

STATEMENT OF ENVIRONMENTAL EFFECTS

**CONSTRUCTION OF A TWO-STOREY ATTACHED
DUAL OCCUPANCY OVER BASEMENT
CARPARKING, SWIMMING POOLS, ASSOCIATED
TORRENS TITLE SUBDIVISION AND
SECONDARY DWELLINGS**

AT

**35 HYDRAE STREET
REVESBY NSW 2212**

FEBRUARY 2026

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REPORT STATUS			
DATE	REVISION	ISSUE	AUTHOR
25 Feb 2026	1	Draft	ML
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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared to accompany the Development Application (DA) to the Canterbury-Bankstown Council seeking consent for the construction of a two-storey attached dual occupancy over basement carparking, swimming pools, detached secondary dwellings and associated torrens title subdivision at 35 Hydrae Street, Revesby.

The site in which the development is proposed is located on land zoned R2 Low Density Residential under Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023).

The proposed development has been assessed against the provisions of CBLEP 2023 and Canterbury-Bankstown Development Control Plan 2023.

Overall, based the consistency of the development with the existing and surrounding uses, the proposed development is commensurate with that of a low density residential context, and it is not considered to pose any adverse or detrimental amenity impacts for the surrounding and will not create any conflicts for adjoining land users of the site.

This Statement of Environmental Effects addresses the merits of the proposal with particular reference to the matters for consideration under Sections 1.7, 4.15 and 4.46 of the Environmental Planning and Assessment Act, 1979 (the Act).

2.0 SUBJECT SITE AND SURROUNDS

2.1 LEGAL DESCRIPTION

The subject site is known as 35 Hydrae Street, Revesby. The legal property description is Lot 40 Section D DP1528. The site is a regular midblock allotment that has a road frontage to Hydrae Street.

2.2 SITE LOCATION

The subject site is located on the eastern side of Hydrae Street. The area is generally characterised by low density residential development consisting primarily of single dwelling houses or newer dual occupancy construction. An aerial map of the subject site, the locality and adjoining development is shown **at Figure 1 below**.

2.3 DIMENSIONS AND AREA

The site is a midblock allotment with boundaries as follows:

- Site area: 1011m²
- Frontage to Hydrae Street measuring 15.225m
- Rear boundary measuring 15.23m.
- Side (northern) boundary measuring 66.41m
- Side (southern) boundary measuring 66.41m

