



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

Statement of Environmental Effects in support of the
Removal of two (2) trees and construction of vehicular crossing and
associated driveway

2H Biloela Street, Villawood NSW 2163

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Project No: 24148
Date: May, 2025
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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 removal of two (2) trees and construction of vehicular crossing and associated driveway, at 2H Biloela Street, Villawood.

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 RE1 Public Recreation 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

1.4 CONCLUSION

It is our professional opinion that the proposal is consistent with the relevant controls, their underlying objectives, together with the plans and policies at both local and state levels. The proposal offers a high-quality, flexible, contemporary, commercial outcome. The proposal will provide for and contribute to the opportunities in this commercial precinct comprised of a varied and eclectic mix of types of land uses.

We recommend the proposal for your approval, subject to standard conditions of consent.

2 SITE SUMMARY

2.1 SITE ATTRIBUTES

Address of Site:	2H Biloela Street, Villawood
Local Government:	Canterbury – Bankstown Council
Local Environmental Plan:	Canterbury – Bankstown L.E.P. 2023
Development Control Plan:	Canterbury – Bankstown D.C.P. 2023
Zone:	RE1 - Public Recreation
Brief Description / Purpose of Proposal:	Construction of vehicular crossing and associated driveway

2.2 SITE DESCRIPTION

The site is legally known as Lot 6, DP239055 and is commonly referred to as 2H Biloela Street, Villawood. The subject site is irregular in shape with a frontage of 100.855m and an average site depth of 14.21m. These measurements equate to an overall site area of 1429m². The topography generally has a crossfall slope by 2.58% from west boundary down to the east boundary.

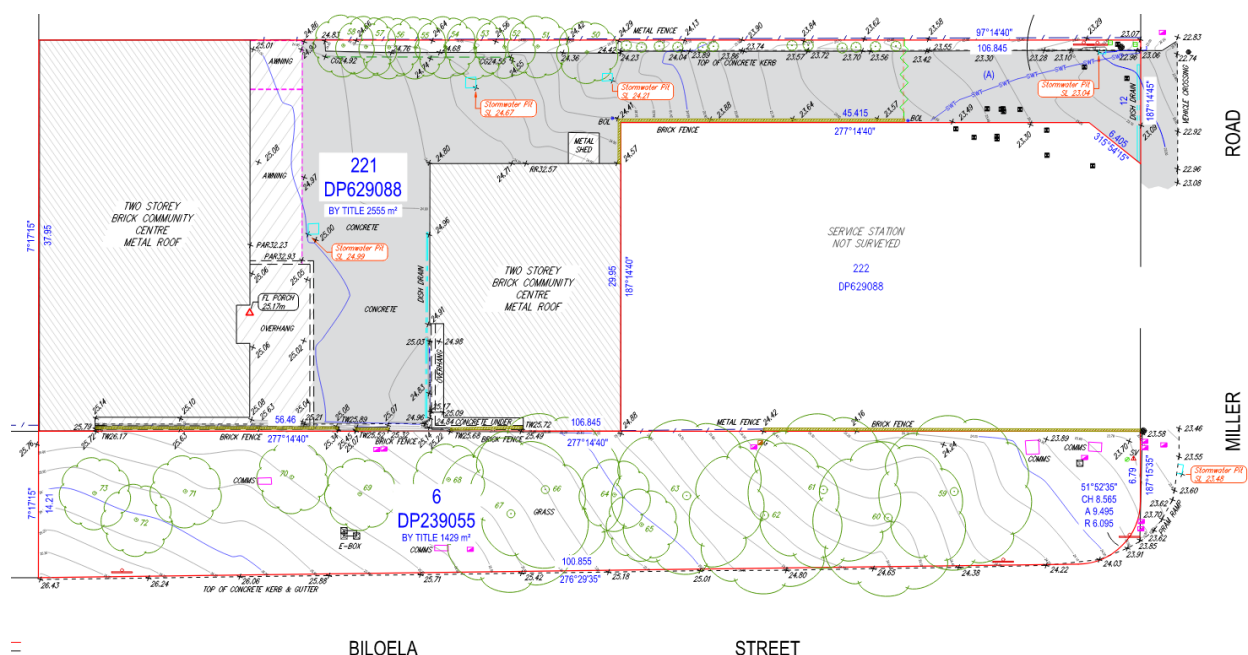


Figure 1: Site Survey

Source: Masry Survey Group

The subject allotment is currently occupied by trees. The vehicle access is proposed to be from Biloela Street.



