

PLANNING PROPOSAL REQUEST

DOVER HEIGHTS SHULE

1 NOVEMBER 2016
SA6027
FINAL
PREPARED FOR DOVER HEIGHTS SHULE

URBIS

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EXECUTIVE SUMMARY

This Planning Proposal request has been prepared by Urbis on behalf of the Dover Heights Shule seeking to initiate the preparation of a Local Environmental Plan amendment for the site comprising the Shule legally described as Lot 1 DP 1132221 and located on Napier Street, Dover Heights.

In recent years, the Shule has operated at close to capacity and additional facilities are now required to better meet the needs of the Shule community. The objectives and intended outcomes of this Planning Proposal can be achieved through the following amendments:

- Amending the *Waverley Local Environmental Plan 2012* 'Height of Buildings' map to show an increase in maximum permissible height from 8.5m to 10.5m.
- Amending *Waverley Local Environmental Plan 2012* 'Floor Space Ratio' map to show an increase in maximum permissible floor space ratio from 0.5:1 to 1.3:1.

A concept architectural design for the site has been prepared by award winning architects MHNDU Architects. These designs will be subject to a detailed design process at DA stage. However, a more developed level of design has been included in this request for planning proposal to demonstrate how the desired built form outcome can be achieved on the site consistent with the requested changes to the height and floor space ratio controls.

It should be noted that the current *Waverley Local Environmental Plan 2012* height and floor space ratio controls for the site do not reflect the current Shule building which has a height of 9.6m (+1.1m) and an FSR of 0.6:1 (+0.1:1). This proposal seeks to align the controls with the need for growth of the current facilities.

The proposed amendment to the height and FSR controls is considered appropriate to facilitate this for the following reasons:

- The existing Shule has 302 seats and there is a need for additional seats to meet growing demand, from people of an orthodox Jewish faith moving into the local area and coupled with this the desire to remain at the current location within the community, an additional 164 seats are proposed.
- Currently the Shule does not have access to adequate space for religious services or ancillary gatherings and is required to use inappropriate spaces in the adjoining Kesser Torah College. The Shule and the Shule hall will accommodate a variety of the existing services and gatherings, currently accommodated elsewhere, in a more suitable location.
- The Shule and school campus have been functioning successfully for many years and the proposed development represents an improvement to the facilities on site, rather than an intensification of any element of operations.
- The proposed development is in the public interest as it ensures that an important religious establishment in the Dover Heights community continues to provide appropriate spaces for religious services and community gatherings into the future.
- The addition of the Shule Hall will enhance the appearance of the Shule from Napier Street and Blake Street. The scale of a third storey addition is consistent in scale to adjacent buildings on the Kesser Torah College. Further the top two levels are setback from the parapet of the ground floor level with a third storey roof form, to break down the scale to relate to the streetscape of Napier Street and the adjoining detached dwellings to the north.
- The proposal demonstrates appropriate traffic management measures which will be adopted in order to prevent on street parking associated with the expansion of the facilities. This is consistent with previous approvals and conditions of consent relating to the Shule and College site.

Community consultation was undertaken during the early stages of the design development and the applicant has an ongoing commitment to engage with local residents and update them on the proposed design as the project progresses.

INTRODUCTION

This Planning Proposal request has been prepared by Urbis on behalf of the Dover Heights Shule seeking to initiate the preparation of a Local Environmental Plan amendment for the site comprising the Shule legally described as Lot 1 DP 1132221 and located on Napier Street, Dover Heights.

The Dover Heights Shule is a Chabad orthodox Jewish community-based congregation, started in 1997 in Sydney on the grounds of the former Yeshiva College Dover Heights Campus. The Shule provides regular services throughout the week and weekend, holidays and festivals. The Shule adjoins the Kesser Torah College to the east.

In recent years, the Shule has operated at close to capacity and additional facilities are now required to better meet the needs of the Shule community. In response to these needs this request for planning proposal seeks to amend key built form controls applicable to the site to facilitate an expansion and upgrade to the facilities. This will appropriately reflect the environment required for an important religious establishment.

The current principle planning instrument for the site is the *Waverley Local Environmental Plan 2012* and the subject land is zoned SP2 Infrastructure (Place of Public Worship and Educational Establishment). This report has been prepared to assist Waverley Council (Council) in preparing a Planning Proposal for the rezoning of the site in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) specifically to:

- Amend the *Waverley Local Environmental Plan 2012* to provide a height of building control of 10.5m for the Shule site.
- Amend the *Waverley Local Environmental Plan 2012* to provide a floor space ratio of 1.3:1 for the Shule site.

In essence, the proposed LEP amendment to rezone the subject site is considered appropriate to allow for sustainable use of the site for the Shule with consideration of the following:

- The proposal plans will facilitate growth of an existing place of public worship facility to meet the current spatial needs of the Chabad orthodox Jewish community-based congregation.
- There is currently a shortfall in seating within the Shule as a result of existing demand. The amendment to the controls will allow expansion to facilitate approximately 164 additional seats and for the facility to remain ingrained in the local community at its established location.
- The increase in FSR and height controls will allow for extension of the Dover Heights Shule to incorporate a hall to be used for community celebrations and gatherings to meet the needs of the local community.

This Planning Proposal request has been prepared having regard to the DPE's "*A guide to preparing Planning Proposals*" dated August 2016 and provides the following:

- Description of the subject site and context.
- Justification for the proposed rezoning with consideration of the site context, significance of the site and the surrounding development.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes and explanation of the provisions of the proposal.
- Assessment of the proposal against the relevant Acts, Environmental Planning Instruments and State policy.
- Description of consultation undertaken with Waverley Council and the Community.

The Planning Proposal is supported by the following documentation:

- Concept Architectural Drawings prepared by MHNDU (Appendix A)
- Traffic Impact Assessment and Traffic Management Plan prepared by Traffix (Appendix B)
- Community Consultation report prepared by Urbis (Appendix C)

1. THE SITE AND SURROUNDS

1.1. THE SHULE

Dover Heights Shule is a Chabad orthodox Jewish community-based congregation, started in 1997 in Sydney on the grounds of the former Yeshiva College Dover Heights Campus, under the leadership of Rabbi Motti and Esti Feldman.

The existing Shule building was built in 2003 through major benefactors Ian and Sara Miller. In 2009, the Shule Board purchased the property where the Shule is situated, from the adjacent Kesser Torah College.

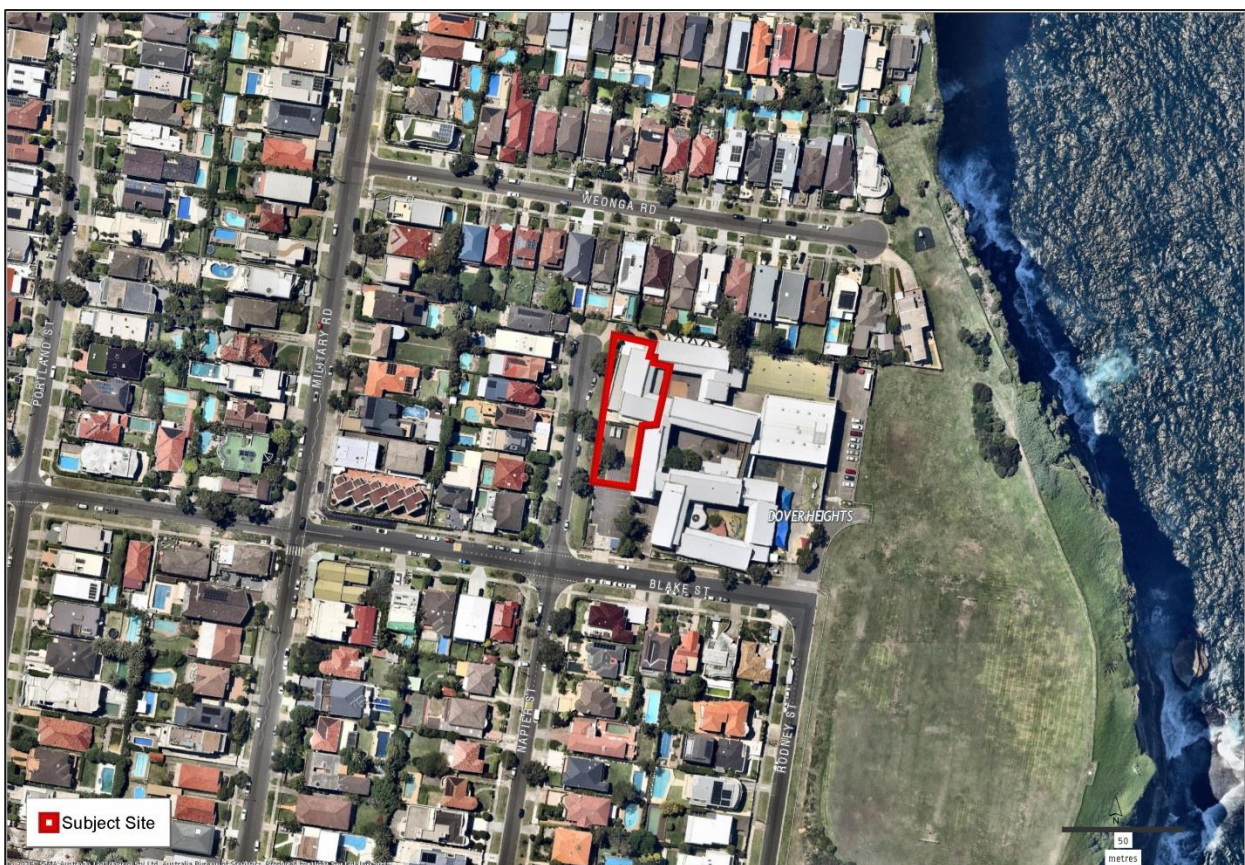
The Shule provides all regular services throughout the week and on Shabbat (Saturday), Sunday morning & evening, High Holidays and festivals. The Shule also has youth services and programs for boys and girls on Friday evening, Saturday, all festivals and High Holidays, and during the week and Sundays.

