



STATEMENT OF ENVIRONMENTAL EFFECTS

31st February 2024

Section 4.55
Modification to
DA-409/2023

Demolition of existing on-site structure and
and construction of a
two storey childcare centre with basement
carparking

11 Lancelot St, Punchbowl

P.O. Box 103 Hurstville NSW 1481 | Phone: +61 2 8098 7886 | Fax: +61 2 9518 6228

Email: admin@muskdesign.net

Table of Contents

	Page
1. INTRODUCTION	3
2. PROPOSED MODIFICATION.....	4
3. PLANNING CONSIDERATIONS	5
3.1 Whether the proposed modification is of minimal environmental impact	
3.2 Whether the development to which the consent as modified relates is substantially the same development	
3.3 Notification of the application and consideration of any submissions	
3.4 Consideration of relevant matters under section 4.15(1)	

1. INTRODUCTION

This Statement of environmental effects statement is submitted to Canterbury-Bankstown Council in support of a section 4.55 application to modify development consent DA-409/2023 for 11 Lancelot Street, PUNCHBOWL

DA-409/2023 was approved by Canterbury-Bankstown Council on 21st December 2023 for Demolition of existing on-site structure and and construction of a two storey childcare centre with basement carparking

The site is zoned R3 - Medium density Residential under Canterbury-Bankstown Council LEP 2021 referred to as 11 Lancelot Street, PUNCHBOWL . The site is also known as Lot 15 DP 6976 and has a total area of 775.8 sqm.

This report considers the proposal against the requirements of section 4.55 of the Environmental Planning & Assessment Act, 1979, and relevant planning instruments and controls. The assessment also addresses the matters for consideration under Section 4.15(1) of the Environmental Planning & Assessment Act, 1979.

2. PROPOSED MODIFICATION

The proposal is to modify development consent DA-409/2023.

The proposal includes minor architectural changes

The modification seeks to modify the following Approval for the property:
11 Lancelot Street, PUNCHBOWL . Lot 15 DP 6976

1. Proposed modifications:

- Additional 3 children added into play rooms:
 - 1x to 2-3 years age group
 - 2x to 0-2 years age group
- Additional outdoor area of approximate 22m² added in order to accommodate for the additional 3 children added.
- Secondary fire stairs introduced.
- GF & FF RL's adjusted (refer to elevations and section) – additional 200mm added to ceiling height, whilst still mainlining maximum building height.

The proposed changes are reflected in the latest architectural.

3. PLANNING CONSIDERATIONS

Under section 4.55(1A) of the Environmental Planning & Assessment Act 1979 Development Consent DA-409/2023 is able to be modified, in accordance with the following requirements:

(1A) Modifications involving minimal environmental impact

- A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and (c) it has notified the application in accordance with:

- *(i) the regulations, if the regulations so require, or*
- *(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be. Subsections (1), (2) and (5) do not apply to such a modification.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The requirements of section 4.55(1A) are addressed below, together with an assessment of the proposal and its impacts against relevant considerations under section 4.15(1) of the Act.

3.1- Whether the proposed modification is of minimal environmental impact

- The proposed modifications relating to the development has minimal environmental impacts. All other works will remain consistent with the approved plans under DA-409/2023, and are subject to operational and management conditions under that consent. The proposal otherwise does not make any changes to the development.

3.2- Whether the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted.

- The proposal does not change the nature of the development for which consent was originally granted

3.3 Notification of the application and consideration of any submissions

- Under the requirements of Canterbury-Bankstown Council DCP 2023, the section 4.55(1A) modification does not require public notification in that the modification is minor, and will not impact on any adjoining property.

3.4 Consideration of relevant matters under section 4.15(1)

Section 4.15(1) of the Environmental Planning & Assessment Act sets out a number of considerations in the assessment of development applications, including relevant planning controls and the impacts of the development.

3.4.1 Building Height-

The proposal retains the same building height as the height approved for in DA-409/2023.

3.4.2 Car Parking -

The proposal does not make any change to the approved car parking numbers or location.

3.4.3 Compliance with Relevant planning controls.

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- * Canterbury-Bankstown Local Environmental Plan 2023.
- * Canterbury-Bankstown Development Control Plan 2023.

Does the proposal seek variation to the provisions contained within the following controls?

- Canterbury-Bankstown Local Environmental Plan 2023 **No**
- Canterbury-Bankstown Development Control Plan 2023 **No**
- Any other relevant Planning controls **No**

The proposal does not seek variations to the provisions contained within the Canterbury-Bankstown Local Environmental Plan 2023 controls, as the proposal generally complies with all constraints provided.

CONCLUSION:

We write this SEE in reference to the above development, which we aim to have **DA Approval** modified for 11 Lancelot Street, PUNCHBOWL. Our subject site meets all of the requirements for a Medium density Residential development in Canterbury-Bankstown DCP 2023.

The subject land is located within R3 pursuant to the provisions of Canterbury-Bankstown Local Environmental Plan 2023.

The proposal is permissible within the 'R3' zone as defined by Canterbury-Bankstown Local Environmental Plan 2023. No negative impact upon the character and quality of the Arncliffe residential area is considered to result.

Overall, the proposed works are compatible with appropriate developments within the area and should be considered to be removed from the approved DA consent. The proposed development promotes good urban design with satisfying council requirements.