

CANTERBURY BANKSTOWN COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

**DEVELOPMENT APPLICATION FOR ALTERATIONS TO EXISTING ARTISAN
FOOD AND DRINKS PREMISES**

**DUO DUO ROSELANDS
67 CHAPEL ROAD ROSELANDS NSW 2196**

Prepared by Platinum Planning Solutions

ABN: 48 623 623 997

E: contact@platinumplanning.com.au

W: www.platinumplanning.com.au

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SITE DETAILS

Address	67 Chapel Road Roselands NSW 2196
Lot on Plan	1/-/DP521196
Local Authority	Canterbury Bankstown Council
Local Environmental Plan	Canterbury Local Environmental Plan 2012
Development Control Plan	Canterbury Development Control Plan 2012
Zone	IN2 Light Industrial
Overlays	Floor Space Ratio (1:1), Regional Plan Boundary (Greater Sydney), and Local Aboriginal Land Council (Metropolitan)

DEVELOPMENT PROPOSAL DETAILS

Level of Assessment	Permitted with consent
Proposal Summary	Alterations to existing artisan food and drinks premises
Assessment Controls	Canterbury Local Environmental Plan 2012, Canterbury Development Control Plan 2012 and State Environmental Planning Policy No. 64 – Advertising and Signage
Applicant	Duo Duo C/- Platinum Planning Solutions

REVISION DETAILS

Version	1.0
Prepared by	Alec Duck (BUrbanEnvPlan)
Signed	
Date	26/07/2022
Reviewed by	James Connolly (BUrbanEnvPlan, GCHM, MPIA)
Signed	
Date	26/07/2022

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of Duo Duo (the applicant) to accompany a development application to Canterbury Council over land located at 67 Chapel Street Roselands (the subject site).

The development application seeks development consent for alterations to an existing artisan food and drinks premises .

This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of planning considerations related to the proposed development.

The proposed works are seen to be consistent with the envisioned use of the tenancy as a commercial premises and is seen to be a positive addition to the building and area as a whole. This Statement of Environmental Effects is to be read in conjunction with the attached plans and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site

The subject site is located at 67 Chapel Street Roselands, formally described as Lot 1 on DP521196 and is rectangular in shape with primary frontage to Chapel Street and secondary frontage to Leslie Street. The site is currently improved by a building and onsite car park, and currently operates as an artisan food and drinks premises (Duo Duo) subject to DA-84/2021. The sites location has been indicated below in Figure 1 and 2 respectively.



Figure 1: Subject Site (eSpatial Viewer NSW)