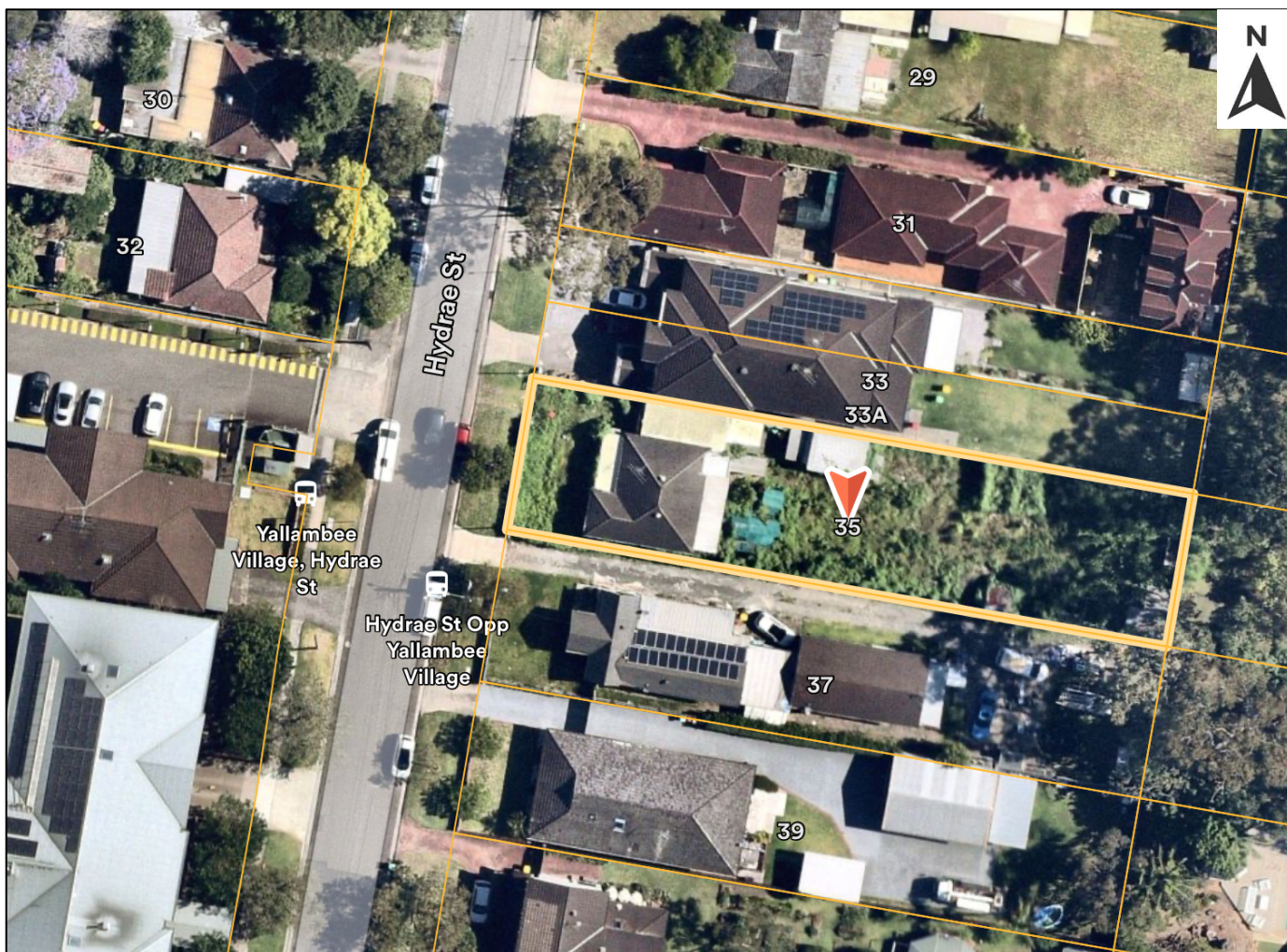


Figure 1: Aerial context of subject site (Source: NearMap, November 2025)

2.4 EXISTING IMPROVEMENTS

The subject site is currently being redeveloped as a terrace development in accordance with the approved CDC, as shown in Figure 2.

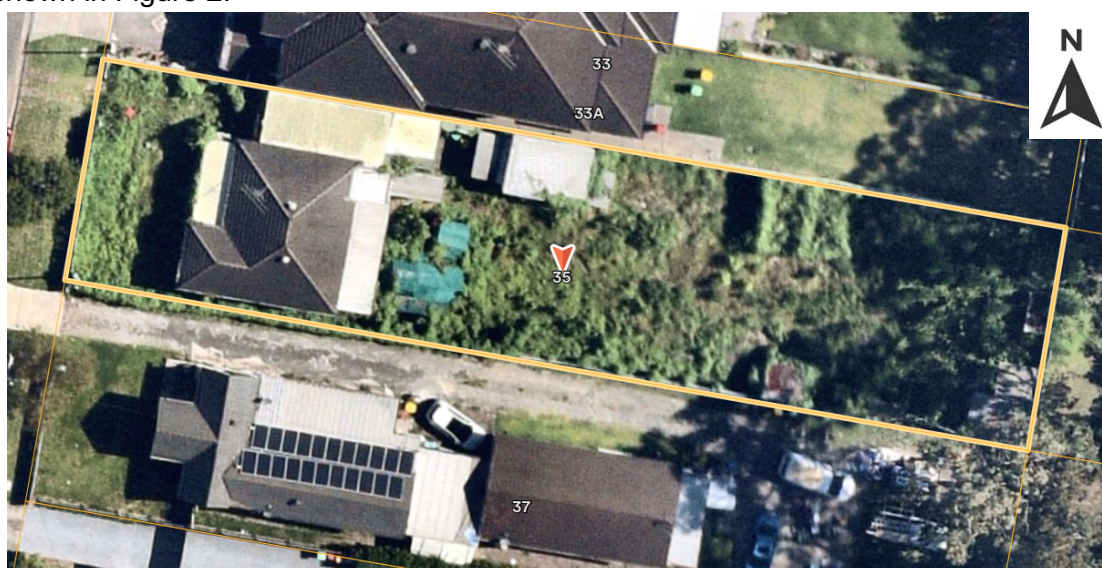


Figure 2: Existing Improvements at Subject Site (Source: Nearmap. Nov 2025)

2.5 SURROUNDS AND CONTEXT

The subject site surrounds are shown in Figure 1 above. The subject site at 35 Hydrae Street, Revesby is located within an established low-density residential neighbourhood characterised predominantly by detached dwelling houses on regular suburban allotments. Development in the immediate vicinity consists mainly of single-storey and two-storey brick homes with pitched roofs, landscaped front setbacks, and private rear open space. While the prevailing character remains that of traditional detached housing, the locality is experiencing gradual renewal, with newer two-storey dwellings and dual occupancy developments becoming more prevalent in response to contemporary housing demand and planning controls.

Hydrae Street is a local residential road with low traffic volumes, serving primarily residents and visitors. The streetscape exhibits a typical suburban character, including concrete footpaths, grassed verges, street trees, and on-street parking along both sides of the road. Vehicular access to properties is generally provided via individual driveways leading to garages or carports at ground level.

An aged care facility is located directly opposite the subject site, representing a compatible institutional residential land use within the area. In addition, bus stops are situated within close proximity, providing convenient access to public transport services and enhancing connectivity to surrounding centres and community facilities. The broader Revesby locality offers access to schools, parks, neighbourhood shops, and rail services, supporting the day-to-day needs of residents.

Overall, the site is situated within a stable suburban context that accommodates predominantly detached housing together with compatible community uses, while demonstrating a gradual transition toward contemporary low-rise medium-density forms such as dual occupancies. The established scale, built form, and residential amenity of the surrounding development provide an appropriate context for continued residential redevelopment of the land.

