Statement of Environmental Effects



3 Shelley Street, Campsie

Buddhist Temple

by Lis Architects

AP 1545 (DA-315/2021) October 2022





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Statement of Environmental Effects for submission to Canterbury Bankstown Council

DA-315/2021

October 2022 | AP 1545

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Report Updated by: Jennie Askin

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Date: 25 October 2022

Signature

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1. SUMMARY

This statement is to be read in conjunction with plans prepared by Lis Architects dated 10 August 2022. The statement has been updated in response to concerns raised by Council following the submission of the subject DA (DA-315/2021).

It is proposed to demolish the existing structures on site and construct a Buddhist Temple (primary use).

The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale.

The preparation of this Statement is pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000. It provides for an assessment of the development proposal, having regard to relevant legislation, contextual analysis, social, economic and environmental impacts, potential amenity impacts on the surrounding locality and the measures proposed to mitigate impacts.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.



2. THE SITE

The site is located at the end of a cul-de-sac on the north-western side of Shelley Street, to the south of Byron Street and north of Tennyson Street.



The site is triangular in shape with a front boundary of 53.83 metres and side boundaries of 41.15 metres and 36.575 metres. The site has an area of 790.962m². The site is relatively flat with gradual fall towards the street with the rear of the site approximately 0.65 metres higher than the front.





Figure 2: Site Context Aerial (Google Maps 2021)



Figure 3: Existing dwelling on site (aSquare Planning 2021)



On the site is a single storey residential dwelling, outbuildings, detached garage and one hardstand car space.

The site currently has two vehicular crossings on either side of the dwelling.

The site is zoned R3 Medium Density Residential under the provisions of the Canterbury Local Environmental Plan 2012. The building is not identified as a Heritage Item and is not within a Heritage Conservation Area.

The site is not located in the vicinity of any Heritage items.



Figure 4: Existing garage used as storage (aSquare Planning 2021)



3. THE LOCALITY

The locality is characterised by one to two storey residential dwellings. The site is located at the end of a cul-de-sac at Shelley Street and is joined with the cul-de-sac at Tennyson Street by a landscaped island.

Due to the triangular shape of the site, the northern side boundary adjoins the rear boundaries of No. 14, 16A and 18 Byron Street. The site also adjoins No. 1 Tennyson St at the western side boundary (Refer Figure 2).



Figure 5: No. 12A Byron Street – Cnr Byron St and Shelley St (aSquare Planning 2021)





Figure 6: Residential dwellings opposite subject site (aSquare Planning 2021)



Figure 7: Landscaped public land between Shelley St and Tennyson St (aSquare Planning 2021)





Figure 8: Shelley St Streetscape (aSquare Planning 2021)



Figure 9: Cul-de-sac at end of Tennyson St (aSquare Planning 2021)



4. BACKGROUND

4.1 Planning History – Subject Site

The building on the subject site appears to have been long-standing.

DA-27/2013 was approved on 28 November 2013 for internal alterations to a dwelling to allow for its use as a Place of Public Worship and residence.

4.2 Planning History – Adjoining Site

There is no recent recorded planning history relating to the site.

4.3 Pre DA Meeting

The matter was the subject of a formal pre-DA meeting on 9 October via Microsoft Teams with the architect Li Wang, and Council Officers Andrea Elias and Alice Pettini.

The full list of matters is attached in the Appendix 1. The subject proposal has been amended with considerations of the recommendations by Council.

The following design changes have been made to respond to Council's recommendations:

- The under-croft design has been removed
- Amendment to roof design
- Height reduced to comply with the maximum building height standard
- Overall gross floor area reduced to comply with the maximum FSR standard
- Basement car park layout redesigned

4.4 DA Consultation

A deferral letter dated 27 September 2021 in response to the subject DA (DA-315/2021) was issued by Council and a response was provided by the applicant in the form of amended plans and associated document including a planning response. The proposal was amended as follows:

- Reduction to ground floor and first floor gross floor area (total reduction of 27.5m²) which results in an FSR of 0.458:1 (compliant).
- Increase in front setback to a minimum of 4 metres

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- Increase in first floor rear setback to a maximum of 6.5 metres
- Changes to the building height plane
- Room configurations on the ground floor level
- Bicycle parking provided at the entry level
- Relocation of accessible car space and shared zone
- 2 x 1100L recycling bins provided in the waste storage room
- Increase of landscaped area from 181.817m² (22.99%) to 197.389m² (24.95%)

Further feedback has been provided in an email dated 4 August 2022 and the proposal has been further amended in the following manner:

- Reduction to ground floor and first floor gross floor area which results in an FSR of 0.4:1 (compliant)
- Internal reconfiguration of basement level to increase setback of excavation from boundaries
- Provision of bike parking at entry level
- Minor internal reconfiguration at ground level to accommodate increased side setbacks from 1.5m to 2.5m
- Reduction in building footprint at first floor level to accommodate increased setbacks and generally comply with height plane (C5 of F8.2 of CDCP)
- Increase of deep soil from 197.389m² (24.95%) to 242.45m² (30.6%)



5. PROPOSAL DESCRIPTION

This statement is to be read in conjunction with the following plans prepared by Lis Architects dated 10/08/2022:

DA002 B	Demolition Plan
DA003 C	Site Plan
DA004 C	Site Analysis Plan
DA005 C	Calculation Plans
DA006 C	Axometric Diagram
DA101 C	Basement Plan
DA102 C	Ground Floor Plan
DA103 C	First Floor Plan
DA104 C	Roof Plan
DA105 A	Kitchen Layout
DA201 C	Elevations
DA202 B	Elevations
DA301 C	Sections

The following reports are also submitted with this application

- Plan of Management
- Acid Sulfate Soil Management Plan prepared by Dr Upsilon Environments
- Landscape plan prepared by Lisound Landscape (Revision C)
- Traffic and Parking Assessment Report prepared by Motion Traffic Engineers
- Carpark and Driveway Certification Statement by Motion Traffic Engineers
- Arborist's report prepared by Horticultural Resources Consulting Group
- Stormwater Concept Plan prepared by Telford Civil
- Access Report prepared by Ergon Consulting
- BASIX Certificate

It is proposed to demolish the existing dwelling and construct a Buddhist Temple (primary use) with residential accommodation (ancillary use).

Specifically, the building is proposed as follows:

Basement

- \circ 8 x car spaces, one of which is accessible car space
- Storeroom
- o Waste room
- Fire stairs
- o Lift

• Ground floor

- Kitchen, pantry, office, dining, laundry, bathrooms and storeroom
- Residential accommodation on west wing of the temple comprising one bedroom with bathrooms, and wash basin (for priest only)
- o Scripture room and library to the east wing
- o Outdoor seating area
- o Fire Stairs
- o Lift

• First floor

- o Main worship hall, offering and relic room
- o Fire Stairs
- o Lift
- External
 - \circ $\,$ New front gate and fence
 - Stairs for access to main hall
 - New vehicular entrance and exit
 - Landscaping works
 - Removal of trees



Figure 4. 3D Diagram of proposal (Lis Architects 2022)

Operating hours:

Monday to Saturday 10:00am to 3:00pm Sunday 9:00am to 4:00pm

A typical Sunday timetable is:





Time	Activity	Venue
9-10am	Members start arriving and getting themselves ready for the commencement of Sunday event	Main Hall
10-11am	Group chanting	Main Hall
11-12am	Group Meditation	Main Hal
12-2pm	Lunch	Dining Room
2-4pm	Dharma Class (ie. sermon)	Main Hall

Maximum capacity: 30 people



ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15

The following matters are to be considered in the assessment of this development application under Section 4.15 of the Environmental Planning & Assessment Act, 1979.

6. S.4.15(1)(a)(i) ENVIRONMENTAL PLANNING INSTRUMENTS

6.1 Objects of the Environmental Planning and Assessment Act

The relevant objects under Section 1.3 of the Environmental Planning and Assessment Act, 1979 are:

- (a) 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,
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- (c) to promote the orderly and economic use and development of land,
- (d) to promote the delivery and maintenance of affordable housing,
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) to promote good design and amenity of the built environment,
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- *(j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposal is to construct a Buddhist Temple with residential accommodation. The proposal complies with relevant objects above in the following manner:



- Contributes to the social welfare of particular members of the community by providing a more liveable dwelling environment.
- The building will have excellent ESD performance and is designed to comply with BASIX requirements, helping to facilitate ecologically sustainable development.
- The proposal is permissible and complies with the relevant objectives of the zone, thereby promoting the orderly and economic use and development of land.
- The proposal is of a high standard of design and amenity in relation to the existing built environment.
- The proposal promotes the proper construction and maintenance of building through compliance with the Building Code of Australia (BCA).

As such the proposal is consistent with the relevant objects of the Act.

6.2 Integrated Development

Pursuant to Clause 4.8 of the Act, the proposal does not constitute Integrated Development.

6.3 Relevant State Instruments and Legislation (at time of lodgement)

State Environmental Planning Policy- Building Sustainability Index: (BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") is applicable to this application.

A BASIX certificate is included with this application. This demonstrates compliance with BASIX targets for Water, Energy and Thermal Comfort.

State Environmental Planning Policy No. 55 - Remediation of Land

This SEPP provides a state-wide practice for the remediation of contaminated land. Under clause 7 (1) (a) of State Environmental Planning Policy No. 55 – Remediation of Land, consideration has to be given as to whether the land is contaminated.



The site appears to have been in residential use since its original subdivision and there is no evidence of any potentially contaminating uses occurring. It can be concluded that there is no likelihood of contamination on this site. No further consideration is therefore required under clause 7 (1) (b) and (c) of SEPP 55.

State Environmental Planning Policy - Vegetation in Non Rural Areas 2017

The SEPP indicates that vegetation in any non-rural areas must not be cleared unless permission has been granted by Council.

An Arborist Assessment dated 7 April 2021 has been prepared and submitted with the application.

The proposal seeks to retain and protect the Eucalyptus scoparia and Dimocarpus longan tree on the site and remove the remaining Magnolias and fruit trees on the site. The report states that no significant development activity is required within the Structural Root Zone (SRZ) of the retained trees and therefore no stress is expected.

