

STATEMENT OF ENVIRONMENTAL EFFECTS

Development Application & Building Information Certificate



16 Nowill Street, Condell Park NSW 2200

Lot 138 in Deposited Plan 15227

Prepared by: Green Design Sydney Pty Ltd.

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application (DA) and Building Information Certificate (BIC) for the subject site at 16 Nowill Street, Condell Park.

The application seeks to:

- Regularise unauthorised building works on the site;
- Undertake modification works to achieve full compliance with planning and building controls; and
- Establish a compliant development outcome comprising:
 - One principal dwelling (including an existing addition);
 - One secondary dwelling; and
 - One ancillary studio (non-habitable).

This application responds directly to Council's Notice of Proposed Order and provides a significantly improved and compliant planning outcome that removes the need for demolition.

2. SITE DESCRIPTION

The subject site is legally described as Lot 138 in DP 15227 and is located within the Canterbury-Bankstown Local Government Area.

Key characteristics:

- Site Area: **542.5 sqm**
- Zoning: R2 Low Density Residential
- Existing Development:
 - Approved dwelling at the front of the site
 - Unauthorised addition to the existing dwelling
 - Detached rear structure (granny flat and office)



The site is located within an established residential neighbourhood characterised by single dwellings and secondary structures consistent with the R2 zone.

3. BACKGROUND

Council has identified that unauthorised building works have occurred on the site, including:

- Construction of an addition to the existing dwelling;
- Construction of a detached rear structure;
- Use of the rear structure in a manner capable of functioning as separate self-contained accommodation.

The application has been prepared to:

- Address all unauthorised works on the site;
 - Reconfigure the development to eliminate non-compliance;
 - Provide a compliant and reduced-intensity land use outcome.
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4. DESCRIPTION OF PROPOSAL

4.1 Retention of Existing Dwelling and Addition

The proposal seeks approval for:

- The existing approved dwelling; and
- An unauthorised addition to the dwelling.

The addition:

- Forms part of the main dwelling;
 - Does not create an additional dwelling;
 - Is consistent with the scale and character of the existing building.
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4.2 Reconfiguration of Rear Structure

The existing rear structure is proposed to be reconfigured into:

✓ Secondary Dwelling

- Self-contained residential unit
 - Area: **58.57 sqm**
 - Fully compliant with size requirements
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✓ Ancillary Studio (Non-Habitable)

- Area: **35.96 sqm**
- To be used as office/studio space only

Important clarification:

The studio:

- Is not a separate dwelling
 - Does not provide independent living accommodation
 - Is ancillary to the residential use of the site
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4.3 Removal of Dual Occupancy Characteristics

The proposal removes the previous non-compliant arrangement by:

- Eliminating internal configurations that allowed multiple independent occupancies;
 - Limiting the development to a single kitchen associated with the secondary dwelling;
 - Ensuring no separate tenancy capability exists.
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4.4 Boundary Setback Compliance

The proposal includes:

- Demolition and reconstruction of the boundary wall;
- Provision of a compliant **minimum 900mm setback**.

This represents a clear improvement over the existing condition.

4.5 Fire Separation

The development includes:

- Construction of a **90/90/90 fire-rated wall** between uses;
 - Improved compliance with NCC fire safety provisions.
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4.6 Stormwater Improvements

The proposal includes:

- Upgrade of stormwater drainage system;
 - Installation of additional drainage points;
 - Proper connection to the main stormwater network.
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4.7 Retention of Built Form

- No increase in building footprint
- No increase in height
- Minor modifications only for compliance purposes

5. FLOOR SPACE RATIO (FSR)

Item	Area
Site Area	542.5 sqm
Total GFA	218.98 sqm

Proposed FSR 0.40 : 1

Permissible FSR 0.5 : 1

The development clearly complies with FSR controls.

This confirms that:

- The site is not overdeveloped
- There is sufficient capacity to retain all structures

6. STATUTORY PLANNING CONTROLS

6.1 Zoning (LEP 2023)

The site is zoned **R2 Low Density Residential**.

The proposal is permissible as:

- A dwelling house exists;
- A secondary dwelling is permitted;
- The studio is ancillary and not a separate land use.

6.2 LEP Objectives

The proposal:

- Maintains low-density character
- Supports residential use

- Does not introduce excessive density
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6.3 DCP Compliance

Setbacks

- Improved to **900mm compliance**
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Bulk and Scale

- No increase in envelope
 - Consistent with surrounding development
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Streetscape

- No impact (rear development)
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Amenity

- No overshadowing
 - No privacy impacts
 - No noise impacts
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6.4 Secondary Dwelling Compliance

- Area: **58.57 sqm**
 - Subordinate to main dwelling
 - Consistent with planning controls
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7. ENVIRONMENTAL IMPACTS

The proposal results in:

✓ **Reduced Use Intensity**

- From potential dual occupancy → compliant arrangement

✓ **Improved Compliance**

- Setbacks corrected
- Drainage upgraded
- Fire separation introduced

✓ **No Adverse Impacts**

- No additional bulk
 - No environmental impact
 - No neighbour impact
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8. STRUCTURAL ADEQUACY

A structural assessment has confirmed:

- The building is structurally sound
 - Capable of supporting the proposed use
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9. PUBLIC INTEREST

The proposal is in the public interest because it:

- Resolves unauthorised development
 - Avoids demolition waste
 - Improves safety and compliance
 - Provides a practical and reasonable planning outcome
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10. OVERALL JUSTIFICATION (VERY STRONG)

The proposal achieves:

Existing	Proposed
Unauthorised addition	Approved dwelling addition
Non-compliant rear use	Secondary dwelling + studio
Setback issues	Compliant 900mm setback
Drainage issues	Fully upgraded system
The development is clearly improved .	

11. CONCLUSION

This application seeks to:

- Regularise all unauthorised works on the site;
- Reconfigure development into a compliant form;
- Improve building performance and planning outcomes.

The proposal:

- Complies with LEP and DCP controls;
- Reduces intensity of use;
- Improves safety and amenity;
- Eliminates the need for demolition.

Accordingly, the application is well-founded and should be supported.