2.6 SITE HISTORY

A review of Council records indicates that the only relevant recent planning history for the subject site is Development Application DA-219/2026, which sought consent for the demolition of all existing structures on the land. This application relates solely to site clearance works and does not approve any new built form or redevelopment.

Apart from the above demolition application, no other recent development approvals affecting the current proposal have been identified. The site therefore remains available for redevelopment, subject to the outcome of the present Development Application.

3.0 PROPOSAL

The development application seeks consent for the demolition of all existing structures and the construction of a contemporary dual occupancy development with Torrens title subdivision at 35 Hydrae Street, Revesby. The proposal comprises two attached two-storey dwellings above a basement level providing off-street parking, storage, and associated services. The development is proposed to be undertaken in two stages and can be summarised as follows:

Stage 1

- Two-storey attached dual occupancy, comprising,
 - 5 bedrooms per dwelling,
 - Attached rear alfrescos,
 - Lifts,
 - Individual basement
- Basement carparking for single car,
- Swimming pools to each dual occupancy,
- Construction of 'outbuilding' structure only for the proposed secondary dwelling (i.e. to roof cover only). Fitout works to be commenced only in stage 2 post subdivision.
- Torrens title subdivision

Stage 2

- Construction of a secondary dwelling on each resulting lot, comprising internal fitout of the outbuildings.

Each dwelling is designed to operate independently, with separate pedestrian entries, private open space areas, and internal layouts suitable for family living.

Vehicle access to the basement is provided via a single driveway crossing from Hydrae Street, with internal circulation designed to allow safe ingress and egress in a forward direction. The development incorporates landscaped areas to the front and rear, deep soil zones, and site planting to enhance the streetscape and residential amenity.

Each dwelling is provided with a private swimming pool located within the rear yard, contributing to the usability of the outdoor living areas and supporting the intended residential function of the development. In addition, a detached secondary dwelling is proposed at the rear of each allotment. These secondary dwellings are subordinate to the principal dwellings and are positioned to maintain adequate separation from boundaries and neighbouring properties while preserving usable private open space.

The built form presents a contemporary architectural character with articulated façades, varied materials, and modulation to reduce perceived bulk and scale. Upper-level elements are recessed where appropriate to minimise visual impact, protect neighbouring amenity, and maintain compatibility with surrounding residential development. The proposal has been designed to achieve compliance with the relevant planning controls, including setbacks, height, landscaped area, and private open space requirements.

Stormwater management, BASIX commitments, waste storage areas, and service connections are incorporated within the design to ensure the development operates efficiently and sustainably while integrating appropriately with the established residential context.

Excerpts of the architectural scheme is provided below at **Figure 3** and **Figure 4**.

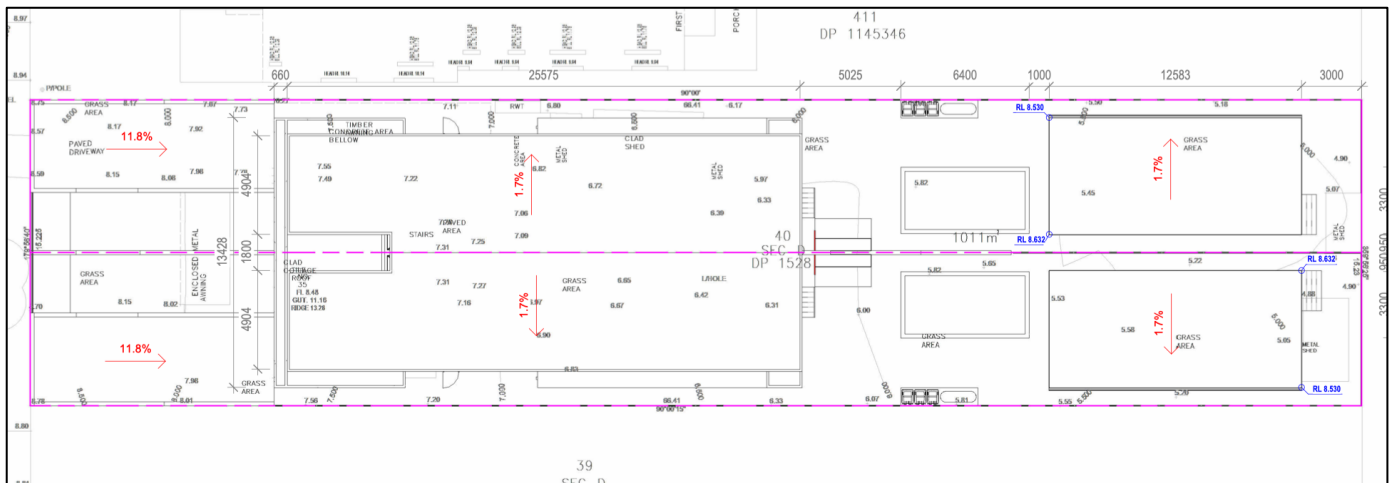


Figure 3: Proposed Site Plan.



