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STATEMENT OF **ENVIRONMENTAL EFFECTS**

Prepared for Canterbury Bankstown Council

*Proposed Attached Dual Occupancy with Basement and Two Detached Secondary Dwellings, Torrens
Title Subdivision into Two Lots*

24 Saurine Street, Bankstown NSW 2200

Lot 15 in DP 36213

Project Details

Project Address	24 Saurine Street, Bankstown NSW 2200
Legal Description	Lot 15 in Deposited Plan 36213
Site Area	904.2 m ² (by survey)
Local Government Area	Canterbury-Bankstown Council
Zoning	R2 – Low Density Residential
Proposed Development	Demolition of existing structures; construction of an attached two-storey dual occupancy (Nos. 24 & 24A) with a basement level, and two detached secondary dwellings (Nos. 24B & 24C) to the rear; Torrens title subdivision into two allotments
Applicant	Peter Gebrael – Ecotech Designs
Registered Owners	T Tannous and D Tannous
Report prepared by	Ecotech Designs
Date	15 July 2026 (Rev 2 – updated stormwater, civil, BASIX/NatHERS and finalised architectural documentation)

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application (DA) for the redevelopment of the land known as 24 Saurine Street, Bankstown, within the Canterbury-Bankstown local government area. It has been prepared in the manner typically expected of a professional town planning submission and is intended to assist Council in its assessment of the application under section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

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1. Introduction

1.1 The Site and the Proposal

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) submitted to Canterbury-Bankstown Council for the demolition of the existing dwelling and outbuildings, and the construction of an attached two-storey dual occupancy development (Nos. 24 and 24A Saurine Street) with a basement level beneath the principal dwellings, together with two detached secondary dwellings (Nos. 24B and 24C) located to the rear of the site, and Torrens title subdivision of the site into two allotments, at 24 Saurine Street, Bankstown (Lot 15 in DP 36213).

The proposed development, as documented in the accompanying architectural plans (Ecotech Designs, Job No. 26002), landscape plans, Geotechnical Investigation Report (Nepean Geotechnics, Report No. R26138.Rev0) and this Statement, comprises, in summary:

- Demolition of the existing single storey dwelling, carport and associated improvements;
- Construction of an attached dual occupancy (two dwellings) in the front portion of the site, over a basement level providing car parking and ancillary storage;
- Construction of two detached secondary dwellings to the rear of the site, one associated with each principal dwelling;
- Landscaping works, private open space provision and associated earthworks and retaining structures;
- Torrens title subdivision of the site into two allotments (453.29 m² and 455.33 m²), each containing one principal dwelling and its associated secondary dwelling, consistent with the requirements of the State Environmental Planning Policy (Housing) 2021 and Council's Development Control Plan; and
- Associated stormwater, sediment and erosion control, and waste management measures.

1.2 Background to this Application

The subject site was the subject of a previous development application (DA-489/2026) for a substantially similar form of development, which was refused by Council on 15 May 2026. Council's reasons for refusal identified a number of matters relating to owner's consent documentation, BASIX certification, basement and storey height compliance, floor space ratio, wall heights, geotechnical documentation, stormwater and drainage easement matters, engineering design detail, private open space and solar access, setbacks, streetscape presentation and other Development Control Plan (DCP) provisions.

Since that determination, the development has been comprehensively redesigned and the supporting technical documentation substantially expanded. The site's registered ownership has also been formalised, with settlement of the property now complete. This SEE has been prepared having full regard to the matters raised by Council, and each is addressed either directly within the topic-based assessment in Sections 3 to 5 of this report, or summarised in the cross-reference table at Section 6. The application is submitted as a fresh Statement of Environmental Effects reflecting the amended proposal in its entirety, supported by updated architectural plans, a Geotechnical Investigation Report, corrected BASIX Certificates, evidence regarding stormwater drainage easement negotiations, and confirmation of current site ownership.

1.3 Statutory Context

Council, as the consent authority, is required to assess this application having regard to the matters set out in section 4.15(1) of the EP&A Act, including the provisions of any relevant environmental planning instruments, any development control plan, the likely environmental, social and economic impacts of the development, the suitability of the site, submissions received, and the public interest. This Statement addresses each of these matters in turn.

2. Site Description

2.1 The Site

The site is legally described as Lot 15 in DP 36213 and has a total area of 904.2 m² by survey. The allotment is a relatively wide, deep residential parcel with a single frontage to Saurine Street of 16.205 m, a rear (western) boundary of 16.155 m, a northern side boundary of 55.62 m and a southern side boundary of 56.39 m. The site falls from the street frontage toward the rear, with the lowest point at the rear (western) boundary. This existing fall informs the proposed split-level building arrangement and the inclusion of a basement level beneath the principal dwellings.

The site does not contain any trees of significance, nor any trees subject to a Council tree preservation order. The site has not been identified as being of heritage significance, and it is not located within a heritage conservation area or a mapped flood planning area.

2.2 Existing Site Conditions

At the time of preparing this Statement, the site contains a single storey dwelling of fibro-clad construction with a tiled roof, together with a concrete carport. Vehicular access is via an existing crossover from Saurine Street. The subject dwelling and site have an established residential use history, and the site is not identified as being affected by acid sulfate soils.

