

STATEMENT OF ENVIRONMENTAL EFFECTS **FOR S4.55 MODIFICATION**

DATE: 21ST MARCH 2023

43 ARAB ROAD, PADSTOW

PREPARED BY: PLATFORM 5 DESIGN PTY LTD

**PROPOSAL: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF NEW
TWO STOREY ATTACHED DUAL OCCUPANCY, ASSOCIATED WORKS AND TORRENS
TITLE SUBDIVISION & POOLS**



PROPOSAL

The proposal seeks development consent for demolition of existing and construction of new two storey attached dual occupancy and associated works and Torrens Title Subdivision on land known as 43 Arab Road, Padstow.

This Statement of Environmental Effects has been prepared in accordance with the statutory considerations of Schedule 1 of the Environmental Planning and Assessment Regulation 2000 (as amended).

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1. Introduction

This Statement of Environmental Effects has been prepared to accompany the Development Application to Bankstown City Council that seeks consent for construction of a new attached dual occupancy at 43 Arab Road, Padstow.

The Statement of Environmental Effects has been prepared having regard to the plans, reports and documents that accompany the Development Application. The proposed development achieves a high level of compliance with the relevant and applicable *State Environmental Planning Policies*, *Bankstown Local Environmental Plan 2015* and *Bankstown Development Control Plan 2015*.

This Statement of Environmental Effects addresses the merits of the proposal with particular reference to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act, 1979* (the Act). The Statement should be read in conjunction with the plans and documents accompanying the application.

2. The Site and Surrounds

2.1. Location

The site is situated on Arab Road with the North Western face of the site facing the road, as illustrated in Image 1 below:

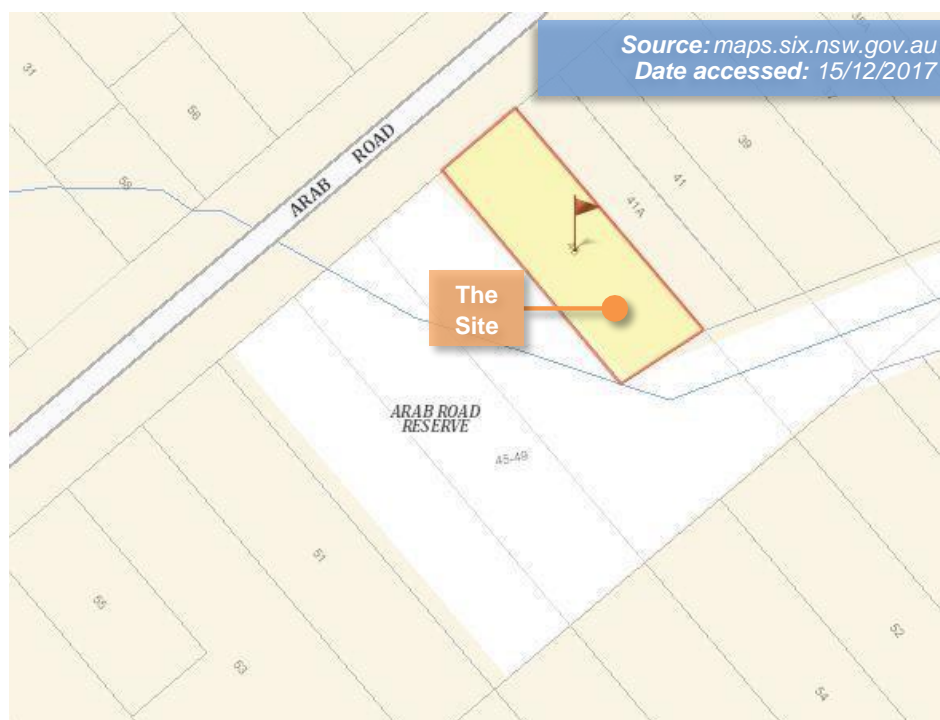


Image 1: Location Map

2.2. Dimensions and Site Area

The site comprises of an off square rectangular shaped allotment with boundary dimensions as follows:

- A 15.24 metres in width along the site's North West (Front) boundary Facing Arab Road;
- A 45.11 metre depth along the site's North Eastern side boundary;
- A 15.43 metre depth along the site's South Eastern side boundary. (Rear)
- A 42.67 metre depth along the site's South Western side boundary;

The site has a total site area of 663.9 sqm (By Title)

The site has a total site area of 668.82 sqm (By Calculations)

2.3. Topography

The site has a fall of approximately 1.8 metres across the site from RL 4.76 metres AHD at the Front boundary to RL 3.31 metres AHD to the Rear boundary.

