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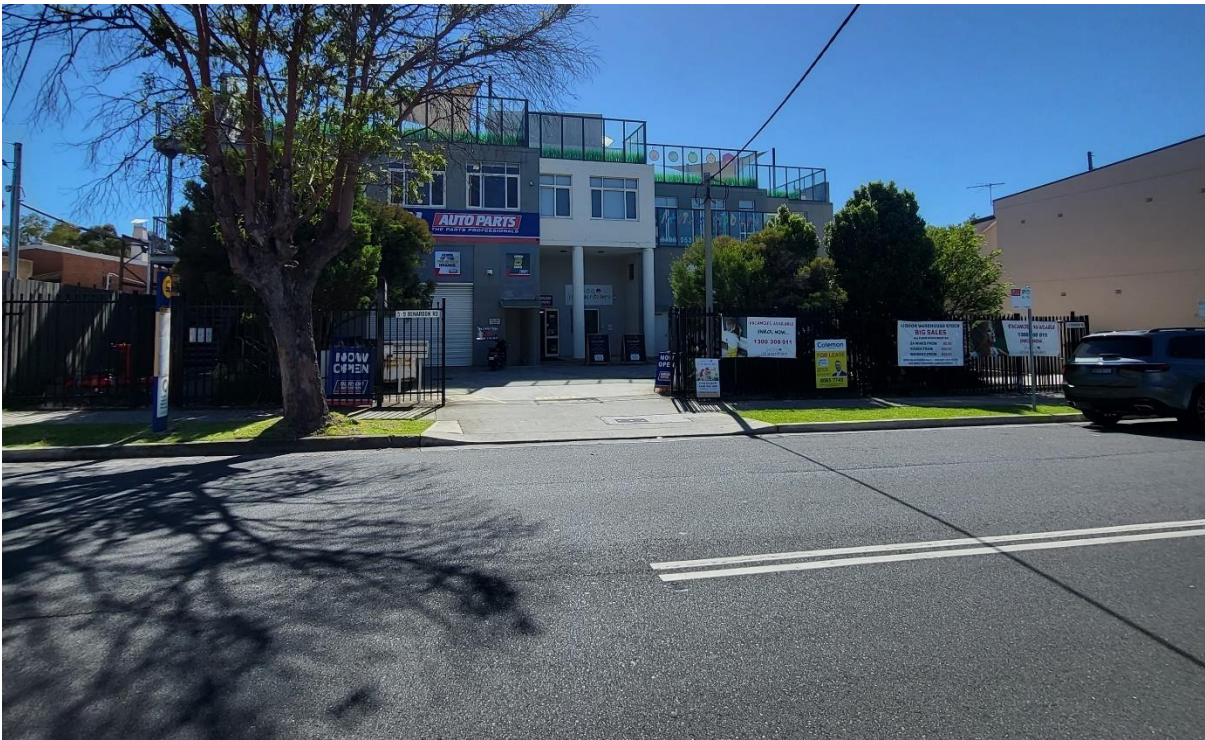
TOWN PLANNING / URBAN DESIGN / PROJECT MANAGEMENT

12/2 Mowbray Street Sylvania NSW 2224 / 0411 697 051 / mark@maximusda.com.au /  
www.maximusda.com.au

STATEMENT OF ENVIRONMENTAL EFFECTS

5-9 BENAROON ROAD BELMORE NSW 2192

CHANGE OF USE TO PLACE OF PUBLIC WORSHIP SEEKING TWELVE (12) MONTH TRIAL  
USE



PROJECT DETAILS

|                   |             |                  |                                       |
|-------------------|-------------|------------------|---------------------------------------|
| Legal Description | C/1/DP13891 | Property Address | 5-9 Benaroon Road<br>Belmore NSW 2192 |
| Project Reference | 2024-927    |                  |                                       |
| Date              | Nov 2024    | Revision         | E                                     |
| Architect         | 3DA         | Client           | Mr William Poveda                     |

Mark Raymundo  
BPlan (Hons) UNSW, MUDD UNSW, Grad Cert (Project Management) UTS  
Principal – Maximus Developments Australia

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## PROPOSAL

The proposal seeks development consent via a development application (DA) for the change of use to a place of public worship for a twelve (12) month trial period on land known as 5-9 Benaroon Road, Belmore NSW 2192. The tenancy is located on the ground floor. This Statement of Environmental Effects (SEE) has been prepared in accordance with the Statutory considerations of Schedule 1 of the Environmental Planning and Assessment Regulation 2000 (as amended). A site inspection has occurred of the site and the immediate surrounding area in preparation of this planning report.

This Statement of Environmental Effects (SEE) is to be read in conjunction with the following accompanying supplementary documentation as listed below;

**Table 1: List of supplementary documentation**

| Document                        | Author                               | Reference                             | Date       |
|---------------------------------|--------------------------------------|---------------------------------------|------------|
| BCA Report                      | BCA Matters                          | Rev 0                                 | 19.05.24   |
| Architectural Plans             | 3DA                                  | A001-A301<br>Amended Basement<br>Plan | 2024       |
| Plan of Management              | Maximus<br>Developments<br>Australia | Rev A                                 | Nov 2024   |
| Noise Impact<br>Assessment      | Koikas Acoustics                     | 6198                                  | May 2024   |
| Annual Fire Safety<br>Statement | ASAP Fire                            |                                       | 02/04/2024 |
| Traffic Impact<br>Assessment    | SALUQ                                |                                       | Oct 2024   |

## Report Summary

**Table 2.1: Strategic Context**

| Strategic Direction                                | Authority                    | Proposal meets objectives and spirit of plan |
|--|------------------------------|--|
| A Plan for Growing Sydney                          | NSW Department of Planning   | Yes  |
| Canterbury-Bankstown Community Strategic Plan 2028 | City of Canterbury-Bankstown | Yes  |
| Canterbury-Bankstown Local Environmental Plan 2023 | City of Canterbury-Bankstown | Yes  |

