

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot E DP 441412
97 Rawson Road
Greenacre

PROPOSED DEVELOPMENT: Fit out works and use of an existing premise for the purpose of a beauty salon.



CONTENTS

INTRODUCTION.....	3
DESCRIPTION OF SITE AND LOCALITY	4
DESCRIPTION OF PROPOSAL	5
ASSESSMENT / THE RELEVANT PLANNING FRAME	7
S4.15 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979.....	7
(a)(i) Relevant environmental planning instruments.....	8
State Environmental Planning Policy (Resilience and Hazards) 2021	8
State Environmental Planning Policy (Transport and Infrastructure) 2021.....	9
Bankstown Local Environmental Plan 2015	10
(a)(ii) Relevant draft environmental planning instruments	13
(a)(iii) Relevant development control plans	13
Bankstown Development Control Plan 2015.....	13
(iiiia) Relevant planning agreement, or draft planning agreements.....	16
(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.....	16
(c) The suitability of the site for the development.....	17
(d) Any submissions made in accordance with this Act or the regulations	17
(e) Public interest	17
CONCLUSION.....	17

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INTRODUCTION

This Statement of Environmental Effects is prepared by Urban Planning & Building Consultants on behalf of Jolee Beauty Studio in support of the fit out works and use of an existing premise for the purpose of a beauty salon.

The proposal has regard to the requirements of the Bankstown Local Environmental Plan and Development Control Plan, being the principal environmental planning instruments for the site.

The site currently accommodates a commercial development. The subject space is located at the front of an existing two storey dwelling at ground floor and comprises two existing rooms. The space has a frontage to Rawson Road and is provided with two (2) staff car parking spaces and two (2) visitor car parking spaces accessed from Rawson Road.

The proposal includes:

- Shop including reception/waiting area and two (2) treatment beds
- Storage room
- Bathroom

The works will remain entirely within the allotment and allow for a complimentary use for the surrounding developments along Rawson Road.

The subject site has historically contained a dwelling and an attached shop. A review of Council's DA tracker revealed several approvals relating to the use of the subject site as a shop / commercial premise as detailed below.

- DA123/2012 for Signage - Approved via delegated authority 19/03/2012
- DA-388/2009 for Alterations and first floor additions to Existing Shop including new balcony– Approved via delegated authority 30/07/2009.
- CC-281/2009 for Alterations and first floor additions to Existing Shop including new balcony– Approved 19/07/2010.

Several other development approvals were noted to have been issued for the property and relate to the residential component of the subject site.

The following sections of this statement address the likely impact of the proposal.



DESCRIPTION OF SITE AND LOCALITY

The land is located at 97 Rawson Road, Greenacre and is identified via land title as Lot E DP 441412.



Source: Six Maps 2022 / 97 Rawson Road, Greenacre

The allotment is located on the southern side of Rawson Road and is rectangular in shape. The allotment has a frontage of 13.41m, a depth of 45.72m and a total land area of 607m². The site is accessible via Rawson Road with parking provided to the western side of the allotment, along Rawson Road and in the surrounding residential area. Public transport is available along nearby Noble Avenue and Hillcrest Avenue as well as throughout the surrounding area.

The site currently accommodates a two storey residential dwelling and a commercial premise to the front of the dwelling. The subject space is located at ground floor within the existing commercial space, and provided four open air car parking spaces to the western side of the allotment.



Surrounding development consists of predominately residential developments with several commercial premises located along Rawson Road, including a denture clinic at the western adjacent property.

DESCRIPTION OF PROPOSAL

Construction

Ground floor:

- Installation of walls to create storage room and bathroom
- Installation of toilet and handbasin in the bathroom as well as a sink within main salon room
- Installation of cabinetry within storage room
- Additional electrical works to provide emergency lighting and smoke alarm as required for the use of the tenancy, and
- Additional plumbing as required for the use of the tenancy

Landuse / Site Management

Details in relation to the daily operations of the premise are summarised as follows, however they should be read in conjunction with the accompanying plans as part of this submission.

