



Application Pursuant to Clause 4.15 of
The Environmental Planning and Assessment
Act 1979

Statement of Environmental Effects in support of the
Seeking an approval for the proposed remediation works and the
authorization for the rear roof addition and back of house area on the
premises to be used as an area for food preparation, storage of food
and equipment ancillary to the existing food shop

380 Burwood Road BELMORE NSW 2192

Client: Ahmad Ellaz
Project No: 24341
Date: October,2024
Prepared By: Jelena Gulinac

Title	Version	Prepared By	Checked by	Date
Statement of Environmental Effects	V1	JG	EE	October/2024

CONTENTS

1	EXECUTIVE SUMMARY	3
1.1	INTRODUCTION	3
1.2	LEGISLATIVE REQUIREMENTS	3
1.3	NON-LEGISLATIVE REQUIREMENTS	3
2	SITE SUMMARY.....	3
2.1	SITE ATTRIBUTES	3
2.2	SITE DESCRIPTION	4
2.2.1	Site Surrounds	5
3	RELEVANT SITE HISTORY	5
4	PROPOSED WORKS	5
5	HEADS OF CONSIDERATION AND EVALUATION	6
5.1	ENVIRONMENTAL PLANNING INSTRUMENTS	6
5.1.1	State Environmental Planning Policy - Sustainable Buildings 2022	6
5.1.2	Canterbury-Bankstown Local Environmental Plan 2023	6
5.2	PROPOSED DRAFT DEVELOPMENT CONTROL PLANS	7
5.3	DEVELOPMENT CONTROL PLANS	8
5.3.1	Canterbury - Bankstown Development Control Plan	8
5.4	PLANNING AGREEMENTS	8
5.5	THE REGULATIONS	8
	Clause 36 and 91	8
	Clause 62	8
	Clause 69	8
5.6	THE LIKELY IMPACTS	8
	Environmental	8
	Social	8
	Economic	8
	Submissions	9
5.7	SITE SUITABILITY	9
5.8	THE PUBLIC INTEREST	9
6	CONCLUSIONS AND RECOMMENDATIONS	9

1 EXECUTIVE SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) is to accompany the plans lodged as part of the development proposal to Canterbury Bankstown Council for an approval the proposed remediation works and the authorization for the rear roof addition and back of house area on the premises to be used as an area for food preparation, storage of food and equipment ancillary to the existing food shop, at 380 Burwood Road BELMORE NSW 2192.

The statement addresses the relevant elements of Section 4.15 of the Environmental Planning and Assessment Act 1979, together with relevant State Environmental Planning Policies and Regional Environmental Plans, The Regulations and local plans and policies.

1.2 LEGISLATIVE REQUIREMENTS

The site is located in the Canterbury Bankstown Local Government Area (LGA) within the B2 Local Centre zone. The following state and local legislative controls are relevant to the proposal:

- State Environmental Planning Policy Resilience and Hazards 2021
- State Environmental Planning Policy –Transport and Infrastructure 2021
- Canterbury Bankstown Local Environmental Plan 2023

1.3 NON-LEGISLATIVE REQUIREMENTS

The following non-legislative control is applicable to the development:

- Canterbury Bankstown Development Control Plan 2023

2 SITE SUMMARY

2.1 SITE ATTRIBUTES

Address of Site:	380 Burwood Road, Belmore 2192
Local Government:	Canterbury Bankstown City Council
Local Environmental Plan:	Canterbury Bankstown LEP 2023
Development Control Plan:	Canterbury Bankstown DCP 2023
Zone:	B2 Local Centre
Brief Description / Purpose of Proposal:	Seeking an approval for the proposed remediation works and the authorization for the rear roof addition and back of house area on the premises to be used as an area for food preparation, storage of food and equipment ancillary to the existing food shop equipment ancillary to the existing shop

2.2 SITE DESCRIPTION

The site is legally known as Lot A, DP24750 and is commonly referred to as 380 Burwood Road, Belmore 2192. The subject site is a standard allotment regular in shape with a frontage of 6.515m and an average site depth of 35.91m. These measurements equate to an overall site area of 226.6m². The topography generally slopes by 2.89% from North-East down to North-West with no significant features.

