

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**Modification of DA – 116/2012 for the Retention of Single Storey Brick Building (Old Kitchen building) and change of use for multi-purpose meeting rooms**

At

**No. 14 - 16 The River Road, (Lot 11 & 12 DP 731449)**

**REVESBY NSW 2212**

2 April 2022

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## **1. INTRODUCTION**

This Statement of Environmental Effects (SEE) has been prepared for the applicant seeking modification to the approved development at No. 14 – 16 The River Road, Revesby NSW 2212, under DA–116/2012. The approval allowed demolition of existing kitchen and construction of a new kitchen for use with the Temple.

This Statement of Environmental Effects accompanies an application pursuant to Section 4.55 (2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, which seeks to modify the approval for the demolition of existing kitchen and construction of a new kitchen for use with the Temple at Lot 11 & 12 DP 731449 as per modified plans and elevations (4 sheets) dated 19 March 2022 prepared by Innovative Eco Designs and submitted with this application. The modification application seeks approval for the retention of the existing single storey brick building (formerly used for kitchen) and change of use for multi-purpose meeting rooms.

The purpose of this Statement is to address the planning issues associated with the modification proposal, specifically to assess compliance of the approved built form with Council's controls and any likely impact of the development on the environment in accordance with the requirements of Section 4.15 and 4.55 of the EP&A Act, 1979.

The SEE concludes that the proposed development, being a modification application to an approved development will have minimal adverse impacts on the amenity of the adjoining buildings/properties and is considered worthy of support.

## 2. SITE DESCRIPTION

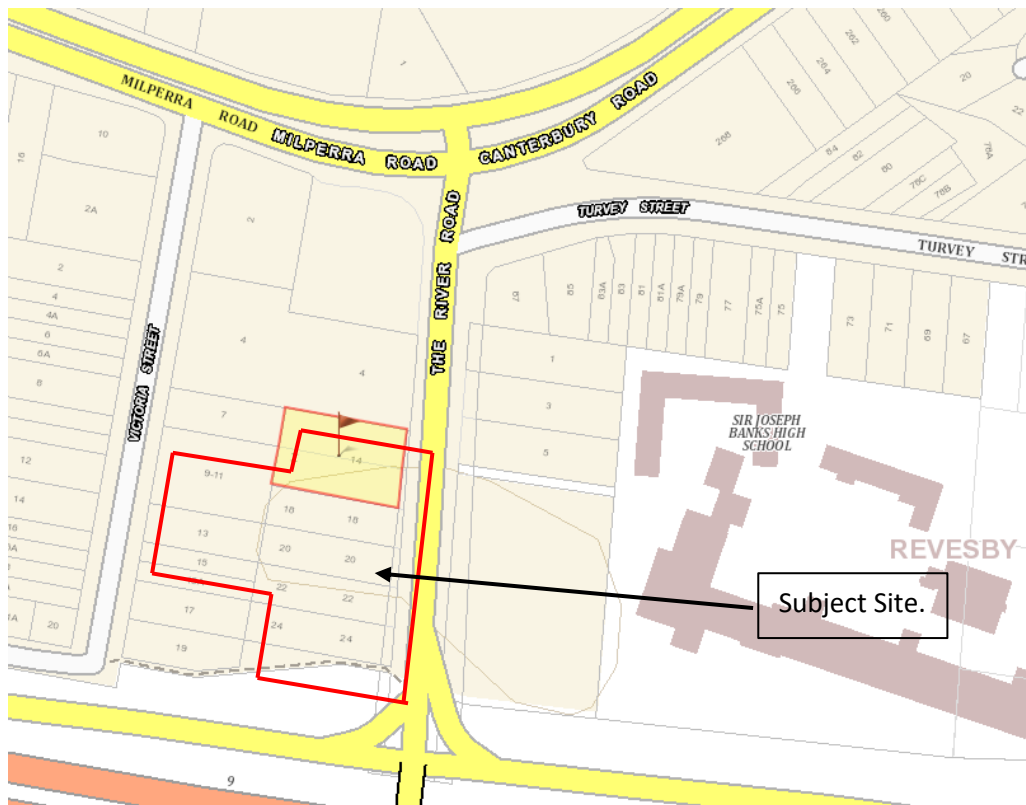
The subject is now being part of the site comprising eight (8) separate lots commonly known as 14-18 The River Road (Sikh Temple), No 20-24 The River Road and 11-13 Victoria Street Revesby. The land parcels making up the overall site are legally described as follows:

- Lot 11 DP 731449 – No.14 The River Road, Revesby
- Lot 12 DP 731449 – No. 16 The River Road, Revesby
- Lot 13 DP 731449 – No. 18 The River Road, Revesby
- Lot 14 DP 731449 – No. 20 The River Road, Revesby
- Lot 15 DP 731449 – No. 22 The River Road, Revesby
- Lot 16 DP 731449 – No. 24 The River Road, Revesby
- Lot 12 DP 2343 – No. 13 Victoria Street, Revesby
- Lot 100 DP 1183919 – No 11 Victoria Street, Revesby

The subject site is situated on the western side of the River Road, Revesby between Milperra Road to the north and Gordon Parker Street to the south. The site has a secondary frontage to Victoria Street to its west. The property is neither in a heritage conservation area or heritage listed nor located within close proximity to any such items.

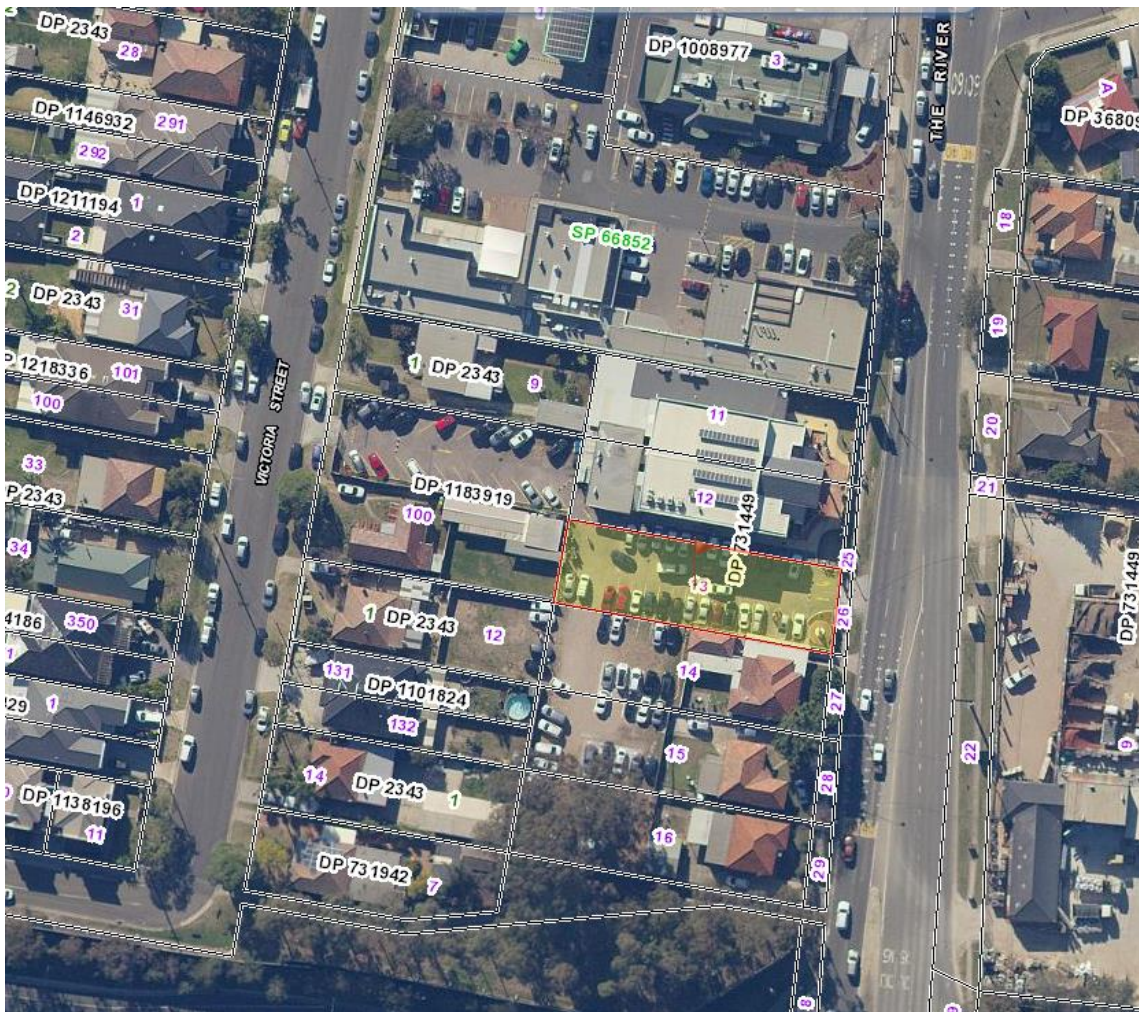
The subject existing building is located on the western side of lot 16 DP 731449 of one of the overall site being used for Sikh Temple and was previously used as Kitchen associated with the Temple.