2.3 Character of the Locality

The immediate locality is characterised by established low-density residential development, including detached dwelling houses and a growing number of contemporary infill housing typologies, including dual occupancies and secondary dwellings. This pattern of development is consistent with the low-density residential character anticipated by Council's residential controls, which expressly contemplate dwelling houses, dual occupancies, secondary dwellings and ancillary development within a landscaped setting, with an emphasis on front yard landscaping and canopy planting as a typical suburban feature.

The proposal responds to this context by siting the principal built form toward the street, consistent with prevailing development patterns; locating the secondary dwellings to the rear to maintain a landscaped setting and provide a graduated transition to adjoining rear yards; and retaining substantial deep soil and landscape areas across the site.

3. Description of the Proposed Development

3.1 Built Form, Height and Floor Space

The dual occupancy is designed as a two-storey attached form, presented to Saurine Street as a single, contemporary residential built form finished in a combination of face brickwork (PGH Manhattan Chelsea or similar), sandstone-effect cladding to the entry portico, and Colorbond roof sheeting, with articulation provided through recessed entries, varied wall planes and a defined front porch treatment for each dwelling (refer Elevations, Drawings DA12–DA13).

The development complies with the applicable numerical development standards, as summarised in the compliance table at Section 4.2 of this report. In particular, the proposed gross floor area (452.05 m²) is within the maximum floor space ratio control (452.1 m² permissible on the 904.2 m² site, being an FSR of 0.5:1), and the maximum building height of 7.5 m is within Council's 8.5 m building height control. The dual occupancy is limited to two storeys (ground and first floor) above the basement, consistent with Clause 4.3(1)(b) of Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023).

3.2 Basement

The basement level provides vehicle accommodation and ancillary storage beneath the dual occupancy dwellings. The design has been substantially revised from the previous application to comply with the basement provisions introduced to Chapter 5.1 of Canterbury-Bankstown DCP 2023 in March 2026 (Section 15). Each basement compartment is limited to 50.00 m² of combined parking, storage and plant area, consistent with the DCP's areal limit; the basement footprint is contained wholly within the perimeter of the ground floor level above; and vehicle access is provided via a single driveway and ramp from Saurine Street with grades and transitions designed in accordance with AS2890.1.

As demonstrated on the accompanying elevations and sections (Drawings DA12–DA15), the top of the basement structure does not project more than 1 m above natural ground level at any point (refer '1m NGL Projection Height Limit' notation), and the overall built form above the basement remains limited to two storeys, consistent with the definition of 'basement' under CBLEP 2023 and the objectives of Clause 4.3(1)(b).

3.3 Secondary Dwellings

Two detached secondary dwellings ("granny flats") are proposed to the rear of the site, one associated with each principal dwelling on the dual occupancy. Each secondary dwelling has a gross floor area within the 60 m² maximum permitted under Chapter 5.1 of the DCP, is limited to a single storey with a wall height of approximately 2.4 m (within the 3 m wall height limit applicable to secondary dwellings under Clause 4.3(2B)/(2C) of CBLEP 2023 and Clause 3.4 of the DCP) and an overall building height of approximately 3.9 m (within the 6 m secondary dwelling height limit), and provides a minimum 0.9 m setback to the common side boundary consistent with Clause 3.11 of Chapter 5.1 of the DCP.

3.4 Subdivision

Torrens title subdivision of the site into two allotments is proposed, of 453.29 m² and 455.33 m² respectively, each exceeding the 450 m² minimum lot size applicable to subdivided dual occupancies under Chapter 5.1 of the DCP. Each resulting allotment will contain one principal dwelling (forming part of the dual occupancy) and its associated secondary dwelling, maintaining the 'one principal dwelling plus one secondary dwelling per lot' relationship required by the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). No subdivision outcome is proposed that would separate a secondary dwelling from its associated principal dwelling.

3.5 Parking, Access and Traffic

On-site basement parking is provided in accordance with Chapter 3.2 of the DCP, which requires two spaces per dwelling for dual occupancies of three or more bedrooms. Vehicular access is via a single driveway from Saurine Street, designed to provide compliant sight distances and safe, forward-direction ingress and egress, in accordance with AS2890.1. The basement design confines parking, access aisles and manoeuvring areas within the areal limits applying to dual occupancy basements, and the driveway and vehicle footway crossing design have now been finalised by the project's civil engineer (MJW Civil & Stormwater Consulting Engineers, Job No. 1483-DA), resolving the outlet clearance and design matters previously raised by Council, as detailed further in Section 4.3 and Section 5.5 of this report.

3.6 Landscaping and Private Open Space

A detailed landscape plan prepared by a qualified landscape designer accompanies this application and provides compliant deep soil and landscape areas, structured planting to enhance the streetscape, canopy trees, and a landscaped separation between the principal and secondary dwellings. Proposed landscape area totals 351.11 m², exceeding the 316.4 m² (35%) minimum required for the 904.2 m² site.

Principal private open space is provided at natural ground level (nominated as PPOS on the submitted plans) for both the dual occupancy dwellings and the secondary dwellings, with areas of 56.44 m² and 57.64 m² respectively for the dual occupancy dwellings, well in excess of the applicable minimum. All private open space areas are provided within 300 mm of existing natural ground level.

