

JRPP NO:	2010SYW058
DA NO:	DA NO. 298/2011/JP
PROPOSED DEVELOPMENT:	USE OF AN INDUSTRIAL BUILDING FOR THE PURPOSE OF A PLACE OF WORSHIP AND CONSTRUCTION OF A 2-LEVEL CAR PARKING FACILITY
SUBJECT SITE:	LOT 2 DP 1143379 - 219A NORTH ROCKS ROAD, NORTH ROCKS
APPLICANT:	SAE SOON CHURCH C/ BYRNES PDM
LODGEMENT DATE:	25 AUGUST 2010
REPORT BY:	DEVELOPMENT ASSESSMENT CO-ORDINATOR CLARO PATAG
SUBMISSION:	SEVEN (7)
RECOMMENDATION:	APPROVAL SUBJECT TO DEFERRED COMMENCEMENT

ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

The Development Application is for the adaptive reuse of an existing industrial building for a place of worship. The proposed works include the construction of a worship hall and various associated rooms and amenities including a gymnasium on the ground floor and construction of a mezzanine level to incorporate additional meeting rooms, small halls and amenities. The proposed place of worship will accommodate a maximum congregation of 1,600 people when the Sunday Service occurs at the same time as Sunday School.

Car parking provision will be located in two areas within the site. The first parking area is located within the existing paved areas along the eastern side of the warehouse building and in front of the administration building off North Rocks Road. These areas will be landscaped and line marked to accommodate 77 car parking spaces, parking for 4 mini-buses and delivery/servicing area. The second parking area will be located on the north western part of the site comprising a 2-level car park located adjacent to the Trent Road frontage, which will accommodate 498 car parking spaces and 12 motorbike parking spaces.

The proposal received seven (7) submissions raising concerns relating to traffic, parking, hours of operation, noise and air pollution, signage illumination, and compatibility with adjacent land uses. The concerns raised in the submissions are capable of being adequately addressed by means of conditions of consent and through the design proposed.

The proposed use and construction works are compatible with adjoining residential and industrial development.

The Development Application is recommended for approval subject to conditions including deferred commencement conditions relating to the provision of a right of carriageway and drainage easement.

BACKGROUND**MANDATORY REQUIREMENTS**

Owner:	Sydney Sae Soon Presbyterian Church	1.	<u>BHLEP 2005</u> – Permissible with consent.
Zoning:	Light Industry 4(b) and Open Space 6(a)(Existing and Proposed Public Recreation)	2.	<u>BHDCP Part C Section 9 – Light Industry</u> – Variation required, see Report.
Area:	96,420m ²	3.	<u>BHDCP Part D Section 1 – Parking</u> – Variation required, see Report.
Existing Development:	Vacant industrial premises	4.	<u>BHDCP Part D Section 3 – Landscaping</u> – Variation required, see Report.
		5.	<u>Section 79C (EP&A Act)</u> – Satisfactory

SUBMISSIONS**REASONS FOR REFERRAL TO JRPP**

1. Exhibition:	Yes, for 30 days.	1.	Capital Investment Value in excess of \$5 million pursuant to clause 13B(1)(b)(i) of SEPP (Major Development) 2005.
2. Notice Adj Owners:	Yes, for 31 days.		
3. Number Advised:	Fifty-five (55)		
4. Submissions Received:	Seven (7)		

HISTORY**01/08/2008**

Development Application 176/2009/ZB for a two stage five lot industrial subdivision approved by Council's Development Assessment Unit. Stage 1 comprised two lots known as Lot 1 and Lot 2 DP 1143379. Lot 1 has an area of 4.775 hectares containing an existing factory complex (Unilever) with frontages to North Rocks Road and to Trent Road. Lot 2, which is the subject site has an area of 10.087 hectares containing an existing warehouse complex with frontages to North Rocks Road and to Trent Road.

Stage 2 was to further subdivide Lot 2 (subject site) into four lots (i.e. three industrial lots and a public reserve).

19/12/2008

First pre-lodgement meeting held with the applicant.

02/07/2010

Second pre-lodgement meeting held with the applicant.

25/08/2010

Subject Development Application lodged.

**06/09/2010 to
06/10/2010**

Subject Development Application notified to surrounding properties and advertised in the local newspaper as a nominated Integrated Development.

10/09/2010	Letter sent to the applicant requesting additional waste management information.
16/09/2010	Letter sent to the applicant requesting additional information relating to landscaping and trees and advising the imposition of building conditions relating to entertainment venues.
08/10/2010	Letter sent to the applicant raising the following issues outlined in the submission received from the planning consultant of adjoining Unilever site, i.e. consent from Unilever for the proposed works within the right of carriageway, potential land use conflict, acoustic, geotechnical and stormwater drainage issues.
21/10/2010	Briefing held with the Joint Regional Planning Panel.
25/10/2010	Letter sent to the applicant requesting submission of a heritage assessment addressing Clause 39 of Baulkham Hills Local Environmental Plan 2005 outlining the impact of the proposal on a heritage item in the vicinity (No. 103 North Rocks Road), which is listed in Council's Heritage Inventory Sheet.
22/12/2010	Additional information submitted by the applicant relating to landscaping, trees and heritage.
14/02/2011	Letter sent to the applicant requesting additional engineering information relating to drainage easement, on site detention and vehicular access and parking.
17/02/2011	Meeting held with the applicant to discuss outstanding engineering issues raised in Council's letter dated 14/2/11.
25/02/2011	Additional engineering information submitted by the applicant.

PROPOSAL

The Development Application is for the adaptive reuse of an existing industrial building principally for the purposes of a place of worship. The proposed refurbishment works include the construction of a worship hall and various ancillary facilities, rooms and amenities including a gymnasium on the ground floor and construction of a mezzanine level to incorporate additional meeting rooms, small halls and amenities. The maximum attendance at any one time will be 1,600 people when the Sunday Service occurs at the same time as Sunday School.

The proposal also includes the construction of a two storey car park comprising 498 car parking spaces and 12 motorbike parking spaces at the north western part of the site. Additional parking, some of which is existing, is proposed adjacent to the existing buildings.

It is proposed to use the existing administration building for church administration purposes. A two storey multipurpose extension is proposed to the existing administration building. The proposal also includes the construction of a two storey building adjacent to the administration building to be used for the purposes of a café and ancillary caretaker and guest accommodation.

Car parking is proposed within two areas, comprising the existing paved area along the eastern side of the warehouse building and in front of the existing administration building

off North Rocks Road. Sixty-five (65) car parking spaces and four (4) mini-bus spaces are immediately adjacent to the main building, which include parking spaces for disabled persons and the elderly. Twelve (12) car parking spaces are additionally located in front of the existing administration building and results in a total of 77 spaces adjacent to the church building. These areas will be landscaped and linemarked in accordance with Council's standards. The second parking area will comprise a 2-level car park located adjacent to the Trent Road frontage, which will accommodate 498 parking spaces (i.e. 250 spaces at ground floor level and 248 spaces at first floor level) and 12 motorbike spaces. It is proposed to provide a bus drop off bay at the North Rocks Road frontage. In total, 575 car spaces will be provided for the place of worship. This equates to 255 spaces in excess of the Parking DCP requirement.

The development of the facility will occur in two stages. Stage 1 will fully accommodate the current church needs including worship area, Sunday School and car parking (immediately adjacent to the main building and ground floor level of the main car park off Trent Road). Stage 2 will be implemented when there is a need to provide additional facilities. The details of the proposed staging are as follows:

Stage 1

- Refurbishment/redevelopment of the existing industrial building to accommodate the maximum congregation of 1,600 people;
- Construction of the ground floor level of the main carpark off Trent Road (i.e. 250 car parking spaces and 6 motorbike spaces);
- Landscaping and hard surfaces (including linemarking of 77 parking spaces and 4 mini-bus spaces);
- Use of the administration building; and
- Signage; and
- 327 car spaces, 6 motorbike spaces and 4 mini bus spaces provided

Stage 2

- Construction of the first floor level of the main carpark off Trent Road (i.e. 248 car parking spaces and 6 motorbike spaces) completing the overall car parking provision on site;
- Construction of the two buildings between the administration building and the industrial building (cafe and guest accommodation building and multipurpose building)

Stage 2 will be reliant upon the demand for additional parking in the event that the church membership grows.

The Sae Soon Church engages in a range of traditional core functions of a religious organisation. Sae Soon's activities include:-

- Sunday Church Services
- Sunday School
- Dedicated times of Prayer and Praise
- Dedicated Bible Study sessions
- Dedicated religious encouragement and training sessions for Sunday School teachers, people involved in leading worship and people involved in evangelism.
- Administration functions
- Ministering to the congregation with food and refreshment
- Engagement in Christian service to their neighbours and consequential humanitarian and care programs (administration functions)
- Internal and external passive and active recreation (ranging from casual socialising through to sport within the gymnasium)

The maximum congregation number on the site will be 1,600 persons. It is not proposed to increase the population numbers further with Stage 2.

A full breakdown of the proposed activities, hours of operation and attendance numbers is provided in the table below:-

Purpose	Hours/Day	No. of People
Administration	8:30am – 6:00pm Monday to Friday	40
Sunday Service (1-hour service)	8:30am 10:00am 12:00pm 3:00pm Premises vacated by 8:00pm	400 800 800 400 plus 100 staff (administration staff & marshals)
Sunday School	12:00 – 3:00pm	700 (children & teachers incl.)
Sunday School Teachers, Worship Leaders encouragement & meetings	7:00pm – 10:30pm Monday to Friday	50
Saturday	7:00am – 6:00pm Preparation for Sunday & ancillary uses: - Choir practice - Food preparation - Language guidance	300
Dawn Service	5:30 – 6:30am Monday – Saturday	80
Special Events	e.g. Easter, Christmas, guest speaker (1 per quarter average) 9:00am – 8:00pm	800-1000
Max. attendance at any one time will be when the Sunday Service occurs at the same time as Sunday School	800 (main service) + 700(Sunday School) + 100(ancillary e.g. parking attendant, admin & catering purposes) - 12:00pm – 3:00pm Sunday	1600
Deliveries	Monday to Saturday, 7:00am - 6:00pm No deliveries on Sundays or public holidays	

SITE DESCRIPTION & ZONING

The subject site is located within an established industrial estate within the suburb of North Rocks identified as (Lot 2 DP 1143379) 219A North Rocks Road, North Rocks. The irregularly shaped lot is located on the eastern side of Trent Road and the northern side of North Rocks Road and has an area of 9.642 hectares. The site slopes down in a south to north direction. There is a gentle slope at the southern end adjacent to North Rocks Road, with a steeper fall to the rear of the site, towards Rifle Range Creek.

The site is zoned part Light Industry 4(b) and part Open Space 6(a) under Baulkham Hills Local Environmental Plan 2005 and has frontage to North Rocks Road and Trent Road (see Attachment 4). All works are located in the Light Industry 4(b) zoned area.

The industrial area contains a mix of industrial uses and buildings of varying size and architectural style as well as open air car parking areas. The site is bounded by an open space corridor to the north, part industrial and part residential development to the east, North Rocks Road to the south with residential properties opposite and Unilever Industrial site and Trent Road to the west.

The subject site currently contains an existing vacant industrial building, previously used by Unilever as an ancillary administration building. The administration building has been in operation for such purposes up until the recent sale of the site to the proponent. The total floor area of the existing industrial building is approximately 9,490m².

The subject site was the subject of a previous subdivision approval (see Attachment 14) originally planned for further subdivision into four lots (i.e. three industrial lots and a public reserve) known as Stage 2 of Development Consent 176/2009/ZB.

ISSUES FOR CONSIDERATION

The proposal has been assessed having regard to Section 79C of the Environmental Planning & Assessment Act, 1979, Baulkham Hills Local Environmental Plan (BHLEP) 2005, Baulkham Hills Development Control Plan (BHDCP) Part C Section 9 – Light Industry, Part D, Section 1 – Parking and Part D, Section 3 – Landscaping. The following matters are considered relevant:

1. Compliance with Baulkham Hills Local Environmental Plan (BHLEP) 2005

The subject site is zoned part Light Industry 4(b) and part Open Space 6(a)(Existing & Proposed Public Recreation). The proposed development will be contained wholly within the portion of the subject site zoned Light Industry 4(b). Part of the subject site that is zoned Open Space 6(a) which contains Sydney Sandstone Gully Forest and Rainforest will remain unaltered - see Attachment 2 – Aerial Photograph.

The proposed development is defined in the Baulkham Hills Local Environmental Plan 2005 as a Place of Worship, as follows:

"A place used for the purpose of public religious worship, whether or not the building or place is also used for counselling, social events or religious training by a congregation or religious group."

The proposed gymnasium, small theatres, café and administration building are considered to be ancillary to the proposed development.

The zone objectives are relevant in ensuring that developments are capable of integration with the surrounding environment and serves the needs of the surrounding population without conflicting with the industrial intent of the zone.

The Light Industry 4(b) zoning objectives are as follows:

(a) to allow a wide range of industrial, warehousing and manufacturing activities, that will contribute to economic and employment growth in the local government area, requiring a range of floor areas, together with ancillary uses, the opportunity to locate within that area, and

(b) to provide for associated uses to service the convenience needs of the local workforce, and

(c) to encourage a high standard of industrial development that is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and

(d) to protect the viability of commercial centres by enabling development for the purpose of commercial offices only where it is associated with and ancillary to industrial, manufacturing, warehousing or like land uses on the same land, and

(e) to permit generally large-scale retail and display activities that require extensive site areas, and that generate a low return per unit of floor area or that require a relatively free-standing location to facilitate the loading and unloading of goods, but only if such activities cannot appropriately be located in, or do not adversely affect the viability of, services offered in Zone 3(a), and

(f) to encourage innovative and imaginative design with particular emphasis on the integration of buildings and landscaped areas, and

(g) to support the business zones of the local government area.

A place of worship is a permissible use in Light Industry 4(b) zone. The proposal inherently exhibits a number of elements that the objectives of the zone seek to address.

The proposal is for a large church that requires a large facility and a building mass of a scale typical within industrial estates.

The proposal does not diminish the viability of local commercial centres.

The proposal attempts to achieve an innovative and imaginative design that would be compatible with adjoining industrial uses. It is considered that the proposal has environmental merits through the retention and reuse of a large existing industrial building. The building fabric is proposed for retention, with the internal space being refurbished to provide a functional space for a place of worship. The separation of traffic and pedestrian movements, the creation of huge spaces for the congregation of people and integration of the building with the landscape are considered satisfactory. The bulk and size of the building is effectively obscured from North Rocks Road and does not dominate the streetscape. The landscape is the dominating feature of the site, i.e. the landscaped frontage along North Rocks Road and the predominantly retained large tract of bushland on the northern part of the site.

The proposal is consistent with the objectives of the zone. The applicant requires a large facility that is typical of industrial zones, without compromising other nearby zones, while retaining and protecting the amenity of the zone.

2. Staging of the Main Car Park off Trent Road

It is proposed to stage the construction of the main car park off Trent Road and concerns are raised in terms of interruption to the ground floor car park operation should construction of the second level occur. The applicant has provided the following statement to address this concern:

The 2nd level of the carpark is not required for the application before Council and there is no intention nor financial capacity to build both the ground and upper levels of the car park at once. We would object to any requirement of Council in a condition requiring us to build parking over and above what is required. The 2nd level car park is our "future proofing" of any growth in the congregation. This is a matter that Council specifically asked us to address in pre DA meetings. We wish to capture in the consent the potential to build additional carparking, should that be required at some in the future. Car parking is a key issue for both the applicant and Council, but requiring the upper level to be built from the beginning is onerous and unacceptable. The proposal responsibly seeks to provide adequate carparking now, while giving opportunity to increase that carparking in the future, should the need and opportunity arise.

In regard to the impact on parking when the upper level is constructed I advise that the carpark is intended to be built with pre-cast concrete panels in four sections. While it is possible that there will be no interruption to parking on the ground floor during construction, it is noted that the construction method may result in a "worst case" scenario of a quarter of the carparking being unavailable for a very short period of time. The shortfall of approximately 60 spaces (25% of the ground floor) could be easily accommodated in short term overspill parking on the grassed area immediately north of the place of worship. Any period of interruption would be brief having regard to the pre-cast construction method and the parking interruption can be accommodated on site for this short period of time. We would be happy with a condition requiring that any carparking not made available on a Sunday due to the construction work in building the upper level be provided as temporary parking elsewhere on site.

Comment:

It is acknowledged that there is no urgency to build the second level of the main car park as the amount of off-street parking spaces to be provided in Stage 1 complies with Council's parking rate and is more than adequate to cater for the anticipated maximum congregation of 1,600 persons as stated in the application. It is also acknowledged the applicant's intention to provide all required car parking on site and discourage any member of the congregation to park on the street to preserve the amenity that the neighbouring residential properties currently enjoy. However, in order to ensure that interruption would be minimal should the applicant opt to construct the upper level of the main car park building, it is recommended that any car parking not made available on a Sunday due to construction work be provided as temporary parking elsewhere on site. This shall be incorporated within the Car Park Management Plan (refer Condition 12).

