

84 Rogers Street Roselands NSW 2196

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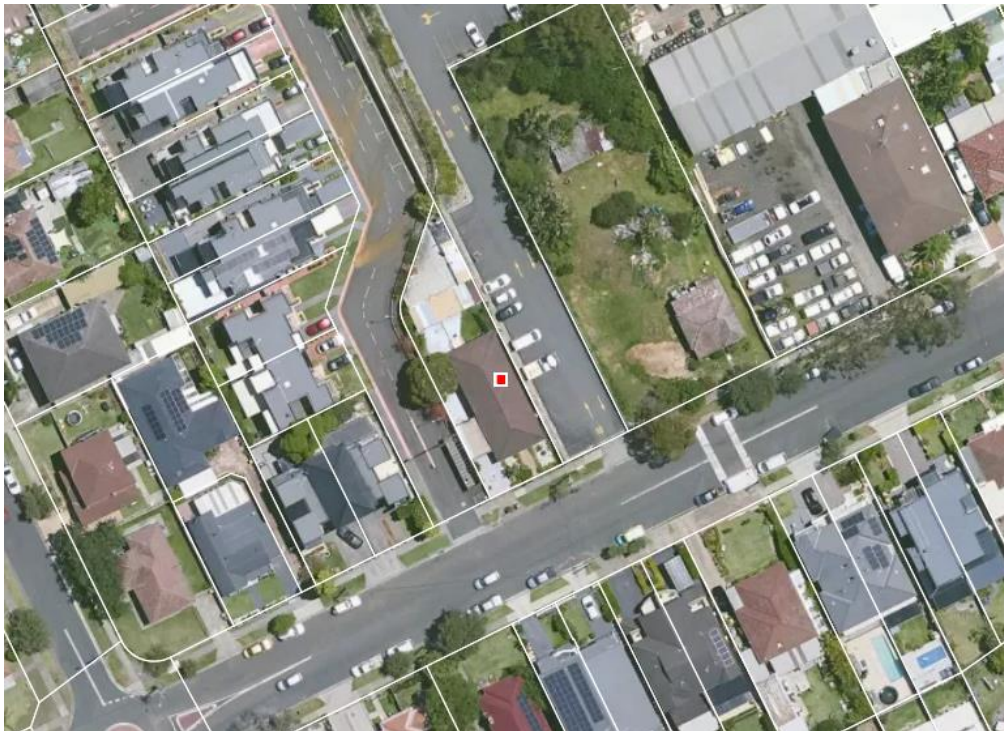
TOWN PLANNING / URBAN DESIGN / PROJECT MANAGEMENT

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STATEMENT OF ENVIRONMENTAL EFFECTS

84 ROGERS STREET ROSELANDS NSW 2196

CHANGE OF USE TO DEPOT



PROJECT DETAILS

Legal Description	Lot C/-/DP354967	Property Address	84 Rogers Street Roselands NSW 2196
Project Reference	2024-986		
Date	August 2024	Revision	B
Architect	RMA Built		

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BPlan (Hons) UNSW, MUDD UNSW, Grad Cert (Project Management) UTS

Principal – Maximus Developments Australia

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PROPOSAL

The proposal seeks development consent via a development application (DA) for the change of use to a depot on land known as 84 Rogers Street Roselands NSW 2208. The tenancy is located on the ground floor. This Statement of Environmental Effects (SEE) has been prepared in accordance with the Statutory considerations of Schedule 1 of the Environmental Planning and Assessment Regulation 2021 (as amended). A site inspection has occurred of the site and the immediate surrounding area in preparation of this planning report.

This Statement of Environmental Effects (SEE) is to be read in conjunction with the following accompanying supplementary documentation as listed below;

Table 1: List of supplementary documentation

Document	Author	Reference	Date
Survey	Masri Survey Group Pty		11/06/2024
Architectural Plans	RMA Built		10/7/24
Plan of Management / Waste Management Plan	Maximus Developments Australia	Rev A	July 2024

Report Summary

Table 2.1: Strategic Context

Strategic Direction	Authority	Proposal meets objectives and spirit of plan
A Plan for Growing Sydney	NSW Department of Planning	Yes
Canterbury-Bankstown Community Strategic Plan 2028	City of Canterbury-Bankstown	Yes
Canterbury-Bankstown Local Environmental Plan 2023	City of Canterbury-Bankstown	Yes

Table 2.2: Evaluation Planning considerations

Planning Considerations	Compliance
State Environmental Planning Policies (SEPP's)	Yes
Canterbury-Bankstown Local Environmental Plan 2021	Yes
Canterbury-Bankstown Development Control Plan 2023	Yes