- Use:
 - The proposed development is for use of the commercial premise as a beauty salon
 - Services provided include:
 - Eye lash extensions
 - Eye lash lifts
 - Brow shaping
 - Tint and henna
 - Brow lamination
 - Cosmetic brow
 - Lip and eyeliner tattooing
 - All services are to be conducted in accordance with the requirements of the Public Health Regulation
- Staffing:
 - 1 full-time staff
 - 1 casual staff



- Maximum of 2 staff members on site at any one time
- Number of clients/visitors on site:
 - Maximum of 2 clients on site at any one time
 - Approximately 2 clients per hour
- Operating hours:
 - Monday to Friday: 8am-8pm
 - Saturday, Sunday & public holidays: 8am-6pm
- Deliveries:
 - One (1) delivery made to site each month
 - Deliveries are small boxes containing lash and brow supplies
- Waste Collection:
 - Waste collection services will be undertaken by a private contractor; Canterbury Bankstown Council. Adequate area is available within the commercial premise to allow for waste storage until the end of the day when waste receptacles would be emptied at the waste / bin storage area of the site.
- Parking:
 - Car parking is provided throughout the existing development to cater for staff and visitors to the site.
 - 2 staff parking spaces
 - 2 visitor parking spaces



ASSESSMENT / THE RELEVANT PLANNING FRAME

There are a number of State and Local Environmental Planning Instruments that may apply to any given development. In providing this assessment of the proposed development, consideration has been given to the following statutory and non-statutory controls.

- Section 4.15 of the Environmental Planning & Assessment Act 1979
- Bankstown Local Environmental Plan 2015
- Bankstown Development Control Plan 2015

The following discussion explores the compliance of the subject development with the relevant EPI's.

S4.15 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The assessment of a development application is required to address the matters for consideration listed under Part 4, Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, as amended. The following matters must be considered:

- (1) *Matters for consideration - general*
- (a) *the provisions of:*
- (i) *any environmental planning instrument, and*
 - (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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (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, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
 - (v) *(Repealed)*
- that apply to the land to which the development application relates,*



- (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,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

The relevant issues are addressed in broad terms through the following sub-point's below:

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must 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 subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

2.98 Development adjacent to rail corridors

(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 – Development in or adjacent to road corridors and road reservations

2.119 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*



- (ii) the emission of smoke or dust from the development; or*
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land; and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road and does not have a frontage or common boundary with a classified roadway. No further assessment is anticipated in this regard.

Bankstown Local Environmental Plan 2015

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Bankstown Local Environmental Plan (BLEP) 2015.

The proposed development is defined in the Plan as a “*home business*” meaning “*a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—*

- (a) the employment of more than 2 persons other than the residents,*
 - (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,*
 - (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,*
 - (d) the exhibition of signage, other than a business identification sign,*
 - (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,*
- but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.”*

The identified zone permits a ‘home business’ subject to development consent from Council.



Clause 2.3 Zone objectives and land use table

The objectives of the R2 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.*

It is considered that the proposed use of the site can satisfy these relevant objectives of the Plan. The proposed development is considered to be a suitable use for a residential area as it provides a commercial premise in the form of a residential dwelling within an area that contains predominately residential developments.

The proposal will provide employment opportunities in the area and diversity in employment to the Greenacre area.

Further, the development provides diversity in the commercial premises of Greenacre and is within reasonable proximity to all transport networks ensuring minimal conflict between land uses.

Clause 4.3 Height of buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
9.0m ridge height	Building height unchanged by proposal.	N/A



Clause 4.4 Floor space ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
0.5:1	Floor area unchanged by proposal.	N/A

Clause 4.6 Exceptions to development standards

The development does not contravene any development standards within the LEP.

Clause 5.4 Controls relating to miscellaneous permissible uses

(2) Home businesses: If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.

The proposed change of use relates to an existing commercial space with a floor area of 34.06m². The use of the subject space as a home business has been approved and the proposal merely relates to a change in the type of home business provided. No change to the existing approved floor area is proposed and a suitable outcome is considered to have been achieved.

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance. The site is not located within the direct vicinity of any such item.

Clause 5.11 Bush fire hazard reduction

The subject site has not been identified as bushfire prone land.

Clause 5.21 Flood Planning

The subject site has not been identified as being within a flood planning area.



* * *

Conclusion with respect to LEP requirements

The proposed fit out works and change of use is considered to satisfy the relevant objectives and development standards as contained within BLEP 2015.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Bankstown Development Control Plan 2015

Bankstown DCP is divided into several sections of generic and land use based controls, taking into consideration the property zoning.

Review of the subject proposal against the DCP has been undertaken with consideration towards the desired future character and also a compliance table provided outlining the main areas for consideration as follows;

Part B1 Residential Development

Section 15 Home Businesses

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Floor area</u> Max. 30m ² of GFA in a dwelling, provided the home business is restricted to a single room.	Refer to Clause 5.4 within LEP.	Merit consideration.