3. Compliance with BHDCP Part C Section 9 – Light Industry

The proposal has been assessed against the development standards of BHDCP Part C Section 9 – Light Industry and the following table shows the proposal's compliance with the provisions of the DCP.

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
2.2 Site Analysis	Development on land with a slope in excess of 10 – 20% should be accompanied by a geotechnical assessment. Land greater than 20% slope is not suitable for development.	The proposal is considered satisfactory in relation to the site and surrounding properties.	Yes
2.3 Development Sites	Minimum 8,000m ² (within all industrial zones other than the Castle Hill industrial area) Minimum road frontage requirement is 60 metres. Consent may not be granted to an application that isolates	96,420m ² 285m No adjoining industrial land will be isolated. The proposal is to utilise an	Yes Yes Yes

	an area of land that does not meet the minimum site area requirements.	existing disused industrial building.	
2.4 Safety by Design	<p>Design of the buildings and landscaping should ensure natural surveillance of pathways and open space setback areas around buildings, is possible from within the building, and/or from adjoining roads and open space areas.</p> <p>Building design should ensure building entrances are visible and discourage entrapment.</p> <p>Appropriate lighting and signage is to be provided to identify and promote use of safe access routes.</p>	The proposal seeks to utilise and convert an existing disused industrial building. Notwithstanding this the design is considered satisfactory.	Yes
2.5(a) Floor Space Ratio	Max. 1:1	<p>Site area: 96,420m² Proposal: 13,709m² Proposed FSR: 0.14:1</p> <p>Breakdown of Floor Areas: Main Building: 11,417m² Admin Building: 979m² Multipurpose extension: 804m² Café/Guest Accommodation Building: 493m²</p>	Yes
2.5(b) Floor Areas	<p>50% of buildings / units may be 100m² - 150m²</p> <p>All others must be min 150m²</p>	Not applicable as the proposal is for the conversion of an existing building with extensive floor space.	N/A
2.5(c) Max Ancillary Office Floor Area	Max 50% of the unit floor area can be ancillary office.	The administration building constitutes approx. 8.6% of the main building floor area.	Yes
2.6 Road Setbacks – Map Sheets	Map Sheet No. 6 of 7 requires the following setbacks for the site:		

	<p>North Rocks Road – 30m</p> <p>Trent Road: 15m</p> <p>Eastern Side: 5m</p> <p>South-western Side: 5m</p> <p>Rear (Northern Side): Restricted Development Area</p>	<p>Main Building: 45m</p> <p>Café / Guest Accommodation Building: 24.8m</p> <p>Administration Building: 31.5m</p> <p>Multi-purpose Extension: 59.5m</p> <p>Main Car Park Building: 16.5m to main wall and 15m to a stairwell (7.5m long)</p> <p>30m (Main Building)</p> <p>N/A as this standard applies to the Unilever site side, nonetheless the multi-purpose extension building is located 8.5m away from the boundary adjacent to Unilever site.</p> <p>No development is proposed within the Restricted Development Area.</p>	<p>Yes</p> <p>No – see comments below.</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
2.6 Setback – other	<p>Where the setbacks are not contained on the map sheets, the maximum permitted is 5 metres to the building and 2 metres for at grade parking.</p> <p>Other than Castle Hill, parking is permitted 10 metres forward of the building line where a building is setback 20 metres or more.</p> <p>40 metres to top of creek or to the requirements of the NSW Office of Water.</p>	<p>The proposal will maintain appropriate setbacks to all boundaries, with the exception of the mini-bus parking area which is set back 1.4m to the eastern side boundary.</p> <p>On the south western side boundary, 1 parking space encroaches the 2m requirement by 1.2m.</p> <p>The car parking area which fronts North Rocks Road is setback more than 10m.</p> <p>No development is proposed within 40m of Rifle Range Creek, which adjoins the subject site to the north. The proposed</p>	<p>No – see comments below.</p> <p>Yes</p> <p>Yes</p>

	Setbacks are to be measured from the new alignment where road widening is proposed / affects a site.	development will not be located closer than 128m from the creek line. Not relevant as no road widening is proposed on North Rocks Road and Trent Road.	N/A
2.6 Landscape Setbacks	Minimum 2 metres between every 10 parking spaces and between rows of parking.	Provided.	Yes
2.7 Building Height (Includes Plant)	Max 15 metres except where the building is within 30 metres of a residential property which is then restricted to 10 metres OR The area is subject to Appendix 1 Sheet 6 where the building envelope is nominated.	The proposal is within the building height envelope and is below the permissible height as nominated in Map No. 6 of 7 in Appendix 1.	Yes
2.8 Building Materials	<p>Select materials which minimise environmental impact.</p> <p>External walls of buildings for office / showrooms should be brick, pre cast panel or glass unless lower environmental cost can be demonstrated.</p> <p>All visible walls from the street or adjoining land must be treated (minimum painting).</p> <p>Roofs are to be pre-colour coated masonry, tile or metal. Galvanised iron, zincalume, fibrous sheeting or uncoloured metal deck surface is not permitted,</p>	<p>All proposed materials are appropriate for the proposed development and within the context of the local area. The proposed materials will not lead to environmental impact. The proposed materials are considered to be durable and will contribute positively to the appearance of the development.</p> <p>Retention of the external building materials is proposed, or matched as appropriate.</p> <p>Non reflective metal roofing to match the existing roofing is proposed.</p>	Yes
2.9 Signage	<p>Refer to BHDCP Part D, Section 2 – Signage.</p> <p>The following standards</p>	The proposal is for a site identification sign on each of the street frontages (North Rocks	The Signage DCP does not contain specific controls for the

	<p>in BHDCP Part D, Section 2 – Signage apply:</p> <p><u>Section 2.5(a)</u> Only one (1) free-standing pylon sign shall be permitted on any parcel of land zoned Light Industry or Business Park, and shall meet the following requirements:-</p> <ul style="list-style-type: none"> - Max. height of 10m measured from the existing ground level to the top of the structure and shall have regard to the nature and height of development in the immediate vicinity. - Max. width of 2m - Max. advertising display area within the structure not to exceed 12m² with max. advertising dimensions of 1.5m in width and 8m in height <p>No advertising shall be permissible within the bottom 2.0 metres of the structure.</p> <p>The free-standing pylon sign may identify the names of the occupant(s) of individual unit/suite in the premises and may include a logo or symbol that identifies the business, but does not include general advertising of products, goods or services; and</p> <p>The free-standing pylon sign may be erected in the landscaped setback area.</p> <p>(Note: Refer to 2.5(f) which over-rides part of this clause.)</p>	<p>Road and Trent Road).</p> <p>The proposal is for a sign of 7m (width) x 1.75m (height) with a substantial proportion of the sign being open.</p> <p>The sign will be supported by a base of galvanized steel with backlit lettering and expressed lettering above, also of steel material. The sign is proposed to be illuminated by a ground mounted spotlight.</p> <p>As there is no suitable classification or definition in the DCP for this type of signage, the proposal should be assessed on merit.</p>	<p>type of signage being proposed; hence the proposed signage has been assessed on merit.</p> <p>There is no classification or definition in the DCP for this type of signage. It can be best described as a horizontal blade/panel sign rather than a pylon sign.</p> <p>It is considered that proposed site identification signs are satisfactory given the immense size of the site and the nature and scale of the proposed use.</p>
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	<p><u>Section 2.5(b)</u> Only one (1) free-standing tenancy listing board shall be permissible per parcel of land zoned Light Industry or Business Park.</p> <p><u>Section 2.5(c)</u> The combined sign area of all signs on the facade of a building will be permitted on the basis of 0.5m² of sign per one metre of length of the building façade which addresses the primary frontage of the site.</p> <p><u>Section 2.5(d)</u> Where the building has more than one frontage, the maximum advertising area for a sign on any side elevation (in addition to signage specified in clause (c) above) shall not exceed 0.25m² of sign per one metre of length of the façade of the building.</p> <p><u>Section 2.5(e)</u> Where a premises or building contains multiple occupancies, the maximum area of signage allowed on the façade of each occupancy shall be determined on the basis of 0.5m² per one metre of length of façade of the subject unit or suite.</p> <p><u>Section 2.5(f)</u> Notwithstanding Development Control (a) above, one (1) pylon sign per street frontage shall be permitted.</p> <p><u>Section 2.5(g)</u></p>	<p>There are 2 street frontages and one sign is proposed on each street frontage.</p>	<p>Yes</p> <p>N/A</p>
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	<p>Notwithstanding Development Control (b) above, one (1) freestanding tenancy listing board per vehicular entry point to the site shall be permitted. Where the applicant proposes a tenancy listing board at each entry to the site, the name of the occupant of the unit in the premises is to be displayed only on the tenancy board installed at the entry that provides the most direct access to the unit.</p> <p><u>Section 2.5(h)</u> Only one (1) directional sign per vehicular entry/exit point to the site shall be permitted, and shall meet the following requirements:-</p> <ul style="list-style-type: none"> - The sign is only to be used for directional purposes (e.g. 'Exit Only'); - The sign is only to be located at vehicular entry to the site; - The maximum height of the sign shall not exceed 0.6m; and - The maximum size of the sign shall not be greater than 0.5m². 	<p>N/A</p> <p>Not specified in the proposal. This will be conditioned accordingly.</p>	<p>Yes, refer Condition 38.</p>
2.10 Fencing	<p>Only low ornamental type fencing may be erected in building setback.</p> <p>Fencing next to trunk drainage shall be integrated with the landscaping.</p> <p>Chain wire fencing is to be black or dark green.</p>	<p>No additional fencing is proposed as part of this application. Fencing is proposed to be removed along North Rocks Road to create an open and inviting environment.</p>	<p>Yes</p>

	Pre painted metal fencing (i.e. colorbond) is not acceptable.		
2.11 Hours of Operation	<p>There is no standard hours of operation for a place of worship, however the following hours of operation within industrial areas can be used as a guide, which are restricted to the following hours:</p> <p>Bulky Goods: 7.00am - 6.00pm each day except Thursday which is 6.00pm to 9.00pm but only if the site is not adjacent to a residential zone.</p> <p>Other Industrial Uses: 7.00am - 6.00pm Monday to Saturday with no work on Sunday.</p> <p>Variation to the above can be considered on merit subject to the site NOT being adjacent to residential properties and submission of an Acoustic Statement / Report addressing the use as "low noise generating". This would permit 24 hour operation.</p>	<p>Administration - 8:30am - 6:00pm Monday to Friday</p> <p>Sunday Service (1 hour service) 1st Service - 8:30am 2nd Service - 10:00am 3rd Service - 12:00pm 4th Service - 3:00pm Premises vacated by 8:00pm</p> <p>Sunday School - 12:00 - 3:00pm</p> <p>Sunday School Teachers, Worship Leaders encouragement and Meetings - 7:00pm - 10:30pm - Monday to Friday</p> <p>Saturday - Preparation for Sunday and ancillary uses - Choir practice - Food preparation - Language guidance 7:00am - 6:00pm</p> <p>Dawn Service - 5:30 - 6:30am Monday - Saturday</p> <p>Special Events, e.g. Easter, Christmas, guest Speaker - 1 per Quarter Average 9:00am - 8:00pm</p>	<p>Yes</p> <p>No - see comments below.</p> <p>No - see comments below.</p> <p>No - see comments below.</p> <p>Yes</p> <p>No - see comments below.</p> <p>No - see comments below.</p>
2.12 Energy Efficiency	<p>Consider orientation of roof pitch, provision of solar panels, insulation, ventilation and orientation.</p> <p>All buildings with office > 100m² must achieve a 4 star Greenhouse rating.</p>	<p>Solar and environmental design features of the proposal include -</p> <ul style="list-style-type: none"> - insulation of the roof - the northern wall is to be predominantly glazing with <p>Shading at appropriate angles and levels to ensure winter sun penetrates and summer</p>	<p>Yes</p>

		<p>sun does not.</p> <ul style="list-style-type: none"> - Solar hot water - Natural ventilation - Significant thermal mass properties of the building - Use of existing tunnels for water storage to be used in A/C heating and cooling of water. - Rainwater collection and use for irrigation. 	
2.13 Biodiversity	Significant bushland should be retained where possible and ensure appropriate Flora and Fauna Assessment is undertaken. This could include a Species Impact Statement (SIS) addressing the EP&A Act 1979 and Threatened Species Biodiversity Conservation Act 1995.	No significant flora and fauna will be affected as a result of this development. It is noted that a restricted development area is located to the rear (northern) portion of the site and no development is to occur within this area.	Yes
2.14 Erosion and Sedimentation	Erosion and Sedimentation Control Plans / measures to be considered.	Sediment Control Plan will be submitted at Construction Certificate Stage.	Yes, will be conditioned in any consent. Refer Conditions 53 & 54.
2.15 Landscaping and Tree Preservation	<p>Preserve all vegetation where possible.</p> <p>Landscaping to be in accordance with BHDCP Part D, Section 3 – Landscaping.</p> <p>Grassed embankments not to exceed 1:6 slope</p> <p>Earth mounding is desirable within setback areas to reduce noise impacts.</p> <p>All landscaped areas to have a minimum width of 2.0 metres</p>	<p>Provided as required. Overall landscaping is considered satisfactory.</p> <p>Mini bus parking area – 1.4m Parking space on south western boundary – 0.8m</p>	<p>Yes</p> <p>No, see comments below.</p>
2.16 Parking Requirements	The parking rates for common uses in an industrial area do not apply in this case as the proposal is for a	N/A	N/A

	<p>conversion of an existing industrial building to a non-industrial use building.</p> <p>BHDCP Part D Section 1 – Parking requires a Place of Worship to provide 1 car parking space per 5 seats. For a maximum congregation of 1,600 people, 320 car parking spaces will be required.</p>	<p>Stage 1: 327 car parking spaces (303 regular, 18 disabled and 6 pram spaces)</p> <p>Stage 2: 248 car parking spaces</p> <p>Total: 575 car parking spaces</p>	<p>Yes. The amount of parking to be provided in Stage 1 complies with Council's parking rate which is more than adequate to cater for the anticipated maximum congregation of 1,600 people.</p>
2.17 Vehicular Access	<p>Entry and exit in a forward direction</p> <p>Design to comply with Council's Work Specifications, BHDCP Part D, Section 1 - Parking and the Australian Standards.</p> <p>Suitable sight distance is to be provided.</p>	Provided as required.	Yes
2.18 Bicycle Parking	<p>2 plus 5% of total parking required (not clustered in more than 16) for developments which exceed 4,000m² of floor area or increase an existing development by 4,000m² or greater.</p> <p>Facilities are to be highly visible and illuminated.</p>	<p>A total of 575 parking spaces will be provided in both stages, and therefore will require 31 bicycle parking spaces. 32 bicycle parking spaces are proposed.</p>	Yes
2.19 Loading Facilities	<p>Loading docks are not to be visible from the public domain and should not be provided on any street frontage. If this is required they are to be appropriately screened.</p> <p>The number of loading docks and design is to</p>	<p>The loading dock is located adjacent to a neighbouring industrial site.</p> <p>The 6 car spaces in the vicinity of the loading dock are proposed to be clearly marked for parking on Sunday only. The loading dock will not</p>	Yes

	<p>comply with the requirements of BHDCP Part D, Section 1 – Parking.</p> <p>The design is to comply with AUSTROADS Design Vehicular Turning Templates.</p>	<p>be used on Sundays and the 6 car spaces will become available during this peak demand period.</p> <p>The loading dock will be used predominantly for food deliveries.</p> <p>The refuse facilities are proposed adjacent the turning area on the east.</p>	
2.20 Pedestrian Access	<p>Pathways and ramps to conform to AS 1428 – 1 – 1998 Design for Access and Mobility</p> <p>All surfaces should be stable, even and non slip</p> <p>Clear pedestrian pathways are to be indicated along arterials road, between developments and links to Public transport stations and rail link lines.</p>	Provided as required.	Yes
2.21 Services	<p>All developments within the Rouse Hill STP buffer zone must have regard to the former DUAP Circular No. E3 (Refer to Clause 2.21)</p> <p>Consider service provision for Sydney Water, Telecommunications, Electricity, Gas and NSW Fire Brigades</p>	<p>N/A</p> <p>All necessary services are currently provided on site.</p>	<p>N/A</p> <p>Yes</p>
2.22 Stormwater Management	<p>Consider Water Sensitive Urbane Design Measures.</p> <p>Consider satisfactory stormwater collection, discharge and drainage system design against Council's Work Specifications.</p> <p>Development proposals</p>	<p>A number of WSUD measures are employed in the proposal, including the ingenious use of existing site and building features.</p> <p>The proposal drains to a creek. 100% infiltration of the carpark is proposed.</p>	Yes