Section 2 describes the Shule use in further detail.

1.2. THE SITE

The site comprises the Dover Heights Shule and associated parking and is located at Napier Street. The site is legally described as Lot 1 DP 1132221. The site and surrounds are shown in Figure 1.

Figure 1 – Site Location Map



The subject site is 1,245sqm in size. The site's building and associated facilities are shown in Figure 2 and include:

- The existing Shule building which is two storeys in height. The ground floor includes a foyer area accessed from Napier Street and the Shule with seating for 302. The first floor includes a classroom area accessed via stairs on the neighbouring associated school lot.
- The site also includes 18 at-grade parking spaces as part of a broader parking area. Seven of these car spaces fall within the Shule's car parking area and are utilised by the Shule's staff and visitors. However,

only three of these spaces are exclusively used by the Shule's staff and visitors. Eleven car spaces are utilised by the Kesser Torah Colleges Day Care pick up / drop off and the remainder three spaces are not signposted which are used by both the College and the Shule.

- The site is accessed by a vehicular access point on Blake Street. Pedestrian access is also via Blake Street.
- Low lying planting and significant trees are located on site and the neighbouring street.

Figure 2 – Existing Shule and Access



Picture 1 – Shule Building and Pedestrian Access from Napier Street



Picture 2 – Existing Vehicular Site Access from Blake Street

1.3. SURROUNDING DEVELOPMENT

The site has street frontages to Blake Street to the south and Napier Street to the west. Immediately to the east is Kesser Torah College. Further east is Rodney Reserve, a public park which forms part of the coastline. Development within the surrounding area comprises a mix of detached and attached residential dwellings.

The site is situated approximately 3.6 kilometres north-east of Bondi Junction and approximately 7.1 kilometres east of the Sydney CBD. The site is conveniently located with respect to the arterial and local road systems serving the region including Military Road and Old South Head Road both to the west.

The site benefits from good bus services being situated within 400 metres of a number of bus routes. The closest bus stops are located at approximately 150 metres from the site. Bus services provide connections to Bondi Beach, Bondi Junction, Paddington, Darlinghurst, North Bondi and the Sydney CBD.

Figure 3 – Kesser Torah College and surrounding residential area



Picture 3 –Surrounding Residential Uses in Blake Street



Picture 4 – Kesser Torah College School Hall accessed off Blake Street



Picture 5 – Surrounding Residential Uses in Blake Street



Picture 6 – Kesser Torah College Buildings from Napier Street

2. THE SHULE USE

Each of the services currently held within the Shule are summarised below.

Table 1 – Typical Weekly Shule Use

Services	Description
Religious Services	Religious Services are conducted throughout the week, Monday to Sunday. Main Congregational Services occur on Friday nights (5.30pm – 7.00pm) and Saturday mornings (9.30am – 12.15pm). These services are typically attended by 100 - 200 people. Attendees do not drive to these services. Regular Small Services occur Monday – Sunday in the mornings (6.30am – 7.15am) and evenings (5.00pm – 6.00pm). These services are typically attended by 10 – 15 people of which approx. 5 – 10 people drive. <i>Friday evening and week day services finish an hour later during daylight savings times.</i>
Small Events	Small events are often held in conjunction with services such as Kiddushim and Mevorachim lunches. These events occur directly before or after services and are currently held within the Foyer or Kesser Torah College (KTC) Courtyard and sit down lunches on Saturdays in KTC Hall or Zal “Small Hall”. The Kitchen accommodates for catering of these events.
Youth Programs	The Shule provides Educational, Religious & Social programs during the Friday Night and Saturday Morning Services. Provided for boys and girls across various age groups. These activities are typically convened with KTC Classrooms and Courtyard.
Office Administration and Appointments	The Shule currently employs one full time (Rabbi) and three part time (Admin & Youth Directors) staff. There are typically two staff members on site, Monday – Friday, during operation hours. Staff typically drive to work and park in Car Park 1. Meetings with the Rabbi are arranged by appointment. Typically one visitor per week day, parking in Car Park 1.
Kesser Torah College Use	KTC has free access to the Level 1 Classrooms for educational purposes. KTC also has access to the Shule for a variety of purposes other than religious services and instruction, including; school assemblies, trial examinations, lectures and special events. These are arranged by appointment with the Shule
Additional Services	Additional services are held on High Holidays, Festivals & Fast Days. These occur approx. 8-10 times a year and can fall on weekdays and weekends. Typical service times are mornings (9.30am to 12.30pm) and evenings (5.30pm to 7.15pm). These events can attract higher than usual patron numbers of up to 150 – 400 people, plus up to 60 – 100 children. Note the School is always closed on these days.
Events	Weekly lesson “Shiurim” held by the Rabbi. These occur currently on a Wednesday night from 8.00pm – 9.30 pm, in blocks of 6 about 3 or 4 times a year and are attended by 20-30 people.

3. PLANNING HISTORY OF THE SHULE AND COLLEGE SITES

DA 803/2001 was approved in February 2002 for use of the site as a synagogue. It is noted that there is a strong religious requirement for Shule patrons to walk to religious services. However, a Traffic Management Plan was approved as part of the development which sought to reduce any on-street parking impact. This included installation of street signs which advised users of the school and the synagogue that parking in Blake or Napier Street is prohibited. An officer was also required to patrol nearby streets during times when the synagogue is to be used to ensure that onstreet parking was avoided. It was recognised however that there is difficulty associated with distinguishing local residents parking in the area from the users of the Shule.

In May 2008 DA 803/2001 was modified to reduce the provision of on-site carparking for the school and synagogue. Condition 3 was amended to read:

The Traffic and Parking Management Plan prepared by GSA Planning dated April 2008 be complied with at all times with the operation of the kindergarten, school and synagogue/Shule on the site, and be amended to specifically have regard to the following:

- *A minimum of 75 car parking spaces be available at all times on site when any of the permitted uses are operating, with car Park 3 to be available for the synagogue patrons.*
- *The drop-off and pick-up areas to be patrolled to ensure compliance.*
- *The College/Synagogue is to provide a permanent officer to patrol nearby areas of Napier and Blake Street at times when the Synagogue is used to ensure that no attendees park vehicles in these adjoining streets.*
- *Congregants attending the Synagogue are to be reminded on a regular basis that motor vehicles should not be parked in the nearby areas of Napier and Blake Streets.*

In accordance with this condition a total of 75 spaces are provided in three car parks across the Shule and college sites as follows:

- Car park 1 located to the south of the Shule: 18 spaces which are used by the Shule, college and pre-school pick up / drop off.
- Car park 2 Located adjacent to the college in the east: 27 spaces which are used only by the Kesser Torah College
- Car park 3: 30 spaces located on the eastern boundary of the college site which are used predominantly by Kesser Torah College but available for Shule users outside of college hours.

