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Statement of Environmental Effects

New industrial Development, 330 Edgar Street, CONDELL PARK NSW 2200



4 November 2024

Revision History

Version	Author	Reviewed	Date
V1 Initial statement for review	KR		4 November 2024

Authorship

This statement is prepared by Kim Rothe, Bachelor of Applied Science (Environmental Science) (Hons). 25 Years of Experience in Assessment Planning both in a public and private capacity.

1.0 SUMMARY

This is Statement of Environmental Effects prepared for the consideration of Canterbury Bankstown Council in support of a proposal for a new industrial building, 330 Edgar Street, CONDELL PARK NSW 2200. This Statement responds to the planning considerations required to be assessed by Canterbury Bankstown Council policies.

This SEE discusses the history of the approved use, the existing site and its environment, and provides for an assessment of the modification proposal having regard to relevant legislation and the Canterbury Bankstown Council Policies under the terms of 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The preparation of this Statement is pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (As amended) and the *Environmental Planning and Assessment Regulation 2021*. This statement assesses the proposal to be generally acceptable on merit, demonstrating the development will not result in any unacceptable adverse impacts. The proposal is generally in compliance with all relevant DCP and LEP objectives and has responded to the concerns raised in Council 2 September 2024 RFI letter.

2.0 THE SITE

The subject site is located on the Western side of Edgar Street, Condell Park near the intersection with Harris Street. The site has a frontage and vehicular access from Edgar Street with no other alternative access points or secondary Streets available. The site has a legal description of Lot 32 DP564483. The location of the subject site is illustrated in Figure 1.

The site is **not** a heritage listed property and is not located in a heritage conservation area.

The existing site is 4722 m2 and contains 2 x existing brick and metal roof industrial buildings with ancillary office area, trees, landscaped gardens and hardstand areas. There is a vegetation buffer area to the street boundary of the site.

Surrounding development is typically medium to large scale commercial industrial development with now residential development in vicinity of the site.

The locality plan is shown below in **Figure 1**.