Figure 4: 3D Render of Front Elevation

4.0 STATUTORY CONSIDERATIONS

The following environmental planning instruments are applicable to this DA as discussed on the following pages:

- Environmental Planning and Assessment Act 1979,
- Environmental Planning and Assessment Regulation 2021,
- State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP),
- State Environmental Planning Policy (Sustainable Buildings) 2022,
- State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP),

- State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP),
- Canterbury-Bankstown Local Environmental Plan 2023, and
- Canterbury-Bankstown Development Control Plan 2023.

Where relevant, these have been addressed below.

4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 4.15(1) of the EPA Act specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the EPA Act are addressed in the Table below.

Table 1: S4.15(1) Matters for Consideration

Section	Comment
<i>Section 4.15(1)(a)(i)</i> <i>Any environmental planning instrument</i>	Consideration of relevant instruments is discussed in Section 4.
<i>Section 4.15(1)(a)(ii)</i> <i>Any draft environmental planning instrument</i>	Not relevant to this application.
<i>Section 4.15(1)(a)(iii)</i> <i>Any development control plan</i>	Consideration of relevant the development control plan is discussed in Section 4.9.
<i>Section 4.15(1)(a)(iiia)</i> <i>Any planning agreement</i>	Not relevant to this application.
<i>Section 4.15(1)(a)(iv)</i> <i>Matters prescribed by the regulations</i>	Refer to Section 4.2
<i>Section 4.15(1)(b) - (e)</i>	Refer to Section 5-7 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority following public exhibition of the development application.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

Section 24 - Content of development applications

The application has been accompanied by all the relevant plans and documentation to enable the consent authority to assess and determine the application. All information has been submitted through the NSW Planning Portal.

Section 69 - Compliance with the BCA

Pursuant to the prescribed conditions under Section 69 of the Regulation, any building work "*must be carried out in accordance with the requirements of the Building Code of Australia*"

4.3 BIODIVERSITY CONSERVATION ACT

The Biodiversity Conservation Act 2016 (BC Act) lists and protects threatened species, populations and ecological communities that are under threat of extinction in NSW. Impacts to threatened species and endangered ecological communities listed under the BC Act are required to be assessed in accordance with Section 7.3 of the BC Act and Applicants must also consider whether their proposal will exceed the following Biodiversity Offset Scheme (BOS) Development Thresholds:

1. Exceeding the clearing threshold on an area of native vegetation;
2. Carrying out development on land included in the Biodiversity Values Land Map; or
3. Having a 'significant effect' on threatened species or ecological communities.

The Biodiversity Value Map, **Figure 5**, does not identify the site as being affected by biodiversity values. The proposal does not trigger the thresholds identified in points 1-3 above. Notably, it:

- Does not exceed the clearing thresholds as described in Clause 7.2 of the BC Regulation 2017.
- Does not undertake clearing of native vegetation or any prescribed activities (Clause 6.1 of the BC Regulation 2017) on land shaded in the Biodiversity Values Land Map.
- Is unlikely to significantly affect any threatened species of Endangered or Critically Endangered Species or ecological community.

