

Statement of Environmental Effects Development Application



No.142 Lambeth Street, Panania

Construction of a three (3) storey shop top housing development and associated parking

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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 shop top housing 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. The site adjoins a recent shop top housing development with ground floor commercial and two storeys of residential units above. The shop top housing is a corner lot spanning over three lots and adjoins the subject site to the north. Further to the north adjoining the subject site is a single storey dwelling at No.138 Lambeth Street. This dwelling was approached for consolidation and redevelopment with the subject site and rejected all market offers. No.138 Lambeth Street is the last site within the B1 Neighbourhood centre zoned land cluster.

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

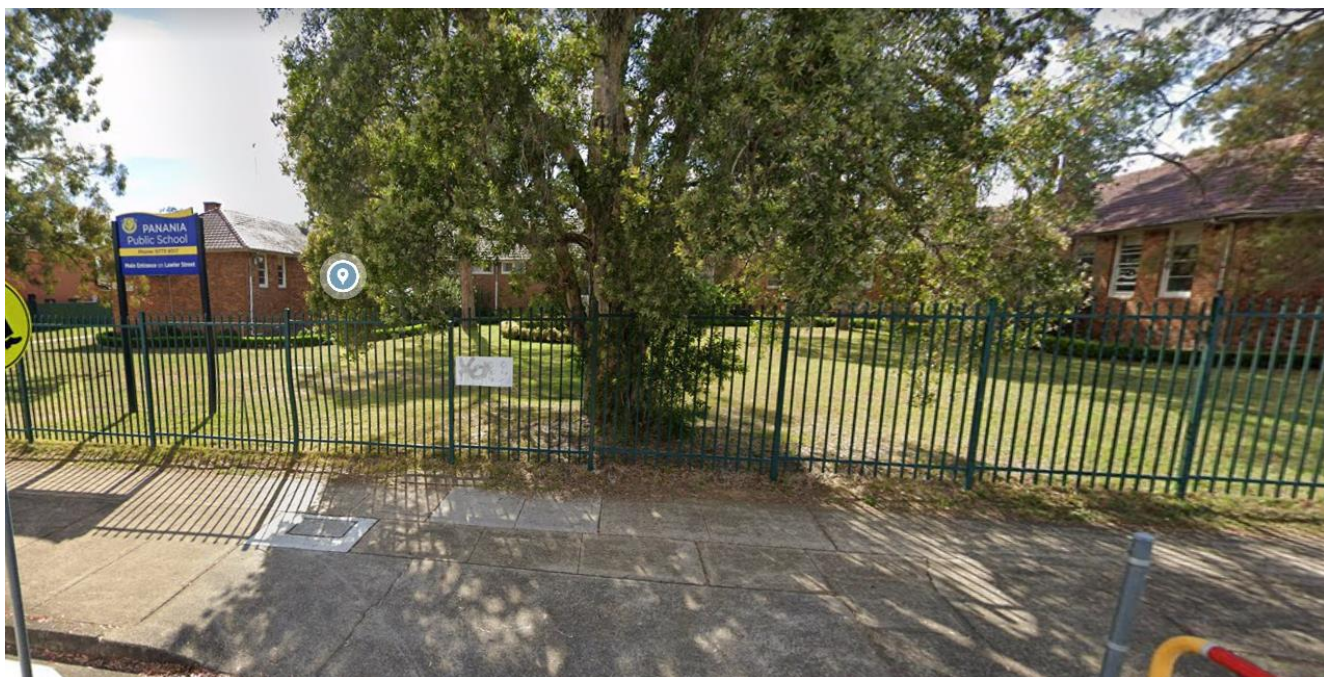


Figure 4: Panania public school opposite the site
Source: Google Maps, 2022



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 shop top housing to include in-fill affordable development at No.142 Lambeth Street, Panania.