6.4 Canterbury Local Environmental Plan 2012

Aims of Plan

The aims and objectives of the Canterbury LEP 2012 are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to provide for a range of development that promotes housing, employment and recreation opportunities for the existing and future residents of Canterbury,
- (b) to promote a variety of housing types to meet population demand,
- (c) to ensure that development is of a design and type that supports the amenity and character of an area and enhances the quality of life of the community,
- (d) to create vibrant town centres by focusing employment and residential uses around existing centres and public transport nodes,
- (e) to revitalise Canterbury Road by encouraging a mix of land uses that does not detract from the economic viability of existing town centres,
- (f) to retain industrial areas and promote a range of employment opportunities and services,
- (g) to promote healthy lifestyles by providing open space that supports a variety of leisure and recreational facilities and encouraging an increased use of public transport, walking and cycling,
- (h) to protect the natural environment for future generations and implement ecological sustainability in the planning and development process,
- *(i) to protect and promote the environmental and cultural heritage values of Canterbury.*

The proposal complies with the above objectives.

Aims and objectives of zone

The site is zoned R3 Medium Density Residential under the provisions of the Canterbury Local Environmental Plan 2012. The objectives of the zone are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.





The existing and proposed use as a Place of Public Worship with residential accommodation is permissible with consent. The proposal is consistent with the objectives of the zone.

The primary use of the site is for the purposes of a Place of Public Worship with some residential accommodation associated with the primary use as an ancillary use.

Site Area (790.962m ²)	Proposed	Control	Complies
Height	8.5m (max)	8.5m	Yes
Floor Space Ratio	0.4:1 320.7m²	0.5:1 (395.48m²)	Yes
Acid Sulfate Soils	Acid Sulfate Management Plan submitted	Class 4 – Works more than 2 metres below the natural ground surface. Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface.	Yes
Flood Planning	The site is not flood- affected.	n/a	n/a
Stormwater Management	Stormwater Concept Plan has been submitted.	To minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties.	Yes

Statutory Compliance Table

The application has been assessed having regard to the relevant provisions of the LEP and is acceptable for the reasons discussed above.

7. S.4.15(1)(a)(ii) DRAFT AMENDMENTS TO STATUTORY CONTROLS

7.1 Draft Canterbury Consolidated Local Environmental Plan 2021

This draft plan has been placed on public exhibition, adopted by the Local Planning Panel and is now being reviewed by the NSW Department of Planning, Industry and Environment.

The Consolidated Canterbury Bankstown LEP will replace Bankstown LEP 2015 and Canterbury LEP 2012. The consolidation and harmonisation process will result in some policy changes to the aims, objectives, land use table and planning controls currently applying in the Canterbury Bankstown Local Government Area (LGA). It will also require the preparation of supporting planning documents including a Consolidated Development Control Plan, Contributions Plan, Guidelines and mapping.

Clause 1.2 - Aims of Plan

The aims of the plan are amended to read 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 Bankstown, and recognises the needs and aspirations of the community,
- (b) to protect and enhance the landform and vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Bankstown,
- (c) To protect Aboriginal, natural, cultural and built heritage of Canterbury Bankstown,
- (d) To provide development opportunities that are compatible with the character and amenity of Canterbury Bankstown,
- (e) To minimise risk to the community in areas subject to urban and natural hazards by restricting development in sensitive areas,
- (f) To provide a range of housing opportunities to cater for changing demographics and population needs,
- (g) To provide a range of business and industrial opportunities to encourage local employment and economic growth,
- (h) To provide a range of recreational and community service opportunities to meet the needs of residents of and visitors to Bankstown,



- (i) To achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,
- (j) To concentrate intensive trip-generating activities in locations most accessible to rail transport to reduce car dependence and to limit the potential for additional traffic on the road network,
- (k) To consider the cumulative impact of development on the natural environment and waterways and on the capacity of infrastructure and the road network,
- (I) To enhance the quality of life and the social well-being and amenity of the community.
- (m) To provide for infrastructure to meet the demands arising from growth,
- (n) To promote ecologically sustainable development.

The proposed Buddhist temple is consistent with the above aims of the plan and continues the use of the site for religious and cultural activity to serve the residents and visitors of Canterbury Bankstown.

Zoning R3 Medium Density Residential zone

The Draft Consolidated LEP will be harmonising the zone objectives of the BLEP and CLEP to read:

- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To allow for the development of land uses that achieve a high standard of urban design and have regard to local amenity and provide a suitable visual transition between high density residential areas and low-density residential areas.
- To require landscape as a key characteristic in the medium density residential environment.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To allow for increased residential density in accessible locations that maximise public transport patronage and encourage walking and cycling.

The site continues to be zoned R3 Medium Density Residential. The proposal provides a Buddhist temple that does not adversely affect the living environment or amenity of the area whilst being of a suitable design and scale for the R3 Medium Density Residential zone.

The proposal provides landscaping and small trees to the front of the site. Basement car parking is also provided including bicycle storage to encourage cycling. The site is located approximately 600m to the north of Campsie train station which will



naturally encourage walking. The proposal is therefore consistent with the objectives of the R3 Medium Density Residential zone.

Clause 4.3 - Height of Buildings

The objectives of the height of buildings standard have been modified to read as follows:

- (a) to establish the height of development consistent with the character, amenity and landform of the area in which the development will be located,
- (b) to maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of two storeys in Zone R2 Low Density Residential,
- (c) to provide appropriate height transitions between development, particularly at zone boundaries,
- (d) to minimise overshadowing and ensure there is a desired level of solar access and public open space,
- (e) to minimise the visual impact of development on heritage items and heritage conservation areas,
- (f) to support building design that contributes positively to the streetscape and visual amenity of an area.