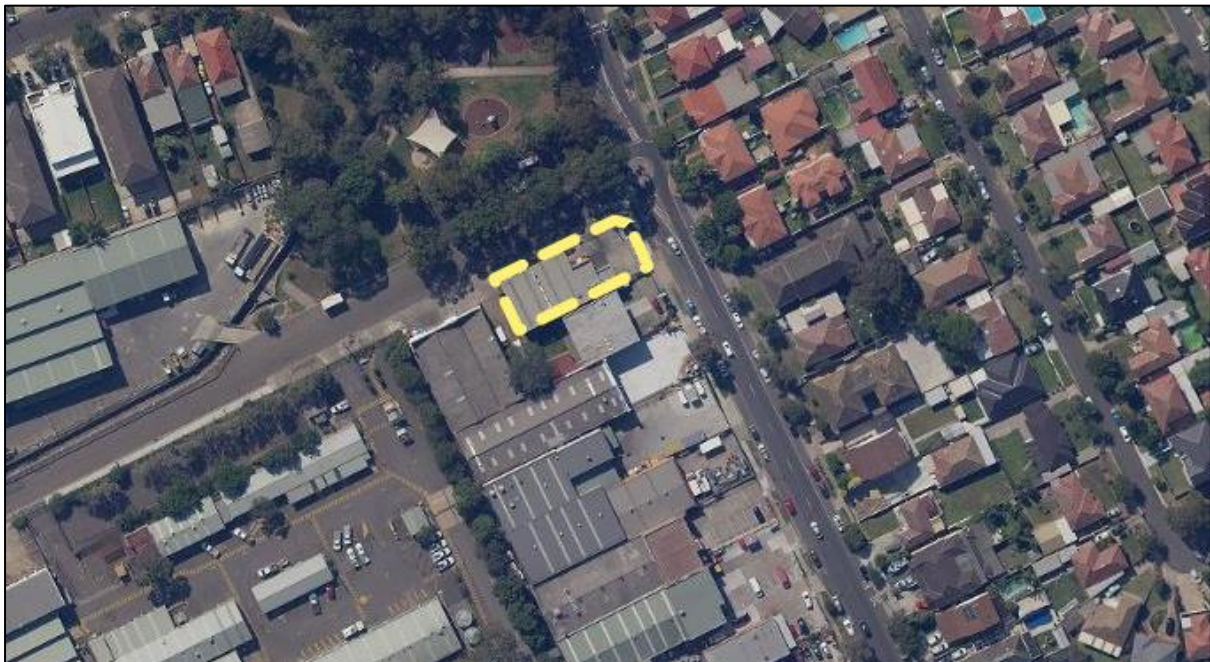


Figure 2: Subject Site (eSpatial Viewer NSW)

2.2 Subject Tenancy

The subject tenancy is an existing ground floor commercial tenancy with a primary frontage to the Commercial Corridor of Liverpool Road as indicated below in Figure 3.

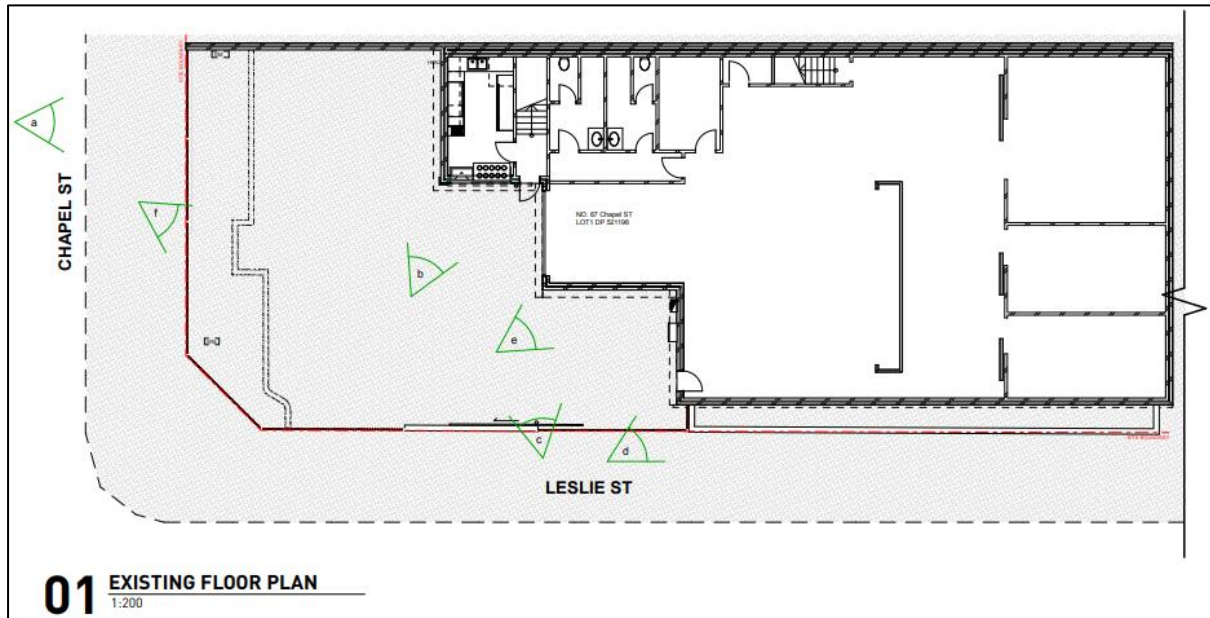


Figure 3: Tenancy Plan

2.3 Context & Background

As way of background, the site currently operates as an artisan food and drinks premises (Duo Duo) subject to DA-84/2021. Duo Duo are seeking consent for additional alterations to the site under a new DA.

