

**DESIGN &  
APPROVAL  
GROUP**

# **Statement of Environment Effects**

**Change of use for a Vehicle Repair  
Station**

**38A, Helen Street, Sefton**

**Date:** 29/04/2024

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## 1 Introduction

Design and Approval Pty Ltd have been engaged to prepare a Statement of Environmental Effects Report ('the Report') on behalf of Central Automotive ('the client').

The Report is submitted to the City of Canterbury Bankstown in support of a development application seeking development consent for a change of use of an existing *Warehouse* to a *Vehicle Repair Station*.

This report describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or reduce the potential impacts on the surrounding environment.

The property is legally described as D/-/DP28963 38A, Helen Street, Sefton 2162 NSW ('the subject premises'). The current approved use is a Warehouse, this having a classification of Class 7b under the BCA.

The client seeks approval for the change of use of the current Warehouse for the purposes of retail premises (Class 6) being defined as a *Vehicle Repair Station* and zoned **B2 - Local Centre** under the Canterbury-Bankstown Local Environmental Plan 2023.

The proposal meets the relevant provisions of CBLEP, and Clause 4.15 of the *Environmental Planning and Assessment Act 1979*.

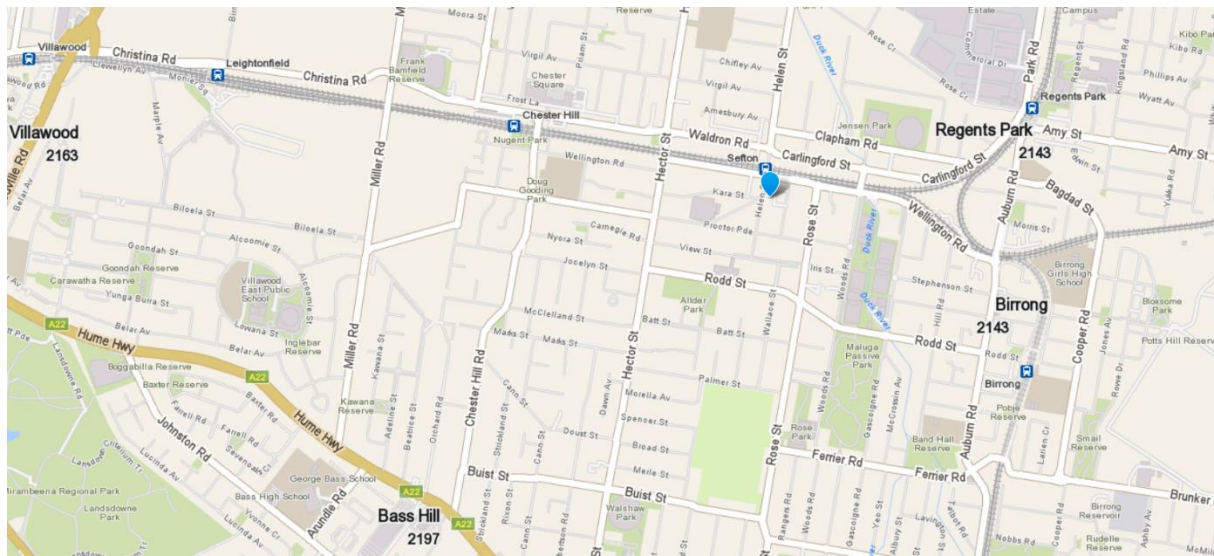


## 2 Site Characteristics

Based on both a desktop review and an inspection of the site, the following observations were made.

### 2.1 Location

The site is situated on the East side of Helen Street and approximately 110m from the Sefton Train Station (refer **Figure 1**).



**Figure 1** - Map showing the site in a greater context (source: Where is <https://www.whereis.com/>)

## 2.2 Description of the site

The site address is 38A, Helen Street, Sefton and the property is legally described as D/-/DP28963. It is located within the City of Canterbury Bankstown Council and is currently zoned B2 - Local Centre under the Canterbury-Bankstown Local Environmental Plan 2023.



**Figure 2** - Map showing the site zoning (*source: NSW Planning Portal*)

<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address>

The existing building is a two-storey warehouse which comprises of a warehouse space, office, kitchen, Pantry, a washroom and a Bathroom at the Ground Floor.

