

STATEMENT OF ENVIRONMENTAL EFFECTS

For

Proposed Staircase, landing access & Privacy screening

At

16 Mitchell St Condell Park NSW 2200



February, 2025

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1. Introduction

This report has been prepared by Pagano Architects Pty limited to accompany a Development Application to The City of Canterbury Bankstown Council for the construction of a rear staircase, landing access and privacy screening. The application relates to the site at DP368772 16 Mitchell Street Condell Park.

The site is situated in R2 – Low Density Residential Zone and accordingly is permitted with consent.

It is considered that the proposal is compatible with the existing and future character of the immediate locality and will provide a high quality of residential amenity for its occupants. The proposed works is minimal and there is no change to the front façade.

2. Existing Conditions

The subject site is located on Mitchell Street and is in a low density residential zone. The site is orientated with the frontage facing east and is regular in shape. The site has a front & rear dimension of 15.09m and a north & south boundary of 63.350m. The total site area is approximately 910.68m²

The site has a fall from front to rear of approximately 3.2m and a diagonal fall of approximately 1.5m. The immediate locality is well established with surrounding dwellings predominantly brick veneer of the 1960s and 70s era.

The subject site has available all required utility services including water, sewer, electricity, Gas and telecommunications.

2.1 Location plan

The following plan indicates the location of the subject site.

