

AMENDED STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:
McDonald Jones Homes
PO Box 2092
DANGAR NSW 2309

Site Address:
Lot 152 DP 231854
8 Menin Place
MILPERRA NSW 2214

Construction of a Single Storey 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, childrens activities, home theatre, family and dining rooms, along with an attached garage and outdoor alfresco dining area.

The subject site is triangular in shape, with a narrow frontage to Menin place, and a total land area of 733.5m². The site currently contains a dwelling and ancillary structures to be demolished under separate application.

The site has a gentle fall towards the rear, however, raised floor height is required to meet with flood floor level requirements. 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 streetscape of Menin Place.

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:

- 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

<i>SEPP</i>	<i>Comment</i>	<i>Compliance</i>
State Environmental Planning Policy (Housing) 2021	Not applicable.	N/A
State Environmental Planning Policy (Sustainable Buildings) 2022	Please refer to accompanying BASIX Certificate.	Complies
State Environmental Planning Policy (Resilience and Hazards) 2021	<i>Chapter 4</i> 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
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<i>Chapter 6 – Water Catchments</i> The site is located within the relevant water catchment area and the proposal has been designed to minimise impacts on water quality. The development is for a dwelling house within an established residential allotment and incorporates appropriate stormwater management measures to control runoff during both construction and operation. Subject to implementation of suitable erosion, sediment and stormwater controls, the	Complies

	proposal will have a neutral or beneficial effect on water quality.	
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State Environmental Planning Policy (Transport and Infrastructure) 2021

The subject site is located within an area affected by road traffic noise associated with the nearby M5 Motorway. Accordingly, the proposal has been assessed having regard to the requirements of Division 2 of Chapter 2 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* relating to development in the vicinity of busy roads.

An Acoustic Assessment has been prepared by Blackett Acoustics a suitably qualified acoustic consultant and accompanies this application. The assessment considers existing road traffic noise levels affecting the site and confirms that the proposed dwelling is capable of achieving the relevant internal noise criteria through the incorporation of recommended building treatments. Recommended measures include suitable glazing, construction specifications and any other acoustic attenuation measures identified within the report.

The proposed dwelling has been designed so that the recommended acoustic treatments can be readily incorporated without altering the overall design, functionality or amenity of the development. Subject to implementation of the recommendations contained within the Acoustic Assessment, the development is considered satisfactory having regard to the requirements of the SEPP and the Development Near Rail Corridors and Busy Roads Guideline.

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*'.

The identified zone permits the construction of a '*dwelling house*' 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 development is for a low-density residential dwelling being compatible with the existing and future character of the locality. The dwelling is 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

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
Building height – 9m Wall height – 7m	5.383m <7m	Yes Yes

Clause 4.4 Floor Space Ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
0.5:1	0.233:1	Yes

Clause 4.6 Exceptions to development standards

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

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.

Clause 6.1 Acid Sulfate Soils

The subject property is identified as being affected by Class 3 Acid Sulphate Soils. The proposed development does not require works more than 1m below the natural ground level and is not anticipated to lower the water table.

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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.

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 two parking spaces on the site.

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

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Storey Limit</u> Max. 2 Storeys	Single storey dwelling proposed.	Yes
Fill not to exceed 600mm unless contained within perimeter of dwelling of dwelling to a max. 1m above NGL.	440mm fill proposed to be battered.	Yes
<u>Setback restrictions</u> Dwellings prohibited within 9m of an existing animal boarding facility.	N/A	N/A
<u>Street Setbacks</u> Primary frontage Ground – 5.5m First – 6.5m Secondary frontages Building wall – 3.0m Garages – 5.5m	See comments below. N/A N/A	See Below N/A N/A

*Front Setback – Due to the curved nature of the front boundary, the minimum front setback is 4.556m to the porch and 5.5m to the dwelling. This is considered to be reasonable given the curved nature of the front boundary, the siting of the dwelling will ensure the front landscape area is suitably maintained and the single storey design will ensure there is appropriate bulk and scale presented to the street.