In March 2008, DA 383/2007 was approved relating to the adjoining Kesser Torah College. The application approved:

Subdivision of land into two stratum lots, lot 1 being the synagogue and lot 2 being the school.

Accordingly, the Shule site is identified as Lot 1 in DP1132221 and the Kesser Torah College site is identified as adjoining Lot 2 in DP1132221.

Condition 3 of DA 383/2007 further relates to car parking and requires the following:

The rear underground carpark located below the playground of the school must be open and made available for parking for attendees during functions and special events conducted in the Shule.

As shown above and consistent with DA 803/2001, the spaces within Car Park 3 are required to be made available for Shule patrons outside of Kesser Torah College operating hours.

4. CONCEPT OVERVIEW

The Shule is operating at close to capacity and additional facilities are now required to better meet the needs of the Shule community. This Planning Proposal seeks to amend the *Waverley Local Environmental Plan 2012* to facilitate the expansion of the existing Shule on the site and will support the subsequent lodgement of Development Applications (DAs) for upgrade and expansion of the existing facilities.

Indicative designs for the site have been prepared by MHNDU Architects and are provided in **Appendix A**. These designs will be subject to a detailed design process at DA stage. However, a more developed level of design has been included in this request for planning proposal to demonstrate how the desired built form outcome can be achieved on the site consistent with the requested changes to the height and FSR controls.

Community consultation has also been undertaken during the early stages of the design development and the applicant has an ongoing commitment to engage with local residents and update them on the proposed design as the project progresses.

4.1. INDICATIVE DEVELOPMENT

The concept includes the following which are shown in the floor plans provided in Figures 4, 5 and 6:

Ground Floor

- Expansion of the existing 302 seats to 466 seats within the Shule (an additional 164 seats).
- Creation of a foyer suitable for use for Shule events.
- Reconfiguration of the existing ancillary facilities to include toilets and a shabbos lift.
- Amended pedestrian access from Napier Street.
- Rearrangement of forecourt and car parking area.
- Additional landscaping on Napier Street frontage.

First Floor

- Expansion of the first floor to create office space, kitchen and associated facilities.
- Creation of a Shule Hall with potential for 220 seats.
- New stairway connection to ground floor.

Second Floor

- Relocation of existing first floor classrooms to new second floor and expansion to create four classrooms.
- New access to neighbouring school buildings.

The concept will also require the reduction of one car parking space within Car Park 3.

The concept design results in a height of 10.5m and a floor space ratio of 1.3:1.

Figure 4 – Concept Shule Expansion – Ground Floor

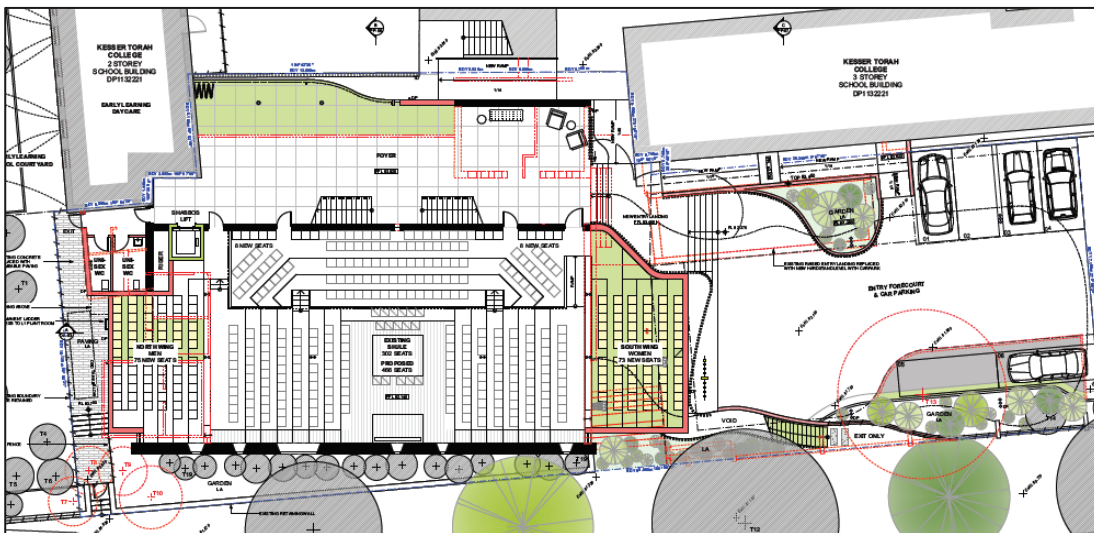


Figure 5 – Concept Shule Expansion – First Floor

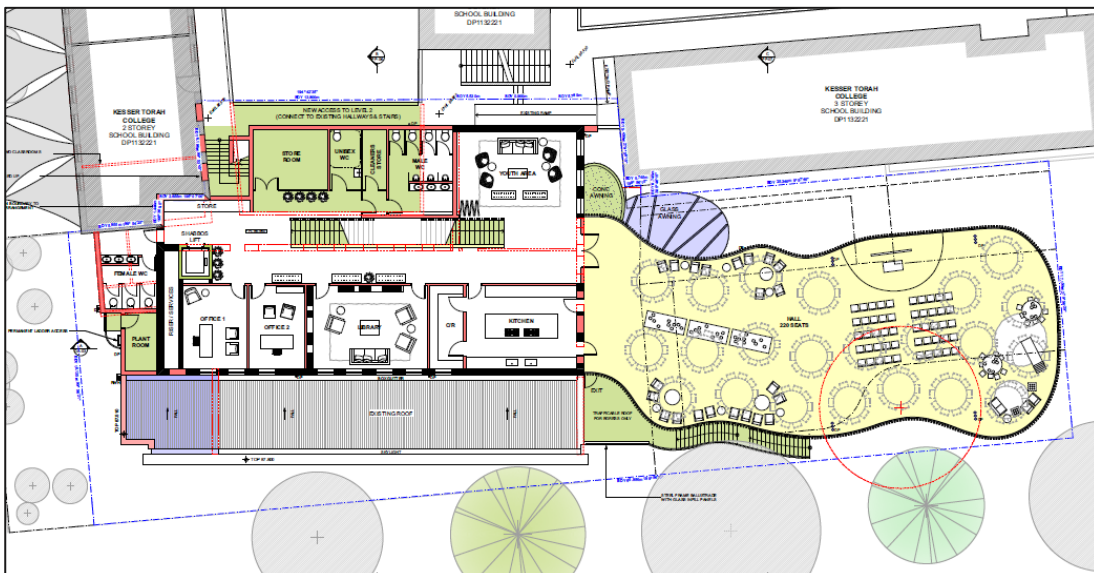
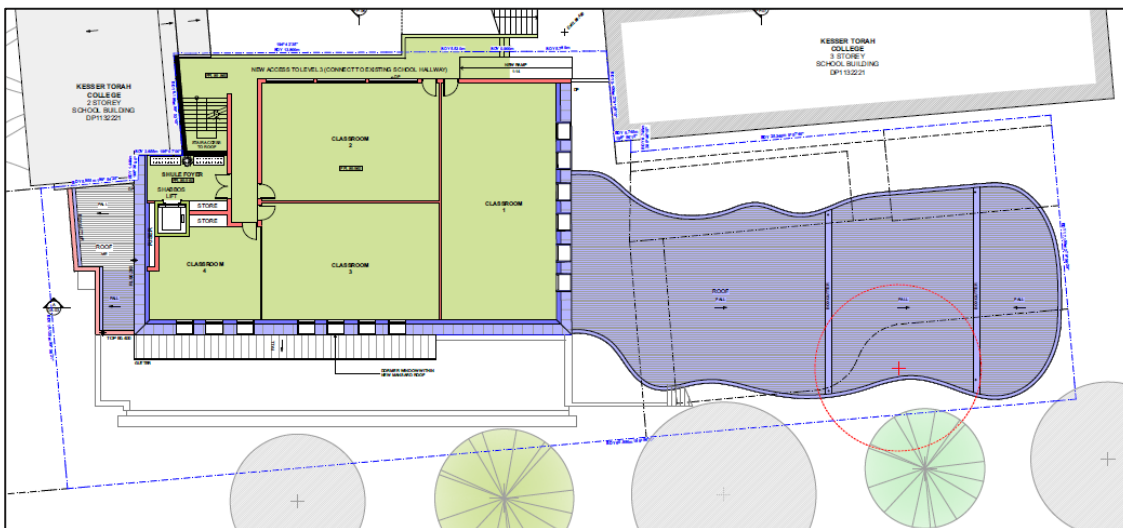


Figure 6 – Concept Shule Expansion – Second Floor



4.2. CHANGES TO SERVICES

Proposed changes to the services that are offered by the Shule are minimal. Currently the Shule does not have access to adequate space for religious services or ancillary gatherings such as the youth program and is required to use inappropriate spaces in the adjoining Kesser Torah College. The Shule and the Shule hall will accommodate a variety of the existing services and gatherings currently accommodated elsewhere in a more suitable location.

