

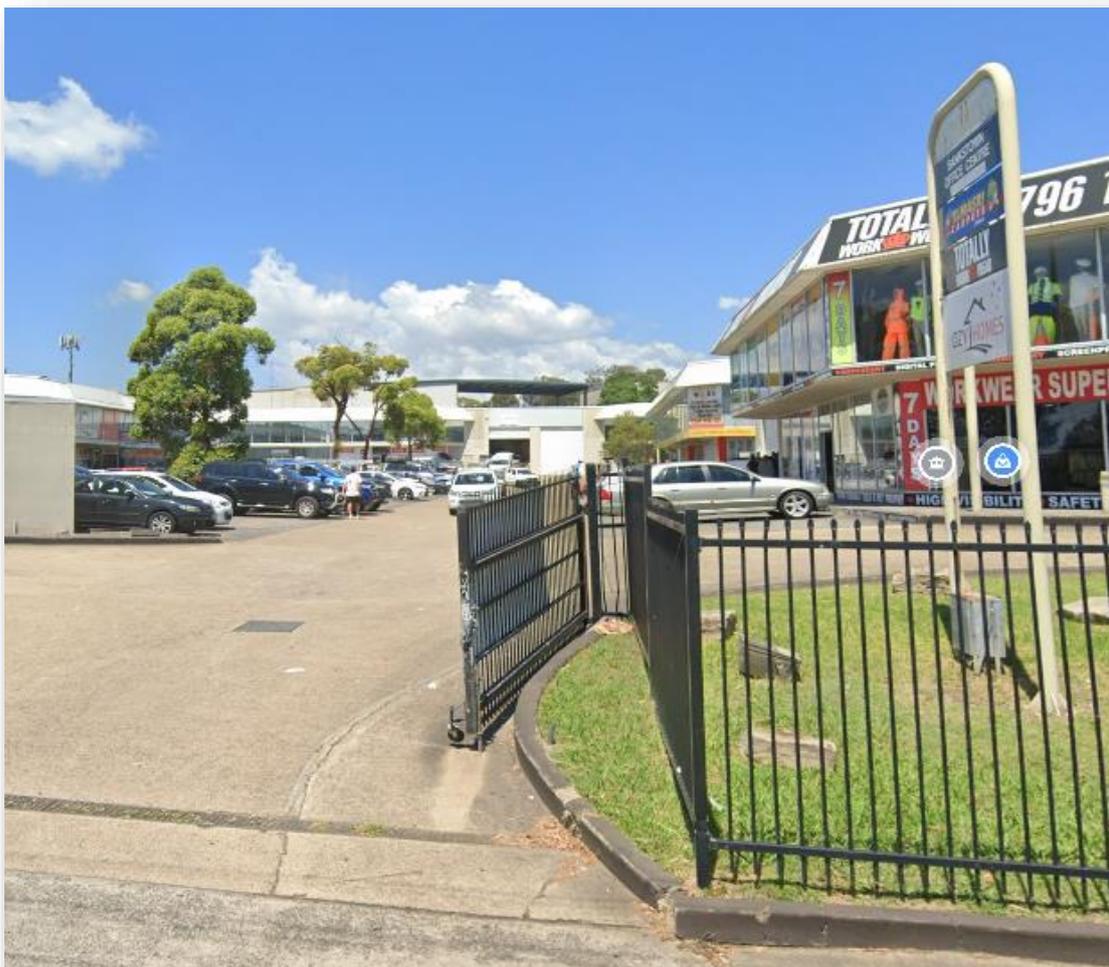


Pivotal
PLANNING

**STATEMENT OF
ENVIRONMENTAL
EFFECTS
4/148 CANTERBURY
ROAD BANKSTOWN**



**STATEMENT OF ENVIRONMENTAL EFFECTS
4/148 CANTERBURY ROAD BANKSTOWN**



Date: July 2022

Prepared By: George Nehme – Director Pivotal Planning Pty Ltd

Project Number – 147-2022

Revision: A

Proposal: Use of existing premises as a general industry (manufacturing of chocolate)

George Nehme
BPlan (Hons) UNSW

Director – Pivotal Planning Pty Ltd
Email: george@pplanning.com.au

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1. Executive Summary

This Statement of Environmental Effects has been prepared for submission to the City of Canterbury Bankstown Council (CBC) for a development that is proposing the “*use of existing premises as a general industry (manufacturing of chocolate)*”. The development site is located at unit 4/148 Canterbury Road Bankstown, legally known as Lot 42, DP772189.