	<p>should not include filling of flood liable land or the erection of buildings on flood liable land.</p>	<p>For stormwater in excess of that captured and stored within the underground tunnels, the existing stormwater management system for the industrial building will be used.</p> <p>As the proposal is for the retention of existing buildings, the outcome will result in a reduction in the stormwater leaving the site due to capture and re-use of water and infiltration design.</p>	
2.23 Water Efficiency	<p>Consider water flow devices on showerheads and taps.</p> <p>Consider AAA rated fittings.</p> <p>Water cooled air conditioning systems are discouraged.</p>	<p>Considered in the design of the proposal.</p>	<p>Yes. Condition applied to comply with the BCA. Refer Condition 5.</p>
2.24 Pollution Control	<p>Air, water and other pollutants to be considered.</p> <p>Noise generating works should consider the Protection of the Environmental Operations Act 1997.</p> <p>Incinerators are not permitted for waste disposal.</p>	<p>Considered in the design of the proposal.</p>	<p>Yes</p>
2.25 Waste Management – Storage and Facilities	<p>All waste areas to be screened from the street and adjoining properties.</p> <p>Waste storage areas to be kept clean and tidy.</p>	<p>Waste storage area is provided on the eastern side of the site in an area that is not visible to neighbouring properties or the public. A masonry enclosure for hand operated waste bins is proposed.</p> <p>Service will be via Council contractors.</p> <p>Separate wet waste, recyclable containers will</p>	<p>Yes</p>

		be provided.	
2.26 Waste Management Planning	WMP required to be submitted and address demolition, construction and ongoing use requirements.	Provided as required.	Yes
2.27 Heritage	Consider LEP Schedules, BHDCP Part D, Section 5 – Heritage and SREP 19 – Second Ponds Creek.	Not applicable, however as there is an existing heritage item in the vicinity, the proposal has been assessed by Council's heritage staff and is considered satisfactory subject to conditions.	Yes
2.28 Developer Contributions	Refer to Council's Development Contributions Officer for Section 94 Contributions Calculation if relevant.	N/A	N/A

The proposal generally complies with BHDCP Part C Section 9 – Light Industry with the exception of the 30m setback to North Rocks Road, 2m landscaping strips between the outdoor parking area and eastern and south western boundaries (refer Attachment 15 regarding extent of the proposed variations) and hours of operation. The variation to these standards is addressed below.

i). 30m Setback to North Rocks Road

Section 2.6 of BHDCP Part C Section 9 – Light Industry requires building setbacks to roads, open space, trunk drainage and other lands as shown in Appendix C , Maps 2-7. Map No. 6 of 7 requires a 30m setback to North Rocks Road, The proposed Café/Guest Accommodation Building encroaches upon the required 30m setback by 6.56m.

Section 2.6 of BHDCP Part C Section 9 contains the following objectives with respect to building setbacks:

- (i) To provide an open streetscape with substantial areas for landscaping and screen planting.*
- (ii) To provide an effective buffer to preserve the natural features and creeks in accordance with Council's ESD objective 4.*
- (iii) To minimise overshadowing of adjoining properties.*
- (iv) To protect privacy and amenity of any adjoining land uses.*
- (v) To provide a desirable and aesthetically pleasing working environment.*

The applicant seeks variation to the 30m setback requirement for the following reasons:

- *The area of non compliance is minor and has no visual impact upon the presentation of the proposal to North Rocks Road. The building runs with the slope and pedestrian movement through the site. The slope ensures that the building is subtle and is set down from the level of North Rocks Road.*
- *The building is predominantly below the roof height of the existing industrial building.*
- *The materials proposed and the design matches the existing buildings on site.*

- *The design incorporates a roof geometry that provides a visually interesting and unique arrival statement that references the saw tooth roof construction, without being dominant or overbearing in the visual landscape.*
- *The proposal does not include any significant religious iconography such as a Cross. The roof feature is considered well designed and an appropriate design marker for this religious centre.*

Comment:

The existing industrial building and administration building are set back 45m and 31m respectively from North Rocks Road. The proposed café/guest accommodation building is set back 23.44m from North Rocks Road and it is considered satisfactory as it would provide adequate areas for landscaping and screen planting and serve as an effective buffer to North Rocks Road. The proposed variation does not impact upon the amenity of adjoining properties in terms of overshadowing and privacy. It is considered that the area of non-compliance is minor as it would be visually non-obtrusive when viewed from North Rocks Road given the slope of the land. The variation is supported in this regard.

ii). 2m Landscape Strip to Parking Areas

Section 2.8 of BHDCP Part D Section 1 – Parking requires outdoor parking areas to be screened by a minimum of two (2) metre wide landscaping strips. This standard is also replicated in Section 3.12 of BHDCP Part D Section 3 – Landscaping. The proposed mini bus parking area on the eastern boundary varies this requirement by 0.6m and one car space on the south western boundary by 1.2m.

Section 2.8 of BHDCP Part D Section 1 contains the following objectives with respect to building setbacks:

(i) To provide appropriate landscaping for external and uncovered car parks so that they do not detract from the surrounding area.

(ii) To provide shade and improve amenity of loading, service and parking areas and to provide a buffer to neighbouring properties.

(iii) To utilise landscaping to provide amenity to neighbouring properties in accordance with Council's ESD objective 7.

The applicant provided the following justification to the proposed variation:

"A minor non compliance of 600mm into the eastern side setback is proposed in the vicinity of the mini bus parking area. This is considered appropriate as the mini buses will not be visible from North Rocks Road or the adjoining development on the eastern side given the large difference in elevation and vegetation.

The non compliance is completely obscured from any public place and does not compromise the overall appearance of the proposal, particularly having regard to the extensive landscaping provided in the proposal.

Similarly the non compliance on the south-western boundary that adjoins the Unilever site is a function of the shape of the site and is for a very small area. The purpose of the setback is clearly to provide landscaping and ensure that there is an appropriate buffer between adjoining industrial sites. The proposal provides this. Having regard to the minor width of the non compliance and the extensive landscaping provided in the proposal, and that the parking areas are generally screened by landscaping from public places, the minor non compliance is considered acceptable.

Comment:

The variation to the required two metre landscaping strips in the mini bus parking area and the encroachment of one car parking space on the south-western boundary is

considered negligible given the overall context of the site. The variation is obscured from any public view and does not adversely impact onto adjoining properties. It is considered that the proposed variation would not impact upon the amenity of adjoining properties, as the amount of landscaping provision along these boundaries of the site is more than adequate to serve as buffer screen to neighbouring properties. It is considered that the width of the non-compliance is so minor as the extensive landscaping to be provided on the site compensates it. The variation is supported in this regard.

iii). Hours of Operation

Section 2.11 of BHDGP Part D Section 9 – Light Industry restricts the hours of operation within industrial areas (except for Bulky Goods Retail activities) to 7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays. The objective of this standard is *“to ensure that industrial developments operate in a manner compatible with adjoining land uses.”* Based on this objective, technically there are no standard hours of operation for this type of development as the objective only refers to industrial developments. In this regard, the proposal should be assessed on merit to ensure that the development *‘operates in a manner compatible with adjoining land uses’*.

The applicant has provided the following justification in support of the proposed hours of operation:

As the application is for a Place of Worship the hours of operation necessarily include Sunday worship. It is noted that Place of Worship is permissible in both the current and draft LEP.

The contradiction between the permissibility of churches in the LEP and hours of operation in the DCP has been discussed with Council.

The limitation on hours of operation in the DCP are primarily focused on ensuring that the Industrial traffic and operations, which are often characterised by heavy truck movements and noisy operations are controlled, thereby protecting the amenity of adjoining residential areas.

In contrast, the proposed place of worship will not generate heavy truck movements or industrial noise typical of Industrial areas. The traffic movements are addressed elsewhere in this report and are of low impact. The noise generation from the place of worship is addressed elsewhere in this report and is of low impact.

Accordingly, the proposal for operation of the place of worship on a Sunday, early mornings and evenings throughout the week, though outside the hours of operation contemplated in an Industrial area, are considered acceptable as the impacts on amenity in the vicinity are considered to be negligible and of lesser impact than an Industrial use on the site. Finally, significant consideration has been given throughout the design development of the proposal to contain those impacts that are generally associated with places of worship (acoustic and parking) to within the site boundaries.

Comment:

It is important to note that the test for hours of operation is in relation to the impact of the proposal upon the amenity of residential properties. The justification provided by the applicant and accompanying reports demonstrates that the proposal will not impact significantly upon the amenity of the residential area in the vicinity of the site. In this regard, the proposal is considered to be a “Low Noise Generating Use”. The Acoustic Report submitted with the application concludes that the proposal will not significantly affect the existing noise environment. The proposed development will operate in a manner compatible with adjoining land uses, in particular with the adjoining Unilever factory which operates 24 hours a day, 7 days a week. The proposed hours of operation is supported on this basis. Appropriate conditions are recommended by Council’s

Environmental Health Coordinator to ensure the final building design complies with the established noise level goals (see Conditions 20 & 23).

3. Issues Raised in Submissions

The Development Application was advertised in the local newspaper and notified to adjoining and surrounding property owners. Seven (7) submissions were received. The following issues raised in the submissions are addressed in the following table.

ISSUE/OBJECTION	COMMENT	OUTCOME
<p>The number of attendees and amount of car parking provision is questionable.</p> <p>The traffic report states that currently there is an average of 2.63 persons per car. In the initial stage there will be 1500 people present (Church service and Sunday School), hence on the applicant's own admission, in excess of 500 spaces are required. However it is proposed that 327 car spaces and 4 minibus spaces will be provided. It is assumed that the additional parking will be found in North Rocks Road and adjacent streets. There is no means of ensuring that the second stage of the car park will ever be built, as the applicant has stated that it will happen when the Church sees a need.</p> <p>Concern has also been raised that the peak traffic-generating period of Sunday worship will coincide with other uses (e.g. gymnasium or library) and lead to a greater parking need.</p> <p>The peak number of attendees used in the Statement of Environmental Effects does not provide a real picture of the numbers attending the church.</p> <p>There is no way that the</p>	<p>It is proposed to provide 327 car parking spaces as part of Stage 1 and a further 248 spaces (as a 2nd level to the car park) in Stage 2. The second level will provide for any future growth in the congregation, should that need arise, which is part of the strategic planning by the Church.</p> <p>STAGE 1 The peak parking demand will occur on a Sunday and will be made up of 800 adults (Church Service) plus 700 children (Sunday School) plus an exaggerated allocation of 100 persons undertaking administration, a total maximum of 1,600 people.</p> <p>Adopting Council's requirement of 1 space per 5 seats and based on the maximum congregation of 1,600 people, 320 car spaces will be required. The application proposes 327 spaces and therefore complies.</p> <p>STAGE 2 The application intentionally prepares the development for any future growth of the congregation. Consent for seating up to 1300 persons is also sought. The applicant has anticipated that should the congregation exceed 800 people, it will trigger the requirement for the construction of the 2nd level of the car park and the additional seating area within the main hall. It is noted however that parking as proposed in Stage 1 can accommodate 1,600 people as</p>	<p>Issue addressed. Conditions applied regarding maximum number of patrons and staff and hours of operation- see Conditions 67 and 82.</p>

<p>Church will be able to stop its congregation from parking in front of the Frigrite premises (east of the site) which will restrict driveway access to 221 North Rocks Road. It will be an additional cost for the townhouse residents and Frigrite to erect access gates to restrict parking by members of the congregation.</p>	<p>required by the DCP.</p> <p>The total parking allocation across the site, once the 2nd level of the car park is constructed will be 575 spaces (498 in the car park plus 77 adjacent the building).</p> <p>It is the applicant's intention to contain all parking on site and avoid parking and amenity impacts on surrounding streets. The concern raised in the submission that members of the congregation might access adjoining premises for parking will be an illegal act and is a police matter if it occurs.</p> <p>The adoption of the 2.63 persons per car figure was based on traffic counts and congregation interviews undertaken during a typical Sunday midday service at the existing facility of Sae Soon Church in Huntleys Point. This was carried out in order to ascertain the modal split and car occupancy, which provides the basis for traffic generation rates.</p> <p>Application of the car usage rate derived from the interview surveys (i.e. 2.63 persons per car) indicates a parking demand of 304 spaces during the initial stage of 800 persons, and 494 spaces in relation to the eventual maximum seating capacity of 1,300 persons within the main hall. When factoring in Sunday School attendees (who cannot drive), the car usage rate will increase (though no survey for this was undertaken). Consequently the use of 2.63 persons per car for 1500 persons on site is not a true reflection of car usage as it does not take into consideration children within vehicles. Accordingly, the correct comparison with the 2.63 rate is with the adults attending and using the main hall.</p>	
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	<p>With regards to concerns that the peak traffic-generating period of Sunday worship will coincide with other uses (e.g. gymnasium or library) and would lead to a greater parking need, it is noted that no other activity will occur on site when Sunday worship and Sunday School are in operation. This will be conditioned in any consent to ensure this does not occur.</p> <p>Peak numbers are used in the Statement of Environmental Effects and to use a number less than peak would be misleading and may result in the misapplication of BCA standards that are aimed to protect safety. A condition is recommended in any consent to set the maximum number of patrons and staff that are permitted in the building.</p>	
<p>Concerns raised regarding direct access to and from North Rocks Road. There is no provision that traffic will not enter the site directly from North rocks Road as most of the traffic will be coming from the east where the existing facility of Sae Soon church is located. Typically people will take the first option of entering from North Rocks Road in the hope of obtaining a parking spot near the facilities and avoiding a long walk from the main car park off Trent Road, an attractive option during wet weather. There will be queuing of traffic in the single westerly lane at a time when huge volumes of cars trying to make their way past the site or to the rear entrance.</p> <p>Currently there is a No Stopping zone across the North Rocks Road frontage to the subject site and adjoining industrial site</p>	<p>The Sydney Regional Development Advisory Committee (RTA) has reviewed the proposal and raised no objection regarding vehicular access to the site from North Rocks Road, subject to appropriate conditions. The SRDAC requires that a right turn access into the site from North Rocks Road occurs through a designated right turn bay, and that "No Stopping" signs be erected on the opposite side of the road.</p> <p>It is recommended by Council's Principal Traffic and Transport Coordinator to include a condition in any approval requiring the submission of a carpark management plan to deter vehicles from entering the car park off North Rocks Road when it is full. The management plan could either be in the form of an attendant in place near the North Rocks Road driveway to redirect traffic or a sign indicating <i>"Carpark full access off Trent Road"</i>.</p>	Issue addressed. See Condition 10 regarding RTA requirements.

<p>(219 North Rocks Road). Obviously, the relevant authority saw the necessity for this. It is proposed to use this zone to set down and pick up passengers. This proposal is contrary to law and is a potential safety hazard. It should be noted that in the past there have been road fatalities on North Rocks Road not far from the subject site.</p> <p>Parking on the Loyalty Road precinct will produce hazards and disruptions for businesses and truck movements during their normal operations.</p>	<p>The application proposes that the majority of car parking is to be accessed from Trent / Loyalty Roads and not from North Rocks Road. As a result the right turn bay into the site will be used for a small amount of parking, for a total of 77 cars and 4 mini buses.</p> <p>All vehicles using the car parking proposed in the north west corner of the site will access the area via Trent / Loyalty Roads. No traffic will be permitted to enter from North Rocks Road and travel to the north west car park. This will be restricted by the provision of temporary bollards as shown on the site plans.</p> <p>The proposal for a bus set down area within the existing parking lane along North Rocks Road is not supported by Council's Traffic Projects Officer as such is considered unnecessary given the proximity of the existing bus stop in front of the Unilever site.</p> <p>The accident history of North Rocks Road between Loyalty Road and Hampden Avenue over the previous 5 years has also been checked with only one accident having been reported to the police during this period.</p> <p>The traffic report submitted with the application concludes that the traffic generation of the proposed development will not present any adverse traffic implications.</p>	
<p>It is suggested to ban all access from North Rocks Road on a permanent basis. This can be best achieved by creating a Public Reserve across the frontage and requiring the developer to construct a fence without a gate behind the reserve. This will not prevent the land being returned to an</p>	<p>The existing subdivision approval allows the subject site to have direct access from both North Rocks Road and Trent Road. Both the RTA and Council's Traffic Section have reviewed the proposal and no objection is raised regarding direct access from North Rocks Road.</p>	

industrial use in the future as there is access from Trent Road which is an industrial road.		
Concerns raised regarding traffic during construction. During this time there will be a considerable volume of large trucks delivering materials entering and leaving the site. In addition there will be numerous tradesmen's vans continually entering and leaving the site together with workers vehicles.	The applicant will be required to prepare and submit a Traffic Control Plan to Council for approval prior to issue of Construction Certificate.	Issue addressed. See Condition 41(v).
The proposed hours of operation are inconsistent with the applicable light industrial trading hours which are limited to 7:00am to 6:00pm, Monday to Saturday with no activities on a Sunday. The proposal is for services everyday from Monday to Saturday at 5.30am with extensive use on Sunday, from before 8:00am throughout the day.	<p>The proposal is generally of a low impact nature with low attendance figures for all activities apart from the main Sunday service.</p> <p>Amenity impacts for all other uses will be nil. Noise attenuation, adequate parking, significant setbacks from residential areas and the design of the facility ensure that the proposal will not impact upon the amenity of the area.</p> <p>The only time where amenity impacts need careful consideration is the Sunday service. As a result significant additional design considerations have been incorporated into the proposal, such as adequate parking provision, noise attenuation and clear attendee capacities.</p> <p>The matter of hours of operation on a Sunday being inconsistent with the DCP has been addressed in the Statement of Environmental Effects as follows:</p> <p><i>As the application is for a Place of Worship the hours of operation necessarily include Sunday worship. It is noted that Place of Worship is permissible in both the current and draft LEP.</i></p>	Issue addressed.