The following arrangements will apply:

- Generally religious services will remain ongoing as per the existing arrangement.
- Small events are to be held within the Foyer, or if a larger space is required, within the Shule Hall.
- Existing Youth Program will remain ongoing; however these will be convened within the Shule Hall.
- Existing staffing arrangements are to be maintained, the proposal will not require additional staff. Existing frequency of meetings and appointments is not expected to change.
- The existing arrangement for use of classrooms above the Shule by the Kesser Torah College is to be maintained.
- Special services for holidays and festivals will remain ongoing as per the existing arrangement; however increased Shule seating will reduce the need for provision of an overflow Shule.
- Weekly lessons will continue in Shule.

5. CASE FOR CHANGE

The Concept Architectural Plans prepared by MHNDU Architects and provided in Appendix A shows how the current demand for the services provided on the site is anticipated to be accommodated through an extension of the Shule and the addition of a hall. This will be the subject of a future detailed design and a Development Application to be assessed by Waverley Council.

The proposed amendment to the height and FSR controls is considered appropriate to facilitate this for the following reasons:

- The existing Shule has 302 seats and there is a need for an additional seats to meet growing demand, and coupled with this the desire to remain at the current location within the community, an additional 164 seats are proposed.
- Currently the Shule does not have access to adequate space for religious services or ancillary gatherings and is required to use inappropriate Kesser Torah College spaces. The Shule and the Shule hall will accommodate a variety of the existing services and gatherings currently accommodated elsewhere on site in a more suitable location.
- The Shule and adjoining school campus have been functioning successfully for many years and the proposed development represents an improvement to the facilities on site, rather than an intensification of any element of operations.
- The proposed development is in the public interest as it ensures that an important religious establishment in the Dover Heights community continues to provide appropriate spaces for religious services and community gatherings into the future.
- The addition of the hall will enhance the appearance of the Shule from Napier Street and Blake Street. The scale of a third storey addition is consistent in scale to adjacent building on the Kesser Torah College, and the top two levels are setback from the parapet of the ground floor level, to break down the scale to relate to the streetscape of Napier Street and the adjoining detached dwellings to the north.
- The proposal will provide a new hall for community celebrations and gatherings. The site provides an opportunity to co-locate all of the spatial needs of the Chabad orthodox Jewish community-based congregation.

6. PLANNING PROPOSAL

The following section is structured generally in accordance with the document “A Guide to Preparing Planning Proposals” (Department of Planning and Environment, 2016) and Section 55(2) of the *Environmental Planning and Assessment Act 1979*.

6.1. PART 1: STATEMENT OF OBJECTIVES AND INTENDED OUTCOMES

The objective of the planning proposal request is to amend the height of buildings and floor space ratio controls under the *Waverley Local Environmental Plan 2012* to enable the future expansion and redevelopment of the Dover Heights Shule at Lot 1 DP 1132221 located on Napier Street, Dover Heights.

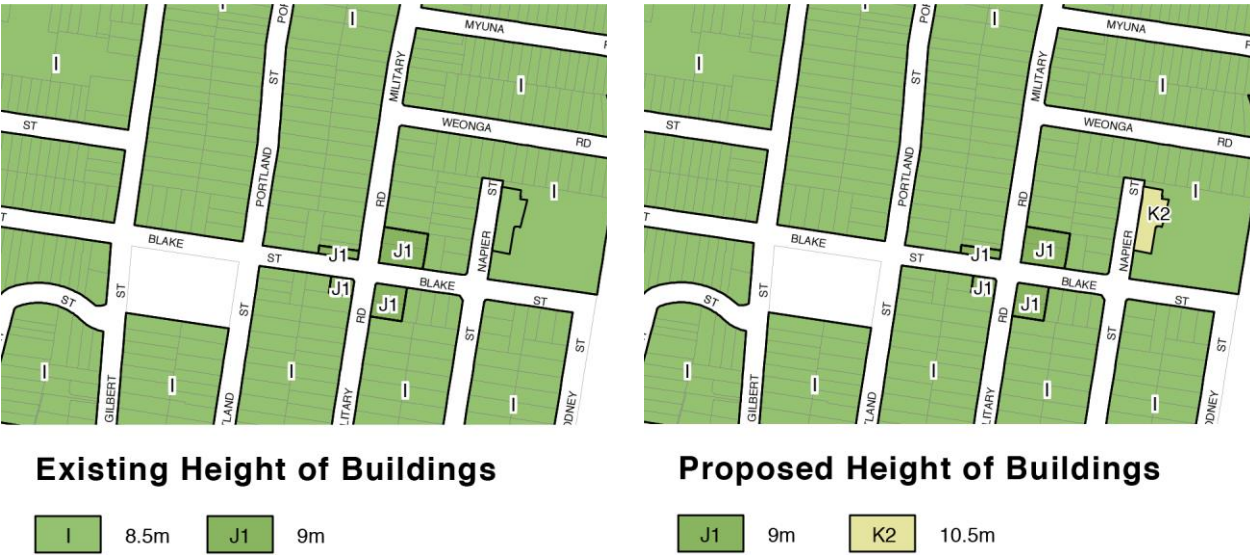
6.2. PART 2: EXPLANATION OF PROVISION

The objectives and intended outcomes of this Planning Proposal can be achieved through the following amendments:

- Amending the *Waverley Local Environmental Plan 2012* ‘Height of Buildings’ map in accordance with the proposed height map shown in Figure 7. This shows an increase in maximum permissible height from 8.5m to 10.5m.
- Amending *Waverley Local Environmental Plan 2012* ‘Floor Space Ratio’ map in accordance with the proposed floor space ratio map shown in Figure 7. This shows an increase in maximum permissible floorspace ratio from 0.5:1 to 1.3:1.

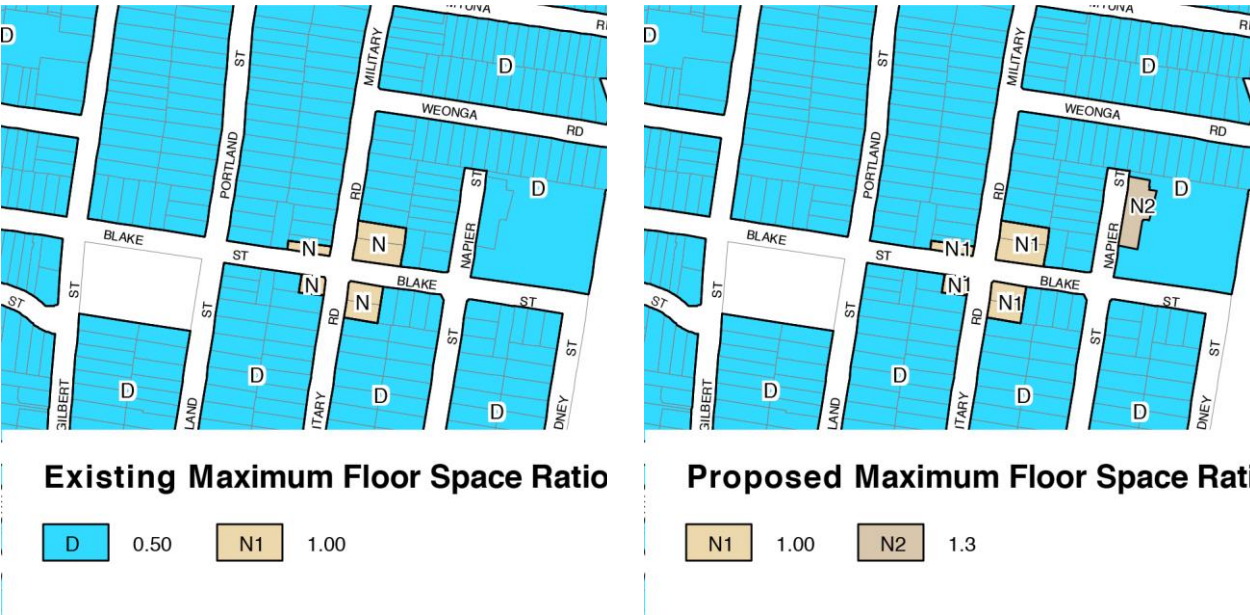
These amendments will support the development of the subject site for future expansion and improvements to the existing Shule to meet the needs of the local community and achieves the key objective and intent of this Planning Proposal request.