2.4. Existing Structures

Existing structures on the site includes a single storey rendered house with a tile roof. An aerial map and photographs illustrating the site and existing structures are provided in the images below:



Image 2: Aerial Map



Source: Google Maps
Date accessed: 15 Dec 2017

Image 3: View of the site from Arab Road

2.5. Existing Vegetation

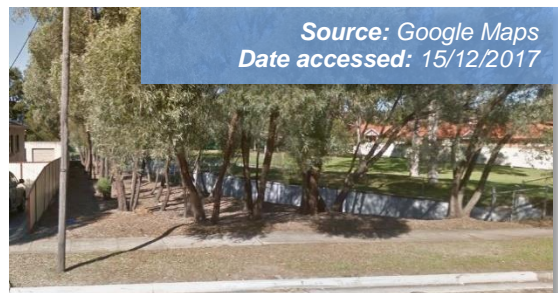
The site contains one large tree at the front of the property on council land, one large tree in the front yard, and 2 large trees in the backyard.

2.6. Surrounds

The site is surrounded by residential land uses immediately adjoining and situated opposite the boundaries of the site, with a drainage reserve illustrated in the images below:



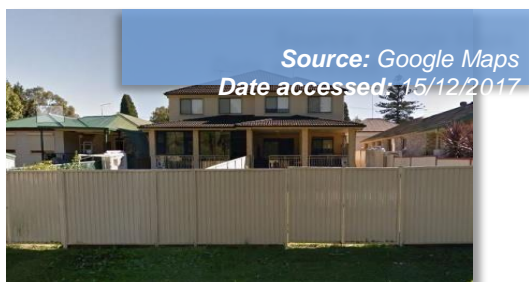
Source: Google Maps
Date accessed: 15/12/2017



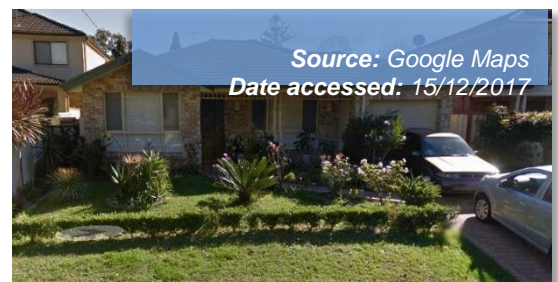
Source: Google Maps
Date accessed: 15/12/2017

Image 4: View of adjoining property to the left at 40 & 41 Arab Road

Image 5: View of adjoining Drainage Reserve to the right of 43 Arab Road



Source: Google Maps
Date accessed: 15/12/2017



Source: Google Maps
Date accessed: 15/12/2017

Image 6: View of property opposite

Image 7: View of property opposite at 50 Arab Road

3. The Proposal

3.1. Description

The subject Development Application seeks consent for construction of a new attached dual occupancy at 43 Arab Road, Padstow.

Pursuant to the definitions contained in the dictionary to *Bankstown Local Environmental Plan 2015*, the proposed development is defined as a *dwelling house*.

3.2. The Built Form

3.2.1. Floor Space Ratio

The proposed development has a total floor space ratio (FSR) of 49.16% on the 663.9 sqm site.

The *floor space ratio* and *gross floor area* of the proposed development have been measured according to the definitions of those terms prescribed in the dictionary to *Bankstown Local Environmental Plan 2015*.

3.2.2. Building Height

The proposed development has a maximum height of 7 metres above the proposed ground levels (PGL) to the top of the parapet wall at the front of the development.

A new ground floor is proposed on site due to the steep fall it has to south western side, As it also located in a flood affected area. The SSR report has a minimum requirement to be 500mm above the ARI of 3.5m AHD which is at 4.00m AHD.

The building height has been measured according to the definition of *building height (or height of building)* prescribed in the dictionary to *Bankstown Local Environmental Plan 2015*.

3.2.3. Front Setbacks to Arab Road

On the ground floor level, the proposed development is setback 7.5 metres from the front boundary to the building line of the garage.

On the first floor, the proposed development is setback 6.5 metres from the front boundary to the front building line.

3.2.4. Side Boundary Setbacks

The proposed development is setback 900mm from both side boundaries on both levels.

3.2.5. Rear Boundary Setback

On the ground floor level, the proposed development is setback 21.6m from the rear boundary to the building line on Lot 1, and 19.1m on Lot 2. And 17.16m to the outer rear patio edge of Lot 1 and 14.67m on Lot 2

3.3. Waste Management

The general waste, recycling and green waste bins will be stored within the site.

