

SECTION 4.55(1A) MODIFICATION STATEMENT OF ENVIRONMENTAL EFFECTS TO BANKSTOWN- CANTERBURY CITY COUNCIL



Demolition of Existing structures and Torrens Title subdivision of existing allotments into 2 new allotments, construction of an attached dual occupancy with Torrens title subdivision on proposed Lot 1, and construction of a multi-dwelling housing development comprising 11 dwellings with strata title subdivision on proposed Lot 2

Application to modify a Development Consent DA-361/2019

AT 9-13 ELLIS STREET, CONDELL PARK, NSW 2200

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I. INTRODUCTION

This Statement of Environmental Effects accompanies a Section 4.55(1A) Application for the minor modification of the Development Consent DA 361/2019 – *Demolition of the existing structures, Torrens title subdivision of existing allotments into 2 new allotments, construction of an attached Dual Occupancy with Torrens title subdivision on proposed Lot 1, construction of a multi-dwelling housing development comprising of 11 dwellings with Strata title subdivision on Proposed Lot 2 at **No. 9-13 Ellis Street, Condell Park NSW 2200***

The statement will outline the reasons for the modifications and evaluate the proposed dwellings for compliance with the statutory controls of **Bankstown Local Environmental Plan 2015**, and the discretionary planning controls of **Bankstown Development Control Plan 2015** (March 2015 – Amended December 2016), in particular Part B1 Residential Development Section 7 – Multi Dwelling Housing in Zone R2.

This submission is provided to assist the council in the consideration and processing of this application by providing details of the proposed development and an assessment of the proposal's various design elements.

II. SITE AND CONTEXT

- The subject allotments are known as *No. 9, 11 & 13 Ellis Street, Condell Park NSW 2200*.
- The legal description of this property comprises of **Lot 10 Sec 3 DP 12103; Lot 11, Sec 3 DP 12103 and Lot 12 Section 3 DP 12103**.
- The subject property is a rectangular shaped block, providing for street frontage to Ellis Street. *Refer to Figure 1 – Site Location Map below*.
- The site is within **Zone R2 – Low Density Residential** under Bankstown LEP 2015
- The site comprises of 3 rectangular allotments (No 9, 11 & 13) and has a total area of **3984 m²** with street frontage of **47.55m** (Western boundary). The site has a northern and southern boundary of **83.82m**, and an eastern boundary of **31.7m**.
- The land falls slightly from rear (North East corner) to front (South West corner) – around 3.8m over 83.82m site length.
- **DA Approval**

Development Application No -	DA 361/2019
Date of Determination -	17 February 2020
Date of Lapsing -	17 February 2025



Figure 1 – Site Location Map



Figure 2 - Existing Front View

III. **PROPOSAL**

The DA approval has been granted for *the demolition of existing structures, subdivision of existing allotments into 2 new allotments with Torrens Title subdivision, construction of an attached double storey Dual Occupancy with Torrens Title subdivision on proposed Lot 1, and construction of a multi-dwelling housing development comprising 11 dwellings with Strata Title subdivision on proposed Lot 2.*

- **DA Approval**

Development Application No -	DA 361/2019
Date of Determination -	17 February 2020
Date of Lapsing -	17 February 2025

This Section 4.55(1A) involves

1. **Unit 2 and 3:** First Floor extension by 1.1m and minor internal changes to First Floor
2. **Unit 4 and 7:**
Unit 4 – Internal changes with extra ensuite
Unit 7 – Minor adjustments to rear external walls and minor roof change following wall changes. Floor Space Ratio being reduced.
3. **Unit 8 to 11:**
 - Rear alfresco being extended
 - Unit 8,9 & 10 – Minor internal changes.
4. The Torrens Title Duplex & Unit 1 remain the same as DA Approval
5. FSR increased by **3.3m²** (From 1623.5 m² to 1626.8 m²). New FSR is **0.46:1**

IV. **DESCRIPTION OF THE MODIFICATIONS & ITS IMPACTS**

1. Unit 2 and 3: *First Floor extension by 1.1m and minor internal changes to First Floor*

This Section 4.55(1A) Application is seeking to improve the amenity of Unit 2 & 3 by extending the rear of first floor by 1.1m, making the rear bedrooms more spacious and adding an extra ensuite.

The extension is minor as the total FSR of the Multi-Res development is **0.46:1**, still remaining way below the **0.5:1** FSR allowed. (*Total of **3.3m²** increased - Refer to Calculation plan submitted*). The new extension will not cause any overshadowing issue and Unit 2 & 3 will receive adequate solar access from 8AM to 4PM during 21 June. (*Refer to Shadow Diagrams submitted*)

2. Unit 4 and 7:

Unit 4 – Internal changes with extra ensuite

Unit 7 – Minor adjustments to rear external walls and minor roof change following wall changes. Floor Space Ratio being reduced.

