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The General Manager
Canterbury Bankstown Council
PO Box 8 Bankstown
NSW 1885 Australia

STATEMENT OF ENVIRONMENTAL EFFECTS

CHANGE OF USE TO A DEPOT AND WASTE TRANSFER STATION

18 ROSEDALE AVENUE, GREENACRE

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared on behalf of Taouk Excavation Pty Ltd to accompany a Development Application (DA) for the change of use of the site to a depot and waste transfer station at 18 Rosedale Avenue, Greenacre.

A letter from Council was issued to the current owners on 22 March 2024 following complaints regarding the use of the premises. Council undertook an inspection on 15 March 2024 and highlighted the following in their letter:

- *The former existing dwelling and shed on the site had been demolished.*
- *The entire site had been paved with concrete.*
- *A site office/shed located in the south eastern corner of the site.*
- *And the site is being used for the storage of plan/equipment and recycled road base.*

The original site, which contained a dwelling house across two separate allotments, was purchased by the current owner and operator of the property in July 2022. The dwelling had been demolished and the site concreted at the time of the purchase. No new works have been carried out to accommodate the current use.

The dwelling use had ceased a number of years ago and was not eligible to continue the residential use under Existing Use Rights. Accordingly, there was no lawful previous use of the site.

The premises will primarily be used for the storage of machinery to support the operations of an existing excavation company when these items are not actively in use.

The resource recovery facility represents a specialised undertaking of the business dedicated to extracting usable resources from waste materials. This process involves activities such as separating and sorting of rubble from the excavation activities (i.e. old footpaths, kerbs and gutters and road base) to recover any valuable components before transferring the remaining debris to the dumping facilities.

The integration of storage and waste recovery facilities into an area undergoing significant development ensures that growth is managed responsibly. It not only supports the logistical needs of the construction industry but also aligns with environmental sustainability goals, creating a balance between progress and ecological stewardship

The IN1 General Industrial zoning of the site permits a range of uses including, but not limited to, depots, storage premises and waste transfer station.

A storage premises is defined in the CBLEP 2023 as:

> ***storage premises*** *means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.*

A waste transfer station is defined in the CBLEP 2023 as:

> ***waste or resource transfer station*** *means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.*

This report has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (The Act) and *Environmental Planning and Assessment Regulation 2021* (The Regs) and provides the following:

- Description and analysis of the site and locality.
- Description of the proposed development.
- Assessment of relevant environmental planning matters required for consideration under Section 4.15 of The Act including compliance with relevant planning instruments and controls, environmental impacts, site suitability and the public interest.
- Conclusions on the environmental planning assessment and merits of the proposed development on which the DA can be supported by Council and granted consent.

The proposed development is intended to provide essential infrastructure to support the operations of the local development industry, offering centralised storage for plant, machinery, and goods, as well as advanced waste recovery and resource management services.

An assessment of the proposed development has not identified any unreasonable adverse environmental impacts likely to arise as a result of the proposal. It is therefore recommended that consent for the proposed development is granted subject to Council's standard conditions.

2. SITE ANALYSIS

2.1 Surrounding Area

The site is located in Greenacre within the Canterbury Bankstown Local Government Area (LGA). The area is broadly characterised by a mix of residential, commercial, and industrial zones. The industrial area of Greenacre is concentrated around the southern and eastern parts of the suburb, particularly along the main arterial roads such as Roberts Road, Brunker Road, and Hume Highway. This region is characterised by warehouses, manufacturing facilities, distribution centres, and various trade-related businesses.

2.2 The Site

The site is located at 18 Rosedale Avenue, Greenacre and legally described as Lot 202 DP 14658. It is rectangular in shape with a frontage width of 12.19m and a site area of 491m^2.

The original site contained a dwelling house across two separate allotments. The dwelling was demolished, and the site partially concreted before being sold separately around 2022.

The site currently contains a mostly open hardstand area, part dirt area, a moveable metal shed as well as a grated drain and drainage pit. A sewer line runs across the front of the site.