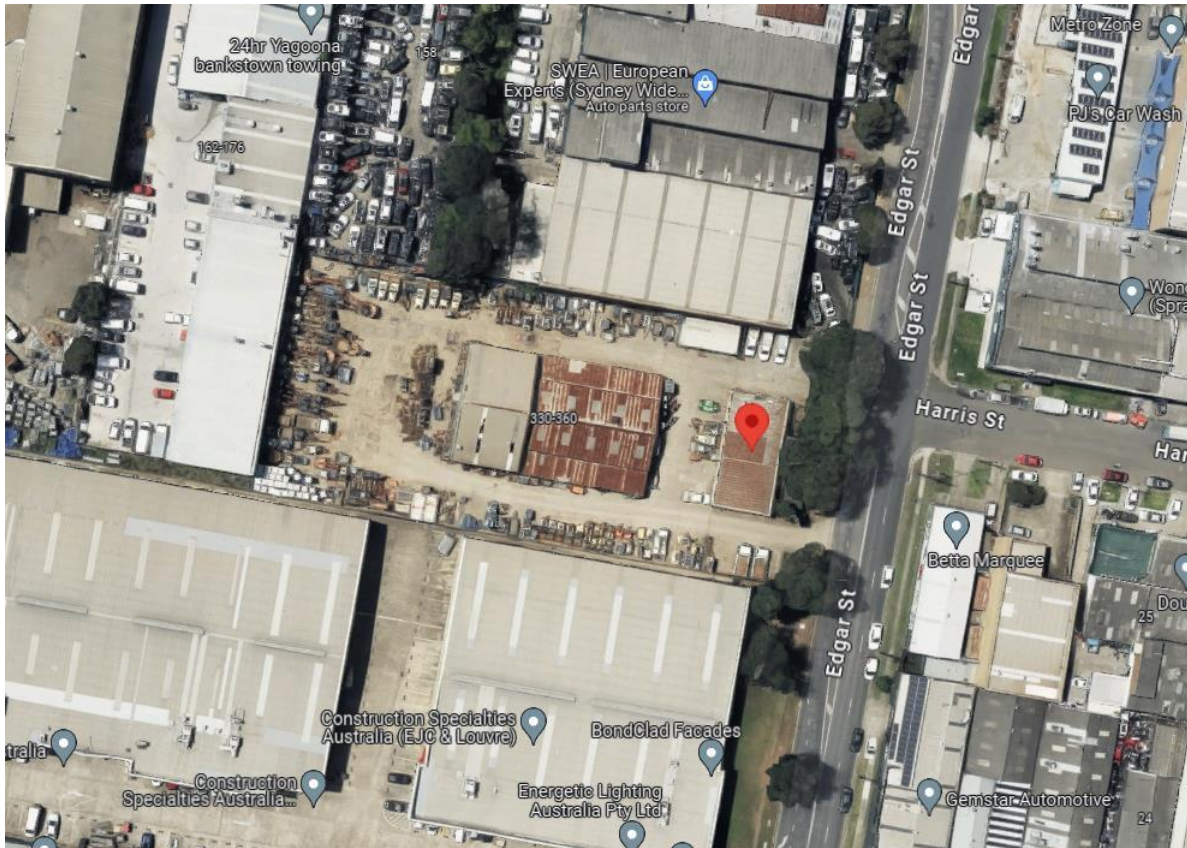


Figure 1: Location Plan of the site

3.0 RELEVANT HISTORY

Previous Approvals on Site

DA1504/2004 for New Front Fence. The application was approved under Delegated authority on 18 November 2004. Council records show associated CC-1138/2004 for the DA approved on 15 December 2004.

DA1039/2004 for Continual use of premises for storage and distribution of scaffolding equipment and upgrade of existing office area and facade. The application was approved under Delegated authority on 29 September 2004.

4.0 DESCRIPTION OF PROPOSAL

Consent is sought from Canterbury Bankstown Council to demolish the existing building on site and new construction of three (3) x new industrial buildings containing multi tenancy industrial units on site containing twenty-two (22) industrial units with mezzanine area.

Construction of new precast concrete panel industrial building extension down the eastern side of the site.

- The construction will create 2982 m² of new industrial buildings within three individual detached buildings containing 22 industrial units with entry, loading area, toilets and kitchenette facility.
- There will be a mezzanine space over the foyer and toilets, which overhangs the ground floor area.
- The new maneuvering and parking area to create/formalise thirty (30) parking spaces on site.
- Loading spaces are of sufficient size to accommodate a large rigid truck

Uses Proposed within the Building

No specific use of the new building is proposed at this time. To be subject to a future application.

5.0 ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15

The following matters are to be considered in the assessment of this development application under Section 4.15 of the Environmental Planning & Assessment Act, 1979 (As amended).

6.0 SECTION 4.15(1)(a) ENVIRONMENTAL PLANNING INSTRUMENTS

6.1 Integrated Development

The proposal does not constitute Integrated Development and does not require concurrent approval from any other State Government Bodies.

6.2 Relevant State Instruments and Legislation

State Environmental Planning Policy (Resilience and Hazards) 2021

This SEPP provides a state-wide practice for the remediation of contaminated land. Under chapter 4 clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021, consideration must be given as to whether the land is contaminated.

There are surface works under this proposal with the existing principal use of the site being for warehousing and storage. Notwithstanding this, the following comments are provided regarding the subject application:

- The 10.7 Certificate for the site does not establish any previous contamination on site and the future use is for industrial and non-sensitive uses.
- The proposal is for full demolition of the buildings on site.
- The existing use and is unlikely to have given rise to any contamination.
- No recently known activities which would raise the possibility of new contamination within the site.

The site is currently occupied by an industrial building and the proposal does not involve significant amounts of excavation. The future use of any new building on site is unlikely to be a designated sensitive purpose. It can be concluded that there is no likelihood of contamination of concern on this

site and post construction the site will continue to be suitable for industrial uses. No further consideration is therefore required under clause 7 (1) (b) and (c) of the SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of the most significant trees and other vegetation on site.

