

STATEMENT OF ENVIRONMENTAL EFFECTS



5/252A Lakemba Street, Lakemba NSW

Alterations to existing residential flat building

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1.0 INTRODUCTION

1.1 Purpose

This Statement of Environmental Effects has been prepared to accompany a development application for alterations to existing residential flat building at 5/252A Lakemba Street, Lakemba.

It has been prepared in accordance with Schedule 1(2)(1)(c) of Environmental Planning and Assessment Regulation 2000 ('EPA Reg. 2000') for the purposes of indicating, as required, the following:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- (d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause.

1.2 Summary of Compliance

Performance against Council's numerical controls is summarised below:

Summary Planning Data				
Site Area	Zone	FSR	Height	Heritage
784.9m ²	R4 High Density Residential	0.9:1	11.5m	N/A

Summary Numerical Compliance Table				
Planning Document	Clause	Control	Proposed	Comp
CBLEP 2023	Zone	Zone R4 High Density Residential	Residential flat building (no change)	Y
			Home office ancillary to dwelling in residential flat building	Y
CBLEP 2023	Height of buildings	11.5m	No change	N/A
CBLEP 2023	Floor space ratio	0.90:1	No change	N/A
CBLEP 2023	Exceptions to development standards	Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention	No variation is sought.	N/A
CBDPC 2023	Parking rates	Should not exceed 2 spaces	1 space	N/A
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As can be seen above, the proposal would generally comply with the principal planning controls relevant to the development.

1.3 Material Relied Upon

This Statement of Environmental Effects is based upon the following material:

- Architectural plans prepared by Ahmed Jadid;
- Strata Plan 45984;

- Applicable planning legislation.

2.0 THE SITE

2.1 Site Location

The site is located at 252A Lakemba Street, Lakemba, NSW in the Canterbury-Bankstown Local Government Area approximately the following distances from:

- Lakemba Public School: 300m
- Wiley Park Train Station: 340m
- Lakemba Train Station: 480m
- Wiley Park Girls High School: 520m
- Parry Park: 650m
- Wiley Park: 780m
- Punchbowl Train Station: 1.4km
- Belmore Train Station: 1.6km

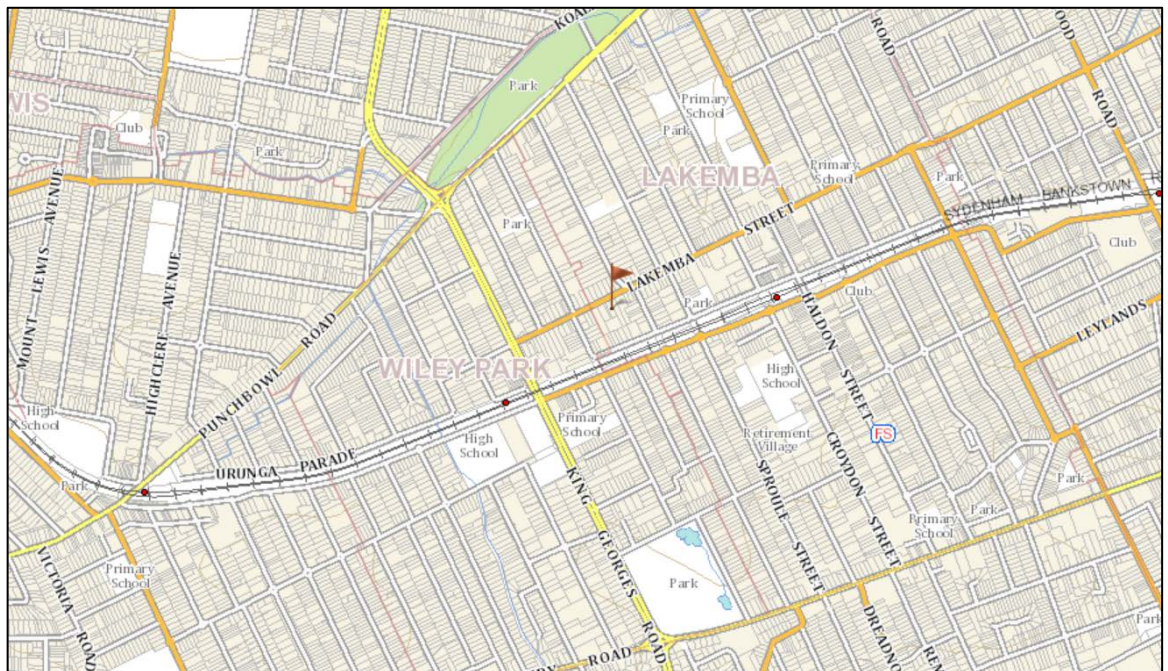


Figure 1: Site Location (SIX Maps).