3.0 PROPOSED DEVELOPMENT

The aspects of the proposed development are as follows, as per the attached proposed plans and elevations:

Aspect	Details
Alterations	<ul style="list-style-type: none"> Remove existing boundary fence Remove existing carpark linemarking Create new opening in existing masonry wall Existing shopfront counter to be removed Existing lightbox signage to be removed New retail counter and fabric awning New seating area New boundary wall / fencing New pergola New window New brick bench New metal sliding door / gate New glass block wall
Signage	<ul style="list-style-type: none"> New lightbox signage

The proposed use and fit-out of the tenancy will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate.

For further details on the proposed development please refer to the attached plans and supporting documents.

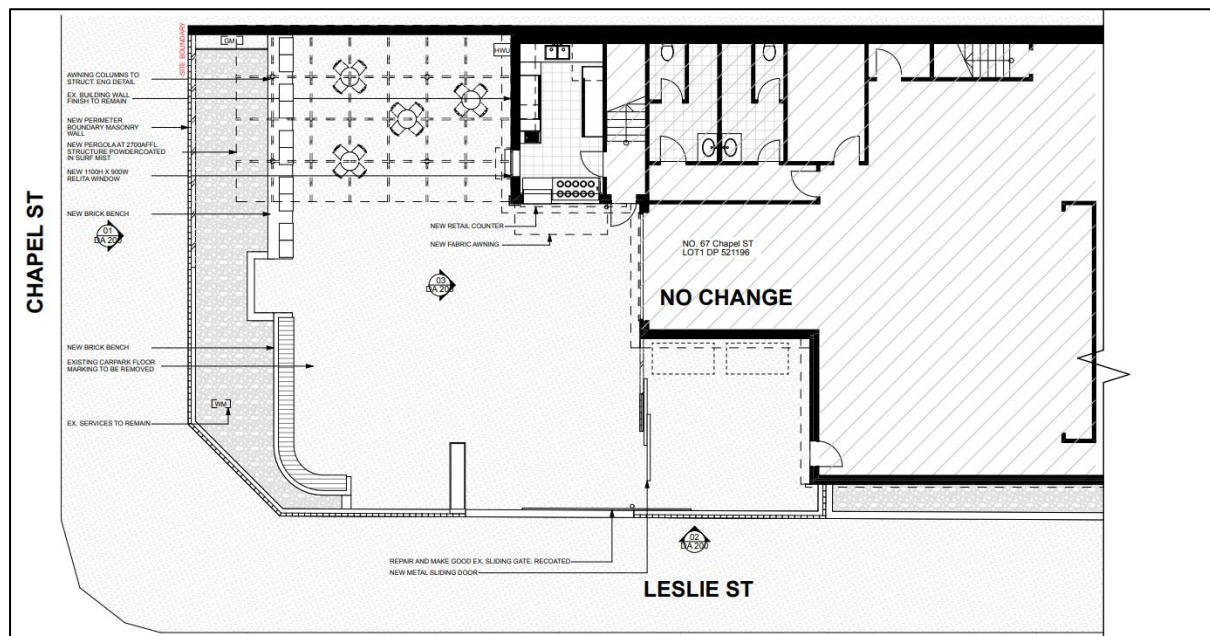


Figure 4: Proposed Floor Plan

4.0 TOWN PLANNING ASSESSMENT

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- 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 Director-General 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*
 - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), 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.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Canterbury Local Environmental Plan 2012;
- Canterbury Development Control Plan 2012;
- State Environmental Planning Policy No. 64 – Advertising and Signage.