3.7 Solar Access and Privacy

Shadow diagrams have been prepared at hourly intervals between 9am and 3pm at the winter solstice (21 June) and accompany this application (Drawings DA16–DA17), together with three-dimensional solar diagrams (Drawings DA18–DA19) illustrating solar access to the principal private open space and living areas of both the dual occupancy dwellings and the secondary dwellings. The revised built form – including the reduction in secondary dwelling wall height and the reorientation and resizing of window and skylight openings to the main dwellings – has been undertaken specifically to improve solar penetration to habitable rooms and private open space in response to the solar access concerns raised in Council's previous assessment.

Separation between the principal and secondary dwellings, together with landscaping, assists in limiting direct overlooking between habitable rooms and private open space areas. Window placement, sill heights and screening treatments will be confirmed at construction certificate stage, consistent with the DCP's objectives for maintaining neighbour amenity.

3.8 Waste Management

A Waste Management Plan accompanies the development application addressing both demolition/construction waste and ongoing operational waste management. Each dwelling is provided with dedicated general waste, recycling and green waste bin storage areas, located clear of the street frontage and wheeled to the kerb on the designated collection day. A detailed Construction Waste Management Plan will be submitted with the Construction Certificate application.

3.9 Earthworks, Geotechnical Conditions and Retaining Structures

A Geotechnical Investigation Report has been prepared by Nepean Geotechnics (Report No. R26138.Rev0, dated 22 May 2026) to inform the design of the basement excavation, footings and retaining structures, and is enclosed with this application. The key findings are summarised below and are addressed further in Section 4.2 of this report. This section should also be read together with Section 5.5 of this report, which addresses the finalised stormwater and sub-surface drainage design for the basement pump-out and rear yard absorption systems.

- Subsurface conditions comprise topsoil over silty clay (firm to very stiff), gravelly clay (residual soil) and extremely weathered rock, generally consistent with the mapped Bringelly Shale formation;
- Groundwater seepage was not encountered during the investigation, and a groundwater table is not anticipated to be intersected by the proposed basement excavation, although minor perched seepage may occur during or shortly after bulk excavation and can be managed by conventional sump and pump methods;
- The site is classified Class P under AS2870-2011 (due to the presence of existing structures at the time of investigation), with a characteristic reactivity of Class H1 – Highly Reactive for the subsurface clay material, provided footings are founded into the underlying residual soils or bedrock;
- Recommended allowable bearing capacities, safe batter slopes and retaining wall design parameters are provided in the report, and have informed the structural design of the basement and retaining structures; and
- A 150 mm diameter Sydney Water sewer main is located adjacent to the western site boundary. All footings and piers are to be founded below the zone of influence of this asset (defined by a 1H:1V line from the pipe invert), and the report confirms the proposed development will not adversely impact the existing sewer main.

The proposed earthworks have been designed to minimise cut and fill where possible, maintain the stability of the site and adjoining properties, and are supported by the retaining wall design parameters set out in the Geotechnical Investigation Report, addressing the concerns previously raised by Council in respect of excessive filling and inadequately documented retaining structures.

4. Statutory Planning Assessment (Section 4.15(1) EP&A Act 1979)

Council, as consent authority, must assess the application having regard to the matters in section 4.15(1) of the EP&A Act, including the provisions of applicable environmental planning instruments (SEPPs and the LEP), Council's development control plan, the likely impacts of the development, the suitability of the site, and the public interest. Each is addressed below.

4.1 State Environmental Planning Policies

State Environmental Planning Policy (Housing) 2021

The Housing SEPP consolidates housing-related planning provisions, including those relating to secondary dwellings. Secondary dwellings are permitted in the R2 zone where a dwelling house is permissible, and the Housing SEPP requires that a lot on which a secondary dwelling is constructed contain only one principal dwelling and one secondary dwelling, and that this relationship be maintained on subdivision. The proposed subdivision has been specifically structured to ensure each resulting allotment (453.29 m² and 455.33 m²) contains one principal dwelling and its associated secondary dwelling, with no outcome that separates a secondary dwelling from its principal dwelling. The proposal is consistent with the Housing SEPP.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The BASIX SEPP requires that residential development applications be accompanied by valid BASIX Certificates addressing water, thermal performance and energy commitments, and that the submitted plans be consistent with the certified commitments. This application is accompanied by a single, consolidated BASIX Certificate for the whole of the site (Multi Dwelling Certificate No. 1856072M, dated 14 July 2026), covering all four dwellings (Dwellings 01–02, being the attached dual occupancy at Nos. 24 and 24A, and Dwellings 03–04, being the secondary dwellings at Nos. 24B and 24C), replacing the four separate certificates previously submitted and resolving the certificate/plan discrepancies identified by Council. The certificate achieves a Water score of 40 (target 40), a Pass for Thermal Performance, and an Energy score of 72 (target 72). The BASIX Certificate is supported by, and must be read together with, a NatHERS Certificate (Group Certificate No. HR-YF1W7X-01) confirming individual thermal performance ratings of 7.4 stars (Unit 01), 7.0 stars (Unit 02), 7.8 stars (Unit 03) and 8.4 stars (Unit 04), each exceeding the 7-star NCC 2022 minimum. All BASIX and NatHERS commitments are noted on the architectural plans (Drawing DA03 – BASIX Commitments, and Drawing DA04 – Site Plan) for verification at Construction Certificate stage.