Figure 7 – Showing the existing and proposed development controls for the site



Picture 7 – Existing Height of Buildings Map

Picture 8 – Proposed Height of Buildings Map



Picture 9 – Existing Floor Space Ratio Map

Picture 10 – Proposed Floor Space Ratio Map

7. PLANNING CONTEXT

7.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

A rezoning application must have consideration of the objectives outlined in Section 5 of the *Environmental Planning and Assessment Act* (the Act). The objectives are:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) ecologically sustainable development, and*
- (viii) the provision and maintenance of affordable housing, and*

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

This submission has considered the objects of the Act which have been addressed in the various sections of this report and are summarised as follows:

- The proposal retains the sites existing zoning and use as an established and integral place of public worship within the local community. All uses of the site are permissible with consent. The design concept facilitates sustainable growth of the facility which is appropriate to the scale and size of the site and remains sympathetic to the surrounding residential uses.
- The proposal will enhance the existing Shule facility. This proposal is a contemporary design that will improve the presentation and function of the building.
- The proposal will support the ongoing sustainable use of the site as a place of public worship. There is a need for additional seats to meet growing demand, and coupled with this the desire to remain at the current location within the community, the planning proposal will facilitate its future expansion.
- The proposed development is consistent with the SP2 Zone objectives in that it provides for the expansion of the social infrastructure that supports the community-based congregation. Further the associated facilities will continue to provide valuable services and spaces for the local Jewish community.

7.2. SECTION 117 DIRECTIONS

The Section 117 Ministerial Directions (under Section 117(2) of the Act) provide local planning direction and are to be considered in a rezoning of land. Relevant Section 117 Directions are considered below:

Table 2 – Consideration of relevant Section 117 Directions

Direction	Requirement	Comment
3.4 Integrated Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	• There is a strong religious requirement for Shule patrons to walk to religious services. • The site benefits from good bus services being situated within 400 metres of a number of bus routes. • Notwithstanding this, the Traffic Management Plan (Appendix C) provides a number of recommendations with regard to encouraging public transport use and these will be adopted by the Shule. • A comprehensive Travel Access Guide (TAG) will be prepared to encourage travel by alternative measures than private car. This will include local public transport facilities and network maps and local walking and cycling route maps. • A Travel Plan Officer will be designated with the responsibility of maintaining the TMP.
5.10 Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Regional Plan is considered in context of the proposed rezoning in Section 7.4.
7.1 Implementation of a Plan for Growing Sydney	The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	A Plan for Growing Sydney is considered in context of the proposed rezoning in Section 7.3.

7.3. A PLAN FOR GROWING SYDNEY

A *Plan for Growing Sydney* (the Plan) was released in December 2014 and is intended to guide land use planning decisions for the next 20 years by presenting a strategy for accommodating future population growth.

While not specifically addressing the provision of places of worship, the Plan identifies a need to revitalise existing suburbs to provide an opportunity to improve parks, civic and public spaces. Further, the plan aims to:

- Improve the accessibility of cultural and recreational facilities outside the Sydney CBD.
- Invest in social infrastructure such as schools, open space, civic spaces and boulevards, health care, child care and other community facilities which will assist in making vibrant local centres where people enjoy spending time.
- Undertake long-term planning for social infrastructure to support growing communities.

The plan highlights the importance of social and civic infrastructure to provide well rounded and cohesive communities. Specifically, the plan states:

Providing social infrastructure where and when it is needed is important to the daily lives of residents in areas experiencing growth. It also helps people to feel connected with their local community. Social infrastructure can include police stations, libraries, child care centres, community centres, open space and recreational facilities.

The request for planning proposal is consistent with the aims of the Plan by facilitating growth of the Dover Heights Shule, an existing synagogue which is integrated into the local community. Future expansion will meet the needs of the Shule Community Plan into the future and provide a hall for the Shule community celebrations. The site provides an opportunity to co-locate all of the spatial needs of the Chabad orthodox Jewish community-based congregation.

7.4. DRAFT EAST SUBREGIONAL STRATEGY

The Draft East Subregional Strategy contained a number of key directions and key actions to ensure that planning at the local level will comply with government direction and ensure that the outcomes of the Metropolitan Strategy are achieved.

The Draft East Subregional Strategy did not contain any direct reference to places of public worship. However, it is noted that the Draft East Subregional Strategy has never been formally adopted by the NSW Government and will be soon replaced by 'District Plans' which are expected to be exhibited in late 2016. Waverley LGA is included in the Central District and A Plan for Growing Sydney indicates that the following priorities will be detailed in the Central District Plan:

- Recognising the importance in the economic, social and cultural life of the whole city.
- Holistic approach to planning for the jobs, homes and services people will need for the future, and protecting our unique natural environment.
- Improve the accessibility of cultural and recreational facilities outside the Sydney CBD,

The proposed amendment to the WLEP controls is consistent with the general direction for the Central District through the continuation of an existing place for public worship and an established and important use within the Shule community. The proposal will assist in meeting the needs for a growing community for cultural facilities.

7.5. STATE ENVIRONMENTAL PLANNING POLICIES

7.5.1. State Environmental Planning Policy (Infrastructure) 2008

State Environmental Planning Policy (Infrastructure) 2008, sets out requirements for various public authority and infrastructure works throughout the state. In addition, it requires the referral of certain traffic generating development to the RMS during the DA assessment process.

The Planning Proposal will not facilitate a place of public worship development generating 200 or more motor vehicles and is therefore not classified as 'traffic generating development'.

Accordingly, the Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.

7.6. WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

The principle planning instrument affecting the site is the *Waverley Local Environmental Plan 2012* (WLEP 2012). The key considerations under the WLEP are provided in the following sections.

7.6.1. Zoning and Zone Objectives

The site is zoned SP2 Infrastructure (Place of Public Worship and Educational Establishment). The following land uses are permissible with consent in this zone:

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

The existing Shule is permissible in this zone as it constitutes a 'place of public worship' and therefore the expansion of the existing use is permissible. The use of the Shule is the main congregational religious services which are held on Friday nights and Saturday mornings and the regular small services which occur Monday – Sunday in the morning and evenings.

The classrooms, meeting rooms, offices, washrooms, enlarged foyer and hall are incidental and ancillary to the Place of Public Worship uses that exist on the site. The proposed hall supports the dominant use of the Shule for the religious services and will be utilised for youth programs which are already held on the site. Small events (which are already held on the site) will be held within the hall if the foyer does not provide a large enough space. The hall use is not an independent use on the site and is to be used by congregants of the Shule.