The proposal does not adversely impact upon any existing biodiversity or trees or vegetation on the site.

Chapter 6 Water Catchments

This Plan applies to the whole of the Canterbury Bankstown Local Government Area. The aims of the Plan are to establish a balance between promoting a prosperous working Harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal.

6.3 Canterbury Bankstown Local Environmental Plan 2023

Aims and objectives of zone

The site is zoned “IN1 General Industrial” Zone under the provisions of the Canterbury Bankstown Local Environmental Plan 2023. The objectives of the zone are:

“1 Objectives of zone

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimize 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 amenities.*

The new buildings to be constructed are intended for industrial purposes and accordingly constitutes a form of permissible development in the zone. The proposal due to the industrial nature of the built will be generally in accordance with the objectives of the zone.

Any demolition associated for the proposal is permissible subject to the provisions of Clause 2.7 of the Plan with consent being sought under this application.

Demolition is permissible pursuant to Clause 2.7 of the LEP 2014 and consent is also sought as part of this application.

Canterbury Bankstown Local Environmental Plan 2023 Controls

Relevant LEP clauses/development standards

Note: Only relevant clauses are commented upon

CL. Standard/Control	Complies	Comment
PART 4 PRINCIPAL DEVELOPMENT STANDARDS		
Clause 4.3 Height of buildings N/A	Yes	The buildings will not exceed 9 metres in height thereby being consistent with the established buildings in the locality.
Clause 4.4 Floor Space Ratio 1:1	Yes	The total site is 4722 m2 and the total proposed built area is 2982 m2 or an FSR of 0.63:1 in compliance with the 1:1 limit.
Clause 4.6 Exceptions to Development Standards	No variation requested	No variation is required or sought pursuant to Clause 4.6
PART 5 MISCELLANEOUS PROVISIONS		
Clause 5.4 Controls Relating to Miscellaneous permissible uses	N/A	There are no special provisions under this clause which can be applied to the development.
Clause 5.10 Heritage conservation	Yes	The site in itself is not an identified heritage item nor is it located in a conservation area. The site and building is not in vicinity of any identified heritage items
PART 6 LOCAL PROVISIONS		
Clause 6.1 Acid Sulfate Soils	N/A	Site is not ASS affected. There is no excavation of significance proposed for the development.
Clause 6.2 Earthworks	N/A	No excavation of significance proposed or required.
Clause 6.3 Stormwater management and water sensitive urban design Clause 6.4 Stormwater Management	Yes	Refer to Engineering suite and WSUD provisions incorporated into the development Stormwater to be direct to existing system and be fed by gravity to street network.
Clause 6.4 Biodiversity	N/A	The site is not identified as a biodiversity site.
6.10 Active Street Frontage	N/A	The site is not subject to the Active Street Frontages and accordingly, this clause does not need consideration. Notwithstanding this, with regards to the heads of consideration under (3)(a): (i): The multiple tenancies will promote activity with more activity to the street. This proposal will promote

activity and activation of the frontage of the site which is clearly intended for industrial use.

(ii): The entrance to the site remains legible from the street.

7.0 Section 4.15(1)(a)(ii) DRAFT AMENDMENTS TO STATUTORY CONTROLS

There are no draft amendments noted to any statutory controls applicable to the proposal.

