary dwelling only proposed as part of this application.

(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and

The Canterbury-Bankstown Local Environmental Plan 2023 provides for a maximum FSR of 0.5:1, the proposed FSR of 0.499:1 complies with this control.

(c) the total floor area of the secondary dwelling is—
(i) no more than 60m^2, or
(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

The proposed secondary dwelling has a floor area of 52.35m^2 complying with this clause.

53 Non-discretionary development standards – the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.
(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—
(a) for a detached secondary dwelling—a minimum site area of 450m^2,
(b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.

The site has a total area of 527.7m^2 and the stacked parking proposed is anticipated to be as per the current provisions for parking on the site.

* * *

Conclusion with regard to SEPP (Housing) 2021

It is considered that the proposal meets the provisions of *State Environmental Planning Policy (Housing) 2021* with regard to secondary dwellings and is therefore a permissible land use.

Canterbury-Bankstown Local Environmental Plan 2023

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 Canterbury-Bankstown Local Environmental Plan 2023.

The proposed development is defined in the plan as a '*dwelling house'*, being '*a building containing only one dwelling'* and detached *'secondary dwelling'* being *'a self-contained dwelling that—*
(a) is established in conjunction with another dwelling (the principal dwelling), and
(b) is on the same lot of land as the principal dwelling, and
(c) is located within, or is attached to, or is separate from, the principal dwelling.'

The identified zone permits the construction of a *'dwelling house'* and *'secondary dwelling'* subject to development consent from Council.

Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are:

- *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 development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.*
- *To allow for the development of low density housing that has regard to local amenity.*
- *To require landscape as a key characteristic in the low density residential environment.*

The proposed developments are for a low-density residential dwelling being compatible with the existing and future character of the locality. The buildings are designed to provide a high level of amenity for adjoining residents whilst considering the natural restraints of the site.

The proposed dwellings are considered to meet the objectives of the R2 Zone.

Clause 4.3 Height of Buildings

Requirement	*Provision*	*Compliance*
Building height – 9m Wall height – 7m	8.134m <7m	Yes Yes

Clause 4.4 Floor Space Ratio

Requirement	*Provision*	*Compliance*
0.5:1	0.499:1	Yes

Clause 4.6 Exceptions to development standards

The development does not contravene any development standards with in the LEP.

Clause 5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

(a) 60 square metres,

(b) 10% of the total floor area of the principal dwelling.

The proposed secondary dwelling has a total floor area of 52.35m^2 complying with the above requirement.

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance.

Clause 5.21 Flood planning

The subject site has been identified as being within a flood planning area as per the 10.7 Certificate. The proposed dwelling has a suitable floor level to ensure minimal damage in the event of a flood. The dwelling will not unreasonably impact upon flood functions and behaviours and will not increase affectation on other properties. The dwelling is of an intended scale and incorporates a raised floor level to reasonably minimise risk in the event of a flood.

* * *

Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within CBLEP 2023.

(a)(ii) Relevant draft environmental planning instruments

There are no draft EPIs that affect the subject site.

(a)(iii) Relevant development control plans

Canterbury-Bankstown Development Control Plan 2023

Chapter 3 – General Requirements

3.2 – Parking

Dwelling houses are required to provide 2 spaces per dwelling. The garage will provide space for a single parking space, with the hard stand driveway capable of accommodating a second parking space.

Chapter 4 - Heritage

8.4.3 – Heritage Conservation Areas

Subject site is not within any heritage conservation area, is not identified as a heritage item and is not within the vicinity of any heritage items.

Chapter 5 – Residential Accommodation

5.1 Former Bankstown LGA

Section 2 – Dwelling Houses

Requirement	*Provision*	*Compliance*
Storey Limit Max. 2 Storeys Fill not to exceed 600mm unless contained within perimeter of dwelling of dwelling to a max. 1m above NGL.	Two storey dwelling proposed. Max. DEB 480mm, with any fill contained within.	Yes Yes
Setback restrictions Dwellings prohibited within 9m of an existing animal boarding facility.	N/A	N/A
Street Setbacks Primary frontage Ground – 5.5m First – 6.5m Secondary frontages Building wall – 3.0m Garages – 5.5m	 6.582m to porch/balcony element. >6.5m to dwelling façade. N/A	 Yes Yes N/A