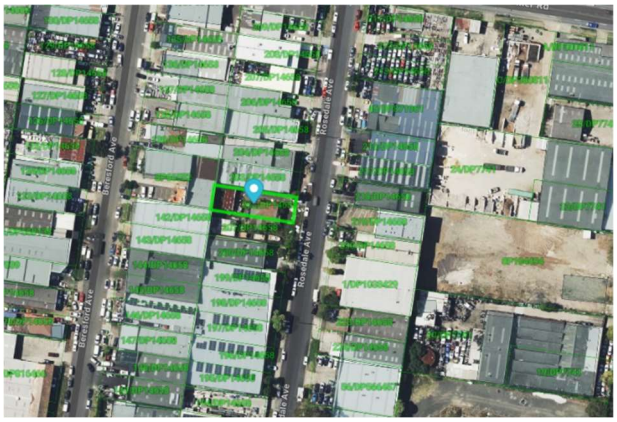

Figure 1

Aerial of site and surrounding area (site outlined in green)

(Source: Mosaic)

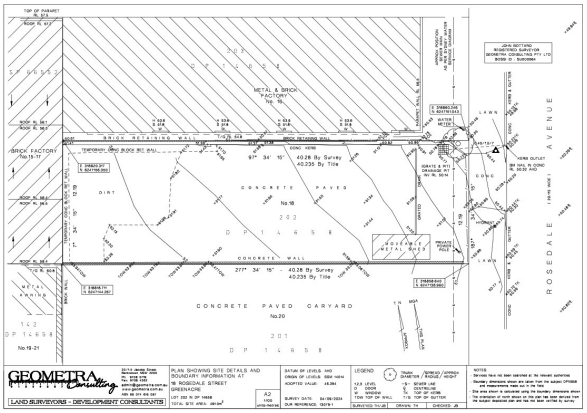

Figure 2

Extract of the site survey

Figure 3

View of the site and neighbouring property showing the original dwelling across the two sites, circa 2021

Figure 4

Aerial view of the site and neighbouring properties prior to the sale in 2022 with the original dwelling being demolished

Figure 5

View of the site showing the current arrangement

Figure 6

Internal view of the site

3. THE PROPOSAL

The proposed development is for the use of the premises as a depot and waste transfer facility.

The premises will primarily be used for the storage of machinery to support the operations of an existing excavation company when these items are not actively in use. This storage function ensures the efficient management of resources and minimises downtime in the operation by providing a secure and organised space for equipment. The premises are designed solely for storage and will not be involved in the sale, rental, or hire of the stored items, distinguishing its purpose as a logistics or support hub rather than a commercial enterprise.

The resource recovery facility represents a specialised undertaking of the business dedicated to extracting usable resources from waste materials. This process involves activities such as separating and sorting of rubble from the excavation activities (i.e. old footpaths, kerbs and gutters and road base) to recover any valuable components before transferring the remaining debris to the dumping facilities. The facility will not engage in the re-manufacturing of materials or their disposal via landfill or incineration, ensuring its focus remains on recovery and sustainability rather than disposal or destruction.

The establishment of a storage and waste recovery facility in an area surrounded by numerous building sites and significant development activity holds considerable importance both logistically and environmentally. Such a facility serves as a vital support system for the development industry, ensuring efficient operations and promoting sustainable practices within the construction sector.

Operational Benefits

- **Centralised Storage:** The facility provides a secure and organised location for storing plant, machinery, and other resources when not in active use.
- **Support for Development Growth:** As large-scale developments continue, the demand for accessible and reliable storage grows.
- **Improved Site Efficiency:** By reducing the need for individual storage solutions on construction sites, more space is available for active building work. This fosters a more streamlined and productive working environment.

