



Statement of Environmental Effects

**335 Homer Street, Earlwood
Lot A on DP101536**

**Extension to Hours of Operation and Signage
associated with a Recreation Facility (Indoor)**

**Prepared by Plan A Town Planning Pty Ltd
For Twiyo Active**

**Version 2.0
June 2025**

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1.0 SUMMARY

This Statement of Environmental Effects has been prepared by Plan A Town Planning Pty Ltd on behalf of Twiyo Active to accompany an application to The City of Canterbury Bankstown for the purpose of extensions to hours of operation and signage associated with a lawfully established Recreation Facility (Indoor) at 335 Homer Street, Earlwood described as Lot A on DP101536.

The Applicant is seeking consent from Council pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* for an extension to the hours of operation and advertising devices associated with a Recreation Facility (Indoor) which established under a Complying Development Certificate (CF25192CD01)

Council's mapping indicates that the site is located within the E1 – Local Centre Zone.

It is noted that under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, uses are permitted to operate during the hours of 6am to 10pm where complying with the Noise Policy.

This application seeks development consent from Council to extend these hours of operation and install associated signage. Specifically, the proposal seeks to extend the hours of operation by 1 hour to commence from 5am.

The proposal involves the installation of various Business Identification Signs and decals including:

- 1 Illuminated Double Sided Under Awning Sign
- 1 Non-Illuminated Awning Fascia Sign
- 1 Illuminated Top Hamper Sign
- 1 Painted Parapet Sign
- Various Non-Illuminated Window Signs & Vinal Decals

The Recreation Facility (Indoor) is for a class-based gym. Each session is coach-led and runs with a programmed structure focused on strength, conditioning, and functional movement. The proposal does not involve unsupervised or free use of the gym.

A maximum of 25 patrons will apply to the 5am session. Sessions will be for a duration of 50 minutes. Noise is to be managed in accordance with the relevant policies and submitted acoustic reporting. Music is to be kept at a low volume and workouts are to be conducted entirely indoors. Doors are to remain closed and members are instructed to arrive quietly and not congregate outside the premises.

Overall, it is considered that the proposed hours of operation and signage are consistent with the desired outcomes for the zone. The proposal is located within an existing commercial premises and will integrate well with the existing tenants in the immediate area which are largely commercial and mixed use. The proposal is supported by the attached Acoustic Impact Assessment prepared by Acoustic Dynamics.

Further, the proposed signage has been designed to have a clutter-free appearance and will maintain a positive contribution to the streetscape.

The proposal is not considered to significantly impact on adjoining properties and is considered appropriate for the site and the relevant zoning.

This report addresses all the required matters set out in clause 4.15(1) of the Act including The Canterbury-Bankstown Local Environmental Plan 2023, the Canterbury-Bankstown Development Control Plan 2023 and other relevant matters to enable Council as the consent authority to assess the proposal in accordance with the *Environmental Planning & Assessment Act 1979*.

The information contained in this report demonstrates compliance with the relevant planning criteria and the proposal's suitability for the site.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposal and the Application is recommended for Consent.

2.0 APPLICATION DETAILS

2.1 SITE DETAILS

SITE DETAILS	
Site Address	335 Homer Street, Earlwood
RPD	Lot A on DP101536
Current Land Use	Recreation Facility (Indoor)
Local Government	City of Canterbury-Bankstown
Local Environmental Plan	Canterbury-Bankstown Local Environmental Plan 2023
Development Control Plan	Canterbury-Bankstown Development Control Plan 2023
Zoning	E1 – Local Centre
Planning Controls	Height of Building – 18m Acid Sulfate Soils – Class 5 Local Provisions – Area 2

2.2 APPLICATION DETAILS

APPLICATION DETAILS	
Description of Approval Sought	Consent for the purpose of extensions to hours of operation and signage associated with a Recreation Facility (Indoor)
Applicant	Twio Active c/- Plan A Town Planning Pty Ltd PO Box 13 FORTITUDE VALLEY QLD 4064 Contact Person: Holly Ilka Phone: (07) 3846 0807 Email: planning@planatp.com.au
File Reference	25-160

2.3 SITE ANALYSIS

Site Description	
Site History	The site has been previously developed for commercial purposes and the Recreation Facility (Indoor) has lawfully established by way of a Complying Development Certificate (CF25192CD01). This relates to operations of the gym from 6am to 10pm under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Topography	The site is generally flat.
Shape of the Site	The site is rectangular in shape
Street Frontage	The lot has frontages to Homer Street and Homer Lane.
Surrounding Land Use	The site is located in an established mixed-use area and is surrounded by predominantly commercial and residential uses.
Vegetation	The site does not contain any significant vegetation.