Table 3.3: Key Impacts and Considerations

Consideration	Comment	Compliance
Character, bulk and scale	No change to existing built form as the proposal seeks a change to use to a depot.	Yes
Car parking	The proposal seeks to utilise existing car parking spaces on site.	Yes
Trees and landscaping	No change to existing.	Yes
Overshadowing / Solar access	No change to existing as the built form is unchanged.	Yes
Stormwater	The proposed use seeks a change of use, no change to external building works are proposed.	Yes
Privacy	The proposal is not considered to result in any unreasonable privacy impacts given that the use relates to a ground floor premises	Yes
Acoustic	The proposal is not considered to result in any unreasonable acoustic impacts given the use. A noise impact assessment accompanies this application in support of the proposal.	Yes

Research Background

The proposal has taken in consideration with the Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 (as amended), State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Industry And Employment) 2021, Canterbury-Bankstown Local Environmental Plan 2023 and Canterbury-Bankstown Development Control Plan 2023 (as amended).

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PART A: Site Description and Proposal

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PART A: SITE DESCRIPTION AND PROPOSAL

Description of subject site

The subject site is legally described as Lot C/-/DP354967 and is known as 84 Rogers Street, Roselands NSW 2196. The site forms an irregular shaped allotment and is dimensioned as follows; m, with a total site area of sqm. The site is zoned IN2 Light Industrial within the Canterbury Bankstown Local Environmental Plan 2023. A single storey building is located on site. Vehicular access is granted via Rogers Street, Roselands.



Fig.1 Photograph of subject site viewed from Rogers Street, Roselands (Source: Maximus Developments Australia, 2024).



Fig.2 Photograph of subject site (Source: Maximus Developments Australia, 2024)

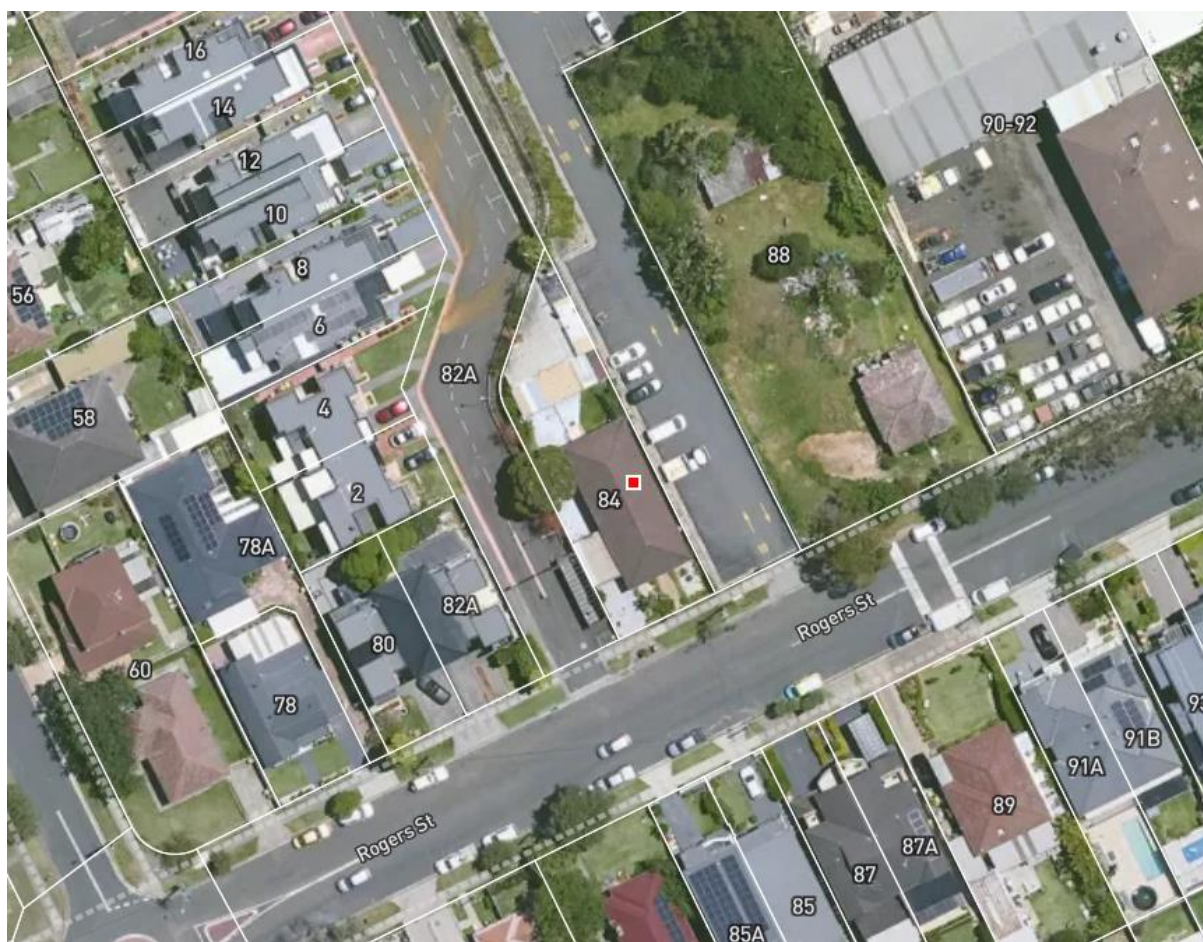


Fig 3. Aerial extract: Subject site and surrounding area (Metromap, 2024).