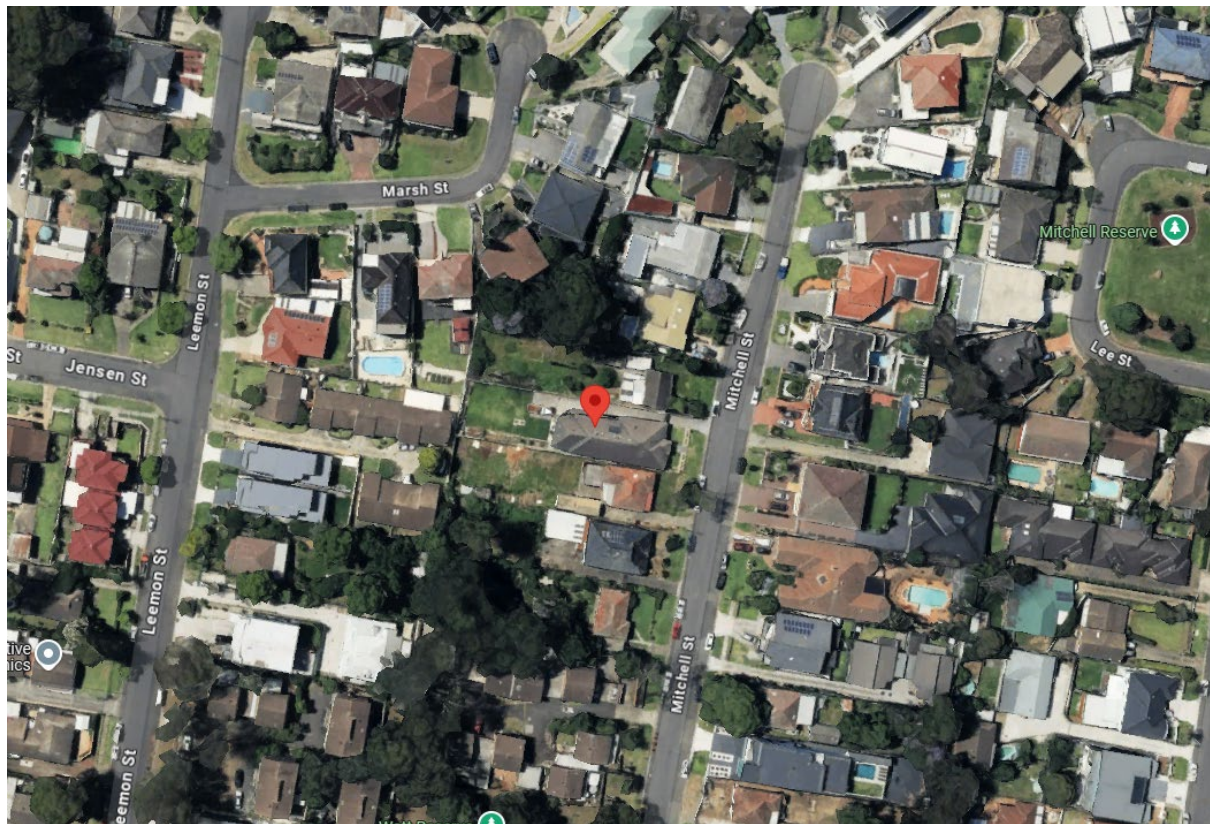


Figure 1
Location Map
Source Google Maps



3. Proposed Development

The development consists of the construction of a rear staircase, landing access & privacy screening. The proposed staircase will be built over the existing sewer. A pier and bridge system will be constructed over the sewer in accordance with engineering requirements and Sydney Waters approval. The proposed access staircase is required to provide access to the rear yard without having to trek back through the house and down through the garage and laundry. It also is an additional means of escape in the event of a fire or other emergency situation. Privacy screens have been included to alleviate any potential overlooking given the elevated nature of the landing. It is considered that at all efforts have been made to minimise any adverse impacts on adjoining properties as further detailed in the statement and the proposed works are suitable for approval.

4. Relevant Planning Controls

4.1 Bankstown Local Environmental Plan 2015

The subject site is located in an R2 Low Density Residential Zone.

The Objectives of the zone are:

- 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 development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.
- To allow for the development of low density housing that has regard to local amenity.
- To require landscape as a key characteristic in the low density residential environment.

Dwelling houses are permitted with consent.

4.1 Principal development standards (Part 4)

The principal development standards identified in the Bankstown Local Environmental Plan 2015 have been address as follows:

Clause	Standard	Proposed development	Complies
4.1	Minimum subdivision lot size	No subdivision proposed therefore this clause is not applicable	N/A
4.2	Rural Subdivision	Not applicable as the land is in R2 Zone and no subdivision proposed	N/A
4.3	Height of buildings (1) The objectives of this clause are as follows: (a) ensure height of development is compatible with the character, amenity and landform of the area in which the development will be located, (b) maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of two storeys in Zone R2 Low Density Residential, (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. (2B) Despite subclause (2), the following restrictions apply to development on land in Zone R2 Low Density Residential: (b) for a dwelling house or a dual occupancy—the maximum wall height is 7 metres, (2C) In this clause, wall height means the vertical distance between ground level (existing) and the underside of the eaves at the wall line or the top of the parapet or the flat roof (whichever is the highest). Maximum Height of buildings permissible 9m	The height of building is existing and is approximately 8.4m	✓

4.4	<p>Floor Space Ratio</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) establish bulk and maximum density of development consistent with the capacity and character of the locality of a development site,</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>Permissible FSR 0.5:1</p>	No internal floor space added therefore not applicable	N/A
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The proposed development is in accord with the Principal Development Standards of Bankstown LEP 2015.

4.4 Bankstown Development Control Plan 2023

Part A of Bankstown Development Control Plan 2015 refers to specific Precinct Controls for Centres, Corridors and Key In-Fill Development Sites. The controls of this part are not applicable to the subject site.

Part B1 of Bankstown Development Control Plan 2023 supplements the LEP by providing additional objectives and development controls. The following Table summarizes the subject development's compliance with Bankstown Development Control Plan 2023 with regard to Section 2- Dwelling Houses.

The character of the proposed works is consistent with the prevailing suburban low density residential character and there is no change to the front façade.

The proposed works is minimal and achieves good urban design in terms of building form, bulk architectural treatment and visual amenity.