Unit 4 – The change is only internal with an extra ensuite added and the living area being reduced slightly in size.

Unit 7 – The rear Southern Wall is proposed to be extended by **1m** with the rear Eastern wall being reduced by **0.48m**. This change ensures there is still enough 60m² for the Private Open Space and Unit 7 remains almost the same as DA Approval. (*FSR being reduced from 148.8m² to 148.3m²*)

The roof ridge in this area is slightly increased by **50mm** due to the changes in walls. It still remains at **5.84m**, below the maximum **6m** required.

3. Unit 8 to 11:

- Rear alfresco being extended

- Unit 8,9 & 10 – Minor internal changes.

This Section 4.55(1A) Application is seeking to improve the amenity of Unit 8,9,10 & 11 by extending the alfresco at the rear, making this outdoor area more spacious,

enough room for a table & chairs or for different outdoor activities. The 9m setback from the horse table to the habitable area still remains as required.

Allowed Floor Space Ratio

It is also worth to notice that the overall Floor Space Ratio (FSR) of the Modification Application (46%) is still below the maximum FSR allowed by Council (50%). This minor modification remains almost the same as the DA Approved Version and leaves generous room for Private Open Space of each Units, shared spaces or parking and it complies with all Council's requirements.

Therefore, the proposal meets the overall objective of the clause which is to maintain the acceptable amenity to adjoining developments and can be supported.

PLANNING CONTROLS & DESIGN COMPLIANCE

The following table provides a summary of the Section 4.55(1A) against the controls contained in Part B1- Residential Development of *Bankstown Development Control Plan 2015*, and *Bankstown Local Environmental Plan 2015* for Multi Dwelling Housing in Zone R2 (DCP Version March 2015 – Amended December 2016)

BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015			
STANDARD	PROPOSED	REQUIRED	BLEP 2015
<u>Clause 4.4</u> FSR	Multi-Dwelling Housing <i>Approved 0.46:1</i> <i>Proposed 0.46:1</i>	0.5:1	Yes
<u>Clause 4.3</u> Height of buildings (Multi-Res)	<ul style="list-style-type: none"> <i>Rear dwellings</i> – 6m max building height & 3m max wall height 	<ul style="list-style-type: none"> <i>Rear dwellings</i> – 6m max building height & 3m max wall height 	Yes

BANKSTOWN DEVELOPMENT CONTROL PLAN 2015			
<u>MULTI-DWELLING HOUSINGS (SECTION 7 DCP)</u>			
STANDARD	PROPOSED	REQUIRED	BDCP 2015
Setback Restrictions	<u>Unit 8 – 11</u> Setback 9m from boundary with No 7 Ellis St and 78 Simmat Ave	<u>Clause 7.5</u> 9m from an existing animal boarding or training establishment	Yes
Side & Rear Setbacks	<u>Unit 8 to 11</u> As per DA Approval	<u>Clause 7.8</u> As per DA Approval	Yes
Storey Limit	 Rear – (Unit 4 to 9) 1 storey with attic	<u>Clause 7.1</u> Front Dwelling – 2 Storeys Rear Dwelling – 1 Storey	Yes
Private Open Space	<i>Unit 7– 60.1 m²</i> Other Units – As per DA Approval	<u>Clause 7.10</u> Min. 60m² per dwelling with minimum width of 5m	Yes
	Minimum width – 5m POS behind front building line		Yes
Solar Access	Proposed & Adjoining 3 hours is achieved to at least 1 main living area of the proposal between 8am & 4pm, and 50% of the required Private Open Space between 9am & 5pm on 21 June 3 hours is achieved to at least 1 main living area of the adjoining properties between 8am & 4pm, and 50% of the required Private Open Space between 9am & 5pm on 21 June	<u>Clause 7.29</u> Access to sunlight At least 3 hours of solar access to at least 1 living area of proposal between 8am & 4pm and 50% of the required POS between 9am & 4pm on 21 June 3 hours is achieved to at least 1 main living area of the adjoining properties between 8am & 4pm, and 50% of the required Private Open Space between 9am & 5pm on 21 June	Yes

CONCLUSION

This proposed modification submitted to Council has been designed in accordance with Council's Development Control Plan 2015, Local Environmental Plan 2015 and the Building Code of Australia except for the non-compliance which has been clearly explained above.

The Modification will not generate any adverse amenity impacts of adjoining neighbors or the public domain. Therefore, by complying with all council's objectives and taking these matters into consideration, we hope that council considers this application adequately.

Regards,

EPW Designs