The objectives of the SP2 Infrastructure (Place of Public Worship and Educational Establishment) are:

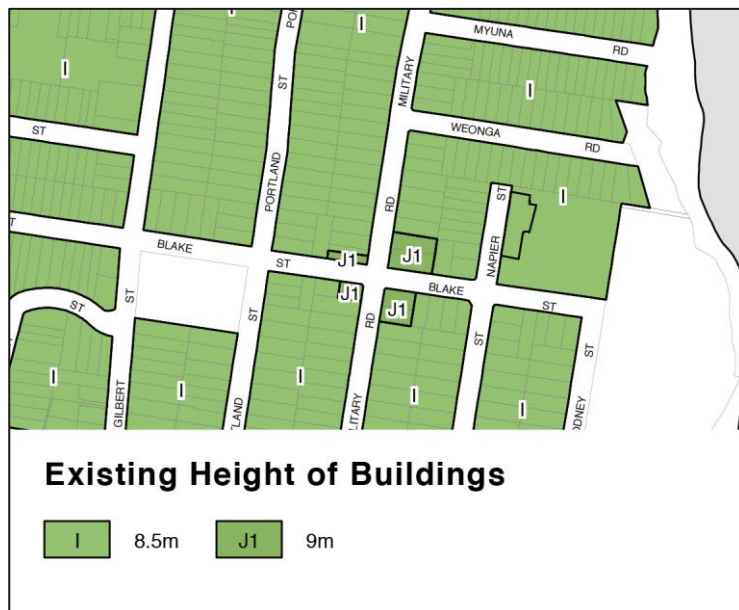
- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The proposed development is consistent with these objectives as it continues to provide a place of public worship for the Dover Heights Jewish community of an appropriate size. The associated facilities will continue to provide valuable services and spaces for the local Jewish community.

7.6.2. Height of Buildings

The current height of buildings control on the site under WLEP is 8.5m as shown below.

Figure 8 – Existing Height of Buildings Map (WLEP)



This proposal seeks to facilitate expansion of the existing Shule development on the site with a height control of 10.5m – an increase of 2m.

7.6.3. Floor Space Ratio

The current floor space ratio control on the site under WLEP is 0.5:1 as shown below.

Figure 9 – Existing FSR Map (WLEP)



This proposal seeks to facilitate expansion of the existing Shule development on the site with an FSR control of 1.3:1 – an increase of 0.8:1.

8. REZONING JUSTIFICATION

8.1. SECTION A: NEED FOR THE PLANNING PROPOSAL

The DPE document “A Guide to Preparing Planning Proposals” dated August 2016 includes the questions in the following sections which describe the need for the Planning Proposal.

8.1.1. Is this Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of a strategic study or report. However, an assessment of the proposed rezoning against Council’s relevant strategic planning policy documents is provided in Section 8.2.2.

8.1.2. Is the Planning Proposal the best means of achieving the Objectives?

It is considered that the Planning Proposal is the best means of achieving the objectives and outcomes stipulated in Section 6.1. The maximum height limit of 8.5m and FSR of 0.5:1 which currently apply to the site prevent expansion of the Shule as shown in the concept plan.

It should be noted that the WLEP height and floor space ratio controls for the site do not reflect the current Shule building which has a height of 9.6m (+1.1m) and an FSR of 0.6 (+0.1:1). Further, buildings on the adjoining Kesser Torah College site are subject to the same built form control and have an existing height of 10.5m and an FSR of approximately 0.8:1.

The current controls are therefore not appropriate to reflect the existing development on the subject site. This proposal addresses this and seeks to align the controls with the need for growth of the current facilities.

Following discussions with Council, it was determined that a request for preparation of a planning proposal was the most appropriate way to progress the concept for the site seeking an amendment to the height and FSR control under WLEP. This is considered the best means of achieving the objective as it will facilitate an extension of the built form on the subject site while retaining the existing use and special uses zoning under the WLEP.

The Planning Proposal will achieve the objectives of the Planning Proposal specified in Section 6.1.

8.2. SECTION B: RELATIONSHIP WITH STRATEGIC PLANNING FRAMEWORK

8.2.1. Is the Planning Proposal Consistent with the Objectives and Actions of the Applicable Regional or Sub-Regional or District Plan or Strategy?

Consistency with A Plan for Growing Sydney is discussed in Section 7.3.

8.2.2. Is the Planning Proposal Consistent with Council’s Local Strategy or other Local Strategic Plan?

Waverley Council’s Community Strategic Plan establishes a 12 year vision, priorities and aspirations for the site. The community vision for Waverley includes the following:

- *Protects and nurtures its distinct identity, sense of community, civic pride and respect for one another and the places where we live, work and play.*
- *Plans for its future so that design and development is human scale, sensitive and sustainable.*

The Community Strategic Plan 2013-2025 Waverley 3 includes the following strategy:

The community is welcoming and inclusive and people feel they are connected and belong.

- *Provide a broad range of relevant, affordable and accessible facilities, spaces, programs and activities that promote harmony, respect and togetherness.*

- *Encourage and foster community pride through community groups and volunteering initiatives such as the 'Civic Pride' program.*
- *Provide a socially inclusive, vital and welcoming library service that supports the educational, social and recreational needs of the community*

Places of public worship along with local community groups are identified as key partners in delivering on this strategy. The Shule use is an accessible facility within the community and one which is fundamental for the large Chabad orthodox Jewish community-based congregation in Waverley LGA.

Through the services which are provided (and will continue to be provided) such as events and youth programmes the Shule meets the social and recreational needs of the community.

8.2.3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the applicable State Environmental Planning Policies as summarised in Table 3.

Table 3 – Application of State Environmental Planning Policies

SEPP	CONSISTENCY	CONSISTENCY OF PLANNING PROPOSAL
SEPP 55 – Remediation of Land	Yes	The subject site is occupied by the Dover Heights Shule. Accordingly, the proposed rezoning is highly unlikely to have any contamination issues. Nonetheless, the Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP (Infrastructure) 2007	Yes	The Planning Proposal will not facilitate a place of public worship development generating 200 or more motor vehicles and is therefore not classified as 'traffic generating development'. Accordingly, the Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.

8.2.4. Is the Planning Proposal Consistent with applicable Ministerial Directions (117 Directions)?

As previously discussed at Section 7.2, the Planning Proposal is generally consistent with the relevant s.117 Directions.

8.3. SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8.3.1. Is there any likelihood that Critical Habitat or Threatened Species, Populations or Ecological Communities, or their Habitats, will be affected as a result of this Proposal?

The subject site is currently occupied by the Dover Heights Shule. Accordingly, the proposed rezoning is highly unlikely to have any impact on critical habitat or threatened species, populations or ecological communities. Any tree removal required will be considered at Development Application stage.

8.3.2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

8.3.2.1. Parking Requirements

A Traffic Impact Assessment has been prepared by Traffix and is provided in Appendix B. The report includes an assessment of the parking requirements, traffic impacts and access arrangements.

The following parking arrangements are proposed:

Table 4 – Dover Heights and Kesser Torah College Car Park Provision and Use – Traffic Management Plan (Traffix)

Car Park Location	Existing Capacity	Proposed Capacity	Use
Car Park 1	18 spaces	17 spaces	Used by the Shule / Kesser Torah College and Pre-School pick up / drop off.
Car Park 2	27 spaces	27 spaces (no change)	Used by Kesser Torah College exclusively
Car Park 3	30 spaces	30 spaces (no change)	Car parking is available for Shule Patrons outside of Kesser Torah College operating hours

The Shule's current vehicular access and car parking is within Car Park 1. Car Park 1 accommodates eighteen car spaces including:

- Seven spaces fall within the Shule's car parking area and are utilised by the Shule's staff and visitors. However, only three of these spaces are exclusively used by the Shule's staff and visitors.
- Eleven car spaces are utilised by the Kesser Torah Colleges Day Care pick up / drop off and the remaining three spaces are not signposted which are used by both the College and the Shule.

The existing car park area includes a security booth with monitored security personnel. Additional security measures include a rising bollard and a boom gate. These security devices ensure the occupants of the car park utilise the correct parking spaces.

Waverley Council DCP 2012 does not provide specific parking rates for places of public worship, therefore the Traffic Impact Assessment states that a first principles approach is appropriate to calculate the number of spaces required by the Concept Plan.

The objective of increasing the Shule's capacity is to accommodate the number of patrons already visiting the Shule. It is considered that the current parking demand will be unchanged. It should also be noted that there is a strong religious requirement for Shule patrons to walk to religious services. However regardless of this, the assessment of the parking provided finds the following:

- The maximum parking requirement for the Dover Heights Shule is twenty five during special event services occurring seven times throughout the year and do not coincide with the Kesser Torah College operating hours.
- Parking requirement on social events (weekday evenings and weekends) is a maximum requirement of twenty parking spaces. Therefore, it is considered that the social events and festivals parking

requirement can be readily accommodated within Car Park 1 and Car Park 3 which provides a total of 45 parking spaces.

