



Application Pursuant to Clause 4.15 of
The Environmental Planning and Assessment
Act 1979

Statement of Environmental Effects in support of the
Construction of a proposed cabana at the rear

9 Winifred Street, Condell Park NSW 2200

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Project No:	24501
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1 EXECUTIVE SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) is to accompany the plans lodged as part of the development proposal to Canterbury-Bankstown Council for construction of a proposed cabana at the rear, at 9 Winifred Street, Condell Park.

The statement addresses the relevant elements of Section 4.15 of the Environmental Planning and Assessment Act 1979, together with relevant State Environmental Planning Policies and Regional Environmental Plans, The Regulations and local plans and policies.

1.2 LEGISLATIVE REQUIREMENTS

The site is located in the Canterbury-Bankstown Local Government Area (LGA) within the R2 Low Density Residential Zone. The following state and local legislative controls are relevant to the proposal:

- State Environmental Planning Policy – Sustainable Buildings 2022
- State Environmental Planning Policy Resilience and Hazards 2021
- State Environmental Planning Policy –Transport and Infrastructure 2021
- Canterbury - Bankstown Local Environmental Plan 2023

1.3 NON-LEGISLATIVE REQUIREMENTS

The following non-legislative control is applicable to the development:

- Canterbury - Bankstown Development Control Plan 2023

1.4 CONCLUSION

It is our professional opinion that the proposal is consistent with the relevant controls, their underlying objectives, together with the plans and policies at both local and state levels. The proposal offers a high-quality, flexible, contemporary, residential outcome. The proposal will provide for and contribute to the character of the outbuildings in this residential precinct.

We recommend the proposal for your approval, subject to standard conditions of consent.

2 SITE SUMMARY

2.1 SITE ATTRIBUTES

Address of Site:	9 Winifred Street, Condell Park
Local Government:	Canterbury-Bankstown City Council
Local Environmental Plan:	Canterbury-Bankstown L.E.P. 2023
Development Control Plan:	Canterbury-Bankstown D.C.P. 2023
Zone:	R2- Low – Density Residential
Brief Description / Purpose of Proposal:	Proposed cabana at the rear

2.2 SITE DESCRIPTION

The site is legally known as Lot 95, DP12747 and is commonly referred to as 9 Winifred Street, Condell Park. The subject site is rectangular in shape with a frontage of 15.24m and an average site depth of 48.770m. These measurements equate to an overall site area of 743.3m². The topography generally has a crossfall slope to the rear.

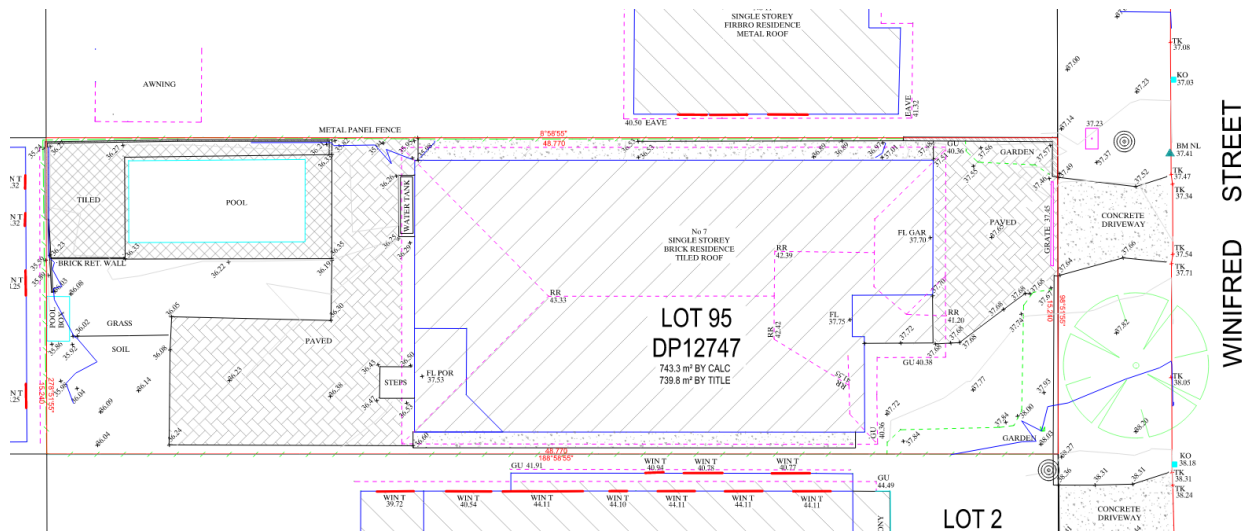


Figure 1: Site Survey

Source: Masry Survey Group

The subject allotment is currently occupied by single storey dwelling. The pedestrian and vehicle accesses are via Winifred Street.