Environmental Benefits

- **Waste Recovery and Resource Reuse:** The resource recovery facility plays a crucial role in diverting waste from landfills by recovering and processing valuable materials. Activities such as separating, sorting, and composting help reintegrate resources into the construction supply chain, reducing reliance on virgin materials.
- **Reduction in Waste Disposal:** Eliminating the need for landfill or incineration aligns with global sustainability goals and local environmental policies, supporting the area's broader environmental strategy.

Broader Impact on the Development Industry

- **Compliance with Regulations:** The facility ensures developers adhere to environmental regulations regarding waste management, thus avoiding potential fines or project delays.

- **Enhanced Community Perception:** Sustainable waste recovery and storage practices demonstrate a commitment to environmental stewardship, improving the reputation of developers and fostering community support for ongoing developments.
- **Economic Efficiency:** By enabling resource recovery and reuse, the facility reduces overall material costs for developers, promoting economic sustainability alongside environmental benefits.

4. SECTION 4.15(1)(A)(I) ENVIRONMENTAL PLANNING INSTRUMENTS

4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (The Act) establishes the planning and approvals process in NSW. The Act provides for the making of Environmental Planning Instruments (EPIs) including Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs), which set out requirements for particular locations and/or particular types of development. The applicable EPIs and the Regulations made under The Act determine the relevant planning approval pathway and the associated environmental assessment requirements for proposed development activities.

This development application is submitted in accordance with Division 4.3 of The Act (Development that needs consent).

Under Section 4.15 of The Act, a consent authority is to take into consideration the provisions of any relevant EPIs and the matters prescribed by the *Environmental Planning and Assessment Regulation 2021* (The Regs). Further, the consent authority must consider the likely impacts of the development, including environmental impacts on the natural and built environments, and social and economic impacts in the locality.

The relevant EPIs are addressed within this section of the report.

The likely impacts of the development on the natural and built environment, including environmental mitigation measures are addressed throughout this report.

4.2 Environmental Planning and Assessment Regulation 2021

The *Environmental Planning and Assessment Regulation 2021* (The Regs) contains key operational provisions for the NSW planning system. This includes procedures relating to development applications, requirements for environmental assessments, environmental impact assessments, building regulations and other miscellaneous matters.

Schedule 1 of The Regs outlines the information to be included as part of a development application. A development application must be accompanied by a SEE for development other than designated development or State significant development.

In accordance with section 2(4) of Schedule 1, a SEE must indicate the following matters:

(a) the environmental impacts of the development

(b) how the environmental impacts of the development have been identified

(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment

(d) any matters required to be indicated by any guideline issued by the Secretary for the purposes of this clause.

The environmental impacts of the proposed development, including measures taken to protect or lessen the expected harm to the environment, are addressed throughout this report.

4.3 Canterbury Bankstown Local Environmental Plan 2023

A summary of the relevant development standards in the *Canterbury Bankstown Local Environmental Plan (CBLEP) 2023* have been addressed in the following table.

DEVELOPMENT STANDARD	PROPOSED	COMPLIES
Clause 2.1 Land Use Zones	The site is zoned *IN1 General Industrial*. The IN1 zone states: ***Zone IN1 General Industrial*** ***1 Objectives of zone*** • *To provide a wide range of industrial and warehouse land uses.* • *To encourage employment opportunities.* • *To minimise any adverse effect of industry on other land uses.* • *To support and protect industrial land for industrial uses.* • *To promote a high standard of urban design and local amenity.* ***2 Permitted without consent*** *Nil* ***3 Permitted with consent*** *Agricultural produce industries; Building identification signs; Business identification signs; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4* ***4 Prohibited*** *Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies* *The IN1 General Industrial* zoning of the site permits a range of uses including, but not limited to, depots and waste transfer station.	✓