The location of the subject site is shown as follows:



**Location Plan**

The aerial photo is provided below.



**Aerial photo of site and surrounds**

### **3. BACKGROUND**

A Development Consent was granted by Bankstown City Council to development applications No. DA- 116/2012 for demolition of existing kitchen and construction of new kitchen for use with the Temple at No.14-16 The River Road, Revesby. As the proposal involves retention of the single storey brick building, previously used for kitchen that was proposed for demolition and its use for multi-purpose 3 meeting rooms, a section 4.55(2) application is lodged to modify the terms and conditions of Development Application DA- 116/2012 to conform with the proposed built form as depicted on the attached drawings (4 Sheets) revision C dated 19 March 2022 prepared by Innovative Eco Designs.

### **4. Description of the Proposal**

#### **4.1 Modification to the approved development**

As explained above, it is proposed to retain the single storey building previously used as kitchen with the Temple and use of the building for multi-purpose 3 meeting rooms. The resultant retention of the building will result in minor increase of 73.93m<sup>2</sup> floor area to the

existing floor area of the Temple building and associated structures on the overall site which is addressed in the later part of this report. In addition, there will be no change to the built form of the dwelling or its presentation to streetscape to the approved building envelope. The details of the proposed modifications are shown on detailed plans revision C dated 19 March 2022 (4 sheets) prepared by Innovative Eco Designs submitted for Council's approval. Compliance of the proposed dwelling with Council's LEP 2015 and DCP 2015 controls are discussed in the later part of this report.

## **5. STATUTORY AND POLICY COMPLIANCE**

### **5.1 SECTION 4.55 ASSESSMENT**

Section 4.55 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* contain provisions relating to the modification of development consent. Specifically, subclause (2) refers to 'other modifications' that states:

***Other modifications*** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the 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), and*

(b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

(c) *it has notified the application in accordance with—*

(i) *the regulations, if the regulations so require, or*

(ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

(d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

*Subsections (1) and (1A) do not apply to such a modification.*

This proposal is the subject of Section 4.55(2) modification. The proposal does not require a new development application as it is substantially the same, being a new kitchen and multi-purpose meeting rooms for use with the Temple which is predominant land use as approved under DA 213/1999 and new kitchen approved under DA116/2012 issued by Bankstown City Council. In reaching this conclusion, we have considered guidance provided by the Land & Environmental Court case, *Moto Projects (No. 2) Pty Limited v North Sydney Council* {1991} NSWLEC 280; (1999)106

*LGERA 298*, which outlines principles for determining whether a modification application is 'substantially the same' as an originally issued development consent. The assessment of 'substantially the same' needs to consider quantitative and qualitative matters.

