# STATEMENT OF ENVIRONMENTAL EFFECTS

## 194 – 198 Lakemba Street, Lakemba

**Alterations and additions and change of use to existing commercial building to use the ground floor as a educational establishment.**

Submitted to Canterbury-Bankstown Council
On Behalf of ES Design

March 2024

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## 1. INTRODUCTION

ABC Planning Pty Ltd has been engaged to prepare this Statement of Environmental Effects to accompany the development application that seeks alterations and additions and change of use to a school of the ground floor of the existing commercial buildings at Lot 1 in DP839201, commonly known as 194 – 198 Lakemba Street, Lakemba.

This statement should be read in conjunction with the architectural plans prepared by ES Design, dates 14 March 2024.

In addition, the following consultant reports have also been submitted with this application:

- Energy Efficiency Evaluation, prepared by Noura Al Hazzouri, dated 19 March 2024;
- Environmental Noise Assessment, prepared by Day Design, dated 6 March 2024;
- Plan of Management, prepared by ABC Planning, dated 25 March 2024;
- Social Impact Assessment, prepared by ABC Planning, dated 25 March 2024;
- Traffic Impact Study, prepared by Genesis Traffic dated 22 March 2024; and
- Waste Management Plan, prepared by ES Design dated 19 March 2024.

This statement provides an outline of the subject and surrounding sites, a description of the proposal and an assessment under the relevant planning instruments, including the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The proposal, as described in the accompanying plans, comprises:

- use of existing ground floor as a school for 95 students between Year 10 and Year 12 and 10 staff.
- allocation of 28 car spaces in existing parking basement; including 1 accessible parking space
- minor internal works including partitioning to facilitate the appropriate layout for the school; and
- external works, landscaping and fence in southern side setback to facilitate an external break area for students.

The proposed alterations and additions and change of use of the existing commercial building is permitted in the B2 Local Centre zone under the Canterbury-Bankstown 2023 LEP.

The proposal does not alter the existing building envelope or increase the gross floor area. The proposal will maintain compliance with the 18m maximum height, and the site does not have a an FSR control.

The site is not a heritage item, located in a heritage conservation area or located close to a heritage item or conservation area.

The proposal uses the existing built form in an efficient manner to revitalise this part of Lakemba and facilitate the provision of a small secondary school. The site is surrounded by sites with B2 Local Centre and R4 High Density zoning. Both zones have an objective of enabling other land uses that facilitate or service the day to day needs of residents. The location of the proposed school is therefore considered suitable as it is located in a central,

well-connected urban environment that naturally facilitates a mix of higher density and higher activity land uses that serve a diverse range of community needs.

The proposal is predominantly in compliance with the controls for schools in the Canterbury Bankstown DCP 2023 (CBDCP). The site is well serviced by public transport, including Lakemba Station which is a 3-5 minute / 300 metre walk away, which will facilitate students and staff accessing the school via public transport and reduce car trips and traffic generation. As outlined in the Traffic Impact Study, the proposal includes 11 more spaces than required (31 provided; 20 required), accessed via Lakemba Street in the existing basement car park with separate entry and exit accessways. The traffic impacts are also not forecast to create any adverse traffic implications in the locality, as outlined the accompanying Traffic Impact Study.

The site and existing building are considered suitable locations and will provide sufficient internal and external amenity to students and staff. The proposal includes internal alterations in the form of partitions to better accommodate the requirements of the school. This will result in 10 classrooms, science room, technology room, 7 offices and a staff room, and several service and communications rooms. The majority of the classrooms have existing large, tinted windows which ensure a high degree of internal amenity whilst balancing privacy between the building, the street and surrounding properties.

The existing building is of appropriate size and layout, with suitable on-site facilities to accommodate the small school. The school will be accessed by the main building entrance to Croydon Street with a dedicated reception area and front desk connected to, but separate form, the main lobby.

The outdoor break and free play areas are located at ground floor and considered of a sufficient size for the number of secondary students, with mature native canopy trees, benches and new landscaping providing shade and amenity.

As outlined in the accompanying Environmental Noise Assessment, with implementation of recommended control measures, the proposal is not expected to create any unreasonable amenity impacts to surrounding uses.

Overall, it is considered that the proposed alterations and additions and change of use represent an appropriate proposal that suitably and efficiently uses the site and existing built form to meet the educational needs of the community, whilst limiting an unreasonable amenity impacts to surrounding properties.

Based on these considerations, the proposal is considered to be appropriate for the site and worthy of approval.

## 2. SITE ANALYSIS

This section provides a detailed description of the existing site and surrounding development.

### 2.1. SITE LOCATION AND CONTEXT

The subject site is located within the Canterbury-Bankstown Local Government Area and is legally described as Lot 1 in DP839201, commonly known as 194 – 198 Lakemba Street, Lakemba.

The site is located on the corner of Lakemba Street and Croydon Street and has a total area of 2,461m$^2$. The frontage to Lakemba Street is 36.57m and the Croydon Street frontage is 60.69m.

The site is located within 300m (3 - 5mins walk) of Lakemba Station and the range of services and facilities within Lakemba Town Centre, including the Lakemba Library and Knowledge Centre.

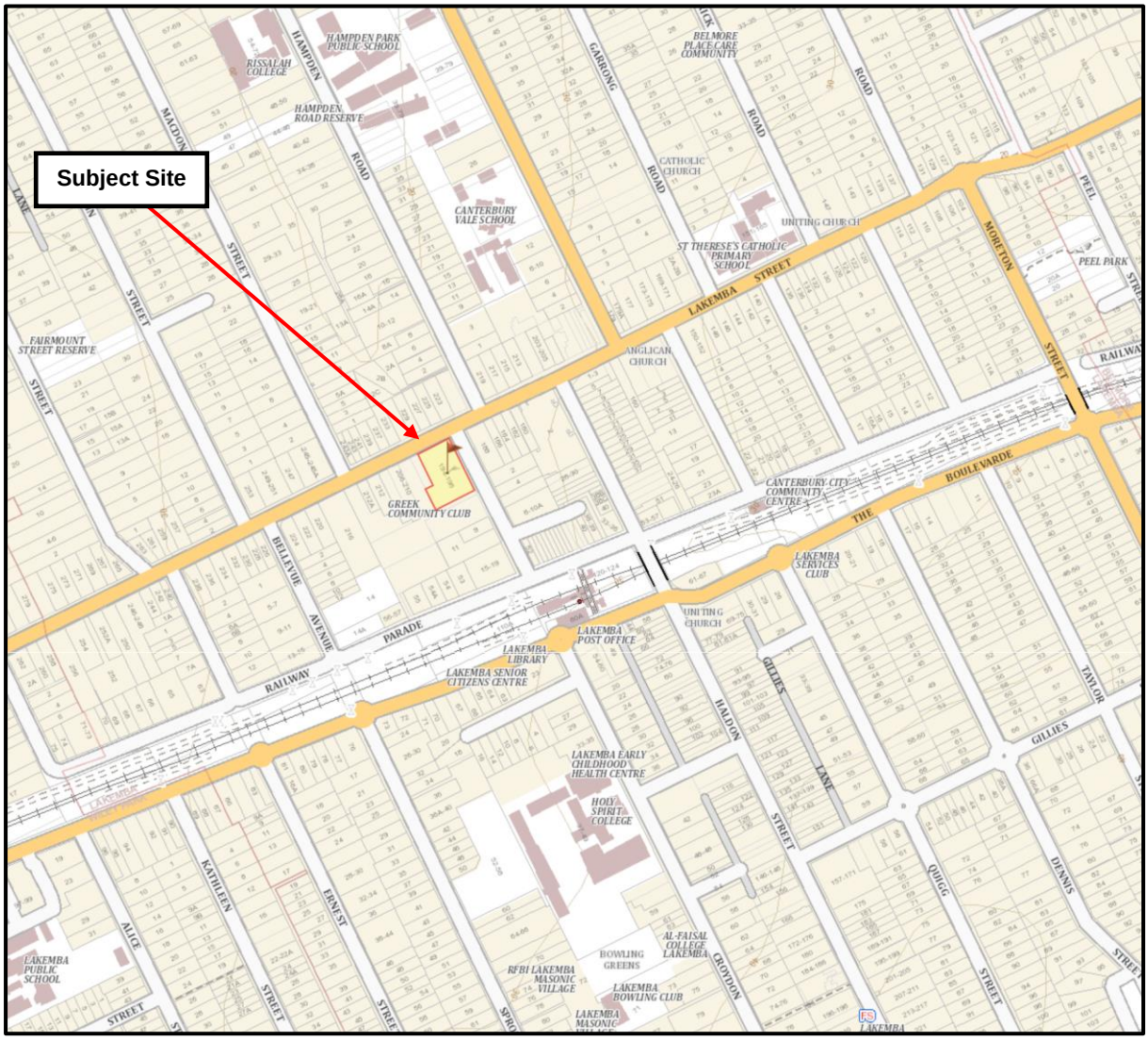



**Figure 1: Site location and context (Sixmaps, 2024)**


**Figure 2: Aerial Photo (Nearmap, 2024)**

## 2.2. EXISTING DEVELOPMENT

The site currently contains a part two, part three storey commercial building containing two storeys of office space with pedestrian access from Croydon Street and one storey of car parking accessed from Lakemba Street with separate entry and exits.