Figure 2: Street View of No. 9 Winifred Street, Condell Park



Figure 3: Rear Yard View of No. 9 Winifred Street, Condell Park



Figure 4: Aerial View

Source: Metro Map

2.2.1 Site Surrounds

Reviewing the surrounds, the locality is characterized by low residential density dwellings with associated landscaping and parking. The sites are all of similar allotments sizes and contain either a single or two storey dwelling houses and dual occupancies with ancillary developments (outbuildings) at the rear.

3 RELEVANT SITE HISTORY

The subject allotment has been subject to the following works and applications:

- CD-159/2024 – Swimming Pool (Approved 31/01/2024)

4 PROPOSED WORKS

The applicant seeks approval for the proposed works which entail the following:

- Construction of a proposed cabana at the rear.

5 HEADS OF CONSIDERATION AND EVALUATION

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

5.1.1 State Environmental Planning Policy - Sustainable Buildings 2022

A BASIX certificate has been provided indicating the proposal achieves the appropriate energy targets. No further assessment is required.

5.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

CHAPTER 4 REMEDIATION OF LAND

The State Environmental Planning Policy requires consideration as to whether land is contaminated. A review of Council records and an inspection of site attributes indicates that the site has been utilised for residential dwelling and zoned R2 Low Density Residential for residential purposes for a significant period.

In this regard, the works will not result in risks being posed in terms of contamination of land and thus no further consideration is required under the provisions of the SEPP. A review of the site indicates there is no evidence contamination on site or within the wider locality. The area is well established, and the land is suitable for the continuation of the land use. No further assessment with regards to contamination is required.

5.1.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

The relevant elements of the policy are outlined within the table below:

CHAPTER 2 INFRASTRUCTURE	
2.48 Determination of development applications—other development	
(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following:	
(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,	No ground penetration is proposed.
(b) development carried out:	
(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or	Not applicable
(ii) immediately adjacent to an electricity substation, or	Not Applicable
(iii) within 5m of an exposed overhead electricity power line,	Not Applicable
(c) installation of a swimming pool any part of which is:	Not Applicable
(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or	
(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,	
(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is	Not Applicable

<p>in force between the electricity supply authority and the council for the land concerned.</p> <p>(3) Subsection (2) does not apply to development specified in subsection (1)(b) if the development involves only one or more of the following:</p> <p>(a) internal alternations to a building,</p> <p>(b) a change of use of an existing building,</p> <p>(c) a change to the hours of operation specified in the development consent,</p> <p>(d) a subdivision that does not involve construction work.</p>	<p>The works are for a new outbuilding. The proposal must be assessed against the Policy.</p>
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5.1.4 Canterbury - Bankstown Local Environmental Plan 2023

PART 1 - PRELIMINARY

The proposal is subject to the provisions of Canterbury - Bankstown Local Environmental Plan 2023. The proposals response to the relevant objectives of the Plan are as follows:

Clause 1.2 Aims of the Plan

The particular aims of this Plan are as follows:

Aim

To provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown.

Comment

The development is compatible with the future surrounding context as the neighbouring developments have the potential to develop outbuilding with similar roof form and height.

Aim

To achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety.

Comment

The proposal is consistent with the building form, streetscape, architectural roof features and urban character.

PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT

The Canterbury-Bankstown L.E.P.2023 identifies the land use as a:

- ***Dwelling House*** means a building containing only one dwelling.

The L.E.P lists the land use as:

- ***Dwelling Houses*** are permissible with development consent within the R2 Low Density Residential Zone