State Environmental Planning Policy (Resilience and Hazards) 2021 and Contaminated Land

This SEPP requires Council to consider whether land is contaminated and, if so, to be satisfied that it is suitable (or will be suitable following remediation) for the proposed use. The site has an established residential use history and there is no evidence to suggest the land is contaminated. Should unexpected fill or contamination be encountered during demolition or excavation, this will be managed in accordance with relevant NSW regulatory requirements, as outlined in the demolition and site management notes accompanying the architectural plans (Drawing DA02).

4.2 Canterbury-Bankstown Local Environmental Plan 2023

The site is zoned R2 – Low Density Residential under CBLEP 2023, within which the proposed dual occupancy and secondary dwellings are permissible with consent. The table below summarises the

development's compliance with the principal numerical standards of CBLEP 2023 and Chapter 5.1 of the DCP, based on the submitted architectural plans and the compliance table and calculations set out on Drawing DA02.

Control	Requirement	Proposed	Compliance
Zoning	Residential (R2)	Residential use	Complies
Site Area	n/a	904.2 m ²	—
Floor Space Ratio (CI 4.4)	0.5:1 (452.1 m ² max)	452.05 m ²	Complies
Building Height (CI 4.3)	8.5 m (LEP Height Map)	7.5 m	Complies
Storey Limit / Basement Definition (CI 4.3(1)(b))	Two storeys; basement not projecting >1m above NGL	Two storeys; basement within 1m NGL projection limit	Complies
Secondary Dwelling Wall Height (CI 4.3(2B))	3.0 m	~2.4 m	Complies
Secondary Dwelling Building Height (CI 4.3(2C))	6.0 m	~3.9 m	Complies
Earthworks (CI 6.2)	Consent required; minimise impact on drainage/soil stability	Supported by Geotechnical Report R26138.Rev0	Complies
Stormwater & WSUD (CI 6.3)	Maximise permeable area; on-site retention/reuse; avoid adverse downstream impact	Rainwater tanks, on-site management, refer Section 5	Complies (refer Section 5)
Acid Sulfate Soils (CI 6.1)	Not mapped / management plan where triggered	Site confirmed not affected	Complies
Primary Street Setback	5.5 m (ground) / 6.5 m (first floor)	9.84 m	Complies
Side Setback	0.9 m (wall height ≤7m)	0.9 m – 1.2 m	Complies
Rear Setback	0.9 m	0.9 m – 24.05 m	Complies
Secondary Dwelling Floor Area	60 m ² max	~50–51 m ²	Complies
Secondary Dwelling Side Setback (CI 3.11)	0.9 m to common boundary	0.9 m	Complies
Basement Combined Parking/Storage Area (DCP s.15)	50 m ² (typical limit)	50.00 m ² per dwelling	Complies
Basement Extent (DCP s.15)	Contained within footprint above	Contained within ground floor perimeter	Complies
Landscape Area	316.4 m ² (35%)	351.11 m ²	Complies
Private Open Space	As per DCP definitions, ≤300mm above NGL	56.44 m ² & 57.64 m ² (dual occ.); compliant POS to secondary dwellings	Complies

Control	Requirement	Proposed	Compliance
Parking	2 spaces / dwelling (3+ bedrooms)	2 spaces per dwelling, basement	Complies
Minimum Subdivision Lot Size (dual occ.)	450 m ²	453.29 m ² / 455.33 m ²	Complies

On the basis of the above, the proposal complies with the applicable development standards of CBLEP 2023, addressing the floor space ratio, height, storey limit/basement definition, and secondary dwelling wall height non-compliances previously identified by Council.

4.3 Canterbury-Bankstown Development Control Plan 2023

Chapter 5.1 – Residential Development (Former Bankstown)

As addressed in the compliance table above and in Section 3 of this report, the amended proposal now complies with the relevant setback, secondary dwelling floor area, basement, private open space, solar access, side setback and desired character controls of Chapter 5.1.

In relation to solar access, Clause 4.12 requires at least three hours of sunlight to a living area of each dwelling at mid-winter solstice, and Clause 4.14 requires 50% of principal private open space to receive three hours of sunlight over the same period. The revised building form, reduced secondary dwelling height, and repositioned glazing (including the fixed high-level window and skylight to the main dwelling identified on the solar diagrams) have been specifically designed to improve solar penetration to both dwellings and their private open space, as demonstrated in the accompanying shadow diagrams (Drawings DA16–DA17) and solar diagrams (Drawings DA18–DA19).

In relation to the street façade design control at Clause 4.21(a), the revised elevations present a more contemporary and articulated dual occupancy form to the street, incorporating varied materials (brick, stone-effect cladding and painted window frames), a recessed and defined central entry treatment, and roof articulation, consistent with the desired streetscape character described in Chapter 5.1.

The design has also had regard to the Liveable Housing controls under Section 11 of Chapter 5.1, including step-free access to dwelling entries and corridor widths consistent with those requirements, to be further detailed at Construction Certificate stage.