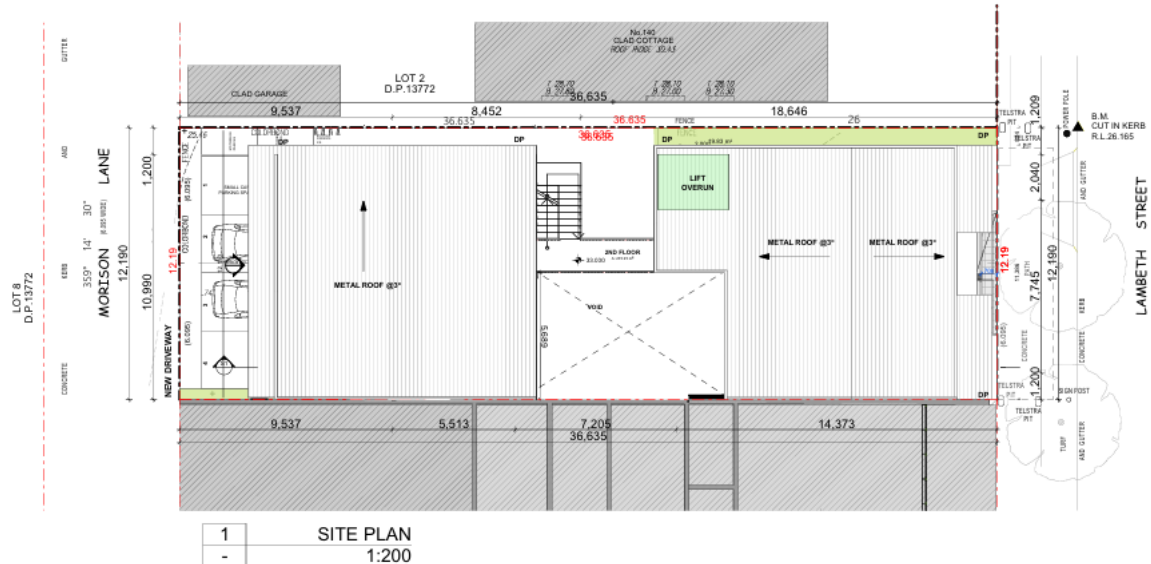


Figure 6: Site Plan

Development Proposal Ground Floor

- One (1) ground floor commercial unit fronting Lambeth Street with an area of 69.22m²;
- Pedestrian access on the southern side of the building;
- Unit 1 to the rear of the site with one (1) bedroom, living area, one (1) bathroom and terrace/balcony fronting Morrison Lane;
- Four (4) car spaces accessed from Morrison Lane;
- A plant room and garbage room;

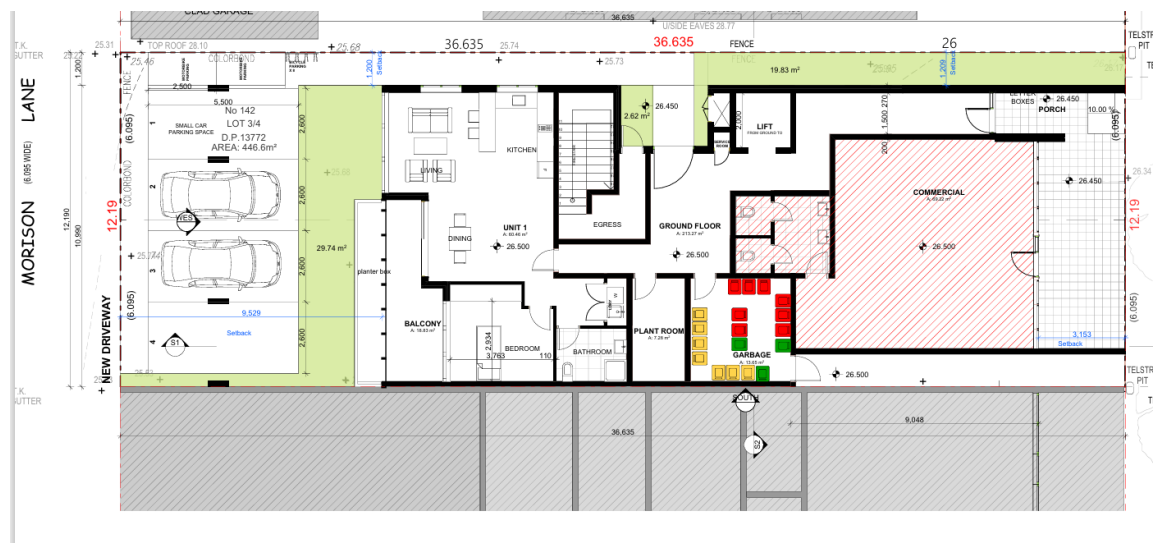


Figure 7: Ground Floor Plan

First Floor

- Four (4) x one (1) bedroom units (Units 2-5) with living area and one (1) bathroom and balconies fronting Lambeth Street or Morrison Lane;
- Stair and Lift access;
- Centralised open communal space;



Figure 8: First Floor Plan

Second Floor

- Four (4) x one (1) bedroom units (Units 6-9) with living area and one (1) bathroom and balconies fronting Lambeth Street or Morrison Lane;
- Stair and Lift access; and