Fig 4. Historical aerial extract from 2000, Subject site and surrounding area which indicates the previous adjoining industrial use adjoining to the west (Metromap, 2024).



Fig 5. Zoning Extract of subject site which is IN2 Light Industrial under the Canterbury-Bankstown Local Environmental Plan 2023 (Source Department of Planning, NSW Planning Portal 2024).

Surrounding Context

The immediate surrounding context is of comprises of a mixture of uses. The site adjoins industrial zoning to the east which includes Council's depot. Residential is located to the west.



Fig. 5 Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).



Fig. 6 Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).



Fig. 7 Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).

Site History

Council's records indicate that the site has been historically used for a dwelling house however the site has been later zoned as IN2 Light Industrial. It is noted that there are older houses on Rodgers Street which are also zoned IN2 Light Industrial.

Description of proposal

The proposal seeks development consent for the change to a **depot** for electrical services. No works proposed to existing building. This building is not used. A depot is defined within the Standard Instrument as "**depot** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building".

Table 5: Key summary of proposal

Criterion	Proposed
Hours of operation	Monday-Friday: 5:30am-7.00pm, Saturday: 5:30am – 7.00pm Sunday: Closed Incidental after hours *
Car parking	Two (2) car parking spaces, One (1) truck car space
Number of employees:	Four (4) maximum at a time to load and unload. There are no employees on site during daytime.

*Refer to Plan of Management and Waste Management Plan attachment.

PART B: STATUTORY CONSIDERATIONS

PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

The proposal has been considered against Section 1.3 Objects of the Act as per below;

Table 6: Objects of the Act

Object Reference	Object	Comment	Satisfies objective
(a)	To promote the social and economic welfare of the community and a better environment by the proper management,	To the proposal is considered not to result in any	Yes

	development and conservation of the State's natural and other resources,	adverse impacts in relation to natural and other resources.	
(b)	To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal is not considered to be contrary to any economic, environmental and social considerations.	Yes
(c)	To promote the orderly and economic use and development of land	The proposal results in results in orderly economic use of which forms a permissible use as a depot.	Yes
(d)	To promote the delivery and maintenance of affordable housing,	N/A	N/A
(e)	To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	No impact to trees on site or to adjoining properties.	N/A
(f)	To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The site is not affected by European or Aboriginal cultural heritage. An interim heritage order does not apply to the site.	N/A
(g)	To promote good design and amenity of the built environment	No change to existing built form.	Yes
(h)	To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	Noted.	Yes
(i)	To provide increased opportunity for community participation in environmental planning and assessment.	To be notified in accordance with the provisions of the Canterbury Bankstown Community	Yes

		Engagement Strategy.	
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As per the table above, the proposal is considered to reasonably satisfy the underlying intent of the Objects of the Act.

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2021 (AS AMENDED)

The application has been prepared in accordance with the Statutory requirements within Schedule 1 and is considered to be acceptable and sufficient for the purposes of assessment.

STATE ENVIRONMENTAL PLANNING POLICIES

The proposal has been considered in accordance with the key considerations of the following applicable State Environmental Planning Policies (SEPP's) as follows;

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The subject site has been recently redeveloped to a modern industrial complex. It is considered that considerations under the SEPP equivalent would have been considered at the time of the assessment of the building with basement. The proposal seeks a change of use and no excavation works, on this basis it is considered the proposal is not inconsistent with the considerations of the SEPP.

CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023 (AS AMENDED)

The proposal has been considered against the following provisions.

Section 1.2 Aims of the Plan

The proposal has been considered in accordance with the relevant aims (in bold) 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.*

Comment: The proposal seeks development consent for a depot, given the above the proposal is considered to reasonably satisfy the Aims of the Plan.

The proposal adequately satisfies the underlying IN2 Light Industrial objectives 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.*
- *To promote a high standard of urban design and local amenity.*

Comment: Given the above, the proposal is considered to be consistent with the IN2 Light Industrial Zone objectives.

