

Statement of Environmental Effects Development Application



No.142 Lambeth Street, Panania

Construction of a Three Storey Mixed Use
Building to Include Infill Affordable
Development

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Introduction

This Statement of Environmental Effects has been prepared on behalf of the client. This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act (EPA Act), 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000.

This Statement accompanies a Development Application for the construction of a three (3) storey mixed-use development with associated parking to include infill affordable development at No.142 Lambeth Street, Panania.

The purpose of this document is to provide a context of the subject site and its surrounding local environment, provide a detailed description of the proposed development, assess the compliance of the proposal in relation to subject planning policies and controls and examine the environmental, social and economic effects of the proposal against the Evaluation Criteria prescribed under Section 4.15 of the EPA Act, 1979.

The proposed development is permissible with Council's consent in the B1 Neighbourhood Centre zone under Canterbury- Bankstown Local Environmental Plan 2023 and Canterbury -Bankstown Development Control Plan 2023. The proposal is consistent with the aims and objectives of the relevant environmental planning instruments and an assessment of the proposal has not identified any adverse impacts that are likely to result from the proposed development.

Site Location and Description

Site Description and Locality

The site is legally described as Lot 3 DP 13772 and is known as No.142 Lambeth Street, Panania. The site is located in the suburb of Panania which resides to the south west of Sydney. The subject site is within the Canterbury-Bankstown local government area. An aerial map of the site is shown in Figure 1 below.



Figure 1: Aerial Map

Source: Six Maps, 2022

The site is a regular shaped allotment with a site area of 446.6m² and a frontage of 12.19m. The site has a single storey dwelling and not identified as a heritage item or within a conservation item under the Bankstown Local Environmental Plan 2015.

Lambeth Street and the surrounding area is characterised by predominately single and two (2) storey dwellings, dual occupancies and Panania public school opposite the site. The street includes on-street car parking and landscaping. Images of the site and the surrounding locality are shown below in Figures No. 2-5.