- The weekday maximum car parking requirement for the Dover Heights Shule is considered to be ten parking spaces. It is noted that the Shule site car park provides five car parking spaces and is located within Car Park 1 however; the parking spaces are shared with the Day Care centre. It is considered that four car spaces in Car Park 1 are unrestricted and can accommodate the Shule staff and a portion of visitors to the Shule. In addition, the Shule will have access to an additional twelve car parking spaces outside of Day Care pick up and drop off times.
- In the event that the daily maximum number of ten vehicles were to arrive during Day Care pick up and drop off times that two of these vehicles could be accommodated within car park (noting that the other 2 spaces are for Shule staff) and the remainder eight would utilise on-street parking along the frontages of the school. The likelihood of this scenario is extremely low as visitors to the Shule during weekdays are usually throughout the day and during business hours (i.e. after drop off and before pick up times).

It is considered that adequate parking will be maintained for the proposed development with the net loss of one parking space that is currently designated to the Dover Heights Shule. The security provisions surrounding car park 1 enables the parking to be managed appropriately.

8.3.2.2. Parking Management

A Traffic Management Plan has also been prepared by Traffix and provided in Appendix B. The Traffic Management Plan proposes the following travel strategies to encourage active travel for staff and visitors to the Shule:

Table 5 – Parking Management Recommendations

Proposal	Details	Implementation
Management of Off-Street Parking Facilities	Officer to set up and maintain management of the off-street parking facilities as well as manage all enquiries relating to parking for the Dover Heights Shule. The officer will be responsible for liaising with staff and visitors to the Shule to ensure that off-street parking is utilised so that there is minimal impact to on-street parking.	A minimum of 73 car parking spaces be available at all times on site when any of the permitted uses (Shule or School) are operating, with car park 3 to be available for Shule patrons. The Shule is to provide a permanent officer to patrol nearby areas of Napier and Blake Street at time when the Shule is used to ensure that no attendees park vehicles in the adjoining streets. Congregants attending the Shule are to be reminded on a regular basis that motor vehicles should not be parked in the nearby areas of Napier and Blake Streets.
Walking and Cycling Routes	Providing walking and cycling routes to staff and visitors is to promote active travel.	Reviewed annually to ensure any changes or additions to routes in the local area are reflected. The Shule shall provide active travel education to all visitors and promote active travel through annual events.

The applicant is committed to adopting the recommendations of the Traffic Management Plan and will be adopted during the DA stage.

8.3.2.3. Built Form and Visual Impacts

While the detailed design of a Shule expansion will be undertaken as part of a Development Application, photomontages accompany the proposal (refer Appendix A) to provide an indication of how the interface with adjoining land uses can be suitably integrated. Figure 10 and Figure 11 shows the proposed built form from the south west and west.

The concept design shows that:

- The addition of the proposed hall provides the opportunity to improve the presence of the Shule to the street and create a stronger identity. This is achieved through a curvilinear screened structure contrasting the rectilinear architecture of the Shule and Kesser Torah College.
- A high quality curvilinear building form is proposed which will screen the mundane mid-century TAFE college façade. The added investment and improved aesthetic qualities would encourage a higher level of community pride and engagement, and enhance the community value of the immediate neighbourhood.
- The built form reflects the presence and existing use of the site (and the zoning) for a 'place of public worship and educational establishment and different from the surrounding residential uses. However, the additional built form will not dominate the surrounding low density residential land uses.
- It incorporates main entry architectural features to enhance external legibility of the built form.
- The design reflects the environment required for an importance religious establishment. The extension of the Shule has been designed to allow for a flexible expansion space which is capable of being screened off from the existing Shule.
- The addition of the hall will enhance the appearance of the Shule from Napier Street and Blake Street.
- The additions to the building will include an articulated and varied presentation to the public domain and will continue to predominantly address Blake Street and Napier Street as the primary frontages.

With regard to the visual impacts of the concept design, the following is noted:

- The proposed additions to the building are generally consistent with the adjoining Kesser Torah College and do not exceed the maximum height of the school buildings.
- While the concept design increases the height of the existing built form through an additional storey, due to the existing non-compliance with the LEP controls and sloping roof elements, the proposed height limit does not appear substantially different than currently exists on the site. The proposed flat roof and roof form of the classrooms also reduce the appearance of additional bulk and scale.
- The scale of a third storey addition is consistent in scale to adjacent building on the Kesser Torah College, and the top two levels are setback from the parapet of the ground floor level, to break down scale to relate to the streetscape of Napier Street and the adjoining detached dwellings to the north.

An assessment of visual impacts including overshadowing and privacy will be undertaken as part of a future development application for the proposal. The detailed design for DA stage will be progressed alongside appropriate community consultation. Given the orientation of the site and proposed Shule extension, the height and the separation from residents, overshadowing impacts on adjacent residential properties are not anticipated.

Figure 10 – Photomontages showing Existing and Proposed – South West View (Blake Street)



Picture 11 – Existing South West View



Picture 12 – Proposed South West View (with additional tree planting in Napier Street verge)

Figure 11 – Photomontages showing Existing and Proposed – West View (Napier Street)



Picture 13 – Existing West View



Picture 14 – Proposed West View (with additional tree planting in Napier Street verge)

8.3.3. Has the planning proposal adequately addressed any social and economic effects?

The proposal will generate the following social and economic benefits to the community:

- The proposed development is in the public interest as it ensures that an important religious establishment in the Dover Heights community continues to provide appropriate spaces for religious services and community gatherings into the future.
- Future expansion will meet the needs of local residents into the future and provide additional classrooms and a hall for community celebrations.
- The proposal will enhance the existing Shule facility. This proposal is a contemporary design that will improve the presentation and function of the building.
- Community consultation was undertaken through the design process as part of an ongoing commitment by the Shule to engage with local residents.
- The objective of increasing the Shule's capacity is to accommodate the number of patrons already visiting the Shule. Nonetheless, a parking management strategy is proposed for the site which will ensure there are no additional impacts to on street parking.

8.4. SECTION D: STATE AND COMMONWEALTH INTERESTS

8.4.1. Adequacy of Public Infrastructure and Transport Infrastructure

The Traffic Impact Assessment provides an assessment of the traffic impacts of the proposal and concludes that the proposed development will not change the volume of traffic generated by the site. There is no anticipated increase in the number of patrons and no change in car occupancy rates.

In summary, there would be no additional traffic volume and therefore no material impact on the operation or performance of the surrounding road network and accordingly no external infrastructure improvements are required to support this development.

8.4.2. State and Commonwealth Public Authorities Consultation

Consultation with relevant State and public authorities will be undertaken during the assessment of the planning proposal as required by the Gateway Determination.

9. CONSULTATION

9.1. COMMUNITY CONSULTATION

A comprehensive community consultation strategy for both the planning proposal stage and the future development application stage has been developed to ensure that information surrounding the project is conveyed to local residents at the appropriate times and that feedback is received and acted upon where necessary.

A Consultation Summary of Outcomes Report has been prepared by Urbis and provided in Appendix C. Community consultation to seek feedback on the initial design was undertaken in June 2016. The consultation aimed to:

- Provide factual information about the proposed development.
- Invite feedback through a range of channels.
- Collate and document consultation outcomes.
- Inform the refinement of design concepts for further consideration.

Consultation activities included:

- Distribution of a letter and project fact sheet to neighbouring residences, notifying them of the proposed development and upcoming consultation activities.
- Doorknock of residences in an identified catchment around the Shule site.
- Email distribution of a letter and factsheet to Waverley Councillors, Local Members and key local stakeholders notifying them of the proposed development and offering a briefing on the project.
- Two Community Information and Feedback Sessions for members of the Shule.
- Formal feedback forms provided at the Community Information and Feedback Sessions.
- Briefings with Mayor Sally Betts, Deputy Mayor Tony Kay and Kessah Torah College.
- A dedicated project email and phone number.