**Table 2.2: Evaluation Planning considerations**

| Planning Considerations                            | Compliance |
|--|------------|
| State Environmental Planning Policies (SEPP's)     | Yes        |
| Canterbury-Bankstown Local Environmental Plan 2023 | Yes        |
| Canterbury-Bankstown Development Control Plan 2023 | Yes        |

**Table 3.3: Key Impacts and Considerations**

| Consideration                | Comment   | Compliance |
|------------------------------|---|------------|
| Character, bulk and scale    | No change to existing built form as the proposal seeks a change to use within an existing building. The proposal seeks signage which is commensurate of other places of public worship within the locality. | Yes        |
| Car parking                  | The proposal seeks to utilise existing car parking spaces on site which are considered to reasonably cater for the congregation.  | Yes        |
| Trees and landscaping        | No change to existing.  | Yes        |
| Overshadowing / Solar access | No change to existing as the built form is unchanged.   | Yes        |
| Stormwater                   | The proposed use seeks a change of use, no change to external building works are proposed.  | Yes        |

|          |   |     |
|----------|---|-----|
|          |   |     |
| Privacy  | The proposal is not considered to result in any unreasonable privacy impacts given that the use relates to a ground floor premises  | Yes |
| Acoustic | The proposal is not considered to result in any unreasonable acoustic impacts given the use. A noise impact assessment accompanies this application in support of the proposal. | Yes |

## Research Background

The proposal has taken in consideration with the Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000 (as amended), State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Industry And Employment) 2021, Canterbury-Bankstown Local Environmental Plan 2023 and Canterbury-Bankstown Development Control Plan 2023 (as amended).

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- PART A:** Site Description and Proposal
- PART B:** Statutory Considerations
- PART C:** Conclusion

## PART A: SITE DESCRIPTION AND PROPOSAL

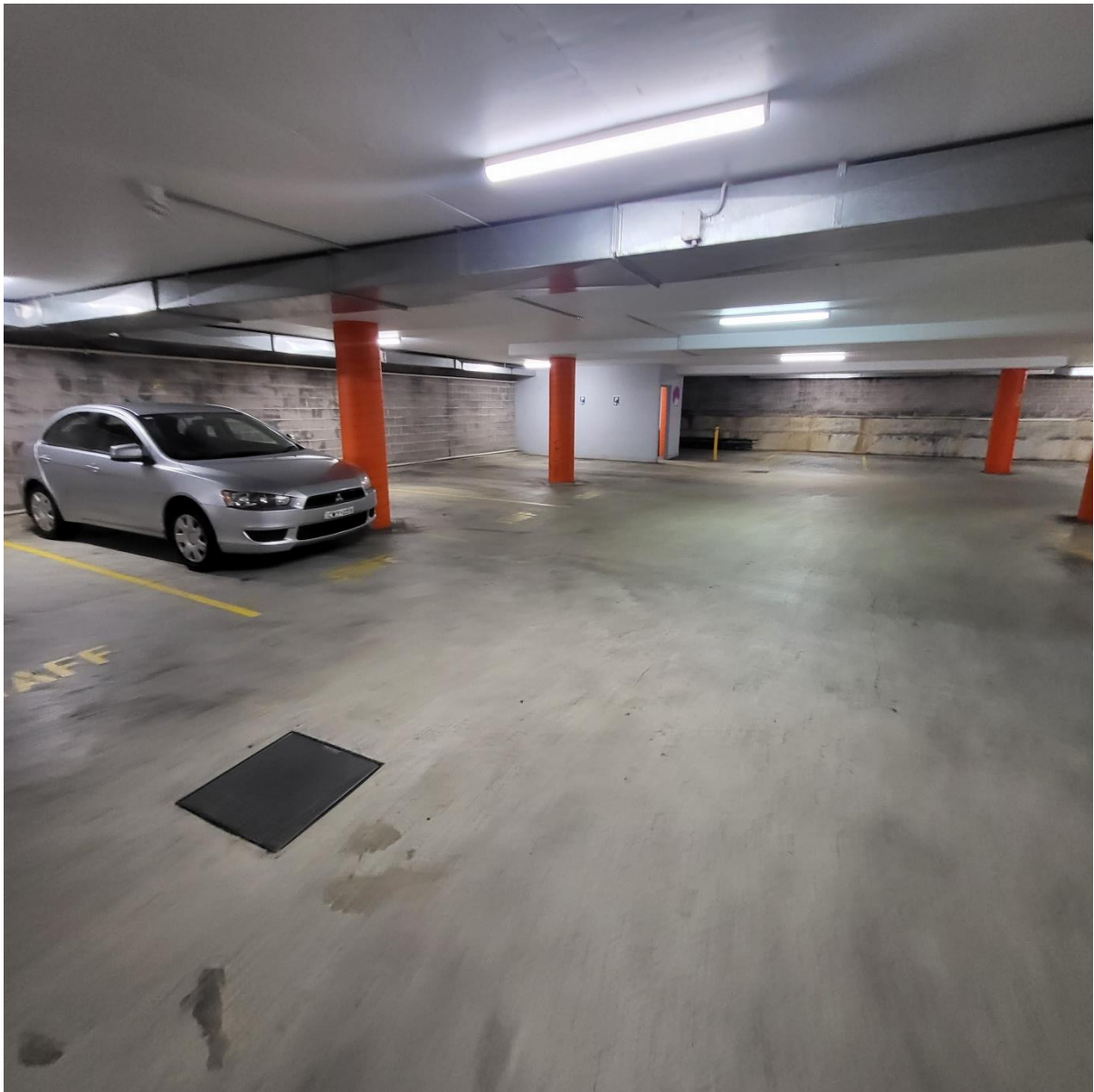
### Description of subject site

The subject site is legally described as Lots C,D,E/1/13891 and is known as 5-9 Benaroon Road, Belmore NSW 2192. The property comprises of three (3) tenancies and basement car parking below. A childcare centre occupies the upper levels of the building. The extent of the works relate to a ground floor tenancy. This is accessed from the front western frontage. The site is located on a local road being Benaroon Road, Belmore NSW 2192.