A Development Application (DA-107/1988) approved for the use of ground floor for office space & w/housing of consumer "products and a Private Certified Complying Development (CD-488/2020) approved to be used as a tenancy fit-out for a "Massage Shop", for the site, were identified on Councils DA tracker, and it is assumed that its original approved use still applies.

### 2.3 Locality of the site

The site is bound by Helen Street to the West, Commercial buildings to the North and South, and a bi-road which connects to the Torrington Avenue to the East.



**Figure 3 – Aerial Photograph (source: Google Maps)**



### 3 Proposed work and use

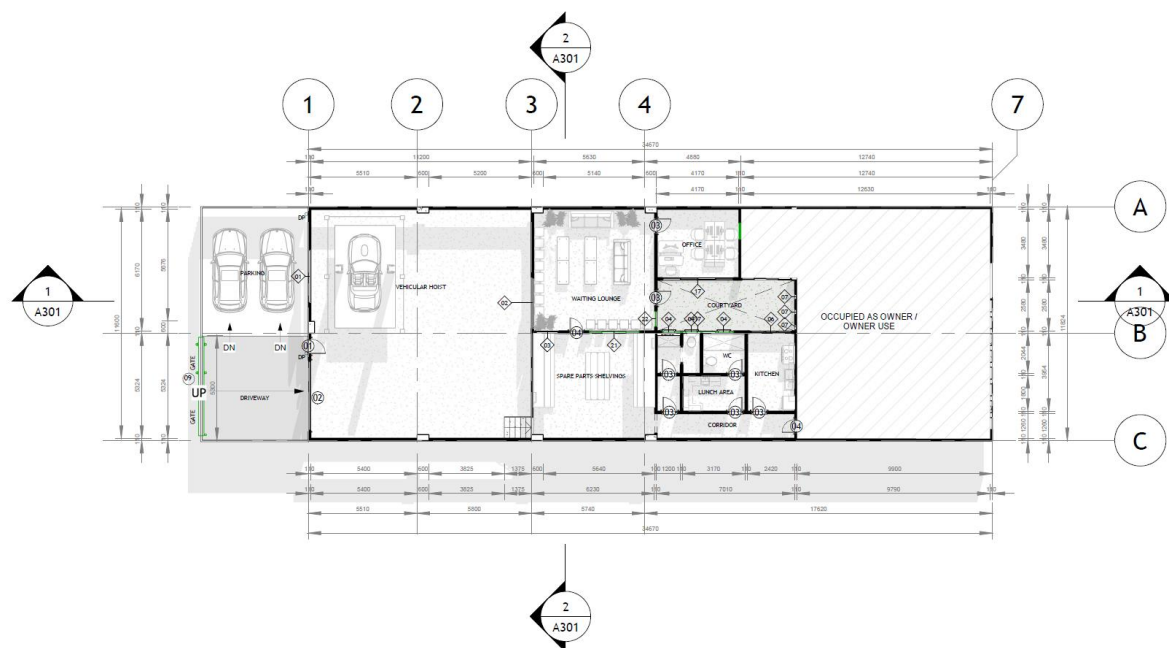
The client seeks consent for the change of use for a *Vehicle Repair Station*, which will be operated by the client.

There are no excavation, demolition, or tree removal/landscaping works proposed. No changes are proposed to the building or the vehicular and pedestrian access or car parking.

#### 3.1 Zoning and Permissibility

The subject site is zoned **B2 - Local Centre** under the Canterbury-Bankstown Local Environmental Plan 2023. The proposed development is permissible under the zone. The proposed use is for a *Vehicle Repair Station* which is permissible within the area with consent.

The proposal involves the change of use of the existing warehouse to a Vehicle Repair Station on the ground floor level, refer to the proposed floor plan below:



**Figure 4 – Proposed Ground Floor Plan**

### 3.2 Description of proposal and the use of site

The client seeks consent for the change of use of the subject premises to a *Vehicle Repair Station* which will be operated by the client as a part of their business.

### 3.3 Hours of Operation

The centre will operate between the following hours:

Days	Hours of Operation
Monday-Friday	7:00 am to 7:00pm
Saturday-Sunday	8:00am to 6:00pm

### 3.4 Access Parking and Traffic

#### Off-Street Parking

Currently, there are parallel parking spaces on the roadway at Helen Street, at the front of the property.

