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PLANNING**

Statement of Environmental Effects

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Statement of Environmental Effects

PROPOSED ATTACHED DUAL OCCUPANCY and POOLS

At

11 Lee Street Condell Park

Prepared for Canterbury-Bankstown City Council

September 2024

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1. INTRODUCTION

This Statement of Environmental Effects has been prepared in conjunction with a development application for PROPOSED ATTACHED DUAL OCCUPANCY and Pools. The application 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.

The purpose of this document is to provide context for the subject site and its surrounding local environment, offer details of the proposed development, and assess the proposal's compliance against the Canterbury-Bankstown Local Environmental Plan 2023 and Bankstown Development Control Plan 2023 and amendments, pursuant to the evaluation criteria outlined in Section 4.15 of the EPA Act, 1979.

The proposed development statement will demonstrate that the proposed development is permissible with council's consent on land zoned R2 - Low Density Residential under Canterbury-Bankstown Local Environmental Plan 2023 and Bankstown Development Control Plan 2023 and amendments controls. The proposal shall demonstrate consistency with the aims and objectives of the relevant environmental planning instruments, LEPs, DCPs, Environmental & Social considerations in accordance with Section 4.15 (1) (b), Suitability in accordance with Section 4.15 (1) (c), Public interest in accordance with Section 4.15 (1) (e).

SITE ANALYSIS

2.1 Location and environs

The project site of 11 Lee Street Condell Park (45/-/DP9034) is located within an urban development block, limited by the following streets (see Figure 1 below):

- Dalton Ave to the North
- Simmat Ave to the East
- Mitchell St to the West
- Townsend St to the South