The subject site is zoned IN1 General Industrial pursuant to the Bankstown local Environmental Plan (BLEP) 2015. The proposed development entails the use of existing factory unit for the purpose of manufacturing chocolate.

This Statement of Environmental Effects provides a detailed assessment against the relevant development standards and the relevant development guidelines that are applicable to the site in accordance with the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act).

2. Site and Locality

The subject site is identified as unit 4/148 Canterbury Road Bankstown, legally known as Lot 42, DP772189. The subject site is zoned IN1 General Industrial pursuant to the Bankstown local Environmental Plan (BLEP) 2015.

The subject site is located on Canterbury Road, being a classified road and contains several large factory units that are being utilised for a variety of industrial and warehouse uses. The site on which the subject unit is located is a slightly irregular shaped allotment with a large site area. The unit the subject of the application (i.e., unit 4) is located at the southern end of the site adjoining the rear boundary.

The surrounding locality is primarily characterised by predominately industrial, warehousing, and large-scale retail outlets. The subject site is surrounded by Industrial zoning to the east, west and south. Directly opposite the subject allotment is a large-scale retail site known as the Homemaker Centre which is zoned B5.

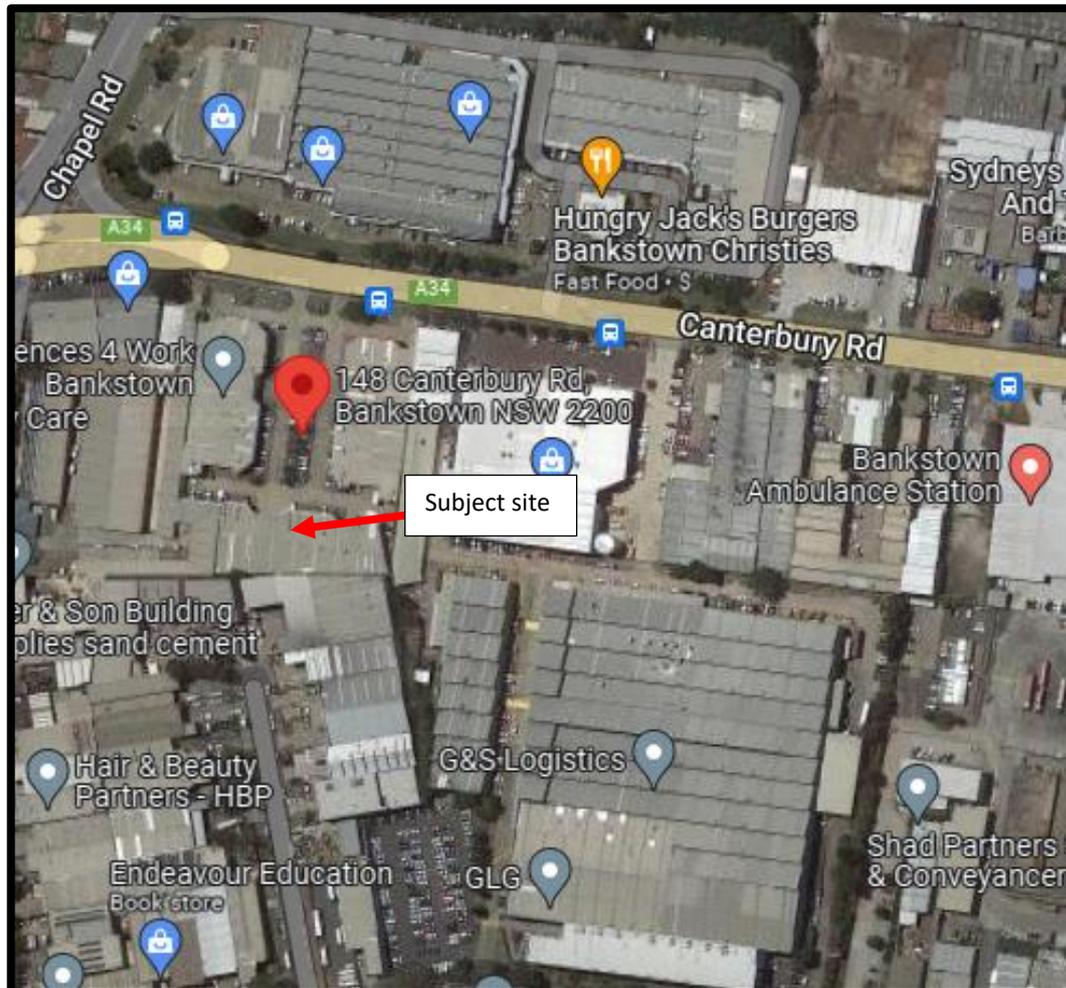


Figure 1: Aerial view of the site identified as 148 Canterbury Road Bankstown

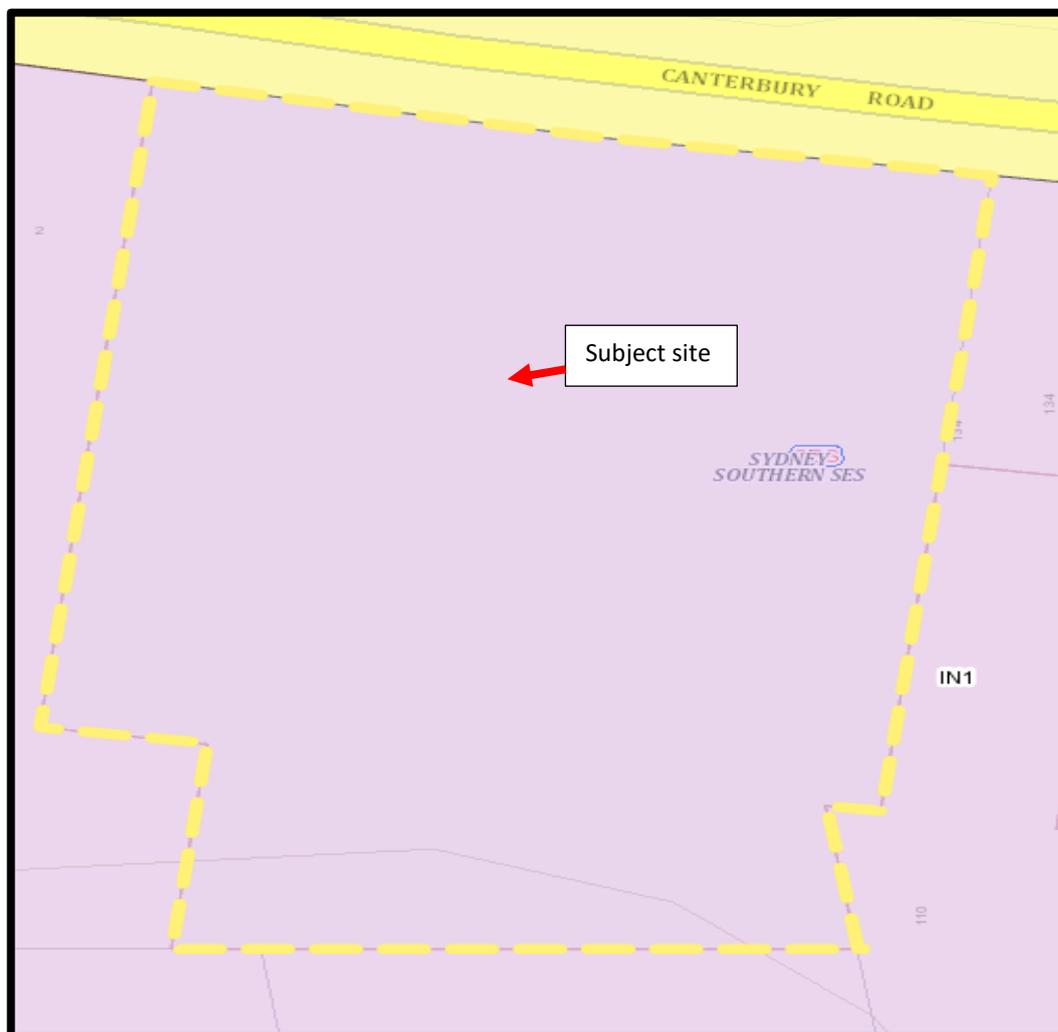


Figure 2: Zoning Map – (Source NSW DPIE Spatial viewer)