SECTION 2 – Dwelling Houses

Control	Provided	Comply
Subdivision	No subdivision proposed	NA
Storey limit (not including basements)		
2.1 The storey limit for dwelling houses is 2 storeys.	The dwelling is two storeys and is existing	✓
2.2 The siting of dwelling houses and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation not allowed	The siting of the proposed works is consistent with the existing dwelling and surroundings dwellings and is compatible with the existing contours and ground conditions.	✓
2.3 Any reconstituted ground level on the site within the ground floor perimeter of dwelling houses 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.	No Modified ground levels	NA
2.4 Any reconstituted ground level on the site outside of the ground floor perimeter of dwelling houses 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.	No Modified ground levels	NA

<p>Setback restrictions</p> <p>2.5 The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.</p>	<p>Clause 2.6 is not applicable</p>	<p>N/A</p>
<p>Setbacks to the primary and secondary road frontages</p> <p>2.6 The minimum setback for a building wall to the primary road frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.</p> <p>2.7 The minimum setback to the secondary road frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.</p>	<p>The front setback is existing and is 5.5m, therefore not applicable as no changes proposed.</p> <p>The site does not have a secondary frontage.</p>	<p>NA</p> <p>N/A</p>
<p>Setbacks to the side boundary</p> <p>2.8 For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the allotment is 0.9 metre.</p> <p>2.9 For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.</p> <p>2.10 The basement level must not project beyond the ground floor perimeter of the dwelling house.</p>	<p>The building is existing, and no changes have been proposed for wall heights, therefore not applicable.</p> <p>The building is existing, and no changes have been proposed for wall heights, therefore not applicable.</p> <p>No Basement proposed</p>	<p>NA</p> <p>NA</p> <p>N/A</p>
<p>Private open space</p> <p>2.11 Dwelling houses must provide a minimum 80m² of private open space behind the front building line. This may be in the form of a single area, or a sum of areas provided the minimum width of each area is 5 metres throughout.</p>	<p>The proposed works is minor and does not impact on the existing private open space</p>	<p>N/A</p>

<p>Access to sunlight</p> <p>2.12 At least one living area must receive a minimum 3 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>2.13 At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 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>2.14 A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.</p> <p>2.15 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.</p>	<p>Dwelling is existing & proposed works do not affect solar access</p>	<p>N/A</p>
<p>Visual privacy</p> <p>2.16 Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <p>(a) offset the windows between dwellings to minimise overlooking; or</p> <p>(b) provide the window with a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) use another form of screening to the satisfaction of Council.</p>	<p>N/A All windows are existing and have not been altered</p> <p>Screening is proposed at the landing level</p>	<p>N/A</p> <p>✓</p>

<p>2.17 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> <p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5 metres above floor level: or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level: or</p> <p>(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> <p>2.18 Council may allow dwelling houses 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> <p>(a) does not have an external staircase; and</p> <p>(b) does not exceed a width of 1.5 metres throughout; and</p> <p>(c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p> <p>2.19 Council does not allow dwelling houses to have roof-top balconies and the like.</p>	<p>N/A All windows are existing and have not been altered</p> <p>The proposed external stair and access landing is not considered to be a balcony and is accessed via the existing formal dining area which is not being used as a Living area.</p> <p>The proposed external staircase is required to provide ease of access to the rear yard which is otherwise only available via the garage & laundry. The current configuration does not offer a high standard of amenity and is not considered desirable.</p> <p>The landing area is well screened to alleviate any visual privacy concerns</p> <p>No roof top balconies proposed</p>	<p>N/A</p> <p>✓</p> <p>N/A</p>
<p>Building design</p> <p>2.20 The maximum roof pitch for dwelling houses is 35 degrees.</p> <p>2.21 Council may allow dwelling houses to have an attic provided the attic design:</p> <p>(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</p> <p>(b) ensures the attic does not give the external appearance of a storey.</p> <p>2.22 The design of dormers must:</p> <p>(a) be compatible with the form and pitch of the roof; and</p> <p>(b) must not project above the ridgeline of the main roof; and</p> <p>(c) must not exceed a width of 2 metres; and</p>	<p>The roof pitch is existing and is 25°. No changes to the roof have been proposed therefore not applicable</p> <p>No Attic provided</p> <p>No Attic provided</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