Chapter 3.2 – Parking

The basement car parking has been redesigned to comply with Council's dual occupancy basement provisions, including tandem parking arrangements and the areal limit for combined parking, storage and plant space, as outlined in Section 3.2 and 3.5 above. The presentation of the basement entry to the street has been minimised through recessed siting and landscape screening at the frontage (refer Drawings DA04 and DA12–DA13).

Chapter 3.1 – Development Engineering Standards

This chapter addresses stormwater drainage, easements, absorption systems, vehicle footway crossings and driveway design. Council's stormwater and drainage easement concerns, and the on-site stormwater management solution now proposed in place of a downstream easement, are addressed in detail in Section 5 of this report. Vehicle footway crossing and basement driveway ramp design have now been

finalised in the Civil Works Plan prepared by MJW Civil & Stormwater Consulting Engineers (Job No. 1483-DA, issued for Council approval 14 July 2026, Drawings CW001–CW020). New heavy-duty layback vehicular footway crossings (3.04 m wide to No. 24 and 3.0 m wide to No. 24A) are proposed in accordance with Council's Standard Drawing S-007 (Standard Light Duty Vehicular Footway Crossing). The basement driveway ramps are documented by long-section profile, with grade transitions of 1% at the property boundary, a maximum ramp grade of 1:4 (25%) and a levelled landing/transition at the base of the ramp, consistent with the grade and transition requirements of AS2890.1.

Chapter 3.3 – Waste Management

The Waste Management Plan accompanying this application addresses demolition, construction and ongoing operational waste in accordance with Clauses 3.3–3.5 of Chapter 3.3, including dedicated bin storage for each dwelling and confirmation of the weekly collection arrangement via the Saurine Street frontage.

5. Stormwater Drainage – Justification for an Alternative Drainage Solution

This section responds directly to the stormwater drainage easement matters raised in Council's assessment of the site (Clause 3.2 of Chapter 3.1 – Development Engineering Standards, and the associated evidentiary requirements of Clause 3.8, Alternative Drainage of Dual Occupancies, of the Canterbury-Bankstown Development Control Plan 2023).

5.1 Site Drainage Context

The site falls from the Saurine Street frontage toward the rear (western) boundary, placing the low point of the allotment at the rear north-western corner. Where a site cannot achieve gravity connection of its entire stormwater catchment to the kerb and gutter in the frontage street, Chapter 3.1 of the DCP requires the applicant to investigate securing a piped drainage easement through the downstream properties that lie along the natural drainage path, being those properties backing onto the rear of the site and fronting Edgar Street.

5.2 Attempts to Secure a Downstream Drainage Easement

Consistent with this requirement, the applicant approached the owners of the two properties directly downstream of, and adjoining, the rear boundary of the site – No. 93 Edgar Street, Bankstown and No. 95 Edgar Street, Bankstown – seeking their agreement to the creation of a stormwater drainage easement in favour of the proposed development. Both requests were made in writing and were considered and refused by the respective owners:

- No. 95 Edgar Street, Bankstown – the request was refused by the owner/occupant, Ms Mai Ngoc Tran, who circled "Refuse" on the request form and provided her name, signature and contact telephone number.
- No. 93 Edgar Street, Bankstown – the request was refused by the owner, Mr Mustapha Elmasri, who circled "Refuse" on the request form and provided his name, signature, contact telephone number and the date of refusal (21 May 2026).

Signed copies of both refusal notices are enclosed with this application as documentary evidence of the refusals, consistent with the final paragraph of Clause 3.8 of the DCP. For completeness, and to ensure Council has the most current evidence before it, the applicant re-issued the same written request to both owners on 9 July 2026, following finalisation of the amended stormwater and civil engineering documentation. Both owners again declined in writing on the same terms as their original refusals, confirming that their position has not changed and is not contingent on the design detail of the proposed drainage works.

5.3 Site-Specific Constraints Preventing a Feasible Easement

In addition to the clear and voluntary refusal of both owners, a site inspection and review of current aerial imagery of 93 and 95 Edgar Street confirms that both properties are established, fully developed residential allotments. Each is occupied by an existing dwelling together with ancillary structures, fencing, and hard and soft landscaping situated across the rear portion of the respective allotments – being the same alignment through which any drainage pipeline connecting the subject site to the Edgar Street stormwater system would necessarily need to be constructed.

Neither property retains a vacant, unencumbered side or rear corridor capable of accommodating trenching and pipe-laying works without demolishing, relocating or otherwise materially disturbing existing improvements that are outside the applicant's ownership and legal control. This is a physical, rather than purely commercial, constraint: the impediment to constructing an easement in this location is not a question of price, but the absence of any buildable corridor across land that is already occupied by a neighbour's home and yard improvements.

5.4 Submission Regarding Further Solicitor-Issued Offers

Clause 3.8 of the DCP requires documentary evidence that a solicitor acting for the applicant has made a bona fide offer to each downstream owner to acquire and construct an easement, including offers of compensation based on a licensed valuer's assessment, restoration of disturbed areas, and payment of the owner's legal costs, together with evidence of any resulting refusal.