The maximum building height prescribed for the site continues to be 8.5m from existing ground level to the highest point of the building. The proposal does not breach the maximum building height and is consistent with the above objectives.

Clause 4.4 - Floor Space Ratio

The objectives of the BLEP and CLEP are harmonised to read:

- (a) to establish the bulk and maximum density of development consistent with the character, amenity and capacity of the area in which the development will be located,
- (b) to ensure that the bulk of non-residential development in or adjoining a residential zone is compatible with the prevailing suburban character and amenity of the residential zone,
- (c) to require lot consolidations in commercial centres to facilitate higher quality built-form and urban design outcomes,
- (d) to establish the maximum floor space available for development, taking into account the availability of infrastructure and the generation of vehicular and pedestrian traffic,
- (e) to provide a suitable balance between landscaping and built form in residential areas.



The Floor Space Ratio control prescribed for the site continues to be 0.5:1 and the amended proposal, which has an FSR of 0.4:1, will continue to comply. The bulk of the proposed temple building is compatible with the character of the area whilst being distinguishable as a Place of Public Worship. Landscaping is provided to the front and rear of the site to provide balance and visual amenity.

The proposal has taken into consideration the relevant section of the Draft Consolidated LEP in accordance with Section 4.15(1)(a)(ii). The proposed development is consistent with the relevant sections of the Draft LEP and continues to comply with the numerical standards.



8. S.4.15(1)(a)(iii) DEVELOPMENT CONTROL PLANS

8.1 Canterbury DCP 2012

Compliance Table

As mentioned in the Pre-DA minutes, there are no specific building design controls applicable for Places of Public Worship and therefore, the proposal is subject to a merit-based assessment.

The following table addresses the relevant DCPs applicable to the proposed development. Relevant sections of Part C1 which ordinarily applies to Dwelling Houses has also been used as a guide.

DCP Clause	Controls	Proposal	Compliance
	Development Controls		
B1	Transport and Parking		
1.3	Parking Provision Rates A Traffic and Parking Assessment Report with a survey of similar developments is required.	An amended Traffic and Parking Assessment Report has been submitted with the application which concludes that the reconstruction of the existing Place of Worship provides sufficient carparking to meet the Sunday peak attendance parking demand and a Green Travel Plan is recommended. In addition, a survey of another place of public worship was undertaken as requested by Council.	Yes
1.4	Design of Parking Facilities	Carpark and Driveway Certification Statement	Yes
	All parking, and associated infrastructure is to comply	prepared by Motion Traffic Engineers concludes that	
	with Australian Standard	the car parking area and	



DCP Clause	Controls	Proposal	Compliance
	2890 Parking Facilities series.	driveway is compliant with Australian Standards and Council's DCP.	
B2	Landscaping	I	
B2.2 C2	Site Analysis undertaken as part of the DA preparation is to inform the preparation of the landscape plan.	Site Analysis Plan has been submitted.	Yes
СЗ	A Landscape plan should be preparade by a qualified landscape architect on consultant.	An amended Landscape Plan has been submitted and shows location of new trees and shrubs.	Yes
B2.3.1 C1	New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.	New landscaping complements the street and improves the streetscape.	Yes
C2	All development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.	Where possible, reuse of excavated soil is reused on site.	Yes
СЗ	An erosion and sediment control plan is required to ensure that soil erosion (and potential sedimentation of waterways) is minimised and managed.	Erosion and sediment control plan has been provided.	Yes
B3	Tree Preservation		
B3.2.1 C1	A person must not injure, remove or destroy any trees 5m in height or greater	An Arborist report has been prepared and	Yes



DCP Clause	Controls	Proposal	Compliance
	and/or with a trunk diameter of 150mm or greater measured at 1.4m above ground level without a permit or development consent granted by Council.	submitted with the application.	
B4	Accessible and Adaptable De	esign	
B4.2 C3	Submit a statement of consistency with the Disability Discrimination Act 1992. A person qualified to comment on access and mobility issues and accredited by the Association of Consultants in Access Australia or equivalent must prepare the statement. The statement must be signed by the person who prepared it and must refer to the plans that were assessed.	Access report has been prepared and submitted. The report demonstrates that accessibility can be appropriately achieved within the development with the provided comments and recommendations provided within the report.	Yes
B5	Stormwater and Flood Manag	gement	1
B5.2 C2	A detailed stormwater drainage plan is to be prepared by a practicing civil engineer with suitable experience in accordance with the AS/NZS 3500.3 Plumbing and Drainage – Part 3 and the relevant Australian Standards.	An amended Stormwater Concept Plan has been submitted with the application showing proposed location of pits and pump.	Yes
B5.5.3 C1	Provide OSD with all new commercial premises, industry and other non- residential development. Minor additional impervious areas, up to 5% increase, will	OSD is provided.	Yes

DCP Clause	Controls	Proposal	Compliance
	not incur an OSD requirement.		
B7	Crime Prevention and Safety	,	
B7.2	All Development Types		
B7.2.1	CPTED Principle: Surveillance Avoid blind corners in pathways, stairwells, hallways and carparks Provide natural surveillance for communal and public areas Provide clearly visible entries Design the fence to maximise natural surveillance from the street to the building, and minimise opportunities for intruders to hide.	The proposed temple and associated residential accommodation are oriented to face the street, enabling natural surveillance from communal areas and from the residences. The design incorporates clearly visible entries and open style fencing to allow surveillance.	Yes
B9	Waste		
B9.2 C2	Submit a waste management plan in relation to the waste that will be generated in the demolition and construction phase. The plan identifies how the generation of waste will be minimised, and how recycling and reuse of those wastes will be maximised. Refer to Appendix 2 for details.	Waste Management Plan has been submitted with the application.	Yes
B9.5 C1	Council provides waste and recycling collection for separately titled properties to non-residential development as per the following:	Waste and recycle bins and bulk recycle bins are located in the basement car park.	Yes