The below aerial photo extract that shows the location of the site.



Figure 1. Aerial photo of subject site (Source: Nearmap)

3.0 TOWN PLANNING STATUTORY CONSIDERATIONS

3.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

Development is defined in Part 1, clause 1.5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) as follows.

- (1) For the purposes of this Act, development is any of the following—
- (a) *the use of land,*
 - (b) *the subdivision of land,*
 - (c) *the erection of a building,*
 - (d) *the carrying out of a work,*
 - (e) *the demolition of a building or work,*
 - (f) *any other act, matter or thing that may be controlled by an environmental planning instrument*

On the basis that the proposal involves the use of land (hours of operation), and the carrying out of works (signage installation) it is considered that the proposal is consistent with the definition of 'development'.

Part 4 of the EP&A Act outlines the requirements for development and to obtain consent. The relevant consent authority in this instance is the City of Canterbury-Bankstown.

Clause 4.15 of the Act prescribes the following matters that a consent authority is to consider when determining a development application.

4.15 Evaluation(cf previous s 79C)

(1) Matters for consideration—general

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

- (a) *the provisions of—*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
 - (v) *(Repealed)**that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

This Statement of Environmental Effects has been prepared to demonstrate that the proposal appropriately addresses the above such that consent can be granted. In particular, clause 4.15(1)(a) is addressed in Section 4 and clauses 4.15(1)(b) to (e) are addressed in Section 6.

4.0 ENVIRONMENTAL PLANNING INSTRUMENTS

4.1 STATE ENVIRONMENTAL PLANNING POLICIES (SEPP)

The following State Environmental Planning Policies have been identified as being relevant environmental planning instruments that apply to the site. This section includes an assessment against these SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021: Excluded (pub. 21-10-2022)	NOT APPLICABLE The proposal is to be located within an existing building and will not impact on biodiversity or conservation values.
State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal is to be located within an existing building and will not impact on biodiversity or conservation values.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)	NOT APPLICABLE Refer section 4.1.1 below.
State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)	NOT APPLICABLE The proposal does not involve housing.
State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The site is not located in the Western Sydney Employment Area.
State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal does not involve state or regionally significant development.
State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal does not involve primary production or rural development.
State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal does not involve coastal management, hazardous or offensive development or land remediation.
State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal does not involve mining, petroleum production and extractive industries.
State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)	NOT APPLICABLE The proposal is to be located within an existing tenancy and will not alter building sustainability.
State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)	NOT APPLICABLE The proposal does not involve transport or infrastructure.

4.1.1 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is the relevant NSW State Government policy for exempt and complying development.

It is noted that under the Exempt Development criteria within the SEPP, uses in the E1 Zone are permitted to operate during the hours of 6am to 10pm where complying with the Noise Policy.

As the proposal seeks to extend these lawful hours to commence at 5am, and install various signage, Council consent is required.

4.2 CANTERBURY-BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

The Canterbury-Bankstown Local Environmental Plan 2023 (**LEP**) has been identified as one of the relevant environmental planning instruments that apply to the site. This section includes an assessment against the relevant provisions of the LEP.

4.2.1 Land Use Definition

The proposal is for extension to hours of operation and installation of signage associated with a lawfully established Recreation Facility (Indoor). The use is consistent with the following definition under the LEP.

"recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club."

4.2.2 Site Zoning

The site is located within the E1 Local Centre Zone of the LEP.

The objectives of this zone are listed as follows:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

RESPONSE – COMPLIES

The proposal complies with the objectives of the E1 Local Centre Zone. The proposal is for extensions to hours of operation and signage associated with a Recreation Facility (Indoor) which serves the local community and contributes to new employment opportunities and economic growth.

The proposed hours of operation are considered appropriate given the context of the area. The proposal is adequately separated from sensitive uses and the proposed one-hour extension to hours of operation would not

have any adverse impacts on adjoining properties. Further, we note the proposal is consistent with existing development in the area and as such we consider the one-hour extension to hours of operation to facilitate 5am commencement to be appropriate. The proposal is supported by the attached Acoustic Impact Assessment prepared by Acoustic Dynamics.