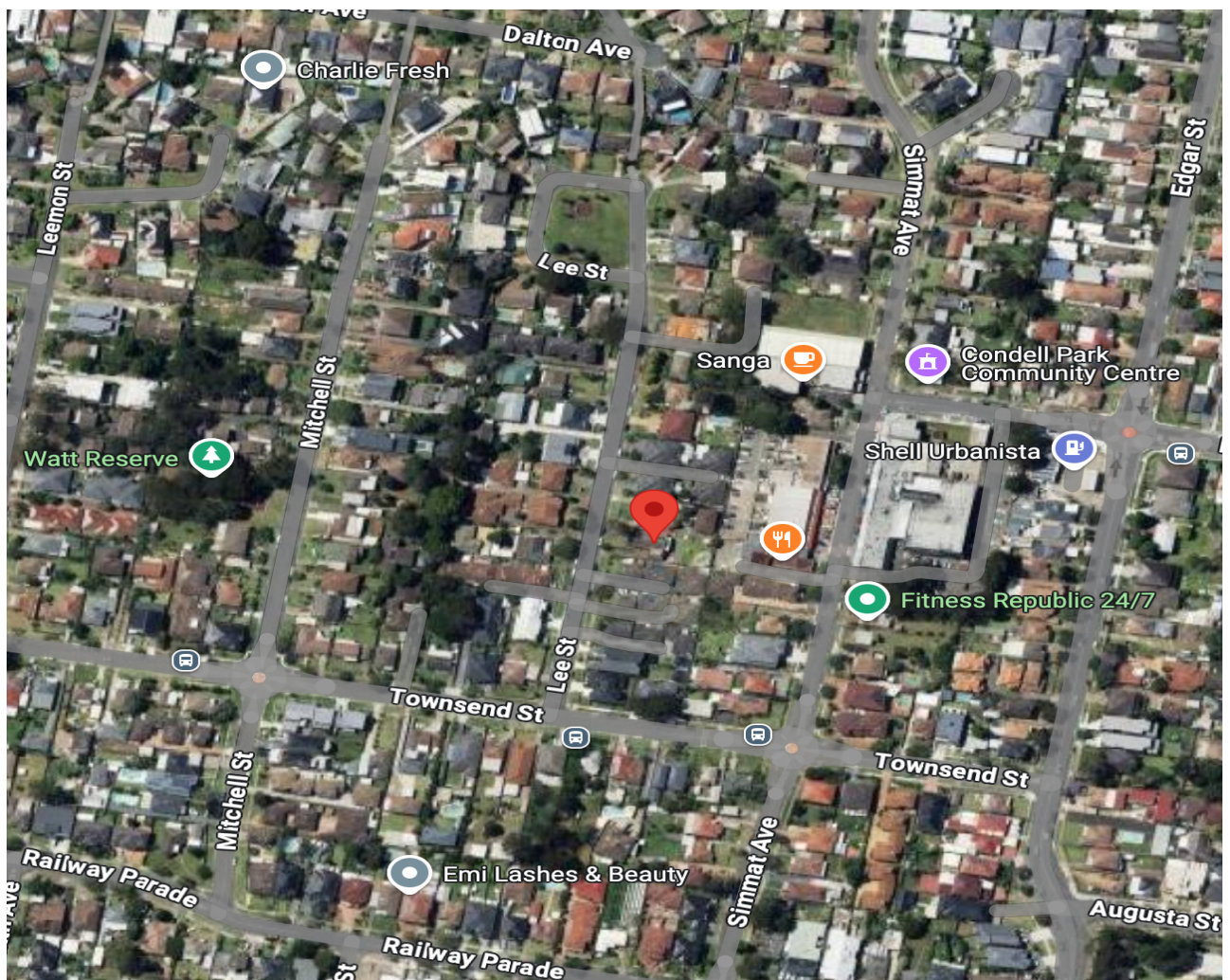


Figure 1: Site Location (Google Map)

The site is conveniently located in the heart of a residential area, within walking distance to major public transport. It is also located within the proximity containing a mixture of commercial, retail, educational and community uses.

2.2 Characteristics of the subject site (see Figure 2 below)

The site address is **11 Lee Street Condell Park 2200** with Lot number is 45 while the DP is 9034 of Canterbury-Bankstown City Council Area

:

11 Lee Street Condell Park 2200 is rectangular in shape with a frontage of 15.15m. The total site area is 891.6m².

The main and only street providing access to the site is Lee Street of which are traffic two-way roads (see Figure 1 above).

2. DEVELOPMENT PROPOSAL

The application seeks for PROPOSED ATTACHED DUAL OCCUPANCY and Pools

3. PRESENT AND PREVIOUS USES

- Previously the site approved as dwelling house
- Development application to seek for PROPOSED ATTACHED DUAL OCCUPANCY and pools

4. Privacy, Views, Overshadowing and Sunlight

Privacy, views, overshadowing, and sunlight have been adequately considered in accordance with the guidance of the council's LEP and DCP:

- Shadow diagrams accompany this application and demonstrate the shadows cast at the mid-winter solstice and equinoxes at 9 am, noon, and 3 pm.
- All living areas receive adequate sunlight, achieving a minimum of 3 hours between 9 am and 3 pm on the mid-winter solstice.
- The height of the proposed buildings is below the allowable height of 9 m.
- Windows have a minimum sill height of 1.5 m above floor level.
- Windows do not open and have obscure glazing to a minimum height of 1.5 m above floor level.
- Privacy screens are used for the balconies.
- Windows face the street, providing views around the duplex.

Refer to Architectural Plans

5. DESIGN CRITERIA

The Design has taken into consideration all development Principles, Instruments and Regulations related to the project type and area, the existing streetscape, including heights, scale, construction materials, architectural design elements, site morphology, internal and external functions, pedestrians and vehicular circulations, mutual impact with the adjoining properties. Architecture set Issue D, Job No: 240407A3, Dated 28/01/2025 by J.AAnzini
Drafting And Building Services Pty LTD

6. Documentation

The Statement of Environmental Effects constitutes part of the documentation of the development application, which comprises a full set of Architectural Plans. These documents are to be read in conjunction with this SEE.

8. Compliance Table

8.1 Canterbury-Bankstown Local Environmental Plan 2023

8.1.1 Canterbury-Bankstown Local Environmental Plan 2023 Zoning

The site is R2 - Low Density Residential as described by the Canterbury-Bankstown LEP Land Zoning Map. The proposal achieves the objectives of this zone and is permissible with consent.

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To promote a high standard of urban design and local amenity.

2 Permitted without consent Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited Any development not specified in item 2 or 3

Comment: Development application seeks for dual occupancies which is permitted with consent

8.1.2 Height

The permissible height for such proposals under 4.3 of the LEP is 9m.

Comment: The proposed development is 8.46m which is less the permissible height of 9m

8.1.3 Floor Space Ratio

Allowable -50%

Proposed – 49.996% refer to architectural plans

Comment: The proposed dual occupancies is under the allowable floor space ratio

8.1.4 Heritage

Comment: N/A- It is not within the heritage site.

8.1.5 Flooding

Comment: The proposed dual occupancies is not within the flooding zone.

8.1.6 Conclusion:

The subject development complied with Zoning, height, floor space ratio, heritage, and flooding requirements.