Table 6 provides a summary of comments received during consultation. It is noted that the concept plan presented in this report has developed since initial consultation with local residents was undertaken. Further consultation will be ongoing as the design progresses.

Table 6 – Summary of Consultation Comments and Response

Method of Consultation	Comments	Response
Community Information and Feedback Sessions	General: General support for the proposal, particularly the need for increased capacity during larger services where currently the congregation is required to be split over two venues. • Height: One resident was concerned that the height of the proposal would set a precedent for increased height, particularly for the neighbouring school buildings. • Scale and Overshadowing: One resident in Napier Street was particularly interested to understand any potential impacts associated with scale and	• The proposed height increase is limited to the Shule site and is considered in full as part of this assessment. Any proposed increase on the school site would need to be proposed individually and assessed by Council. • As a result of these comments shadow diagrams were included in

Method of Consultation	Comments	Response
	overshadowing on residences in Napier Street.	the information pack for neighbours, discussed in the subsequent doorknock.
Doorknock (Blake Street and Napier Street)	Overall the discussions during the doorknock in Blake Street were generally supportive of the proposal. Some residents on Napier Street supported the future plans. - One resident on Blake Street raised issues associated with the impacts of traffic and parking associated with the school. They recognised this was not related to the Shule. - One couple in Napier Street were not supportive – they were particularly concerned about the addition of another storey, intensification of uses in a residential neighbourhood and traffic and parking impacts - Traffic and parking was raised as a pre-existing concern, particularly in Napier Street but also in Blake Street. The concerns about traffic were linked with the Shule and neighbouring school. A need to resolve the existing parking and traffic issues was raised, by ensuring that all Shule visitors parked in the school - One resident in Napier Street raised concerns over landscape and screening treatments, particularly reflecting on the removal of trees along the boundary line, as well as intensification of use, increased bulk and scale in a residential environment. - There was a general lack of knowledge about what occurs within the Shule. Several people reported a lack of connection between the Shule and the neighbourhood	- Height and visual impacts are considered in Section 8.3.2.3. - Traffic impacts and traffic management is considered in Section 8.3.2.1 and 8.3.2.2. - Landscaping design will be detailed further as part of a future DA.
Doorknock (Weonga Road)	Residents on Weonga Road whose properties back onto the school and overlook the Shule, were generally concerned about visual impacts, bulk and scale, particularly: - Overlooking - Visual impacts, height, bulk and scale - Existing lighting being left on in the Shule - Location of the plant room and potential noise impacts	- Height, overlooking and visual impacts are considered in Section 8.3.2.3. - Traffic impacts and traffic management is considered in Section 8.3.2.1 and 8.3.2.2. - Landscaping design will be detailed further as part

Method of Consultation	Comments	Response
	- The option to include landscaping or screening within their boundary lines - Management of construction impacts. Several residents noted their concerns related to impacts associated with the school and pre-school, rather than the Shule. It was reported that the school had made commitments in relation to screening and construction impacts when the preschool was developed, that were not met. This created concern and distrust in relation to any other proposals, even though it was recognised that the issues related to the school and not the Shule.	of a future DA. The Shule will review immediate action that can be taken to address such concerns such as ensuring that internal lighting is switched off.

It is noted that during consultation some residents did not distinguish between the Shule and the Kessah Torah College in relation to traffic impacts on local streets.

Some residents have also expressed concerns stemming from commitments that were made previously by the school that were not adhered to, or are no longer acted on. The Shule is committed to engaging with local residents and building positive relationships and trust.

In response to this, the recommendations of the Consultation Outcomes report will be adopted which are:

- Review the designs to respond to concerns;
- Identify a designated contact person from the Shule, to engage with residents on an ongoing basis;
- Turn off the kitchen light shining into backyards on Weonga Road;
- Consider options to introduce landscape screening for backyards on Weonga Road, although this is related to overlooking from the school rather than the Shule;
- Work with the school to explore solutions to traffic and parking impacts; and
- Introduce a neighbour communications process, including the designated contact person, regular newsletters and invitations to meet with neighbours.

9.2. CONSULTATION WITH WAVERLEY COUNCIL

Preliminary consultation was undertaken with Waverley Council to discuss the proposed development as a Development Application at a meeting on 26 November 2015. Council's comments are summarised with responses provided in the table below.

Following discussions with Council, it was determined that a request for planning proposal was the most appropriate way to progress the concept for the site seeking an amendment to the height and FSR control under WLEP. Detailed design of the Shule expansion will be included in future Development Application for the site.

Table 7 – Summary of Pre DA Comments and Response

Issue	Council Comment	Response
Advertising and signage	The sign would be demonstrated that it is consistent with the objectives of SEPP 64.	Signage will be considered as part of a future development application and assessed against SEPP 64.

Issue	Council Comment	Response
Permissibility	Without full details of the use and operation of the function hall the permissibility of the 'function hall' use cannot be definitely determined at this stage.	The hall is incidental and ancillary to the principal use of the site as a 'place of public worship' and is therefore permissible in the SP2 zone. This is discussed in Section 7.6 and further information will be provided as part of a future development application.
Building Height	The additional building height would not adequately satisfy the objectives of the height of buildings development standard set out in Clause 4.3 of the WLEP.	This request to prepare a planning proposal seeks to amend the height control to facilitate the concept plan. The increase in height is considered minor and will allow for retention of the site for its current use. The visual impacts of the additional height are considered in Section 8.3.3.
Floor Space Ratio	The increase in FSR (along with the height) would result in visual impacts on surrounding streetscape and neighbouring residents.	Visual impacts are considered in Section 8.3.3.
Exceptions to Development Standards	The proposal would be better explored through the planning proposal process. This would present an opportunity for a master plan of the overall site to be developed to review the applicable development standards in order to appropriately investigate the growth potential of the site.	In accordance with Council's feedback, this request to prepare a planning proposal seeks to amend the sites controls under WLEP rather than applying for an exception to development standards under Clause 4.6.
Preservation of Trees or Vegetation	A detailed Arboricultural Impact Assessment report should be prepared to consider the retention value of the trees to be removed and the associated impact.	Tree removal will be considered in relation to detailed design of the proposal at Development Application stage.
Operational and capacity details	Any future development application must demonstrate in quantitative terms how the proposal will intensify the use, operations and capacity of the existing Shule.	In recent years, the Shule has operated at close to capacity and additional facilities are now required to better meet the needs of the Shule community. While the number of seats within the Shule is increasing, the majority of additional floor space will facilitate the new hall which is to be used for the congregants.
BCA	A BCA assessment of the proposed building should be included in any development application.	A BCA assessment will be included in a future development application.

10. CONCLUSION

This Planning Proposal has been prepared to amend key built form controls applicable to the site to facilitate an expansion and upgrade to the Dover Heights Shule to better meet the needs of the local community by appropriately accommodating the number of patrons already visiting the facility.

This proposal includes an amendment to the height of buildings and floor space ratio control under the WLEP and will facilitate an extension of the built form on the subject site. It is considered that there is a case for change to the site's controls for the following reasons:

- The proposal retains the sites existing SP2 zoning and use as an established and integral place of public worship within the local community. The proposal facilitates sustainable growth of the facility which is appropriate to the scale and size of the site and remains sympathetic to the surrounding residential uses.
- Meets the needs of a growing community with cultural facilities that are to be purpose built for the congregants.
- The proposal will support the ongoing sustainable use of the site as a place of public worship. There is a need for additional seats to meet growing demand, and coupled with this the desire to remain at the current location within the community, the planning proposal will facilitate its future expansion.
- The proposal demonstrates appropriate traffic management measures which will be adopted in order to prevent any on street parking associated with the expansion of the facilities. This is consistent with previous approvals and conditions of consent relating to the Shule and college site.
- The proposal will enhance the existing Shule facility. This proposal is a contemporary design that will improve the presentation and function of the building.

The planning proposal has the ability to be consistent with all applicable SEPPs and Ministerial Directions and for the reasons outlined in this report, it is recommended that Council advance the preparation of a planning proposal as a first step prior to its referral to the Gateway.

DISCLAIMER

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A CONCEPT ARCHITECTURAL PLANS

APPENDIX B

TRAFFIC IMPACT ASSESSMENT AND TRAFFIC MANAGEMENT PLAN

APPENDIX C

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