Please refer to the zoning map below which shows the location of the site in proximity to other zones in the area.



Figure 2. Zoning map showing context of subject site.

4.2.3 Height of Building

Not applicable. The proposal will not alter the existing building height.

4.2.4 Floor Space Ratio

Not applicable. The proposal will not alter the existing floor space ratio.

4.2.5 Minimum Lot Size

Not applicable. The proposal will not alter the existing lot size.

4.2.6 Heritage

Not applicable. The site is not identified as being heritage listed.

4.2.7 Land Reservation Acquisition

Not applicable. The site is not identified as being subject to any land reservation acquisition.

4.2.8 Foreshore Building Line

Not applicable. The site is not identified as being subject to a foreshore building line.

4.2.9 Acid Sulfate Soils

The site is subject to Class 5 Acid Sulfate Soils, however the proposal involves reuse of an existing building and



does not involve filling or excavation.

4.2.10 Local Provisions

The site is subject to the Local Provisions planning control. It is noted that the proposal involves reuse of an existing building for a Recreation Facility (Indoor) which is considered not to be restricted in Area 2.

5.0 CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

The Canterbury-Bankstown Development Control Plan 2023 ('DCP') has been identified as the relevant development control plan that applies to the site. This section includes an assessment against the relevant provisions of the DCP.

Following a review of the DCP, we understand that the following chapters may be relevant to the proposal:

Chapter 3 – General Requirements – 3.6 Signs

- Section 2 – Location and Design
 - 2.2 – 2.4 Signs in Zones E1, E2 and MU1
 - 2.8 – Prohibited Signs
 - 2.9 – 2.16 – Design
- Section 3 – Illumination and Reflectance
 - 3.1 – Illumination and Reflective Criteria for Non-Digital Signs

Chapter 7 Commercial Centres

- Section 9 General Design and Amenity
 - 9.21 – Development Adjacent to Residential Zones

We provide an assessment against the relevant assessment benchmarks within these chapters as follows.

CHAPTER 3 GENERAL REQUIREMENTS – 3.6 SIGNS

Objectives

- (1) To ensure signs are compatible with the desired amenity and visual character of the locality.
- (2) To ensure signs are compatible with the development on which it is displayed.
- (3) To ensure development does not lead to visual clutter through the proliferation of signs and displays.
- (4) To ensure signs contribute to the safety, legibility and amenity of Canterbury-Bankstown.

RESPONSE – COMPLIES

The proposed signage is designed to be compatible with the tenancy and integrates well with signage in the surrounding Local Centre area. The number, size, shape, illumination, and colour of the signage are consistent with signage in the streetscape.

Development Controls	Response
Signs in Zones E1, E2 and MU1	
C2.2 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:	C2.2 Complies The proposed business identification signs are generally consistent with the existing sign arrangements and as such will integrate with the existing building.

<p>(a) The total sign area must not exceed 0.5m² for each metre of the primary street frontage.</p> <p>(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.</p> <p>(c) A maximum of one under awning sign is permitted for each ground floor tenancy.</p> <p>(d) Window signs must not obscure more than 25% of the window area.</p> <p>(e) Parapet signs and individual laser cut lettering applied to the facade are permissible above the awning level.</p>	<p>It is noted that the parapet sign is painted and as such will not protrude or present as disproportionate to the street. The proposed signage is complementary to the existing building and generally complies with the prescribed total sign area.</p> <p>The signs and vinyls located on the windows at the building's frontage are not proposed to take up over 25% of the window.</p> <p>Additionally, the parapet sign is located above the awning on the building façade facing the street.</p>
<p>C2.3 Council does not permit signs above the parapet of the podium level.</p>	<p>C2.3 Not Applicable Signs are not proposed above the parapet of a podium level.</p>
<p>C2.4 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.</p>	<p>C2.4 Not Applicable The proposed signage for the Recreation Facility (Indoor) does not involve the use of pylon signs.</p>