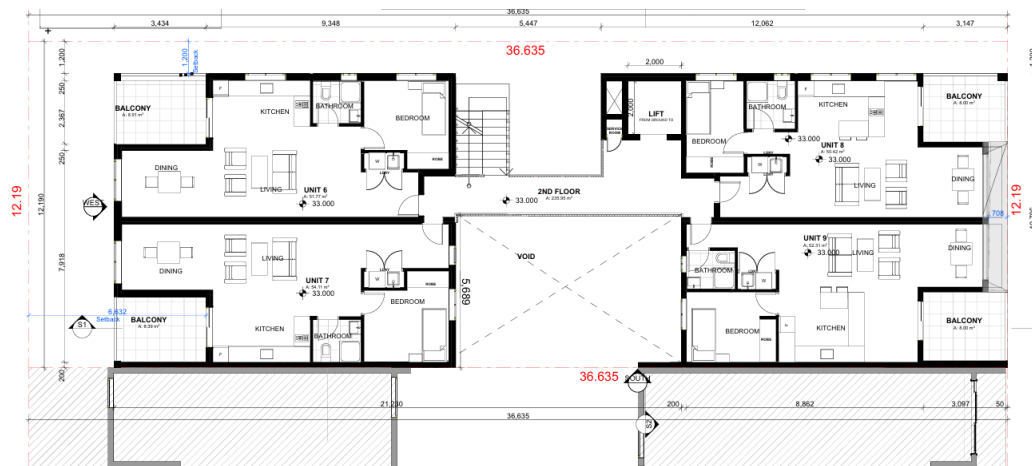


Figure 9: Second Floor Plan

Roof Level

- Flat roof form

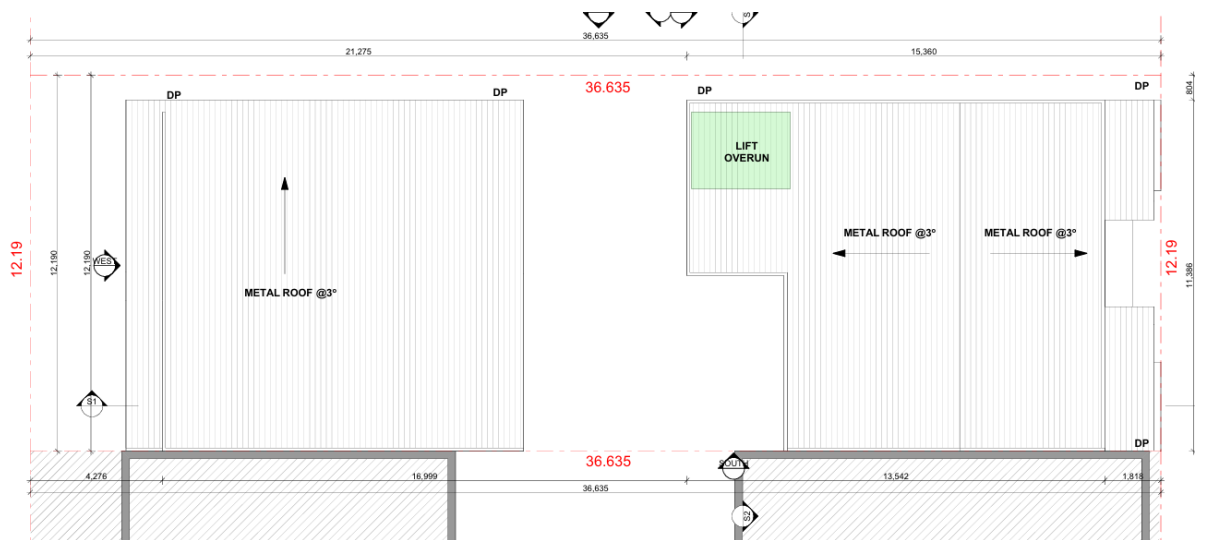


Figure 10: Roof Plan

Table 1: Building Configuration and Mix

Element	Proposed
Site Area	446.6m ²
Gross Floor Area	738.7m ²
Floor Space Ratio	1.65:1
Height	Proposed maximum 10.1m to the top of lift shaft (RL36.6)
Storeys	Three (3)
Levels	Three (3)
Front Setback	Nil - boundary
Side Setbacks	Nil – built to boundary 1.2m (northern boundary)
Rear Setback	3.398m minimum to rear facade
Car parking spaces	Four (4) ground floor spaces.