**Figure 3: Existing commercial building and car park entry and exit as viewed from Lakemba Street**


**Figure 4: Existing commercial building car park entry accessed from Lakemba Street**


**Figure 5: Existing commercial building and pedestrian entrance as viewed from Croydon Street**

**Figure 6: Corner of existing commercial building as viewed from Croydon Street**

**Figure 7: Side of existing commercial building and interface with vacant neighbouring lot.**

**Figure 8: Southern side setback of existing building where outdoor break area is proposed to be located.**

**Figure 9: Internal area of ground floor showing vacant office space.**

**Figure 10: Internal view of proposed school reception looking towards building lobby.**

**Figure 11: Internal view of existing ground floor area.**

**Figure 12: Pedestrian entrance from Croydon Street to building lobby.**

## 2.3. SURROUNDING DEVELOPMENT

The subject site is located within a mixed-use area with a range of local centre uses such as commercial, retail and registered clubs. Surrounding the subject site are areas zoned for high density residential development. These areas include vacant sites, detached dwellings and low scale residential flat buildings.

### 2.3.1. North

To the north of the site, across Lakemba Street, are one and two storey detached dwellings. These sites have a R4 High Density Zoning and therefore could be expected to be redeveloped to residential flat buildings in the future.

**Figure 13: Detached residential dwellings across Lakemba Street**

**Figure 14: Detached residential dwellings across Lakemba Street**

### 2.3.2. East

To the east is a single storey commercial building with retail, warehousing and a carpark.

**Figure 15: Commercial building to east across Croydon Street**

### 2.3.3. South

To the south of the subject site is a vacant site with R4 High Density zoning and a three-storey apartment building beyond.

**Figure 16: Adjacent vacant site to the south as viewed from Croydon Street**

**Figure 17: Vacant site to the south as viewed from the side setback of the subject site.**

### 2.3.4. West

To the east of the subject site is a single storey commercial building (Greek Community Club) with a B2 Local Centre zoning.

**Figure 18: Greek Community Club to west of subject site**

## 3. PROPOSAL

The proposal includes:

- use of existing ground floor as a school for 95 students between Year 10 and Year 12 and 10 staff;
- allocation of 28 car spaces in existing parking basement; including 1 accessible parking space
- minor internal works including partitioning to facilitate the appropriate layout for the school; and
- external works, landscaping and fence in southern side setback to facilitate an external break area for students.

The proposed ground floor will entail the rooms outlined below in addition to a staff room, reception and front desk, separate male and female bathrooms and an accessible bathroom.

| Student Rooms | Size (m2) |
|---|---|
| Classroom 1 | 52.25 |
| Classroom 2 | 45.87 |
| Classroom 3 | 41.65 |
| Classroom 4 | 41.84 |
| Classroom 4 | 66.56 |
| Classroom 5 | 77.28 |
| Classroom 6 | 59.07 |
| Classroom 7 | 59.12 |
| Classroom 8 | 45.18 |
| Classroom 9 | 46.26 |
| Classroom 10 | 45.18 |
| Science room | 67.33 |
| Tech room | 91.36 |

| Offices and Services | Size (m2) |
|---|---|
| Office 1 | 12.58 |
| Office 2 | 13.06 |
| Office 3 | 13.41 |
| Office 4 | 25.31 |
| Office 5 | 11.24 |
| Office 6 | 11.89 |
| Office 7 | 11.89 |
| Office 8 | 11.89 |
| Resources | 15.75 |
| Comms Room | 13.73 |

## 4. ASSESSMENT UNDER RELEVANT CONTROLS

The following planning instruments are relevant to the proposed development:

- SEPP (Resilience and Hazards) 2021
- Canterbury-Bankstown LEP 2023
- Canterbury-Bankstown DCP 2023

### 4.1. COMPLIANCE ASSESSMENT SUMMARY

The table below provides a compliance summary of the proposed development with RLEP2012 and RDCP2013 development standards and controls.

**Table 1: Compliance Summary Table**

| ITEM | CONTROL | PROPOSED | COMPLIES |
|---|---|---|---|
| **Canterbury-Bankstown 2023 LEP 2012** | | | |
| **Zoning** | B2 Local Centre | School | ✓ |
| **Height (Cl. 4.3)** | 18m | Unchanged | ✓ |
| **FSR (Cl. 4.4A)** | - | - | NA |
| **Canterbury-Bankstown DCP 2023 – Schools** | | | |
| **Site Analysis Plan** | Submit site analysis plan | Included in the Architectural Plans. | ✓ |
| **Traffic management (environmental capacity)** | Development of school must not result in a street in the vicinity to exceed the environmental capacity. | Will not exceed environmental capacity, as per accompanying Traffic Impact Study. | ✓ |
| **Traffic impact studies** | Submit a Traffic Impact Study based on the RTA guide to Traffic Generating Developments. | Traffic Impact Study accompanies this SEE. | ✓ |
| **Classroom size and student densities** | Max gross classroom area for secondary schools 5.68m$^2$. | Area of 6.11m$^2$ for the 10 classrooms. Only marginally above max gross area per student and considered suitable for the nature of the proposal that reuses the existing building. | **Merit Assessment** |
| **Building length** | Max length 45m | As existing | ✓ |

| ITEM | CONTROL | PROPOSED | COMPLIES |
|---|---|---|---|
| **Storey limit** | Dependent on street scale | As existing – two storeys, subservient to surrounding built form envisaged by controls | ✓ |
| **Setbacks** | B2 Local Centre – determined case by case | As existing | ✓ |
| **Deep soil zone** | B2 Local Centre – determined case by case | As existing, with significant deep soil and matured trees retained. | ✓ |
| **Free play areas** | Secondary schools – part of site at ground level.<br><br>Designed to contain native vegetation and not hazardous locations at risk of out-of-control vehicles. | At ground level in existing side setback. Proposed to be landscaped, including screen planting, with benches and paths added. Mature canopy trees will be retained for amenity and shade. | ✓ |
| **Parking** | One space per employee or classroom, whichever is greater.<br>One space per eight students in year 12.<br><br>Car park areas and student set-down and pick-up areas must be located behind front building line. | DCP requires 20 based on staff and year 12 size. 31 spaces are proposed. | ✓ |

## 4.2. STATE LEGISLATION

### 4.2.1. SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of Land of *State Environmental Planning Policy (Resilience and Hazards) 2021* applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Chapter 4 of SEPP (Resilience and Hazards) requires the consent authority to consider whether land is contaminated prior to granting consent to carrying out any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

The subject site is not identified as forming part of an investigation area or otherwise being affected by contamination under Council's LEP, DCP or other policy. The site appears to have been a residential use from its original subdivision, as outlined in the 1943 imagery below, with later change to commercial building use. No further consideration is therefore required under Chapter 4 Section 4.6(1) (a), (b), and (c) of the SEPP.

**Figure 19: 1943 Aerial Photography of the subject site (Six Maps)**

### 4.2.2. SEPP (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 does not applies to this proposal due to the nature of the proposal.