Quantitatively, the proposal will not significantly alter the numerical aspects of the proposal and will remain consistent with the relevant planning controls. The proposed modifications will result in minor increase to the approved built form and floor space ratio provided and will not change the maximum height of the building proposed for retention. The retention and use of the existing building will not result in non-compliance with the side setback and built form, as existing, or will not significantly change the bulk & scale of the approved & existing built form including its presentation to the streetscape. The amended elevations will not result in any adverse impacts on adjoining properties or streetscape. In addition, the proposed retention of existing building previously used for kitchen and its use for multi-purpose meeting rooms will add additional use to the Temple administration and the patrons visiting the Temple without adversely affecting the amenity of adjoining properties by way of privacy, overlooking or overshadowing.

The proposed retention of the existing single storey building as part of this modification application will facilitate its use for multi-purpose meeting rooms to Temple which is no different to the approved development of Sikh Temple and associated use of the subject site as approved under previous approval or the built form. The proposed retention of the building will provide additional area without increasing the existing bulk, scale or built form of the approved development on site. The retention of the existing building and use for multi-purpose meeting rooms is consistent with existing predominant use of the site as well as with the objects of the Environmental Planning and Assessment Act 1979. Additionally, the proposal, as modified, will not result in any increased solar impacts, both visual and privacy impact between the development or on the adjoining properties that could have been from the approved development.

Qualitatively, the development is substantially the same as of the approved development given that the proposal is predominantly single building on the subject lot rather than any substantial external changes to the development. The proposed physical additional floor area and reconfiguration of the area will not result in change in the built forms in terms of setback and do not significantly alter the use or scale and form of the approved and existing built form. The proposed amended design is consistent with the approved design and the desired character of the area and in particular of the site. Furthermore, the proposed modifications will have negligible environmental impacts as discussed in this Statement.

Given the above, it is evident that the proposal is substantially the same as the approved built form of the Temple both qualitatively and quantitatively. It is therefore considered that the proposal is appropriately categorised as a Section 4.55(2) application.

## **5.2 SECTION 4.15 ASSESSMENT**

Section 4.55(3) requires consideration of Section 4.15(1) of the EP&A Act which is undertaken under the relevant subject headings below:



### 5.3 Bankstown Local Environmental Plan 2015

Bankstown Local Environmental Plan 2015 (the LEP) is the principal environmental planning instrument that applies to the subject land and contains applicable development standards for the proposed development of the site. An assessment pursuant to the provisions of the LEP are discussed below:

#### Permissibility

The subject site is within zone R2 – Low Density Residential pursuant to the provisions of the LEP. Under the provisions of the LEP, the proposed development being boundary adjustment & consolidation of lots, use of land for dwelling houses and Place of Public Worship including car parking, is a permissible Landuse within R2 Residential zone with the consent of Council.

#### **Objectives of zone**

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential development that is compatible with residential uses and does not adversely affect the living environment or amenity of the area.*
- *To allow for the development of low-density housing that has regard to local amenity.*
- *To require landscape as a key characteristic in the low-density residential environment.*

#### **2 Permitted without consent**

*Home occupations*

#### **3 Permitted with consent**

*Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Hospitals; Information and education facilities; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water recreation structures; Water supply systems*

#### **4 Prohibited**

*Any development not specified in item 2 or 3*

The proposal is consistent with the objectives of the zone in that the consolidated site is utilised for dwellings and place of public worship that allows to meet the housing needs of the community whilst providing other land use to facilitate service to community without adversely affecting the amenity of the area or the built environment.

The proposed modification in no way alters the ability of the development to meet the objectives of the zone or change the built form as approved by Council including the setbacks as approved under DA – 116/2012. The proposed modification satisfies the requirement of controls of Bankstown LEP 2015 as follows:

Clause	Proposal	Compliance
Clause 4.3 Height of Buildings – 9m	3.45m, No Change building height of existing building (previously used as kitchen) or the Temple building.	Yes
Clause 4.4 Floor Space Ratio – 0.5:1	0.387:1 (Total Floor Area of 1124m <sup>2</sup> based on Temple floor area of 1050m <sup>2</sup> +74m <sup>2</sup> additional area of proposed building to be retained with a site area of Lot 11& 12 being 2900m <sup>2</sup> ).	Yes
Clause 5.10 Heritage Conservation	Site is not identified in Schedule 5 of the LEP 2015 as a heritage item or located within the vicinity of heritage item or within heritage conservation area.	Yes
Clause 5.11 Bush fire hazard reduction	The site is not identified as Bushfire prone land in Council's records	Yes
Clause 6.1 Acid Sulphate Soils	The site is not identified as Acid Sulphate Soils in the LEP 2015 maps.	Yes
Clause 6.3 Flood Planning	The site is not identified as flood liable land or flood affected as per s10.7 Certificate.	Yes

Therefore, the proposed modification does not result in any change to compliance with the relevant provisions under Blacktown Local Environmental Plan 2015.