2.2 Site Surrounds

The site is located on the southern side of Lakemba Street.



Figure 2: General locality surrounding the site (SIX Maps).



Figure 3: View of the frontage of the site with caretaker store shown in red (Google Maps).



Figure 4: Lakemba Street looking north-east (Google Maps).



Figure 5: Lakemba Street looking south-east.

2.3 The Site

The site is located at 252A Lakemba Street, Lakemba. It has a gradual fall towards the street. It is characterised by:

- An existing residential flat building comprising of 6 x 3 bedroom dwellings;
- A caretakers store in the south-east corner of the site which forms part of Lot 5.

General Site Data					
Street Address	Lot No.	Section	Strata Plan	Dimensions	Total Site Area (by title)
252A Lakemba Street, Lakemba	-	-	45984	North: 15.425m East: 50.885m West: 50.885m South: 15.425m	784.9m ²
TOTAL					784.9m²



Figure 6: Aerial photo of the site (SIX Maps).

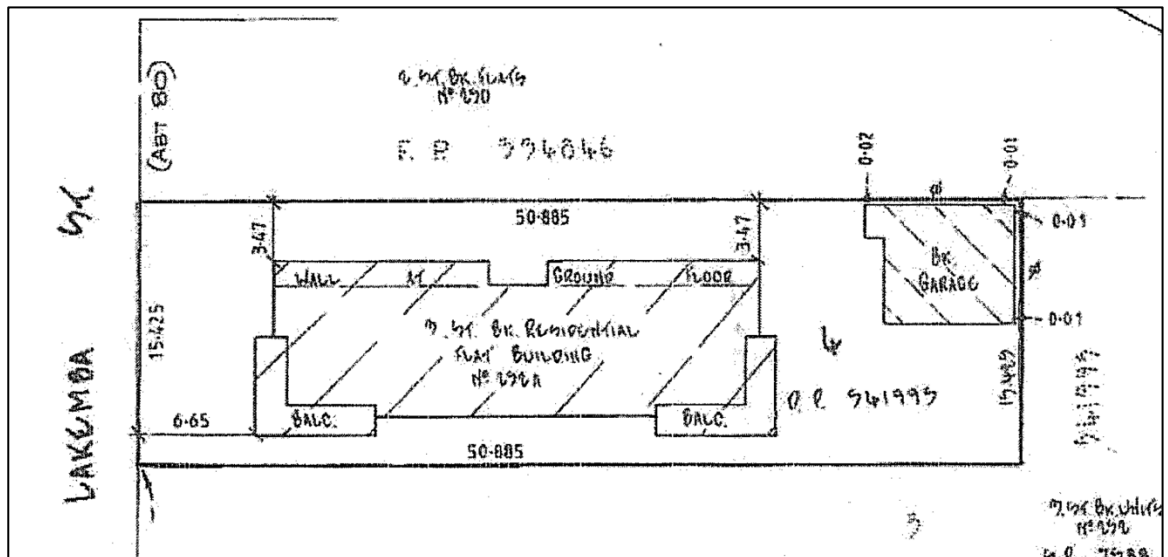


Figure 7: Part of Strata Plan 45984.

2.4 Existing Site Features

The site is occupied by:

Existing Development Summary	
Item	Existing
Use	Residential Flat Building
Dwellings	6 x 3 bedrooms
Ancillary development	Caretaker's store associated with Lot 5
Storeys	4 (including ground floor parking)
Parking	6 spaces (1 per unit)
Trees	0
Subdivision	6 strata lots and common property
	The existing 'caretaker's store' is part of Lot 5.