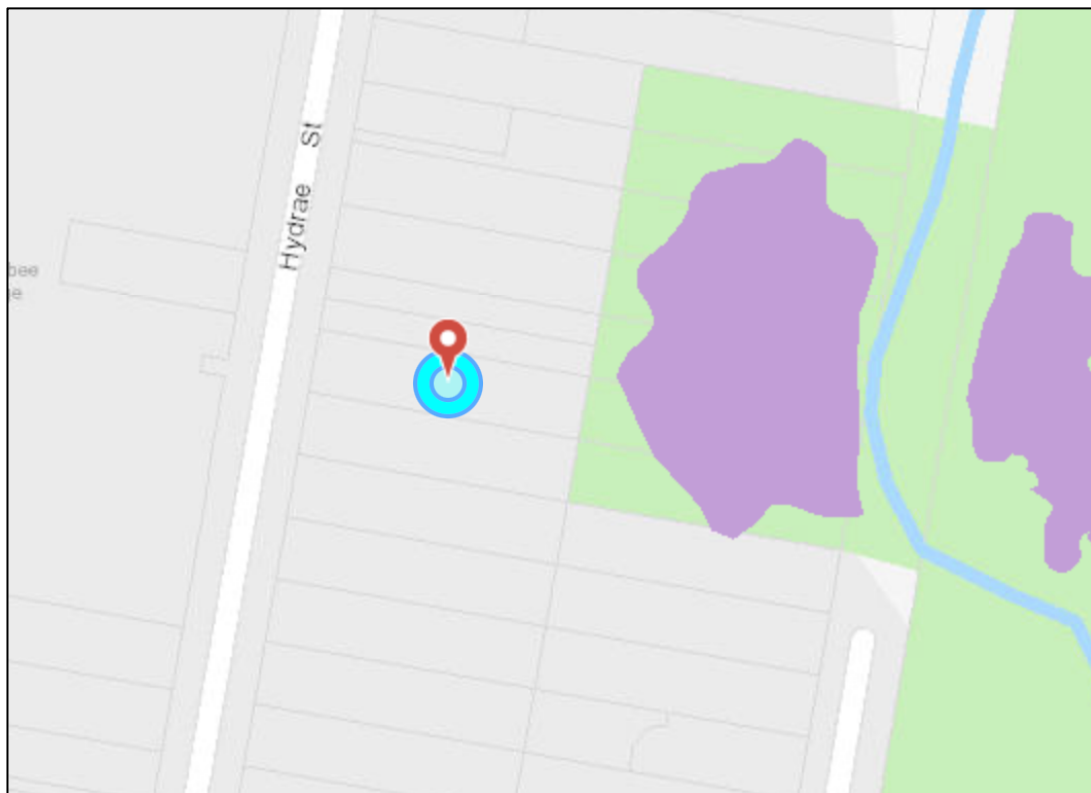


Figure 5: Excerpt of Biodiversity Values Map. Accessed February 2026

4.4 STATE ENVIRONMENTAL PLANNING POLICY – RESILIENCE AND HAZARDS

The Resilience and Hazards SEPP establishes regulatory guidelines for the remediation of land that is affected by contamination. This policy stipulates that any land should not undergo development if it is deemed unsuitable for the intended purpose due to the potential presence of contaminants.

Section 4.6 of the SEPP requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and it is satisfied that the land is suitable (or will be after undergoing remediation for the proposed use).

The historical land use of the site serves as a key indicator for assessing the potential contamination of the land. In this case, examination of the earliest available aerial imagery indicates that the site has consistently been designated for residential purposes. Consequently, there are no grounds to suspect contamination on the site, and there is no necessity for further investigation into its potential contamination.

Hence, the Council can confidently assert its compliance with the requirements specified in Section 4.6 of the SEPP, as the application has adequately addressed the issue of potential contamination.

4.5 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

In accordance with the stipulations outlined in the Environmental Planning & Assessment Regulations 2021, the planned development falls under the category of BASIX-affected development. The subject development is accompanied by a BASIX Certificate, demonstrating complete adherence to the BASIX requirements. The certificate confirms that the development not only meets but often exceeds the minimum scores for water efficiency, energy conservation, and thermal comfort. Furthermore, these commitments have been clearly documented on the associated plans submitted with the application

4.6 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT & INFRASTRUCTURE) 2021

2.119 Development with a frontage to classified road

Section 2.119 does not apply to the site as Hydrae Street is not a classified road.

2.120 Impact of road noise or vibration on non-road development

Section 2.120 does not apply to the site as the land is not in or adjacent to a road corridor for a freeway, a tollway, or a transitway or any other road with an annual traffic volume of more than 20,000 vehicles.

2.122: Traffic generating development

The proposed development is not identified as traffic generating development.

4.7 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY & CONSERVATION) 2021

The State Environmental Planning Policy (Biodiversity & Conservation) 2021 establishes regulatory provisions to protect vegetation within non-rural regions of the State. The primary objective of this policy is to safeguard the ecological significance of trees and other forms of vegetation in non-rural areas while preserving the overall quality of life in these regions through the conservation of trees and other vegetation.

The subject site is situated within an R2 Low Density Residential Zone. The development proposal, notably, does not entail the removal of any significant vegetation. Furthermore, the subject site is not identified as having biodiversity values, and since there is no intention to remove any trees, the application remains below the threshold set for the biodiversity offsets scheme.

4.8 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

Chapter 3 Part 1 of the State Environmental Planning Policy (Housing) 2021 provides the relevant design guidelines for secondary dwelling development within NSW. The following provisions of the SEPP are considered to be relevant to the proposal:-

Table 2: Housing SEPP Compliance Table.

HOUSING SEPP		
CONTROL	PROPOSED	
CHAPTER 3 PART 1 – SECONDARY DWELLINGS		
Division 1		
49 Definitions 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 1, (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.	Advisory.	✓
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.	Applies. The development is for the purposes of a secondary dwelling in the R2 Low Density Residential zone.	✓
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.	Noted. The proposed subdivision is being carried out in connection with the dual occupancy under CBLEP2023.	✓
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.	The proposed development for a secondary dwelling is therefore permissible with consent in the zone despite the provisions of the LEP.	✓
(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 (b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted	Following the Torrens title subdivision, only the principal dwelling and the secondary dwelling are proposed to be located on the land.	✓

for a dwelling house on the land under another environmental planning instrument, and (c) the total floor area of the secondary dwelling is— (i) no more than 60m², 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 development site does not exceed the maximum permitted FSR on the site. The total area of the secondary dwelling is not more than 60m² (42.62m² each). Refer to GFA compliance plans within the architectural set.	
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. Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.	Noted.	✓
(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 450m², (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 subject proposal is for a detached secondary dwelling on each lot. The resulting site area is greater than 450m². The number of carparking spaces will not be altered as part of the construction of the secondary dwellings.	

4.9 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The subject site is zoned R2 Low Density Residential as stipulated within the Canterbury-Bankstown Local Environmental Plan (LEP) 2022. A zoning map of the site and surrounds is provided below at **Figure 6**.

