



Supporting Statement of Environmental Effects for a proposed Modification to a Development Consent

- Description:** sect. 4.55(2) modification to DA-559/2018 for the upgrade of site stormwater disposal and surface water management.
- Address:** Lot 9 in DP 241358 (#263) Milperra Road, REVESBY NSW 2212.
- Prepared for:** BDC Recycling Pty Ltd [ABN 88 646 458 817] – proponent and business operator.
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Registered Planner, Building & Development Consultant
- Report No:** 25038 s.4.55(2) Rev.1
- Date:** 30 March 2026



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1. BACKGROUND TO THE PROPOSED MODIFICATION APPLICATION

This Planning Statement has been prepared to accompany an application to modify Development Consent DA-559/2018 approved by *Canterbury-Bankstown Council* ("Council") on 11 February 2019 for the '*Use of premises as a waste transfer facility.*'

The modification application is made pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

This report should be read in conjunction with the plans, specifications and expert reports that accompanied the original application as described in the Development Consent and any subsequent Modification thereto.

2. THE PROPOSAL

The proposal is to modify Development Consent DA-559/2018 to amend the approved site stormwater plans to allow for the stormwater and surface water management to be upgraded to meet current standards and better reflect the waste management business operating as BDC Recycling Pty Ltd at the premises.

The proposed changes to the existing stormwater layout are as follows:

1. Investigate and clear existing stormwater lines/pits and/or rainwater tanks to be functional.
2. Remove any redundant stormwater lines/pits.
3. Top existing concrete pavement to achieve required design falls to surface pits.
4. Install new stormwater lines and pits as per the engineer's design.
5. Connect the existing wheel-wash to Sydney Water Trade Waste to separate potentially 'dirty' water from the stormwater system.
6. Install a skillion roof over the wheel-wash and connect downpipes to stormwater.

The proposed new drainage plan is shown at Figure 1 and new skillion roof plan at Figure 2 and Figure 3 below.