Figure 2: Subject site
Source: Google Maps, 2022



Figure 3: Dwellings to the south
Source: Google Maps, 2022

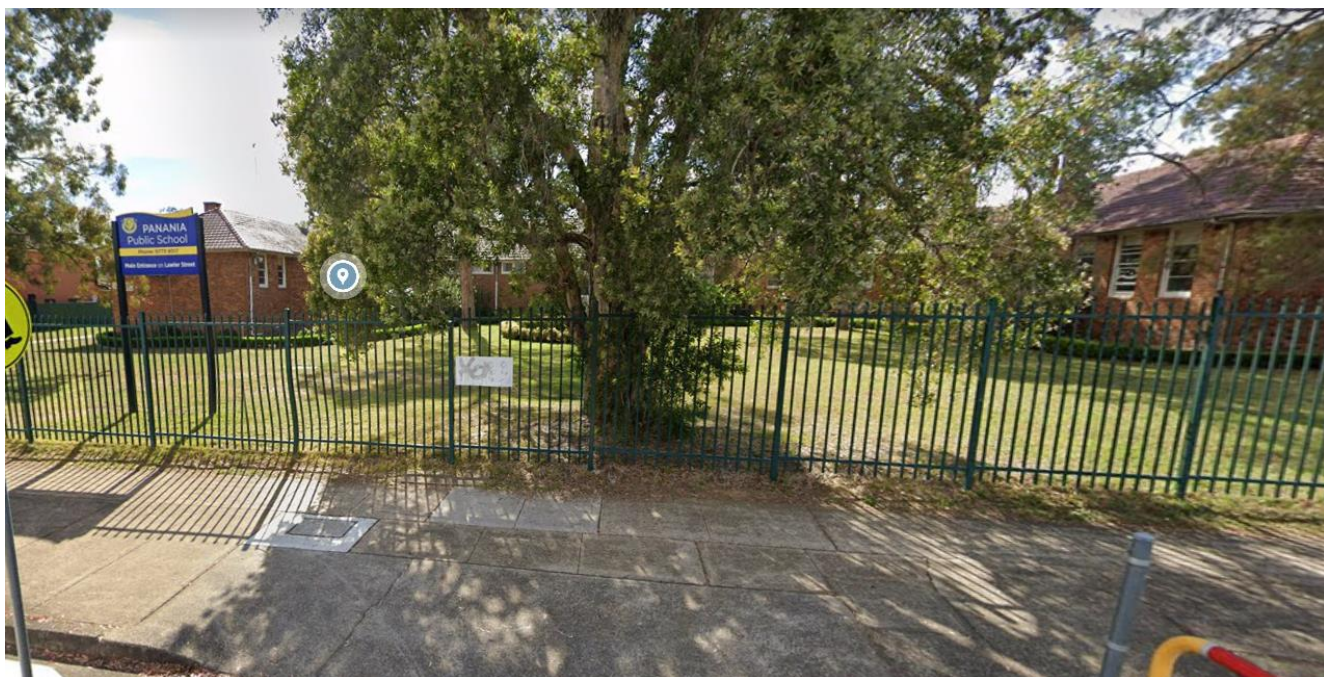


Figure 4: Panania public school opposite the site
Source: Google Maps, 2022



Figure 5: Dual occupancies to the north
Source: Google Maps, 2022

Development Proposal

The subject development application seeks consent for the is construction of a three-storey mixed use building to include in-fill affordable development at No.142 Lambeth Street, Panania.

Development Proposal

- 9 units throughout three storeys facing Lambeth Street and Morison Street ranging from 47.43m² to 60.26m² each to include bed space, bathroom, kitchenette and laundry facility;
- Four (4) car parking spaces on the ground floor accessed from Morison Lane;
- one (1) communal living spaces on the ground floor;
- A ground floor courtyard communal living area along the northern boundary;
- Communal space area;
- 4 bicycle spaces –ground floor;
- Two (2) motorcycle spaces;
- Bin room;
- Ground floor plant room;
- Lobby, lift and stair access throughout building;
- Driveway access along western boundary;
- Pedestrian access from the eastern boundary;
- Front fence along Lambeth Street.

Table 1: Building Configuration and Mix

Element	Proposed
Site Area	446.6m ²
Gross Floor Area	738.70m ²
Floor Space Ratio	1.65:1
Height	Proposed maximum 11.7m to the top of lift shaft
Storeys	Three (3)
Levels	Three (3)
Front Setback	Nil - boundary
Side Setbacks	Nil - boundary

Rear Setback	8.5m to rear facade
Car parking spaces	four (4) ground floor spaces.

Statutory Planning Framework

Bankstown Local Environmental Plan 2015

Zoning

The site is zoned B1 Neighbourhood Centre as prescribe by Bankstown LEP 2015.

The objectives of this zone are:

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To provide for certain residential uses that are compatible with the mix of uses in neighbourhood centres.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Garden centres; Hardware and building supplies; Health services facilities; Home businesses; Information and education facilities; Kiosks; Landscaping material supplies; Markets; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Office premises; Oyster aquaculture; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Research stations; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Seniors housing; Service stations; Shop top housing; Shops; Specialised retail premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Tourist and visitor accommodation; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Water supply systems

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

The proposal is for co-living housing development. The proposal achieves the objectives of this zone and is permissible with consent.

Height

The sites prescribed height limit is 11m. The proposed development has an overall height of 10.7m to the top of the ridge.

Floor Space Ratio

The permissible floor space ratio for the site is 1.5:1. The proposed gross floor area for the development is 738.70m² creating an FSR of 1.65:1. The proposed development will comply with the requirements of the Housing SEPP 2021.

State Environmental Planning Policy (Housing) 2021

Affordable housing means housing for very low, low or moderate income households as defined when gross income is less than 120% of the median household income of the Sydney Statistical Division and paying no more than 30% of income in rent. State Environmental Planning Policy (Housing) 2021 (SEPP) provides the objectives and controls for creating new affordable rental housing including in-fill affordable housing, secondary dwellings, co-living houses and supportive accommodation. The SEPP commenced on 26 November 2021 and aims to create affordable housing for low income earners.

The application proposes a boarding house and is therefore subject to the provisions and controls of the SEPP. A table outlining the relevant controls of the SEPP and an assessment of the proposals compliance against those controls has been provided below.