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.4 of this report.

4.2 Canterbury Local Environmental Plan 2012

The Canterbury Local Environmental Plan 2012 (LEP) is the principle local planning instrument that applies to the site.

4.2.1 Zoning & Permissibility

The subject site is zoned IN2 Light Industrial under the LEP. The objectives of the IN2 Light Industrial zone are as follows:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*

- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

It is considered that the proposed fit-out and use of the tenancy agrees directly with the intent of the zone through providing a use which is compatible with the surrounding area. The use is permitted with consent under the IN2 Light Industrial zone.

4.2.2 Height of buildings (Clause 4.3)

The proposed works will not alter the height of the building, therefore Clause 4.3 of the LEP is not applicable.

4.2.3 Floor Space Ratio (Clause 4.4)

The proposed works will not result in any changes to the existing approved GFA or FSR of the tenancy or subject site. As there is no proposed change to the floor space of the building, Clause 4.4 of the LEP is not applicable.

4.2.4 Heritage Conservation (Clause 5.10)

The site is not listed as a local heritage item under Schedule 5 of the LEP. The proposed investment for the fit-out of the tenancy represents the envisioned use of the tenancy and represents ongoing investment in the area and is therefore seen to comply with Clause 5.10 of the LEP.

4.2.5 Acid Sulfate Soils (Clause 6.1)

The proposed works will not involve any ground soil disturbance, therefore Clause 6.1 of the LEP is not applicable.

4.2 Canterbury Development Control Plan 2012

The Canterbury Development Control Plan 2012 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

4.2.1 Part B – General Controls

Control / Objective	Compliance	Comments
<i>Part B – General Controls</i>		
B1 Transport and Parking	Complies	The subject site and surrounding area provides adequate parking for customers and staff in line with the parking requirements outlined in the DCP. Please refer to the attached Traffic Report prepared by Wallbridge Gilbert Aztec (Job No. WGA221064) for further details.
B2 Landscaping	Complies	Any landscaping requirements can be conditioned on the DA as considered appropriate.
B3 Tree Preservation	N/A	The proposal is for a commercial tenancy and does not include landscaping components or the removal of vegetation therefore this control is not applicable.
B4 Accessible and Adaptable Design	Complies	This will be addressed at Construction Certificate stage.
B5 Stormwater and Flood Management	Complies	The stormwater will continue to be appropriately managed in line with the requirements of the DCP.

Control / Objective	Compliance	Comments
		Furthermore the subject site is not affected by Flood Overlays and therefore complies with this control.
B6 Energy and Water Conservation	Complies	The proposed works are sympathetic to the conservation of water and energy and integrate appropriate measures to ensure this. The works are seen to be in line with the requirements of the BCA and will be addressed at Construction Certificate stage, and are therefore seen to comply with this control for DA compliance purposes.
B7 Crime Prevention and Safety	Complies	The proposed works are responsive to the design principles to encourage the prevention of crime through environmental design allowing for the passive surveillance of those passing by. The entrance is also clearly marked and appropriate lighting is utilised to reduce the vulnerability of customers and those within the immediate vicinity of the subject tenancy.
B8 Heritage	N/A	The subject site is not identified as being within a heritage conservation area nor does it contain an item of heritage and therefore this control is not applicable.
B9 Waste	Complies	The proposed works have been designed in a way that waste is appropriately managed and disposed of. Please refer to the attached supporting material for further details.
B11 Bushfire Risk	Complies	The subject site is not seen to be affected by bushfire overlays and is therefore seen to comply with this control.