Table: Canterbury-Bankstown Local Environmental Plan 2023

Control	Requirement	Proposal	Complies
Land Use Table	IN2 – Light Industrial	A depot forms a permissible prescribed use within the zone with development consent. Development consent is sought forming this development application.	Yes
4.3 Height of buildings	N/A	No change to existing.	Yes
4.4 Floor Space Ratio	1:1	No change to existing.	Yes
4.5 Calculation of Floor Space Ratio and Site Area	Calculation to be undertaken as per defined for floor space ratio and site area.	Calculated as per definition clause.	Yes
6.2 Earthworks	Objectives to be satisfied	No change to existing.	Yes
6.4 Stormwater	Objectives relating to stormwater to be satisfied	No change to existing.	Yes

6.6 Essential Services	Objectives relating to essential services to be satisfied; (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access.	Essential services such as water, electricity, disposal of sewerage, drainage and suitable vehicular access provided in accordance with the requirements of this clause in relation to the existing building.	Yes
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The proposal complies with the permissibility, zone objectives, Development Standard and considerations under the Canterbury Bankstown Local Environmental Plan 2023.

PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(II) ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT/ DEVELOPMENT CONTROL PLAN

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

Chapter 2.1 Site Analysis

The proposed change of use is considered to be compatible with the immediate surrounding area and uses on site.

Chapter 3.1 Engineering Standards

The proposal does not seek any changes to the building or increase in impervious areas, therefore there is no increase in stormwater impact.

Chapter 3.2 Parking

The proposal has been considered in accordance with the key relevant considerations of this subsection.

Clause	Control	Proposal	Complies
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2.1	1 space per 2 staff; and 1 space per transport vehicle present at the time of peak vehicle accumulation on the site. Under no circumstances is the parking of vehicles on a public street acceptable. Note 1: On-site overnight truck parking should be provided as required. Note 2: An area of 50m ² (including 20m length) per vehicle is to be provided for vehicles held or queued on the site.	Two (2) car parking spaces within rear setback One on site car parking for truck along western side boundary.	Yes
2.2	In calculating the total number of car parking spaces required for development, these must be: (a) rounded down if the fraction of the total calculation is less than half (0.5) a space; or (b) rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and (c) must include a room that is capable of being converted to a bedroom.	Noted.	Yes
2.3	Development comprising more than one land use must provide the combined parking	The site contains a mixture of approved uses. Existing car parking rate has been considered in	Yes

	requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule	relation to uses on site.	
2.4	Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area	The proposal does not seek any additional car parking spaces which would be calculated in floor space.	Yes
2.5	Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.	Depots are specified within Council's land use DCP car parking rate. Compliant car parking has been provided on site.	Yes
B1.3.2 Accessible Parking Rate	BCA Class 9 C5. In a development containing more than 10 spaces, provide 1 (one) accessible parking space for every 25 spaces designed and constructed in accordance with AS 2890.1.	Less than 10 spaces.	Yes
	Accessible off-street parking rates 2.7 Accessible parking is required to	One (1) accessible space provided on site.	Yes

	<p>be designed and constructed in accordance with the following rates:</p> <p>1 accessible parking space per 50 parking spaces for staff;</p> <p>1 accessible parking space for visitors per 50 parking spaces where a car park has less than 500 spaces;</p> <p>1 additional accessible parking space per 100 parking spaces above 500 spaces for visitors</p>		
Section 3 – Design and Layout	<p>Parking location</p> <p>3.1 Development must not locate entries to car parking or delivery areas:</p> <p>(a) close to intersections and signalised junctions;</p> <p>(b) on crests or curves;</p> <p>(c) where adequate sight distance is not available;</p> <p>(d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island);</p> <p>(e) where right turning traffic entering may</p>	<p>Driveway entry existing. No changes proposed.</p>	<p>Yes</p>

	obstruct through traffic; (f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or (g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.		
3.2	Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.	Parking area at rear.	Yes
3.4	Council may consider tandem parking in the following situations: (a) Industrial development where the users of the car parking will almost all be Employees (b) High density residential flat buildings, shop top housing and mixed use development if the parking users reside in the same dwelling or the employees	No change to proposed existing car parking configuration.	Yes

	work in the same premises. (c) Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling		
3.5	Tandem parking is not permitted where a high proportion of the users of the car park are visitors or customers.	Not existing.	N/A
3.7	Mechanical parking devices, including car lifts, will not be supported.	No car lift is proposed.	Yes
3.8	Access driveway width and design The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.	The proposed driveway incorporates the most logical and direct route to the street as existing.	Yes
3.9	The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the	Existing driveway contains a single width.	Yes

	frontage road type and the number of parking spaces served by the access facility.		
3.12	Minimum headroom dimensions Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs. Following minimum headroom dimension has to be maintained in all development. Min headroom Cars and light vans: 2.4m People with disabilities: 2.3m	No basement	N/A
3.17	Service vehicles are to enter and leave the site in a forward direction.	Service vehicles can enter and exit in a forward direction as existing.	Yes
3.18	Safety and security Sloping ramps from car parks, garages and other communal areas are to have at least one full car length of level driveway before they intersect pavements and carriageways.	Car park and garages have been appropriately located and designed as existing.	Yes
3.19	Sight distance requirement 3.19 For all development,	Adequate sight lines provided as existing.	Yes

	adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway.		
3.20	Pedestrian access Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits.	Direct pedestrian access provided.	Yes
3.21	Lifts and stair lobbies should be prominently marked to help users find them and to increase personal security.	Lifts and stair lobbies are to be marked and existing.	Yes
3.22	In split-level/multi-level car parks, a stairway should be located at the split-level, to provide pedestrian access between these levels and eliminate pedestrians having to use vehicular ramps.	On grade car parking.	Yes
3.26	Provide a mix of bicycle storage	Not applicable.	Yes

	facilities to cater for short and long stay parking		
3.27	3.27 Bicycle racks or stands placed in open public areas that provide only means to lock one wheel of a bicycle to a fixture is not an acceptable secure arrangement. Devices requiring a wheel to be removed are also not acceptable	Can be provided on site.	Yes
3.28	3.28 Development must incorporate the following elements into the design and location of bicycle parking: (a) all facilities are clearly visible and as close as possible to the main entrances/exits to the street and within the building; (b) short-stay and visitor parking is at-grade and floor and wall-mounted rails are acceptable; (c) long-stay and resident parking is on the uppermost level of a basement car park; (d) a safe path of travel between bicycle parking and the main entrances/exits is clearly marked;	Adequate bicycle facilities provided and located on site.	Yes

	(e) bicycle facilities are not to hinder vehicle and pedestrian movements, or contribute to the likelihood of injury to passing pedestrians; (f) access paths to bicycle parking are a minimum of 1.5m wide for oneway access path to allow the passage of a pedestrian pushing a bicycle; and (g) standardised information signs are to be used to give directions to bicycle parking areas.		
3.29	Bicycle parking facilities are to be well lit to minimise theft, vandalism, reduce pedestrian hazard and to improve safety of the cyclists.		Yes
3.30	Visitor parking 3.30 Visitor spaces must not be located behind security grills and must be easily accessible.		Yes
3.31	3.31 Clearly mark and signpost visitor parking, and locate on the ground floor where possible, so that it is easy to find and access.		Yes
3.32	3.32 Visitor parking should be located near the main		Yes

	pedestrian entrance to the building and can be located in front of the building alignment, but not encroach upon the front setback areas.		
3.33	Basement parking 3.33 Provide ventilation to basement parking. Location and details of mechanical ventilation design must be outlined in applications to Council.	No change to existing.	Yes
3.34	3.34 Design and integrate basement parking so as not to accentuate the scale or bulk of a building, or detract from the streetscape or front setback character.		Yes
3.37	3.37 Provide secure bicycle parking at basement level which is easily accessible from ground level, from apartments and other uses within the development.		Yes
3.38	3.38 Keep all loading docks, parking areas and driveways clear of goods and do not use for storage, including garbage storage, so that free movement is available at all times.	No change to existing layout.	Yes

3.39	3.39 Locate and design so that impacts such as noise, exhaust fumes and headlight glare, are minimised on adjoining residential uses or residential zoned land.	No change to existing layout.	Yes
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Industrial

Clause	Control	Proposal	Complies
C1 General Industrial Precinct	The General Industrial Precinct will continue to support successful employment and economic activity as its primary role. This precinct is vital to Canterbury-Bankstown's position and future economic success in the Central River City, and will continue to offer residents jobs closer to home. The built form will be mostly contemporary industrial development set on large lots within a safe and high quality environment. Non-industrial development will be limited to land uses that are compatible with the primary employment role of the precinct.	The proposed change of use results in the creation of jobs.	Yes
C2 Light Industrial Precinct	The Light Industrial Precinct will continue to support successful employment and		Yes

	<p>economic activity as its primary role. This precinct is vital to Canterbury-Bankstown's position and future economic success in the Central River City, and will continue to offer residents jobs closer to home. The built form will be mostly contemporary light industries, warehouses and urban services within a safe and high quality environment. These uses would be 'light' in nature, meaning they would not cause nuisance or adversely affect the surrounding amenity by way of noise or emissions. Non-industrial development will be limited to land uses that are compatible with the primary employment role of the precinct</p>		
Section 2 – Building Form and Shape			
	<p>Site cover 2.1 The sum of the total area of building(s) on the ground floor level must not exceed 70% of the site area</p>	<p>Building 160sqm Site area 554sqm</p>	Yes
Street setbacks 2.2	<p>2.2 This clause applies to land within the former Bankstown Local Government Area: (a) Where sites adjoin a state or regional road (refer to Appendix 1), the minimum setback to the primary and</p>	<p>The site is located on a local road.</p>	Yes