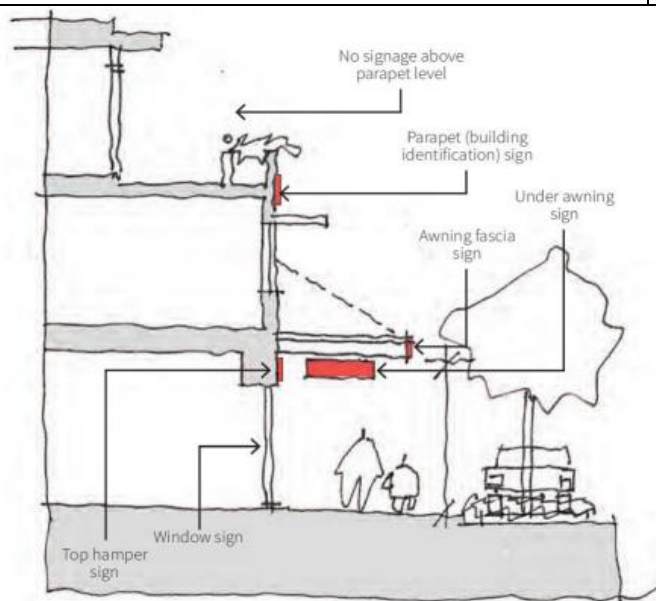


Figure 2a: Signs in Zones E1, E2 and MU1

Prohibited Signs

<p>C2.8 Council prohibits the following signs:</p> <p>(a) flashing signs, flashing lights, signs which incorporate devices which change colour, a sign where movement can be recognised by a passing motorist;</p> <p>(b) signs that extend over street boundaries, other</p>	<p>2.8 Complies The proposed signs do not extend over street boundaries and are all fixed to the site. Additionally, the signs do not incorporate flashing lights, lights that change colour or signs that move. The proposal involves low-intensity lightbox illuminated signage which will be appropriately incorporated into the</p>
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<p>than those permitted in conjunction with shops, or the like, where such buildings are erected on the street alignment;</p> <p>(c) signs which would adversely affect existing traffic lights;</p> <p>(d) signs which are not permanently fixed to the site;</p> <p>(e) signs made of canvas, calico or the like.</p>	<p>façade and compatible with the streetscape. Further, the proposed signs will not adversely affect existing traffic lights within the streetscape.</p>
Design	
<p>C2.9</p> <p>Corporate colours, logos and other graphics must achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and streetscape.</p>	<p>C2.9 Complies</p> <p>The colours of the proposed signs correlate with the logos and colours of the gym. These colours have a high compatibility with the materials and finishes of the Recreation Facility.</p>
<p>C2.10</p> <p>Building identification signs and business identification signs that are painted or attached to a building must not screen windows and other significant architectural features of the building.</p>	<p>C2.10 Complies</p> <p>The proposed painted building and business identification signs for the development do not screen windows or other key architectural features of the building.</p>
<p>C2.11</p> <p>Signs are not to dominate in terms of scale, number, proportion and form or any other attributes.</p>	<p>C2.11 Complies</p> <p>The signs are not proposed to dominate the scale or proportion of the development.</p>
<p>C2.12</p> <p>The amount of signs may be limited due to the cumulative impact on a locality or a building.</p>	<p>C2.12 Complies</p> <p>The proposed Signage is not considered to have an adverse cumulative impact on the building or locality.</p>
<p>C2.13</p> <p>The design and place of signs are not to adversely impact on the amenity of residential sites.</p>	<p>C2.13 Complies</p> <p>There are no proposed signs which will adversely affect the amenity of residential sites. Additionally, there are no proposed signs that orientate toward residential sites.</p>
<p>C2.14</p> <p>Signs are to be designed for easy maintenance.</p>	<p>C2.14 Complies</p> <p>The signs are able to be easily cleaned and maintained by the business.</p>
<p>C2.15</p> <p>Development must remove signs that are no longer necessary or unsightly to avoid clutter.</p>	<p>C2.15 Complies</p> <p>All existing signs will be removed to avoid unnecessary clutter on the building facade.</p>
<p>C2.16</p> <p>Signs are not to include offensive or objectionable material in the content of an advertisement (such as discriminatory messages, promotion of unlawful or anti-social behaviour, encouraging excessive consumption of alcohol, pornography, or offensive language).</p>	<p>2.16</p> <p>The proposed signage for the Recreation Facility does not include offensive or harmful material such as discrimination or offensive language. The proposed signage is for business identification signage.</p>
Illumination and Reflectance Criteria for Non-Digital Signs	
<p>C3.1</p> <p>The following criteria apply to non-digital illuminated signs illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:</p>	<p>C3.1 Complies</p> <p>The proposed Under Awning Sign is to be illuminated and will comply with the luminance requirements listed within Table 3a.</p>