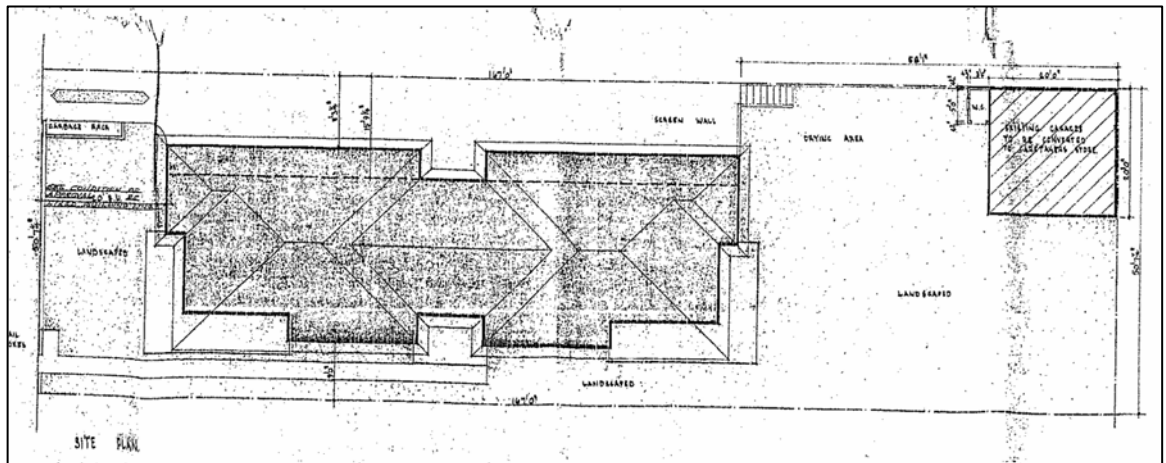


Figure 8: Approved site plan for 1097/71 showing the existing garages in the south-east corner of the site to be converted into a caretaker's store. The site plan shows that the existing garages were not approved for use as car parking (Approved Plans 1097/71).



Figure 9: The existing caretakers store viewed from the north.



Figure 10: The existing caretakers store viewed from the west.

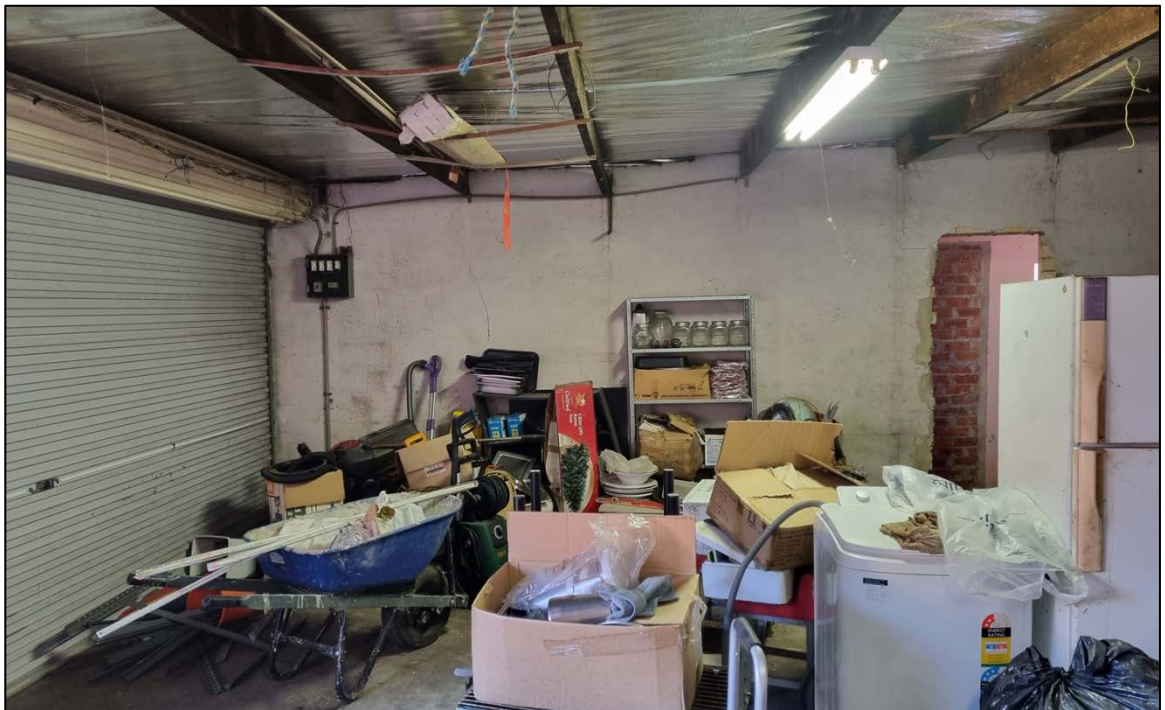


Figure 11: The interior of the existing caretakers store

2.5 Previous Development Consents

The site benefits from the following relevant development consents:

Summary of Previous Consents		
DA No.	Description	Determination
1097/71	Construction of home units	Approved: 14.05.1970

It is noted that the above consent also approved the conversion of an existing garage to a 'caretaker's store' (Fig. 8); this space is the subject of this application. The consent was activated with the construction of the development and this is the currently approved use of this space; it is not a garage.