4. Planning Controls

Bankstown Local Environmental Plan 2015

Bankstown Local Environmental Plan 2015 (the LEP) is the principal environmental planning instrument that applies to the land and contains all the applicable development standards for the development of the site. An assessment pursuant to the applicable sections of the LEP is provided below:

Bankstown Local Environmental Plan 2015			
CL	Requirement	Proposed	Compliance
Part 2 - Permitted or Prohibited Development			
2.1	Land use zones 2(a) Residential	<i>Dual occupancy</i> is permissible within the 2(a) Residential zone.	Complies
Part 3 - Special Provisions			
3.1	Other development which requires consent Subdivision & demolition require development consent.	Demolition of the existing structures on the site and subdivision of the site are proposed as part of the application.	Complies
Part 4 - Principal Development Standards			
4.3	Height of Buildings 2 storeys and 7 metre wall height	The proposed development does not exceed the maximum permitted external wall height.	Complies
4.4	Floor Space Ratios 0.5:1	The proposed development has a total FSR of 49.99% on the 663.9 sqm site which complies with the maximum 0.5:1 FSR development standard prescribed under this Clause.	Complies

Table 1: Bankstown Local Environmental Plan 2015 Compliance Table

Bankstown Development Control Plan 2015

Bankstown Development Control Plan 2015 (the DCP) contains objectives and development controls for development within the Bankstown Local Government Area. An assessment of the proposed development against the applicable and relevant provisions of the DCP is provided in the tables below:

Bankstown DCP 2015 - Public Notification of Development and Site Analysis

Ref	Control	Compliance
Section 2 - Public Notification of Development		
2.1	The proposed development will be notified by Council.	Noted
Section 3 - Site Analysis Plan		
3	A Site Analysis Plan has been prepared and accompanies the application.	Noted

Table 2: Bankstown DCP 2015 Part B Compliance Table

Bankstown DCP 2015 - Part B1 - Residential Development			
Section	Control	Proposed	Compliance
Section 4 – Dual Occupancies			
Subdivision	4.1 The two dwellings forming an attached dual occupancy may be subdivided to a minimum lot size of 250m ² per dwelling.	Lot 1 – 334.69sqm (Calc) 331.95sqm – Title Lot 2 – 334.13sqm (Calc) 331.95sqm – Title	Complies
Height	4.4 The storey limit for dual occupancies is 2 storeys.	2 storeys	Complies
	4.5 The siting of dual occupancies and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The proposed development appropriately responds to the slope of the site as evident on the section plan accompanying the application. The proposal does not include elevated platforms on columns, excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	Complies
	4.6 Any reconstituted ground level on the allotment must not exceed a height of 600mm above the natural ground level of an adjoining property except where: (a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part E3 of this DCP; or (b) The fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the natural ground level of the allotment.	A new ground floor is proposed on site due to the steep fall it has to south western side, As it also located in a flood affected area. The SSR report has a minimum requirement to be 500mm above the ARI of 3.5m AHD which is at 4.00m AHD. The new proposed ground floor sits at 4.00m AHD	SSR Report

Setback Restrictions	4.7 The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.	There are no existing animal boarding or training establishment within 9 metres of the site.	Complies
Setbacks to the Primary & Secondary Frontages	4.8 The minimum setback for a building wall to the primary frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.	First Storey: Unit 1 - 6.5 metres Unit 2 - 6.5 metres Second Storey: Unit 1 - 6.5 metres Unit 2 - 6.5 metres	Complies
Setbacks to the Side Boundary	4.10 For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the dripline of a tree on an adjoining property.	The proposed development is setback 900mm from both side boundaries for the portions of the building wall that have a wall height of less than 7 metres.	Complies
	4.11 For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres.	No part of the building exceeds the maximum wall height of 7metres.	Complies
	4.12 The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.	No obstructions are proposed within the side boundary setbacks.	Complies
	4.13 The basement level must not project beyond the ground floor perimeter of the dual occupancy.	There is no basement level	Complies
Private Open Space	4.14 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 5 metres throughout.	Unit 1 – 157.61sqm Unit 2 – 142.57sqm The areas included for the above calculation include the Alfresco and turfed areas to the rear.	Complies

Access to Sunlight	4.15 At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	The open plan lounge, dining and kitchen is provided with a low-lite window on both side boundaries along with a large sliding door opening along the south east elevation which will provide the required 3 hours of sunlight between 8am and 4pm at the winter solstice on 21 June.	Complies
	4.16 At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 3.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	The north west to south east orientation of the site ensures that the proposal will not reduce the level of sunlight to the living room windows of adjoining properties to less than 3 hours between 8am and 3pm at the winter solstice on 21 June.	Complies
	4.17 A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.	The north to south orientation of the site ensures that the proposal will allow the private open space area of the dwelling in the development as well as adjoining properties to receive a minimum of 3 hours of sunlight between 9am and 5pm at the summer equinox on 21 June.	Complies
	4.18 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.	There are no known solar hot water systems, photovoltaic panels, or other solar collectors on adjoining properties as confirmed by a physical site inspection.	Complies
Visual Privacy	4.19 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) Use another form of screening to the satisfaction of Council.	As illustrated on the floor plans accompanying the application, the proposed development does not include any windows on the side elevations that will provide a direct line of sight into living area or bedroom windows of adjoining dwellings. All windows along the first floor side elevations of the proposed development are highlight windows with high sill heights except for 2 bedroom windows	Complies

