

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED ADDITIONS & ALTERATIONS TO
AN EXISTING COMMUNITY FACILITY**

LOCATED AT

1021 CANTERBURY ROAD, LAKEMBA

FOR

DARUL TARBIYAH ASSOCIATION



**Prepared
February 2025**

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1.0 Introduction

This Statement of Environmental Effects accompanies plans prepared on behalf of Darul Tarbiyah Association by A & H Building Designers Pty Ltd, Project No. 2126, Drawings No. A00 – A08, dated 25 August 2024, to detail the proposed change of use from health consulting rooms to a community facility, including new signage, at **1021 Canterbury Road, Lakemba**.

Canterbury Bankstown Council issued Development Consent – DA-233/2022 under Notice of Determination dated 6 April 2023 which provided for the approved development being “*Proposed change of use from vacant health consulting rooms to community facilities with offices and associated signage*”.

The approved consent was adopted and the community facility currently operates from the premises.

The subject application seeks to provide for a lightweight metal awning over the existing outdoor paved area within the southern portion of the site to provide for solar weather protection for the children utilising the committee facility.

This Statement reviews the proposed development by assessing the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) (**EP&A Act**) including:

- *The Environmental Planning and Assessment Regulation 2021*
- *Canterbury Local Environmental Plan 2012 (CLEP 2012)*
- *Canterbury-Bankstown Development Control Plan 2023 (CDCP 2023)*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

2.0 Property Description

The subject site is described as **1021 Canterbury Road, Lakemba**, and is comprised of three separate lots:

- Lot A2 within DP 328317
- Lot 89 within DP7262
- Lot 1 within DP 136445

This site is zoned R4 High Density Residential, as shown on the Zoning Map of CLEP 2012.

The site is identified as being within Area I on the Height of Buildings Map of CLEP 2012, with a maximum building height of 8.5m.

The site is identified within Area I on the Floor Space Ratio Map of CLEP 2012, with a maximum floor space ratio of 0.75:1.

The site is not listed as a heritage item, nor is it within a Heritage Conservation Area.

The site is not identified as being affected by any hazards.

3.0 Site Description

The site is a corner allotment, located on the northern side of Canterbury Road and the western side of Willeroo Street. The site is irregular in shape with a frontage to Canterbury Road and a secondary frontage to Willeroo Street, with a total site area of 601m².

The site is currently occupied by two single storey buildings that are joined by a covered walkway. On-site parking is available centrally on the site, between the two buildings, accessed via Willeroo Street. An open children's play area is located on the southern side of the existing committee facility, adjoining the Canterbury Road frontage of the site.

Residential development of varying age, character and density surrounds the site to the north, east and west. Development to the south (on the opposite side of Canterbury Road) is comprised of various take-away food and drink premises, service stations and other commercial development.