	<p><i>The contradiction between the permissibility of churches in the LEP and hours of operation in the DCP has been discussed with Council.</i></p> <p><i>The limitation on hours of operation in the DCP are primarily focused on ensuring that the Industrial traffic and operations, which are often characterised by heavy truck movements and noisy operations are controlled, thereby protecting the amenity of adjoining residential areas.</i></p> <p><i>In contrast, the proposed place of worship will not generate heavy truck movements or industrial noise typical of Industrial areas. The traffic movements are addressed elsewhere in this report and are of low impact. The noise generation from the place of worship is addressed elsewhere in this report and is of low impact.</i></p> <p><i>Accordingly, the proposal for operation of the place of worship on a Sunday, early mornings and evenings throughout the week, though outside the hours of operation contemplated in an Industrial area, are considered acceptable as the impacts on amenity in the vicinity are considered to be negligible and of lesser impact than an Industrial use on the site. Finally, significant consideration has been given throughout the design development of the proposal to contain those impacts that are generally associated with places of worship (acoustic and parking) to within the site boundaries.</i></p>	
There was no information provided with regards to ancillary equipment that may generate unacceptable noise levels. Will there be a public address system with	The proposal does not include the use of any external public address system, ringing of bells, or other such external noise generators. Should the facility require future installation of any	Issue addressed. See Conditions 20 & 23 regarding acoustic requirements.

<p>outdoor speakers? Will there be ringing of bells or similar? It is not acceptable to have a development approved where the noise impact is unknown and no appropriate measure to minimise noise is incorporated in the proposal. What control measures can be put in place and how will Council handle complaints?</p> <p>The residents will have no ability to abate noise coming from the church unless they are made to build a natural earth barrier that will stop all kinds of noise associated with the Church operations. Concerned about the number of people attending the church as the noise will be amplified in the building and be projected down to adjoining townhouse complex.</p> <p>The traffic study is flawed in that it only addresses the traffic entering and leaving Loyalty Road but fails to address the impact of traffic in the remainder of the locality.</p> <p>No consideration was given to traffic noise. There will be an enormous increase in traffic on Sunday morning from 8am or earlier as cars drive along North Rocks Road, enter the site, park, drop passengers, open and close car doors, alarms are set and people chatter.</p> <p>There is no reference to any noise impact associated with construction phase of the project.</p>	<p>such system, it will require separate approval and neighbouring properties will be notified accordingly.</p> <p>All noise generated internally by worship, praise and musical accompaniment will be taken into consideration in the design of the building. The submitted Acoustic Report has provided advice and recommendations on the practices to be adopted and implemented during the construction phase of the development. A condition of consent will be recommended for strict compliance with the appropriate noise criteria guidelines.</p> <p>The Acoustic Report includes a preliminary assessment of acoustic impacts. Assuming a worst case scenario where all noise sources are operating at the same time (which is not proposed or will ever occur), the predicted noise level will be below the noise limit and compliant with noise criteria.</p> <p>The street network is capable of containing the traffic generated by the proposal and Council's Health and Environment Protection Officer, Traffic Projects Officer and the RTA have not identified any issues with the noise generated from the existing street system.</p> <p>Noise from car doors and parking will be contained within the site and major parking areas are located at substantial distances from residences.</p> <p>Should there be any noise complaints received (during construction and on-going operation), such complaint can be dealt with under the provisions of the Protection of the Environment Operations Act 1997.</p>	<p>Issue addressed.</p>
<p>The proposed flood lit sign</p>	<p>The signage proposed is subtle</p>	<p>Issue addressed.</p>

<p>on North Rocks Road and Trent Road is massive. Other large churches (e.g. Latter Day Saints Carlingford) have addressed signage more appropriately.</p> <p>The proposed sign will be visually intrusive and out of keeping with the general streetscape.</p>	<p>and unobtrusive to neighbours.</p> <p>The signage has been designed to be harmonious with the site and its setting. Signage typically associated with other churches has been avoided (changeable lettering and light boxes). The proposal is consistent with the local context having regard to the immense size and frontages of the site.</p> <p>The sign is more subtle than that permitted by the controls and avoids the use of a pylon sign that would be elevated and more obtrusive to neighbours.</p> <p>The sign is set down in the landscape and serves as an identification sign rather than advertising.</p> <p>The backlighting is subtle, and the spot light faces the sign, rather than the neighbouring properties. No amenity impacts are anticipated or can be substantiated. It will be conditioned in any consent that a time control be fitted to the light to coincide with the approved hours of operation.</p> <p>The Signage DCP does not contain specific standards for the type of signage being proposed; hence the proposed signage has been assessed on merit.</p> <p>It is considered that proposed site identification signs are satisfactory given the size of the site and the nature and scale of the proposed use.</p> <p>A condition is recommended to ensure that the lighting complies with relevant Australian Standards.</p>	<p>Condition applied - see Condition 81.</p>
<p>Why has the zoning not been changed to match the surrounding residential area. This area is extremely quiet,</p>	<p>The proposal is permissible in the zone. The suggestion raised in the submission that the site be zoned to residential would be an anomaly within the zoning</p>	<p>Issue addressed.</p>

<p>particularly on weekends and the proposed size of this Church will completely change the character of the street.</p>	<p>pattern surrounding the site, as the site would have industrial uses on each side. The site is within a long standing industrial zone, in which places of worship have been identified as a permissible use.</p> <p>The proposed development is consistent with the existing zone and character of the area.</p>	
<p>Seeks clarification regarding deliveries and waste disposal, whether they will be accessed only from Trent Road.</p> <p>Concerns raised regarding impact of development in terms of pollution.</p>	<p>The loading dock and refuse facilities will be accessed from North Rocks Road.</p> <p>The loading dock will be used predominantly for food deliveries. The loading dock will not be used on Sundays and the 6 car spaces will become available during this peak demand period.</p> <p>The refuse facilities are proposed adjacent to the turning area on the eastern side of the car park. All waste generated on the site will be disposed of by regular Council waste contractors.</p> <p>Notwithstanding the industrial zoning, the proposal is not for a pollution generating activity that would require licensing by the EPA.</p> <p>The street network has been designed for the capacity of vehicles anticipated.</p> <p>No new or irregular pollution will result from the proposal. To the contrary, the proposal is of far less impact than previous uses or other permissible uses that could be carried out on the site.</p>	Issue addressed.
Impact on property values	<p>The impact on property values has not been investigated, nor is it considered a relevant matter in the assessment of the application. It is possible that the use of the site for a purpose other than industrial, coupled with the landscape and retention of much of the natural</p>	Issue addressed.

	environment may lead to an increase in property values in the area.	
<p>Insufficient information provided with the Development Application.</p> <p>There are several areas where there has been insufficient or indeed no information provided. Nowhere is there any information regarding the nature or use of the gymnasium, café, theatres and halls. Details of these facilities, hours of operation, number of people using them etc should be provided as they are important in assessing the impact on noise generation, traffic and impact on the amenity of those residences in the area. This lack of information is sufficient reason to reject the proposal.</p> <p>There is no detail on constraint on the "special events". Such vague description provides opportunity for any kind of disruptive and undesirable activity to be provided with access to the site by arrangement with Sae Soon Church. Such "special events" should not be allowed.</p>	<p>All information submitted with the Development Application was made available to the public for review and that a proper public exhibition and notification in accordance with Council's policy was undertaken.</p> <p>The nature and purpose of the facilities are adequately identified in the plans and application. The café, gymnasium, theatres and halls will be used in accordance with the common understanding of these facilities. The applicant has advised that use of these facilities will not occur concurrently when Sunday worship and Sunday School are in operation. It is not proposed to make these facilities publicly available or accessible nor is intended to be advertised for hire as they are meant to be for exclusive use by members of the church.</p> <p>As discussed above, noise attenuation and traffic generation rates have been discussed based on the "worst case" scenario of Sunday worship services where the peak volumes of people and praise occur.</p> <p>The Development Application has fully described its purpose, the proposed hours of operation and peak attendance. The application also provides "future proofing" by seeking approval for additional seating and parking should the need arise in the future, which forms part of Stage 2 of the development.</p> <p>Special events will be exclusively undertaken by Sae Soon Church and it is not intended to let the use of facilities to any external groups.</p>	Issue addressed.

Concern is raised that the church moving from the school hall to the proposed venue will increase attendee numbers.	This assumption cannot be verified. This is not considered relevant in the assessment of the application as the numbers on site will be capped by parking and seating capacities and such attendee numbers will be conditioned in any approval.	Issue addressed.
No detailed information is provided as to how the attendee numbers will vary. It is quoted that currently 800 attend the noon service on Sundays. Does this mean that there are always 800 who attend or is it sometimes 700 or 900. Likewise for other statistical information used there should be upper and lower limits provided. Preferably a distribution with standard deviations should be provided so that the 95% attendance, an ideal basis for assessment, can be established.	<p>The number of attendees has been clearly articulated in the submitted Statement of Environmental Effects.</p> <p>Seating capacities and car parking numbers will restrict the permissible number of persons on site.</p>	Issue addressed.
<p>There are no facilities for buses to access the site for parking within the property.</p> <p>Inadequate provision of public transport servicing the area.</p> <p>The carbon footprint will be increased by a relocation of the church to North Rocks.</p> <p>Four large coaches are mentioned in the application with no details provided. Where will these coaches be stored and parked and how will they access the site. Although this will provide an alternative mode of transport for a few, the vast majority of the congregation will still rely upon private cars.</p>	<p>There are 4 mini bus spaces located on the eastern boundary of the site.</p> <p>Public transport usage is encouraged by the church and bus pick up from public transport is an integral part of the applicant's operation.</p> <p>The applicant has indicated that the site is well located for some of the church members and their carbon footprint will be reduced as their travel distances to worship will be decreased. The assumption that the carbon footprint will be increased by a relocation of the church to North Rocks is unsubstantiated.</p> <p>It is not proposed to provide large coaches, however it is proposed to accommodate 4 mini buses on site. Nonetheless, with or without the use of public transport or provision of shuttle buses, the total car parking provision</p>	Issue addressed.

	satisfies Council's parking requirements.	
<p>It is not mentioned in the description of the property that Lot 2 is benefitted by an easement over Lot 1 (Unilever site).</p> <p>There is no reference to any easements that may burden or benefit the site. It would appear that there is at least one easement, as a substation has recently been constructed on the site on the North Rocks Road frontage. This raises questions as to the possibility of conflicts between the proposal and the maintenance of existing services or future plans for services or street widening.</p> <p>The rear section contains settling ponds. How will these ponds and surrounding areas be serviced and maintained. This section effectively becomes landlocked and inaccessible to the owner of Lot 1 (Unilever).</p> <p>The driveway from the rear of the car park to the main hall crosses land not owned by the applicant. It is possible that this access will be lost at some time in the future.</p> <p>Normally there is a requirement for any development to be confined to a single parcel of land and not spread over two or more lots. This is to ensure that the integrity of the development cannot be lost if a parcel of land is sold.</p>	<p>Access to the site from the main car park (off Trent Road) to the main building is to be provided via a right of carriageway. A deferred commencement condition for the registration of a right of carriageway is recommended.</p> <p>Unilever and the proponent's consultants have discussed the drainage and access easement issues. Unilever raised no objection to the proposal and although the plans are preliminary in nature Unilever is satisfied that it will protect their drainage infrastructure (which connects and flows into the ponds). Unilever has requested that a condition be imposed in any consent to require the submission of final plans and an Environmental Management Plan for any works over the easement to Unilever's satisfaction. This matter has been reviewed by Council's Senior Subdivision Engineer and it is recommended that it be conditioned as a Deferred Commencement requirement.</p> <p>The site is already a single lot and no consolidation of lots is required.</p>	<p>Issue addressed. Condition applied – see Deferred Commencement Condition A1.</p>
Concerns raised regarding potential pedestrian and vehicular movement	The proposal has been designed having regard to the pedestrian and vehicular movements within	Issue addressed. Condition applied - see Condition 11.

<p>conflict within the site. There seems to be no separation between cars moving around the site and the large number of pedestrians who will be making their way to and from the car park. Several hundred people will be walking from the rear car park while cars that entered from North Rocks Road endeavours to find a car park. For the safe movement of vehicles and people of this number there should be separation between the two types of traffic. A suitable pedestrian path from the car park to the entrance of the buildings should be part of the development. In view of the topography and the distances involved this path should also incorporate rest areas. As the area will be used before dawn and after sunset, appropriate lighting along the path to the car park, around the building and within all the parking areas will be necessary.</p>	<p>the site. The majority of cars will be discretely and directly parked in the north west corner of the site, with patrons and guests to be directed to walk to the main building with the exception of disabled and elderly people who will be allowed to drive through the middle of the development site where a drop off and pick up point will be provided. Moveable bollards will be provided on both ends of the carriageway.</p> <p>Similarly, the main building has been designed to encourage all pedestrians to use the open gallery north south internal spine. This spine will direct pedestrians towards the pedestrian dominant environments of the front courtyard and rear grassy areas. The proposal clearly separates pedestrians from cars and creates a pedestrian dominant setting.</p> <p>The NSW Police have reviewed the proposal and recommended a number of Crime Prevention through Environmental Design factors that should be considered in this development including suitable lighting provisions at the entry and exit points from the buildings, car parks and pedestrian access ways.</p>	
<p>There were no contamination report and hazardous materials report submitted with the application.</p> <p>Concerns raised regarding presence of contaminants on site. As an old industrial site there may be substances such as hydrocarbons, lead and other dangerous chemicals or compounds which may become airborne or washed into the local waterways during construction.</p>	<p>Contrary to this submission, a Contamination Investigation and Hazardous Materials Survey Report has been submitted with the application.</p> <p>The results of the contamination assessment have indicated that, with the exception of fragments of asbestos containing materials in the fill material in the northern part of the site, there are no soil contamination issues on the site that will prevent the site being used for the proposed purposes.</p>	<p>Issue addressed. Condition applied - see Condition 18.</p>

	Council's Environmental Health Coordinator has reviewed the proposal and accompanying contamination and hazardous materials survey reports which are found to be satisfactory. Appropriate conditions are recommended in any consent to ensure the conclusions and recommendations contained in these reports are implemented.	
<p>No details provided for the guest accommodation. The subject site was never zoned or requested for motel type or boarding house accommodation.</p> <p>The accommodation for visitors will be provided and they will receive meals from the café. This use is effectively a bed and breakfast type of operation, which is prohibited in the current zoning. No details are provided as to the number of people who will reside on the site or how will this impact upon the area. The accommodation on site should not be approved.</p>	<p>The applicant does not intend to operate a motel or bed and breakfast establishment from the site and the purpose of the accommodation is mainly to cater for the guests of the church, which forms part of Stage 2 of the development, and will be reliant upon the demand for additional parking in the event the church membership grows.</p>	Issue addressed.
<p>The proposal will create an environment attractive to undesirable activities and will be pose as a danger to people on the site. The relative isolation of the rear of the site will provide a secluded place for various nefarious activities, such as drug dealing, dealing in stolen goods and many other anti-social activities. The site should be locked at night to avoid these problems.</p>	<p>As opposed to many other industrial sites within the North Rocks industrial area, the site as a result of this development will expect to have good visitation and that the open environment with clear visibility, along with an onsite caretaker will ameliorate these concerns.</p> <p>Appropriate conditions are recommended to ensure the development addresses the Safety by Design</p>	Issue addressed.
<p>The Church owns the land right down to the creek which includes a popular walking track and guarantees that it will remain open to the public for access, which cannot be</p>	<p>As advised by the applicant, Sae Soon proposes no changes to the informal walkway that exists along the creek at the rear of the site.</p> <p>Sae Soon will not be erecting</p>	Issue addressed.