### 3.5 Signage

It is proposed that the business will have Business Identification Signs compliant with Part 2 Exempt Development Codes of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

### 3.6 Amenities

The proposal contains two sanitary facilities with associated washbasins. Based upon the maximum number of occupants, the amenities provision is compliant with the provisions of the Building Code of Australia.

### 3.7 Waste Management

It is expected that minimal waste will be generated, and the onsite staff members will regularly clean and maintain the site. Waste bins will be located on site to service the minimal waste generated by clients. The waste bins will be located in a secure and suitably screened area so





they do not have an adverse visual or odour impact upon surrounding properties or the public domain. A waste management plan is submitted in support of the proposal.

### **3.8 Electricity, Communication, Gas, Water and Wastewater**

The site has provisions already established for service and utility connections.



## 4 Planning Legislation

This Section deals with the legislative framework that are relevant to the assessment of this application. The site is affected by various environmental planning instruments and statutory controls as listed below:

### 4.1 The Canterbury-Bankstown Local Environmental Plan 2023

The Canterbury-Bankstown Local Environmental Plan 2023 applies to the subject site, and as such in the first instance, is required to comply with the aims the CBLEP 2023 which is as follows:-

#### 1.2 Aims of Plan

- (1) *This Plan aims to make local environmental planning provisions for land in Canterbury-Bankstown in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*
- (2) *The particular aims of this Plan are as follows—*
  - (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
  - (a) *to manage growth in a way that contributes to the sustainability of Canterbury-Bankstown,*
  - (b) *to protect landforms and enhance vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Canterbury-Bankstown,*
  - (c) *to identify, conserve and protect the Aboriginal, natural, cultural and built heritage of Canterbury-Bankstown,*
  - (d) *to provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown,*
  - (e) *to restrict development on land that is sensitive to urban and natural hazards,*
  - (f) *to provide a range of residential accommodation to meet the changing needs of the population,*
  - (g) *to provide a range of business and industrial opportunities to encourage local employment and economic growth and retain industrial areas,*
  - (h) *to create vibrant town centres by focusing employment and residential uses around existing centres and public transport,*
  - (i) *to provide a range of recreational and community service opportunities and open spaces to meet the needs of residents of and visitors to Canterbury-Bankstown,*
  - (j) *to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,*
  - (k) *to ensure activities that may generate intensive car usage and traffic are located near public transport that runs frequently to reduce dependence on cars and road traffic,*



- (l) to consider the cumulative impact of development on the health of the natural environment and waterways and on the capacity of infrastructure and the road network,
- (m) to support healthy living and enhance the quality of life and the social well-being and amenity of the community,
- (n) to ensure development is accompanied by appropriate infrastructure,
- (o) to promote ecologically sustainable development.

**The following matters in are relevant to the development under the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)**

CLAUSE	COMMENT	COMPLIANCE
<b>Part 2 Permitted or prohibited development</b>		
<b>Land Use Table</b>		
<b>Zone</b> B2 - Local Centre ( <b>Illustrated in Figure 2 and 3 above</b> )	<p>Vehicle repair station is permissible with consent in the B2 - Local Centre zone.</p> <p>The CBLEP 2015 definition of “Vehicle repair station” is:</p> <p>" a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises".</p> <p>The proposed use of the site as outlined in Section 3 is consistent with the CBLEP definition of Vehicle repair station.</p>	<b>Yes</b>
<b>Objectives of zone</b> <ul style="list-style-type: none"> <li>• To provide a mixture of compatible land uses.</li> <li>• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</li> <li>• To reinforce the role of the Bankstown CBD as a strategic center.</li> <li>• To promote a high standard of urban design and local amenity.</li> </ul>	<p>A vehicle repair station is a Business land use and it utilises the existing built form and will add value to the area.</p> <p>The Vehicle Repair Station, is located in a convenient location, a one of a kind and will assist the neighbouring developments within the street to reduce the time wasted on roads.</p> <p>The proposal is a low intensity use which will result in no adverse noise or traffic impacts.</p> <p>The site will not reduce the amenity of other neighbouring businesses instead supports neighbouring business land uses.</p>	<b>Yes</b>



**Part 4 Principal development standards**
**4.1 Minimum subdivision lot size**

The objectives of this clause are as follows:

- (a) to ensure lots are large enough to accommodate proposed dwellings, setbacks to adjoining land, private open space and landscaped areas, driveways and vehicle maneuvering areas,
- (b) to ensure the subdivision of low density residential zoned land reflects and reinforces the predominant subdivision pattern of the area,
- (c) to ensure lots can be used for buildings that are safe from flooding, bush fire risk and other hazards,
- (d) to ensure lots are large enough to protect special attributes, including natural or cultural features, heritage items, heritage conservation areas, trees and natural topographical features,
- (e) to ensure all lots are provided with adequate and safe access,
- (f) to minimise the likely adverse impact of subdivision and development on the amenity of the area,
- (g) to prevent fragmentation or isolation of land.