## 4.3. CANTERBURY-BANKSTOWN LEP 2023

### 4.3.1. Zoning

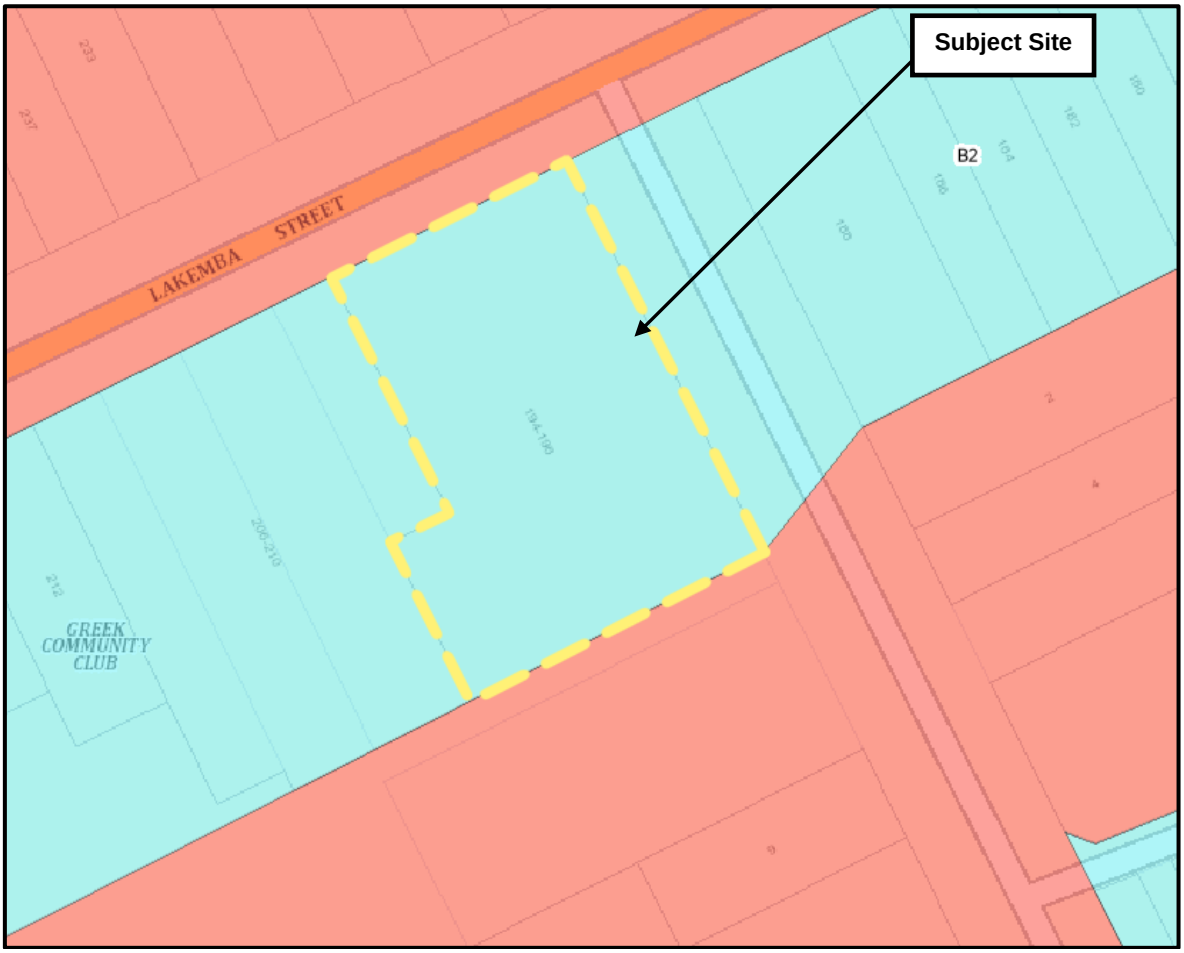



**Figure 20: Zoning Map**

**Zone B2 Local Centre**

***1 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.*

***2 Permitted without consent***

*Home occupations*

**3 Permitted with consent**

*Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities;* ***Educational establishments****; Entertainment facilities; Function centres; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4*

**4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages;*

*Extractive industries; Farm buildings; Forestry; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies*

**Assessment**: The proposed development is permissible in the B2 Local Centre zone pursuant to the Canterbury-Bankstown LEP 2023. The proposed development achieves the zone's objectives by providing a school that services the community's educational needs. The proposal will also generate employment in the area and improve the amenity of the area by increasing activity and use of the ground floor area of the vacant commercial building.

Therefore, it is considered that the proposed development satisfies the zone objectives.

### 4.3.2. Building Height

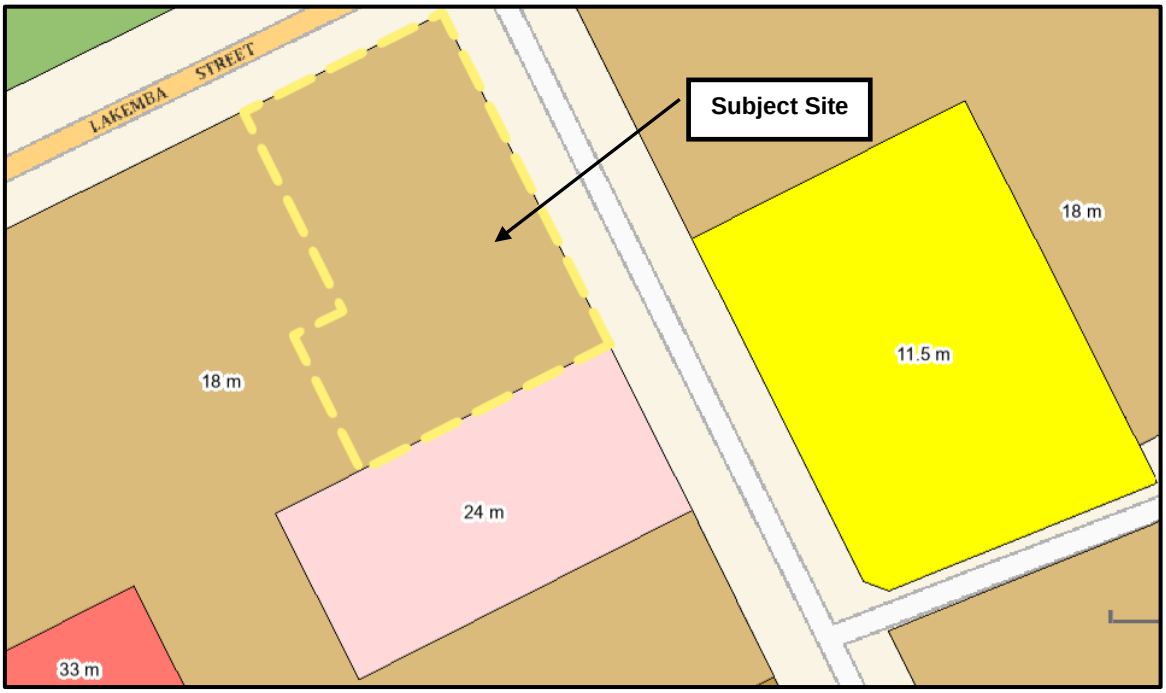



**Figure 21: Height of Buildings Map**

**Clause 4.3 Height of buildings**

*(1) The objectives of this clause are as follows—*
(a) to establish the height of development consistent with the character, amenity and landform of the area in which the development will be located,
(b) to maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of 2 storeys in Zone R2,
(c) to provide appropriate height transitions between development, particularly at zone boundaries,
(d) to minimise overshadowing to existing buildings and open space,
(e) to minimise the visual impact of development on heritage items and heritage conservation areas,
(f) to support building design that contributes positively to the streetscape and visual amenity of an area.

**Assessment**: Pursuant to Clause 4.3 of the CBLEP2023, the site is subject to a maximum building height of 18m. The proposal will not alter the external built form of the existing building and will therefore will not change the maximum of height.