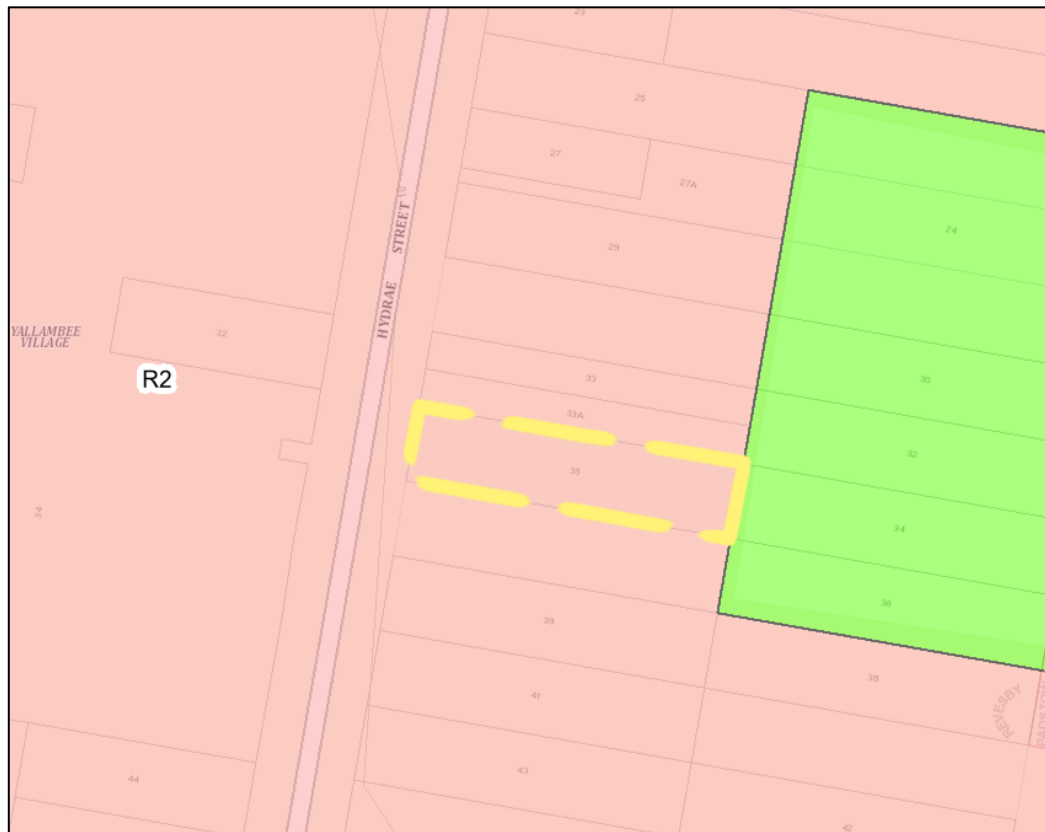


Figure 6: Zoning context of subject site (Source: ePlanning Spatial Viewer)

The subject development involves the construction of a dual occupancy (attached), subdivision of land, and secondary dwellings, which are defined under the LEP as follows:

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

secondary dwelling means 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 proposed development is adequately characterised as dual occupancy as it proposes two dwelling on one lot of land. The proposed secondary dwellings will not be completed until after the land is subdivided into 2 lots, therefore the proposal would not constitute multi dwelling housing.

Subdivision of land is permitted with consent under clause 2.6 of the LEP.

The proposed development is therefore permissible with consent in the R2 zone.

The objectives of the R2 Low Density Residential 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.

The proposed dual occupancy development is consistent with the objectives of the R2 Low Density Residential zone as it provides additional housing supply in a form that is expressly anticipated within the zone while maintaining the established low-density residential character of the locality. The development will deliver two family-sized dwellings on a serviced urban site, contributing to the housing needs of the community without introducing land uses that would be incompatible with the surrounding residential environment.

The proposal is wholly residential in nature and will not introduce any non-residential activities that could adversely affect amenity. Ancillary elements such as the private swimming pools are subordinate to the principal dwellings and are typical of contemporary low-density residential development. The design incorporates generous landscaped areas, including front and rear planting and deep soil zones, ensuring the development contributes positively to the green suburban character of the street.

Traffic and parking impacts are minimised through the provision of basement parking accessed via a single driveway crossover, thereby reducing the visual dominance of garages at street level and limiting interruptions to on-street parking and pedestrian movement. Internal circulation has been designed to allow safe and efficient vehicle manoeuvring, minimising potential conflicts with pedestrians and neighbouring properties.

The scale, height, and built form are compatible with surrounding development and will not result in adverse impacts on adjoining land uses. High-quality architectural design, façade articulation, and landscaping collectively promote a strong standard of urban design and local amenity, ensuring the development integrates appropriately within the existing streetscape.

Overall, the proposal achieves the intent of the R2 zone by delivering well-designed, low-rise residential accommodation that respects neighbourhood character, maintains amenity, and provides a functional and attractive living environment.

An assessment of the proposed development against the relevant provisions of the Canterbury-Bankstown Local Environmental Plan 2023 is provided in the following sections.