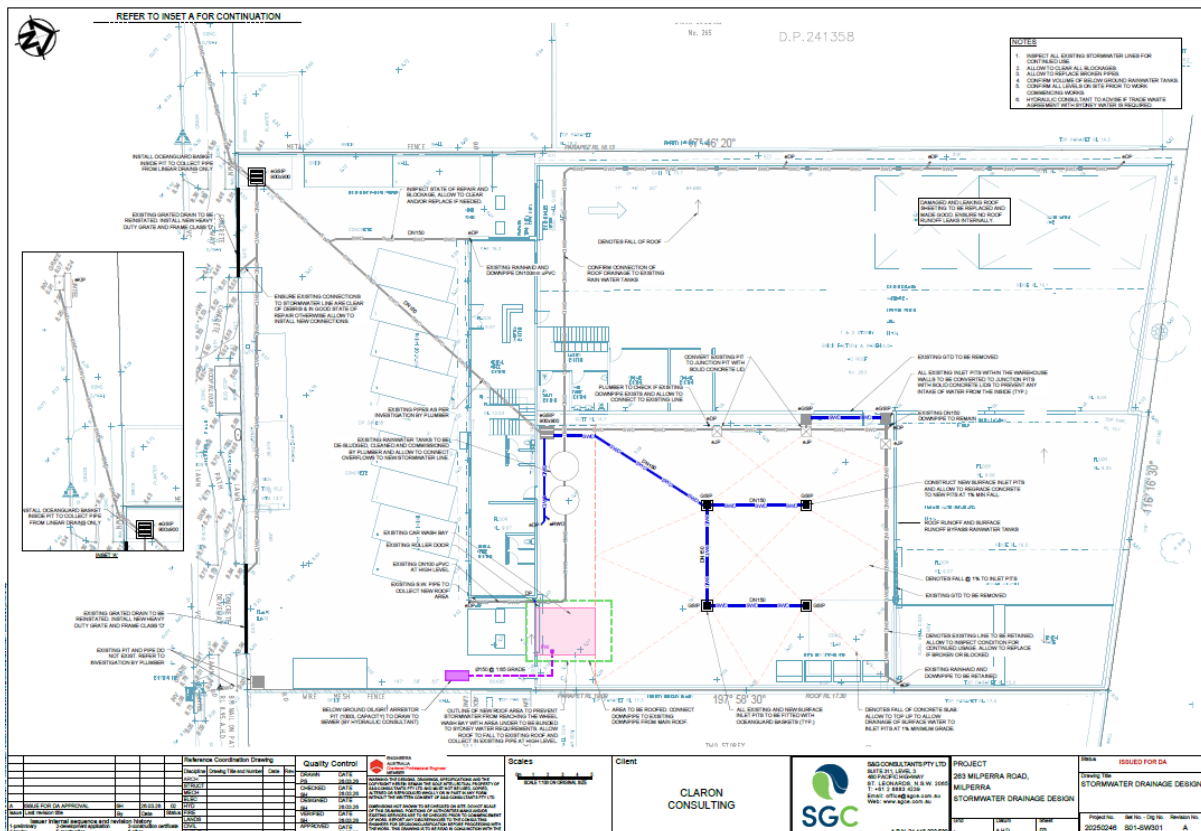


Figure 1 - Proposed Stormwater Plan

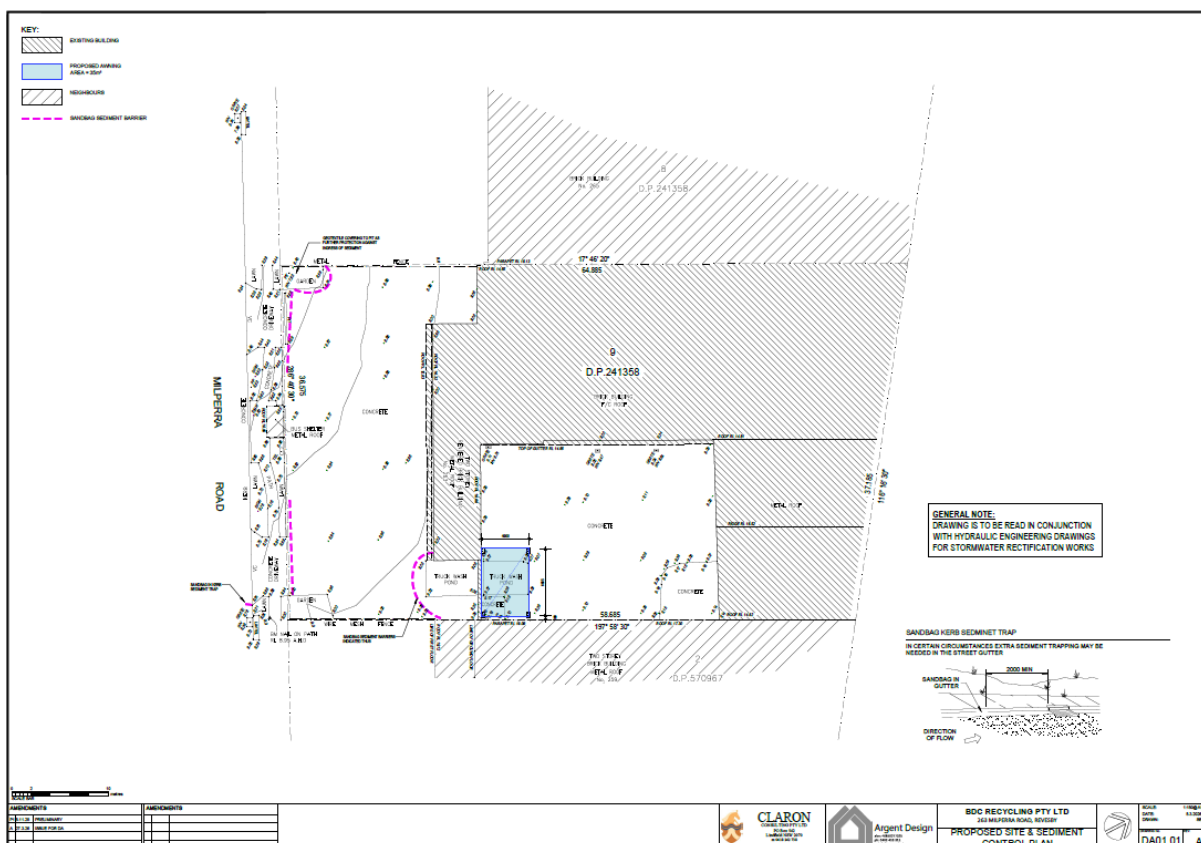


Figure 2 - Proposed Site Plan

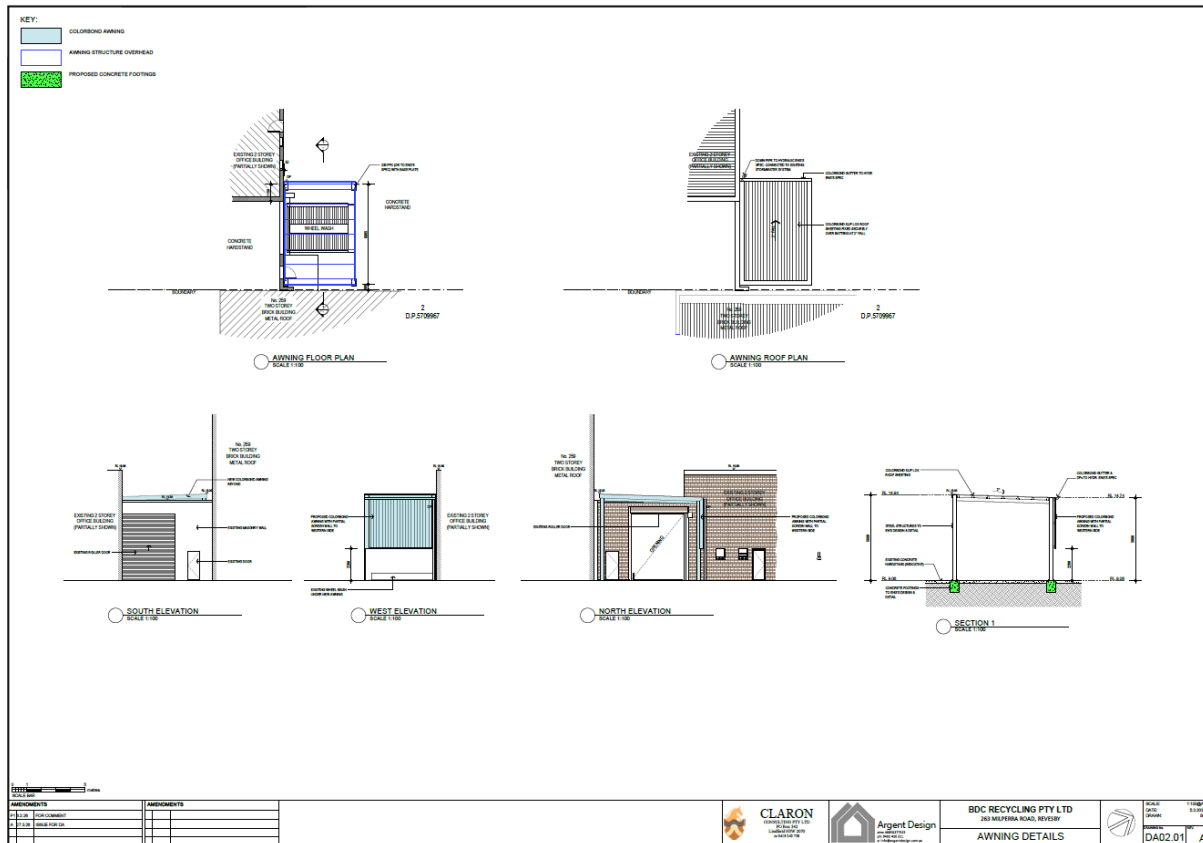


Figure 3 - Proposed Roof awning details

There is no change to the approved site waste management activities and general internal configuration of the buildings, the type/volumes of waste received, operating hours, staffing numbers, carparking, truck movements, site access, general nature of the business conducted at the premises or any other matter that is inconsistent with the current Development Consent.