3. Proposed Development

The proposed development consists of:

Use of existing premises as a general industry (manufacturing of chocolate). A detailed description is provided below.

- The ground floor will include a range of machinery that are utilised for the processing and production of chocolate. These include temperature tanks, chocolate depositors, cool rooms, wrapping machines and packing machines.
- The first floor will be utilised as office space with work amenities and a mezzanine area for storage purposes.
- The hours of operation will be limited to 7am-6pm Monday to Sunday and will have a maximum of 3 employees at any one time.

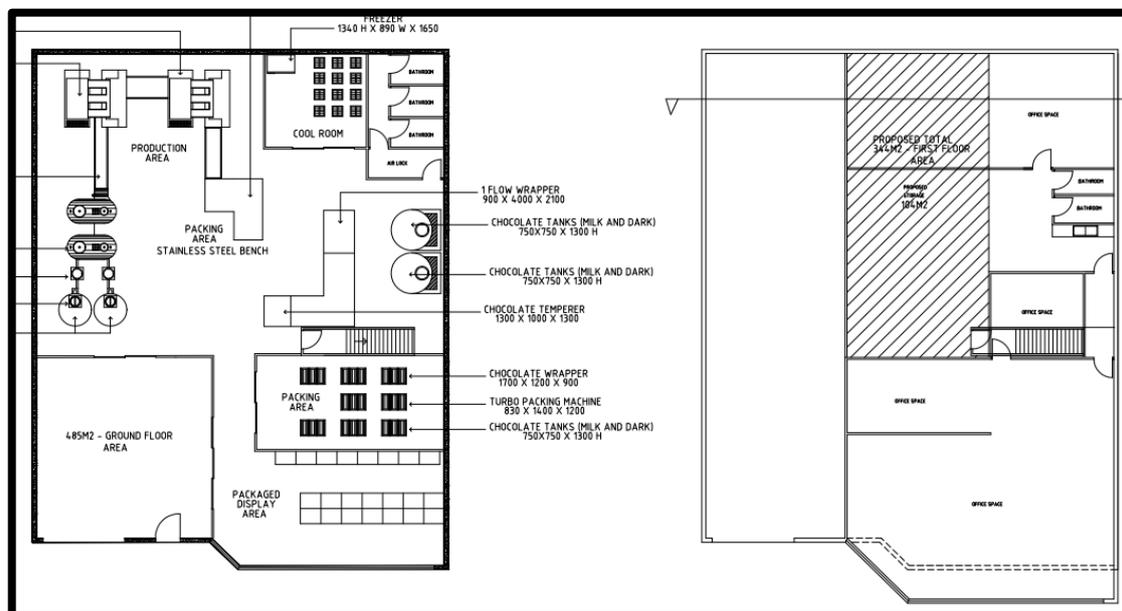


Figure 3: Floor plan

4. Site Constraints

Site Constraint	Yes/No
Bushfire	No
Flooding	No
Heritage Items	No
Aboriginal heritage	No
Environmentally Significant Land	No
Threatened Species/ Flora/ Habitat/ Critical Communities	No
Acid Sulphate Soils	No
Flight Paths	No
Railway Noise	No
Road Noise/ Classified Road	Yes – However use is located in a predominately industrial area and on a classified road. The premises is existing, and the use of the premises will be internal. As such it is not considered necessary to address or implement any



	noise attenuation measures in this instance.
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5. Section 4.15 Planning Assessment

The following planning instruments have been considered in the planning assessment of the subject Development Proposal

- (a) State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 11, Georges River Catchment
- (b) State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4, Remediation of Land
- (c) Bankstown Local Environmental Plan (BLEP) 2015
- (d) Bankstown Development Control Plan (BDCP) 2015
 - o Part B3: Industrial Precincts
 - o Part B5: Parking

i. State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 11, Georges River Catchment

The subject land is located within the Georges River Catchments and as such State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 11, Georges River Catchment applies to the application. The SEPP generally aims to maintain and improve the water quality and river flows of the Georges River and its tributaries.