### 4.3.3. Floor Space Ratio

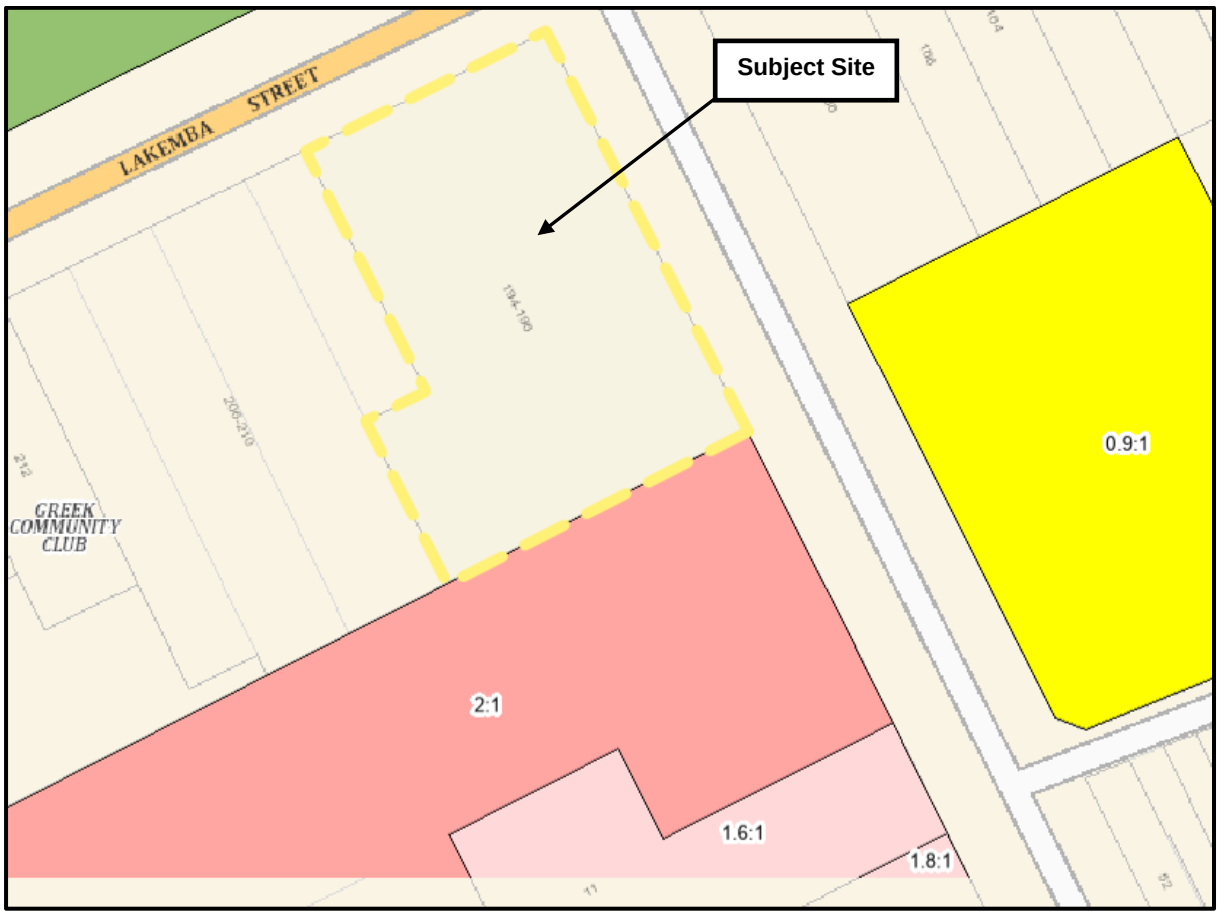



**Figure 22: Floor Space Ratio Map**

**Clause 4.4 Floor space ratio**

*(1) The objectives of this clause are as follows:*

*(a) to establish the bulk and maximum density of development consistent with the character, amenity and capacity of the area in which the development will be located,*

*(b) to ensure the bulk of non-residential development in or adjoining a residential zone is compatible with the prevailing suburban character and amenity of the residential zone,*

*(c) to encourage lot consolidations in commercial centres to facilitate higher quality built form and urban design outcomes,*

*(d) to establish the maximum floor space available for development, taking into account the availability of infrastructure and the generation of vehicular and pedestrian traffic,*

*(e) to provide a suitable balance between landscaping and built form in residential areas.*

**Assessment**: Pursuant to Clause 4.4 of the CBLEP2023, there is no maximum FSR for the site.

The proposal does not increase the existing floor space of the commercial building. Internal reconfigurations are proposed to the ground floor; however, this will not expand the gross floor area of the building.

### 4.3.4. Heritage Conservation

*The objectives of this clause are as follows:*

*(a) to conserve the environmental heritage of Canterbury-Bankstown 2023,*
*(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
*(c) to conserve archaeological sites,*
*(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

**Assessment:** The building is not heritage listed, the site is not within proximity of a heritage item, and not located within a heritage conservation area.

### 4.3.5. Acid Sulfate Soils

*(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
*(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

**Assessment:** The site is not identified as being land that is affected by acid sulfate soils.

### 4.3.6. Earthworks

*(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

**Assessment**: No excavation is proposed to facilitate the proposal.

### 4.3.7. Stormwater Management

*(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.*

**Assessment**: The proposal is not expected the create significant or unreasonable additional stormwater impacts.

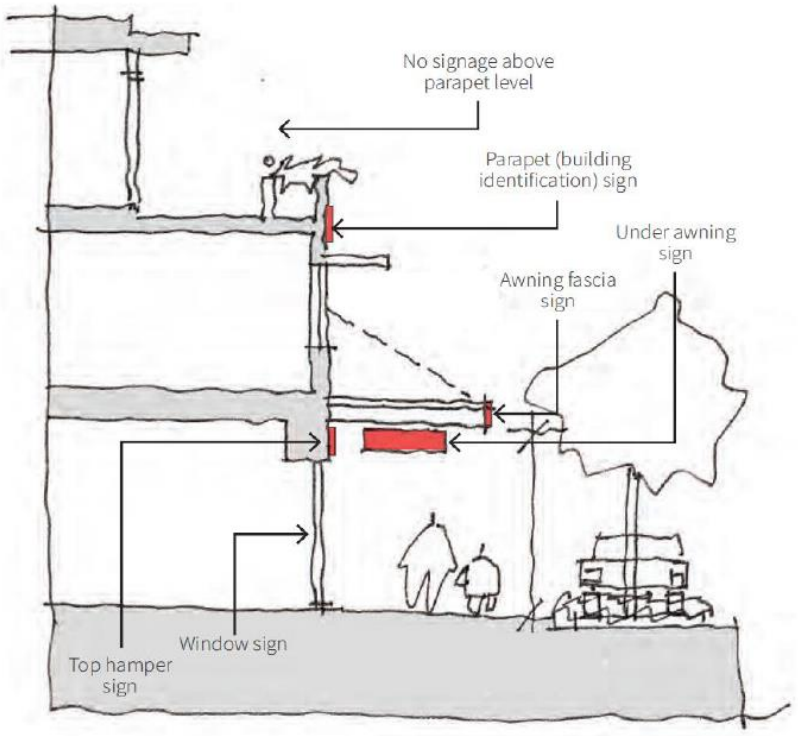
### 4.3.8. CANTERBURY-BANKSTOWN DCP 2023

#### 4.3.8.1. Signs

This sets out the Signs in Chapter 3 of the Canterbury-Bankstown DCP 2023 that apply to the subject site and the proposed development.