believed or relied upon.	fencing in this area, nor seeking to alter the existing function of the walkway. It is noted that no direct access for the general public from North Rocks Road down to the creek is proposed, however, the applicant has indicated they accept the retention of the existing arrangements by which locals use the creek line walking track.	
Significant loss of amenity for residents and their visitors during Sundays due to extensive queuing of traffic on North Rocks Road, and it will be extremely difficult for residents to exit or enter their driveways.	Council's Traffic Section and the RTA have assessed the proposal's traffic generation and associated safety concerns and no objections were raised to the proposal subject to conditions, including a condition requiring the submission of a carpark management plan which will deter queuing of traffic on North Rocks Road by designating attendants or marshals who will be directing traffic when the car park off North Rocks Road becomes full. It is noted that the Church currently engages traffic marshals for their current premises and it is their intent to continue this practice for the site.	Issue addressed.
<p>The adjoining owner of the Unilever site initially made a submission raising the following concerns that the application:</p> <ul style="list-style-type: none"> - does not have the benefit of land owner's consent for proposed works on the Unilever site (Lot 1 DP1143379) and these works cannot therefore be approved; - fails to resolve potential land use conflicts; - does not adequately address the issue of the existing industrial noise generated by surrounding industrial uses and the impacts of this noise on the operation of the proposed church development; 	<p>An independent site meeting was held between Unilever and applicant's consultants and the following outcomes have been achieved:</p> <p>Unilever will provide owners consent subject to Sae Soon Church agreeing to a condition that Unilever confirms that it is satisfied with the proposed design and construction documentation, including final plans and the Construction Environmental Management Plan (for any works relating to the construction of the new access road across Lot 1 DP1143379 owned by Unilever). Instead of imposing this condition at Construction Certificate stage as suggested by Unilever, it is recommended by Council's Senior Subdivision Engineer to impose it as a Deferred</p>	<p>Issue addressed. See Deferred Commencement condition.</p>

<ul style="list-style-type: none"> - has not adequately addressed the impacts of the proposed development on the on-site stormwater detention ponds within the Unilever property. - fails to adequately address the environmental impacts of the proposed internal road, particularly in respect to the road proposed to be constructed on the right of carriageway over the Unilever property; - has not adequately addressed the security implications of the proposed development on the Unilever facility; and - has not adequately considered potential odour impacts on the church which may be generated from time to time as a result of existing industrial facilities. 	<p>Commencement condition.</p> <p>Sae Soon Church acknowledges the existing operation of Unilever, and in particular that the factory:</p> <ul style="list-style-type: none"> - operates 24 hours a day, 7 days a week – depending on demand; and - truck movements vary during between 20 – 45 movements per day, depending on demand. <p>Unilever acknowledge that should they wish to intensify their existing operations, beyond the realms of their existing development consent, that an application may need to be lodged with Council and that Sae Soon Church would be able to make a submission regarding any such application.</p> <p>Finally, Unilever have noted that it has no intention of altering the existing security arrangements and security fencing on their land. If Sae Soon Church is of the opinion that the location of barbed wire fencing is at a level which poses risk to church members, it will be up to Sae Soon Church to prevent access to that fencing or alternatively to approach Unilever with an alternative fence design. Any amendments to the fencing arrangements, if required, will be at the cost of Sae Soon Church.</p>	
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BUILDING COMMENTS

Council's Fire Safety Coordinator has assessed the proposal and no objection is raised subject to conditions.

SUBDIVISION ENGINEERING COMMENTS

Council's Senior Subdivision Engineer has assessed the proposal and no objection is raised subject to conditions including deferred commencement conditions relating to right of carriageway over the adjoining Unilever site and a drainage easement over Council's land.

The development relies on vehicular access from Trent Road to the existing building and the proposed car park in addition to an existing driveway access from North Rocks Road. The proposed new access road is to be constructed through the adjoining property Lot 1 DP 1143379 (Unilever site); hence a right of carriageway is required to be created as a deferred commencement condition.

In terms of stormwater drainage, the outlet from the On-Site Detention is proposed to connect with the existing drainage pit located at the end of Trent Road via Council's land 'Excelsior Reserve – 45'. The proposal has been discussed with Council's Property Section and it is considered satisfactory giving consideration to the surrounding environment, vegetation, topography etc. subject to creation of a drainage easement over Council land.

The proposed car park layout and the circulation are considered satisfactory.

TRAFFIC MANAGEMENT COMMENTS

Council's Principal Traffic & Transport Coordinator has assessed the proposal and provided the following comments:

This application proposes to fit out an existing vacant 9490m² warehouse at 219A North Rocks Road, North Rocks into a place of worship (maximum congregation of 1,600 people) with access off both North Rocks Road and Trent Road, North Rocks.

North Rocks Road is a Regional road under Council's control and has an AADT of 14,517 vehicles per day and is signposted at a 60km/h speed limit. The existing access driveway off North Rocks Road services a 65 space car park and is designed to an industrial standard consistent with the previous industrial use of the property.

It is understood that the access road between the two car parks (off North Rocks Road and Trent Road) is to be restricted by means of bollards and will only be opened to allow drop offs for people with disabilities. This is considered an acceptable arrangement.

As referred in the SRDAC's comments given the likely number of vehicles turning right from North Rocks Road accessing the top car park to attend the Sunday services a painted right turn bay and associated No Stopping restrictions should be provided along North Rocks Road. These improvements will require the endorsement of the Local Traffic Committee prior to installation.

The applicant needs some form of car park management plan in place in order to deter vehicles from entering the car park unnecessarily and then exiting to North Rocks Road and proceed to the Trent Road access when the car park off North Rocks Road becomes full. This management plan could either be in the form of an attendant in place near the North Rocks Road driveway redirecting traffic or a sign indicating "Car park full access off Trent Road".

The accident history of North Rocks Road between Loyalty Road and Hampden Avenue over the previous 5 years has also been reviewed with only one accident having been reported to the police during this period.

No objection is raised to the proposal subject to conditions as noted above.

TREE MANAGEMENT COMMENTS

Council's Tree Management Coordinator has assessed the proposal and no objection is raised subject to conditions.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

Council's Environmental Health Coordinator has reviewed the proposal and accompanying acoustic, flora and fauna, hazardous materials and contamination reports. It was noted that the site does not contain an endangered ecological community and no threatened species were identified.

It was also noted that the acoustic report could not assess noise from the main building as the final design for the building has not been prepared. Appropriate conditions are recommended to ensure the final building design complies with the established noise level goals.

No objection is raised to the proposal subject to conditions.

WASTE MANAGEMENT COMMENTS

Council's Tree Management Coordinator has assessed the proposal and no objection is raised subject to conditions.

HERITAGE COMMENTS

The proposal has been referred to Council's Heritage staff as the subject site is in the vicinity of a heritage listed item (No. 103 North Rocks Road). No objection is raised to the proposal.

NSW OFFICE OF WATER

The Development Application was referred to NSW Office of Water and it was advised that for purposes of the Water Management Act (2000), a Controlled Activity Approval is not required and no further assessment is necessary as the proposed works are not occurring on waterfront land (i.e. land within 40 metres of a river or watercourse) and are not integrated development.

ROADS & TRAFFIC AUTHORITY COMMENTS

The Development Application was referred to the NSW Roads and Traffic Authority pursuant to Schedule 2 of the State Environmental Planning Policy (Infrastructure) 2007 as the development provides more than 200 parking spaces. No objection is raised by the RTA subject to their requirements (see Condition 10). Refer Attachment 17 for copy of RTAs letter dated 3 November 2010.

NSW POLICE COMMENTS

Under the provisions of 'Safer by Design' and the protocol between The Hills Shire Council and Castle Hill Police the application was referred to the Police for review and comment.

Concerns were raised by the Police in terms of traffic and parking generation due to its misunderstanding of the pattern of use of the parking areas. The applicant has responded to this issue, as follows:

"The 77 spaces proposed adjacent the building are for the use of disabled and elderly persons. The connection from this carpark to the larger carpark in the northwest corner of the site is not possible. Bollards are in place to ensure that connection cannot occur, however, still allow for emergency vehicles to access this area. Accordingly the concern about all traffic accessing the site from North Rocks Road is not valid, and the request for no connection between carparks is already proposed.

The concern is relation to the right hand turn off North Rocks Road is addressed in the RTA requirements for a right turn bay to be installed.

Should the carpark adjacent the building become full and someone enter the site, there is an internal roundabout to allow traffic to exit the site without creating congestion. It is noted that the Church currently engages traffic marshals for their current premises and it is their intent to continue this practice for the site

Bus drop off / pick up has been considered by Council's traffic engineer and it is proposed that the existing bus stop on North Rocks Road be utilised and thereby avoid the concerns raised by the Police.

The concerns in relation to traffic volumes and parking numbers are discussed at length in the SEE and also in the response to public submissions. It is important that recognition be given to the fact that the 700 Sunday school students do not drive. The numbers of 1600 persons being calculated back to a car parking or traffic movement volume is erroneous as it fails to take into account that 700 of those persons do not drive and are within the cars of the 800 worshippers. Accordingly, the appropriate method of calculation is by using

that of seat numbers. Adopting this standard practice it is noted that the proposal provides double the car parking spaces that are required in Council's DCP."

Appropriate conditions will be imposed in any consent to ensure compliance with the Police requirements in terms of surveillance, access control and territorial reinforcement (see Condition 11). Refer Attachment 18 for copy of the NSW Police's letter.

RURAL FIRE SERVICE COMMENTS

The application was referred to the NSW Rural Fire Service as an Integrated Development pursuant to the provisions of Section 91 of the Environmental Planning and Assessment Act, 1979. A deemed bushfire safety authority has been issued by the NSW Rural Fire Service as required under section 100B of the Rural Fires Act 1997 subject to conditions (see Condition 9). Refer Attachment 16 for copy of the NSW Rural Fire Service's letter.

CONCLUSION

The Development Application has been assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, and BHDCP Part C Section 9 – Light Industry, Part D Section 1 – Parking, Part D Section 2 – Signage and Part D Section 3 – Landscaping and is considered satisfactory. The proposed variation to the required two metre landscaping strips in the mini bus parking area and the encroachment of one car parking space on the south-western boundary is considered negligible given the overall context of the site, and therefore supported.

The proposal was notified to adjoining property owners and advertised in the local newspaper. Seven (7) submissions were received to the proposal during the notification period, however the issues raised in the submissions do not warrant refusal of the application. The place of worship will provide a key facility for Sae Soon Church and given the nature of the use the proposed church complex will not adversely impact on adjoining properties or existing activities within the Light Industrial area.

Accordingly, approval subject to conditions is recommended.

IMPACTS:

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

Hills 2026

The social and environmental impacts have been identified and addressed in the report. The proposal provides for a permissible development which is a sustainable form of development and that maintains the character of the locality and the Shire as a whole.

The proposal represents a balanced development providing a design that attempts to minimise impacts while ensuring that it meets the operational requirements of the church congregation. The proposal fits within the context of the site and is considered to be consistent with the objectives of the LEP.

RECOMMENDATION

That the subject Development Application be approved subject to the following conditions:

Deferred Commencement – Registration of Right of Carriageway and Drainage Easement

A1. Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 deferred commencement consent is granted subject to the following:

1. In order to provide a new access road (private) across Lot 1 DP 1143379 compliance with relevant engineering design standards and Council's design requirements, and also to the satisfaction of the affected property owner, the following documentation shall be submitted to Council:
 - Detailed engineering construction drawings ensuring that the proposed works associated with the construction of the driveway does not have impact on the existing stormwater drainage network and basins within the property Lot 1 DP 1143379 and provision of a minimum driveway width to the Australian Standards;
 - A copy of engineering plans endorsed by the property owner of Lot 1 DP 1143379 in relation to the driveway access.
 2. The creation of a 'Right of Carriage Way' and an 'Easement for Batter' variable width in accordance with the item 1 over the adjoining property, Lot 1 DP 1143379.
- A2. The applicant must provide Council with written evidence demonstrating that the matters listed under Part A1 above have been satisfactorily addressed no later than four weeks before the notice of expiry date.
- B. Upon compliance with the requirements of Part A1, a full consent will be issued subject to the following conditions:

1. Development in Accordance with Submitted Plans

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	REVISION	DATE
DA:002	Site Plan - Overall	A	24/08/2010
DA:003	Site Plan Detailed A	D	18/02/2011
DA:004	Site Plan Detailed B	A	24/08/2010
DA:010	Lower Ground Floor Plan	A	24/08/2010
DA:011	Ground Floor Plan	A	24/08/2010
DA:012	First Floor Plan	A	24/08/2010
DA:013	Roof Plan	A	24/08/2010
DA:050	Car Park Ground Floor Plan	B	17/11/2010
DA:051	Car Park First Floor Plan	B	17/11/2010
DA:200	Elevations 1	A	24/08/2010
DA:201	Elevations 2	A	24/08/2010
DA:250	Elevations N + E + W	A	24/08/2010
DA:300	Sections AA, BB	A	24/08/2010
DA:320	Section KK + LL + MM	A	24/08/2010
LA01	Landscape Masterplan	B	01/11/2010
LA03	Landscape Detail Plan South Entry and Forecourt (with notation - Revision B - Further Information dated 01/11/2010)	A	25/08/2010
LA04	Landscape Detail Plan North Entry and Sports Court	B	01/11/2010
LA05	Landscape Detail Plan – Carpark	B	01/11/2010
Tiar 2.01 Sheet 12 of 19	Proposed Development – Tree Retention & Removal	0.1	09/12/2010

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Staging of the Development

Stage 1

- Refurbishment/redevelopment of the existing industrial building to accommodate a maximum congregation of 1,600 people;
- Construction of the ground floor level of the main carpark off Trent Road (i.e. 250 car parking spaces and 6 motorbike spaces);
- Landscaping and hard surfaces (including linemarking of 77 parking spaces and 4 mini-bus spaces);
- Use of the administration building; and
- Signage

Stage 2

- Construction of the first floor level of the main carpark off Trent Road (i.e. 248 car parking spaces and 6 motorbike spaces) completing the overall car parking provision on site;
- Construction of the two buildings between the administration building and the industrial building (cafe and guest accommodation building and multipurpose building)

3. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

4. Separate Development Applications for Future Work

Separate development applications are required to be lodged for any future works. Further BCA assessment report and/or fire engineering review may be required to demonstrate their continued conformity with the Performance Requirements of the Building Code of Australia.

5. Building Work to be in Accordance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). The existing Main Building and the Administration Building shall be upgraded to full conformity with the Performance Requirements of the BCA under Clause 94 of the Environmental Planning and Assessment Regulation 2000. This Development Consent is granted in consideration of the BCA Assessment Report dated 24 August 2010 by BCA Logic Pty Ltd. The non-compliances identified in the Report shall be addressed by fire engineering/alternative solutions implemented in the Fire Safety Schedule. The fire egress model is to be based on the worst case scenario population of 3500 persons in the Main Building. Only the Main Hall in the Main Building has been approved as an Entertainment Venue. Refer to another condition where separate approvals are required for proposed change of use of other areas as entertainment venues.

6. Separate Approval for Use of Other Entertainment Venues

As the current Development Consent does not include the use of other potential entertainment venues within the Main Building e.g. Gallery Foyer, Theatre, Gymnasium, Small Halls 1 to 11, Atrium, Multi-purpose Halls, etc, separate development application is to be lodged and approved prior to the use of those areas as entertainment venues. Those areas, or the building as a whole, may be subject to further upgrading under Clauses 93 and 94 of the Environmental Planning and Assessment Regulation 2000.

7. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

8. Provision of Parking Spaces

The development shall make provision and maintenance thereafter of a minimum of:

- Total of five hundred and seventy five (575) off-street car parking spaces (being 327 spaces in Stage 1, i.e. 77 spaces off North Rocks Road & 250 spaces at ground floor of the

main carpark off Trent Road & 248 spaces in Stage 2, i.e. first floor of main car park off Trent Road);

- Twelve (12) motorbike spaces (i.e. six (6) spaces in each floor of the main car park off Trent Road);

- Four (4) mini-bus spaces off North Rocks Road; and

- Six (6) extra parking spaces within the loading area (only to be used during Sunday Service)

9. Compliance with NSW Rural Fire Service Requirements

Compliance with the requirements of the NSW Rural Fire Service attached as Appendix "A" to this consent and dated 23 September 2010.

10. Compliance with the NSW RTA Requirements

Compliance with the requirements of the NSW Roads and Traffic Authority attached as Appendix "B" to this consent and dated 3 November 2010.

11. Compliance with the NSW Police Requirements

Compliance with the requirements of the NSW Police attached as Appendix "C" to this consent and dated 19 October 2010, in terms of the relevant Crime Prevention through Environmental Design (CPTED) factors such as surveillance, access control and territorial reinforcement with the exception of traffic matters outlined in the letter which are addressed separately as separate conditions in this consent.