8.0 Section 4.15(1)(a)(iii) DEVELOPMENT CONTROL PLANS

Canterbury-Bankstown Development Control Plan 2023

Note, only sections of the RDCP with direct relevance to the proposal are discussed in this table.
The relevant Section of the DCP is Chapter

CL.	Standard/Control	Complies	Comment
Chapter 3.0 General Requirements			
3.1	Development Engineering Standards	Yes	Works to be constructed to relevant Australian Standards and BCA/NCC and Engineering standards.
3.2	Parking	Yes	Parking is calculated and provided at a rate of 1/100 sqm of floor area and exceeds the minimum 1/300 warehousing rate promoting future flexibility of use. Thirty spaces are proposed
3.3	Waste Management	Yes	The building will generate limited ongoing waste typical for lighter industrial usage. All construction waste can be managed by the contractors who will undertake the works.
3.4	Sustainable Development	Yes	Energy efficient appliances proposed throughout the new buildings.
3.5	Subdivision	N/A	No subdivision proposed
3.6	Signs	N/A	No signs in the subject proposal
3.7	Landscape	Yes	A significant strip of landscaping including the existing major trees are maintained. Landscaping is discussed in greater detail in the following section.
Chapter 9 Industrial Precincts			
Chapter 9.1 General Requirements			
SECTION 1 – Introduction			
Objectives		Yes	The proposal is generally in keeping with the provisions of the DCP. The proposal enhances the appearance, activation and longevity of the existing industrial precinct. The retention

			of the existing trees and landscaping within the front also means the ecological characteristics of the existing site will be retained.
Desired Character	Yes		The site is a general industrial precinct, and the ongoing industrial usage will be promoted on site. Being a total demolition of the older buildings on site and new buildings will promote new contemporary buildings, construction techniques and uses of the site.

Section 2 Building form and Landscape

2.1	Site Cover	Yes	The site area is 4722 m ² and the total ground floor footprint of the buildings is 2520 m ² . Therefore, the total building site coverage is 53.3% in compliance with the 70% maximum site coverage limit.
2.2	Street setbacks	Yes	Edgar Street is not a state or regional road and therefore the applicable setback is 10 metres. The setback provided is 9.0metres. m. Refer to Clause 2.3 discussion below.
2.3		Yes	The site lies in the former Canterbury Council area and the front setback as proposed exceeds the minimum required 5 metres. There is no secondary street frontage to the site.
2.4		N/A	No variation is required. The size and scale of the buildings is appropriate in the context of the desired future character of the area.
2.5	Side and Rear Setbacks	Yes	There is no adjoining residential premises therefore it is submitted that the proposed nil rear and side setbacks is appropriate in the circumstances.
2.6			
2.7	Development adjacent to residential zones	N/A	There are no adjoining residential premises.
2.8	Setbacks to riparian corridors	N/A	The are no adjoining riparian corridors.
2.9	Development adjacent to channelled watercourses	N/A	There is no adjacent channelled watercourses.
2.10	Open Space	Yes	The site area exceeds 4000 m2 and a 10 metre landscaping buffer is provided to the front setback as per the requirements.
2.11		Yes	Significant trees are retained on site and there is no significant level changes in the vicinity of the trees being retained.
2.12		Yes	Existing significant trees are retained on site. Incorporating new significant trees will not promote healthy new growth in these trees.
2.13			
2.14			The spans of internal car parking areas are broken with maneuvering areas.
2.15	Employee amenities	Yes	Will we be providing an employee amenity area in the front setback area. Minimum area required is 25 m2

2.16		Yes	Control is as follows: 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.
Section 3 Building Design			
3.1 -3.4	Façade design	Yes	Façade design – Units to street incorporate first floor mezzanines with windows to Edgar Street. Refer to attached 3D Images.
3.5	Façade Design (corner sites)	N/A	The site is not a corner site.
3.6	Façade design (materials)	Yes	Need façade design – refer to DCP attached.
3.7	Roof Design	Yes	Roof design is of Skillion type roof with overhangs as architectural statements falls with site
3.8	Safety and Security	Yes	Front Street units have entry doors to the street
3.10			
3.11	Loading Access	Yes	Loading docks will only be accessible to respective units' tenants/occupants
3.12	Secured Car parking	Yes	Site to be gated at Edgar Street.
3.13	Lighting	Yes	lighting plan – Attached lighting plan with DA set of plans.
3.14		N/A	The site does not adjoin a railway corridor or open stormwater drain.
3.15	General	Yes	The proposal will comply with this clause in the following way: 1. The proposal incorporates a 1/100 parking rate to promote future flexibility of use within the complex. 2. Adequate landscaping will be maintained at the front of the site. 3. The proposal will improve the economic conditions of the site. 4. The site only has access from Edgar Street and reduced the existing number of access points to the site whilst still maintaining functionality of the vehicle access points. 5. Goods and machinery will not be visible from the street 6. There are no residential areas in vicinity of the site. 7. The proposal will incorporate general energy efficiency and energy conservation measures.
3.16	Vehicle body repair workshops	N/A	No such uses are being considered at this time.