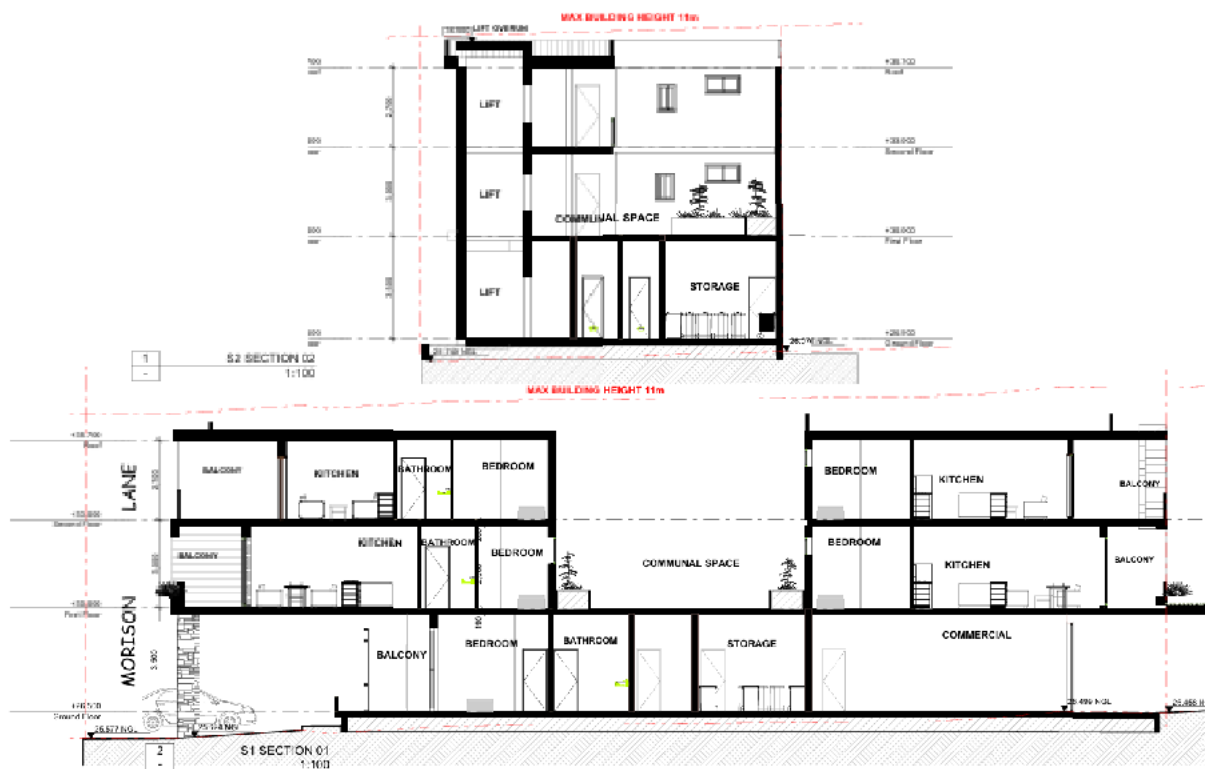


Figure 12: Section Plans

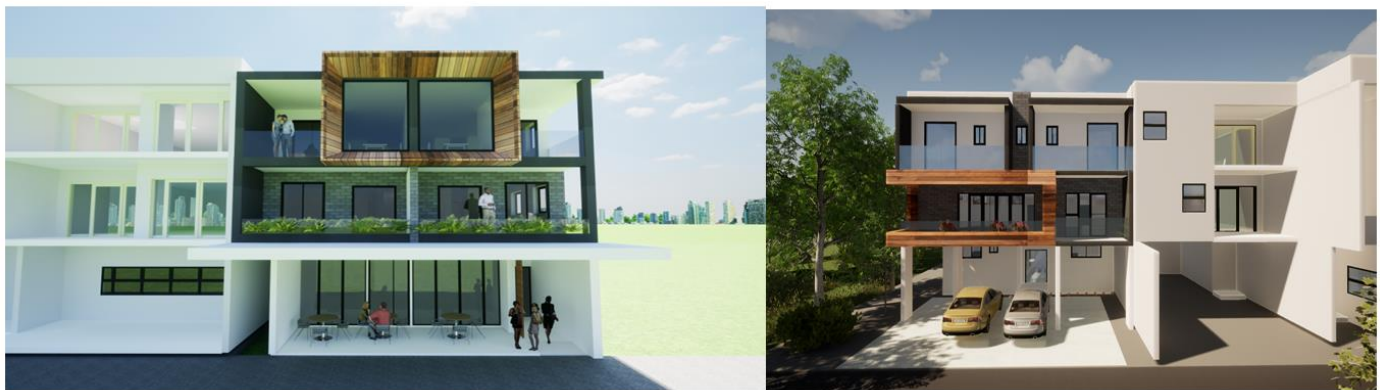


Figure 13: Streetscape Perspectives

Statutory Planning Framework

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>	Yes	The site is zoned B1 Neighbourhood centre and shop top housing and residential flat buildings are permissible.

	<p>Lake Macquarie, Maitland, Newcastle, Port Stephens.</p> <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>	Yes	<p>The Permissible FSR for the site is $1.5:1 + 0.5:1 = 2:1$.</p> <p>The zone permits residential flat buildings and shop top housing 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>The proposal dedicates five (5) of the residential units (55%) to affordable housing and will be retained for 10 years.</p>

	<p>(ii) if less than 50% of the gross floor area of the building will be used for affordable housing—$Z\%$ of the maximum permissible floor space ratio, where— AH is the percentage of the gross floor area of the building that is used for affordable housing. $Z = AH \div 2.5$</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— 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— 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— 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>	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>

	<p>for each dwelling containing 1 bedroom—at least 0.5 parking spaces, or</p> <p>for each dwelling containing 2 bedrooms—at least 1 parking space, or</p> <p>for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</p>		
	<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 Development</i> to residential development to which this Division applies.	N/A	
21 Must be used for affordable housing for at least 15 years	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— 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. 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. In this section— affordable housing component , 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).	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	

CHAPTER 4 DESIGN OF RESIDENTIAL APARTMENT
(replaces Apartment Design Guide assessment as of December 2023)

CLAUSE	PROVISIONS	ASSESSMENT	COMPLIANCE
<u>CHAPTER 4 DESIGN OF RESIDENTIAL APARTMENT</u> 142. Aims of Chapter	1) The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes— a) to ensure residential apartment development contributes to the sustainable development of New South Wales by— i) providing socially and environmentally sustainable housing, and ii) being a long-term asset to	The proposal is for shop top housing with infill affordable housing adjoining a recent shop top housing development to the south.	Yes