DCP Clause	Controls	Proposal	Compliance
	 a) Rubbish allocation is one x 240L rubbish bin per property b) Recycling allocation is one x 240L recycling bin per property; and c) Council's Waste Officer 	 7 x 240L general rubbish bins provided 2 x 1,100L recycle bin Please refer to basement plan for more details. 	
	will need to be consulted for allocation of bins for garden vegetation.		
C1	Dwelling Houses and Outbui	ldings	
C1.2.2	<u>Site Coverage</u> For sites between 600m ² to 899m ² :		
	Maximum area of building footprint is 380m ²	Max. building footprint is 307.16m ²	Yes
	Maximum floor area of all outbuildings is 60m ²	n/a	
	Maximum site coverage of all structures on the site is 40%	Max. site coverage of all structures is 38.8%.	Yes
C1.2.4 C1	Landscaping		
	Deep soil permeable areas required for sites above 600m ² Is 25% of the site area	Deep soil area proposed is 30.6%	Yes
C1.3.1	Floor Space Ratio as prescribed in LEP (0.50:1)	0.4:1 320.7m ²	Yes
C1.3.2 C1	<u>Height</u>		
	Development for the purposes of dwelling houses		Yes



DCP Clause	Controls	Proposal	Compliance
	must not exceed the following numerical requirements:	Maximum of two storeys is proposed. The residential component is one storey only.	
	 A maximum two storey built form 	2 storeys	Yes
	 b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m 	Maximum external wall height = 6.52m	Yes
	 c) Finished ground floor level is not to exceed 1m above the natural ground level 	Finished ground floor level does not exceed 1m above natural ground level.	Yes
C2	Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.	Basement is less than 1m above ground level	Yes
C1.3.3 C2	<u>Setbacks</u> Front: 4m Side: Minimum 1m Rear: Minimum 6m	The proposed setback is generally 4m with a minor encroachment for the south-eastern corners of the east and west wing and the main stair structure, which is uncovered. The main building read from the public domain is set back 8.3m from the front boundary with the	Acceptable
		The encroachments are limited to ground level only.	



DCP Clause	Controls	Proposal	Compliance
		Given the minor nature of the breach, the lack of amenity impacts and the overall provision of open space within the front of the site, the setback as proposed is considered acceptable.	
		It is also noted that the building line of the western wing will not extend forward of 1 Tennyson Street and the building line of the eastern wing adjoins the rear boundary of 14 and 16a Byron Street and therefore is not disrupting a front setback pattern along this part of Shelley Street.	
		The ground and first floor rear elevation is at 7.265m from the north-western corner of the site with each level stepping in from the north and west. The site setbacks are varied with a minimum 1.5m setback for the lift component.	
		The side and rear setbacks proposed are considered reasonable having consideration of the shape of the site. Furthermore, there are no solar access or visual privacy concerns resulting	

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DCP Clause	Controls	Proposal	Compliance
		from the development. (Refer to relevant sections on solar access/ visual privacy).	
C1.5.1 C1	Solar Access and Overshadowing Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8am and 4pm on 21 June.	Shadow diagrams are submitted with the application. The site is located on the corner with the street located to the south of the site. Internal areas will receive more than 3 hours of sunlight on 21 June, particularly the main dining hall, library and kitchen which has north- facing windows and doors.	Yes
C2	Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8am and 4pm on 21 June to at least 50% of the open space surface area.	The lawn and cloth hanging area to the northern corner of the site will receive more than 3 hours of solar access to the entire area on 21 June.	Yes
C4	Solar access to neighbouring development: Retain a minimum of 3 hours of sunlight between 8am to 4pm on 21 June to existing primary living areas and 50% of the principal private open space.	The proposal will only overshadow the adjoining property at 1 Tennyson Street at 8am on 21 June. From 12pm to 4pm shadows will only be cast towards the street. This means that the adjoining property will have at least 4 hours of sunlight between 12-4pm.	Yes
C1.5.2 C2	<u>Visual Privacy</u>	Windows to the ground floor residential	Yes



DCP Clause	Controls	Proposal	Compliance
	 Minimise direct overlooking of rooms and private open space through the following: a) Provide adequate building separation, and rear and side setbacks; and b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties. 	component are highlight windows. Windows facing 1 Tennyson Street will have timber privacy screens. The window to the relic room at the first floor is not likely to create significant overlooking due to the positioning of the window and the use of the room.	
C1.6.1 C6	<u>Fences</u> Screens with a minimum of 50% transparency may be up to 1.8m high along the front boundary.	Max. height of 1.8m, 50% open style fencing to allow passive surveillance	Yes
C3	Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.	No change to side boundary fence.	Yes
C6	Screens with a minimum of 50% transparency may be up to 1.8m high along the front boundary.	Front fence proposed is max 1.8m in height with 50% transparency.	Yes
C1.6.3 C1	Building Services All letterboxes be installed to meet Australia Post standards.	Letter box provided at the front entry gate.	Yes