<p>(a) Signs must comply with the luminance requirements in Table 3a.</p> <p>(b) For night time use, signs (whether internally illuminated or lit from its exterior) must not cast a shadow on areas that were previously lit and that have a special lighting requirement, e.g. pedestrian crossings.</p> <p>(c) The light sources for illuminated signs must focus solely on the sign and:</p> <ul style="list-style-type: none"> (i) be shielded so that glare does not extend beyond the sign (ii) with the exception of back lit neon signs, have no light source visible to passing motorists with a light output greater than that of a 15W fluorescent/ LED bulb. <p>(d) The level of reflectance of a sign, and its content, is not to exceed the 'minimum coefficients of Luminous intensity per unit area for Class 2A material', as set out in the Australian Standard AS/NZS 1906.1, Retroreflective materials and devices for road traffic control purposes will not be approved.</p>	<p>The light from this sign will not cast light upon areas with required specifications such as pedestrian crossings, and additionally will not produce undue glare or light output which is visible to motorists. This light will be limited to utilising lighting which does not provide a greater output than an 15W fluorescent/LED bulb.</p> <p>Materials for this sign will not provide reflectance which exceeds the 'minimum coefficients of Luminous intensity per unit area for Class 2A material', as set out in the Australian Standard AS/NZS 1906.1.</p>
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Illuminated Area (sqm)	Zone 1	Zone 2 (cd/sqm)	Zone 3 (cd/sqm)	Zone 4 (cd/sqm)	Zone 5
up to 0.5	no limit	2900	2000	1000	no limit
0.5 to 2.0		2300	1600	800	
2.0 to 5.0		2000	1200	600	
5.0 to 10.0		1500	1000	600	
over 10.0		1200	800	400	

Source: Transport Corridor Outdoor Advertising and Signage Guidelines, DPHI

CHAPTER 7 COMMERCIAL CENTRES – 7.1 GENERAL REQUIREMENTS

Objectives

- (1) To ensure development is compatible with the centres hierarchy and desired character of the centres.
- (2) To promote good design and amenity of the built environment.
- (3) To enhance the amenity for people who work in, live in and visit the centres.
- (4) To facilitate ecologically sustainable development.
- (5) To provide a high quality and activated public domain with good solar access.

RESPONSE – COMPLIES

The proposal is for signage and a change to hours of operation for a Recreation Facility. The proposed signage does not negatively affect the amenity of the Local Centre and enhances the design of the streetscape. The change in hours of operation do not provide adverse impacts upon the adjacent residential zones as displayed within the Acoustic Impact Assessment prepared by Acoustic Dynamics.

Section 9 – General Design and Amenity

- (1) To provide adequate amenity and landscape opportunities.
- (2) To meet the changing needs of residents throughout their lifetime and to better enable residents to age-in-place.
- (3) To ensure dwellings are easy to enter, easy to navigate in and around, and be capable of easy and cost-effective adaption.

- (4) *To ensure that a change of use from a dwelling in a residential flat building or shop top housing to a serviced apartment does not impact on the amenity, safety or security of residents in the building.*
- (5) *To prevent substandard residential building design by way of converted serviced apartment development.*
- (6) *To ensure front fences contribute to an attractive streetscape.*
- (7) *To ensure the siting and design of buildings contribute to the personal and property security of people.*
- (8) *To encourage building designs, materials and maintenance programs that reduce the opportunities for vandalism and graffiti.*
- (9) *To mitigate potential noise impacts between noise generating uses and dwellings in shop top housing and mixed use development.*
- (10) *To ensure development is compatible with the prevailing suburban character and amenity of neighbouring residential areas.*
- (11) *To ensure development contribute to a high quality streetscape.*
- (12) *To minimise visual clutter in the streetscape associated with overhead infrastructure.*

RESPONSE – COMPLIES

The proposal utilises signs that do not clutter the building facade and positively contributes to the character of the businesses within the streetscape. The Acoustic Impact Assessment prepared by Acoustic Dynamics outlines how changing the hours of operation will not adversely impact upon the adjacent residential uses.