**Table 2: Canterbury-Bankstown DCP 2023 – Chapter 3.6 Signs**

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| **Signs** | | |
| **Section 2 – Location and Design** | | |
| **O1** To ensure signs provide effective communication in suitable locations.<br>**O2** To ensure signs are of high quality design and finish. | **Signs in Zones B1, B2 and B4**<br><br>**2.2** Business and building identification signs must integrate with the building form and architectural features of the building to which the signs are attached as follows:<br>(a) The total sign area must not exceed 0.5m² for each metre of the primary street frontage.<br>(b) Awning fascia signs, top hamper signs, under awning signs and window signs are permissible at or below the awning level. Where there is no awning to the building, signs are solely permitted below the window sill of the second storey windows.<br>(c) A maximum of one under awning sign is permitted for each ground floor tenancy.<br>(d) Window signs must not obscure more than 25% of the window area.<br>(e) Parapet signs and individual laser cut lettering applied to the facade are permissible above the awning level.<br>**2.3** Council does not permit signs above the parapet of the podium level.<br>**2.4** Pylon signs will only be considered on sites with large street frontages occupied by uses such as services stations, large take away food and drink premises and retail complexes. | **Complies**<br>The building has a primary street frontage of 60.96m to Croydon Street. Based on the DCP allowances, this results in a maximum sign size of 30.48m².<br><br>As per drawing Proposed Signage in the Architectural Plans, a top hamper sign is proposed on the first-floor podium section, above first floor windows and below second floor windows, at the corner of the building. The sign is proposed to have dimensions of 1.45m * 10m on the Croydon Street frontage and 1.45m * 10m on the Lakemba Street frontage, totalling 29m².<br><br>Overall, the proposed sign location and size complies with the DCP standard. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **Figure 2a:** Signs in Zones B1, B2 and B4   | |

### 4.3.8.2. School Provisions

The table below sets out the School Provisions in Chapter 10 of the Canterbury-Bankstown DCP 2023 that apply to the subject site and the proposed development.

**Table 3: Canterbury-Bankstown DCP 2023 – Chapter 10.2 Schools**

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| **Site Planning** | | |
| **Section 2 – Site Analysis** | | |
| **O1** To require site analysis plans and studies that:<br><br>(a) identify the guiding principles to the development of sites;<br>(b) demonstrate the opportunities and constraints of sites;<br>(c) respond and contribute to the local context and to the sustainable growth of Canterbury-Bankstown;<br>(d) identify the staging of development over a long period of time; and<br>(e)determine the enrolment numbers of schools over a long period of time. | **2.1** Development applications must submit site analysis plans and studies that outline the short and long term proposals for the development of school sites. The site analysis plans and studies must consist of a written statement (supported by plans or illustrations) explaining how the design of the development has regard to the following:<br><br>(a) The education brief (including curriculum and function requirements) of the school.<br>(b) The overall strategic vision for the site and how the selection of the site supports the urban structure of Canterbury-Bankstown.<br>(c) Staging of the school development.<br>(d) Student enrolment numbers and staff numbers of the school at each stage of the development and at the maximum enrolment capacity.<br>(e) The patterns of land ownership, the patterns of land subdivision or consolidation and the relationship of the site to adjoining sites.<br>(f) Design principles drawn from the site analysis and the local context including:<br>(i) context and character studies;<br>(ii) orientation;<br>(iii) visual assessment of the site and the local context;<br>(iv) survey of the site and neighbouring buildings;<br>(v) flora/fauna survey;<br>(vi) topography, drainage, erosion, cut and fill; | **Complies**<br>A site analysis plan that generally meets the requirements of the DCP and is appropriate to the proposed development of the school, that being the reuse of an existing building for a small school, is provided in the accompanying Architectural Plans. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | (vii) noise pollutants, airborne pollutants, toxic residues and site remediation;<br>(viii) bush fire risk and flood risk;<br>(ix) deep soil zones and landscaping;<br>(x) sustainability and energy efficiency outcomes through design;<br>(xi) passive surveillance;<br>(xii) traffic, access and parking:<br>(xiii) built form and aesthetics:<br>(xiv) infrastructure, easements and stormwater management;<br>(xv) outcomes of social impact assessments and any relevant feasibility studies;<br>(xvi) protection of any heritage items or archaeological sites;<br>(xvii) staging of special events including: | |
| **Section 3 – Location and Traffic Management** | | |
| **O1** To concentrate intensive trip generating schools in locations most accessible to rail transport.<br>**O2** To ensure the location and size of schools maintain the existing environmental capacity and service levels of streets.<br>**O3** To avoid locating schools within close proximity to another | **Traffic management (environmental capacity)**<br><br>**3.1** Development for the purpose of schools must not result in a street in the vicinity of the 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. | **Complies**<br><br>A Traffic Impact Study accompanies this SEE. It has been prepared in accordance with the CBDCP guidelines.<br><br>It concludes that: |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| existing or approved school unless it can be demonstrated that the cumulative impacts relating to traffic generation and on-street parking are within acceptable limits for the area.<br><br>**O4** To limit the size of schools in established residential areas to ensure this type of trip generating activity does not adversely impact on the existing residential amenity. | **Traffic management (level of service)**<br><br>**3.2** Development for the purpose of schools must not result in a street intersection in the vicinity of the site to have a level of service below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection. | *"the traffic generation of the proposed development will not present any adverse traffic implications"*<br><br>*"the proposed parking provision will comply with the Council's DCP criteria and will adequately serve the development"* |
| | **Traffic impact studies**<br><br>**3.3** For the purpose of clauses 3.1 and 3.2, development applications must submit a Traffic Impact Study based on the RTA Guide to Traffic Generating Developments to determine:<br><br>*Existing conditions*<br>(a) Existing volumes and environmental capacity of streets adjacent to the development.<br>(b) Existing volumes and level of service of street intersections in the vicinity of the development.<br>(c) Existing public transport services in the vicinity of the development.<br>(d) Existing clearway and peak period parking restrictions that apply to streets adjacent to the development.<br>(e) Existing proposals for improvements to the adjacent road system.<br><br>*Proposed conditions*<br>(f) The proposed amount of traffic generation and trip distribution of the development.<br>(g) The proposed parking provision of the development.<br>(h) The proposed number of buses likely to service the development. | |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | (i) The proposed safety and efficiency of access between the development and the adjacent road network.<br>(j) The proposed safety and efficiency of the internal road layout including the student set-down and pick-up areas, bus bays, service areas and car parks.<br>(k) The impact of the proposed generated traffic on the environmental capacity of streets adjacent to the development.<br>(l) The impact of the proposed generated traffic on the level of service of street intersections in the vicinity of the development.<br>(m) The impact of the proposed generated traffic on road safety and traffic noise.<br>(n) The impact of the proposed generated traffic on other major traffic generating development in close proximity.<br>(o) Whether the development must take certain measures to reduce the impact of the proposed generated traffic to an acceptable level. Measures may include a reduction in enrolment numbers or the installation of public traffic management devices at the applicant's expense. | |
| **Section 4 – Site Layout and Building Envelopes** | | |
| **O1** To ensure schools focus on the movement of people rather than the movement of vehicles.<br><br>**O2** To ensure sites are of sufficient size to provide for enrolment numbers, buildings, setbacks to adjoining land, pedestrian access, bus zones, student set-down and pick-up areas, car parks, driveways, vehicle manoeuvring areas, open spaces and deep soil zones for landscaping. | **Site width in residential zones**<br><br>**4.1** Development for the purpose of schools within Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential must ensure the site is at least 40m wide at the front building line. This width is necessary to provide:<br><br>(a) sufficient off-street space for the movement of all transport services: cars, bicycles, pedestrians, buses, service and emergency vehicles;<br>(b) sufficient off-street pedestrian and cycle networks separate from vehicles;<br>(c) sufficient off-street bus bays and adequate manoeuvring spaces separate from all other vehicles;<br>(d) safe and direct pedestrian paths to nearby bus stops, footpaths and other facilities; | **B2 Local Centre Zone - Not applicable** |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| **O3** To provide play areas that support the health and well-being of students.<br><br>**O4** To ensure the design of schools satisfies the needs of students and staff, and provides a safe environment and easy access for people.<br><br>**O5** To ensure schools are compatible with the prevailing character and amenity of the locality of the development.<br><br>**O6** To ensure schools do not adversely impact on the living environment or residential amenity of adjoining dwellings and the surrounding area. | (e) safe off-street student set-down and pick-up areas for vehicle passengers with separate entry and exit driveways;<br>(f) provision made for access and parking of service and emergency vehicles to service all buildings within the school; and<br>(g) emergency assembly areas for students and staff.<br>Council may increase the site width if the school requires larger student set-down and pick-up areas. | |
| | **Site width in zones other than residential zones**<br><br>**4.2** Development for the purpose of schools within zones other than Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential must ensure the area and width of the site emphasises the needs of pedestrians, cyclists, public transport users and vehicle passengers by having:<br>(a) sufficient off-street space for the movement of all transport services: cars, bicycles, pedestrians, buses, service and emergency vehicles;<br>(b) sufficient off-street pedestrian and cycle priority zones separate from vehicles;<br>(c) sufficient off-street bus bays and adequate manoeuvring spaces separate from all other vehicles;<br>(d) safe and direct pedestrian paths to nearby bus stops and other facilities;<br>(e) safe off-street student set-down and pick-up areas for vehicle passengers with separate entry and exit driveways;<br>(f) provision made for access and parking of service and emergency vehicles to service all buildings within the school; and<br>(g) emergency assembly areas for students and staff. | **Complies**<br><br>The site is a corner site with a 60.96m frontage to Croydon Street and 36.57m to Lakemba Street.<br><br>The site dimensions are deemed suitable for uses of the proposed size of the school. The site has wide concrete pathways on both frontages that lead to Lakemba Station and other public transport hubs.<br><br>The building has an undercover / basement car park which has a separate entry and exit from Lakemba.<br><br>As outlined in the Proposed Basement Floor Plan, 31 car spaces are allocated to the school. This area will also be used for school set-down and pick-up. |
| | **Classroom size and student densities** | **Merit Assessment**<br><br>The total area provided for the 10 classrooms is 580.26m$^2$. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **4.3** The gross floor area of classrooms in primary schools must not exceed 3.8m$^2$ per student. In this clause, *classroom* means a room in which classes meet or are taught.<br><br>**4.4** The gross floor area of classrooms in secondary schools must not exceed 5.6m$^2$ per student. In this clause, *classroom* means a room in which classes meet or are taught. | The proposed maximum number of students is 95, which has maximum density of 6.1m$^2$. This is under a 10% variation from the maximum density control. It is considered suitable in this case due to the minor variations and the existing building limitations that are in place when repurposing an existing building. Overall, the school is of a suitable size for the location and remains compatible with the surrounding area, despite the minor variation. |
| | **Building length**<br>**4.5** The maximum building length for schools is 45m. | **Meri Assessment**<br><br>The building is existing and has one dimension that is greater than 45m. This is considered suitable in this instance as it does not create any unreasonable external impacts or change the building envelope of the existing building. |
| | **Storey limit**<br>**4.6** Council will determine the storey limit for schools based on the scale of the street and the surrounding buildings.<br><br>**4.7** Council does not allow schools to have attics. | **Complies**<br><br>The building is existing, and the building envelop will not be changed. The existing building is under the 18m height limit and considered suitable for the surrounding streetscape. The proposed school will only be operational on the ground floor. |