#### 5.4 Bankstown Development Control Plan 2015 (DCP 2015)

The proposal, as modified, will not change the building foot print of the existing development on site, setbacks including street setback and side setback, building height, massing and siting, the landscape area and car parking arrangements of the development controls of Bankstown Development Control Plan 2015.

The proposed modification will not be non-compliant with the controls of Part B8 – Places of Public Worship as well as Part B5 - Parking as follows:

Part B5 - Parking		
Section 2 – Off Street Parking 2.1 Development must calculate the amount of parking required using the schedule of off-street parking requirements. Places of public worship	82 parking spaces are provided for Place of Public Worship having assembly hall area of	Yes

<p><i>Car parking must be provided on-site at a minimum rate of 1 car space per 5m<sup>2</sup> of the assembly area.</i></p> <p><i>Car parking for ancillary uses and social / special events must be provided on-site on the basis of a Parking Study, to be submitted with the development application.</i></p>	<p>265sqm and associated language school. A traffic assessment report is submitted with the application justifying compliance with parking requirement. The additional 74sqm of floor area will not generate additional parking as the meeting rooms will be utilised by the admin staff or the patrons which are already included in parking compliance for 230 patrons as proposed under DA158/2022 which is under assessment with Council.</p>	
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<b>Part B8 – Places of Public Worship</b>		
<p><b>Section 3 – Location and Traffic Management</b></p> <p><i>3.1 The proposed development must maintain the general amenity of the area.</i></p> <p><i>3.2 The proposed development must optimise the use of surrounding and potential infrastructure, with a particular emphasis on public transport.</i></p>	<p>The proposal, as modified, will not have any noticeable or negative impacts on the amenity of the area.</p>	<p>Yes</p>
<p><b>General Restrictions on development</b></p> <p><i>3.3 A place of public worship may not be within reasonable view of a sex services premises ('reasonable view' shall be determined taking into account factors such as topography, vegetation, signage, intervening development and similar factors).</i></p> <p><i>3.4 The boundary of a place of public worship should not be within a 100-metre radius of a sex services premises.</i></p>	<p>The existing building proposed to be retained is not within reasonable view of any sex service premises or is not within 100m radius of any such premises.</p>	<p>Yes</p>
<p><b>Traffic Management–Environmental Capacity</b></p> <p><i>3.5 Development for the purpose of places of public worship must not result in a street in the vicinity of the development site to exceed the environmental capacity maximum. If the environmental capacity maximum is already exceeded, the development must maintain the existing level of absolute delay of that street.</i></p> <p><i>This clause applies to places of public worship in the residential zones, the special use zone and the industrial zones.</i></p>	<p>The proposed modification will not result in increased car parking requirements as no increased capacity of Place of Public Worship is proposed in this application. The proposed use of meeting rooms is ancillary to the Temple activity and will be used by Patrons or admin staff for day-to-day activity of the Temple.</p>	<p>Yes</p>
<p><b>Traffic Impact Studies</b></p> <p><i>3.7 Development applications must submit a Traffic Impact Study based on the RTA Guide to Traffic Generating Developments to determine:</i></p>	<p>Traffic Impact Assessment report prepared by HECARD Consultants is submitted</p>	<p>Yes</p>