DEVELOPMENT STANDARD	PROPOSED	COMPLIES
	The proposal is consistent with the IN1 objectives in that: • The uses contribute to the wide range of industrial land uses in the area. • The uses will provide employment opportunities in the LGA. • The uses will not have any adverse impacts on other land uses in the locality.  ***Figure 7*** ***Extract of the Zoning Map showing the IN1 zoning of the site and surrounding area*** ***(Source: NSW Planning Portal Spatial Viewer)***	
Clause 2.7 Demolition requires development consent	No demolition works are proposed.	**N/A**
Clause 4.3 Height of Buildings	There is no maximum permissible height specified in the CBLEP 2023.	**N/A**
Clause 4.4 Floor Space Ratio	The maximum permissible FSR is 1:1. The site is primarily vacant exempt for a small moveable metal shed with an area of 15m^2, presenting a FSR of 0.03:1.	✓
Clause 5.10 Heritage Conservation	The site is not a heritage item, is not located within a heritage conservation area and is not located in close proximity to a heritage item.	**N/A**
Clause 5.21 Flood Planning	The site has not been identified as being flood prone.	**N/A**
Clause 6.1 Acid Sulfate Soils	The site has not been identified as containing 5 Acid Sulfate Soils.	**N/A**
Clause 6.2 Earthworks	No earthworks are proposed.	**N/A**
Clause 6.3	The current stormwater management provisions include a	✓

DEVELOPMENT STANDARD	PROPOSED	COMPLIES
Stormwater management and water sensitive urban design	grated drain and drainage pit near the front of the site. The site falls towards the street and connects to the services in the street via gravity. There are no proposed changes to the stormwater system.	
Clause 6.4 Biodiversity	The site does not contain any landscaping or terrestrial or aquatic biodiversity.	**N/A**
Clause 6.9 Essential Services	All services, including water, sewerage, electricity and gas, are available to the site.	✓

4.4 SEPP (Resilience and Hazards) 2021

4.4.1 Chapter 4 Remediation of Land

State Environmental Planning Policy (Resilience and Hazards) 2021 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. Should the land be contaminated Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land required remediation to be undertaken to make the suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

The site was previously used for residential purposes and the proposed development does not include any excavation or other building works. In accordance with Chapter 4 of the SEPP (Resilience and Hazards), Council is able to conclude that no further assessment of contamination is necessary.

4.5 SEPP (Biodiversity and Conservation) 2021

4.5.1 Chapter 2 (Vegetation in Non-Rural Areas)

Chapter 2 (Vegetation in Non-Rural Areas) of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* sets the rules for the clearing of vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

The SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The aims of this policy are:

- to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The site does not contain any landscaping, and no new landscaping is proposed. On this basis, the proposal is consistent with *Chapter 2 (Vegetation in Non-Rural Areas)* of the *State Environmental Planning Policy (Biodiversity and Conservation).*

5. SECTION 4.15(1)(A)(III) DEVELOPMENT CONTROL PLANS

A development control plan provides detailed planning and design guidelines to support the planning controls in the *Waverley Local Environmental Plan 2012*.

The principal purpose of a development control plan is to provide guidance to persons proposing to carry out development to:

- Give effect to the aims of the Local Environmental Plan that applies to the development.
- Facilitate development that is permissible under the LEP.
- Achieve the objectives of the land zones under the LEP.

The provisions of a development control plan are not statutory requirements but are a head of consideration for development evaluations under s4.15 of the *Environmental Planning and Assessment Act, 1979*.

DCPs are not legally binding in the same way as planning instruments, but they are used as a reference by council officers when assessing development applications.

The applicable controls in the Canterbury-Bankstown Development Control Plan (DCP) 2023 have been addressed in the following sections.

The proposed development aligns with broader environmental and planning objectives, offering a sustainable solution to support ongoing growth in the area while minimizing its ecological footprint.

5.1 Chapter 3 – General Requirements

The applicable controls of Chapter 3 of the DCP have been addressed as follows.

5.1.1 Parking

It is proposed to provide 4 on site car spaces during general business hours.

The premises will then be used for the storage of 3-4 trucks and diggers related to the excavation business.