DCP Clause	Controls	Proposal	Compliance
C2	Design and provide discretely located mailboxes at the front of the property.	Letter box provided discretely at the front of the property.	Yes
C4	Facilities should not be visually obtrusive and should not detract from soft- landscaped areas that are located within the required setbacks or building separations.	Lift and fire stairs are located to the rear and not visible from the public domain.	Yes
F8	Non-Residential Developmer	nt in Residential Zones	
C1	Non-residential development in a residential zone will be assessed for its impact on residential amenity.	The proposal has minimal impact on residential amenity and satisfies the solar access requirements in the DCP by providing 3 hours of sunlight to 50% of the private open space and primary living areas between 8am to 4pm on 21 June. In addition, privacy impacts are minimal due to the use of highlight windows. The relic room window has also been altered to be a highlight window. The first-floor rear setback has also been increased to 6.5m with roof design altered to minimise its bulk and scale as viewed from the adjoining properties. The proposal will not have any view impact on the adjoining properties or public domain.	Yes



DCP Clause	Controls	Proposal	Compliance
C2	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.	Adverse impacts to the immediate area are minimised. Please refer to the updated Traffic Report, Plan of Management and Acoustic Report for more information.	
C3	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.	An updated Plan of Management (PoM) has been prepared. The PoM confirms the following: Sunday 9am – 4pm group session, and occasional visits from community members during Saturday and weekdays No. of worshippers: 30 members Group chanting, meditation, scripture reading, discourse by the monk and group discussion, lunch and social gathering after	Yes
C4	Building design needs to be compatible with surrounding area.	The building has been redesigned to comply with the maximum building height standard. The amended design has further reduced the gross floor area and increased the building setbacks. It is	Yes



DCP Clause	Controls	Proposal	Compliance
		considered that the temple building is compatible with the surrounding area whilst still being distinguishable as a Place of Public Worship that is permissible in the R3 Medium Density Residential zone.	
C5	The non-residential component of buildings that adjoin residential zones should comply with the Building Height Plane.	Drawing No. DA301 of the amended plans shows the building height plane diagrams over various cross sections of the proposed building. The proposed building complies with the maximum building height control with minor encroachments to the DCP building height plane which are primarily design elements. These minor encroachments are considered acceptable given that there are no amenity impacts to the adjoining properties in terms of solar access, privacy or view loss. In addition, the proposal complies with the the height and FSR standards and the rear and building bulk has been set further back from the side and rear boundaries of the site.	Acceptable

Calculations prepared by Lis Architects


9. S.4.15(1)(a)(iv) APPLICABLE REGULATIONS

Clause 92 of the EPA Regulation 2000 requires consideration of Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this by standard conditions of consent.

Demolition will be undertaken in strict accordance with AS 2601-1991.

Demolition works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

10. S.4.15(1)(b) THE LIKELY IMPACTS OF THE PROPOSAL

Construction works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

Construction works will be carried out in accordance with the Building Code of Australia.

Excavation will be undertaken in accordance with standard Council conditions of consent and within nominated working hours. Construction noise associated with the excavation is intended to comply with the *Protection of Environment Operations Act 1997* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Precautions will be taken during site works to minimise vibration including the avoidance of sudden stop - start movements.

The site will be secured by a standard *Class A hoarding*, as required and appropriate signage will be erected. Sprays will be used during excavation; the public footpath, nature strip and road way will be kept clear and maintained in a safe condition.



The proposed excavation will not result in any pollution or siltation of any waterway or pose a threat to ecological communities or their habitats. Appropriate sediment and erosion control measures will be adopted during site works and the existing Stormwater system will be protected during works

The above analysis demonstrates that the proposals will have no adverse Environmental Impact and therefore satisfies this section of the Act.

11. S.4.15(1)(c) THE SUITABILITY OF THE SITE

The subject site is suitable for the proposal as:

- 1. The site is zoned R3 Medium Density Residential and it is proposed to construct a Buddhist Temple with residential accommodation that is permissible in the zone.
- 2. Adequate water, stormwater drainage and sewage facilities are available on the site for the proposed development.
- 3. Soil characteristics are appropriate.
- 4. The site is not subject to natural hazards such as bushfire tidal inundation and mass movement.
- 5. There are no precipitate constraints posed by adjacent land uses.
- 6. Appropriate erosion and sediment control measures will be employed during works.
- 7. The development will not result in environmental degradation of the coastal foreshore.
- 8. The site is well located in relation to recreation, public transport, shops and services, all available in the immediate locality.

The application therefore satisfies this section of the Act.

12. S.4.15(1)(d) SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT OR THE REGULATIONS

Not applicable to local development.



13. S.4.15(1)(e) THE PUBLIC INTEREST – CONCLUSION

It is proposed to demolish the existing structures and construct a Buddhist Temple with residential accommodation.

The proposed development is of a high-quality architectural design and has been designed to relate well to its site, adjoining sites and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale.

The proposed development will be in the public interest, as it will provide an appropriate building form and will protect the residential amenity of adjoining properties.

The proposal complies with all relevant SEPP, LEP and DCP objectives and would have no adverse impact.

The application therefore satisfies this section of the Act.