<p><b>Section 4–Lot Sizes and Building Envelopes</b></p> <p><b>Allotment size</b></p> <p>4.1 The minimum allotment width, measured at the front building line, for a place of public worship located within Zone R3 Medium Density Residential and Zone R4 High Density Residential is 15 metres for a corner allotment, and 20 metres for all other allotments.</p> <p>4.2 The minimum allotment size for a place of public worship within Zone R3 Medium Density Residential and Zone R4 High Density Residential is 800m2 .</p> <p><b>Assembly Area</b></p> <p>4.3 The maximum area of the assembly area in a place of public worship within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential is 400m2 .</p> <p>4.4 An alteration or addition to an existing place of public worship within Zone R2 Low Density Residential and Zone R3 Medium Density Residential which would result in an assembly area with an area of more than 400m2 is not permitted.</p> <p><b>Height</b></p> <p>4.5 Within Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure, the maximum wall height for a place of public worship is 9.5 metres.</p> <p>4.8 The operational requirements of Bankstown Airport may place certain additional constraints on building heights within some areas of Bankstown. Council may refer certain development applications to the airport authority for consideration.</p>	<p>N/A as the site is within zone R2- Low density residential.</p> <p>N/A</p> <p>The open space of 246.7m<sup>2</sup> created out of lot 12 DP 2343 will be used for an assembly area in addition to the assembly area of the approved Place of Public Worship. Further, car parking area can also be used for this purpose.</p> <p>N/A; as the proposal is mainly for retention of existing building and its use.</p> <p>The site is within R2 with a maximum permissible height is 9m under LEP 2015. The proposal would not alter the existing wall height of 3.45m of the existing building previously used as Kitchen.</p> <p>The proposed modification for retention of existing old kitchen building and its use will not alter the existing building height.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>Setbacks to Frontages</b></p> <p>4.9 Setbacks from the street frontage shall apply to residential, special uses and industrial zones as follows: 9m to a primary frontage to a State Road</p> <p><b>Setbacks to side and rear boundaries</b> Within Zones R2, R3, R4 and SP2; and IN1 and IN2 which adjoin residential zoned land, side and rear setbacks must be in accordance with the following formula: Minimum Setback (S) = 0.8 x Wall Height (W) (see Figure 1)</p>	<p>N/A</p> <p>Side setback: Required - 2.76m Proposed - 2.986m Rear – 13.77</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>Access to Sunlight</b></p> <p>4.11 At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this</p>	<p>N/A</p>	<p>N/A</p>

<p>requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.</p> <p>4.12 A minimum 50% of the required private open space for each dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this standard cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space.</p> <p>4.13 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel, or other solar collector on an allotment and neighbouring properties.</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>
<p><b>Energy Efficiency</b></p> <p>5.1 Places of public worship must comply with Part B4 of this DCP to make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities,</p>	<p>Complies</p>	<p>Yes</p>
<p><b>Facade Designs</b></p> <p>5.2 Development must articulate the facades to achieve a unique and contemporary architectural appearance that:</p> <p>(a) unites the facades with the whole building form;</p> <p>(b) composes the facades with an appropriate scale and proportion that responds to the use of the building and the desired contextual character;</p> <p>(c) combines high quality materials and finishes;</p> <p>(d) considers any other architectural elements to Council's satisfaction.</p> <p>5.3 Development must provide an active frontage to the street.</p>	<p>The proposal will not result in change in the facade or design /architectural appearance, built form or scale and proportion of the existing development.</p>	<p>Yes</p>
<p><b>Roof Designs</b></p> <p>5.4 Development must incorporate an innovative roof design that:</p> <p>(a) achieves a unique and contemporary architectural appearance; and</p> <p>(b) combines high quality materials and finishes.</p>	<p>No change to the roof design proposed.</p>	<p>Yes</p>
<p><b>Front Fences</b></p> <p>5.5 The maximum fence height for a front fence is 1.8 metres.</p> <p>5.6 The external appearance of a front fence along the front boundary of an allotment or facing an arterial road must ensure:</p> <p>(a) the section of the front fence that comprises solid construction must not exceed a fence height of 1 metre above natural ground level; and</p> <p>(b) the remaining height of the front fence must comprise open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.</p> <p>5.7 Council does not allow the following types of front fences along an arterial road:</p> <p>(a) chain wire, metal sheeting, brushwood, and electric fences; and</p> <p>(b) noise attenuation walls.</p>	<p>The proposal will not result in any change to the existing front fences in terms of height, material or type of fence.</p>	<p>Yes</p>
<p><b>Temporary Structures</b></p> <p>5.8 Development must comply with clause 2.8 of Bankstown Local Environmental Plan 2015.</p> <p>5.9 Council does not allow a development to be in the form of a temporary structure along the Hume Highway.</p>	<p>No temporary use of land/structure is sought under Clause 2.8 of BLEP 2015. The site does fall near Hume Highway.</p>	<p>Yes</p>