Table 2: State Environmental Planning Policy (Housing) 2021 Assessment Table

Part 2 Development for affordable housing Division 1 – In-fill affordable housing Standard	Provision	Complies	Comment
16 Development to which Division applies	<p>(1) This Division applies to residential development if—</p> <p>the development is permitted with consent under another environmental planning instrument, and</p> <p>at least 20% of the gross floor area of the building resulting from the development will be used for the purposes of affordable housing, and</p> <p>for development on land in the Greater Sydney region, Newcastle region or Wollongong region—all or part of the development is within an accessible area, and</p> <p>for development on other land—all or part of the development is within 800m walking distance of land within 1 or more of the following zones or an equivalent land use zone—</p> <p>Zone E1 Local Centre,</p> <p>Zone MU1 Mixed Use,</p> <p>Zone B1 Neighbourhood Centre,</p> <p>Zone B2 Local Centre,</p> <p>Zone B4 Mixed Use.</p> <p>In this Division, residential development carried out by, or on land owned by, a relevant authority is taken to be used for the purposes of affordable housing.</p> <p>In this section—</p> <p>Newcastle region means land within the following local government areas—</p> <p>Cessnock,</p> <p>Lake Macquarie,</p> <p>Maitland,</p> <p>Newcastle,</p> <p>Port Stephens.</p>	Yes	The site is zoned B1 Neighbourhood centre and shop top housing and residential flat buildings are permissible.

	<p>residential development means development for the following purposes— attached dwellings, dual occupancies, dwelling houses, manor houses, multi dwelling housing, multi dwelling housing (terraces), residential flat buildings, semi-detached dwellings, shop top housing.</p> <p>Wollongong region means land within the following local government areas— Kiama, Shellharbour, Wollongong.</p>		
17 Floor space ratio	<p>) The maximum floor space ratio for development to which this Division applies is the maximum permissible floor space ratio for residential accommodation on the land plus an additional floor space ratio of—</p> <p>(a) if the maximum permissible floor space ratio is 2.5:1 or less—</p> <p>(i) if at least 50% of the gross floor area of the building resulting from the development will be used for affordable housing—0.5:1, or</p> <p>(ii) if less than 50% of the gross floor area of the building will be used for affordable housing—Y:1, where— AH is the percentage of the gross floor area of the building that is used for affordable housing. $Y = AH \div 100$</p> <p>or</p> <p>(b) if the maximum permissible floor space ratio is more than 2.5:1—</p> <p>(i) if at least 50% of the gross floor area of the building will be used for affordable housing—20% of the maximum permissible floor space ratio, or</p> <p>(ii) if less than 50% of the gross floor area of the building will be used for affordable</p>	yes	<p>The Permissible FSR or the site is 1.5:1. The zone permits residential flat buildings and therefore the permissible FSR is 1.65:1. The proposed development has a gross floor area of 738.70m²/ 1.65:1 inclusive of the access and services.</p>

	<p>housing—$Z\%$ of the maximum permissible floor space ratio, where—</p> <p>AH is the percentage of the gross floor area of the building that is used for affordable housing.</p> <p>$Z = AH \div 2.5$</p> <p>The additional floor space ratio must be used for the purposes of affordable housing.</p>		
<p>18 Non-discretionary development standards—the Act, s 4.15</p>	<p>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of in-fill affordable housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</p> <p>The following are non-discretionary development standards in relation to the carrying out of development to which this Division applies—</p> <p>a minimum site area of 450m², for a development application made by a social housing provider—at least 35m² of landscaped area per dwelling, if paragraph (b) does not apply—at least 30% of the site area is landscaped area, a deep soil zone on at least 15% of the site area, where—</p> <p>each deep soil zone has minimum dimensions of 3m, and if practicable, at least 65% of the deep soil zone is located at the rear of the site,</p>	N/A	
	<p>(e) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter, for a development application made by a social housing provider for development on land in an accessible area—</p> <p>for each dwelling containing 1 bedroom—at least 0.4 parking spaces, or for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, or for each dwelling containing at least 3 bedrooms— at least 1 parking space, if paragraph (f) does not apply—</p> <p>for each dwelling containing 1 bedroom—at least 0.5 parking spaces, or for each dwelling containing 2</p>	Yes	<p>one communal living areas proposed – ground floor an totally 86m².</p> <p>4 spaces provided along rear façade and remaining four(4) bicycle 2 motorcycle on ground floor</p>