	secondary street frontages is 15m. (b) Where sites do not adjoin a state or regional road, the minimum setback to: (i) the primary street frontage is 10m; and (ii) the secondary street frontage is 3m.		
2.3	This clause applies to land within the former Canterbury Local Government Area: (a) The minimum setback to the primary street frontage is 5m. (b) The minimum setback to the secondary street frontage is 2m.	No change to existing front setback.	Yes
2.4	Despite clauses 2.2 and 2.3, Council may vary the minimum setback provided the development: (a) complies with any statutory alignment that applies to the site; or (b) provides adequate space to meet the vehicle access, car parking, loading and landscaping controls; or (c) demonstrates compatibility with the building alignment of neighbouring development or the desired character of the area; or (d) achieves an appropriate bulk and scale.	As above.	Yes
Rear and side setbacks 2.5	2.5 Council may require minimum setbacks to the side and rear boundaries	No change to existing building form.	Yes

	of the site: (a) to maintain reasonable solar access or visual privacy to neighbouring dwellings; or (b) to avoid an easement or tree dripline on the site or adjoining sites; or (c) to comply with any multi-level risk assessment undertaken for a development that ascertains the need for an appropriate setback or buffer zone between the development and any adjoining or neighbouring land within a residential zone		
2.6	The design of buildings must ensure that: (a) At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling. (b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least	The change of use does not result in any changes to the existing single storey form.	Yes

	three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.		
Development adjacent to residential zones	In determining a development application that relates to a site adjoining land in Zone R2, R3 or R4, Council must take into consideration the following matters: (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone; (b) whether goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development; (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 8.00am and 4.00pm at the mid-winter	As stated above, the change of use does not result in any changes to the existing single storey form.	Yes

	solstice; (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised; (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like; and (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences.		
Setbacks to riparian corridors 2.8	Development must achieve a minimum setback of 15m from a riparian corridor (measured from the top of the watercourse banks) and must revegetate the riparian corridor to Council's satisfaction.	The site is not within close proximity to a riparian corridor.	Yes
Development adjacent to channelled waters 2.9	Development must provide access to channelled watercourses for maintenance and repair	No change to existing built form. Channel to the west can be accessed to from the site. It is noted that a private driveway further to the west can also provide access.	Yes

Open Space 2.10	<p>Development must provide a landscaped area along the primary and secondary street frontages of a site in accordance with the following minimum widths:</p> <p>Less than 600sqm: Sites not on regional road. Min landscape width 2.5m.</p> <p>Despite this clause, Council may vary the minimum setback provided the development complements a high quality landscaped image of neighbouring development or the desired future character of the area</p>	Landscape strip to be provided.	Yes
2.11	<p>Development must:</p> <p>(a) retain and protect any existing trees identified by Council on the site and adjoining sites; and</p> <p>(b) must not change the ground level (existing) within 3m of the base of the trunk or within the dripline, whichever is the greatest.</p>	The proposal does not result in the removal of trees.	
2.12	<p>Development must plant at least one street tree at 5m intervals along the length of the primary and secondary street frontages. Council may vary this requirement in</p>	Existing street tree within the Council reserve.	Yes

	response to proposed tree species, site constraints limit their inclusion or a street tree already exists in good condition.		
2.13	Development must plant trees in the landscaped area at a minimum rate of one canopy tree per 30m ² of the landscaped area. The canopy tree must be capable of achieving a mature height greater than 5m	Can be provided.	Yes
2.14	Where development proposes an outdoor car park with 20 or more car parking spaces, the car park design must include at least one tree per 5 car parking spaces to the following specifications: (a) a tree must be a single trunk species to allow a minimum visibility clearance of 1.5m measured above the ground level (existing); and (b) a tree must be planted in an island bed that is a minimum 2m in width and 4m in length	Less than 20 cars.	Yes
2.14 Employee Amenities	Development must provide an outdoor employee amenity area with a minimum area of 25m ² . This area should include a combination of grass, plantings, pavement, shade, and seating to allow employees to	Outdoor area located within the rear setback.	Yes

	engage in a pleasant working environment.		
2.16	Development must locate the employee amenity area away from sources of intrusive noise (such as loading and servicing, and heavy machinery), dust, vibration, heat, fumes, odour or other nuisances.	Loading area located on opposite side of rear setback.	Yes
Section 3 Building Design			
Façade Design 3.1	Development must articulate the facades to achieve a unique and contemporary architectural appearance that: (a) unites the facades with the whole building form; (b) composes the facades with an appropriate scale and proportion that responds to the use of the building and the desired contextual character; (c) combines high quality materials and finishes; (d) considers the architectural elements shown in Figure 3a; and (e) considers any other architectural elements to Council's satisfaction	No change to existing building façade.	Yes
3.2	Development may have predominantly glazed facades provided it does not cause significant glare nuisance	As above.	Yes
3.3	Industrial retail outlets must	No retail outlet proposed.	Yes