<table>
<tr><th>OBJECTIVE</th><th>CONTROL</th><th>RESPONSE</th></tr>
<tr>
<td></td>
<td>
Setbacks<br>
4.8 The minimum setback for schools (including car parks and basements) to the primary and secondary street frontages in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure is:<br><br>
<table>
<tr><th colspan="2">Minimum setbacks</th></tr>
<tr><td>Primary street frontage</td><td>9m or a distance equal to the proposed maximum building height, whichever is the greater.</td></tr>
<tr><td>Secondary street frontage</td><td>6m or a distance equal to the proposed maximum building height, whichever is the greater.</td></tr>
</table>
<br>
This setback is necessary to accommodate the deep soil zones and footpaths within the front setback area.<br><br>
4.9 The minimum side and rear setback for schools in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure is 5m or a distance equal to the proposed maximum building height, whichever is the greater.<br><br>
4.10 Council will determine the minimum setbacks for schools in Zone B1 Neighbourhood Centre, Zone B2 Local Centre and Zone B4 Mixed Use based on the setbacks of the street and the surrounding buildings.<br><br>
4.11 Council may require greater setbacks:
</td>
<td>
Complies<br><br>
The site is zoned B2 Local Centre and therefore setbacks are assessed on a case-by-case basis. The site is not adjacent to IN1 or IN2 zones, or state/regional roads or rail corridors.<br><br>
The commercial building is existing, and the building envelope will not be changed. The existing building establishes the prevailing setback on this part of the Lakemba and Croydon Street and therefore considered appropriate.<br><br>
It is considered that the spatial separation to the approved residential development to the south is sufficient in avoiding any adverse or unreasonable visual or acoustic impacts. In this regard, the approved flat building development has its driveway/road access along the northern side of the site adjacent to the break-out space. Landscaping and fencing on both sides also ameliorates any visual impact.
</td>
</tr>
</table>

<table>
<tr><th>OBJECTIVE</th><th>CONTROL</th><th>RESPONSE</th></tr>
<tr><td></td><td>(a) where development adjoins land in Zone IN1 General Industrial or Zone IN2 Light Industrial or state/regional roads or rail corridors, to incorporate measures to protect the amenity of students and staff from air and noise pollutants; or<br>(b) where the school requires off-street bus bays; or<br>(c) where the school requires vehicle access to the entry points of administration buildings.</td><td></td></tr>
<tr><td></td><td>Deep soil zones<br><br>4.12 Development for the purpose of schools within Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure must provide deep soil zones that have the following minimum widths around the boundary of the site:<br><br><table><tr><th colspan="2">Minimum width of deep soil zone</th></tr><tr><td>Primary street frontage</td><td>9m</td></tr><tr><td>Secondary street frontage</td><td>6m</td></tr><tr><td>Side and rear setbacks</td><td>5m</td></tr></table><br>The deep soil zones must be landscaped by way of deep soil plantings and canopy trees.<br><br>4.13 Council will determine the minimum width for deep soil zones for schools in Zone B1 Neighbourhood Centre, Zone B2 Local Centre and Zone B4 Mixed Use based on the setbacks of the street and the surrounding buildings.</td><td>Complies<br><br>The site is zoned B2 Local Centre and therefore deep soil is assessed on a case-by-case basis.<br><br>The existing site has a large of deep soil area in the south-eastern setback which contained numerous canopy trees. This area is not proposed to be changed. The proposal is considered suitable given the B2 zoning, existing building footprint and urban context.</td></tr>
<tr><td></td><td>Free play areas<br><br>4.14 Development for the purpose of primary schools must dedicate at least 12m$^2$ of site area per student for the exclusive use of free play areas. The</td><td>Meri Assessment<br><br>The proposal includes 125m$^2$ of free play / outdoor break space, located at ground</td></tr>
</table>