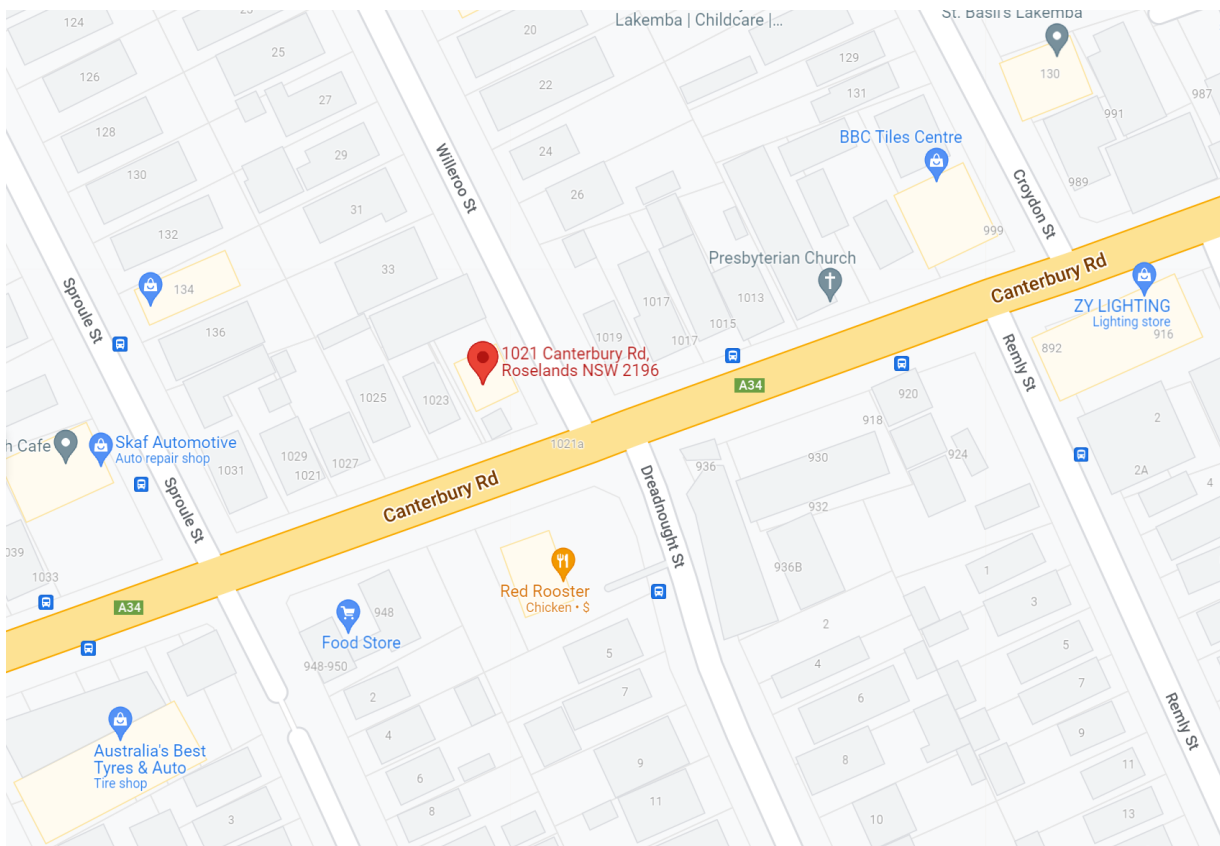


Fig 1: Location plan of subject site
(Source: Google Maps)

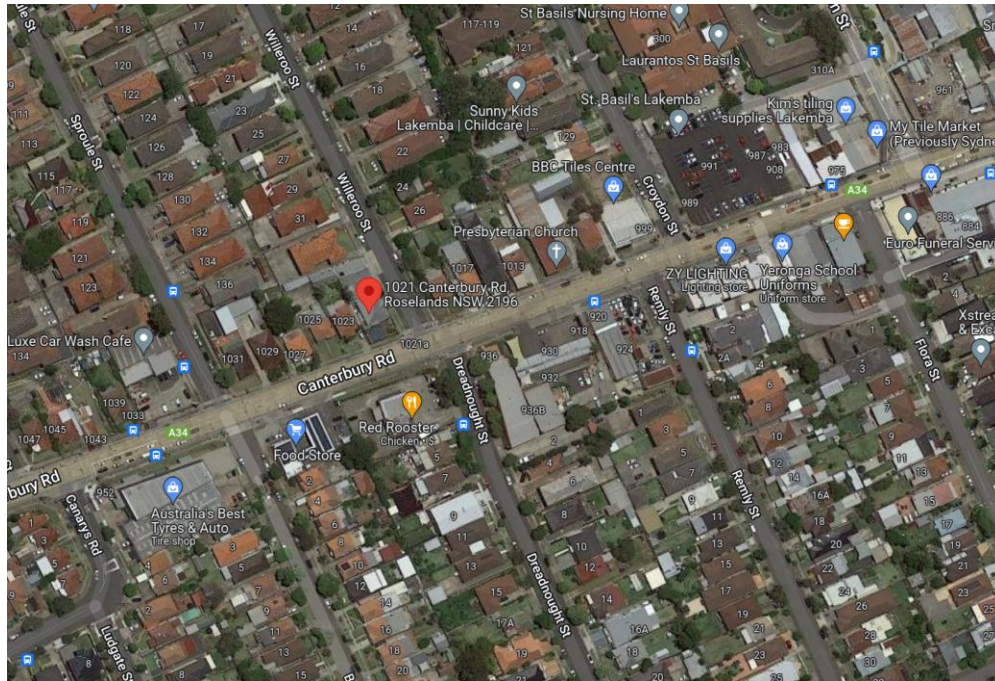


Fig 2: Aerial photograph of subject site
(Source: Google Maps)