**Fig.1** Photograph of subject site viewed from Benaroon Road Belmore (Source: Maximus Developments Australia, 2024).

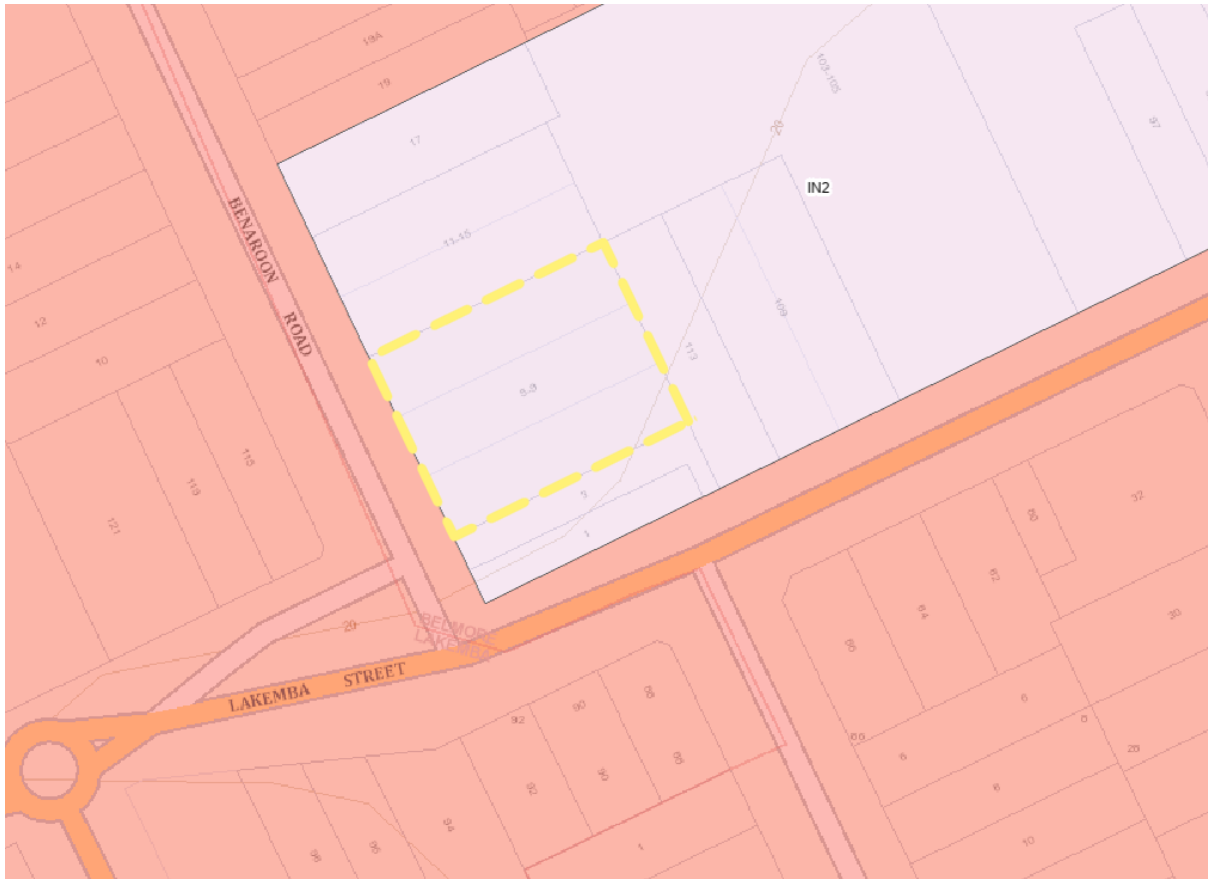


**Fig.2** Photograph of basement car park (Source: Maximus Developments Australia, 2024)





**Fig 3.** Aerial extract: Subject site and surrounding area (Metromap, 2024).



**Fig 4.** Zoning Extract of subject site which is IN2 Light Industrial under the Canterbury-Bankstown Local Environmental Plan 2023 (Source Department of Planning, NSW Planning Portal 2024).

### Surrounding Context

The immediate surrounding context is of comprises of a mixture of industrial IN2 bound by Benaroon Road and Lakemba and the remainder forming residential uses. SP2 Rail Infrastructure is located further to the south of the site. It is noted that the childcare centre is locate within the same building. The childcare centre approved under DA-145/2016 does not operate at the same time as the proposed place of public worship.





**Fig. 5** Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).



**Fig. 6** Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).





**Fig. 7** Photograph of immediate surrounding context (Source: Maximus Developments Australia, 2024).

### **Site History**

Council's records indicate that the site has been historically used for an industrial building of which comprises of a childcare centre on the upper levels and industrial uses on the ground level.

### **Description of proposal**

The proposal seeks development consent for the change of use to a place of public worship on land known as 5-9 Benaroon Road, Belmore NSW 2192. The tenancy is located on the ground floor southern end of the building.

The proposal seeks the use as a place of public worship.

Hours of operation: Monday - Friday: 7:00pm-8:30pm, Saturday: 5.00pm-6:30pm and Sunday: 10am-11:30am.

Note: There will be no activities held after mass services. There are no additional services, activities other than that specified above.

2 x signage along the western front elevation dimensioned 1.3m x 7.5 and 3m x 2m wall signage.