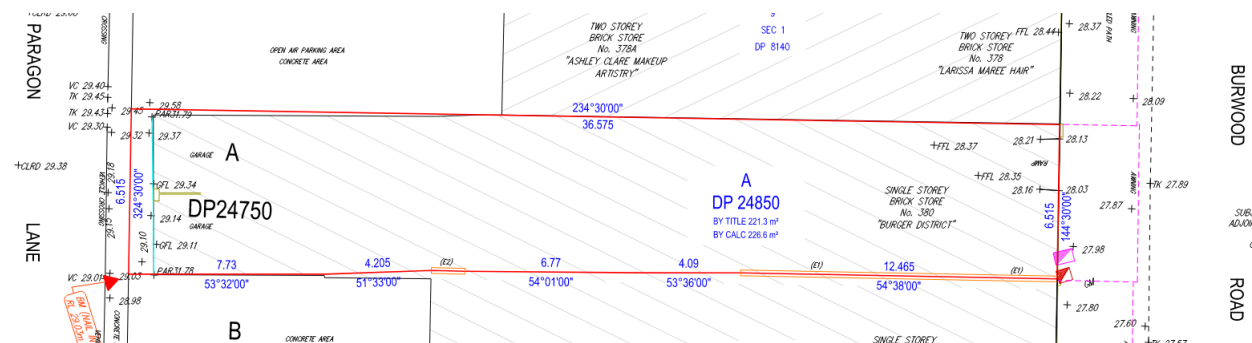


Figure 1: Site Survey

Source: Masri Survey Group PTY LTD

The subject allotment is currently used for retail purposes. The pedestrian and vehicle access is via Burwood Road. The delivery and servicing docks and other related infrastructure is located at the rear and accessed via Paragon Lane.



Figure 2: Street View from Burwood Road



Figure 2: Street View from the Paragon Lane

2.2.1 Site Surrounds

Reviewing the surrounds, the locality is characterized by commercial and residential uses including retail stores food and drink premises and shop top housing.

3 RELEVANT SITE HISTORY

The subject allotment has been subject to the following works and applications:

- DA-201/2005 Shop Fitout – Change of Use (Approved 26/05/2005)
- DA-592/2013 Upgrade/fit out of existing shop and outdoor area (Approved 26/03/2014)

4 PROPOSED WORKS

The applicant seeks approval for the proposed works which entail the following:

- Change of use Seafood/ To allow for the use of unauthorized rear roof addition and back of house area on the premises to be used as an area for food preparation, storage of food and equipment ancillary to the existing food shop
- All walls within back of house/preparation and storage area to be finished floor to ceiling with one or combination of the following materials: stainless steel sheeting, aluminum sheet, ceramic tiles, vinyl sheet, smooth trowelled cement, preformed panels.
- Toilet is to be provided with self-closing doors and a mechanical exhaust system that operated when sanitary compartment is in use and for at least 30 seconds after cubicle is vacated
- Toilet partition wall to be airlocked and finished in painted gyprock
- New floor waste to be installed adjacent to food preparation area
- Flooring in food preparation areas to be finished with one or a combination of the following materials: ceramic tiles, quarry tiles, stainless steel, laminated thermosetting plastic sheeting, polyvinyl sheeting with welded seams, epoxy resin or similar impervious material
- All walls within the food premises are to be of solid construction
- All lighting fixtures to be fitted flush
- Ceilings in food preparation and storage areas to be finished in impervious, sealed material: painted plaster (smooth finish), trowelled cement (polished surface), wood paneling (sealed smooth surface), concrete (sealed smooth surface)
- Coving of a minimum 25mm radius is to be provided to all floor/wall junctions with food preparation and storage areas, including the ramp from kitchen to the rear food preparation/storage area
- Benches and splash backs are to be fitted against the wall, all gaps to be sealed.

5 HEADS OF CONSIDERATION AND EVALUATION

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

5.1.1 State Environmental Planning Policy - Sustainable Buildings 2022

A BASIX certificate has been provided indicating the proposal achieves the appropriate energy targets. No further assessment is required.

5.1.2 Canterbury-Bankstown Local Environmental Plan 2023

PART 1 - PRELIMINARY

The proposal is subject to the provisions of Canterbury - Bankstown Local Environmental Plan 2023. The proposals response to the relevant objectives of the Plan are as follows:

Clause 1.2 Aims of the Plan

- To support healthy living and enhance the quality of life and the social well-being and amenity of the community;
- To provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown.

Comment

The proposal will increase the usability and longevity of the community centre. The use of a cafe will provide for better quality of life and the social well-being and the amenity of the community.

PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT

The Canterbury - Bankstown L.E.P.2023 identifies the land use as a:

- **Commercial premises** means any of the following:
 - a) Business premises
 - b) Office premises
 - c) **Retail premises**

The L.E.P lists the land use as:

- **Commercial premises** are permissible with development consent within the B2 Local Centre
- **Food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following
 - a) a restaurant or cafe
 - b) take away food and drink premises,
 - c) a pub,
 - d) a small bar.

Note: Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.



Figure 6: Zone Map

Source: Smithtown L.E.P. 2012

Relevant Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide for certain residential uses that are compatible with the mix of uses in local centres.
- To promote a high standard of urban design and local amenity.

Comment

The proposal will continue to contribute to the locale and its function of meeting the community needs of the land use.

PART 4 - BUILT FORM CONTROLS (LEP)				
Control	Required	Existing	Proposed	Comment
Building Height	max18m	4.19m	No changes are proposed for building height	YES

5.2 PROPOSED DRAFT DEVELOPMENT CONTROL PLANS

There are no Draft Environmental Planning Instruments being formulated at strategic level or on exhibition at the time of preparing this report. Therefore, there are no draft controls relating to the proposal.

No further investigation is required in this regard.

5.3 DEVELOPMENT CONTROL PLANS

5.3.1 Canterbury - Bankstown Development Control Plan

A review of the Canterbury-Bankstown Development Control Plan²⁰²³ did not find any relevant controls for the conversion of use of the back of the house as a café.

5.4 PLANNING AGREEMENTS

There are currently no Draft Planning Agreements or Planning Agreements applicable to the development. No further investigation is required in this regard.

5.5 THE REGULATIONS

Clause 36 and 91

Were Council to require additional information, consideration must be given to the number of days taken in this assessment in light of this clause within the Regulation. No additional information has been requested at the time of writing of the statement.

Clause 62

The consent authority is to consider the upgrading of a building (including fire safety upgrade of development). This matter may be addressed via a condition of consent.

Clause 69

The consent authority is to consider AS 2601 – 1991: The Demolition of Structures. This matter may be addressed via a condition of consent.

5.6 THE LIKELY IMPACTS

Environmental

The assessment of the proposal has shown that any environmental impacts resulting from the works will be negligible. Regard is shown for the natural environment in terms of on-site management of stormwater and drainage, with appropriate measures incorporated into the overall design that operate in concert with the extensive areas of landscaping provided by the site layout.

The built environment will be enhanced by the upgraded site allowing for the more economical use of the available resource, without impacting or dominating the area in terms of built form. The proposal satisfies the requirements of both the natural and built environments.

Social

The proposal adds to housing diversity, allowing for a more diverse accommodation typology within the appropriate B2 Zone. This allows a more diverse population cross section to “settle and stay” within the Canterbury LGA. The increased choice of housing in this area provided by the proposal increases the longevity of the site whilst allowing residents an upgraded modern alternative.

The site will continue to provide local services available to the residents of the local. The proposal adds to the available employment opportunities within the area and provides opportunities for more varied workplace choice. The proposal is consistent with the social requirements in these regards.

Economic

The provision of appropriately serviced locality within this appropriately zoned area, contributes to the easing of employment pressure. Maintaining employment opportunities in this appropriate zone will add to the economic stability of the area by allowing for residents to live in a locality that is gentrified and economically vibrant. The site is in close proximity to local services and within reasonable distance to other local business and upgraded infrastructure. All of these entities will benefit from the employment and economic input provided by the future local residents.

Submissions

There are no submissions relating to the proposal from the community or the consent authorities at this stage of the proposal process. No further investigation is required in this regard.

5.7 SITE SUITABILITY

The site remains suitable for the development as assessed originally.

5.8 THE PUBLIC INTEREST

The public interest is serviced by the accommodating of the employment opportunities in a manner that adds to housing stock and site longevity. The proposal is clearly within the public interest

6 CONCLUSIONS AND RECOMMENDATIONS

The project, located within the appropriate zone, provides for and contributes to the employment diversity in this commercial precinct comprised of a varied mix of commercial, industrial opportunities and land uses. The proposal allows for a greater fiscal input into the community without requiring significant increases in transport pressure and the need for workers to travel distances that would be unreasonable and non-beneficial to the operations of the site.

The proposal has demonstrated consistency with the underlying objectives of the controls and general compliance with the numerical standards contained within both State and Local policies and plans. The proposal shows regard for Section 4.15 of the Act, shows regard for all heads of consideration including site suitability, economic, social and environmental impacts and the public interest.