Subdivision is not proposed on the site.

**Yes**

**4.3 Height of buildings**

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The site will use the existing warehouse facility and does not propose any alterations to the height of the development.

**Yes**

**4.4 Floor space ratio**

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The site will use the existing facility as it is and does not propose any alterations to the floor space of the development.

**Yes**



**Part 5 Miscellaneous provisions**
**5.21 Flood planning**

(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

- (a) is compatible with the flood function and behavior on the land, and
- (b) will not adversely affect flood behavior in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

N/A

**Yes**

As the proposal for the occupation of the premises for a *Vehicle Repair Station* is permissible within the zoning and complies with the objectives of the zoning it is consistent with the CBLEP.



## 4.2 Canterbury-Bankstown Development Control Plan 2023 (The DCP).

The following matters in are relevant to the development under the Canterbury-Bankstown Development Control Plan 2023 (The DCP).

CLAUSE	COMMENT	COMPLIAN CE
<b>Relevant provisions</b>		
<b>2.3 Tree Management</b>		
<b>Objectives</b> 1. To sustainably manage the tree resources to improve the visual, physical and environmental amenity of Canterbury-Bankstown. 2. To promote a healthy urban forest and urban tree canopy. 3. To promote the use of professional standards and best practices in tree management. 4. To list the controls for the pruning, removal, and replacement planting of trees.	This work relates to a change of use of the existing warehouse. As there is no proposed works to be carried out to the external elements of the building no vegetation or tree removal will be impacted by this development.	<b>Yes</b>
<b>3.2 Parking</b>		
<b>Objectives</b> 1. To ensure development achieves the parking requirements. 2. To achieve a balance between parking requirements, visual aesthetics and pedestrian safety, which includes access for people with disabilities and convenience for drivers. 3. To reduce car dependency by encouraging alternative means of transport such as cycling, walking and public transport. 4. To ensure the layout and design of car parks function efficiently and safely. 5. To ensure the design of open-air car parks incorporate landscape to manage urban heat and water, and to minimise the visual impact. 6. To minimise overflow parking and other traffic impacts in residential streets and neighborhoods.	The existing parking arrangement will be as it is and will not compromise with the existing parking requirements. Further the development will not reduce the number of car parking spaces at the existing land.	<b>Yes</b>





### 3.3 Waste Management

#### Objectives

1. To maximise resource recovery and encourage source separation of waste, reuse and recycling by ensuring development provides adequate and appropriate bin storage and collection areas.
2. To ensure development incorporates well-designed and adaptable bin storage areas and collection facilities that are convenient and accessible to occupants.
3. To maximise residential amenity and minimise adverse environmental and health related impacts associated with waste management such as odour and noise from bin storage and collection areas.
4. To ensure bin storage and collection areas are designed to integrate with and meet the requirements for Council's domestic waste services.
5. To ensure development facilitates all waste streams being handled, stored and collected in a manner to reduce risk to health and safety of all users including maintenance (such as caretakers), collection staff and contractors (and required vehicles and equipment).
6. To integrate bin storage and collection areas with the building form and landscape to avoid adverse visual impacts on the streetscape and neighbourhood.
7. To assist in achieving Federal and State Government waste minimisation and diversion targets as set by relevant legislation, regulations and strategies.

The proposed change of use will be utilizing the standard waste management within the area and continue the practices carried out in the current use of the land. Further aspects such as separation of waste, adequate bin storage areas, collection facilities, accessibility, handling, storage, while focusing on minimising adverse environmental and health related impacts associated with waste management and risk to health & safety of all users.

Bin storage areas are integrated with the overall design and functionality of development and are located within the building envelope to enable screening from the view from the public domain.

Waste collection frequency will be a minimum of once per week.