3.17-3.19	Service stations and vehicle sales or hire premises	N/A	No such uses are being considered at this time.
Section 4 Environmental Management			
4.1	Acoustic Privacy	N/A	No use being considered at this time. Base building only.
4.2	Pollution control	N/A	No use being considered at this time. Base building only.
Section 5 Site Facilities			
5.1-5.2	Storage areas	N/A	No specific uses or storage of hazardous chemicals being considered at this time.
5.3 -5.6	Building design (utilities and building services)	Yes	The base building is to be adequately serviced for future uses Note existing substation on neighboring address
5.7 – 5.9	Substations		
5.10	Food premises	N/A	No food premises are being considered currently. New tenancies will be capable of meeting food regulation codes.
5.11-5.13	Front Fence	Yes	fence details as shown on plans

9.0 The Likely Impacts of the Proposal

The EPA Regulation requires consideration of Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this, by standard by condition of consent. Any demolition will be undertaken in strict accordance with AS 2601-1991.

Demolition work will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. The proposal can meet applicable noise criteria to protect the amenity of the nearby residential premises.

The development will not result in any ongoing or unreasonable noise generation occurring from potential future uses of the premises by virtue of its location but can be subject to ongoing regulation via conditions of development consent for future Development applications or standard conditions for Complying Development Certificate specified uses.

10.0 The Suitability of the Site

The proposal can be comfortably accommodated on the site without adverse or unacceptable impact to adjoining land uses nor impact the sites' ability to accommodate futures uses on site in accordance with the *Canterbury Bankstown Local Environmental Plan 2023*.

Any ongoing use is considered to be within the public interest for the following reasons:

1. The works can be undertaken on site without adverse impacts to premises.
2. Future development can be undertaken on the site in accordance with the zone LEP and DCP objectives.
3. The use will support the local workers and residents using the services on offer at the premises. Future potential uses of the buildings also promote further economic and social activity for the site.
4. The proposal will keep the existing industrial site in active usage and assist in maintaining the vitality of the area.
5. The tenancies can be easily converted to another conforming use should the uses be discontinued – ample provisioning of parking promotes the future flexibility of use.
6. There are no precipitate constraints posed by adjacent land uses.
7. Appropriate construction and amenity control measures will be employed during work.
8. The development will not result in environmental degradation of the local

area. The application therefore satisfies this section of the Act.

11.0 Public Interest

The development will generally be of public interest. It is considered that the proposed building will not contravene the public interest as development does not have the potential to result in further adverse impact beyond its existing impact on the locality.

12.0 CONCLUSION

Overall, it is considered that the development is entirely appropriate and should be approved by Council, based on the following:

- The development of the premises is permissible in the zone with consent from the Council.
- The proposed development will be of minimal environmental impact and will result in improved development from that which currently exists on the site and maximize the utilization of the site in accordance with the desired future character of the locality;
- There are no precipitate constraints or adverse impacts posed by adjacent land uses.
- The development will not result in environmental degradation of the local area or locality.

Overall, it is considered that the development is entirely appropriate for the site and locality and should be approved by the Council, based on the following:

- *The development will be of minimal environmental impact.*
- *The proposal will not result in any exacerbation of on-site or off-site impacts.*
- *The proposal does not offend relevant LEP and DCP objectives and improve the sites' conditions.*

Based on the above, it is concluded that the proposed development should be approved by the Council pursuant to the requirements of the *Environmental Planning and Assessment Act 1979*.