<p><i>Section 6–Access and Parking</i></p> <p><i>6.1 Development must comply with Part B5 of this DCP</i></p> <p><i>6.2 The car park / manoeuvring areas and the set-down and pick-up areas must locate separately behind the front building line.</i></p>	<p>No changes to existing car park. New parking area is behind the building line.</p>	<p>Yes</p>
<p><i>Section 7–Acoustic Privacy and Management</i></p> <p><i>Acoustic Privacy</i></p> <p><i>7.1 Air conditioning, mechanical ventilation or any other continuous noise source must not exceed the ambient level at any specified boundary by more than 5dB(A).</i></p> <p><i>7.2 The location and design of places of public worship must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land.</i></p> <p><i>For the purpose of this clause, Council requires development applications to submit an Acoustic Report prepared by a suitably qualified acoustic consultant</i></p>	<p>The retention of existing building and its use for multi-purpose meeting rooms does not provide any noise producing equipment. Accordingly, no acoustic report is provided to assess any noise impact on adjoining residential properties.</p>	<p>Yes</p>
<p><i>Section 8–Open Space and Landscaped Areas</i></p> <p><i>8.1 For all new developments and significant modifications to existing developments, a Landscape Plan prepared by a suitably qualified landscape designer who is eligible for membership of the Australian Institute of Landscape Architects (AILA) or Australian Institute of Landscape Designers and Managers (AILDM) is to form part of the submission requirements.</i></p>	<p>The proposal is for the retention and use of an existing old kitchen building and does not propose significant modifications to existing development. A landscape plan is submitted with DA158/2022, which is under assessment with Council.</p>	<p>Yes</p>
<p><i>Section 9–Ancillary Uses</i></p> <p><i>9.1 It will be necessary to submit with the Development Application details of any proposed ancillary uses, including the nature of the use, how many people will attend, duration and noise impacts.</i></p>	<p>The proposal incorporates retention and use of an existing old kitchen building which was proposed for demolition under DA116/2012 and use of which is ancillary to the Temple. The proposed meeting rooms will be used by the Administration for its meetings and by patrons of old age who cannot attend the Prayer Hall on level 1.</p> <p>The hours of use of the meeting rooms will be consistent with the hours of operation of Temple as discussed in the later part of this report.</p>	<p>Yes</p>

<p><i>Section 10–Site Facilities and Services</i>  <i>Services</i>  10.1 <i>Development must comply with the Bankstown Development Engineering Standards Policy.</i></p> <p><i>Food premises</i>  10.2 <i>The design, construction and operation of a food premises must comply with:</i>  (a) <i>Food Act 2003;</i>  (b) <i>Food Regulation 2010;</i>  (c) <i>FSANZ Food Standards Code; and</i>  (d) <i>AS 4674:2004 Design, Construction and Fit out of Food Premises.</i></p> <p><i>Waste storage areas</i>  10.3 <i>The design, location, and screening of waste and recyclable receptacle areas must be to the satisfaction of Council.</i></p>	<p>The proposal, as modified, will not involve any change to the existing stormwater drainage.</p> <p>The proposal will not involve any change to new approved and built kitchen area, or any condition imposed via DA-116/2012</p> <p>No change to waste storage areas proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><i>Section 11–Safety and Security</i>  <i>Entrances, fences and natural surveillance</i>  11.1 <i>The front door to a building should face the street.</i></p> <p>11.2 <i>An external entry path and the foyer to a building should be direct to avoid potential hiding places.</i></p> <p>11.3 <i>Windows on the upper floors of a building should, where possible, overlook the street</i></p> <p>11.4 <i>For a fence located forward of the front building line, the solid construction of the fence must not exceed a height of 1 metre above natural ground level.....</i></p>	<p>No change to the front door of the existing Temple facing street, and no changes are proposed to the existing entry to Temple building.</p> <p>The existing entry path and foyer to the Temple building are direct from the car park area which avoids any potential hiding places.</p> <p>No changes are proposed to the windows of the existing approved place of public worship.</p> <p>No changes to existing front fences are proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><i>Security devices</i>  11.5 <i>A security alarm system should be installed in a building.</i></p> <p>11.6 <i>All windows and doors on the ground floor should ordinarily be made of toughened glass to reduce the opportunities for ‘smash and grab’ and ‘break and enter’ offences,</i></p>	<p>Security alarm to comply with BCA requirements.</p> <p>All new windows will comply with BASIX requirements.</p>	<p>Yes</p> <p>Yes</p>
<p><i>Accessibility</i>  11.14 <i>Development must be easily accessible to people with disabilities and must comply with the Building Code of Australia, AS 1428 Parts 1 and 4–Design for Access and Mobility</i></p>	<p>The existing building complies with accessibility criteria of BCA.</p>	<p>Yes</p>