Figure 2: Aerial View

Source: Metro Map

3 RELEVANT SITE HISTORY

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

- DA-1080/2024 - Removal of fifteen (15) trees and construction of a driveway and associated car parking (Refused 19/12/2024)

4 PROPOSED WORKS

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

- Removal of two (2) trees;
- Removal of the existing brick fence;
- Relocation of the e-box;
- Construction of vehicular crossing and associated driveway.

The proposed vehicular crossing and driveway are intended to provide access to the existing community center located at 274 Miller Road. There is no change in the current use of either site. The client owns both 274 Miller Road and 2H Biloea Street, allowing for coordinated access between the two properties.

5 HEADS OF CONSIDERATION AND EVALUATION

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

5.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

CHAPTER 4 REMEDIATION OF LAND

The State Environmental Planning Policy requires consideration as to whether land is contaminated. A review of Council records and an inspection of site attributes indicates that the site is zoned in RE1 Public Recreation.

In this regard, the works will not result in risks being posed in terms of contamination of land and thus no further consideration is required under the provisions of the SEPP. A review of the site indicates there is no evidence contamination on site or within the wider locality. The area is well established, and the land is suitable for the continuation of the proposed of the land use. No further assessment with regards to contamination is required.

5.1.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The relevant elements of the policy are outlined within the table below:

CHAPTER 2 INFRASTRUCTURE	
2.48 Determination of development applications—other development	
(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following:	
(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,	No ground penetration is proposed.
(b) development carried out:	
(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or	Not applicable
(ii) immediately adjacent to an electricity substation, or	Not Applicable
(iii) within 5m of an exposed overhead electricity power line,	Not Applicable
(c) installation of a swimming pool any part of which is:	Not Applicable
(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or	
(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,	
(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.	Not Applicable
(3) Subsection (2) does not apply to development specified in subsection (1)(b) if the development involves only one or more of the following:	Not Applicable

<p>(a) internal alternations to a building,</p> <p>(b) a change of use of an existing building,</p> <p>(c) a change to the hours of operation specified in the development consent,</p> <p>(d) a subdivision that does not involve construction work.</p>	
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5.1.3 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

The particular aims of this Plan are as follows:

Aim

To ensure development is accompanied by appropriate infrastructure.

Comment

The proposal of driveway from Biloela Street will result in improve access and amenity outcome for the site. The proposed works will provide more parking opportunities and lessen congestion/traffic for people entering and leaving the community centre.



Figure 3: Zone Map

Source: Canterbury-Bankstown L.E.P. 2023

The proposed vehicular crossing and driveway are intended to provide access to the existing community centre located at 274 Miller Road. There is no change to the current use of either sites. The client owns both 274 Miller Road and 2H Biloela Street, allowing for coordinated access between the two properties.

PART 5 MISCELLANEOUS PROVISIONS

There are no miscellaneous provisions relevant to the subject proposal.

PART 6 – ADDITIONAL LOCAL PROVISIONS

There are no additional local provisions relevant to the subject proposal.

5.2 Proposed (Draft) Environmental Planning Instruments

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 2023

CHAPTER 3 GENERAL REQUIREMENTS, 3.1 DEVELOPMENT ENGINEERING STANDARDS:

SECTION 2 – CIVIL ENGINEERING REQUIREMENTS

2.2 Vehicular footway crossing design criteria

Proposed VHC to be constructed as per Council's requirements and as per Australian Standards AS2890.1.

6 ADDITIONAL CONSIDERATIONS

6.1 PLANNING AGREEMENTS

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

6.2 THE REGULATIONS

6.2.1 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.

6.3 SITE SUITABILITY

6.3.1 Environmental

The assessment of the proposal has shown that any environmental impacts resulting from the works will be negligible.

6.3.2 Social

The proposal improves the existing amenity and recreational use of the community center, contributing the longevity of the area.

6.3.3 Economic

The built environment will be enhanced by the upgraded site allowing for the more economical and recreational 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.

6.4 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.

6.5 THE PUBLIC INTEREST

The public interest is serviced by the accommodating of an upgraded development to support the existing community center that adds to the amenity and longevity of the Villawood locality and surrounds.

7 CONCLUSIONS AND RECOMMENDATIONS

The project, located within suburban Villawood, offers a high-quality, flexible, contemporary, commercial outcome which provides for and contributes to the existing community facility of the site in this residential and industrial locality.

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.