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | minimum size of the free play areas must equate to the greatest number of students that could use the free play areas at any one time. The free play areas must locate at ground level. In this clause, *free play areas* mean outdoor useable spaces and playing fields that are for the use of students for physical activities and team games.<br><br>**4.15** Development for the purpose of secondary schools must dedicate part of the site area for the exclusive use of free play areas. The free play areas must locate at ground level. In this clause, *free play areas* mean outdoor useable spaces and playing fields that are for the use of students for physical activities and team games.<br><br>**4.16** Schools must ensure the location of outdoor areas and free play areas avoids:<br>(a) Existing native vegetation including under storey native vegetation.<br>(b) Potential traffic hazard locations where an out-of-control vehicle may injure students. | level in the southern side setback. The area will contain numerous benches for seating and a resin bound surface.<br><br>The large, mature canopy tree will be maintained for shade and canopy cover, low mixed planting and screen planting will be added. A new 1.8m Colourbond fence and numerous waste bins also proposed.<br><br>Overall, the space is considered suitable and appropriate for the year 10, 11 and 12 students proposed to attend the school. |
| | **Access**<br><br>**4.17** Schools must be easily accessible to people with disabilities and must comply with the Building Code of Australia and Australian Standard AS 1428.1–2021, *Design for access and mobility*.<br>**4.18** Provision must be made for access and parking of service and emergency vehicles to service all buildings within the school. | **Meri Assessment**<br><br>Accessibility requirements are proposed to be assessed and implemented at Construction Certificate stage. |
| | **Car parks**<br><br>**4.19** The minimum number of car parking spaces required for schools is:<br>(a) one car space per employee or classroom, whichever is the greater; and<br>(b) one car space per eight students in year 12. | **Complies**<br>Based on the CBDCP formula, 20 parking spaces are required.<br>The proposal includes 28 car spaces in existing parking basement; including 1 accessible parking space |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **4.20** The car park/manoeuvring areas and the student set-down and pick-up areas must locate separately behind the front building line.<br><br>**4.21** Internal driveways must observe the following dimensions:<br>(a) the minimum width of driveways is 4.5m (one way) or 6m (two way); and<br>(b) the maximum gradient of internal driveways is 12%. | |
| **Section 5 – Energy Efficiency and Urban Design** | | |
| **O1** To promote good architectural quality.<br><br>**O2** To integrate facade designs and building footprints into the overall building form and enhance the desired contemporary street character.<br><br>**O3** To incorporate energy efficiency measures in the design, construction and occupation of schools.<br><br>**O4** To ensure front fences are compatible with the building design and have a visually open style and attractive appearance. | **Energy efficiency**<br><br>**5.1** Schools must comply with Chapter 3.3 of this DCP to make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, such as:<br>(a) good orientation and natural light to rooms and play areas;<br>(b) achieving appropriate separation distances between buildings to provide natural light to rooms;<br>(c) limiting building depth to provide natural cross-ventilation and natural light;<br>(d) minimal use of mechanical ventilation;<br>(e) use of sun shading devices;<br>(f) preventing UV factor to open areas;<br>(g) reducing stormwater run-off and promoting the use of recycled water; and<br>(h) ensuring the development adapts to the existing topography by avoiding excessive cut and fill. | **Complies**<br><br>An Energy Efficiency Evaluation Report accompanies this SEE.<br><br>It outlines a range of measures that a required for the building to comply with part J5, J6, J7 and J9 of the NCC 2022. The measures are considered appropriate to be assessed at Construction Certificate stage. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **Access to sunlight**<br><br>**5.2** The design of buildings should achieve a northern orientation to maximise solar access and improve the amenity of libraries and offices.<br><br>**5.3** The design of buildings must ensure there is adequate solar access to the free play areas.<br><br>**5.4** The design of buildings must ensure that:<br><br>(a) At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.<br><br>(b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space. | |
| | **Building design**<br><br>**5.5** Development for the purpose of new buildings must incorporate architectural elements to articulate the building form and avoid large expanses of blank walls. Architectural elements are to include but not be limited to:<br><br>(a) Making efficient use of floor layouts and addressing pedestrian connections between the various functions.<br>(b) Providing a harmonious transition with the adjacent building form. For example, schools should avoid the location of tall buildings close to boundaries in Zone R2 Low Density Residential.<br>(c) Ensuring the elevations and facade treatments reflect the internal functions. For example, common spaces like libraries and main entries should have large openings.<br>(d) Defining the base, middle and top of buildings using different materials and colours. Schools should avoid using a single colour throughout the development. | **Not applicable**<br><br>The building is existing, and therefore this control does not apply. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | (e) Defining the window openings, fenestration, balustrade design, building entrances, and doors.<br>(f) Using sun shade devices.<br>(g) Integrating mechanical equipment and other services (such as plant rooms, air-conditioning units and lift overruns) as part of the building design.<br>(h) In the case of basement car parks, integrating the air grilles for natural ventilation as part of the building design.<br>(i) Any other architectural feature to the satisfaction of Council.<br><br>**5.6** Development for the purpose of new buildings on corner sites must:<br>(a) present each street facade as a main street facade;<br>(b) incorporate architectural features to emphasise the corner address; and<br>(c) ensure the corner element is in proportion with the scale and articulation of the development. | |
| | **Roof design**<br>**5.7** Development for the purpose of new buildings must have roof designs that:<br>(a) unify separate or attached buildings with a contemporary architectural appearance; and<br>(b) combine good quality materials and finishes. | **Not applicable**<br>The building is existing, and therefore this control does not apply. |
| | **Front fences**<br>**5.8** The maximum fence height for front fences is 1.8m.<br>**5.9** The external appearance of a front fence along the front boundary of the site must ensure:<br>(a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1m above ground level (existing); and<br>(b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design. | **Complies**<br>The building does not have a front fence for the majority of the site length. The proposal includes a new 1.8m Colourbond fence on the southern side setback. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **5.10** Council does not allow the following types of front fences:<br>(a) chain wire, metal sheeting, brushwood, and electric fences; and<br>(b) noise attenuation walls. | |
| **Section 6 – Acoustic Privacy and Management** | | |
| **O1** To ensure schools that do not adversely impact on the residential amenity of adjoining dwellings and the surrounding area.<br>**O2** To install appropriate acoustic privacy measures which are compatible with the prevailing character of residential areas.<br>**O3** To ensure the ongoing operation and management of schools maintain residential amenity. | **Acoustic privacy**<br>**6.1** 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).<br>**6.2** The location and design of schools must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land. For the purpose of this clause, Council requires development applications to submit an Acoustic Report prepared by a suitably qualified acoustic consultant to determine:<br>(a) existing noise levels at the identified sensitive receiver locations;<br>(b) likely noise levels to emanate from the school at the identified sensitive receiver locations;<br>(c) whether the development must apply measures to ensure the noise of students does not exceed 10dB(A) above the background noise level;<br>(d) whether the location and setbacks of the development are sufficient to protect the acoustic privacy of adjacent dwellings;<br>(e) whether the location of the outdoor areas and free play areas should avoid living areas and bedrooms of adjacent dwellings; and<br>(f) whether the development must install certain noise attenuation measures to protect the acoustic privacy of adjacent dwellings.<br>The Acoustic Report must measure the noise readings over a 15 minute period and must provide details of all modelling assumptions including source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted along with a copy of the model input and output data. | **Complies**<br>An Environmental Noise Assessment accompanies this SEE. It has undertaken a full acoustic impact assessment and made several recommendations.<br>It concludes that:<br>*"Measurement and calculations show that, provided the noise control recommendation in Section 5 are satisfactorily implemented, the proposed senior campus to be located at 194-198 Lakemba Street, Lakemba will be able to meet the acceptable noise level requirements of the SEPP (Transport and Infrastructure) 2021 as detailed in Section 3 of this report)."*<br>It is considered appropriate to be assess these measures at Construction Certificate stage. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **6.3** The maximum height for noise attenuation walls and fences along the boundary of the site is 2m.<br><br>**Hours of operation**<br><br>**6.4** Council may limit the hours of operation of schools, public access to schools, and special occasions or events. | |
| | **Management plans**<br><br>**6.5** Council must require the operator of a school in Zone R2 Low Density Residential to organise and chair a Neighbourhood Liaison Committee. The purpose of the Committee is for the operator and neighbours to resolve any issues, such as traffic and noise, arising from the operation of the school. The operation of the Committee must ensure:<br><br>(a) The membership of the Neighbourhood Liaison Committee must include residents who live next to and opposite the school.<br>(b) The Neighbourhood Liaison Committee must meet at least four times during the first 24 months of the school.<br>(c) The operator of the school must forward the meeting minutes to Committee members.<br>(d) The operator of the school may forward the meeting minutes to Council for information purposes.<br>(e) The operator of the school may terminate the Committee once it meets at least four times during the first 24 months of the school operating, or may choose to extend the function of the Committee over a longer period of time.<br><br>**6.6** Council may require the operator of a school in zones other than Zone R2 Low Density Residential to organise and chair a Neighbourhood Liaison Committee. | **Complies**<br>The school is not within or close to a R2 Low Density Residential zone.<br><br>Nevertheless, a Plan of Management for the proposal accompanies this SEE. |
| **Section 7 - Landscape** | | |
| **O1** To provide appropriate landscaping and free play areas in schools. | **Landscaping**<br><br>**7.1** Development applications must submit a detailed landscape plan prepared by a qualified landscape architect consistent with Council's Landscape Guide. | **Merit Assessment** |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| **O2** To provide useable open space on the street frontage for canopy trees and deep soil zones.<br><br>**O3** To provide landscaping that softens the appearance of school buildings, car parks and service areas.<br><br>**O4** To provide shade, windbreaks and areas for undercover student seating. | **7.2** Trees and shrubs that require low maintenance should be of prime consideration in the choice of planting. Features such as mulched garden beds, use of perennial rather than annual plants and mowing strips reduce the need for maintenance.<br><br>**7.3** This clause applies to sites that adjoin the Hume Highway. Development must plant a 75 litre tree at 5m intervals along the length of the Hume Highway boundary of the site, and must select the trees from Council's Landscape Guide. | The ground floor plan includes details of the proposed landscaping to the outdoor break area.<br><br>The large existing canopy tree will be maintained for shade and canopy cover, low mixed planting and screen planting will be added. A new 1.8m Colourbond fence and numerous waste bins also proposed.<br><br>The landscaping in front of the building is not proposed to be changed.<br><br>Overall, given the small size of the school, the existing building footprint and the large amount of retained canopy trees and deep soil areas, the proposal is considered suitable and meets the objectives of the control. |
| **Section 8 – Safety and Security** | | |
| **O1** To incorporate safety and security measures in the design of buildings and facilities.<br><br>**O2** To ensure entrances are clearly visible from the street.<br><br>**O3** To minimise the potential for intruders to enter a building.. | **Safety and security**<br><br>**8.1** Development for the purpose of schools must comply with the Crime Prevention through Environmental Design Policy in consultation with Council and NSW Police.<br><br>**8.2** Development for the purpose of schools must provide active frontages to the streets and must orientate buildings, administration buildings and pedestrian entrances to the streets.<br><br>**8.3** The street number of schools must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of schools. | **Complies**<br>The building provides active frontages to both streets.<br><br>The school location is easily visible and accessible for emergency vehicles.<br><br>A Social Impact Assessment accompanies this proposal. |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | **8.4** Development for the purpose of new schools must submit a Social Impact Assessment to the satisfaction of Council. | |
| **Section 9 – Site Facilities** | | |
| **O1** To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.<br><br>**O2** To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene. | **Waste storage areas**<br><br>**9.1** The design, location, and screening of waste and recyclable receptacle areas must be to the satisfaction of Council. | **Complies**<br>The location and function of waste facilities will be unchanged from the existing arrangement. |
| | **Building design (utilities and building services)**<br><br>**9.2** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.<br><br>**9.3** Utilities and building services are to be integrated into the building design and concealed from public view. | **Complies**<br>The location and function of building services will be unchanged from the existing arrangement. |
| | **Building design (substations)**<br><br>**9.4** The location and design of substations must be shown on the plans.<br><br>**9.5** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.<br><br>**9.6** Substations must not locate forward of the front building line. | **Not applicable** |
| | **Infrastructure**<br><br>**9.7** Council requires development for the purpose of schools to install the following core infrastructure at the applicant's expense:<br><br>(a) Electricity sub-station kiosks as required.<br><br>(b) Connection to and capacity of existing water and sewerage services in accordance with Sydney Water requirements.<br><br>(c) Construction of the following works, at the applicant's expense, where these are presently inadequate or do not exist: | **Not applicable** |