Fig 3: View of the subject site, looking north-west from the intersection of Canterbury Road & Willeroo Street



Fig 4: View of the adjoining dwelling to the west, looking north from Canterbury Road



Fig 5: View of the adjoining development to the west of the site, looking north-west from Canterbury Road



Fig 6: View of the adjoining development to the east of the site, looking north-east from Canterbury Road



Fig 7: View of the adjoining development opposite the site on the southern side of Canterbury Road, looking south-west



Fig 8: View of the subject site, looking south-west from Willeroo Street



Fig 9: View of the subject development and including the southern building, looking west from Willeroo Street



Fig 10: View of the subject development and including the northern building, looking west from Willeroo Street



Fig 11: View of the subject development and including the northern residential neighbour, looking west from Willeroo Street

4.0 Proposed Development

The proposal seeks consent for the construction of a lightweight metal awning over the existing outdoor paved play area adjoining the Canterbury Road frontage of the site.

The metal awning has a skillion roof form falling towards the community facility and will have a maximum height of approximately 4.5m. The awning has an area of approximately 104m².

The proposed awning will stand to within 900mm of the southern boundary facing Canterbury Road, 900mm to the Willeroo Street, eastern side boundary and 900mm to the western neighbouring property boundary.

The proposed structure will have a lightweight metal frame with translucent roof sheeting to provide for weather and solar protection for the community facility patrons.

There are number of other examples of structures in close proximity to the front boundary to Canterbury Road and in particular, the examples noted below:

- 1013 Canterbury Rd Lakemba – front curved pergola
- Presbyterian Church – existing building
- BBC Tiles building centre - 999 Canterbury Road Lakemba with an enclosed glass structure (see Figure 13)



Fig 12: View of the curved carport/pergola forward of the dwelling at 1013 Canterbury Road



Fig 13: View of the Samoan Presbyterian Church – 1007 Canterbury Road



Fig 14: View of the BBC Building Centre – 999 Canterbury Road

5.0 Relevant Statutory Controls

5.1 State Environmental Planning Policy (Industry and Employment)

SEPP (Industry and Employment) is applicable to the proposed development, specifically the provisions of Chapter 3 Advertising and Signage. The aims and objectives of Chapter 3 of this policy are as follows:

- (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 Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

The proposal will not see any change to the existing building identification signage.

5.2 State Environmental Planning Policy (Transport and Infrastructure)

Canterbury Road is a classified road, and as such, the provisions of SEPP (Transport and Infrastructure) are applicable to the proposed development, specifically the provisions of section 2.118 Development with frontage to classified road. The objectives of this section are as follows:

- (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

Section 2.118(2) of this policy prescribed that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise*

or vehicle emissions within the site of the development arising from the adjacent classified road.

The consent authority can be satisfied in this respect, as follows:

- The proposed lightweight awning stand wholly within the property boundaries and is not seen as having any direct impact on the adjacent road network.
- The safety, efficiency and ongoing operation of Canterbury Road will not be adversely affected as a result of the proposed development, and

There are no other provisions of the SEPP that apply to the proposed development. It is considered that the proposal complies with the relevant requirements and objectives of SEPP (Transport and Infrastructure).

5.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 – Remediation of Land and in particular Clause 4.6 suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the recent history of the site for non-industrial use, the site is not considered to be subject to contamination and further investigation is not required at this stage.

5.4 Canterbury Local Environmental Plan 2012

The subject site is zoned R4 High Density Residential under the CLEP 2012. The proposal seeks consent for minor additions alterations to the approved community facility through the inclusion of a lightweight metal awning over the existing outdoor play area located in the southern portion of the site.

The proposal will support the approved committee facility with site.

The approved community facility is to be run by Darul Tarbiyah Incorporated, a charitable organisation registered on the Australian Charities and Not-for-profits Commission Charity Register, and aims to provide guidance tutoring, together with community activities and support facilities, to the local community.

The use of the premises for the purpose of a *community facility* is permissible in the R4 High Density Residential zone with the consent of Council.

Council has issued consent for the approved community facility use under DA-233/2022, by Notice of Determination for consent dated 6 April 2023.