<p><u>Amenity</u></p> <p>Minimal impact from the proposal on the amenity of adjoining properties, taking into consideration:</p> <ul style="list-style-type: none"> - likely number of vehicle, delivery and visitor movements - size of delivery vehicles - siting of loading activities - type of equipment/machinery to be used - the need for an acoustic report where the home business will generate significant noise levels - the need to control odours/emissions - whether hours of operation are within 8am-6pm Mon-Sat and not at any time on Sunday & public holidays 	<p>Small scale</p> <p>Max. 2 visitors per hour, 1 delivery per month. Movements to and from site will be minimal and not anticipated to impact on the amenity of neighbours.</p> <p>Deliveries will be in the form of small boxes and thus delivery vehicles will not be of a large size.</p> <p>N/A</p> <p>Equipment/machinery to be used will be of small scale and low noise due to the types of services provided. No unreasonable impact anticipated.</p> <p>Proposed small scale business operations not anticipated to generate significant noise levels.</p> <p>Appropriate ventilation measures provided to control any odours/emissions produced.</p> <p>Proposed hours of operation: Monday to Friday: 8am-8pm Saturday, Sunday & public holidays: 8am-6pm Small scale business operations are proposed and the nature of beauty</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Merit consideration.</p>
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	services provided ensures minimal noise and movements to and from site that would impact neighbouring properties. Proposed increased hours of operation not anticipated to detrimentally impact upon the adjoining properties or streetscape.	
<u>Building design (signage)</u> Business identification controls: - Max. 1 sign per allotment - Max. sign area 1.2m x 0.6m - Sign to be located on or behind building line - Sign to be located at or below awning level - If sign is painted/attached to building: it must not screen windows & other significant architectural features - Sign is to be non-illuminated - Flashing signs, lights, changing colours, obvious movement within the signage, non-fixed signage and canvas signs are not permitted Graphics & colours must be compatible with the building and streetscape.	1 small business sign proposed. Proposed sign <1.2m x 0.6m area. Sign proposed within the space. Provided. Proposed sign location does not block windows or any significant architectural features on the building. No illumination proposed. None of the mentioned signage features are proposed. Proposed graphics and colours are considered to complement the existing building design and streetscape character.	Yes Yes Yes Yes Yes Yes Yes

* * *



Conclusion with respect to DCP requirements

The proposal is considered to generally satisfy the objectives of Council's controls relating to home businesses within DCP. The proposed fit out works and change of use maintains the character of the area with no detrimental impact on the amenity of the adjoining properties. It is therefore anticipated that following a merit assessment of the proposal, a favourable outcome will be reached.

(iia) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are considered relevant when considering onsite impacts:

Waste Management

Private waste collection provided by Canterbury Bankstown Council for the collection of waste and sharps. Adequate area remains available at the kerb side for the collection vehicle.

The nature of the practice and number of clients ensures that the amount of waste generated will not be significant and general waste and recycling could continue to utilise Council's standard kerb side collection.

Noise and Vibration

All work will be undertaken during hours specified within the development consent and operating hours as outlined within this report. No adverse impact in terms of vibration is envisaged.



(c) The suitability of the site for the development

The subject site is within reasonable proximity to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed works are provided with all services necessary and have been designed to suit the character of the surrounding locality.

The proposed change of use is permissible with development consent under the provisions of Bankstown Local Environmental Plan 2015, and generally satisfies the objectives of the Bankstown Development Control Plan 2015 as discussed above.

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

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject change of use is considered to be in the public interest.

CONCLUSION

The proposed development has been considered in respect to the relevant Environment Planning Instruments and deemed to be satisfactory with respect to those requirements.

The operation of the subject premise as a beauty salon is not envisaged to impact upon the amenity of neighbouring properties or the surrounding area from a visual, noise or privacy perspective due to the appropriate design and applicable environmental measures.



The proposal is considered to be reasonable in the circumstances and should be supported based upon the proposals ability to be appropriately implemented and function with minimal impact. The proposal identifies and relates to the site characteristics and the surrounding area.

Having considered the requirements of all environmental planning instruments and Council's DCP the proposed landuse activity and associated works are considered acceptable and maintain the integrity of the existing locality. There are no potential adverse impacts identified under the relevant heads of consideration under S4.15 of the E P & A Act 1979.

Given the objectives of the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is considered to be appropriate for the site and is anticipated to have a positive benefit on the surrounding area.

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10 November 2022