8.2 Bankstown Development Control Plan 2023 and amendments

Section 2- Dwelling House

Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Subdivision	4.1 For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m ² per dwelling.	No secondary dwelling proposed	N/A
Storey limit (not including basements)	Storey limit (not including basements) 4.2 The storey limit for dwelling houses is two storeys. 4.3 The siting of dual occupancies, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The proposed dual occupancies with pools are no more than two storey with basement The siting of proposed dual occupancies, and landscape works is compatible with the existing slope and contours of the site and any adjoining sites. No development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation Refer to architectural plans	Complies
Fill	4.4 Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch. 4.5 Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	Ground level within the ground floor perimeter should not exceed a height of 1m above the ground floor (existing) Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	Builder to note
Setback restrictions	4.6 The erection of dual occupancies is prohibited within 9m of an existing animal boarding or training establishment.	The proposed dual occupancies with pools is prohibited within 9m of an existing animal boarding or training establishment. Refer to architectural plans	N/A

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Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
<p>Street Setbacks</p>	<p>4.7 The minimum setback for a building wall to the primary street frontage is: (a) 5.5m for the first storey (i.e. the ground floor); and (b) 6.5m for the second storey. 4.8 The minimum setback to the secondary street frontage is: (a) 3m for a building wall; and (b) 5.5m for a garage or carport that is attached to the building wall.</p>	<p>The proposed primary street frontage setback for ground floor is 9m which is more than the required 5.5m</p> <p>The proposed primary street frontage setback for first floor is more than the required 6.5m</p> <p>Refer to architectural plans</p>	<p>Complies</p>

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Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Side setbacks	<p>4.9 The minimum setback for a building wall to the side boundary of the site is 0.9m. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.</p> <p>4.10 The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like. The intended outcome is to provide a clear path at all times for residents and visitors to access the rear yard and/or carry out maintenance works.</p> <p>4.11 The basement level must not project beyond the ground floor perimeter of the dual occupancy. For the purposes of this clause, the ground floor perimeter includes the front porch.</p>	<p>The side setbacks for the dual occupancies is 0.9m</p> <p>The minimum setback between a dual occupancy and the side boundary is be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like. The intended outcome is to provide a clear path at all times for residents and visitors to access the rear yard and/or carry out maintenance works.</p> <p>No basement level project beyond the ground floor perimeter of the dual occupancy</p> <p>Refer to architectural plans</p>	Complies
Private open space	<p>4.12 Dual occupancies must provide a minimum 80m2 of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5m throughout.</p>	<p>More than 80m2 of Private Open Space provided per dwelling behind front building line.</p> <p>Refer to architectural plans</p>	Complies
Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Access to sunlight	<p>4.13 At least one living area of each dwelling must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.</p> <p>4.14 At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.</p> <p>4.15 A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.</p> <p>4.16 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p>	<p>At least one living area of each dwelling receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Skylights proposed</p> <p>At least one living area of a dwelling on an adjoining site receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice.</p> <p>A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox.</p> <p>Development avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.</p> <p>Refer to architectural plans</p>	Complies

Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Visual privacy	<p>4.17 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <ul style="list-style-type: none"> (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5m above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or (d) use another form of screening to the satisfaction of Council. <p>4.18 Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <ul style="list-style-type: none"> (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5m above floor level; or (c) the window has translucent glazing to a minimum height of 1.5m above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling. <p>4.19 Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:</p> <ul style="list-style-type: none"> (a) does not have an external staircase; and (b) does not exceed a width of 1.5m throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building. <p>4.20 Council does not allow dual occupancies to have rooftop balconies and the like.</p> <p>4.21 Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.</p> <p>4.22 The design of dual occupancies must ensure:</p> <ul style="list-style-type: none"> (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or (b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and (e) the two dwellings on a corner site each face a different frontage. 	Refer to architectural plans	Complies