4.2.2 Part E – Industrial Development

Control / Objective	Compliance	Comments
Part E1 – Industrial Development		
E1.1 General Objectives	Complies	The proposed works are seen to be in line with the general objectives of this DCP for the zoning and is therefore seen to comply.
Part E1.2 Envelope Controls		
E1.2.1 Site Frontage	N/A	The proposed works do not include the alteration of the frontage which has been approved in a separate application and therefore this control is not applicable.
E1.2.2 Height	N/A	The proposed works do not include the alteration to the height of the building and is for the ground floor tenancy and therefore this control is not applicable.
E1.2.3 Setbacks	N/A	The proposed works do not include the alteration of the setbacks of the building which has been approved in a separate application and therefore this control is not applicable.

Control / Objective	Compliance	Comments
E1.2.4 Site Coverage	N/A	The proposed works do not include the alteration of the coverage of the site which has been approved in a separate application and therefore this control is not applicable.
E1.2.5 Landscaping	Complies	Any landscaping requirements can be conditioned on the DA as considered appropriate.
E1.2.6 Layout and Orientation	Complies	The proposal is for a commercial tenancy and does not include the alteration of the layout or orientation of the building. The proposed works have been designed sympathetically to the conservation of energy and resources and is seen to comply with this control.
Part E1.3 Building Design		
E1.3.1 Façade Design and Articulation	Complies	The proposed façade is seen to comply with the controls outlined as the entrances promote pedestrian activity, long spans of walls are minimised and avoided and architectural elements and materials are utilised to increase the vibrancy and visual interest of the shop front.
E1.3.2 Storage and Handling	Complies	The proposed tenancy has ample storage and loading space for incoming goods which is suitably screened from the surrounding land uses and therefore complies with this control.
E1.3.3 Fencing	N/A	The proposed works do not include the installation of fencing and therefore this control is not applicable.
Part E1.4 Amenity		
E1.4.1 Energy and Water Conservation	Complies	The proposed works are sympathetic to the conservation of water and energy and integrate appropriate measures to ensure this. The works are seen to be in line with the requirements of the BCA and will be addressed at Construction Certificate stage, and are therefore seen to comply with this control for DA compliance purposes.
E1.4.2 Staff Amenity	Complies	The proposed works are for alterations to the existing tenancy and the provided open space is not proposed to be altered. The subject site provide adequate area for outdoor amenity for staff and shaded seating will be provided and is therefore seen to comply with this control.
E1.4.3 Privacy	Complies	The subject site is seen to be located within a Light Industrial zone and is located in close proximity to a Residential zone, however the proposed tenancy has limited views to this zoning due to vegetation screening and recreational areas and is therefore seen to comply with this control.
E1.4.4 Hours of Operation	N/A	N/A not applicable to this application.
E1.4.5 Ancillary Uses	N/A	N/A

Control / Objective	Compliance	Comments
E1.4.6 Water and Air Quality	Complies	The proposed works are sympathetic to the quality of water and air and integrates appropriate measures to ensure this. The works are seen to be in line with the requirements of BASIX and the BCA and are therefore seen to comply with this control.
E1.4.7 Chemical Storage	Complies	All chemicals will be stored and handled in accordance with the relevant legislation and is therefore seen to comply with this control
Part E1.5 Parking and Access		
E1.5 Parking and Access	Complies	The subject site and surrounding area provides adequate parking for customers and staff in line with the parking requirements outlined in the DCP. Please refer to the attached Traffic Report prepared by Wallbridge Gilbert Aztec (Job No. WGA221064) for further details.
Part E1.6 Industrial Signage		
E1.6 Industrial Signage	Complies	The proposed signage is required for the identification for the business and is seen to be a positive contribution to the streetscape and contributes to the continued investment of the area. The signs are seen to comply with the requirements of the SEPP and BCA. The design and placement of the signs are also sympathetic to the surrounding amenity aspects of the tenancy and are entirely reversible. Please refer to Section 4.3 of this SEE and the attached supporting material for further details.