The proposed change of use seeks a **twelve (12) month trial period**.

**Table 5: Key summary of proposal**

| Criterion          | Proposed   |
|--------------------|--|
| Hours of operation | Monday-Friday: 7:00pm-8:30pm (small prayer service)<br>Saturday: 5.00pm-6:30pm (mass service)<br>Sunday: 10am-11:30am (mass service) |
| Car parking        | Four (4) allocated car parking spaces, fourteen (14) spaces allocated for use by childcare centre*                                   |
| Congregation size  | 70   |

There are four (4) allocated car parking spaces on site. An additional fourteen (14) spaces have been made available with consent of the owner and operator the childcare centre of which the childcare centre does not operate as the same hours as the proposed place of public worship at night and on weekends. These spaces will be made to be accessible when the childcare centre is not in operation.

**It is noted that development consent DA-145/2016 granted for fit out and usage as a child care centre for 80 children and associated signage was approved on 1 December 2016.**

**Condition 4.1 states the following:**

***The hours of operation of the childcare centre premises is restricted to between 7.00am – 6.00pm, Monday to Friday excluding public holidays.***

**It noted that the approved Plan of Management does not make any reference to limitation of access to the car spaces.**

**The proposed car parking usage does not conflict with the hours of operation.**



**PART B: STATUTORY CONSIDERATIONS****PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT****ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)**

The proposal has been considered against Section 1.3 Objects of the Act as per below;

**Table 6: Objects of the Act**

| <b>Object Reference</b> | <b>Object</b>  | <b>Comment</b>   | <b>Satisfies objective</b> |
|-------------------------|--|--|----------------------------|
| <b>(a)</b>              | To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,      | To the proposal is considered not to result in any adverse impacts in relation to natural and other resources.                                     | Yes                        |
| <b>(b)</b>              | To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, | The proposal is not considered to be contrary to any economic, environmental and social considerations.  | Yes                        |
| <b>(c)</b>              | To promote the orderly and economic use and development of land  | The proposal results in results in orderly economic use of which forms a permissible use as a place of public worship within an existing building. | Yes                        |
| <b>(d)</b>              | To promote the delivery and maintenance of affordable housing,   | N/A  | N/A                        |
| <b>(e)</b>              | To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats                               | No impact to trees.  | N/A                        |

|     |  |   |     |
|-----|--|---|-----|
| (f) | To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),                                 | The site is not affected by European or Aboriginal cultural heritage. An interim heritage order does not apply to the site. | N/A |
| (g) | To promote good design and amenity of the built environment  | No change to existing built form.   | Yes |
| (h) | To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State | Noted.  | Yes |
| (i) | To provide increased opportunity for community participation in environmental planning and assessment.   | To be notified in accordance with the provisions of the Canterbury Bankstown Community Engagement Strategy.                 | Yes |

As per the table above, the proposal is considered to reasonably satisfy the underlying intent of the Objects of the Act.

#### **ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2021 (AS AMENDED)**

The application has been prepared in accordance with the Statutory requirements within Schedule 1 and is considered to be acceptable and sufficient for the purposes of assessment.

#### **STATE ENVIRONMENTAL PLANNING POLICIES**

The proposal has been considered in accordance with the key considerations of the following applicable State Environmental Planning Policies (SEPP's) as follows;

#### **STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021**

The subject site has been recently redeveloped to a modern industrial complex. It is considered that considerations under the SEPP equivalent would have been considered at the time of the assessment of the building with basement. The proposal seeks a change of use and no excavation works, on this basis it is considered the proposal is not inconsistent with the considerations of the SEPP.

## STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The proposal has been considered in accordance with the relevant provisions within the SEPP. The proposal seeks wall signage for two (2) signs which states the name of the place of public worship. This is of a plain and simple legible font which is not illuminated with clear black lettering. No other signage is proposed. This has been designed to be clear and uncluttered with a direct aspect to Benaroon Road, Belmore NSW 2192.

### Part 3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

#### *3.1 Aims, objectives etc*

##### *(1) This Chapter aims—*

##### *(a) to ensure that signage (including advertising)—*

- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations, and*
- (iii) is of high quality design and finish, and*

##### *(b) to regulate signage (but not content) under Part 4 of the Act, and*

##### *(c) to provide time-limited consents for the display of certain advertisements, and*

##### *(d) to regulate the display of advertisements in transport corridors, and*

##### *(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

##### *(2) This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.*

### **1 Character of the area**

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

Comment: The proposal seeks two (2) business identification signs which is located along the western front elevation. This sign is viewable from the Street and is not considered to be inconsistent with similar signage for other place of public worship

within the locality. The size and scale of the signage is not considered to detract from the presentation to the street.

## **2 Special areas**

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

Comment: The proposed signage is not considered to detract from the heritage conservation area. The proposed signage is a simple design with a white background and text which is clean and uncluttered.

## **3 Views and vistas**

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

Comment: The signage is not considered to dominate the skyline or affect any views whereby the signage is located below the first floor level and does not obstruct any other neighbouring signage.

## **4 Streetscape, setting or landscape**

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

Comment: The proposed signage is considered to be appropriate and proportionate to the building and streetscape. The signs proposed which is considered to be reasonable and uncluttered which are commensurate of that of other signs for places of public worship within the locality.

## **5 Site and building**

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*



- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

Comment: The proposed signage size and scale is considered to be appropriate and proportionate to the proposed building and streetscape.

#### **6 Associated devices and logos with advertisements and advertising structures**

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

Comment: As per Australian Standards.

#### **7 Illumination**

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

Comment: The proposed signage is not proposed to be illuminated.

#### **8 Safety**

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

Comment: The proposed signage will not interfere with the pedestrian and vehicular safety given its location and height clearance.

In this regard, given the above the proposal is considered to satisfy the requirements of the SEPP.