	<p>the neighbourhood, and</p> <p>iii) achieving the urban planning policies for local and regional areas,</p> <p>b) to achieve better built form and aesthetics of buildings, streetscapes, and public spaces,</p> <p>c) to maximise the amenity, safety, and security of the residents of residential apartment development and the community,</p> <p>d) to better satisfy the increasing demand for residential apartment development, considering—</p> <p>i) the changing social and demographic profile of the community, and</p> <p>ii) the needs of a wide range of people, including persons with disability, children and seniors,</p> <p>e) to contribute to the provision of a variety of dwelling types to meet population growth,</p> <p>f) to support housing affordability,</p> <p>g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,</p> <p>h) to facilitate the timely and efficient assessment of development applications to which this chapter applies.</p> <p>2) This chapter recognises that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.</p>		
143 Land to which Chapter applies	<p>This chapter applies to the whole of the State, other than land to which <i>State Environmental Planning Policy (Precincts—Regional) 2021</i>, Chapter 4 applies.</p>	Applicable to the development	Yes

144 Application of Chapter	<p>(1) In this policy, development to which this chapter applies is referred to as <i>residential apartment development</i>.</p> <p>2) This chapter applies to the following—</p> <ul style="list-style-type: none"> a) development for the purposes of residential flat buildings, b) development for the purposes of shop top housing, c) mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter. <p>(3) This chapter applies to development only if—</p> <ul style="list-style-type: none"> a) the development consists of— <ul style="list-style-type: none"> i) the erection of a new building, or ii) the substantial redevelopment or substantial refurbishment of an existing building, or iii) the conversion of an existing building, and b) the building is at least 3 storeys, not including underground car parking storeys, and c) the building contains at least 4 dwellings. <p>4) If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of</p>	<p>Shop top housing New development Ground floor parking to the rear</p>	Yes