<p>(d) the number of dormers must not dominate the roof plane.</p>		
<p>2.23 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>The site is not in a foreshore protection area</p>	<p>N/A</p>
<p>Building design (car parking)</p> <p>2.24 Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:</p> <p>(a) comply with the road pattern shown in Appendix 2; and</p> <p>(b) ensure vehicle access from Balmoral Crescent to land at Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.</p> <p>2.25 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 to locate forward of the front building line provided:</p> <p>(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</p> <p>(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.</p> <p>2.26 Despite clause 2.26, Council may allow an existing dwelling house (approved prior to 21 October 1997) to erect a carport forward of the front building line solely where:</p> <p>(a) two car parking spaces behind the front building line is not possible due to the side boundary setbacks being less than 3 metres; and</p> <p>(b) the carport achieves a high-quality design with a pitched roof that complements the dwelling house; and</p> <p>(c) the carport is setback a minimum 1 metre from the primary and secondary frontages.</p> <p>2.27 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</p>	<p>Clause 2.25 Refers to development in a specific location.</p> <p>Parking is existing and not impacted from the proposed works, therefore not applicable.</p> <p>Parking is existing and not impacted from the proposed works, therefore not applicable</p> <p>All garages are existing and not impacted</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

<p>dominate the street facade.</p> <p>2.28 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> <p>(a) the building is at least 2 storeys in height, and</p> <p>(b) the garage is architecturally integrated with the upper storey by: (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and</p> <p>(ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof. This clause prevails where there is a numerical inconsistency with another clause in Part B1 of this DCP.</p>	<p>No proposed garages N/A</p>	<p>N/A</p>
<p>Landscaping</p> <p>2.29 Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.</p> <p>2.30 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):</p> <p>(a) a minimum 45% of the area between the dwelling house and the primary road frontage; and</p> <p>(b) a minimum 45% of the area between the dwelling house and the secondary road frontage; and</p> <p>(c) plant at least one 75 litre tree between the dwelling house and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); 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 12 metres adjacent to the waterbody.</p>	<p>The proposed work is minor does not impact any existing landscaping</p> <p>The proposed work is minor and does not impact any existing landscaping</p>	<p>✓</p> <p>✓</p>

5. Section 4.15 Evaluation Environmental Planning and Assessment Act 1979 Considerations

The following provides an evaluation of the proposed development in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) *the provisions of:*

(i) *any environmental planning instrument,*

The proposed works are permitted with the consent of Council. The proposal meets the objectives and relevant development standards of Bankstown Local Environmental Plan and approval is supported as discussed in detail within this report.

(ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved),*

No Draft instrument on exhibition

(iii) *any development control plan,*

The proposal accords with the relevant sections of Bankstown Development Control Plan 2023, as detailed within this report.

(iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4,*

No planning agreements have been entered into.

(iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

There are no prescribed matters that affect the permissibility of the proposal.

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

It is considered that the design has specifically responded to the constraints and natural attributes of the site and will result in an improved outcome. Overall, as detailed in this Statement of Environmental Effects, there are no unreasonable impacts created by this proposal.

The proposed development will provide a quality residential development which is consistent with State and local Government objectives for low density developments. The development makes good use of land by renewing the aged asset. It is considered that the proposed development will have a positive social and economic impact.

(c) the suitability of the site for the development,

The land is appropriately zoned to permit the works. The development meets the long-term objectives of the residential zone and the objectives of Bankstown Local Environmental Plan.

(d) any submissions made in accordance with this Act or the regulations,

Not Relevant.

(e) the public interest.

The public interest would be served by approval of this application, as the works are minor, and it will provide for a high-quality residential development within an established residential area.

It is considered that the proposed development is conducive to Council's policies and does not result in any unreasonable impacts.

6. Conclusion

The proposed development comprising the construction of a rear staircase and landing with privacy screening is consistent with the existing and desired future character of the immediate locality and provides a quality residential development within its context. The density and height of the proposed development is appropriate for the site and the development does not exceed Council's controls and guidelines for the subject site.

The proposed works offers a high standard of amenity for its occupants whilst maintaining the amenity of other residents in the locality. It is considered that all reasonable measures have been taken in the design to mitigate any adverse environmental effects and therefore the proposal is worthy of approval.