	bedrooms—at least 1 parking space, or for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,		
	<p>for development for the purposes of residential flat buildings—the minimum internal area specified in the Apartment Design Guide for each type of apartment,</p> <p>for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide,</p> <p>if paragraphs (h) and (i) do not apply, the following minimum floor areas—</p> <p>for each dwelling containing 1 bedroom—65m², or</p> <p>for each dwelling containing 2 bedrooms—90m², or</p> <p>for each dwelling containing at least 3 bedrooms—115m² plus 12m² for each bedroom in addition to 3 bedrooms.</p>	Yes	The proposal includes 9 1 bed units with minimum area of 50m ² .
19 Design requirements	<p>Development consent must not be granted to development to which this Division applies unless the consent authority has considered the following, to the extent to which they are not inconsistent with this Policy—</p> <p>the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> published by the Department of Infrastructure, Planning and Natural Resources in March 2004,</p> <p>for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the Low Rise Housing Diversity Design Guide.</p> <p>Subsection (1) does not apply to development to which <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i> applies.</p> <p>Development consent must not be granted to development to which this Division applies unless the consent authority has considered whether the design of the residential development is compatible with—</p> <p>the desirable elements of the character of the local area, or</p> <p>for precincts undergoing transition—the desired future character of the precinct.</p>	Yes	The proposal includes 9 1 bed units with minimum area of 50m ² .
20 Continued application of SEPP 65	Nothing in this Policy affects the application of <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment</i>	N/A	

	<i>Development</i> to residential development to which this Division applies.		
21 Must be used for affordable housing for at least 15 years	<p>Development consent must not be granted under this Division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued—</p> <p>the affordable housing component of the residential development will be used for affordable housing, and the affordable housing component will be managed by a registered community housing provider.</p> <p>Subsection (1) does not apply to development on land owned by a relevant authority or to a development application made by, or on behalf of, a public authority.</p> <p>In this section—</p> <p><i>affordable housing component</i>, in relation to development to which this Division applies, means the dwellings used for the purposes of affordable housing in accordance with section 16(1)(b).</p>	Yes	To be Provided
22 Subdivision permitted with consent	Land on which development has been carried out under this Division may be subdivided with development consent.	Yes	