<u>Setbacks to side boundary</u> Wall height <7m – 0.9m	Min. 1.3m proposed (secondary dwelling).	Yes
Wall height >7m – 1.5m	N/A – no wall height >7m	N/A
Basement levels must not project beyond the ground floor walls.	N/A	N/A
<u>Access to sunlight</u> Greater than 3hrs solar access to living area of subject residence and neighbours 8am to 3pm / Mid-winter solstice.	North to rear corner, with suitable solar access to rear POS and living areas of the proposed dwelling throughout the day. Suitable solar access to the dwelling (and secondary dwelling) is provided given the orientation of the site.	Yes
Greater than 3hrs solar access to 50% of POS on subject site and neighbouring allotments 9am to 5pm / Equinox	3hrs available to 50% of POS areas of proposed dwelling. 3hrs solar access to the POS of the adjoining dwellings is capable of being provided throughout the day.	Yes
Overshadowing of existing solar panels should be avoided.	Proposed dwelling not anticipated to overshadow any existing solar panels.	Yes
<u>Visual Privacy</u> Windows looking directly into living rooms or POS areas of neighbouring properties should be: - Offset or, - provided with a 1.5m high sill or, - provided with screening	Windows are suitably setback, offset and orientated to ensure privacy is retained. Windows are appropriately setback and offset from living and POS areas and privacy will be a concern to both the subject and adjoining residents. Privacy is maintained from these windows given the location. Leisure room window orientated to overlook the front setback area, with side elevation window appropriately provided towards the front setback and will not impact upon the privacy of any adjoining properties.	Yes
Upper floor side/rear balconies permitted where not accessed from living areas, <1.5m wide and provided with screening.	N/A – balcony to front setback.	N/A

Roof top balconies are not permitted.	N/A – No roof top balcony proposed as part of this development.	N/A
<u>Building Design</u> Max. roof pitch – 35°	22.5° roof pitch proposed.	Yes
Attic spaces to contain maximum of 2 rooms and a bathroom.	N/A	N/A
Dormers to be <2m wide, below ridge line and not dominate the roof plane.	N/A	N/A
Development in foreshore areas must use non-reflective materials that area compatible with the natural characteristics of the area.	N/A	N/A
<u>Building Design (Car Parking)</u> Car parking to be located behind the building line.	Parking setback min. 1m behind the building line.	Yes
At least 1 covered parking space.	Garage provide single parking space undercover.	Yes
Setback 6.0m from primary or secondary street frontages if providing only one space.	>6m	Yes
Garages to be integrated and does not dominate the façade.	Garage suitably integrated into dwelling design.	Yes
Triple garages only permitted on two storey dwellings where it is architecturally integrated with the upper storey.	N/A	N/A
<u>Landscaping</u> Retain and protect significant trees where possible.	A number of minor trees proposed for removal. Suitable landscaping capable of being provided following construction.	Yes
Min. 45% landscaped area between dwelling and street frontage.	>45% provided.	Yes

At least 1 x 75L tree in front setback In foreshore protection areas, native trees with a mature height of 12m to be planted adjacent to water bodies.	Provided per landscape plan. N/A	Yes N/A

Section 3 – Secondary Dwellings

Requirement	*Provision*	*Compliance*
Lot Size Min. 450sqm allotment.	527.7sqm	Yes
Site Cover Floor area of principal dwelling and secondary dwelling is no more than the max. floor area allowed under EPI. Max. 60sqm for secondary dwelling.	Complies – see above. 52.35sqm.	Yes Yes
Storey Limit Attached – 2 Storey Detached – single storey, and max. wall height 3m. Fill no more than 600mm, Max. 1m if within dwelling perimeter.	N/A Single storey, wall height <3m. DEB height of 745mm.	N/A Yes Yes
Street Setbacks Primary frontage Ground – 5.5m First – 6.5m Secondary frontages Building wall – 3.0m Garages – 5.5m	Secondary dwelling located behind the building line. N/A	Yes N/A
Setbacks to side boundary Wall height <7m – 0.9m Wall height >7m – 1.5m	Min. 1.3m proposed. N/A	Yes N/A
POS Secondary dwelling must not result in principal dwelling not achieving required landscape and	Suitable landscaped and POS area provided.	Yes

POS areas.		

Section 11 – Livable Housing

Dwelling house and secondary dwelling are provided with suitable entry's. Entry path capable of being provided along one boundary for the secondary dwelling. This is considered reasonable given the site. The subject dwellings are provided with suitable internal door openings and corridors that will allow comfortable movement between spaces. Reasonable measures for bathrooms provided to ensure standards of livable housing are met.

* * *

Conclusion with respect to DCP requirements

The proposal is considered to reasonably satisfy the objectives of the relevant design provisions relating to dwellings as contained within the Canterbury-Bankstown Development Control Plan 2023.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts.

Siting and Design
The proposed two storey dwelling and detached secondary dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control
Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation
All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration
All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

(c) The suitability of the site for the development

The subject site is within an existing area designed for medium density housing. The site is within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The two storey dwelling and detached secondary dwelling, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The development is permissible with development consent under the provisions Canterbury-Bankstown LEP 2023, and generally satisfies the objectives of the relevant development control plans as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Canterbury-Bankstown Local Environmental Plan 2023 and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of a new two storey dwelling and detached secondary dwelling will complement and blend with the existing residential character of Yagoona. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd
September 2025