	<p>the development for the purposes specified in subsection (2).</p> <p>5) This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the <i>Building Code of Australia</i>.</p> <p>6) To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 applies may also be residential apartment development under this chapter.</p> <p>7) In this section— underground car parking storey means a storey used for car parking that is— a) below ground level (existing), or b) less than 1.2m above ground level (existing).</p>		
<p>145- Referral to design review panel for development</p>	<p>1) This section applies to a development application for residential apartment development, other than State significant development.</p> <p>2) Before determining the development application, the consent authority must refer the application to the design review panel for the local government area in which the development will be carried out for advice on the quality of the design of the development.</p> <p>3) This section does not apply if— a) a design review panel has not been constituted for the local government area in which the development will be carried out, or b) a competitive design process has been held.</p> <p>In this section—</p>	Applicable	Yes

	<p><i>competitive design process</i> means a design competition held in accordance with the <i>Design Competition Guidelines</i> published by the Department in September 2023.</p>		
<p>146 Referral to design review panel for modification applications</p>	<p>1) This section applies to a modification application for residential apartment development, other than State significant development.</p> <p>2) If the statement by the qualified designer required to accompany the modification application under the <i>Environmental Planning and Assessment Regulation 2021</i>, section 102(1) does not verify that the qualified designer designed, or directed the design of, the original development, the consent authority must refer the modification application to the relevant design review panel for advice before determining the modification application.</p> <p>3) The consent authority may also refer a modification application for residential apartment development to the relevant design review panel for advice before determining the modification application.</p> <p>4) The design review panel must advise whether the modification—</p> <p>a) diminishes or detracts from the design quality of the original development, or</p>	N/A	N/A

	<p>b) compromises the design intent of the original development.</p> <p>5) Subsection (2) does not apply if—</p> <p>a) a design review panel has not been constituted for the local government area in which the development will be carried out, or</p> <p>b) a competitive design process has been held.</p> <p>In this section—</p> <p>competitive design process means a design competition held in accordance with the <i>Design Competition Guidelines</i> published by the Department in September 2023.</p> <p>relevant design review panel means the design review panel for the local government area in which the development will be carried out</p>		
<p>147 Determination of Development applications and modification applications for residential apartment development</p>	<p>1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</p> <p>a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>b) the Apartment Design Guide,</p> <p>c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</p>		

	<p>2) The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority.</p> <p>3) To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.</p> <p>4) Subsection (1)(c) does not apply to State significant development.</p>		
<p>148 non-disciplinary development standards for residential apartment development – the Act S4.15</p>	<p>1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</p> <p>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.</p> <p>2) The following are non-discretionary development standards—</p> <p>a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</p> <p>b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,</p>	<p>The proposal includes four (4) car parking spaces; Exceeds the required gross floor area for internal areas for one (1) bedroom units; and the ceiling heights a minimum of 2.7m high</p>	<p>Yes</p>

	c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.		
149 Apartment Design Guide prevails over development control plans	<p>1) A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—</p> <p>a) visual privacy, b) solar and daylight access, c) common circulation and spaces, d) apartment size and layout, e) ceiling heights, f) private open space and balconies, g) natural ventilation, h) storage.</p> <p>This section applies regardless of when the development control plan was made.</p>	Applicable	Yes
<u>SCHEDULE 9 DESIGN PRINCIPLES FOR RESIDENTIAL APARTMENT DEVELOPMENT</u>			
1. Context and neighbourhood character	<p>1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship, and the character they create when combined and also includes social, economic, health and environmental conditions.</p> <p>2) Responding to context involves identifying the desirable elements of an area's existing or future</p>	The proposed shop top housing development includes commercial space on the ground floor facing Lambeth Street and nine (9) residential units each facing a public road and achieving adequate solar access and cross ventilation. The proposal adjoins a shop top housing development and is built to boundary to appear as a continuous	Yes

	<p>character.</p> <p>3) Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape, and neighbourhood.</p> <p>4) Consideration of local context is important for all sites, including sites in the following areas—</p> <ul style="list-style-type: none"> a) established areas, b) areas undergoing change, c) areas identified for change 	<p>density within the B1 zone cluster within Lambeth Street. The proposed development activates both Lambeth Street and Morrison Lane and is an example of a development achieving change in a an area of transitioning density near Panania railway station. The proposal achieves the objectives of the zone and maintains the character of the B1 zoned cluster.</p>	
2. Built form and scale	<p>1) Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>2) Good design also achieves an appropriate built form for a site and the building's purpose in terms of the following—</p> <ul style="list-style-type: none"> a) building alignments and proportions, b) building type, c) building articulation, <p>the manipulation of building elements.</p> <p>3) Appropriate built form—</p> <ul style="list-style-type: none"> a) defines the public domain, and b) contributes to the character of streetscapes and parks, including their views and vistas, and c) provides internal amenity and outlook. 	<p>The subject site is narrow and 36m long. The proposal achieves a break in the density of the development on the ground floor by including a setback for car parking and a break on the first floor with a large communal outdoor space between units fronting the Lambeth Street and Morrison Lane. The proposal includes an articulated and recessed building along the northern façade and ensures every unit has a balcony and adequate cross ventilation.</p>	Yes
3. Density	<p>1) Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>2) Appropriate densities are consistent with the area's existing or projected population.</p>	<p>The proposal achieves a good level of internal amenity and activates both street frontages. The proposal has a compatible density to the sites area and context and consistent with the adjoining new shop top housing development of</p>	Yes