APPENDIX 1

PRE-DA MEETING MINUTES



发件人: Alice Pettini

发送时间: Monday, October 12, 2020 11:50 AM

收件人: Li Wang

抄送: Andrea Elias

主题: Pre-DA Meeting Minutes: 3 Shelley Street, Campsie

Dear Li.

Thanks for your time on Friday. Please find below the minutes from our meeting.

Site details:

- Address: 3 Shelley Street, Campsie
- Zoning: **R3** Medium Density Residential
- Building Height: 8.5m
- 0.5:1 FSR:

Attendees:

- Council:
- Andrea Elias, Alice Pettini • Visitor (via Microsoft Teams): Li Wang (Architect)

Meeting date: 9 October 2020

Proposed:

Place of Public Worship with two x dwellings

Clarification sought on:

- Overall architectural form, bulk and scale in the local context
- Minor encroachment of Height
- Minor encroachment of FSR
- Private open space (no public access, only for internal staff amenity purpose, cloth drying etc)
- Acoustic and Visual privacy
- Basement Carparking

Advice:

- Advised not a detailed and thorough assessment, the onus is on the Applicant to
- ensure a detailed assessment against the relevant controls is undertaken.
- Council's review focused on the elements requested.

Overall Architectural Form, bulk and scale in the local context.

- Given there are no specific building design controls applicable for Places of Public
- Worship within current controls, the design is heavily merit assessment based.
- The key building design controls relating to the development are the height and FSR controls in CLEP 2012 and Part F8 of CDCP 2012.



- The site is not suitable for the scale, design and intensity of the proposal in its current form for the following reasons:
 - The under croft design adds to the perceived bulk of the development and should be removed.
 - Insufficient information provided at this stage to determine potential impacts (i.e overshadowing and privacy) on adjoining developments.
 - Mansard roof design not supported. Roof design to be in keeping with character of area (hipped or gabled with max 30degree pitch)
 - Increased side/rear setbacks may also be required to maintain suitable level of solar access and privacy to adjoining properties.
 - Although it is acknowledged that the site is irregularly shaped, the proposed design and presentation to the street is not in keeping with the medium density residential character of the area. Suggested that the front setback be amended to reflect the existing front setback provided on site or undertake an analysis of the existing front setbacks within the street and revise the design to meet this.
- The proposed design incorporates two separate dwellings which is not supported by Council as the site would not meet the minimum lot size for each dwelling and would result in a subdivision pattern inconsistent with the area. Therefore, strongly recommended to remove one dwelling and ensure any future application makes clear that the dwelling retained on the site is ancillary to the place of public worship primary use of the site.

Encroachment to Height Control

- Based on Council's review of the site, it is considered that there is no site constraint that warrants variation to the maximum building height standard.
- Strongly suggested to revise deign to comply with the maximum height development standard.

Encroachment to FSR Control

- Similar to the above, it is considered that there is no site constraint that warrants variation to the maximum FSR standard.
- Strongly suggested to revise deign to comply with the maximum FSR development standard.
- In addition to the above, the design of the under-croft area lends itself to being convert to GFA which is a concern.

Private open space (no public access, only for internal staff amenity purpose, cloth drying etc)

- Generally accepting of location of POS, however need details on proposed RL and its relationship with adjoining properties to determine potential privacy impacts.
- There is concern that the design and location of the private open space lends itself to being used by worshippers. Should this be the case, potential noise impacts of such events is to be considered as part of the acoustic report prepared for the application.

Acoustic Privacy

- An acoustic report is to be prepared by a suitably qualified consultant and is to consider a number of elements, including but not limited to the following:
 - \circ Number of worshippers expected on site



- Noise from any amplified music or events expected to occur within the calendar year.
- o Potential impact on residential properties adjoining and within site
- Noise associated with any gathering in POS
- Under croft design (if this is kept despite Council's advice to remove)

Visual Privacy

- Need updated survey to determine levels and impacts on adjoining properties.
- Plans to show location (and RLs) of windows on adjoining properties to understand the relationship between those and proposed windows on subject site. Design may need to be revised to address any privacy impacts once this detail is provided.

Basement Parking

- The parking rate for the place of public worship within the SEE is incorrect. The rate in the SEE is the rate for bicycle spaces, not car parking. Therefore additional parking spaces may be required.
- CDCP 2012 specifies that A Traffic and Parking Assessment Report with a survey of similar developments is required to determine proposed car parking required. It was noted that an existing Buddhist place of public worship is located in Wiley Park. However the engaged traffic consultant would need to investigate the location of any other examples nearby, of a similar size and nature to use as comparisons.
- The proposed separated driveway entry points and their location will be considered by Councils' Development Engineer and Traffic department during assessment. Suggested to contact them prior to DA lodgement to discuss this arrangement. Notwithstanding this, advised that Council's Engineering and Traffic Departments would most likely request one entry/exit point given the site is located on a col-de-sac and to minimise any impact on street parking.

At this point, the Applicant submitted a different design that was of a reduced bulk and scale. Feedback was requested on this design. Council staff advised the following:

- This design is considered to be an improvement to the one originally submitted.
- Advised to ensure it complies with FSR and Height standards as well as consider comments above.
- The front setback to consider existing development or average of that provided in street.
- In terms of basement design, advised to revise Part B1 to ensure the basement design complies with relevant requirements.
- Suggested the Applicant comes back for an additional pre-DA with this design to enable Council to provide more input.