Table 3: Local Environmental Plan Compliance Table

CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023			
CL	CONTROL	PROPOSED	
2.6	Subdivision – consent requirements Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate	Torrens title subdivision is proposed in relation to the dual occupancy. The proposed secondary dwellings are not proposed to be subdivided from the principal dwellings to which they relate.	✓

	lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.		
PART 4 - PRINCIPAL DEVELOPMENT STANDARDS			
4.1	Minimum lot sizes and special provisions for dual occupancies STANDARD: 500m ² lot size 250m ² resultant lot area		✓
4.3	Height of Buildings STANDARD: 9m overall height 7m wall height	PROPOSED: <u>Overall height:</u> 7.413m Measured from Ridge RL 13.383 to RL 5.97 <u>Wall height:</u> The maximum wall height for the dual occupancy is 7m as shown on the elevation plans.	✓
4.4	Floor Space Ratio STANDARD: 0.5:1	PROPOSED 0.5:1 Total GFA proposed is 505.34m ² The resultant GFA of each subdivided lot and the associated granny flat also complies with the 0.5:1 ratio. Refer to the GFA Calculation Sheet within the architectural set.	✓
5.4(9)	Floor Area STANDARD: 60m ² maximum,	PROPOSED 43m ² Each.	✓
PART 5 - MISCELLANEOUS PROVISIONS			
5.1	Relevant acquisition authority	The site is not identified as being reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> .	✓
5.1A	Development on land intended to be acquired for a public purpose	The site is not identified as being reserved for acquisition on the <i>Land Reserved for Acquisition Map</i> .	✓
5.3	Development near zone boundaries	The application does not rely on the provisions of this Clause.	✓
5.4	Controls relating to miscellaneous permissible uses (9) Secondary dwellings on land other than land in a rural zone. The total floor area of the secondary dwelling, 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 maximum floor area of the proposed secondary dwelling is 43m ² each.	✓

5.10	Heritage Conservation	The site is not identified as a heritage item and is not located within or in the vicinity of a Heritage Conservation Area. The site is not identified as an archaeological site. There are no known Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site.	✓
5.21	Flood Planning	The subject site is subject to flooding within the rear portion of the site. A Stormwater Systems Report has been obtained from Council which nominates the required Flood Levels for the site. The development has incorporated these levels into the design such that the proposed adequately responds to the flood constraints at the rear. The SSR states that a Flood Study is not required.	✓
PART 6 - LOCAL PROVISIONS			
6.1	Acid sulfate soils	The site is not identified as being potentially affected by <i>Acid Sulfate Soils</i> on the <i>Acid Sulfate Soils Map</i> .	✓
6.2	Earthworks	The proposed development does not involve any significant earthworks.	✓

4.10 CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

An assessment of the proposed development against the relevant provisions within the Canterbury-Bankstown Development Control Plan 2023 is provided in the following sections.

Table 4: Development Control Plan Compliance Table

CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
	CONTROLS	PROPOSED	✓/X
CHAPTER 5.1 – SECTION 4 DUAL OCCUPANCIES			
4.1	Subdivision The two dwellings forming the dual occupancy may be subdivided	The proposed subdivision complies with CBLEP requirements.	✓
4.2	Storey limit (not including basements) The storey limit for dual occupancies is two storeys	A maximum of two storeys is proposed.	✓
4.4	Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.	The reconstituted ground levels do not exceed 1m above existing.	✓
4.5	Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of	The reconstituted ground levels do not exceed 600mm above existing.	✓

	600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.		
4.7	The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey.	Minimum front setback proposed is 12.167m	✓
4.9	The minimum setback for a building wall to the side boundary of the site is 0.9m.	The minimum site setbacks provided on ground floor are 0.9m. First floor side setbacks have been increased to 1.7m	✓
4.11	The basement level must not project beyond the ground floor perimeter of the dual occupancy. For the purposes of this clause, the ground floor perimeter includes the front porch.	The proposed basement level does not protrude beyond the ground floor building footprint.	✓
4.12	Dual occupancies must provide a minimum 80m ² of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5m throughout.	The proposed dual occupancies exceed the minimum requirements for POS. Refer to the concept landscape plan for calculations.	✓
4.13	At least one living area of each dwelling must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice	Each dwelling living area will receive a minimum of 3 hours sunlight during 8am to 12pm on the winter solstice.	✓
4.14	At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.	The living areas on the adjoining site achieve adequate solar access on the winter solstice. Although it is noted that the site's orientation results in overshadowing to the western neighbour throughout the day, the development proposed compliant setbacks, wall heights and building heights to ensure that the development is a reasonable response to the site. The greater first floor side setback has been adopted to improve solar access to the neighbour and ensure that sunlight can be maximized.	✓
4.15	A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox.	The private open spaces of the subject site and adjoining dwellings achieve a minimum of 3hrs sun between 8am-12pm.	✓
4.16	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	The development does not overshadow the neighbouring solar panels between 8am-12pm on the winter solstice. Some overshadowing is experienced later in the day as evidenced by the 4pm shadow diagram.	✓
4.17-4.20	Visual privacy	The rear side balconies are appropriately screened on the sides to limit opportunities for unreasonable overlooking. First floor windows utilize appropriate sill heights to direct views away from sensitive receivers, although it is noted that first floor	✓