It is respectfully submitted that, in the particular circumstances of this site, requiring the applicant to engage a solicitor to formally reissue the same request that has already been unambiguously and voluntarily declined by both downstream owners would not be a meaningful step, for the following reasons:

- (1) Certainty of the outcome – both downstream owners have already declined the request in clear, unconditional and unprompted terms, over their own signature. There is no indication from either owner that they would be prepared to reconsider their position, and no reasonable basis to expect that a solicitor's letter, as opposed to the substance of the request already put to them, would produce a different outcome.
- (2) Physical infeasibility independent of price – as set out in Section 5.3 above, the underlying impediment is the absence of any available, unbuilt corridor across either downstream property, not a dispute over the level of compensation offered. No offer of compensation, however generous, restoration or payment of legal costs can create a construction corridor across land that is already occupied by an existing dwelling and yard improvements outside the applicant's control.
- (3) Proportionality – engaging a solicitor to prepare and issue formal offers, including obtaining a licensed valuer's assessment of compensation, in circumstances where the practical outcome has already been established and is not expected to change, would impose a disproportionate cost, delay and administrative burden on the applicant without any reasonable prospect of altering the result. This outcome is not consistent with the underlying purpose of Clause 3.8, which the applicant understands to be ensuring that genuine efforts have been made to secure an easement before an alternative drainage solution is considered – not to mandate a process that all parties already know will not succeed.

On this basis, the applicant submits that a drainage easement over the downstream properties "cannot be obtained" within the meaning of Clause 3.2 of Chapter 3.1, and that Council's consideration of an alternative on-site drainage solution for this development is appropriate and warranted.

The applicant notes, for completeness, that the informal written refusals already obtained go directly to the substantive question Clause 3.8 is designed to test – namely, whether the downstream owners are willing to grant an easement – and respectfully requests that Council have regard to this evidence, together with the physical constraints identified above, in its assessment of this application. Should Council consider that formal solicitor-issued offers are nonetheless required notwithstanding the matters

set out above, the applicant remains willing to discuss this with Council, while noting that the practical outcome is not expected to differ from that already evidenced.

5.5 Proposed Alternative On-Site Stormwater Management

Consistent with Clause 3.2 of Chapter 3.1, which contemplates alternative drainage solutions where an easement cannot be obtained, the stormwater strategy for the site has been fully engineered by MJW Civil & Stormwater Consulting Engineers (Job No. 1483-DA) to manage stormwater wholly on-site and discharge to the Council stormwater system at the Saurine Street kerb and gutter, without reliance on a downstream easement. The Stormwater Management Plan (Drawings SW001, SW010, SW020, SW021 and SW030, issued for construction certificate 6 July 2026) and the accompanying Civil Works Plan (Drawings CW001–CW020, issued for Council approval 14 July 2026) resolve the 'insufficient head' and outstanding engineering detail previously identified by Council, as follows.

Basement pump-out drainage

As the basement floor level (RL 16.500) sits below the level required to achieve a gravity connection to the Saurine Street kerb and gutter, stormwater collected within each basement is directed to a dedicated in-ground pump-out tank (Pump-out Tank 1 to the No. 24 basement and Pump-out Tank 2 to the No. 24A basement), each with a minimum depth of 900 mm and a provided storage volume of 3.24 m³, exceeding the calculated storage requirement for each basement's contributing catchment area (23.93 m² and 29.52 m² respectively). Each tank is fitted with two Sabre KS-04 submersible dewatering pumps (duty/standby configuration) discharging via a dedicated 50 mm Class 12 PVC charged rising main to the street drainage system, achieving a calculated discharge capacity (1.33 L/s and 1.64 L/s respectively) in excess of the design inflow rate. Each pump-out system incorporates a low-level float switch, a high-level float alarm connected to a flashing strobe light and audible siren mounted at the basement access point to warn of pump failure, and confined space warning signage at the tank access covers, in accordance with AS/NZS 3000 and standard pump-out installation practice for basement drainage.

Rear yard absorption drainage – secondary dwellings

Stormwater from the impervious catchment associated with each secondary dwelling (a combined roof, hardstand and paved catchment of 98.12 m² to No. 24C and a comparable catchment to No. 24B) is directed to a dedicated absorption trench system at the rear of each allotment. Each trench comprises a minimum 4.05 m length of 410 Jumbo trench liner within a gravel-filled excavation, providing a total absorption volume of 1.60 m³ against a calculated requirement of 1.47 m³ (109% of the required volume), together with an inlet pit, overflow provision and a sealed pump-out pit for events exceeding the trench's infiltration capacity, discharging by gravity to the street gutter. Each absorption trench is sited a minimum of 3.0 m from the nearest downstream property boundary and 3.0 m from any dwelling or garage, consistent with Council's Development Engineering Standards.

Rainwater reuse and post-developed catchment management

On-site detention and reuse is additionally provided by way of a minimum 3,000 L slimline rainwater tank to each of the four dwellings, each fitted with a first flush diverter and connected to toilet, laundry and/or outdoor tap outlets in accordance with the BASIX Certificate commitments and Sydney Water's requirements, with a charged overflow connection to the site drainage system. The post-developed catchment plan confirms that stormwater from all roof, hardstand and paved areas across the site (a total impervious area of approximately 65% of the site) is captured, directed to the rainwater tanks, absorption trenches or basement pump-out systems as applicable, and ultimately discharged under control to the

Saurine Street kerb and gutter, with no reliance on cross-boundary discharge to the downstream Edgar Street properties.