Controls	Response
Development Adjacent to Residential Zones	
C9.21 In determining an application that relates to a site adjoining land in Zone R2, R3 or R4, Council must take into consideration the following matters: <ol style="list-style-type: none"> (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone; (b) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development; (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 8.00am and 4.00pm at the midwinter solstice; (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised; (e) whether the proposed development will otherwise cause nuisance to residents by way of noise, hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like; and (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences. 	C9.21 Complies The application is for signage and an additional hour of operation at 335 Homer Street, Earlwood. The signage will not impact upon the adjacent residential zones. The application is accompanied by an Acoustic Impact Assessment prepared by Acoustic Dynamics which demonstrates that the change in hours of operation will not nuisance adjacent residential dwellings.

6.0 ENVIRONMENTAL ASSESSMENT

Clause 4.15(1)(b) to (f) of the Act set out the matters a consent authority must consider when assessing a development application. These include, matters relating to the likely impacts of the development on both the natural and built environments, any social and economic impacts in the locality and whether the site is suitable for the proposed use. These matters form the key planning issues for assessment and are addressed below.

4.1 Likely impacts of development – cl. 4.15(1)(b)

Clause 4.15(1)(b) prescribes that a development must be assessed against “the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality”.

The proposal involves a lawfully established Recreation Facility (Indoor) within an existing premises that was previously developed for commercial purposes. The proposed extension to operating hours and signage will have no adverse impact on the natural or built environments.

The proposal further will not have any adverse social or economic impacts in the locality. The proposal merely seeks to extend the lawful operating hours of a Recreation Facility (Indoor) by one hour to commence from 5am and install associated Business Identification signage.

As detailed throughout this report, the proposal involves a use that is consistent with the uses envisaged for the relevant zoning and is located within an established mixed-use area. The Recreation Facility (Indoor) directly serves the local community and contributes to new employment opportunities and economic growth.

The proposed hours of operation and signage are considered appropriate given the context of the area and the approved development onsite, being a commercial premises.

The proposal is adequately separated from sensitive uses and the proposed hours of operation would not have any adverse impacts on adjoining properties. The proposal is supported by the Acoustic Impact Assessment prepared by Acoustic Dynamics.

4.2 Site suitability – cl 4.15(1)(c)

The proposal complies with the objectives of the E1 Local Centre Zone.

The proposal is for extensions to hours of operation and signage associated with a lawfully established Recreation Facility (Indoor), which is a use that is permissible with consent in the E1 Local Centre Zone. The proposal is located in an area with mixed uses and will not adversely impact nearby or adjoining uses.

4.3 Submissions – cl 4.15(1)(d)

Consideration will be given to any submissions made as a result of Council's consultation and notification processes.

4.4 Public interest – cl 4.15(1)(e)

As detailed throughout this report, the proposed extension to operating hours and signage will not have any adverse impacts on public interest as the use is lawfully operating and consistent with the relevant zoning of the site. The proposal is in an area with mixed uses and is consistent with the nature of surrounding development.

7.0 CONCLUSION

The proposal seeks Council's consent for the purpose of extensions to hours of operation and signage associated with a Recreation Facility (Indoor) at 335 Homer Street, Earlwood.

The proposal has been assessed against the relevant provisions within the City of Canterbury-Bankstown Local Environmental Plan 2023, City of Canterbury-Bankstown Development Control Plan 2023 and the relevant New South Wales State Government provisions and requirements.

This Statement of Environmental Effects has demonstrated in accordance with clause 4.15(1) of the Act that the proposal:

- generally complies with the relevant environmental planning instruments, development control plan and regulations as relevant to the proposal;
- will not have any adverse impacts on the built environment, being within an existing premises and associated with a lawfully established use;
- will not have any adverse social or economic impacts in the locality;
- involves a site that is suitable for the development, being within a commercial area; and
- will not conflict with matters of public interest.

The assessment has demonstrated that the proposed hours of operation and signage are appropriate for the site and will not adversely impact the operation of existing uses in the surrounding area.

The proposal considers the relevant environmental factors and incorporates appropriate measures to limit any environmental impacts.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposal and the application is recommended for consent.

8.0 APPENDICES

Architectural Plans prepared by VECA Group

Acoustic Impact Assessment prepared by Acoustic Dynamics

Signed Owner's Consent

NSW Title Searches

Cost of Works Estimate

ASICs Search

Neighbour Notification Plans

Signage Schedule