The proposed development involves the use of a premises with all operations being undertaken internally. The use of the premises is unlikely to have a detrimental impact on the environmental quality of the Georges River Catchment and thus is consistent with the relevant objectives of the SEPP.

ii. State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4, Remediation of Land

In accordance with Clause 4.6(1) Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and 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.

Due to the long existing and surrounding industrial and retail uses there is nothing to indicate that the site conditions have changed to warrant an updated contamination assessment. The use is all being undertaken internally with no external works or excavations taking place.



With consideration to the above mentioned points it is considered the use of the premises would not warrant a contamination assessment as no works are being undertaken that would warrant a contamination assessment.

iii. **Bankstown Local Environmental Plan (BLEP) 2015**

(i) **Zoning**

The subject site is zoned IN1 General Industrial, pursuant to the BLEP 2015.



Figure 4: Zoning Map – Zoning Map – (Source NSW DPIE Spatial viewer)

(ii) **Permissibility**

The development proposes the “*use of existing premises as a general industry (manufacturing of chocolate)*”



The proposal involves the manufacturing of chocolate. This is best defined as a “*general industry*”. General Industry is permissible with consent in the IN1 Zone, as indicated in the extract from the BLEP 2015 below.

3 Permitted with consent

*Agricultural produce industries; Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; Garden centres; **General industries**; Hardware and building supplies; Hospitals; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Medical centres; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

General industry is defined as

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note—

*General industries are a type of **industry**—see the definition of that term in this Dictionary.*

Having regard to the above, the development is permissible, pursuant to the applicable EPI and can be proposed.

(iii) Objectives of the Zone

The objectives of the zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

Comment: The development is consistent with the applicable objectives of the IN1 zone in that it is providing for a development that will facilitate an industrial use. The use is an employment generating activity with limited impact on the amenity of the surrounding locality.



(iv) Summary of the Development Standards Applicable under the BLEP 2015

Development Provision	Requirement	Proposed
4.3 Height of Buildings	N/A	N/A
4.4 Floor Space Ratio	Max FSR 1:1	No change to floor area

iv. Bankstown Development Control Plan (BDCP) 2015

An assessment against the applicable guidelines of the BDCP 2015, specifically part B3: Industrial Precincts and part B5: Parking is provided below

BDCP 2015 – Part B3 Industrial Precincts		
Section 2 – Building Envelopes		
Control	Required	Complies
Subdivision 2.1 – Site Coverage	60% for two or more businesses	Complies – No change to existing site coverage
Subdivision 2.2 – 2.11- Setbacks	10m if adjoining a stat or regional road	Complies – No change to existing setback
Section 3 – Building Design		
Control	Required	Complies
Subdivision 3.1-3.6 – Façade Design	N/A	Complies – No change to façade design

George Nehme
BPlan (Hons) UNSW

Director – Pivotal Planning Pty Ltd
Email: george@pplanning.com.au



Subdivision 3.11-3.17 – Safety and Security	N/A	Complies – No change to external elements of the building or vehicular access to the building.
Subdivision 3.18 – General	<p>Council must take into consideration the following matters for development in the industrial zones:</p> <p>(a) whether the proposed development will provide adequate off-street parking, relative to the demand for parking likely to be generated;</p> <p>(b) whether the site of the proposed development will be suitably landscaped, particularly between any buildings and the street alignment;</p> <p>(c) whether the proposed development will contribute to the maintenance or improvement of the character and appearance of the locality;</p> <p>(d) whether access to the proposed development will be available by means other than a residential street but, if no other means of practical access is available, the consent authority must have regard to a written statement that:</p> <p>(i) illustrates that no alternative access is available otherwise than</p>	<p>Yes - the development has existing parking within the complex.</p> <p>N/A – No external works proposed</p> <p>N/A – No change to the external appearance of the building</p> <p>N/A – No change to building access</p>