	incorporate shopfront style windows with clear glazing so that people can see into the premises and vice versa. Council discourages the use of obscure or opaque glass, or other types of screening		
3.4	Where development proposes a portal frame or similar construction, Council does not allow the 'stepping' of the parapet to follow the line of the portal frame	The proposal does not seek changes to the existing building fabric.	Yes
Façade design (corner sites) 3.5	The street facade of development on a corner site must incorporate architectural corner features to add visual interest to the streetscape.	The site is not located on a corner.	N/A
Façade design (materials) 3.6	Development must use: (a) quality materials such as brick, glass, and steel to construct the facades to a development (Council does not permit the use of standard concrete block); and (b) masonry materials to construct a factory unit within a building, and all internal dividing walls separating the factory units. Despite this clause, Council may consider a small portion of the street facade to	No change to existing building fabric.	Yes

	comprise metal sheet or other low maintenance material provided it complies with the Building Code of Australia.		
Roof Design 3.7	Development must incorporate an innovative roof design that: (a) achieves a unique and contemporary architectural appearance; and (b) combines high quality materials and finishes.	No change to existing pitched roof.	Yes
Safety and security 3.8	The front door to buildings should face the street.	No change to existing front door.	Yes
3.9	The administration offices or industrial retail outlets must locate at the front of buildings	No change to existing building.	Yes
3.10	Windows on the upper floors of a building must, where possible, overlook the street	Single storey built form.	N/A
3.11	Access to loading docks or other restricted areas in buildings must only be available to tenants via a large security door with an intercom, code or lock system	The site is secured by a front fence.	Yes
3.12	Unless impractical, access to outdoor car parks must be closed to the public outside of business hours via a lockable gate.	The site is secured by fencing.	Yes
3.13	Development must provide lighting to the external entry paths,	Adequate lighting onsite provided.	Yes

	common lobbies, driveways and car parks using vandal resistant, high mounted light fixtures.		
3.14	Council must take into consideration the following matters for development in the industrial zones: (a) whether the proposed development will provide adequate off-street parking, relative to the demand for parking likely to be generated; (b) whether the site of the proposed development will be suitably landscaped, particularly between any buildings and the street alignment; (c) whether the proposed development will contribute to the maintenance or improvement of the character and appearance of the locality; (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: (i) illustrates that no alternative access is available		

	<p>otherwise than by means of a residential street; and</p> <p>(ii) 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; (e) whether goods, plant, equipment and other material used in carrying out the proposed development will be suitably stored or screened; (f) whether the proposed development will detract from the amenity of any residential area in the vicinity; and (g) whether the proposed development adopts energy efficiency and resource conservation measures related to its design, construction and operation</p>		
Vehicle body repair workshop 3.16	Council must not grant consent to development for the	The use does not relate to a workshop.	N/A

	purpose of a vehicle body repair workshop if the site adjoins land within a residential zone, unless appropriate arrangements are made to store all vehicles awaiting or undergoing repair, awaiting collection, or otherwise involved with the development on the site of the proposed development, and they will be stored either: (a) within a building, or (b) within a suitably screened area.		
Service Stations and vehicle sales or hire premises 3.17	Service stations and vehicle sales or hire premises must provide a minimum 3m wide landscape buffer zone to the primary and secondary street frontages.	The use does not relate to a service station.	N/A
3.18	Service stations and vehicle sales or hire premises must locate an active frontage use (such as a showroom, office, customer service area, convenience store or restaurant) along the primary and secondary street frontages.	The use does not relate to a service station.	N/A
3.19	Service stations and vehicle sales or hire premises must locate a vehicle repair station and associated car park at the basement level	The use does not relate to a service station.	N/A

	or at the rear of the site		
Section 4- Environmental Management			
Acoustic Privacy 4.1	Development must: (a) consider the Noise Policy for Industry and the acoustic amenity of adjoining residential zoned land; and (b) may require adequate soundproofing to any machinery or activity that is considered to create a noise nuisance.	The site is proposed to be used as a depot. This forms a permissible use on site. The site is located on an interface zone with residential. It is considered that given the interface that some there is some level of reasonable amenity disruption.	N/A
Pollution Control 4.2	Development must adequately control any fumes, odour emissions, and potential water pollutants in accordance with the requirements of the relevant public authority.	The use relates to a depot and therefore no unreasonable fumes, pollutants are generated.	
Section 5 – Site Facilities			
Storage Areas 5.1	The storage and use of hazardous materials must comply with the requirements of WorkCover NSW and other relevant public authorities.	No hazardous materials.	Yes
5.2	The storage and use of dangerous goods must comply with the Dangerous Goods (Road and Rail Transport) Act 2008 and its regulations, and any other requirements of WorkCover NSW.	No dangerous goods.	Yes
Building Design (utilities and building services) 5.3	The location and design of utilities and building services (such as plant rooms, hydrants, equipment	No additional utilities required on site.	N/A