### **CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2012 (AS AMENDED)**

The proposal has been considered against the following provisions.

Section 1.2 Aims of the Plan

The proposal has been considered in accordance with the relevant aims (in bold) as follows;

1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in Canterbury-Bankstown in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows—

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

(a) to manage growth in a way that contributes to the sustainability of Canterbury-Bankstown,

(b) to protect landforms and enhance vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Canterbury-Bankstown,

(c) to identify, conserve and protect the Aboriginal, natural, cultural and built heritage of Canterbury-Bankstown,

(d) to provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown,

(e) to restrict development on land that is sensitive to urban and natural hazards,

(f) to provide a range of residential accommodation to meet the changing needs of the population,

(g) to provide a range of business and industrial opportunities to encourage local employment and economic growth and retain industrial areas,

(h) to create vibrant town centres by focusing employment and residential uses around existing centres and public transport,

(i) to provide a range of recreational and community service opportunities and open spaces to meet the needs of residents of and visitors to Canterbury-Bankstown,

(j) to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,

(k) to ensure activities that may generate intensive car usage and traffic are located near public transport that runs frequently to reduce dependence on cars and road traffic,

- (l) to consider the cumulative impact of development on the health of the natural environment and waterways and on the capacity of infrastructure and the road network,
- (m) to support healthy living and enhance the quality of life and the social well-being and amenity of the community,
- (n) to ensure development is accompanied by appropriate infrastructure,
- (o) to promote ecologically sustainable development.

Comment: The proposal seeks development consent for a place of public worship within an existing building given the above the proposal is considered to reasonably satisfy the Aims of the Plan.

The proposal adequately satisfies the underlying IN2 Light Industrial objectives as follows;

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To promote a high standard of urban design and local amenity.*

Given the above, the proposal is considered to be consistent with the IN2 Light Industrial Zone objectives.

**Table : Canterbury-Bankstown Local Environmental Plan 2023**

| Control        | Requirement            | Proposal   | Complies |
|----------------|------------------------|--|----------|
| Land Use Table | IN2 – Light Industrial | Place of public worship forms a permissible prescribed use within the zone with development consent.<br>Development consent is sought forming this | Yes      |

|  |   |   |     |
|--|---|---|-----|
|  |   | development application.  |     |
| 4.3 Height of buildings                            | N/A   | No change to existing.  | Yes |
| 4.4 Floor Space Ratio                              | 1:1   | No change to existing.  | Yes |
| 4.5 Calculation of Floor Space Ratio and Site Area | Calculation to be undertaken as per defined for floor space ratio and site area.  | Calculated as per definition clause.  | Yes |
| 6.2 Earthworks                                     | Objectives to be satisfied  | No change to existing.  | Yes |
| 6.4 Stormwater                                     | Objectives relating to stormwater to be satisfied   | No change to existing.  | Yes |
| 6.6 Essential Services                             | Objectives relating to essential services to be satisfied;<br><br>(a) the supply of water,<br>(b) the supply of electricity,<br>(c) the disposal and management of sewage,<br>(d) stormwater drainage or on-site conservation,<br>(e) waste management,<br>(f) suitable vehicular access. | Essential services such as water, electricity, disposal of sewerage, drainage and suitable vehicular access provided in accordance with the requirements of this clause in relation to the existing building. | Yes |

The proposal complies with the permissibility, zone objectives, Development Standard and considerations under the Canterbury Bankstown Local Environmental Plan 2023.



**PART 4 DIVISION 4.3 SECTION 4.15 (1)(A)(II) ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT/ DEVELOPMENT CONTROL PLAN**

**CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023**

**Chapter 2.1 Site Analysis**

The proposed change of use is consider to be compatible with the immediate surrounding area and uses on site.

**Chapter 3.1 Engineering Standards**

The proposal does not seek any changes to the building or increase in impervious areas, therefore there is no increase in stormwater impact.

**Chapter 3.2 Parking**

The proposal has been considered in accordance with the key relevant considerations of this subsection.

| Clause | Control   | Proposal   | Complies     |
|--------|---|--|--------------|
| 2.1    | Places of public worship<br>1 car space per 5m <sup>2</sup> of the assembly area. 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.<br><br>Bicycle space: 1 per 20 | Four (4) car parking spaces allocated for tenancy, additional fourteen (14) car spaces from childcare centre can be utilised when not in operation. This equates to a total of eighteen (18) spaces.<br><br>A traffic report accompanies this development application as additional information. | Yes , merit. |
| 2.2    | In calculating the total number of car parking spaces required for development, these must be:<br>(a) rounded down if the fraction of the total calculation is  | Noted.   | Yes          |

|                                |  |  |     |
|--------------------------------|--|--|-----|
|                                | less than half (0.5) a space;<br>or<br>(b) rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and<br>(c) must include a room that is capable of being converted to a bedroom. |  |     |
| 2.3                            | Development comprising more than one land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule                     | The site contains a mixture of approved uses. Existing car parking rate has been considered in relation to uses on site. | Yes |
| 2.4                            | Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area  | The proposal does not seek any additional car parking spaces which would be calculated in floor space.                   | Yes |
| 2.5                            | Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.                                      | Traffic can be provided if required.   | Yes |
| B1.3.2 Accessible Parking Rate | BCA Class 9  | One (1) accessible space provided  | Yes |

|                               |  |  |     |
|-------------------------------|--|--|-----|
|                               | C5. In a development containing more than 10 spaces, provide 1 (one) accessible parking space for every 25 spaces designed and constructed in accordance with AS 2890.1.   | within basement on site.   |     |
|                               | <p>Accessible off-street parking rates</p> <p>2.7 Accessible parking is required to be designed and constructed in accordance with the following rates:</p> <p>1 accessible parking space per 50 parking spaces for staff;</p> <p>1 accessible parking space for visitors per 50 parking spaces where a car park has less than 500 spaces;</p> <p>1 additional accessible parking space per 100 parking spaces above 500 spaces for visitors</p> | One (1) accessible space provided on site.                       | Yes |
| Section 3 – Design and Layout | Parking location<br>3.1 Development must not locate entries to car parking or delivery areas:  | Driveway entry and basement as existing.<br>No changes proposed. | Yes |