12. Car Park Management Plan

a). A car park management plan shall be in place in order to deter vehicles from entering the car park unnecessarily and then exiting to North Rocks Road and proceeding to the Trent Road access when the car park off North Rocks Road becomes full. This management plan could either stipulate that an attendant be in place near the North Rocks Road driveway redirecting traffic or provision being made for a sign indicating "*Car park full access off Trent Road*". This plan shall be submitted to Council's satisfaction prior to the issue of any Occupation Certificate.

b). Any car parking not made available on a Sunday due to the construction work in building the upper level of the main car park off Trent Road (as part of Stage 2) be provided as temporary parking elsewhere on site. This area shall be depicted on a site plan for submission to and approval by Council prior to commencement of any works in Stage 2 and the use shall cease upon the issue of an Occupation Certificate for the second level. This area shall be strictly supervised to ensure minimal interruption to the ground floor car park operation and that no overspill parking occur on the street as a result of the upper level construction.

13. Adherence to Waste Management Plan

The Waste Management Plan submitted to Council must be adhered to at all stages in the demolition/construction/design of facilities and on-going use phases. All waste material nominated for recycling must be reused or recycled. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

14. Waste Storage and Separation – Construction and Demolition

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- a) Masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- b) Timber waste to be separated and sent for recycling;
- c) Metals to be separated and sent for recycling;
- d) Clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and

- e) Mixed waste (plastic wrapping, cardboard etc) to be sent to a licensed recycling or disposal facility.

This can be achieved by constructing a minimum of five trade waste compounds on-site. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

15. Waste Management

Construction of the garbage and recycling bin storage area is to be in accordance with the "Bin Storage Facility Design Specifications" as attached to this consent. Storage facility is to be provided for a minimum of 4 x 240 litre garbage bins and 4 x 240 litre recycling bins. Garbage and recycling bins are to be ordered no earlier than (3) days prior to occupancy of the development. The bins are to be ordered by the property owner or agent acting for the owner by calling Council's Waste Hotline on 1800 623 895.

16. Dust Control

The following measures must be taken to control the emission of dust:

- dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work;
- all dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system;
- all stockpiles of materials that are likely to generate dust must be kept damp or covered.

17. Construction and Fit-out of Kitchen

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of Australian Standard – Design, construction and fit-out of food premises AS 4674-2004 and the provisions of the Food Safety Standards Code (Australia).

Note: Copies of AS 4674-2004 may be obtained from Standards Australia Customer Service on telephone 1300 654 646 or by visiting the website: www.standards.com.au

Copies of the Food Safety Standards Code (Australia) may be obtained by contacting the Food Standards Australia New Zealand Authority on Telephone: (02) 6271-2222, e-mail: info@foodstandards.gov.au or by visiting the website: www.foodstandards.gov.au

18. Contamination

Any new information, which comes to light during construction works, which has the potential to alter previous conclusions about site contamination as contained in the contamination assessment report prepared by JBS Environmental Pty Ltd, referenced as JBS 40795 -13288, dated June 2009, shall be immediately notified to Council.

19. Stockpiles

Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water, to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

20. Acoustic Requirements

The recommendations of the Noise Impact Assessment Report prepared by Marshall Day Acoustics, referenced as Report No. 001 R02 2010209, dated 23 August 2010 and submitted as part of the Development Application are to be implemented as part of this approval.

21. Hazardous Building Materials

The recommendations of the Hazardous Building Materials Survey Report prepared by JBS Environmental Pty Ltd, referenced as JBS40795-13303, dated June 2009 and submitted as part of the Development Application are to be implemented as part of this approval.

22. Asbestos Removal

Asbestos and asbestos containing material shall be removed by licensed asbestos removalist and all work must be in accordance with the requirements of the NSW Workcover Authority. Asbestos and asbestos containing material is to be disposed of in accordance with the requirements of the Department of Environment & Conservation and all dockets and paper work for the disposal shall be retained and made available to the Council if requested.

23. Acoustic Design of the Main Building

The final design of the main building must be assessed by Marshall Day Acoustics and the design must achieve the Project Specific Noise Levels established in the acoustic report submitted as part of the Development Application. Written confirmation of the acoustic assessment of the final design must be provided prior to the Construction Certificate

24. Restricted Development Area

No works or stockpiling of materials is permitted within the restricted development area created by the preceding subdivision approval pursuant to Development Consent DA 176/2009/ZB.

25. Separate Application for other Signs

A separate application is required to be submitted to, and approved by Council prior to the erection of any advertisements or advertising structures other than the signs approved in this consent.

26. Tree Removal

Approval is granted for the removal of those trees as indicated on Tree Retention and Removal Plan sheet 12 of Arboricultural Impact Assessment prepared by Footprint Green Pty Ltd and dated 09/12/10.

27. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers to be planted at 5/m².

28. Tree/s to be retained

To maintain the treed environment of the Shire, those trees as indicated on Tree Retention and Removal Plan sheet 12 of Arboricultural Impact Assessment prepared by Footprint Green Pty Ltd and dated 09/12/10 are to be retained.

29. Acquisition of an Easement

The creation of a minimum 1.5m wide easement to drain water over Council's Excelsior Reserve No.45, Lot 5 DP 263454 adjoined to the subject site in accordance with the requirements of Council as outlined in the document entitled "Requirements when seeking Drainage Easements over Council land" and generally as shown on the approved plans.

The easement width must vary so as to encompass the outlet structure. All costs incurred must be borne by the applicant.

NOTE:

- In addition to the easement a positive covenant covering the maintenance of the pipe will be required to be created over the dominant tenement, if the easement creation is approved by Council resolution.
- Where an easement is to be created over Council land under this consent the relevant documentation must be reported and submitted for endorsement by the Council.
- Sufficient time must be allowed for the preparation of a report and the execution of the documentation by Council.
- The applicable fee in accordance with Council's Schedule of Fees and Charges is to be paid for endorsement.

30. Protection of Public Infrastructure (Stages 1 & 2)

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

31. Structures Adjacent to Piped Drainage Easements (Stages 1 & 2)

Buildings and structures, including footings and brick fences, adjacent to existing or proposed drainage easements must be located wholly outside the easement. A design must be provided by a structural engineer certifying that the structure will not impart a load on the pipe in the easement.

32. Requirements for Council Drainage Easements (Stages 1 & 2)

No works are permitted within existing or proposed public drainage easements unless approved by Council. Where works are permitted, the following requirements must be adhered to:

Provision for overland flow and access for earthmoving equipment must be maintained.

The existing ground levels must not be altered. No overland flow is to be diverted out of the easement.

No fill, stockpiles, building materials or sheds can be placed within the easement.

New or replacement fencing must be approved by Council. Open style fencing must be used.

33. Vehicular Access and Parking (Stages 1 & 2)

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps is required, with their design and construction complying with:

- a) AS/ NZS 2890.1:2004
- b) AS/ NZS 2890.6:2009
- c) AS 2890.2:2002
- d) DCP Part D Section 1 – Parking
- e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- i. All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- ii. All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- iii. In urban areas, all driveways and car parking areas must be concrete or bitumen. The pavement design must consider the largest design service vehicle expected to enter the site.
- iv. In rural areas, all driveways and car parking areas must provide for a formed all weather finish.
- v. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

34. Gutter and Footpath Crossing Application (Stages 1 & 2)

Each driveway requires the lodgement of a separate gutter and footpath crossing application, accompanied by the current fee as prescribed by Council's Schedule of Fees and Charges.

35. Engineering Works – Design and Construction Approval Process (Stages 1 & 2)

The design certification and construction approval of the engineering works nominated in this consent require separate approval prior to the commencement of any works.

Works on existing public roads or any other land under the care and control of Council require an Engineering Construction Certificate (ECC) in accordance with the Roads Act 1993 or the Local Government Act 1993. This includes the construction of new roads which are to be dedicated as public road. An ECC can only be issued by Council.

All other engineering works must be approved by either Council or an accredited certifier. This certification must be included with the documentation approved as part of any Construction Certificate. The designer of the engineering works must be qualified, experienced and have speciality knowledge in the relevant field of work.

For Council to issue an ECC the following must be provided:

- a) A completed application form.
- b) Four copies of the design plans and specifications.
- c) Payment of the applicable application and inspection fees.
- d) Payment of any required security bonds.

36. Supervision of Works (Stages 1 & 2)

All work in the road/public reserve must be supervised by a suitably qualified and experienced person. The supervisors name, address and contact phone number must be submitted to Council prior to works commencing in the road reserve. A construction programme and anticipated duration of works must be submitted to Council prior to works commencing in the road reserve.

37. Public Liability Insurance (Stages 1 & 2)

All contractors working in the road reserve must have a current public liability insurance policy with an indemnity limit of not less than \$10,000,000.00. A copy of this insurance must be submitted to Council prior to works commencing in the road reserve.

38. Directional Signage

Only one (1) directional sign per vehicular entry/exit point to the site shall be permitted, and shall meet the relevant requirements of BHDGP Part D Section 2 – Signage.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

39. Landscape Bond

To ensure the public amenity of the streetscape a landscape bond in the amount of \$20,000.00 is to be lodged with Council prior to the issue of the Construction Certificate. It shall be refunded 6 months following the issue of the Final Occupation Certificate and the submission to Council of certification from a qualified Landscape Architect or Council's Tree Management Team, that the works have been carried out in accordance with the approved landscape plan.

40. Engineering Works and Design – Council Approval Required (Stages 1)

The design and construction of the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Any variance from these documents requires separate approval from Council.

The works listed below require an Engineering Construction Certificate (ECC) as outlined earlier in this consent. The following engineering works are required:

i. Concrete Footpath Paving

A 1.5m wide concrete footpath, including access ramps at all intersections, must be provided on 'Trent Road' frontage.

ii. Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

iii. Disused Layback/ Driveway Removal

All disused laybacks and driveways must be removed and replaced with full kerb and gutter together with the restoration and turfing of the adjoining footpath verge area.

iv. Stormwater Drainage Pipe - Extension within Council's reserve

Construction of a stormwater outlet pipe extended to the proposed point of discharge via a Drainage Easement created within Excelsior Reserve (Council's land) as required under the Condition A1 of the deferred commencement condition.

Note: Council's construction Engineer is required to be consulted prior to commencement of works in this respect.

41. Engineering Works and Design (Stages 1 & 2)

The design and construction of the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Any variance from these documents requires separate approval from Council.

i. Driveway Construction from Trent Road (Stage 1)

Construction of a driveway (variable width) as approved under the Condition A1 of the deferred commencement condition and to the satisfaction of the affected property owner Lot 1 DP 1143379.

ii. Onsite Stormwater Detention – Upper Parramatta River Catchment Area (Stage 1)

Onsite Stormwater Detention (OSD) is required in accordance with Council's adopted policy for the Upper Parramatta River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook.

The stormwater concept plan 'Hydraulic Services' plans HDA 01-02 (revision 3 & 4 dated 21/02/2011 and 25/02/2011) is for DA purposes only and is not to be used for construction. The detailed design must reflect the approved concept plans and shall include the following:

OSD Basin A

- A minimum of 10% primary underground storage, which should not be formed by the drainage pits pipes;
- Connect the existing drainage pipe traverses through the Basin A to the proposed Discharge Control Pit;
- Provision of an Oil-Arrestor Pit at the outlet of the Basin A.

OSD Basin B

- A minimum of 70 Cum primary underground storage, in order to control the stormwater runoff generated by the new access road;

Comprehensive design plans showing full construction details must be prepared by an accredited OSD designer and submitted with:

- A completed OSD Drainage Design Summary Sheet;
- Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes;
- A completed OSD Detailed Design Checklist;
- A maintenance schedule.

The design and construction of the OSD system must be approved by either Council or an accredited certifier. This certification must be included with the documentation approved as part of any Construction Certificate.

A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council subject to the following being provided:

- i. A completed application form;
- ii. Four copies of the design plans and specifications;
- iii. Payment of the applicable application and inspection fees.

iii. Rainwater Reuse Facilities – Sydney Water Requirements (Stage 1)

Proposed conversion of existing tunnel into a Rainwater reuse tank should be completed to Sydney Water's and other relevant authorities.

iv. Site Stormwater Drainage (Stages 1 & 2)

The entire site area including roof gutter over flow must be graded, collected and drained by pits and pipes to a suitable point of discharge based on a 1 in 10 year ARI storm event. This shall include the area proposed to be connected to the OSD facilities including upper level carparks to the respective OSD storages.

v. Traffic Control Plan

A Traffic Control Plan is required to be prepared in strict compliance with the requirements of AS 1742.3 and the current RTA Traffic Control and Work Sites Manual and submitted to Council for approval. The person preparing the plan must have the relevant RTA accreditation to do so. Where amendments to the approved plan are required, they must be submitted to Council for approval prior to being implemented.

42. Works in Existing Easement (Stages 1 & 2)

All adjoining properties either benefited or burdened by the existing easement must be notified of the proposed works within the easement in writing, including commencement and completion dates, before a Construction Certificate is issued.

43. Works on Adjoining Land (Stages 1 & 2)

Where the engineering works included in the scope of this approval extend into adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council before a Construction Certificate is issued.

44. Registration of Drainage Easement

Before any Construction Certificate can be issued documentary evidence (a copy of the registered easement plan and associated 88B Instrument) from the NSW Land and Property Management Authority must be submitted to Council to demonstrate the drainage easement over Council's Excelsior Reserve 45, Lot 5 DP 263454, has been created as required by this consent.

45. Draft Legal Documents (Stage 1)

Where an encumbrance on title is required to be created as part of this consent, draft copies of all legal documents must be submitted to Council for checking before a Construction Certificate is issued.

46. Security Bond – Pavement and Public Asset Protection (Stages 1 & 2)

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of **70,000.00** is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of \$30.00 per square metre based on the public road frontage of the subject site 100m plus an additional 50m on either side or the width of the road measured from face of kerb on both sides 12m, or \$10,000.00, whichever is the greater.

The bond must be lodged with Council prior to the issue of a Construction Certificate.

The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

47. Security Bond – External Works (Stage 1)

In accordance with Section 80A(6)(b) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works, or \$10,000.00, whichever is the greater.

The bond must be lodged with Council prior to the issue of any Construction Certificate.

The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being completed to Council's satisfaction.

48. Bank Guarantee Requirements (Stages 1 & 2)

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 298/2011/JP;
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

PRIOR TO ANY WORK COMMENCING ON SITE

49. Protection of Existing Trees

The trees that are to be retained are to be protected during all works with 1.8m high chainwire fencing which is to be erected at least three (3) metres from the base of each tree or group of trees and is to be in place prior to works commencing to restrict the following occurring:

- Stockpiling of materials within the root protection zone,
- Placement of fill within the root protection zone,
- Parking of vehicles within the root protection zone,
- Compaction of soil within the root protection zone.

All areas within the root protection zone are to be mulched with composted leaf mulch to a depth of not less than 100mm.

The installation of services within the root protection zone is not to be undertaken without consultation with Council's Tree Management Officer.

50. Approved Temporary Closet

An approved temporary closet connected to the sewers of Sydney Water, or alternatively an approved chemical closet is to be provided on the land, prior to building operations being commenced.

51. Builder's Address

Notification in writing of the builder's name, address, telephone and fax numbers to be submitted to the Principal Certifying Authority prior to work commencing.

52. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

53. Erosion and Sedimentation Controls – Minor Works

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

54. Erosion & Sediment Control Plan Kept on Site

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and made available to Council officers on request.

55. Demolition Works & Asbestos Removal/Disposal

The demolition of any existing structure is to be carried out in accordance with the *Occupational Health & Safety Regulations 2001 Part 8* and the *Australian Standard AS 2601-1991: The Demolition of Structures*. All vehicles leaving the site carrying demolition materials are to have loads covered and are not to track any soil or waste materials on the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoarding or fence. All demolition waste is to be removed from the site according to the Council's approved waste management plan. – Demolition Waste Section. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority Guidelines and requirements. The asbestos must be removed by a bonded asbestos licensed operator. Supporting documentation (dockets/Receipts), verifying recycling and disposal must be kept, to be checked by Council if required.

56. Resubmit Waste Management Plan – Demolition/Construction

Prior to the issue of the Construction Certificate the Waste Management Plan for the demolition and construction stages of the development must be resubmitted to and approved by Council. Tiles and plasterboard must be sent to a recycling facility, not to landfill. The following information is required in respect of disposal of bricks, tiles, concrete, timber, metals and gyprock;

1. Waste contractor information;
2. Address of recycling outlet(s) and/or landfill site(s).

A plan showing the location of waste compounds for waste storage and separation during the demolition and construction stages must also be submitted.

The Western Sydney Recycling Directory is available to assist the applicant in selecting appropriate contractors and facilities. The Directory may be obtained from Council's

website www.thehills.nsw.gov.au or by contacting Council's Waste Management Project Officer on 9762 1112.

57. Management of Building Sites – Builder's Details

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied.

The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an afterhours contact name and telephone number. In the case of a privately certified development, the name and contact number of the Principal Certifying Authority.

58. Principal Certifying Authority

A sign is to be erected in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000.

59. Pre-Construction Public Infrastructure Dilapidation Report (Stages 1 & 2)

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

- a) Designated construction access and delivery routes; and
- b) Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

DURING CONSTRUCTION

60. Protection of Existing Vegetation

Care is to be exercised during the construction of the proposed works to ensure natural vegetation and topography on the subject site is not unnecessarily disturbed.