	and the like) must be shown on the plans		
5.4	Utilities and building services are to be integrated into the building design and concealed from public view.	As above.	N/A
5.5	External lighting to industrial development must give consideration to the impact of glare on the amenity of adjoining residents.	The proposal does not seek any changes to the existing building fabric. On this basis, there is no material glare impact.	Yes
5.6	Council may require development to include public domain improvements to an adjacent footpath in accordance with a design approved by Council's Landscape Architect	There is a Council street tree on the public reserve. This is to be retained.	Yes
Building Design (substations) 5.7	The location and design of substations must be shown on the plans	Not proposed.	N/A
5.8	Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view	Not proposed.	N/A
5.9	Substations must not locate forward of the front building line.	Not proposed.	N/A
Food Premises 5.10	5.10 The design, construction, and operation of a food premises must comply with: (a) Food Act 2003; (b) Food Regulation 2010; (c) FSANZ Food Standards Code; and (d) Australian	The use does not relate to a food and drink premises.	N/A

	Standard AS 4674–2004, Design, construction and fitout of food premises.		
Front Fences 5.11	The maximum fence height for front fences is 1.8m.	No change to existing front fence at 1.2m.	N/A
5.12	The external appearance of front fences along the primary and secondary street frontages must ensure: (a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1m above ground level (existing); and (b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.	No change to existing front fence at 1.2m. This comprises of a solid masonry base and open wrought iron grills above.	N/A
5.13	Council does not allow the following types of front fences: (a) chain wire, metal sheeting, brushwood, and electric fences; and (b) noise attenuation walls		

Given the above, the proposal is considered to achieve a high level of compliance and is considered to result in a reasonable planning outcome which is commensurate of other depots within the locality.

SECTION 4.15 EVALUATION (3A)

(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, standards include performance criteria

Comment: In relation to the above, the proposal is considered to seek a variation to the DCP in relation to car parking. Despite this numerical departure, the proposal is considered to satisfy the objectives of the controls and does not result in any unacceptable impacts.

PART 4 DIVISION 4.3 SECTION 4.15 (1)(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

Natural Environment Impacts

No unacceptable unreasonable natural environmental impacts are generated by this proposal given the nature of the use within an existing building.

Built Environment Impacts

The proposal is also considered to satisfy and meet the key objectives and intent and requirements of the planning controls given that no external works are proposed. In this regard, the proposal is not considered to result in any unacceptable unreasonable adverse built environment impacts.

Economic Impacts

The proposed change of use to a depot is not considered to result in any unacceptable economic impacts given the proposed use as a depot of which forms a permissible use within the zone. This is considered to result in the creation of employment which is an economic benefit.

Social Impacts

The proposed change of use seeks to development consent for a depot. The proposal is not considered to result in any unacceptable social impacts. The hours of operation are considered to be reasonable and commensurate with that of other depots within metropolitan Sydney. It is also noted that within exempt development trading is permitted 24 hours a day.

PART 4 DIVISION 4.3 SECTION 4.15 (1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Suitability of the site

The proposed change of use is considered to be suitable for the subject site and forms a permissible use within the Canterbury Bankstown Local Environmental Plan 2023. The proposal is considered to be appropriate as the proposal adequately satisfies and does not offend the underlying objectives of the applicable planning controls as stated within this report.

PART 4 DIVISION 4.3 SECTION 4.15 (1)(E) THE PUBLIC INTEREST

Public Interest

The proposed change of use is considered to be in the public interest for the reasons contained within this report. As previously stated, the proposal adequately satisfies the underlying planning objectives of the controls and results in a reasonable planning outcome for the site with no unacceptable material adverse impacts to the immediate adjoining area.

PART C: CONCLUSION

The proposed change of use to a depot is considered to be appropriate as the considerations against the Statutory provisions have been met. The proposal satisfies the Environmental Planning and Assessment Act 1979 (as amended), Environmental Planning and Assessment Regulation 2021 (as amended), State Environmental Planning Policy (Biodiversity And Conservation) 2021, State Environmental Planning Policy (Resilience And Hazards) 2021, State Environmental Planning Policy (Transport And Infrastructure) 2021, Canterbury Bankstown Local Environmental Plan 2023 and Canterbury Bankstown Development Control Plan 2023. It is considered that the proposal results in a reasonable planning outcome.

Kind regards,

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Principal

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