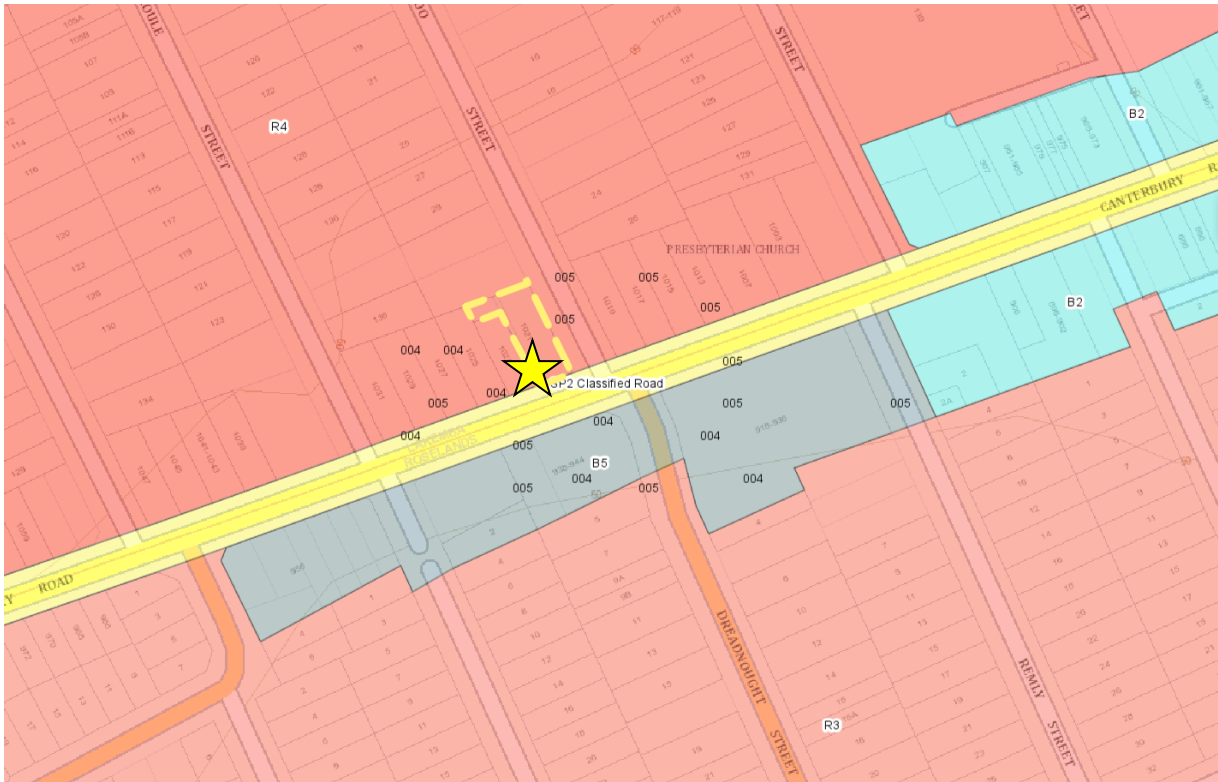


Fig 15: Extract of Zoning Map of CLEP 2012
Source: ePlanning Spatial Viewer

The use of the land for community purposes within the R4 High Density Residential zone is consistent with the relevant zone objectives, which is noted as:

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Clause 4.3 – Height of Buildings

The site is identified as being within Area I on the Height of Buildings Map of CBLEP 2012, with a maximum building height of 8.5m.

The proposed lightweight metal awning will have a height of approximately 4.5m above ground, well below the 8.5m height limit prescribed by clause 4.3 of CLEP 2012.

Clause 4.4 – Floor Space Ratio

The site is identified within Area I on the Floor Space Ratio Map of CBLEP 2012, with a maximum floor space ratio of 0.75:1.

The application does not propose to alter the existing gross floor area.

The proposed development remains consistent with the provisions of clause 4.4 of CLEP 2012.

5.5 Canterbury -Bankstown Development Control Plan 2023

The CBDCP 2023 is the relevant instrument to support CLEP 2012 and is applicable to the proposal.