The restricted Development Area adjacent to the proposed car park shall be fenced and sign posted as *Restricted Development Area* during the construction of the car park.

Any material, vegetation and soil not used in the construction of the subject works is to be removed from the site and under no circumstances is to be deposited in bushland areas.

61. Hours of Work

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, in the event that the building operations cause noise to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.

62. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority

Section 109E(d) of the Act requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Regulations.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

NOTE: You are advised that inspections may only be carried out by the PCA unless by prior agreement of the PCA and subject to that person being an accredited certifier.

PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

63. Internal Pavement Construction Certification (Waste Services)

Certification from a Certified Practicing Engineer (CPEng) must be submitted to Council prior to the issue of an Occupation Certificate, confirming that the internal pavement has been constructed in accordance with the approved plans and is suitable for use by a loaded waste vehicle.

64. Agreement for On-site Waste Collection

An Indemnity Agreement is to be signed and returned to Council to enable servicing of bins from the private road by Council's waste collection vehicles. The garbage service will not commence and bins will have to be taken to the public road for collection, if the Indemnity Agreement has not been received.

65. Interim Fire Safety Certificate

An Interim Fire Safety Certificate must be issued prior to the issue of an Interim Occupation Certificate to use or change the use of a building, except in the case of a Class 1a or Class 10 building(s).

66. Issue of Occupation Certificate

A final inspection shall be carried out to ensure compliance with all the conditions of the Development Consent, prior to the issue of an Occupation Certificate. Such certificate shall be issued prior to the occupation/use of any part of the buildings.

67. Maximum Capacity Signage to be Displayed in the Premises

With effect from 26 January 2010, it is a Prescribed Condition under Clause 98D of the Environmental Planning and Assessment Regulation 2000 that Entertainment Venues, Function Centres, Pubs, Registered Clubs and Restaurants shall have a Maximum Capacity Signage on display. The following signage is ready for use and shall be displayed in a prominent position in the building:

68. Entertainment Venue – Compliance with Prescribed Conditions

The Entertainment Venue shall comply with the Prescribed Conditions in Clause 98D (Maximum Capacity Signage) and Schedule 3A of the Environmental Planning and Assessment Regulation 2000 below:

1. Nitrate film

An entertainment venue must not screen a nitrate film.

2. Stage management

During a stage performance, there must be at least one suitably trained person in attendance in the stage area at all times for the purpose of operating, whenever necessary, any proscenium safety curtain, drencher system and smoke exhaust system.

3. Proscenium safety curtains

If a proscenium safety curtain is installed at an entertainment venue:

- a. there must be no obstruction to the opening or closing of the safety curtain, and*
- b. the safety curtain must be operable at all times.*

4. Projection suites

2) When a film is being screened at an entertainment venue, at least one person trained in the operation of the projectors being used and in the use of the fire fighting equipment provided in the room where the projectors are installed (the "projection room") must be in attendance at the entertainment venue.

3) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the Building Code of Australia, the person required by subclause (2) to be in attendance must be in the projection suite in which the projection room is located during the screening of a film.

4) No member of the public is to be present in the projection suite during the screening of a film.

11. Emergency evacuation plans

1) An emergency evacuation plan must be prepared, maintained and implemented for any building (other than a temporary structure) used as an entertainment venue.

2) An "emergency evacuation plan" is a plan that specifies the following:

a. the location of all exits, and fire protection and safety equipment, for any part of the building used as an entertainment venue,

b. the number of any fire safety officers that are to be present during performances,

c. how the audience are to be evacuated from the building in the event of a fire or other emergency.

3) Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

69. Landscaping Prior to Issue of Occupation Certificate

The landscaping of the site being carried out prior to issue of the Occupation Certificate (within each stage if applicable) in accordance with the approved plan. All landscaping is to be maintained at all times in accordance with BHDCP Part D, Section 3 – Landscaping.

70. Bushland Management Plan

The Bushland Management Plan is to be submitted to Council for approval prior to issue of an Occupation Certificate. The plan can be the previous plan prepared by Ann Clements & Associates Pty Ltd dated 7 April 2009 prepared as part of the subdivision of the property. The plan is to detail management for the restricted development area, and be prepared by a suitably qualified environmental consultant. The plan is to include the recommendations contained in the Flora Assessment Report dated 22 February 2005 and supplementary letter dated 18 July 2008 by Anne Clements & Associates Pty Ltd and the Fauna Assessment Report dated 18 February 2005 and supplementary letter dated 1 December 2008 by Ambrose Ecological Services Pty Ltd (Ambecol).

71. Compliance with Requirements of Development Consent

Compliance with all conditions of approval of the Development Consent on the subject property.

72. Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to "Your Business" section of Sydney Water's web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

Following an application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid.

Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.

73. Completion of Engineering Works (Stages 1 & 2)

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

74. Post Construction Public Infrastructure Dilapidation Report (Stages 1 & 2)

Before an Occupation Certificate is issued, an updated public infrastructure inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets in the direct vicinity of the development site and the means of rectification for the approval of Council.

75. Creation and Registration of Restrictions and Positive Covenants (Stage 1)

a) Creation of Restrictions and Positive Covenants

The submission to Council of all necessary documentation together with payment of the endorsement fee prescribed in Council's Schedule of Fees and Charges to create the following over the title of the property. The wording must nominate The Hills Shire Council as the authority to release, vary or modify each restriction or positive covenant.

i. Restricting Development – OSD Modification

A restriction as to user restricting development over or the varying of any finished levels and layout of the constructed onsite stormwater detention system.

ii. Positive Covenant – OSD Maintenance

A positive covenant must be created to ensure the ongoing maintenance of the constructed onsite stormwater detention system.

b) Registration of Request Documents

The request documents endorsed by Council must be registered and a copy of the registered documents submitted to Council before an Occupation Certificate is issued.

76. Confirmation of Pipe Locations (Stages 1 & 2)

A letter from a registered surveyor must be provided certifying that all pipes and drainage structures are located within the proposed drainage easements.

77. OSD System Certification (Stage 1)

The Onsite Stormwater Detention (OSD) system must be completed to the satisfaction of the Principal Certifying Authority (PCA) prior to the issuing of an Occupation Certificate. The following documentation is required to be submitted upon completion of the OSD system and prior to a final inspection:

- a) Works as executed plans prepared on a copy of the approved plans;
- b) A certificate from a suitably accredited engineer or surveyor verifying that the constructed OSD system will function hydraulically;
- c) A certificate of structural adequacy from a suitably accredited structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

78. OSD System - Stormwater Connection Certification (Stage 2)

Site stormwater drainage collection and drainage to appropriate stormwater points of discharge as required under the consent is to be completed to the satisfaction of the Principal Certifying Authority (PCA) prior to the issuing of an Occupation Certificate. The following documentation is required to be submitted upon completion of the works prior to a final inspection:

- a) Amended Works as executed plans prepared on a copy of the approved plans incorporating stage 2 works;
- b) A certificate from a suitably accredited engineer or surveyor verifying that the completed works will not affect the hydraulic function of the OSD system;
- c) A certificate of structural adequacy from a suitably accredited structural engineer verifying that the structures associated with the constructed additional components of the OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

USE OF THE SITE

79. Security Screens/Locking Devices (Fire Safety)

All required fire exits or paths of travel to an exit shall not be fitted with security screens and/or locking devices that will impede safe egress of the building occupants and visitors without prior consent from Council. This condition does not apply to the entry door of the sole occupancy residential units.

80. No Obstruction to Path of Travel

The placement of storage racks, cabinets, floor stock, pallets or the like, shall not obstruct any path of travel to an exit nor the efficient operation and effective coverage of any fire hose reel, fire hydrant, fire extinguisher or other essential fire safety measures.

81. Lighting

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282: 1997 The Control of Obtrusive Effects of Outdoor Lighting*.

The site identification signage lighting shall be fitted with a time control to coincide with the approved hours of operation.

82. Operational Details

The operation of the place of worship and ancillary facilities shall be restricted to the following:

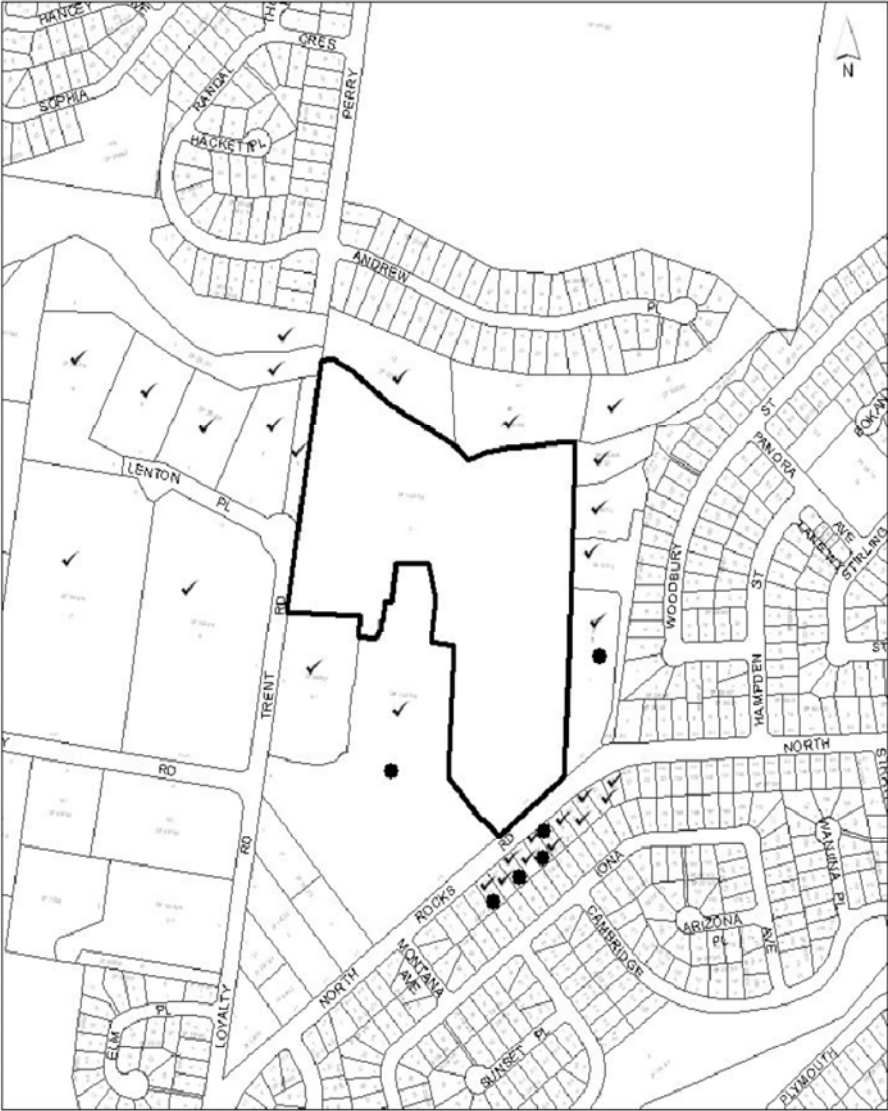
Purpose	Hours/Day
Administration	Monday to Friday, 8:30am – 6:00pm
Sunday Service (1-hour service)	8:30am 10:00am 12:00pm 3:00pm Premises vacated by 8:00pm.
Sunday School	12:00 – 3:00pm 700 children incl. teachers
Sunday School Teachers, Worship Leaders encouragement & meetings	Monday to Friday, 7:00pm – 10:30pm
Saturday	7:00am – 6:00pm Preparation for Sunday & ancillary uses: - Choir practice - Food preparation - Language guidance
Dawn Service	Monday to Saturday, 5:30am– 6:30am
Special Events	e.g. Easter, Christmas, guest speaker (1 per quarter ave.) 9:00am – 8:00pm
Max. attendance at any one time will be when the Sunday Service occurs at the same time as Sunday School	800 (main service) + 700(Sunday School) + 100(ancillary e.g. parking attendant, admin & catering purposes) - 12:00pm – 2:00pm Sunday
Deliveries	Monday to Saturday, 7:00 – 6:00pm No deliveries on Sundays or public holidays

No other activities (such as use of gymnasium, library and other ancillary facilities) shall occur on site when Sunday worship and Sunday School are in operation.

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. Site Plan
4. Zoning Map
5. Main Building – Ground Floor Plan
6. Main Building – First Floor Plan
7. Car Park – Ground Floor Plan
8. Car Park – First Floor Plan
9. Main Building - Elevations
10. Ancillary Building Elevations
11. Car park – Elevations
12. Main Building Sections
13. Car Park Sections
14. Approved Subdivision Plan (DA 176/2009/ZB)
15. Variation to Setback Controls
16. Appendix "A" – NSW Rural Fire Service Requirements
17. Appendix "B" – NSW RTA Requirements
18. Appendix "C" – NSW Police Requirements

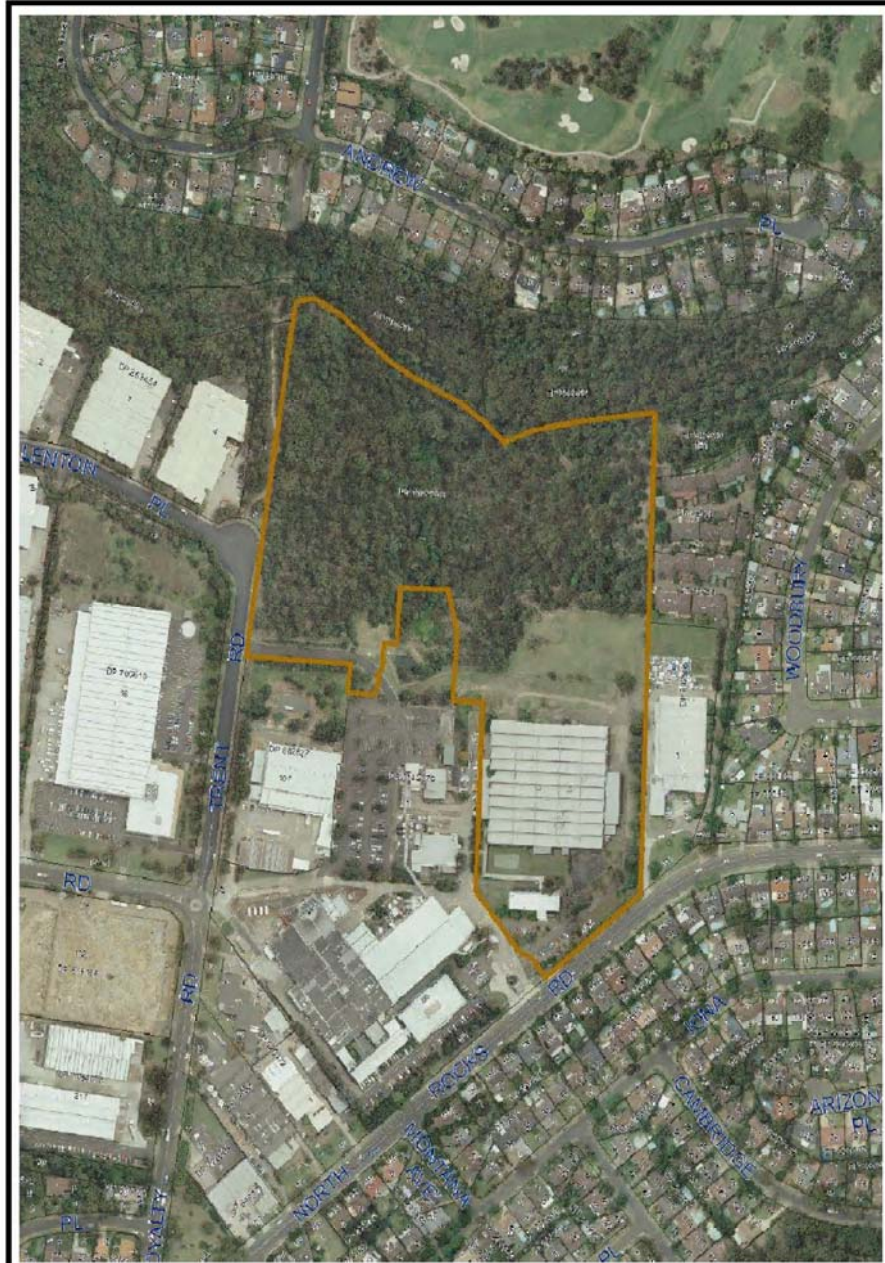
ATTACHMENT 1 – LOCALITY PLAN



- SUBJECT SITE
- ✓ PROPERTIES NOTIFIED

● SUBMISSION RECEIVED -
(ONE OUTSIDE THE
SCOPE OF THIS MAP)

ATTACHMENT 2 – AERIAL PHOTOGRAPH



THE HILLS SHIRE COUNCIL

The Hills Shire Council (THSC) does not give any guarantees concerning the accuracy, completeness or currency of its spatial and textual information held in or generated from its database. THSC therefore takes no responsibility for errors, omissions or inaccuracies on information found or provided.
Base cadastre copyright remains the property of Land and Property Management Authority NSW (LPMAN). Year 2008 contour and aerial photography copyright remains the property of Department of Environment and Climate Change (DECC) and THSC. Cadastre modifications including Council generated data is subject to THSC copyright.