Canterbury-Bankstown Development Control Plan 2023

Table 2: Canterbury-Bankstown Development Control Plan 2023 Assessment Table

C1 Neighbourhood centres	Development controls	Proposal	Complies										
Neighbourhood centres will provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. The built form is generally compatible with the prevailing suburban character and amenity of the surrounding residential areas.	<p>Storey limit (not including basements)</p> <p>3.1 Development must comply with the storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map as follows:</p> <table><tr><th>Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)</th><th>Storey limit (not including basements)</th></tr><tr><td>11m for the following neighbourhood centres:<ul style="list-style-type: none">• 255A–257 Hector Street, Bass Hill• 259 Hector Street, Bass Hill• 360–366 Hector Street, Bass Hill• 826 Hume Highway, Bass Hill• 884–906 Hume Highway, Bass Hill• 207–231 Miller Road, Bass Hill• 35–55 Arlewis Street, Chester Hill• 172 Hector Street, Chester Hill• 178 Hector Street, Chester Hill• 63–79 Middleton Road, Chester Hill• 81–91 Miller Road, Chester Hill• 68–70B Miller Road, Chester Hill• 27 Woodville Road, Chester Hill• 35 Woodville Road, Chester Hill• 47 Woodville Road, Chester Hill• 101–109 Denman Road, Georges Hall• 53–71 Hume Highway, Greenacre• 118–120 Rawson Road, Greenacre• 331–341 and 342–344 Waterloo Road, Greenacre• 120–126 Ashford Avenue, Milperra• 48 Amiens Avenue, Milperra• 6 Bullecourt Avenue, Milperra• 136–164 Alma Road, Padstow• 45–51 Dilke Road, Padstow Heights• 119–129 Kennedy Street, Picnic Point• 38 and 64 Beaconsfield Street, Revesby• 134–150 Centaur Street, Revesby Heights• 21A–25A Hector Street, Sefton• 251 and 253 Hector Street, Sefton• 91–97 Avoca Street, Yagoona• 674–686 Hume Highway, Yagoona</td><td>3 storeys (no attic)</td></tr><tr><th>Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)</th><th>Storey limit (not including basements)</th></tr><tr><td>11m for all other neighbourhood centres</td><td>2 storeys (plus attic)</td></tr><tr><td>14m</td><td>4 storeys (no attic)</td></tr></table>	Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)	Storey limit (not including basements)	11m for the following neighbourhood centres: <ul style="list-style-type: none">• 255A–257 Hector Street, Bass Hill• 259 Hector Street, Bass Hill• 360–366 Hector Street, Bass Hill• 826 Hume Highway, Bass Hill• 884–906 Hume Highway, Bass Hill• 207–231 Miller Road, Bass Hill• 35–55 Arlewis Street, Chester Hill• 172 Hector Street, Chester Hill• 178 Hector Street, Chester Hill• 63–79 Middleton Road, Chester Hill• 81–91 Miller Road, Chester Hill• 68–70B Miller Road, Chester Hill• 27 Woodville Road, Chester Hill• 35 Woodville Road, Chester Hill• 47 Woodville Road, Chester Hill• 101–109 Denman Road, Georges Hall• 53–71 Hume Highway, Greenacre• 118–120 Rawson Road, Greenacre• 331–341 and 342–344 Waterloo Road, Greenacre• 120–126 Ashford Avenue, Milperra• 48 Amiens Avenue, Milperra• 6 Bullecourt Avenue, Milperra• 136–164 Alma Road, Padstow• 45–51 Dilke Road, Padstow Heights• 119–129 Kennedy Street, Picnic Point• 38 and 64 Beaconsfield Street, Revesby• 134–150 Centaur Street, Revesby Heights• 21A–25A Hector Street, Sefton• 251 and 253 Hector Street, Sefton• 91–97 Avoca Street, Yagoona• 674–686 Hume Highway, Yagoona	3 storeys (no attic)	Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)	Storey limit (not including basements)	11m for all other neighbourhood centres	2 storeys (plus attic)	14m	4 storeys (no attic)	Yes – the proposal is for three storeys	Yes
Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)	Storey limit (not including basements)												
11m for the following neighbourhood centres: <ul style="list-style-type: none">• 255A–257 Hector Street, Bass Hill• 259 Hector Street, Bass Hill• 360–366 Hector Street, Bass Hill• 826 Hume Highway, Bass Hill• 884–906 Hume Highway, Bass Hill• 207–231 Miller Road, Bass Hill• 35–55 Arlewis Street, Chester Hill• 172 Hector Street, Chester Hill• 178 Hector Street, Chester Hill• 63–79 Middleton Road, Chester Hill• 81–91 Miller Road, Chester Hill• 68–70B Miller Road, Chester Hill• 27 Woodville Road, Chester Hill• 35 Woodville Road, Chester Hill• 47 Woodville Road, Chester Hill• 101–109 Denman Road, Georges Hall• 53–71 Hume Highway, Greenacre• 118–120 Rawson Road, Greenacre• 331–341 and 342–344 Waterloo Road, Greenacre• 120–126 Ashford Avenue, Milperra• 48 Amiens Avenue, Milperra• 6 Bullecourt Avenue, Milperra• 136–164 Alma Road, Padstow• 45–51 Dilke Road, Padstow Heights• 119–129 Kennedy Street, Picnic Point• 38 and 64 Beaconsfield Street, Revesby• 134–150 Centaur Street, Revesby Heights• 21A–25A Hector Street, Sefton• 251 and 253 Hector Street, Sefton• 91–97 Avoca Street, Yagoona• 674–686 Hume Highway, Yagoona	3 storeys (no attic)												
Maximum building height as shown on the Height of Buildings Map (Canterbury-Bankstown LEP 2023)	Storey limit (not including basements)												
11m for all other neighbourhood centres	2 storeys (plus attic)												
14m	4 storeys (no attic)												
Street setbacks													
	3.2 The minimum setback to the primary and secondary street frontages of the site is zero setback for the basement level, the first storey (i.e.,the ground floor), and the second storey.	Yes – maintains built to boundary front setback with adjoining residential flat building	Yes										
Side and rear setbacks													
	3.3 Where development is adjacent to residential zoned land, Council may increase the minimum setbacks to the side and rear boundaries.	Adjoins B1 local centre zone to both sides and a rear lane. The adjoining low density property has	Yes										