		rooms consist of low-frequency use rooms.	
4.21 – 4.23	Building Design Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site. The design of dual occupancies must ensure: (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner site each face a different frontage. The maximum roof pitch for dual occupancies is 35 degrees.	A separate development application for demolition has been lodged and is currently before Council (refer to DA-219/2026).	✓
4.28	Building Design (carparking) Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided: (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.	The proposed basement carparking is located behind the building line which provides 1 space per dwelling. An additional carspace per dwelling can be located forward of the building line in an uncovered stacked position.	✓
4.32	Landscape (a) a minimum 45% of the area between the dual occupancy and the primary street frontage must be landscaped; and (b) plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown).	108m2 of landscaping is located within the front setback (>58%). A minimum of one tree is shown to be planted on the landscape plan.	✓
CHAPTER 5.1 – SECTION 3 SECONDARY DWELLINGS			

3.1	Lot size A secondary dwelling is permissible on a site with a minimum lot size of 450m ² .	505m ² each lot resulting from the subdivision.	✓
3.2	Site Cover (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under an environmental planning instrument; and (b) the total floor area of the secondary dwelling is no more than 60m ² or, if a greater floor area is permitted in respect of a secondary dwelling on the land under an environmental planning instrument, that greater floor area.	Total gross floor area is: Principal Dwelling = 210.05m ² Secondary dwelling = 42.62m ² . Total GFA = 252.67m ² = 0.499:1 Secondary dwelling GFA = 42.62m ²	✓
3.3	Storey limit (not including basements) The storey limit for attached secondary dwellings is two storeys.	Single storey is proposed.	✓
3.4	The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3m.	Wall height is not greater than 3m.	✓
3.5	The siting of secondary dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Elevated platforms are not proposed as the site is relatively level.	
3.6	Fill Any reconstituted ground level on the site within the ground floor perimeter of secondary dwellings must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.	The reconstituted ground levels do not exceed 1m above existing.	✓
3.7	Any reconstituted ground level on the site outside of the ground floor perimeter of secondary dwellings must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	The reconstituted ground levels do not exceed 600mm above existing.	
3.11	Side and rear setbacks For the portion of the building wall that has a wall height less than or equal to 7m, the minimum setback to the side and rear boundaries of the site is 0.9m.	900mm side setbacks provided. 3m setback provided to the rear boundary.	✓
3.13	Private open space Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.	Minimum of 80m ² of POS provided for the site. Landscaping forward of the building line exceeds 45%.	✓

3.27	Building design (car parking) Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.	The secondary dwelling does not result in the primary dwelling having less than the required parking. The garage is being replaced with an equivalent garage and also on-site parking is available along the driveway.	✓
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5.0 LIKELY IMPACTS OF THE DEVELOPMENT

The proposed development is an improvement of the existing site and it is not envisioned that there will be any unreasonable environmental, economic or social impacts upon the locality as a result of the proposal. The development provides high quality housing diversity while respecting its environmental management zoning context and maintaining general compliance with the applicable planning controls. The development is sympathetic in its approach, providing sufficient setbacks to ensure that the proposal does not dominate the surrounding properties and will not result in an undesirable precedent for the area.

6.0 SUITABILITY OF THE SITE

The suitability of the land to accommodate a development of this type has been established within the LEP and DCP controls set out by Council. The site is not affected by any policy that restricts development because of any environmental restrictions such as bushfire, tidal inundation, subsidence, acid sulphate soils, or land slip. The site is not contaminated and is therefore considered suitable for development.

Furthermore, the site is suitable as the proposal is permissible under the CBLEP, displays consistency with the R2 zone objectives, is compliant with the development standards under LEP, compliant with DCP controls, and is without any unreasonable environmental impacts.

7.0 THE PUBLIC INTEREST

According to *Brown C in Ex Gratia Pty Limited v Dungog Shire Council [2005] NSWLEC 148*, a development proposal is in the public interest when the public advantages of the proposal outweigh the public disadvantages.

There are no unreasonable impacts or public disadvantages that will result from the proposed development; therefore, the development will be in the public interest. Public advantages include:

- A proposal that supports the housing needs of the community,
- A proposal that is sympathetic to surrounding land uses, and
- A proposal that is permissible, consistent with the land use zone and objectives, compliant with the development standards, suitable for the site, and it does not result in any unreasonable environmental impacts.

8.0 CONCLUSION

The proposed development comprising the construction of a dual occupancy over basement carparking, swimming pool, torrens title subdivision and secondary dwellings will not give rise to any undue environmental impact and does not compromise the development's compliance with the objectives and

controls specified within the Canterbury-Bankstown LEP and DCP. The proposed development will have not result in any excessive impact to the adjoining properties nor to the emerging high density residential context of the locality. Noting the above, and noting compliance with the relevant statutory requirements, it is requested that Council determine the application favourably.