2.1 CONSTRUCTION WASTE MANAGEMENT

Any minor amounts of waste generated during the construction phase of the awing and stormwater installation will be handled entirely on site, being processed and recycled for re-use through the BDC facility that operates at the premises.

3. SITE AND LOCATION DESCRIPTION

The subject land is located at Lot 9 in DP 241358 (#263) Milperra Road, Revesby NSW 2121 as shown in Figure 4.



Figure 4 - Location Plan (source: NSW Explorer v1.2)

A detailed description of the site and its surrounds is contained in the *Statement of Environmental Effects* submitted with the original Development Application.

4. THE PROPONENT

The current operator of the business occupying the premises is:

- 'BDC Recycling Pty Ltd' [ABN 88 646 458 817].
- Proprietor - Ms Lisa Tran
- Mobile: 0477 656 666
- Email: bdcrecycling@gmail.com

Except for the specific matters as discussed within this proposal, in all respects the business operating at the business and trading as 'BDC Recycling' is consistent to the business noted as 'Purple Cow Industries Pty Ltd' as described in the Conditions of Consent DA-559/2018.

5. PROPOSED MODIFICATIONS

The applicant seeks to add and/or modify the following Conditions within Development Consent DA-283/2011.

CURRENT Condition:

2) Development shall take place in accordance with Development Application No. DA-559/2018, submitted by John Lasic of Purple Cow Industries Pty Ltd, accompanied by Drawing Nos. DA100 and DA101 Issue P3 dated 10/09/2018, and DA102 Issue P2 dated 11/07/2018, plans prepared by Space Designs, and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

The development plans shall be amended as follows:

a) Car parking space '11' on approved site plan DA100 dated 10/09/2018 shall be deleted (as indicated in red) and not be used as part of the approved site operations, as this space may negatively impact vehicles wanting to enter the site due to the multiple movements needed to be undertaken to access the car space.

PROPOSED Condition:

The development plans shall be amended as follows:

b) Skillion roof over existing wheelwash to be generally in accordance with the plans numbered DA01.01A and DA02.01A, dated 27/3/2026 prepared by Argent Design.

Comment: New Condition inserted to capture the architectural plans for the roof over wheelwash.

CURRENT Condition:

17) *Stormwater drainage from the development shall be designed so as to comply with Council's Development Engineering Standards and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by a qualified Professional Civil Engineer in accordance with the above requirements and shall generally be in accordance with the **concept stormwater plan No. H726 – S315, Rev A dated 16/12/2018 prepared by TAA Consulting Engineers**. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.*

PROPOSED Condition:

17) Stormwater drainage from the development shall be designed so as to comply with Council's Development Engineering Standards and the requirements of the BASIX Certificate. The detailed stormwater drainage design shall generally be in accordance with the **detailed stormwater plans No. S01-SW100 Rev. A, S01-SW101 Rev. A, S01-SW301 Rev. A, S01-SW401 Rev. A dated 26/03/2026 prepared by S&G Consultants**. The final 'for construction' plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.

Comment: The new detailed stormwater plan by SGC Engineers replaces the previous approved concept stormwater plan prepared by TAA Consulting Engineers.

6. ASSESSMENT OF PROPOSED MODIFICATIONS

The proposed new stormwater plan is intended to upgrade the existing stormwater, surface water management and Trade Waste regime to current standards and better reflect the waste management operation currently being undertaken at the premises.