3.0 THE PROPOSAL

3.1 Proposal Summary

The proposal involves the following:

Development Summary		
Item	Details	
Proposed Use	Residential Flat Building (no change).	
Demolition	Demolition of roller doors on the existing caretakers store.	
Alterations to Lot 5	Caretakers store	<ul style="list-style-type: none">Convert the existing caretakers store which forms part of Lot 5 to a home office (ancillary to the dwelling being Lot 5)Renovate WC and convert to bathroom with shower and basinReplace roller doors with windows
	Dwelling	<ul style="list-style-type: none">No change
Storeys	4 storeys including ground level car parking (no change)	
GFA	No change to GFA (the existing caretaker's store is defined as GFA and its conversion to a habitable space would not alter this)	
Total Units	6 (no change)	
Parking	Residents	6 (no change)
Subdivision	No change proposed to the existing strata plan	

4.0 CONSENT AUTHORITY

Under sections 4.5 and 4.8 of the Act, Canterbury-Bankstown Council is the consent authority for the application.

5.0 ENVIRONMENTAL PLANNING ASSESSMENT

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

Under Section 4.15(1), the consent authority must take into consideration the provisions of:

- 1) Section 4.15(1)(a)(i) Environmental Planning Instruments;
- 2) Section 4.15(1)(a)(ii) Draft Environmental Planning Instruments;
- 3) Section 4.15(1)(a)(iii) Development Control Plans;
- 4) Section 4.15(1)(a)(iiia) Planning Agreements;
- 5) Section 4.15(1)(a)(iv) The Regulations;
- 6) Section 4.15(1)(b) Likely impacts of the development on natural and built environments;
- 7) Section 4.15(1)(c) Suitability of site for the development;
- 8) Section 4.15(1)(d) Submissions; and
- 9) Section 4.15(1)(e) The public interest.

5.1 Section 4.15(1)(a)(i): Environmental Planning Instruments

The relevant environmental planning instruments applicable to this proposal include:

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2023
- Canterbury-Bankstown Local Environmental Plan 2023

5.1.1 State Environmental Planning Policy (Housing) 2021

5.1.1.1 Chapter 4 Design of residential apartment development

As per Clause 144 of Chapter 4, the minor nature of the proposed works does not trigger an assessment of Chapter 4 of the Housing SEPP.

5.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The site has a longstanding history of residential use and does not appear to have been subject to any of the uses listed in Table 1 of the contaminated land planning guidelines. Given this, there is no reason to believe that the site may be contaminated. The land is therefore suitable for the proposed use.

The proposal does not involve category 1 remediation under SEPP (Resilience and Hazards) 2021.

5.1.3 State Environmental Planning Policy (Sustainable Buildings) 2023

The proposed minor works do not exceed \$50,000 and therefore does not require a BASIX certificate.

5.1.4 Canterbury-Bankstown Local Environmental Plan 2023

The proposed development is subject to the provisions of the Canterbury-Bankstown *Local Environmental Plan 2023* (CBLEP 2023).

5.1.4.1 Zoning:

Clause 2.2: Zoning of land to which this clause applies: The site is zoned *R4 High Density Residential*.

5.1.4.2 Zone Objectives and land use table:

Clause 2.3: Zone objectives and Land Use Table specifies the following objectives for the zone:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*

5.1.4.3 Land use table:

Clause 2.3: Zone objectives and Land Use Table specifies the following land uses permitted in the zone:

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dwelling houses; Early education and care facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Home businesses; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; **Residential flat buildings**; Respite day care centres; Roads; Secondary dwellings; Serviced apartments; Shop top housing*

The proposal maintains the existing use as a *residential flat building* and as such is permissible in the zone.

5.1.4.4 Compliance Table

The following table summarises the relevant clauses of the *WLEP 2014* and the performance of the proposal against them.