|     |  |  |            |
|-----|--|--|------------|
|     | <p>(a) close to intersections and signalised junctions;</p> <p>(b) on crests or curves;</p> <p>(c) where adequate sight distance is not available;</p> <p>(d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island);</p> <p>(e) where right turning traffic entering may obstruct through traffic;</p> <p>(f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or</p> <p>(g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.</p> |  |            |
| 3.2 | <p>Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or</p>   | <p>Accessible space located close to lift as existing.</p> | <p>Yes</p> |



|     |   |   |     |
|-----|---|---|-----|
|     | lifts where there are separate levels.  |   |     |
| 3.4 | <p>Council may consider tandem parking in the following situations:</p> <p>(a) Industrial development where the users of the car parking will almost all be Employees (b) High density residential flat buildings, shop top housing and mixed use development if the parking users reside in the same dwelling or the employees work in the same premises.</p> <p>(c) Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling</p> | No change to proposed existing car parking configuration. | Yes |
| 3.5 | Tandem parking is not permitted where a high proportion of the users of the car park are visitors or customers.   | Not existing.   | N/A |

|      |  |   |     |
|------|--|---|-----|
| 3.7  | Mechanical parking devices, including car lifts, will not be supported.  | No car lift is proposed.  | Yes |
| 3.8  | Access driveway width and design<br>The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.   | The proposed driveway incorporates the most logical and direct route to the street as existing. | Yes |
| 3.9  | The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.  | Existing driveway contains a two way driveway into the basement as existing.                    | Yes |
| 3.12 | Minimum headroom dimensions<br>Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs. Following minimum headroom dimension has to be maintained in all development.<br>Min headroom<br>Cars and light vans: 2.4m | No change to existing.  | Yes |

|      |   |   |     |
|------|---|---|-----|
|      | People with disabilities: 2.3m  |   |     |
| 3.17 | Service vehicles are to enter and leave the site in a forward direction.  | Service vehicles can enter and exit in a forward direction as existing.   | Yes |
| 3.18 | Safety and security<br>Sloping ramps from car parks, garages and other communal areas are to have at least one full car length of level driveway before they intersect pavements and carriageways.  | Car park and garages have been appropriately located and designed as existing.  | Yes |
| 3.19 | Sight distance requirement<br>3.19 For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. | Adequate sight lines provided as existing.  | Yes |
| 3.20 | Pedestrian access<br>Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits.  | Pedestrian access forms a shared zoned and is line marked. Access to and from the basement is via a staircase and lift within the shared central lobby. | Yes |

|      |   |   |     |
|------|---|---|-----|
| 3.21 | Lifts and stair lobbies should be prominently marked to help users find them and to increase personal security.   | Lifts and stair lobbies are to be marked and existing.    | Yes |
| 3.22 | In split-level/multi-level car parks, a stairway should be located at the split-level, to provide pedestrian access between these levels and eliminate pedestrians having to use vehicular ramps.                                     | A single level car park is existing.                      | Yes |
| 3.26 | Provide a mix of bicycle storage facilities to cater for short and long stay parking  | Bicycle storage provided within the basement.             | Yes |
| 3.27 | 3.27 Bicycle racks or stands placed in open public areas that provide only means to lock one wheel of a bicycle to a fixture is not an acceptable secure arrangement. Devices requiring a wheel to be removed are also not acceptable | Can be provided on site.                                  | Yes |
| 3.28 | 3.28 Development must incorporate the following elements into the design and location of bicycle parking:<br>(a) all facilities are clearly visible and as close as possible to   | Adequate bicycle facilities provided and located on site. | Yes |



|      |   |                                       |     |
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|      | <p>the main entrances/exits to the street and within the building;</p> <p>(b) short-stay and visitor parking is at-grade and floor and wall-mounted rails are acceptable;</p> <p>(c) long-stay and resident parking is on the uppermost level of a basement car park;</p> <p>(d) a safe path of travel between bicycle parking and the main entrances/exits is clearly marked;</p> <p>(e) bicycle facilities are not to hinder vehicle and pedestrian movements, or contribute to the likelihood of injury to passing pedestrians;</p> <p>(f) access paths to bicycle parking are a minimum of 1.5m wide for oneway access path to allow the passage of a pedestrian pushing a bicycle; and</p> <p>(g) standardised information signs are to be used to give directions to bicycle parking areas.</p> |                                       |     |
| 3.29 | Bicycle parking facilities are to be well lit to minimise   | Bicycle parking can be located within | Yes |

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|      | theft, vandalism, reduce pedestrian hazard and to improve safety of the cyclists.  | basement to be well lit.   |     |
| 3.30 | Visitor parking<br>3.30 Visitor spaces must not be located behind security grills and must be easily accessible.   | This control generally relates to commercial/shoptop. The nature of the proposal results in secure basement parking on site during the hours of operation. | Yes |
| 3.31 | 3.31 Clearly mark and signpost visitor parking, and locate on the ground floor where possible, so that it is easy to find and access.  | Visitor parking to be sign posted and is existing.   | Yes |
| 3.32 | 3.32 Visitor parking should be located near the main pedestrian entrance to the building and can be located in front of the building alignment, but not encroach upon the front setback areas. | Visitor car parking spaces located near lift and staircase centrally on site and is existing. No change to existing.                                       | Yes |
| 3.33 | Basement parking<br>3.33 Provide ventilation to basement parking. Location and details of mechanical ventilation design must be outlined in applications to Council.                           | No change to existing.   | Yes |
| 3.34 | 3.34 Design and integrate basement parking so as not to accentuate the   | The basement is contained within the building footprint  | Yes |