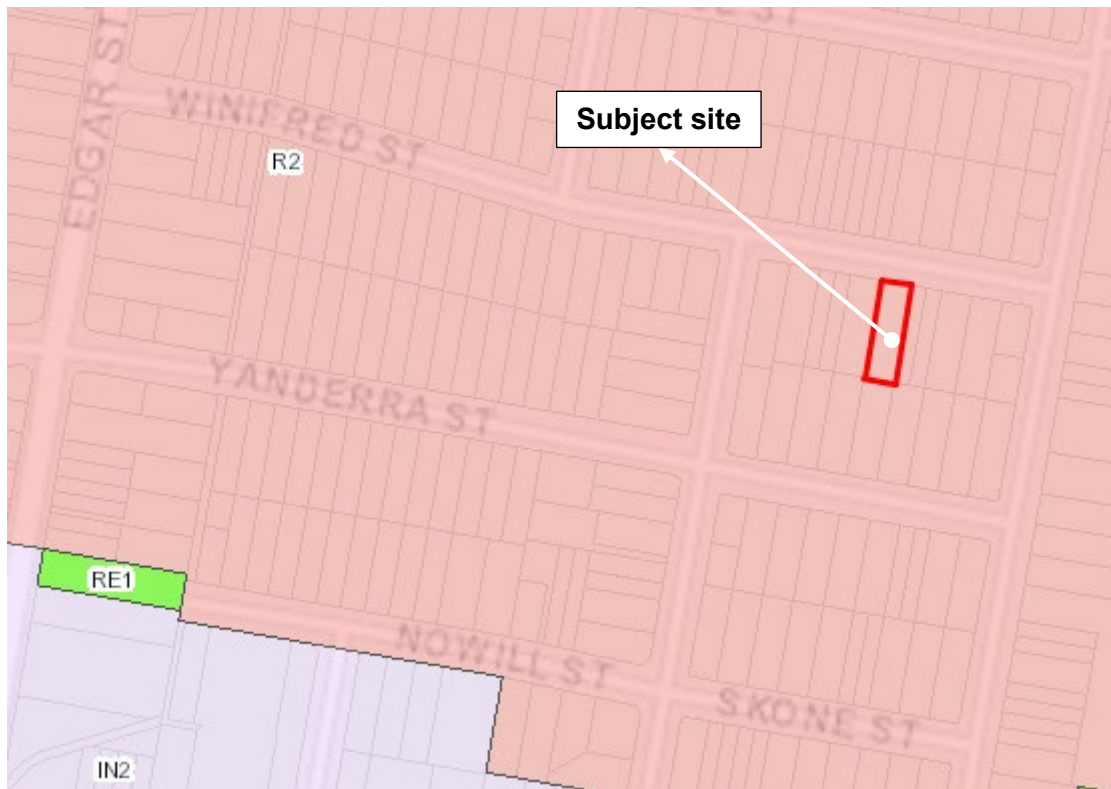


Figure 6: Zone Map

Source: Canterbury-Bankstown L.E.P. 2023

Relevant Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.

Comment

The construction of the proposed outbuilding (cabana) is ancillary to the existing dwelling house which is permissible in the R2 Low Density Residential Zone.

- To ensure suitable landscaping in the low-density residential environment.

Comment

The proposal is consistent with landscaping in this zone.

- To promote a high standard of urban design and local amenity.

Comment

The proposal will achieve high quality urban form and is compatible with the surrounding built form context.

PART 4 – PRINCIPAL DEVELOPMENT STANDARDS (LEP)

PART 4 - BUILT FORM CONTROLS (CBLEP 2023)				
Control	Required	Provided	Comment	Complies
Minimum Site Area	450m ²	743.3m ²	Complies	YES
Building Height	N/A	N/A	N/A	N/A
Wall Height	N/A	N/A	N/A	N/A
Floor Space Ratio	N/A	N/A	N/A	N/A

PART 5 MISCELLANEOUS PROVISIONS

There are no miscellaneous provisions relevant to the subject proposal.

PART 6 – ADDITIONAL LOCAL PROVISIONS

There are no additional local provisions relevant to the subject proposal.

5.2 Proposed (Draft) Environmental Planning Instruments

There are no Draft Environmental Planning Instruments being formulated at strategic level or on exhibition at the time of preparing this report. Therefore, there are no draft controls relating to the proposal.

No further investigation is required in this regard.