	<p>3) Appropriate densities are sustained by the following—</p> <p>a) existing or proposed infrastructure, b) public transport, c) access to jobs, community facilities, d) the environment.</p>	three storeys to the south (corner). The site is in close proximity to local shops, train station, bus services and opposite a local public school.	
4. Sustainability	<p>1) Good design combines positive environmental, social and economic outcomes.</p> <p>2) Good sustainable design includes—</p> <p>a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and b) passive thermal design for ventilation, heating and cooling, which reduces reliance on technology and operation costs.</p> <p>3) Good sustainable design also includes the following—</p> <p>a) recycling and reuse of materials and waste, b) use of sustainable materials, c) deep soil zones for groundwater recharge and vegetation.</p>	The proposal achieves the requirements of cross ventilation, sunlight and adequate liveable space and access.	Yes
5. Landscape	<p>1) Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity.</p> <p>2) A positive image and contextual fit of well-designed development is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>3) Good landscape design</p>	The sites context is dense but provides opportunity for planter boxes within the first-floor communal area.	Yes

	<p>enhances the development's environmental performance by retaining positive natural features that contribute to the following—</p> <ul style="list-style-type: none"> a) the local context, b) co-ordinating water and soil management, c) solar access, d) micro-climate, e) tree canopy, f) habitat values, g) preserving green networks. <p>4) Good landscape design optimises the following—</p> <ul style="list-style-type: none"> a) usability, b) privacy and opportunities for social interaction, c) equitable access, d) respect for neighbours' amenity. <p>5) Good landscape design provides for practical establishment and long term management.</p>		
6. Amenity	<p>1) Good design positively influences internal and external amenity for residents and neighbours.</p> <p>2) Good amenity contributes to positive living environments and resident well-being.</p> <p>3) Good amenity combines the following—</p> <ul style="list-style-type: none"> a) appropriate room dimensions and shapes, b) access to sunlight, c) natural ventilation, d) outlook, e) visual and acoustic privacy, storage, g) Indoor and outdoor space, h) efficient layouts and service areas, h) ease of access for all age groups and degrees of mobility. 	Each unit has adequate outlook to a public road, adequate internal living area and storage, one bedroom and one bathroom, ease of access and rectangle unit shapes. The proposal provides opportunity for heating and cooling for sustainability.	Yes

<p>7. Safety</p>	<p>1) Good design optimises safety and security within the development and the public domain.</p> <p>2) Good design provides for quality public and private spaces that are clearly defined and fit for the intended purpose.</p> <p>3) Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>4) A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>		
<p>8. Housing diversity and social interaction</p>	<p>1) Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>2) Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>3) Good design involves practical and flexible features, including— a) different types of communal spaces for a broad range of people, and b) opportunities for social interaction among residents.</p>	<p>Due to the narrow frontage of the site and lack of opportunity to consolidate with the adjoining property the units each face a street frontage and include one (1) bedroom each.</p>	<p>Yes</p>
<p>9. Aesthetics</p>	<p>1) Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.</p> <p>2) Good design uses a variety of materials, colours and</p>	<p>The proposal includes a modulated and articulated façade with use of render, glass and timber and planter boxes to create a modern and compatible finish with the adjoining</p>	<p>Yes</p>

	<p>textures.</p> <p>3) The visual appearance of well-designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	development to the south.	
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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