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|      | scale or bulk of a building, or detract from the streetscape or front setback character.  | above. No change to existing.                             |     |
| 3.37 | 3.37 Provide secure bicycle parking at basement level which is easily accessible from ground level, from apartments and other uses within the development.                      | Bicycle parking can be located within the basement level. | Yes |
| 3.38 | 3.38 Keep all loading docks, parking areas and driveways clear of goods and do not use for storage, including garbage storage, so that free movement is available at all times. | No change to existing layout.                             | Yes |
| 3.39 | 3.39 Locate and design so that impacts such as noise, exhaust fumes and headlight glare, are minimised on adjoining residential uses or residential zoned land.                 | No change to existing layout.                             | Yes |

In this regard, the proposal is considered to reasonably satisfy the car parking requirements, pedestrian safety and vehicular movement considerations within this subsection. The proposed use is considered to be reasonable given the size of the congregation, alternative hours sought as to minimise impacts on site.

### Chapter 3.3 Waste Management

A waste management plan accompanies this development application. It is noted that general waste facilities are provided on site.

### Chapter 3.4 Sustainable Development

The proposal seeks the utilisation to of durable materials to prolong the life cycle of the building. Refer to the schedule of materials and finishes.

### Chapter 3.6 Signs

It is noted that consideration for signage have been previously considered under SEPP State Environmental Planning Policy (Industry And Employment) 2021 of which are replicated within the DCP. The proposal seeks two (2) business identification sign which faces the street. This is non-illuminated and is not considered to detract from the surrounding area given the design, style and scale of the signage in relation the proposed built form for a place of public worship.

### Chapter 10.5 Place of Public Worship.

| Clause | Control   | Proposal                           | Complies |
|--------|---|------------------------------------|----------|
| 2.1    | Development applications must submit site analysis plans and studies that outline the short and long term proposals for the development of 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: (a) The overall strategic vision for the site and how the | Site analysis plan to be provided. | Yes      |



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|  | <p>selection of the site supports the urban structure of Canterbury-Bankstown. (b) (c) (d) Staging of the development of the place of public worship. The patterns of land ownership, the patterns of land subdivision or consolidation and the relationship of the site to adjoining sites. Design principles drawn from the site analysis and the local context including: (i) context and character studies; (ii) (iii) (iv) (v) (vi) orientation; visual assessment of the site and the local context; survey of the site and neighbouring buildings; flora/fauna survey; topography, drainage, erosion, cut and fill; (vii) noise pollutants, airborne pollutants, toxic residues and site remediation; (viii) bush fire risk and flood risk; (ix) deep soil zones and landscaping; (x) (xi)</p> |  |  |
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|  | <p>sustainability and energy efficiency outcomes through design;</p> <p>passive surveillance;</p> <p>(xii) traffic, access and parking:</p> <ul style="list-style-type: none"> <li>• the links between the location of the place of public worship and surrounding pedestrian, cycle, public transport and road access and circulation networks. This includes details of the internal and external movement networks, the public transport access routes, the pedestrian and cycle paths, linkages to external networks and pedestrian through-site links;</li> <li>• assessment of the cumulative traffic impacts of development within the surrounding road network, and the need for internal and external traffic management measures to support the development (including cost and funding responsibilities of such upgrades);</li> <li>• visitor off-street set-down and pick-</li> </ul> |  |  |
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|  | <p>up areas, parking provisions, bus stops and delivery/emergency access;</p> <ul style="list-style-type: none"> <li>• parking provisions at each stage of the development;</li> </ul> <p>(xiii) built form and aesthetics:</p> <ul style="list-style-type: none"> <li>• floor space requirements to meet function requirements;</li> <li>• the function and capacity of each building and likely hours of operation;</li> <li>• bulk and overall unity of the development within the context;</li> <li>• urban design and streetscape guidelines;</li> <li>• distribution of the land uses, buildings, circulation areas, fences and any public facilities;</li> <li>• open space provision and function, and landscaping principles;</li> </ul> <p>(xiv) infrastructure, easements and stormwater management;</p> <p>(xv) outcomes of social impact assessments and any relevant feasibility studies;</p> |  |  |
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|   | (xvi) protection of any heritage items or archaeological sites;<br>(xvii) staging of special events including:<br>• calendar dates of all events;<br>• location and capacity;<br>• hours of operation;<br>• management plan.                    |  |     |
| Section 3 Location and Traffic Management |   |  |     |
| 3.1                                       | Location<br>A place of public worship must maintain the general amenity of the area   | The proposed place of public worship is located within an industrial complex.                  | Yes |
| 3.2                                       | A place of public worship must optimise the use of surrounding and potential infrastructure, with a particular emphasis on public transport.  | The subject site is located close to public transport in relation to bus and railway networks. | Yes |
| General restrictions on development       |   |  |     |
| 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) | Not located near any sex service premises.   | Yes |
| 3.4                                       | The boundary of a place of public worship should not be within a 100m radius of a sex   | As above.  | Yes |



|   |   |   |     |
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|   | services premises   |   |     |
| Section 6–acoustic privacy and management |   |   |     |
| 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)   | No change to existing air conditioning.                   | Yes |
| 6.2                                       | 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. 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)<br>(b)<br>(c)<br>existing noise levels at the identified sensitive receiver locations;<br>likely noise levels to emanate from the place of public worship at the identified | Acoustic report accompanies this development application. | Yes |