5.3 Development Control Plans

5.3.1 Canterbury-Bankstown Development Control Plan 2023

The following table shows the proposals response to the relevant numerical standards:

Chapter 5 Residential Accommodation, 5.1 Former Bankstown LGA:				
SECTION 12 – ANCILLARY DEVELOPMENT (OUTBUILDINGS)				
Control	Required	Proposed	Comment	Complies
Site Cover	Max. 60m ²	60m	Complies	YES
Side Setbacks	Min. 0.9m	0.95m	Complies	YES
Rear Setback	Min. 0.9m	2.280m	Complies	YES
Storeys	Single storey	Single storey	Complies	YES
Building Height (Outbuilding)	Max. 4.5m	4.145m	Complies	YES
Landscape (Forward area)	Min. 45%	No changes proposed.	Existing landscape area forward of the building line to remain.	YES
Private Open Space	Min. 80m ² (5m x 5m)	130m ²	The pool is included within the 80sqm of private open space. As per the definition of private open space within the CBLEP2023, the proposed pool is to be used a private outdoor structure which is ancillary to the use of the existing dwelling house and proposed cabana.	YES

6 ADDITIONAL CONSIDERATIONS

Visual Privacy

A review of the plans indicates that the habitable room windows on the side boundaries are successful in providing appropriate offsets to adjoining windows on adjoining developments.

Acoustic Privacy

The proposal does not include a change of use or intensification of the existing permissible use being a dwelling. Any resultant noise from the site as a result of the proposal will be commensurate with that of the existing dwelling and a residential use. No further investigation is required in this regard.

Bulk and Scale

The proposed outbuilding is one storey in nature and is comparable to the bulk and scale of the surrounding built form context. The building envelope is determined by compliance with controls such as setback, landscaped area and height.

6.1 PLANNING AGREEMENTS

There are currently no Draft Planning Agreements or Planning Agreements applicable to the development. No further investigation is required in this regard.

6.2 THE REGULATIONS

6.2.1 Clause 36 and 91

Were Council to require additional information, consideration must be given to the number of days taken in this assessment in light of this clause within the Regulation. No additional information has been requested at the time of writing of the statement.

6.2.2 Clause 62

The consent authority is to consider the upgrading of a building (including fire safety upgrade of development). This matter may be addressed via a condition of consent.

6.2.3 Clause 69

The consent authority is to consider AS 2601 – 1991: The Demolition of Structures. This matter may be addressed via a condition of consent.

6.3 SITE SUITABILITY

6.3.1 Environmental

The assessment of the proposal has shown that any environmental impacts resulting from the works will be negligible. Regard is shown for the natural environment in terms of on-site management of stormwater and drainage, with appropriate measures incorporated into the overall design that operate in concert with the extensive areas of landscaping provided by the site layout.

The built environment will be enhanced by the upgraded site allowing for the more economical use of the available resource, without impacting or dominating the area in terms of built form. The proposal satisfies the requirements of both the natural and built environments.

6.3.2 Social

The proposal adds to housing diversity, allowing for a more diverse accommodation typology within the appropriate R2 Low Density Residential Zone. This allows a more diverse population cross section to “settle and stay” within the Canterbury-Bankstown LGA. The increased choice of housing in this area provided by the proposal increases the longevity of the site whilst allowing residents an upgraded modern alternative.

The dwelling will continue to utilise local services available to the occupants of dwellings in terms of housing. The proposal adds to the available housing stock within the area and provides opportunities for more varied dwelling choice. The proposal will allow the occupants to “age in place” and remain in occupation. The proposal is consistent with the social requirements in these regards.

6.3.3 Economic

The provision of appropriately serviced housing opportunities within this appropriately zoned locality, contributes to the easing of housing affordability pressure on potential homeowners whilst showing regard for the requirements of this R2 Zone.

Maintaining resident numbers in this appropriate zone will add to the economic stability of the area by allowing for residents to live in a locality that is economically vibrant. The site is in close proximity to local services and within reasonable distance to local business and upgraded infrastructure. All of these entities will benefit from the employment and economic input provided by the future residents.

6.4 SUBMISSIONS

There are no submissions relating to the proposal from the community or the consent authorities at this stage of the proposal process. No further investigation is required in this regard.

6.5 THE PUBLIC INTEREST

The public interest is serviced by the accommodating of an upgraded dwelling in a manner that adds to housing stock and site longevity. The dwelling remains consistent with other dwellings in the street and remains consistent with the streetscape character and built form as existing. The proposal is clearly within the public interest.

7 CONCLUSIONS AND RECOMMENDATIONS

The project, located within suburban Condell Park, offers a high-quality, flexible, contemporary, residential outcome which provides for and contributes to the housing diversity in this residential precinct comprised of a varied and eclectic mix of types of dwellings.

The proposal has demonstrated consistency with the underlying objectives of the controls and general compliance with the numerical standards contained within both State and Local policies and plans. The proposal shows regard for Section 4.15 of the Act, shows regard for all heads of consideration including site suitability, economic, social and environmental impacts and the public interest.