| OBJECTIVE | CONTROL | RESPONSE |
|---|---|---|
| | (i) full width commercial vehicular crossings at all entry and exit points;<br>(ii) bus bays (minimum length is 18m per bay);<br>(iii) concrete footpaths at least 1.22m wide over the full frontage(s) of the site and connecting to the nearest footpath network or road intersection (turf planting is to occur in the remaining footpath area);<br>(iv) concrete kerb and gutter over the full frontage(s) of the site; and<br>(v) road shoulder pavement over the full frontage(s) of the site.<br>(d) Stormwater drainage disposal from the site in accordance with Council's engineering standards. Drainage easements, as may be necessary over adjoining downstream properties, are to be created prior to granting development consent. | |
| | **Food premises**<br>**9.8** The design, construction, and operation of kitchens and food premises must comply with:<br>(a) *Food Act 2003*;<br>(b) *Food Regulation 2010*;<br>(c) FSANZ Food Standards Code; and<br>(d) Australian Standard AS 4674–2004, *Design, construction and fitout of food premises*. | **Not applicable – none proposed** |

## 5. SECTION 4.15 CONSIDERATIONS

In considering this Development Application, Council must consider the relevant planning criteria in Section 4.15 of the *Environmental Planning and Assessment Act, 1979.*

This assessment has taken into account the following provisions:

### 5.1. STATUTORY POLICY AND COMPLIANCE – S.4.15 (1)(A)

The proposal has been assessed in relation to all relevant planning instruments and development controls in this Statement of Environmental Effects, including:

- SEPP (Sustainable Buildings) 2022
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021
- Canterbury-Bankstown LEP 2023
- Canterbury-Bankstown DCP 2023

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The proposal does not include the removal of any trees.

State Environmental Planning Policy (Resilience and Hazards) 2021

The site appears to have originally in residential when originally subdivided and then converted to a commercial use. There is no evidence of any potentially contaminating uses occurring at the site.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate is not required for this proposal.

Canterbury-Bankstown LEP 2023

The proposed alterations and additions and change of use to the existing commercial building are permissible in the B2 Local Centre zone and satisfies the objectives of the zone. The proposal complies with the FSR and height of buildings development standards.

Canterbury-Bankstown DCP 2023

This SEE has addressed each of the relevant provisions of the DCP, and it is considered that the proposal satisfies the objectives and performance criteria of the DCP regardless of any minor non-compliance. Any non-compliance with the numeric provisions of the DCP has been justified in this SEE.

### 5.2. NATURAL, BUILT ENVIRONMENT, SOCIAL AND ECONOMIC IMPACTS - s.4.15(b)

Throughout the period of construction, all measures will be taken to ensure that any noise, dust, and vibration will be kept to a minimum. All construction works will comply with the Building Code of Australia and any other relevant legislation for the duration of the works.

Upon completion of the proposal, the day-to-day operations of the development are unlikely to cause undue impact in relation to noise, pollution, drainage, and pedestrian / vehicular traffic flows.

The proposal will not result in the loss of views or outlook from any surrounding public or private place.

There are no wilderness areas on the site while no endangered fauna has been identified on or around the site.

The proposal does not involve the removal of any significant trees or vegetation on the site.

The proposed development is considered appropriate and will not be responsible for any adverse environmental impacts in relation to loss of privacy, loss of view, noise, or traffic and parking impacts.

The proposed development will not be detrimental to the social and economic environment in the locality.

### 5.3. SUITABILITY OF THE SITE FOR DEVELOPMENT – s.4.15(c)

The size and shape of the site is suitable for the proposed development and the proposal does not create any adverse bulk or scale impacts. The proposal will not result in any loss of amenity to neighbouring properties.

### 5.4. SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT – s.4.15(d)

It is acknowledged that the consent authority must consider and assess all submissions made regarding this development application.

### 5.5. THE PUBLIC INTEREST – s.4.15(e)

Amenity impacts have been minimised and the proposal is considered to be a positive contribution to the built and natural environment in this part of Lakemba.

## 6. CONCLUSION

This Statement of Environmental Effects has demonstrated that the alterations and additions and change use of to a school for the ground floor of the existing commercial building at 194 – 198 Lakemba Street, Lakemba, is permissible on the site and represents a desirable outcome for the site and the locality.

The proposed change of use of the ground floor permissible in the B2 Local Centre zone. The proposal does not alter the building envelope in any way, keeping the existing maximum heigh and floor space. The proposal is compliant with the height control and the site does not have an FSR control. The site is not a heritage item or located within a heritage conservation area.

The proposal uses the existing built form in an efficient manner to revitalise this part of Lakemba and facilitate the provision of a small school that meets the educational needs of the community. The site is surrounded by sites with B2 Local Centre and R4 High Density zoning. Both of these zones have an objective of enabling other land uses that facilitate or service the day to day needs of residents. The location of the proposed school is therefore considered suitable as it is located in a central, well-connected urban environment that naturally facilitates a mix of higher density and higher activity land uses.

The proposal is predominantly in compliance with the CBDCP. The site is well serviced by public transport, with Lakemba Station within a 5-minute walk, which will facilitate students and staff accessing the school via public transport and reduce car trips and traffic generation. As outlined in the Traffic Impact Study, the proposal includes 11 more spaces than required (31 provided; 20 required) and the traffic impacts are not forecast to create any adverse traffic implications.

The site and existing building are considered suitable locations and will provide sufficient internal and external amenity to students and staff without creating any unreasonable external environmental amenity impacts to surrounding land uses.

Based on these considerations, the proposal is considered to be appropriate for the site and worthy of approval.