Kind Regards,

Alice Pettini - Executive Planner T 02 9707 5515 E <u>Alice.Pettini@cbcity.nsw.gov.au</u> <u>www.cbcity.nsw.gov.au</u>

APPENDIX 2

PLANS

DA002 B	Demolition Plan
DA003 C	Site Plan
DA004 C	Site Analysis Plan
DA005 C	Calculation Plans
DA006 C	Axometric Diagram
DA101 C	Basement Plan
DA102 C	Ground Floor Plan
DA103 C	First Floor Plan
DA104 C	Roof Plan
DA105 A	Kitchen Layout
DA201 C	Elevations
DA202 B	Elevations
DA301 C	Sections





1 \DA101 Scale: 1:200

DEMOLITION NOTES:

- 1 DEMOLITION OF EXISTING CONCRETE SLAB 76.158m2
- 2 DEMOLITION OF METAL GARAGE 44.167m2
- 3 DEMOLITION OF EXISTING BRICK RESIDENCE 256.567m2
- 4 DEMOLITION OF METAL GARAGE 81.484m2
- 5 DEMOLITION OF METAL WORKSHOP 37.608m2



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Do not scale drawings.	
Verify all dimensions on site	

ue	amendment	date
	DEVELOPMENT APPLICATION	31/03/2021
	ADDITIONA INFORMATION	10/08/2022



DEMOLISH CONCRETE SURFACE

DEMOLISH PLANTER WALL, FENCE

DEMOLISH PAVER SURFACE

DEMOLISH BUILDING ELEMENTS

DURING DEMOLITION AND CONSTRUCTION SEDIMENT CONTROL BARRIERS, THE EXISTING FENCES AND RETAINING WALL PREVENT SEDIMENT RUN OFF ESCAPING THE



GENERAL:

READ IN CONJUNCTION WITH SURVEY. DO NOT SCALE OFF DRAWINGS

DEMOLITION & CONSTRUCTION:

- DEMOLISH EXISTING BUILDINGS AND SITE FACILITIES SHOWN RED DASHED AND SHADED AREA SHOWN ON DEMOLITION WORK PLAN

- TREES UNDER 5M ARE EXEMPT APPLICATION AND TO BE REMOVED

- ASBESTO INSPECTION MUST BE CARRIED PRIOR DEMOLITION BY SUBCONTRACTOR, CAREFUL HANDLE AND DISPOSAL IS ESSENTIAL

- REMOVE EXTERNAL WEATHERBOARD CLADDING MATERIAL

- REMOVE ALL TIMBER WALL FRAME AND ROOF FRAME, CONTRACTOR ENSURE TIMBER TRANSFERRED TO RECYCLE DEPOT.

- REMOVE ALL METAL WORK, INCLUDING HANDRAIL, EAVE GUTTERM ALUMINUM FRAME WINDOW, DOWNPIPE.

- REMOVE ALL GLASSES

- ALL WORK MUST BE IN ACCORDANCE WITH AUSTRALIAN STANDARD 2601-2001, THE DEMOLITION OF STRUCTURES. THE WORK HEALTH AND SAFETY REGULATION 2011.

- CONTACT "1100 DIAL BEFORE YOU DIG" PRIOR TO EXCAVATION TO AVOID DAMAGING ANY EXISTING UNDERGROUND SERVICES.

LIS ARCHITECTS 10 Union Street Eastwood NSW 2122

T (61 2) 9801 5210 M 0433 188 804

info@lisarchitects.com

ABN 12 215 574 364

SEDIMENT CONTROL NOTES

ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO SITE DISTURBANCE. STRIPPING OF GRASS AND VEGETATION ETC. FROM SITE SHALL BE KEPT TO A MINIMUM. ALL SEDIMENT CONTRO L STRUCTURES TO BE INSPECTED AFTER EACH RAINFALL EVENT. AND ALL TRAPPED SEDIMENT TO STRUCTURAL DAMAGE BE REMOVED TO A NOMINATED STOCKPILE SITE.

DEVELOPMENT APPLICATION

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SITE PLAN 1 Scale: 1 : 200

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STREET PERSPECTIVE

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2	ADDITIONA INFORMATION	10/08/2022

ITE AREA LLOWABLE FSR	790.962 m2 0.5:1
ROPOSED FSR	0.405:1 / 389.60m2
LLOWABLE BUILDING AREA	395.48 m2
ROPOSED DEEP SOIL ZONE	242.45m2 / 30.6%
ASEMENT GFA	345.70 m2
ROPOSED GROUND FLOOR GFA	223.60 m2
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DEVELOPMENT APPLICATION



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SITE PLAN

DA003

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1 TENNYSON STREET

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PARK

SITE CHARACTER AND LOCAL CONTEXT

- NO STREET PREVAILING FRON SETBACK, EXISTING FRONT SETBACK NOTED 2.245M

- ONE SIGNIFICANT GUM TREE TO BE PROTECTED AND RETAINED ONSITE

- TWO EXISTING VEHICLE CROSSING, WIDE FRONTAGE NOTED 53.83M



EXISTING DWELLING USED AS PLACE OF WORSHIP



SITE SIGNIFICANT TREE



DEVELOPMENT APPLICATION

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3	SHELLEY S	TREET C	AMPSIE
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and specifications.				FIRST FLOOR: 97.10m2
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are confidential to LIS Architects) be disclosed				
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