Building Design	<p>4.20 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <ul style="list-style-type: none"> (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) The window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling. 	The first floor of the dwelling consists of 2 rear facing bedroom windows on each lot	Complies
	<p>4.21 Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <ul style="list-style-type: none"> (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) Incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building. 	<p>The first floor of the dwelling includes a front facing balcony that is accessible from the master bedroom.</p> <p>The balcony design:</p> <ul style="list-style-type: none"> (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) Incorporates a screen along the North East side of balcony facing the adjoining property. 	Complies
	<p>4.22 Council does not allow dual occupancies to have roof-top balconies and the like.</p>	The proposed development does not include any roof-top balconies.	Complies

	4.23 Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the allotment.	The subject Development Application seeks consent for demolition of all existing structures on the site.	Complies
	4.24 The design of dual occupancies must ensure: (a) the street facade of attached dual occupancies adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of attached or detached dual occupancies 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 allotment each face a different frontage.	<p>The proposed development adopts a symmetrical design to the street. However, the party wall is proposed to be extended forward of the façade to provide a physical separation between the dwellings. This will effectively provide each dwelling with an individual identity when viewed from the street.</p> <p>The front porch and a first floor bedroom window and balcony of each dwelling face the street. The garages and driveways do not dominate the front of the building as illustrated on the elevation plans. The site is not a corner allotment.</p>	Complies
	4.25 The maximum roof pitch for dual occupancies is 35 degrees.	The proposed development includes a skillion metal roof with a pitch of 10 degrees.	Complies
Building Design (Car Parking)	4.30 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 ...	The proposed development includes a double garage that accommodates up to 2 cars for the dwelling.	Complies
	4.31 Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.	The proposed development includes a double garage level that architecturally integrates with the development and does not dominate the street facade.	Complies
	4.32 Where development proposes a garage with more than two car parking spaces facing the street ...	The proposed development includes a double garage that accommodates up to 2 cars.	Complies

Landscaping	4.33 Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.	There are no significant trees on adjoining allotments that will be impacted by the proposed development.	Complies
	4.34 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 for a list of suitable species): (a) a minimum 45% of the area between the dwelling house and the primary frontage	The area between the proposed development and the primary frontage for both lots measures 51.47sqm. The proposed development provides for 26.42sqm for LOT 1 and 23.76sqm for LOT 2 of landscaped areas which meets the requirement at 51.33% & 46.16%	Complies
Section 14 - Outdoor Structures			
Front Fences	14.2 The external appearance of a front fence along the front boundary of an allotment or facing a classified road must ensure: (a) the section of the front fence that comprises solid construction (not including solid piers) must not exceed a fence height of 1m above natural ground level;	No fence proposed	Complies
Dividing Fences	14.5 Dividing fences require development consent where the average fence height exceeds 1.8 metres.	All dividing side boundary fencing will not exceed 1.8 metres in height.	Complies

5. S4.55 Changes

The following changes listed below apply as part of the application

- Overall update of external finishes to be more appealing to the market and improve aesthetics
- Slight reconfiguration of internal units to make for more usable rooms and spaces whilst maintaining the original footprint and approved form of the original DA.
- The flipping of unit 2 garage to better accommodate secondary parking spaces with causing conflict
- The addition of pools to the dwellings to better appeal to the market at a future date.
- Slight increase to the FFL as the building was sunken up to 1000mm below natural ground creating water and moisture issues, as a result the parapets have been reduced to comply with the max wall height.

6. Conclusion

The subject S4.55 Application seeks consent for construction of a new attached dual occupancy at 43 Arab Road, Padstow.

This Statement demonstrates how the proposed development satisfies the relevant planning controls prescribed in the applicable State Environmental Planning Policies, *Bankstown Local Environmental Plan 2015* and *Bankstown Development Control Plan 2015*.

The proposed development is permissible on the land pursuant to the 2(a) Residential zoning provisions applying to the land under the provisions of *Bankstown Local Environmental Plan 2015*. The proposal is considered to achieve the objectives of the 2(a) Residential land use zone.

The subject site is situated within an area characterised by residential uses and having regard to the siting and design of the built form, the proposed development is considered to be consistent with the desired future character of the area.

The built form of the proposed development achieves a high level of compliance with the requirements prescribed in the relevant and applicable State Environmental Planning Policies, *Bankstown Local Environmental Plan 2015* and *Bankstown Development Control Plan 2015*.

Given the above and having regard to the assessment provided throughout this Statement, the proposed development is considered worthy of Council's approval.