5.1.2 Waste Management

The depot will ensure efficient management and availability of resources, while the waste transfer component will contribute to sustainability by diverting waste from landfills and recovering valuable materials for reuse and recycling.

Refer to the Waste Management Plan submitted with this application.

5.2 Chapter 9 – Industrial Precincts

The applicable controls of Chapter 9 of the DCP have been addressed as follows.

Building Form and Landscape

The proposed depot use includes

5.2.1 Building Design

No new buildings are proposed.

The existing moveable shed will be used as the main office and administration area.

5.2.2 Environmental Management

The resource recovery facility plays a crucial role in diverting waste from landfills by recovering and processing valuable materials. Activities such as separating, sorting, and composting help reintegrate resources into the construction supply chain, reducing reliance on virgin materials.

The depot will ensure efficient management and availability of resources, while the waste transfer component will contribute to sustainability by diverting waste from landfills and recovering valuable materials for reuse and recycling.

6. SECTION 4.15(1)(B) IMPACT ON THE ENVIRONMENT

Pursuant to Section 4.15 (1) of the Act, 'the likely impacts of that development' have been considered as follows:

6.1 Traffic and Access

The facility will generate additional vehicle movements, primarily trucks transporting waste and recovered resources. The site is located near arterial roads designed to accommodate such traffic.

6.2 Noise Impact

Noise-generating activities such as waste processing will occur within enclosed structures to minimise disturbance. Operational hours will be restricted to reduce impacts on nearby sensitive uses.

6.3 Biodiversity

The development site is located in a previously disturbed area with minimal vegetation. No significant flora or fauna habitats will be affected.

6.4 Social Impacts

The facility will have minimal adverse impacts on the surrounding community, as it is located in an industrial zone away from residential areas. Mitigation measures for noise, odour, and traffic ensure negligible social disruption.

Positive social impacts include enhanced resource recovery efforts, contributing to sustainability and environmental awareness in the community.

6.5 Economic Impacts

The depot and waste transfer facility will support the local development industry by providing centralised storage and efficient waste management, reducing costs for developers and contractors.

The facility will generate local employment opportunities during both the construction and operational phases.

6.6 Cumulative Impacts

The development will complement existing industrial and logistical uses in the area, without overburdening local infrastructure.

Environmental safeguards and compliance measures will prevent the facility from contributing to cumulative pollution or resource depletion.

6.7 Public Domain

The proposed development is located on private land and will not directly impact upon the public domain.

6.8 Site Suitability

The site and surrounding locality do not present any significant physical, ecological, heritage, technological or social constraints on the proposed development.

The site is located within a well-established industrial area with access to readily available services such as electricity, water and sewerage. The proposal provides an appropriate response to the site's context, including the existing vegetation, topography the surrounding built environment.

6.9 Public Submissions and the Public Interest

The proposed development will not significantly impact on the environment and is consistent with the applicable planning controls for the site. It will provide positive social benefits and is therefore considered to be in the public interest.

7. CONCLUSION

The proposed depot and waste transfer facility has been designed to support the operational needs of the local development industry while minimising its environmental impact. By providing centralised storage for plant, machinery, and goods, as well as a modern resource recovery facility, the development will enhance efficiency and sustainability within the construction sector.

Located within an industrial zone, the facility is appropriately sited to avoid adverse impacts on residential communities while contributing positively to the local economy through job creation and support for ongoing development projects. The operation will foster a circular economy by recovering valuable resources and reducing reliance on virgin materials, demonstrating a commitment to responsible environmental stewardship. The proposed facility will provide essential infrastructure for the area, balancing economic growth with environmental responsibility. It is consistent with the principles of sustainable development and is expected to deliver long-term benefits to the community, the environment, and the local development industry.

Having regard to the analysis and assessment within this report, it is therefore recommended that the application be supported and granted consent.

We look forward to Council's favourable consideration of this application and would be pleased to discuss any aspects of the proposal with you during your consideration of this application.

Yours sincerely,

MYRIAD CONSULTING

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