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Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Building design	<p>4.23 The maximum roof pitch for dual occupancies is 35 degrees.</p> <p>4.24 Council may allow dual occupancies to have an attic provided the attic design:</p> <ul style="list-style-type: none"> (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey. <p>4.25 The design of dormers must:</p> <ul style="list-style-type: none"> (a) be compatible with the form and pitch of the roof; and (b) must not project above the ridgeline of the main roof; and (c) must not exceed a width of 2m; and (d) the number of dormers must not dominate the roof plane. <p>4.26 Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).</p>	<p>Less than 35 degrees roof pitch proposed.</p> <p>No attic proposed</p> <p>No dormers proposed</p> <p>Development is not within the foreshore protection area</p>	Complies
Building design (car parking)	<p>4.27 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <ul style="list-style-type: none"> (a) comply with the road pattern shown in Appendix 2; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3. <p>4.28 Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:</p> <ul style="list-style-type: none"> (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages. <p>4.29 Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.</p> <p>4.30 Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:</p> <ul style="list-style-type: none"> (a) the building is at least two storeys in height, and (b) the garage is architecturally integrated with the upper storey by: <ul style="list-style-type: none"> (i) ensuring the garage does not project more than 3m forward of the upper storey street facade; and (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. 	<p>Development is not land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall</p> <p>Car parking spaces behind the front building line with at least one covered car parking space for weather protection</p> <p>One car parking space per dwelling located forward of the front building line provided:</p> <ul style="list-style-type: none"> (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages. 	

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Bankstown Development Control Plan 2023 and amendments Part B1- Residential Development SECTION 4–DUAL OCCUPANCIES	REQUIRED	PROPOSED	COMPLIANCE
Landscape	<p>4.31 Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.</p> <p>4.32 Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species):</p> <p>(a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and</p> <p>(b) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and</p> <p>(c) plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and</p> <p>(d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12m adjacent to the waterbody.</p>	<p>Development retain and protect any significant trees on the site and adjoining sites.</p> <p>Development landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species)</p> <p>A minimum 45% of the area between the dual occupancy and the primary street frontage; and</p> <p>The required is 68.265m² and the proposed is 68.8m²</p> <p>A minimum 45% of the area between the dual occupancy and the secondary street frontage; and</p> <p>plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); and</p>	<p>Complies Builder to note</p>

Natural Hazards

The Site is not affected by any know hazards. Checked on the NSW Government Planning Portal and Canterbury-Bankstown Local Environmental Plan 2023.

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 constriction.

Flora and Fauna

The proposal does not harm any protected habitat, nor is the site identified as an environmental conservation area. Checked on the NSW Government Planning Portal and Canterbury-Bankstown Local Environmental Plan 2023

Waste Collection

Normal domestic and commercial waste collection applies to this development

9 Conclusion

The development is considered to adequately address the objectives of the all plans and policies that apply – SEPPs, LEPs, DCPs.

Impacts of your proposal on the natural and built environment has been addressed by complying environmental control factors integrated with Council's LEP, DCP regulations.

The development bulk and scale complies with the zoning objectives and surrounding street scape area locality. There are NO adverse impacts to the adjoining premises and environment.

The proposed development allows for healthy living of its occupants with all required amenities provided in the proposed development.

The proposed development enhances the streetscape of Lee Street and adjoining streets, also maintains the amenities of the surrounding dwellings. Therefore, the proposal is worthy of approval as it is considered to be a viable and compliant development which essentially be supported by the consent authority in the broader public interest in accordance with Sec 4.15 of the EPA Act, 1979.

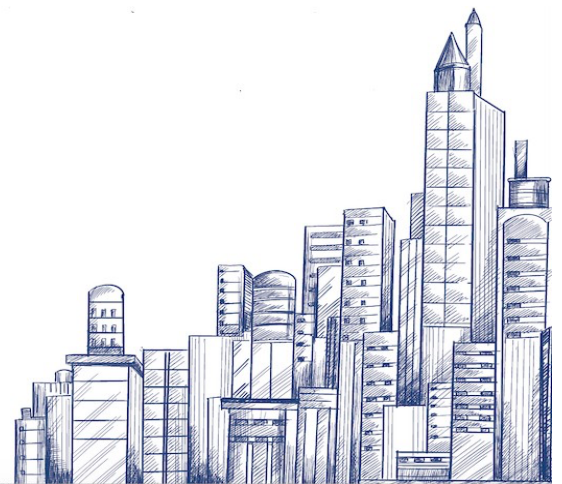
Sincerely,

Peter Lai PIA(Assoc.)

PIA Member No. 18762



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Disclaimer: CML Planning has not undertaken a site visit for the purposes of this report. This report is provided exclusively for the purposes described in this report. No liability is extended for any other use or to any other party. The report is based on conditions prevailing at the time of the report and information provided by the client. The report is only for which the land to which the report relates and only for the day it is issued. This report should be read in conjunction with submitted documents and plans relevant to the Development Application. This report has been prepared to assist the assessor in issuing a DA for the proposed development. The report provides helpful guidance in relation to compliance with the Council's LEP & DCP. It is the responsibility of the assessor to verify the proposal against the council's LEP and DCP including the Architectural Designs prior to the issuing of any DA.

10 The Project