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|  | <p>sensitive receiver locations;<br/>whether the development must apply measures to ensure noise does not exceed 5dB(A) above the background noise level;<br/>(d)<br/>(e)<br/>(f)<br/>whether the location and setbacks of the development are sufficient to protect the acoustic privacy of adjacent dwellings;<br/>whether the location of the outdoor areas should avoid living areas and bedrooms of adjacent dwellings; and<br/>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</p> |  |  |
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|                    | locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted along with a copy of the model input and output data.   |   |     |
| 6.3                | The maximum height for noise attenuation walls and fences along the boundary of the site is 2m   | No screening proposed.  | N/A |
| Hours of Operation | Council may limit the hours of operation of places of public worship, public access to places of public worship, and special occasions or events.  | Plan of management accompanies this DA.   | Yes |
| Management Plans   |  |   |     |
| 6.5                | Council requires development applications to submit a Management Plan to determine:<br>(a) hours of operation and days of operation;<br>(b) special events: a detailed calendar of any festivals and special events must be supplied with the application, together with details of the arrangements for parking during these times;<br>(c) number of persons attending at | Plan of management accompanies this development application in relation to the proposed use. (Refer to Plan of Management | Yes |

|     |   |   |            |
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|     | <p>any one time, including non-worship and ancillary activities, and proposed measures to minimise impacts on the surrounding amenity;</p> <p>(d) expected 'catchment area' from which the congregation will travel;</p> <p>(e) any proposed street parades and road closures.</p>  |   |            |
| 6.6 | <p>Council must require the operator of a place of public worship in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High 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 place of public worship. The operation of the Committee must ensure:</p> <p>(a)</p> <p>(b)</p> | <p>The site is note located within the specified zones.</p> | <p>N/A</p> |

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|  | <p>(c)<br/>(d)<br/>(e)</p> <p>The membership of the Neighbourhood Liaison Committee must include residents who live next to and opposite the place of public worship.</p> <p>The Neighbourhood Liaison Committee must meet at least four times during the first 24 months of the place of public worship.</p> <p>The operator of the place of public worship must forward the meeting minutes to Committee members.</p> <p>The operator of the place of public worship may forward the meeting minutes to Council for information purposes.</p> <p>The operator of the place of public worship may terminate the Committee once it meets at least four times during the first 24 months of the place of public worship operating, or may choose to extend the function of the</p> |  |  |
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|     | Committee over a longer period of time.  |  |     |
| 6.7 | Council may require the operator of a place of public worship in zones other than the residential zones to organise and chair a Neighbourhood Liaison Committee. | Neighbourhood liaison Committee to be established. | Yes |

Given the above, the proposal is considered to achieve a high level of compliance and is considered to result in a reasonable planning outcome which is commensurate of other places of public worship within the locality.

#### SECTION 4.15 EVALUATION (3A)

*(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:*

*(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*

*(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*

*(c) may consider those provisions only in connection with the assessment of that development application.*

*In this subsection, standards include performance criteria*

Comment: In relation to the above, the proposal is considered to seeks a variation to the DCP in relation to car parking. Despite this numerical departure, the proposal is considered to satisfy the objectives of the controls and does not result in any unacceptable impacts. The proposal seeks a twelve (12) month trial period consent.

**PART 4 DIVISION 4.3 SECTION 4.15 (1)(B) THE LIKELY IMPACTS OF THAT DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY**

**Natural Environment Impacts**

No unacceptable unreasonable natural environmental impacts are generated by this proposal given the nature of the use within an existing building.

**Built Environment Impacts**

The proposal is also considered to satisfy and meet the key objectives and intent and requirements of the planning controls given that no external works are proposed with the exception of signage. In this regard, the proposal is not considered to result in any unacceptable unreasonable adverse built environment impacts.

**Economic Impacts**

The proposal is not considered to result in any unacceptable economic impacts given the proposed use as a place of public worship of which forms a permissible use within the zone.

**Social Impacts**

The proposal seeks to development consent for a place of public worship for a twelve (12) month trial period. The proposal is not considered to result in any unacceptable social impacts. The hours of operation are considered to be reasonable and commensurate with that of other places of public worship within metropolitan Sydney.

**PART 4 DIVISION 4.3 SECTION 4.15 (1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

**Suitability of the site**

The proposal is considered to be suitable for the subject site and forms a permissible use within the Canterbury Bankstown Local Environmental Plan 2023. The proposal is considered to be appropriate as the proposal adequately satisfies and does not offend the underlying objectives of the applicable planning controls as stated within this report.

**PART 4 DIVISION 4.3 SECTION 4.15 (1)(E) THE PUBLIC INTEREST**

**Public Interest**

The proposed development is considered to be in the public interest for the reasons contained within this report. As previously stated the proposal adequately satisfies the underlying

planning objectives of the controls and results in a reasonable planning outcome for the site with no material adverse impacts to the immediate adjoining area.

### **PART C: CONCLUSION**

The proposed change of use to a place of public worship for a twelve (12) month trial use is considered to be appropriate as the considerations against the Statutory provisions have been met. The proposal satisfies the Environmental Planning and Assessment Act 1979 (as amended), Environmental Planning and Assessment Regulation 2000 (as amended), State Environmental Planning Policy (Biodiversity And Conservation) 2021, State Environmental Planning Policy (Resilience And Hazards) 2021, State Environmental Planning Policy (Transport And Infrastructure) 2021, State Environmental Planning Policy (Industry And Employment) 2021, Canterbury Bankstown Local Environmental Plan 2023 and Canterbury Bankstown Development Control Plan 2023. It is considered that the proposal results in a reasonable planning outcome.

Kind regards,

**Mark Raymundo**

*BPlan (Hons) UNSW, MUDD UNSW,*

*Grad Cert (Project Management) UTS,*

*Certificate Real Estate Practice TAFE*

*Grad Dip (Heritage Conservation) USYD \*current*

**Principal**

**Maximus Developments Australia**