The following Clauses of the CBDCP 2023 are considered relevant and are detailed throughout the following compliance table.

| Control | Required | Proposed | Compliance |
|--|--|---|----------------------|
| Chapter 3.2 PARKING | | | |
| Section 2 Off Street parking rates | <p>Development must provide the number of car spaces, bicycle spaces and car wash bays as required by the rates in section 2.</p> <p>If the parking calculation results in a fraction of a parking space, the number of spaces required is rounded up to the nearest whole number.</p> <p>Developments comprising more than one (1) land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the parking rates table (Table Section 2 of this DCP).</p> | The proposed structure will not alter the car parking requirements for the site, nor will it remove any on site carparking opportunity. | Acceptable on merit. |
| Section 3 Design and Layout | Parking to comply with AS2890.1 | No change to existing parking arrangements. | - |
| ACCESSIBLE AND ADAPTABLE DESIGN | | | |
| General Controls | <p>All development must comply with the following:</p> <p>(a) All Australian Standards relevant to accessibility;</p> <p>(b) The Building Code of</p> | <p>The existing premises is approved for use as community facility.</p> <p>The inclusion of the proposed metal awning over</p> | Yes |

| Control | Required | Proposed | Compliance |
|--|--|--|------------|
| | Australia access requirements; and (c) The Disability Discrimination Act 1992. | the outdoor play area will not alter the BCA access requirements for the site. No changes are proposed to the existing premises in this regard. | |
| Chapter 3.3 – WASTE MANAGEMENT | | | |
| 3.3 Waste Management Plan (Ongoing Use) | Submit a waste management plan for the ongoing use of the development once completed, consistent with the guidelines in Appendix 4. | Construction waste will be managed and there is no ongoing waste requirements from the proposed lightweight awning structure. | Yes |
| Chapter 10 – Other Development – Non-Residential Land Uses in Residential Zones | | | |
| Section 5 – Other non-residential development | <p>Non- residential development in a residential zone will be assessed for its impact on residential amenity.</p> <p>Non-residential development in a residential zone will only be acceptable where adverse impacts on the amenity of residences in the immediate area (for example through traffic generation, parking demand, noise or any other form of pollution that is incompatible with residential uses) are avoided or minimised.</p> <p>Council may impose conditions of consent to minimise any impact on residential amenity including limiting the scale of the development, restricting hours of operation or the like.</p> | The inclusion of the proposed lightweight awning will not have any direct impact on the residential properties surrounding. The structure stands wholly within the subject site and provides weather protection for an existing outdoor play area for the children utilising the facility. | Yes |

| Control | Required | Proposed | Compliance |
|---------|---|----------|------------|
| | Building design needs to be compatible with surrounding area. | | |

6.0 Matters for Consideration under Section 4.15 of the EP&A Act

6.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the CLEP 2012. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

The application has also considered the provisions of all relevant SEPPs, specifically State Environmental Planning Policy (Industry and Employment) 2021 and State Environmental Planning Policy (Transport and Infrastructure) 2021, and it is confirmed that the proposal is consistent with the relevant objectives and requirements of these policies.

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

There are no draft instruments to be considered in relation to the proposal.

6.3 Any development control plan

The development has been designed to generally comply with the requirements of CDCP 201.

It is considered that the proposed design respects the desired character objectives of the DCP in that it provides a permissible land use within a currently vacant tenancy, that will result in a positive contribution to the area.

6.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.

No matters of relevance are raised in regard to the proposed development.

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

No matters of relevance are raised in regard to the proposed development.

6.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks approval for the construction of a lightweight awning over an existing outdoor paved play area is reasonable.

The development will maintain a favourable bulk and scale relationship with other development in the vicinity. It is considered that the resultant development is compatible with and will complement the character of the area. There is no significant vegetation to be removed.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and Council's Codes and Policies.

6.7 The suitability of the site for the development

The subject land is currently zoned R4 High Density Residential under the Canterbury-Bankstown Local Environmental Plan 2023 and is considered suitable for the proposed development.

The subject site does not exhibit any significant constraint to the construction of the proposed dwellings.

6.8 Any submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

6.9 The Public Interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest.

7.0 Conclusion

The principal objective of this development is to support the construction of a lightweight metal awning for weather protection and solar protection over an existing outdoor paved play area, utilised by children within the approved community facility.

The proposed development will provide for weather and solar protection for the children utilising the facility. By providing a development which is consistent with the locality and minimises the impact on surrounding land uses, the objectives of Council's LEP & DCP have been satisfied.

As the proposed development will not have any significant adverse impacts on the environment, scenic quality of the area or the amenity of the adjoining allotments, there is no statutory impediment or meritorious reason as to why Council should not grant consent to the proposed development.

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