The proposed dwelling does not present an excessive visual bulk to the street, with protruding elements and articulation being provided to ensure the dwelling is an attractive addition to the street. The high quality design of the dwelling, and articulation provided to the front façade will ensure the dwelling maintains the building form and design of the streetscape.

The dwelling will not appear out of character and will not dominate the streetscape. Despite the proposed front setback, the development is capable of meeting the objectives of the control through providing setbacks that complement the streetscape and protects privacy and sunlight to adjacent dwellings. The proposed setback will not have any impacts upon the amenity of adjoining properties and will not have any impact upon privacy or overlooking. Safe vehicular access and egress is still capable of being provided, along with adequate on-site parking within the hardstand driveway. The proposed siting is considered to be suitable in this instance.

<u>Setbacks to side boundary</u> Wall height <7m – 0.9m Wall height >7m – 1.5m Basement levels must not project beyond the ground floor walls.	1.722m proposed. N/A N/A	Yes N/A N/A
<u>Private Open Space</u> Min. 80m ² behind building line. Min. dimension 5m	>80m ² provided behind the building line, to the rear of the dwelling. Min. 5m dimension provided.	Yes Yes
<u>Access to sunlight</u> Greater than 3hrs solar access to living area of subject residence and neighbours 8am to 3pm / Mid-winter solstice. Greater than 3hrs solar access to 50% of POS on subject site and neighbouring allotments 9am to 5pm / Equinox Overshadowing of existing solar panels should be avoided.	North to side, with reasonable levels of solar access to POS and living areas given orientation. Living rooms and POS have direct north facing orientation to ensure suitable solar access. 3hrs available to 50% of POS areas of proposed and adjoining dwellings throughout the day. North to side orientation does result in some shadow over adjoining property, but given single storey design and setbacks, will not limit beyond acceptable levels. Proposed dwelling not anticipated to overshadow any existing solar panels.	Yes Yes 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 Upper floor side/rear balconies permitted where not accessed from living areas, <1.5m wide and provided with screening. Roof top balconies are not permitted.	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. N/A N/A – No roof top balcony proposed as part of this development.	Yes N/A N/A
<u>Building Design</u> Max. roof pitch – 35° Attic spaces to contain maximum of 2 rooms and a bathroom. Dormers to be <2m wide, below ridge line and not dominate the roof plane. Development in foreshore areas must use non-reflective materials that area compatible with the natural characteristics of the area.	22.5 degree roof pitch proposed. N/A N/A N/A	Yes N/A N/A N/A
<u>Building Design (Car Parking)</u> Car parking to be located behind the building line. At least 1 covered parking space. Setback 6.0m from primary or secondary street frontages if providing only one space. Garages to be integrated and does not dominate the façade.	Parking setback 1m behind the building line. 2 spaces in double garage provided. >6m setback. Garage integrated within dwelling and appropriate articulation of front façade ensures garage is not a dominant feature.	Yes Yes Yes Yes

Triple garages only permitted on two storey dwellings where it is architecturally integrated with the upper storey.	N/A – double garage proposed	N/A
<u>Landscaping</u> Retain and protect significant trees where possible. Min. 45% landscaped area between dwelling and street frontage. 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.	No tree removal required. >45% provided. Provided per landscape plan. N/A	Yes Yes Yes N/A

Section 9 – Livable Housing

Suitable provisions to comply with the Livable Housing requirements for new dwellings under Canterbury-Bankstown DCP provided. Suitable path from garage to dwelling provided for easy access, 870mm door openings and appropriate circulation and hallway widths provided. Single storey only, with bathrooms at ground level. Shower screen capable of being removed to create hobless shower and walls capable of being suitably reinforced.

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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 single storey 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 single storey 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 single storey dwelling will complement and blend with the existing residential character of Milperra. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd
February 2026