The proposed modification application, as approved, will not alter the existing built form of the approved development that has been granted by Council as per development consent to DA 116/2012.

## **5.5 Impact of Proposed Modification**

The potential impacts of the proposed modification are considered minimal. Given there are no physical changes proposed to the existing built form.

### **5.5.1 Amenity Impacts**

The proposed modifications will have minimal to no impact to the amenity of the surrounding neighbors as the single storey building proposed for retention and change of use for multi-purpose meeting rooms is existing on site without any amenity impact in terms of visual or acoustic impacts, solar access or overshadowing on adjoining properties.

### **5.5.2 External Appearance**

The proposed modifications will not significantly alter the approved external appearance and design of the development that is mainly a new kitchen with retention of existing building for multi-purpose meeting rooms. The streetscape is not impacted as the building proposed for retention is not visible from street frontage.

### **5.5.3 Economic and Social impacts**

The proposed modifications will retain the positive economic and social benefits as the originally approved development.

### **5.5.4 Operational details and hours of operation**

The use of the meeting rooms will be in conjunction with the Temple use and the rooms will be used by Admin staff for meetings with patrons or by the patrons itself during core operational hours of the Temple which are the same as advised in DA158/2022 submitted to Council and is under assessment.

However, the hours of use of the meeting rooms will be as follows:

Monday to Friday: 5am and 8:30am & 6pm till 8:30pm.

Saturday and Sunday: 5am and 8:30am & 5:30pm to 9:30pm

Acoustic Impact: The proposed use of rooms for meeting purposes will not generate any additional noise as identified in the Acoustic Report dated 23/11/2021 prepared by Day Design Pty Ltd and submitted with DA158/2022.

Disability access report is not required as the existing building is at level with the existing ground line.

Any compliance with the BCA will be demonstrated with Construction Certificate application.

The proposed use will not generate additional parking as the rooms will be used by Temple patrons.



## **5.6 THE SUITABILITY OF THE SITE**

### **5.6.1 Access to services**

The site is located within the general residential area in close proximity to the facilities and within the centrally developed area metropolitan Sydney. As such, the site enjoys the benefits of electricity, sewer, telephone and water services that are available to the subject site.

### **5.6.2 Parking and access**

The proposed modification does not make any amendment to the required parking.

## **6.0 CONCLUSION**

The proposed modification will result in a development that is substantially the same as the approved development under Development Application No. DA 116/2012, given it is only for the retention of the existing single storey building that was previously used as kitchen and was proposed for demolition. Upon retention of the building the proposal also seeks change of use for multi-purpose meeting rooms without changing the use of the newly built kitchen under DA116/2012. The modification will not alter the physical built form of the approved development substantially.

The development as modified will remain consistent with the relevant provisions and objectives of the Bankstown Local Environmental Plan 2015 and with the Bankstown Development Control Plan 2015.

Accordingly, for the reasons stated above, it is requested that Council consent to the modification as detailed in this Statement.