Canterbury-Bankstown Local Environmental Plan 2023 Compliance Table				
Clause No	Clause	Standard	Proposed	Complies
Part 2	Permitted or Prohibited Development			
2.2	Zoning of the land to which Plan applies	Zone R4 High Density Residential	Residential flat building (no change)	Y
			Home office ancillary to dwelling in residential flat building	Y
2.6	Subdivision—consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	No subdivision is sought.	N/A
2.7	Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	Minor demolition for some elements of the existing building is sought as part of this application.	Y
Part 3	Exempt and Complying Development			
Not applicable				
Part 4	Principal Development Standards			
4.3	Height of Buildings	11.5m	No change	N/A
4.4	Floor Space Ratio	0.9:1	No change	N/A
4.6	Exceptions to development standards		No variation is sought.	N/A
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As demonstrated in the above table, the proposed development fully complies with the provisions of the CBLEP 2023.

5.1.4.5 Summary:

Given the above, the proposal is considered to be consistent with the objectives and specific provisions of the applicable environmental planning instruments.

5.2 Section 4.15(1)(a)(ii) – Draft Environmental Planning Instruments

There are no draft environmental planning instruments applicable to the site.

5.3 Section 4.15(1)(a)(iii) – Development Control Plans

Development control plans applicable to this proposal include:

- *Canterbury-Bankstown Development Control Plan 2023*
 - Chapter 3: General Requirements.

5.3.1 Canterbury-Bankstown Development Control Plan 2023

The proposed development is subject to the provisions of the *Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023)*. The following table provides a summary of compliance:

Canterbury-Bankstown Development Control Plan 2023 Compliance Table				
Clause No	Clause	Control	Proposal	Complies
Chapter 3				
General Requirements				
3.2				
Parking				
2				
Off-Street Parking Rates				
2.1	Off-street parking rates	Residential flat buildings: <ul style="list-style-type: none"> 1 car space per 1 bedroom dwelling; 1.2 car spaces per 2 bedroom dwelling; 1.5 car spaces per 3 or more bedroom dwelling; 1 visitor car space per 5 dwellings. 	<p>The proposal maintains the same number of bedrooms in the existing dwelling and therefore does not increase the parking requirement for the site.</p> <p>The proposed conversion of the existing caretaker store does not remove any parking on site given this space has no vehicular access and was converted from a garage as part of the original consent.</p>	N/A
Chapter 5				
Residential Accommodation				
5.2.3				
Open Space				
C2		Residential flat buildings must provide communal open space areas equivalent to at least 25% of the open	The proposal maintains the existing landscaping provisions.	N/A
5.2.10				
General Design				
C30		Large windows should be screened with blinds, louvres, awnings or pergolas.	The proposed windows do not overlook any neighbouring windows. As such, the proposal is not expected to give rise to adverse visual privacy impacts.	Y
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As can be seen above, the proposal would generally comply with the development controls applying to the site.

5.4 Section 4.15(1)(a)(iiia) Planning Agreements

The site is not subject to any existing voluntary planning agreements.

5.5 Section 4.15(1)(a)(iv) Matters Prescribed by the Regulations

The proposal would not impact upon the applicable BCA provisions.

5.6 Section 4.15(1)(b) Likely Impacts of the Proposed Development

5.6.1 Streetscape

The proposal seeks minor alterations to an existing residential flat building by replacing the roller doors on the caretakers store with windows to enable the use of the space as a home office ancillary to the main dwelling of Lot 5. The works will be located at the rear and will not be visible from the street.

5.6.2 Overshadowing

The proposed works will not alter the existing building envelope. Therefore, no overshadowing impacts will result from the proposal.

5.6.3 Privacy

Visual privacy would be protected given the proposed windows do not directly adjoin neighbouring windows.

5.7 Section 4.15(1)(c) – Suitability of the Site for Development

The site is suitable for the proposed development:

- It is suitably zoned for the proposal.
- It would not result in unacceptable amenity impacts upon adjacent properties.
- It is consistent with the existing and desired future character of the locality.

5.8 Section 4.15(1)(d) – Submissions

Not applicable prior to public notification of application.

5.9 Section 4.15(1)(e) – Public Interest

The proposed development is consistent with the objectives of the *Environmental Planning & Assessment Act 1979* in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. Given this, the development is consistent with the public interest.

6.0 CONCLUSION

The proposal involves alterations to a residential flat building. The proposal would be compatible with the existing building, streetscape, the broader locality and maintain the amenity of surrounding properties so as to achieve the relevant objectives of the controls and development standards.

Given this, the proposal is consistent with the applicable statutory planning instruments and matters for consideration under section 4.15 of the *Environmental Planning & Assessment Act 1979*.