4.3 State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 64 (SEPP 64) aims to ensure that signage is compatible with the desired amenity and visual character of an area and regulates specific signage outcomes. Part 2, Section 8 of SEPP 64 states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage satisfies the assessment criteria specified in Schedule 1. An assessment against Schedule 1 – Assessment Criteria of SEPP 64 is included below:

Control	Assessment
1. Character of the area	
<ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<ul style="list-style-type: none"> Yes, the signage is compatible with the existing area that contains a number of advertising opportunities for commercial and retail premises alike.
2. Special areas	
<ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, 	<ul style="list-style-type: none"> No, the proposed signage will not detract from the visual amenity or quality of the area.

Control	Assessment
waterways, rural landscapes or residential areas?	
3. Views and vistas	
<ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	<ul style="list-style-type: none"> The proposed signage does not obscure any significant views, and it respects the viewing rights of other advertisers.
4. Streetscape, setting or landscape	
<ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	<ul style="list-style-type: none"> The proposed signage will be consistent with the scale, proportion and form of the area and surrounding future signage. The proposed signage will contribute to visual interest of the building. The proposed signage will be minimal, in order to prevent visual clutter, and to keep signage simple and conducive to the requirements of SEPP 64. The signage will not require ongoing vegetation management.
5. Site and building	
<ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<ul style="list-style-type: none"> The proposed signage is compatible with the existing building and is visually interesting while being minimal in nature. The signage respects important features of the building and will not adversely affect the amenity of the surrounding area.
6. Associated devices and logos with advertisements and advertising structures	
<ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<ul style="list-style-type: none"> The proposed signage has been designed as an integral part of the ground floor façade with the logo and text being an integral part of the signage.
7. Illumination	
<ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? 	<ul style="list-style-type: none"> The proposed illumination of the signage will not result in unacceptable glare as the illumination is internal and will have appropriate limits in place. The illumination of the signage will not affect the safety of pedestrians, vehicles or aircraft and will not detract from the amenity of the surrounding

Control	Assessment
<ul style="list-style-type: none"> Is the illumination subject to a curfew? 	area noting the established commercial setting of the site
8. Safety	
<ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or cyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<ul style="list-style-type: none"> The proposed signage will not reduce safety as sightlines will not be significantly affected and there will be no cause of distraction for drivers. The proposed signage will not reduce existing safety for pedestrians and cyclists. The proposed signage does not obscure sightlines from public areas.

4.4 Section 4.15 Assessment

In determining a development application, the assessing consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
<p>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:</p> <p>a) the provisions of:</p> <ul style="list-style-type: none"> (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 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 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates, 	<p>a) The proposed works align with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed works are seen to meet all the relative controls and are seen as a good outcome for the subject site.</p>

Evaluation	Assessment
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,	b) The proposed works will not have any negative impacts on the surrounding land uses considering the commercial setting of the site and envisioned use of the tenancy as a commercial premises.
c) the suitability of the site for the development,	c) The tenancy is part of a building which is envisioned for a commercial use of this nature. The proposed development to an existing commercial premises is considered appropriate.
d) any submissions made in accordance with this Act or the regulations,	d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly. However, when taking into consideration the minor nature of the proposal this is not considered necessary.
e) the public interest.	e) The proposed works are to an established commercial site and are seen to be in the public's interest through the provision of an envisioned use.

4.5 Other Considerations

4.5.1 Landscaping

The proposed development does not include any changes to landscaping.

4.5.3 Traffic & Parking

There is no proposed increase in GFA, with the alterations being in line with council's vision for the area.

4.5.4 Social and Environmental Impact

The proposed alterations represents ongoing investment in the area and is seen as a desirable outcome for the subject site.

4.5.5 Waste Management

Waste will be appropriately managed and can be appropriately conditioned on the DA.

5.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed alterations to the existing Duo Duo tenancy. It is considered that the proposed works, which are permissible with consent, is appropriate for the subject site and will not impact on the amenity of the surrounding area. The proposed works will not impact on any significant heritage fabric. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.