On this basis, the alternative on-site stormwater management solution required by Clause 3.2 of Chapter 3.1 in circumstances where a downstream easement cannot be obtained is no longer a matter to be resolved at construction certificate stage, but has been fully documented at development application stage by a qualified civil and stormwater engineer, and is submitted to fully address the drainage-related reasons for refusal of DA-489/2026.

5.6 Summary

For the reasons set out above, the applicant submits that: (a) genuine and documented attempts have been made to secure a drainage easement over both downstream properties, most recently on 9 July 2026, and both have been refused in writing on each occasion; (b) the physical layout of the downstream properties independently precludes the practical construction of an easement regardless of the compensation offered; (c) in these circumstances, requiring formal solicitor-issued offers would not be a meaningful or proportionate step; and (d) a fully engineered, wholly on-site stormwater management solution – comprising basement pump-out drainage, rear yard absorption trenches and rainwater reuse tanks, discharging under control to the Saurine Street frontage – has been designed by MJW Civil & Stormwater Consulting Engineers and is submitted with this application.

6. Site Ownership and Owner's Consent

Settlement of the property has now completed. Canterbury-Bankstown Council's Certificate of Title update (Rates Account 4246052, notice dated 18 May 2026) and Sydney Water's account correspondence of the same period confirm that the registered proprietors of Lot 15 in DP 36213 are now T Tannous and D Tannous. Copies of this correspondence are enclosed with this application as evidence of current registered ownership. Owner's Consent to the making of this application has been obtained from the registered proprietors and is submitted with the application form, in accordance with Clause 23 of the Environmental Planning and Assessment Regulation 2022.

6.1 Cross-Reference to Matters Previously Raised by Council

For Council's convenience, the table below cross-references the amended documentation and design response to each of the matters raised in the Notice of Determination for DA-489/2026 (refused 15 May 2026). This table is provided as a guide to the amended documentation and does not form a substitute for Council's independent assessment of this application on its merits.

#	Matter Previously Raised	Amended Response
1	Insufficient written owner's consent (CI 23, EP&A Regulation 2022)	Settlement of the property has completed; Owner's Consent obtained from the current registered proprietors, T & D Tannous (Section 6).
2	Incorrect BASIX certificate information / plans not matching certificates	Superseded by a single consolidated Multi Dwelling BASIX Certificate (No. 1856072M) covering all four dwellings, supported by NatHERS Certificate No. HR-YF1W7X-01 (7.0-star minimum; individual ratings 7.4–8.4 stars), matching the amended lot areas and dwelling types and reflected on Drawings DA03–DA04 (Section 4.1).
3–4	Basement does not meet LEP definition; storey limit / CI 4.2 DCP storey limit exceeded	Basement redesigned to sit within 1 m NGL projection limit and within the footprint above; development limited to two storeys above the basement (Section 3.2).
5–6	Secondary dwelling wall height (CI 4.3(2B)/(2C) LEP; CI 3.4 DCP)	Secondary dwellings redesigned to single storey pitched form; wall height ~2.4 m and building height ~3.9 m, within the 3 m / 6 m limits (Section 3.3).
7	FSR exceeded (CI 4.4 LEP)	GFA reduced to 452.05 m ² against a 452.1 m ² maximum (Section 4.2).
8	No geotechnical report provided (CI 6.2 LEP; CI 15.1–15.2 DCP Ch 5.1)	Geotechnical Investigation Report by Nepean Geotechnics (R26138.Rev0) submitted, addressing site classification, bearing capacity, batters and sewer main clearance (Section 3.9).
9–10	No drainage easement secured / insufficient evidence of endeavours (CI 3.2 & 3.12 DCP Ch 3.1); insufficient head to street outlet	Written easement refusals obtained from both downstream properties (most recently re-confirmed 9 July 2026) and enclosed; the 'insufficient head' constraint is now resolved by an engineered basement pump-out drainage system (2 × Sabre KS-04 submersible pumps per basement, charged rising main to the street system); refer detailed justification and engineering data at Section 5.5.