		been approached to sell for the purposes of amalgamation however the owner is not interested in selling.	
	3.4 For blank building walls with no window or balcony, the minimum setback to the side and rear boundaries of the site is zero setback for the basement level, the first storey (i.e. the ground floor), and the second storey.	Proposed	Yes
	3.5 The maximum depth for cross-through dwellings (i.e. single or dual aspect dwellings where the side building walls do not contain a window or balcony) is 14m.	Yes - southern facing units and north facing units are a maximum 10m however both contain balconies to the front or rear	Yes
	3.6 For building walls with a window or balcony in commercial development, shop top housing, and mixed use development that contains dwellings, the minimum setbacks to the side and rear boundaries of the site are: (a) 3m for the first storey (i.e. the ground floor). Council may allow a setback less than 3m provided it complies with the Building Code of Australia; and (b) 3m for the second storey.	Complies	Yes
	3.7 For building walls with a window or balcony in residential flat buildings, the minimum setback to the side and rear boundaries of the site is 5m for all storeys.	Complies	Yes
Setbacks within the site			
	3.8 The minimum setbacks between two or more habitable buildings on the site are: (a) 9m between the external enclosing walls of dwellings; and (b) 6m between the balconies, above ground decks, and the like of dwellings.	N/A	Yes

Section 4.15 Evaluation

S4.15(1)(a) The provisions of any planning instrument, draft environmental planning instrument, development control plan or regulations

The development proposal is pursuant to State Environmental Planning Policy (Housing) 2021 and Canterbury- Bankstown Local Environmental Plan 2023. The assessment shows that the proposed development is generally consistent and compliant with the objectives, performance criteria and the controls of the LEP and SEPP.

S.4.15(1)(b) Impacts on the environment

Context and Setting

The proposed development is considered to be compatible with the scale and character of buildings within the streetscape.

Access, transport and traffic

The proposal retains the existing driveway crossing and car parking location.

Utilities

Existing utility services will adequately service the development.

Flora and fauna

The proposal will not retain as many trees and landscaping on site.

Waste collection

Normal domestic waste collection applies to this development.

Natural hazards

The site is not affected by any known hazards.

Economic impact in the locality

The proposed development will provide temporary employment through the construction of the development and therefore benefit the surrounding businesses.

Site Design and Internal Design

The scale of the development is appropriate having regard to the regular allotment shape, frontage, context of the site, the objectives of the relevant planning provisions and is compatible with the scale of transitioning development in the local area. The design outcome has been carefully considered to alleviate impacts on the adjoining neighbours and the new development will contribute positively to the surrounding built form and provides a building scale and mass that is appropriate to the site.

Construction

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

S.4.15(1)(c)The suitability of the site for the development

The subject site does not have any constraints that would affect the proposals suitability to the site.

S.4.15(1)(d) Any submissions received in accordance with this Act or the regulations

Submissions that will be received by Council will be assessed in accordance with the EPA Act, 1979 and other relevant planning controls.

S.4.15(1)(e) The public interest

The proposed development is considered to be compatible with the surrounding development and is consistent with the objectives of the relevant planning controls. Therefore approval of the proposal is considered to be within the public interest.

Conclusion

The proposed development application seeks consent for the construction of a three-storey mixed use building to include in-fill affordable development at No.142 Lambeth Street, Panania.

The proposed development is permissible with consent and is considered to generally satisfy the controls and objectives of the relevant planning instruments. The proposed development implements a contemporary building design that provides a suitable character and scale within its surrounding context. The design, setbacks and materials of the building have been carefully considered along the lot any adverse impacts on the adjoining properties.

In summary, the application should be considered on its merit based on the local streetscape.