**Yes**

### 3.6 Signs

#### Objectives

1. To ensure signs are compatible with the desired amenity and visual character of the locality.
2. To ensure signs are compatible with the development on which it is displayed.
3. To ensure development does not lead to visual clutter through the proliferation of signs and displays.
4. To ensure signs contribute to the safety, legibility and amenity of Canterbury Bankstown.

The façade will be kept untouched assuring the signage will adhere to all requirements listed out by the council assuring to not tarnish the external ambience of the existing street elevation.

**Yes**



<b>3.7 Landscape</b>		
<b>Objectives</b> 1. To promote attractive settings for development and the public domain. 2. To ensure landscape design contributes to the streetscape and amenity. 3. To incorporate the principles of ecologically sustainable development into the landscape design.	As there is no proposed works to be carried out to the external elements of the building, the landscaping of the existing site will be as it is.	<b>Yes</b>
<b>Bushfire</b>		
The site is not located in a bushfire prone area.	N/A	<b>Yes</b>
<b>Water Cycle Management, Gross Pollutant traps and surface runoff</b>		
N/A	This work relates to a change of use of the existing warehouse. There are no proposed works that relate to building additions or hard surface area, and as such this clause is not applicable.	<b>Yes</b>
<b>Salinity Risk</b>		
N/A	This work relates to a change of use of the existing warehouse. As there are no proposed external building works, no excavation, no change to the levels and all works are contained within the existing buildings, it can be considered unlikely that any acid sulfate soils will be disturbed.	<b>Yes</b>

As the proposal for the occupation of the premises for a *Vehicle Repair Station* is permissible within the zoning and complies with the objectives of the zoning it is consistent with the DCP.



## 5 Section 4.15 assessment

The proposed development has been assessed against the relevant matters for consideration under Section 4.15 (Previously 79C) of the *Environmental Planning and Assessment (EP&A) Act 1979* and no concerns have been identified that would validate the refusal of the application based upon planning grounds. Outlined below is a brief assessment of the proposal with regards to Section 79C of the EP&A Act 1979.

### (1) Matters for consideration—general

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:

*(a) the provisions of:*

*(i) Any environmental planning instrument*

**This Statement of Environmental Effects has shown that this proposal is permissible with consent and complies with the relevant provisions of the LEP.**

*(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*

**There are no draft environmental planning instruments currently on display that relate to this site.**

*(iii) any development control plan*

**The proposed development complies with the provisions of the Development Control Plan.**



*(iiia) any planning agreement that has been entered into under section 7.4 (previous s 93F), or any draft planning agreement that a developer has offered to enter into under section 7.4, and*

**This is not applicable.**

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

**This Development Application proposes a change of use and as such Clause 64 of the EP&A Regulations 2021 is applicable.**

*b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

- Impact on Water:

No impact on water is proposed.

- Impact on Soil:

No effect on the soil as there are no proposed hard stand works to the existing soft ground areas.

- Impact on Flora and Fauna:

No effect or impact upon the existing biodiversity of the local area or critical habitats, threatened or endangered species, populations, ecological communities, and their habitats.

- Impact on Air Quality:

No impact on air quality.

- Noise Pollution:

The existing building comprises of solid concrete and brick walls which possess insulating properties against noise. The noise generated would not be beyond the level allowed within the area.

- Traffic Impact:

It is considered that the car parking arrangements satisfactorily comply with the objectives of the DCP. Being close to the public transport also encourages its use.

- Visual Impact:

There are no proposed upgrades to the existing façade.

- Social and Economic Impact:



The proposal is not likely to result in any adverse social or economic impacts.

*(c) the suitability of the site for the development*

The site is considered suitable for the proposed development as it complies with the objectives of the CBLEP 2023.

*(d) any submissions made in accordance with this Act or the regulations,*

If the proposal is notified by Council, any submissions received will be considered by Council.

*(e) the public interest*

The proposed use will not create any significant adverse impacts on neighbouring properties. The development is both consistent with and complimentary to the nature, character and scale of the commercial area. Given the above, the proposal is considered to be in the public interest.



## 6 Conclusion

Based on the information provided herewith and upon our investigation with regards to the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and requirements of the LEP and DCP. The application before the Council, provides no unreasonable impacts to the adjoining and adjacent properties and is in keeping with the general streets character.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of the Development Application. Design and Approval Pty Ltd recommends the approval of the application.