	<p>(ii) by means of a residential street; and demonstrates that consideration has been given to the effect of traffic generated from the site and the likely impact on surrounding residential areas; and</p> <p>(iii) identifies appropriate traffic management schemes which would mitigate potential impacts of the traffic generated from the development on any residential environment;</p>	
	<p>(e) whether goods, plant, equipment and other material used in carrying out the proposed development will be suitably stored or screened;</p>	<p>Yes – All machinery will be located within the building</p>
	<p>(f) whether the proposed development will detract from the amenity of any residential area in the vicinity; and</p>	<p>N/A – Subject site is not in close vicinity to any residential uses.</p>
	<p>(g) whether the proposed development adopts energy efficiency and resource conservation measures related to its design, construction and operation.</p>	<p>N/A – Proposal does not adopt additional energy saving uses.</p>

Section 4 – Environmental Management

4.1 – Acoustic Privacy

Development must:



	<p>(a) consider the Industrial Noise Policy and the acoustic amenity of adjoining residential zoned land; and</p> <p>(b) may require adequate soundproofing to any machinery or activity that is considered to create a noise nuisance.</p>	<p>Yes – The proposed use of the premises will operate during general business hours from 7am to 6pm. There is no proposed use of the premises or machinery use outside these hours. It is considered the use of the premises is aligned with the industrial noise policy and is not operating outside standard business hours to warrant additional acoustic treatments or noise attenuation measures during the operation of the premises. The subject site does not join adjoin or is in close proximity to any residential zoned land.</p> <p>N/A – No machinery utilised in the premises would create a detrimental noise impact.</p>
4.2 – Pollution Control	Development must adequately control any fumes, odour emissions, and potential water pollutants in accordance with the requirements of the relevant public authority.	Yes – Use does not create any pollution generating activities.

BDCP 2015 – Part B5 Parking

Section 2 – Off Street Parking

Control	Required	Complies
Industry Parking Rates	1 space per 100sqm of GFA	Complies – No increase in GFA proposed that would warrant additional parking. The mezzanine is being used solely for storage purposes and is of light weight construction and is enclosed with handrails on one or more sides and the floor to ceiling does not exceed 3m.



v. Section 4.15(1)(a)(iii) –Any Planning Agreement or Draft Planning Agreement

There is no planning agreement or draft planning agreement applying to the site.

vi. Section 4.15(1)(a)(iv) –The Regulations

The applicable provisions of the *Environmental Planning and Assessment Regulation 2000* has been considered in the assessment of this application and it is considered the proposal is consistent with the EP&A Regulation 2021.

vii. Section 4.15(1)(b) – The Likely Impacts of the Development

It is considered that the proposal will have limited impacts on the existing and future character of the locality. The proposal provides for a development that will easily cater for a suitable industrial development that will not compromise the amenity of the surrounding locality. The proposal is isolated to all internal works and does not generate any detrimental environmental impacts on the locality. The hours of operation are within standard business hours so as to not create additional acoustic impacts on the locality. The proposal is consistent with the objectives and intent of the current development standards under the BLEP 2015, the objectives of the IN1 zone and relevant guidelines of the BDCP 2015.

viii. Section 4.15(1)(c) – The Suitability of the Site for the Development

The subject development is permissible in the zone and the proposal satisfies the key planning controls for site as detailed above and is generally considered to be suitable for the site.

6. Conclusion

The application has been assessed against the relevant provisions of the EP&A Act 1979, applicable development standards of the BLEP 2015 and guidelines contained with the BDCP 2015. It is considered the development proposing the *“use of existing premises as a general industry (manufacturing of chocolate)”* at unit 4/148 Canterbury Road Bankstown, legally known as Lot 42, DP772189 is a suitable form of development consistent with the development standards applicable to the site and is a development form that is consistent with the existing and future character of the area.

The proposal provides for a development that is consistent with the objectives of the IN1 zone applicable to the site and is considered acceptable on merit in this instance.