For completeness, a brief discussion of and justification for the proposal against the relevant sections of Council's *Canterbury-Bankstown Local Environment Plan 2023* and *Bankstown Development Control Plan 2015* is provided hereunder.

6.1 Canterbury Bankstown Local Environment Plan 2023

Zone E4 General Industrial

1 Objectives of zone

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *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**; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Restaurants or cafes; 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; Crematoria; 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; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; 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

CBLEP Dictionary:

- **industry** means any of the following—
 - (a) **general industry**,
 - (b) **heavy industry**,
 - (c) **light industry**,

but does not include—

 - (d) **rural industry**, or
 - (e) **extractive industry**, or
 - (f) **mining**.

Response: The site is zoned E4 ‘general industry’ within *Canterbury Bankstown LEP 2023*, which permits ‘recycling’ as a form of industrial activities.

There is no change to the nature of the ‘waste sorting facility’ approved pursuant to DA-559/2018, and all ‘waste’ and ‘recycling’ activities continue to be conducted entirely within the rear building.

The proposal is a permissible land use in the E4 ‘general industry’ zoning and there is no conflict with the approved Consent as it is confined to the proper management and disposal of stormwater and wastewater emanating from the waste business being conducted at the premises.

6.2 Bankstown Development Control Plan 2015

6.2.1 Part B3 – Industrial Precincts

Response: This section of *Bankstown DCP 2015* generally sets out matters of potential environmental and amenity impacts and Controls to mitigate such impacts that may result from industrial land uses within the City.

Specific commentary is made against each relevant sub-section hereunder.

SECTION 4 – ENVIRONMENTAL MANAGEMENT

Objectives

The objectives are:

- (a) To have development that minimises pollution and environmental risk, and enhance ecological values.*
- (b) To have development that provides adequate amenity to people who work in and visit the local area.*

Development controls

The development controls to achieve the objectives are:

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.*

Response: The business being the subject of this Modification Application has been legally operating at the premises for some eight (8) years, having been the subject of a rigorous assessment undertaken by Council and found to be satisfactory as set out in Development Consent DA- DA-559/2018.

The proposed upgrade to the site stormwater management regime positively addresses the DCP controls for the prevention of water borne pollutants from entering the environment in an uncontrolled manner.

Accordingly, the proposal is not considered to conflict with any of the Objectives of Section 4 of BDCP 2015.

7. SECTION 4.15 EVALUATION ASSESSMENT

I have also considered the proposed amendments against s.4.15 of the EP&A Act 1979 (as amended), these being:

4.15 Evaluation

(1) Matters for consideration--general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

that apply to the land to which the development application relates,

(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,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

The proposal has been assessed against the relevant planning instruments and is compliant with the prescriptive controls. The modifications sought result in a development that is consistent with the relevant Objectives of CBLEP 2023 and BDCP 2015 and has a beneficial impact upon the natural and built environments. The subject property remains suitable for the development as modified.

The requested modification of the development consent would have negligible social impact, a positive economic impact and would not be antipathetic to the public interest.

8. SECTION 4.55(2) ASSESSMENT

Section 4.55(2) of the Act empowers Council to modify a Development Consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all),

The development resulting from the proposed modification would be substantially the same as the development approved by *Canterbury-Bankstown City Council* on *11 February 2019*. The proposed development would be of a consistent scale and for a general industrial usage as that previously approved.

The modified development would be substantially the same as the approved development both qualitatively and quantitatively.

Section 4.55(2)(a) is therefore satisfied.

9. SUMMARY and RECOMMENDATION

The proposed modifications that are the subject of this sect.4.55(2) application represent an enhanced stormwater management system of the 'BDC Recycling' waste management facility to ensure that the business meets the regulatory compliance standards, would not offend any development standard or the Objectives underlying *Canterbury-Bankstown Local Environment Plan 2023* and *Bankstown Development Control Plan 2015* and can be well supported on merit grounds.

I recommend therefore that the sect.4.55(2) application be supported, and that Conditions be modified as requested.

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