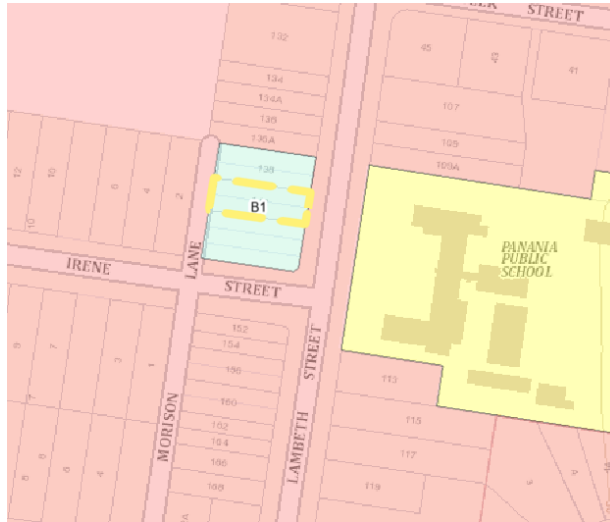


Figure 14: Zoning Map

Source: Canterbury-Bankstown LEP 2023

The proposal is for shop top 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 10.1m to the top of the ridge.

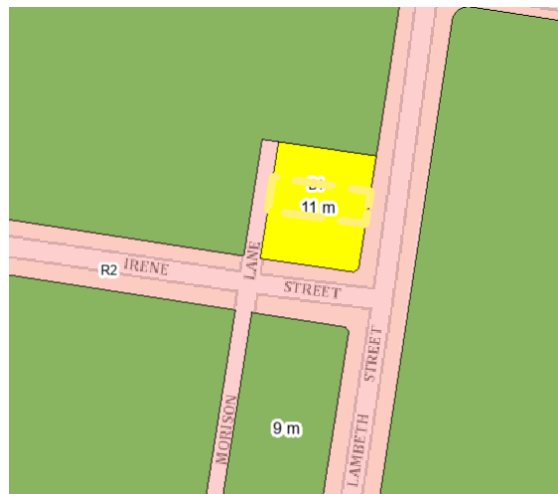


Figure 15: Height of Buildings Map

Source: Canterbury-Bankstown LEP 2023

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.

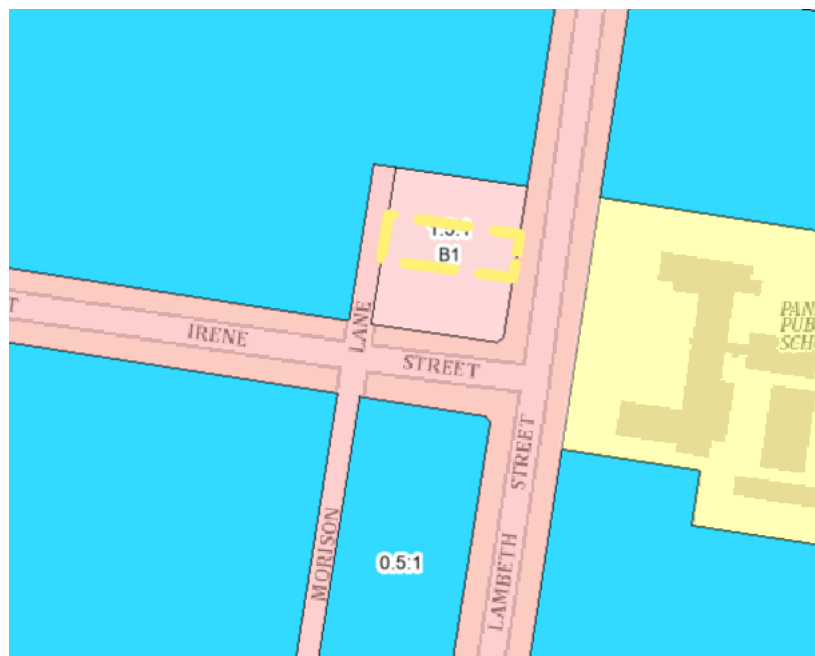


Figure 16: Floor Space Ratio Map

Source: Canterbury-Bankstown LEP 2023

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.	Storey limit (not including basements)	Yes – the proposal is for three storeys	Yes

	<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></table> <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 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)		
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													
	<p>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.</p>	<p>Yes – maintains built to boundary front setback with adjoining residential flat building</p>	<p>Yes</p>										
Side and rear setbacks													
	<p>3.3 Where development is adjacent to residential zoned land, Council may increase the minimum setbacks to the side and rear boundaries.</p>	<p>Adjoins B1 local centre zone to both sides and a rear lane. The adjoining low density property has been approached to sell for the purposes of amalgamation however the owner is not interested in selling. The northern side setback is a</p>	<p>Yes</p>										

		minimum of 1.2m.	
	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 on southern elevation.	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 sites area, width and context.

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 shop top housing development 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.