#	Matter Previously Raised	Amended Response
11	Absorption pit, VFC outlet clearance/design, driveway ramp profiles	Now fully documented in the Stormwater Management Plan and Civil Works Plan prepared by MJW Civil & Stormwater Consulting Engineers (Job No. 1483-DA): rear yard absorption trenches sized at 109% of the calculated requirement, new heavy-duty VFC layback crossings to Council Standard S-007, and driveway long-section profiles with grades and transitions to AS2890.1 (Section 4.3 and Section 5.5).
12–13	CI 6.3 stormwater/WSUD; Aims of the LEP	Addressed via the on-site detention/reuse and WSUD strategy at Section 5.5 and the resolution of the specific non-compliances identified above.
14	Waste management detail (CI 3.3–3.5 DCP Ch 3.3)	Waste Management Plan submitted with dedicated bin storage shown for each dwelling (Section 3.8).
15	Basement carparking design/streetscape integration (CI 3.33 DCP Ch 3.2)	Basement entry recessed and landscape-screened from the street frontage (Drawings DA04 and DA12–DA13; Section 4.3).
16	Siting/presentation inconsistent with adjoining sites (CI 4.3 DCP Ch 5.1)	Built form redesigned to present a contemporary, articulated dual occupancy consistent with the streetscape (Section 4.3).
17	Excessive filling / inadequate retaining wall detail (CI 4.5 DCP Ch 5.1)	Retaining wall design parameters and earthworks approach provided in the Geotechnical Report (Section 3.9).
18	Obstacles within side setbacks (CI 4.10 DCP Ch 5.1)	Side setback zones reviewed and cleared of non-permitted obstructions on the amended plans.
19–20	Private open space non-compliance and solar access to POS (CI 4.5 & 4.14 DCP Ch 5.1)	Compliant POS provided at natural ground level; solar access demonstrated on Drawings DA18–DA19 (Section 3.6–3.7).
21–22	3-hour solar access to living areas not achieved (CI 4.12 & 4.5 DCP Ch 5.1)	Building form, glazing and skylights revised to improve solar penetration; refer shadow/solar diagrams DA16–DA19 (Section 3.7).
23	Street façade design (CI 4.21(a) DCP Ch 5.1)	Elevations revised with articulated entry, varied materials and roof form (Section 4.3; Drawings DA12–DA13).
24	Liveable Housing controls (Section 11, DCP Ch 5.1)	Ground floor layout reviewed having regard to Liveable Housing requirements, to be finalised at Construction Certificate stage (Section 4.3).
25–27	Basement tandem parking/size limit; basement not contained within ground floor perimeter; long driveway design (CI 15.7, 15.9, 15.13 DCP Ch 5.1)	Basement reduced to 50.00 m ² per dwelling, tandem configuration, contained within the footprint above; driveway reconfigured (Section 3.2).
28	0.9 m secondary dwelling setback to common boundary (CI 3.11 DCP Ch 5.1)	Secondary dwellings sited with a 0.9 m setback to the common boundary (Section 3.3).
29–31	Desired character, public interest and site suitability (C1 DCP Ch 5.1; s.4.15(1)(c) & (e) EP&A Act)	Addressed cumulatively through resolution of the matters above; refer also Section 7 of this report.

7. Site Suitability, Hazards and Public Interest

7.1 Access to Services

The site is located within an established residential area with good access to local services, public transport and community facilities in Bankstown and surrounding suburbs. Electricity, water, sewer and telecommunications services are readily available to the site.

7.2 Hazards

The site is not identified by Council as being subject to landslip, land instability or bushfire risk, and the proposed development is not likely to increase the likelihood of such hazards occurring. The site is not identified as being flood affected. The Geotechnical Investigation Report confirms the site is suitable for the proposed basement construction, subject to the recommendations contained in that report being incorporated into the detailed design.

7.3 The Public Interest

As demonstrated throughout this Statement, the amended development complies with the applicable development standards of CBLEP 2023 and the relevant provisions of the DCP, is supported by appropriate technical documentation including a Geotechnical Investigation Report and evidence of genuine efforts to secure a stormwater drainage easement, and responds appropriately to the site's context and constraints. The development will deliver additional, well-designed housing supply, including a secondary dwelling typology consistent with State housing policy objectives, in a manner that maintains reasonable amenity for adjoining properties. Accordingly, the proposed development is considered to be in the public interest.

8. Conclusion

This Statement of Environmental Effects has been prepared to accompany a Development Application for the demolition of the existing dwelling and construction of an attached dual occupancy with a basement, two detached secondary dwellings and Torrens title subdivision at 24 Saurine Street, Bankstown.

The proposal has been comprehensively redesigned since the refusal of DA-489/2026, and is now supported by: a compliant floor space ratio, building height, storey limit and basement design; reduced secondary dwelling wall and building heights; a Geotechnical Investigation Report addressing excavation, footing and retaining wall design; a single consolidated BASIX Certificate and supporting NatHERS certification; documentary evidence of genuine attempts to secure a stormwater drainage easement over the two directly downstream properties, both of which have refused in writing on more than one occasion, together with a submission as to why a formal solicitor-led process would not be a meaningful further step in the circumstances of this site; and a fully engineered, wholly on-site stormwater management solution designed by MJW Civil & Stormwater Consulting Engineers.

As set out in the compliance table at Section 4.2 and the cross-reference table at Section 6.1, the amended proposal:

- Is consistent with the objectives of the Environmental Planning and Assessment Act 1979;

- Complies with the relevant development standards of Canterbury-Bankstown Local Environmental Plan 2023;
- Satisfies the requirements and objectives of Canterbury-Bankstown Development Control Plan 2023, including the fully engineered alternative stormwater drainage solution addressed in Section 5;
- Is consistent with the State Environmental Planning Policy (Housing) 2021 and the BASIX SEPP; and
- Incorporates appropriate geotechnical, stormwater, landscaping and environmental management measures.

Accordingly, it is submitted that the proposed development is well-suited to the site, achieves an appropriate planning outcome for the locality, and is worthy of Council's support, subject to standard conditions of consent.

This Statement of Environmental Effects has been prepared by Ecotech Designs based on information available at the date of issue, including the architectural plans, landscape plans, Geotechnical Investigation Report and correspondence referred to herein. It should be read in conjunction with the full suite of drawings and specialist reports lodged with the Development Application.