Aerial Photo – 219A North Rocks



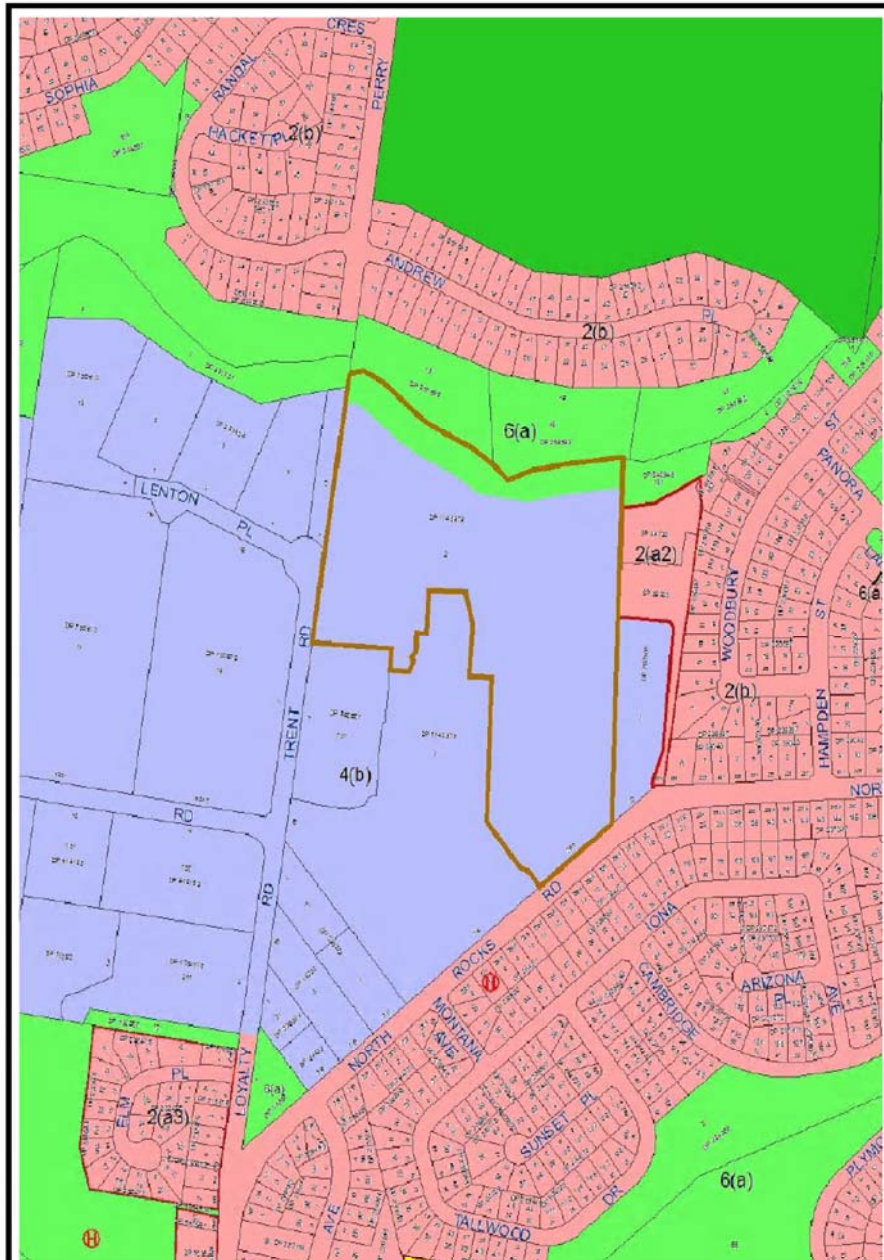
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17/10/2010

ATTACHMENT 3 – SITE PLAN



ATTACHMENT 4 – ZONING MAP



THE HILLS SHIRE COUNCIL

The Hills Shire Council (THSC) does not give any guarantees concerning the accuracy, completeness or currency of its spatial and textual information held in or generated from its database. THSC therefore takes no responsibility for errors, omissions or inaccuracies on information found or provided.
Base cadastre copyright remains the property of Land and Property Management Authority NSW (LPA), year 2008 contour and aerial photography copyright remains the property of Department of Environment and Climate Change (DECC) and THSC. Cadastre modifications including Council generated data is subject to THSC copyright.

Zoning Map

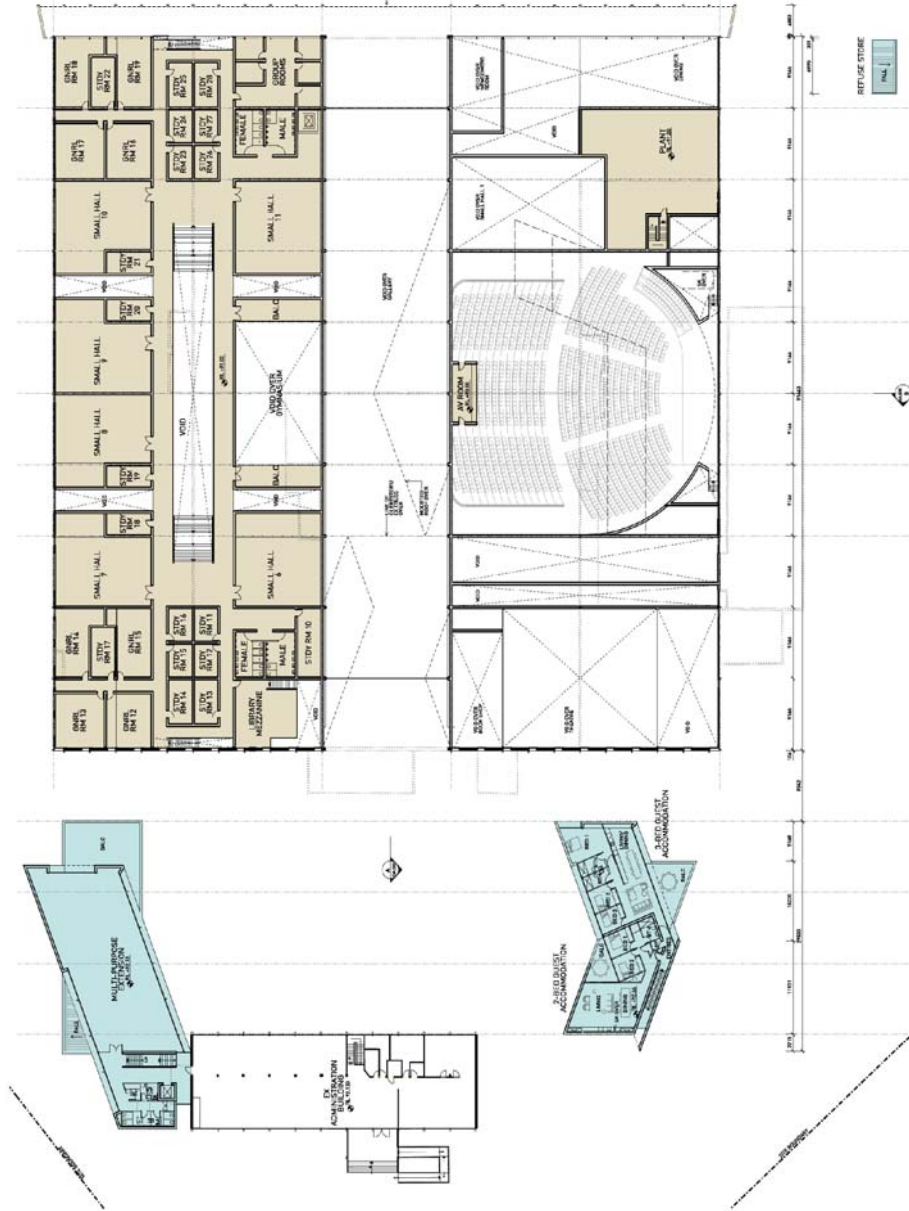


Scale is 1:5084

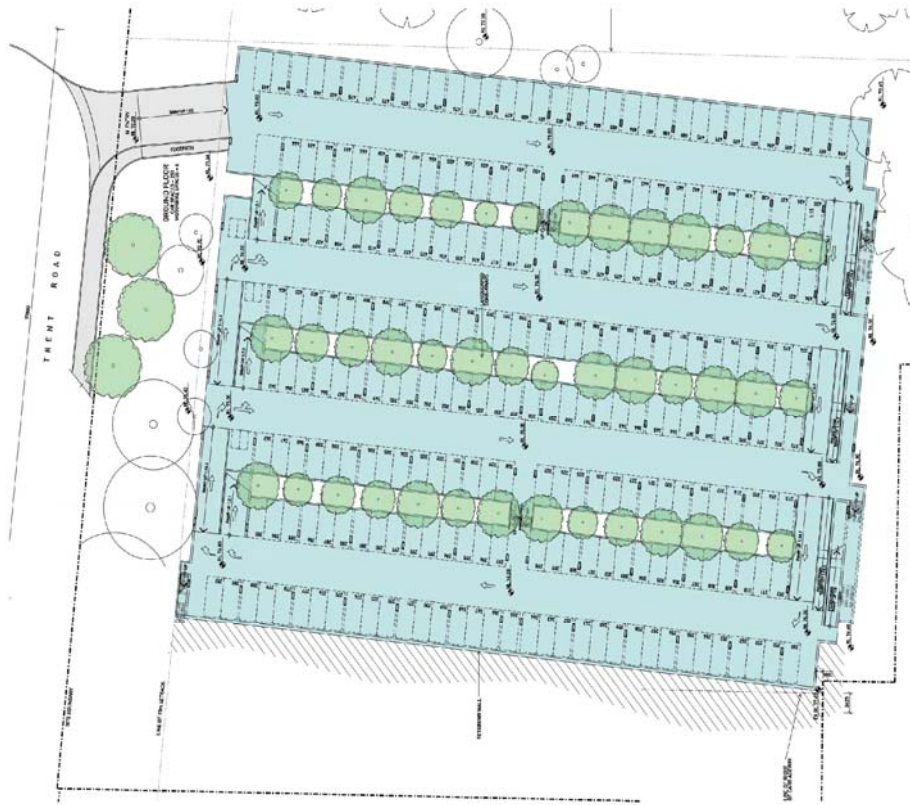
20/10/2010

The architectural floor plan of the University of North Carolina at Chapel Hill is a detailed drawing showing the layout of the main building. The plan is color-coded: yellow for the main building, blue for the library, and green for the outdoor areas. The plan includes a north arrow and a scale bar. The main building is a large, rectangular structure with a central corridor and numerous rooms. The library is a large, blue structure located to the left of the main building. The outdoor areas are green and include a large lawn, a walkway, and a parking lot. The plan also shows the location of the main entrance, the library entrance, and the outdoor areas. The plan is a detailed drawing showing the layout of the main building, including the library, lecture halls, and administrative offices. The plan is color-coded: yellow for the main building, blue for the library, and green for the outdoor areas. The plan includes a north arrow and a scale bar.

ATTACHMENT 6 – MAIN BUILDING - FIRST FLOOR PLAN



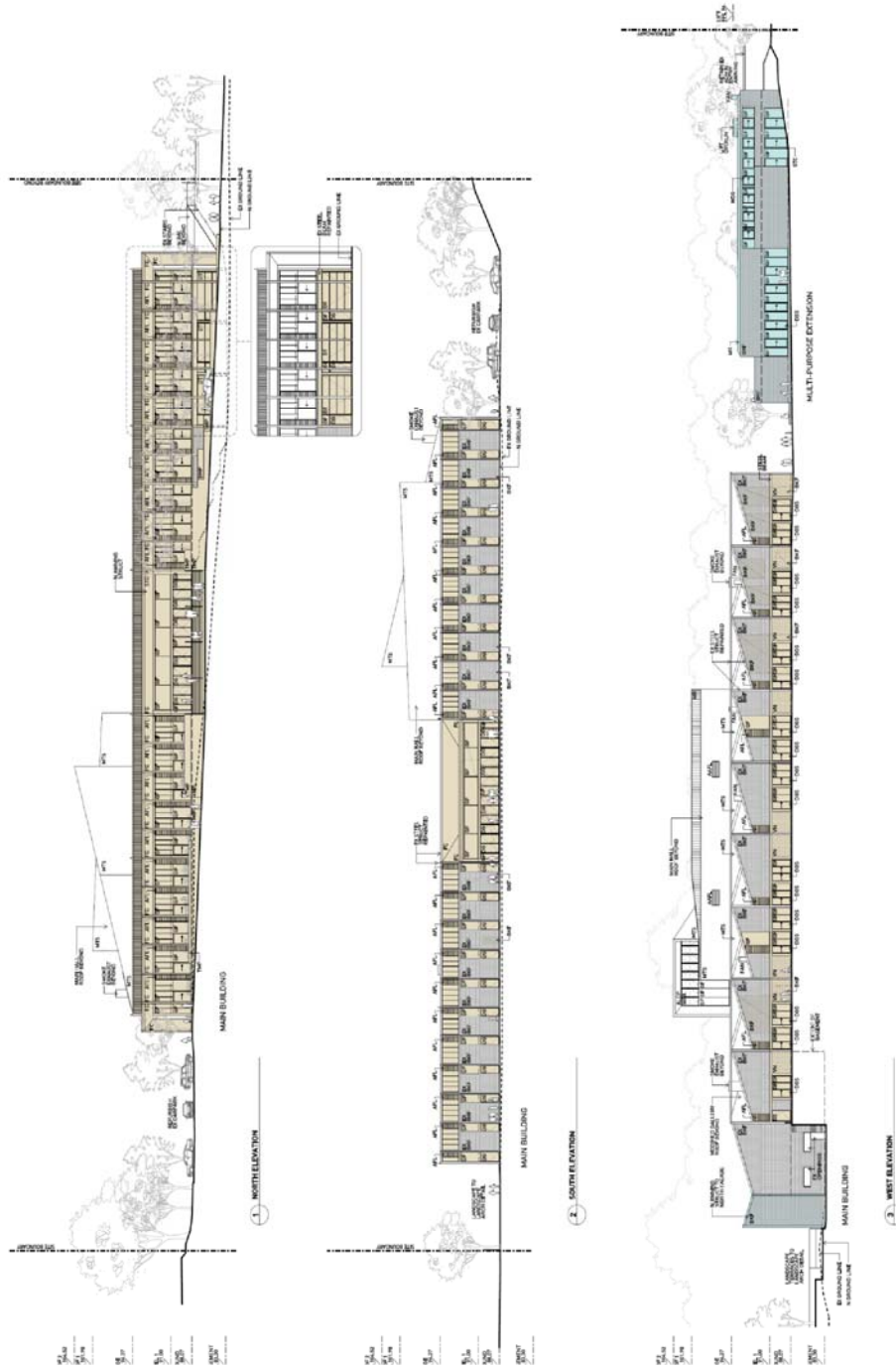
ATTACHMENT 7 –CAR PARK - GROUND FLOOR PLAN



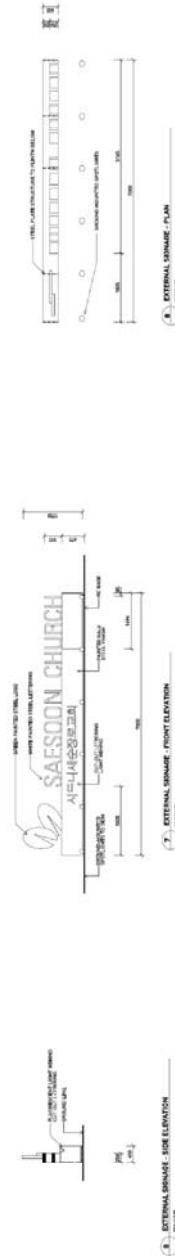
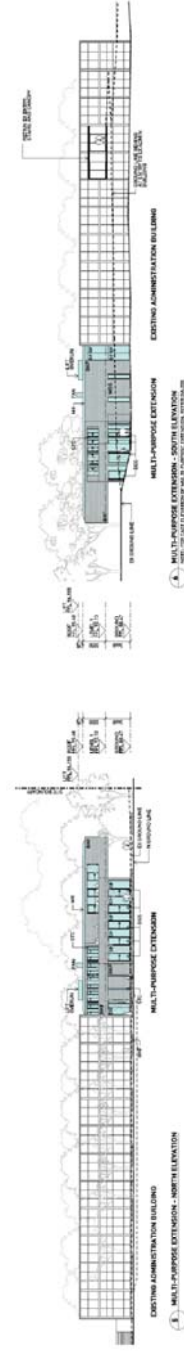
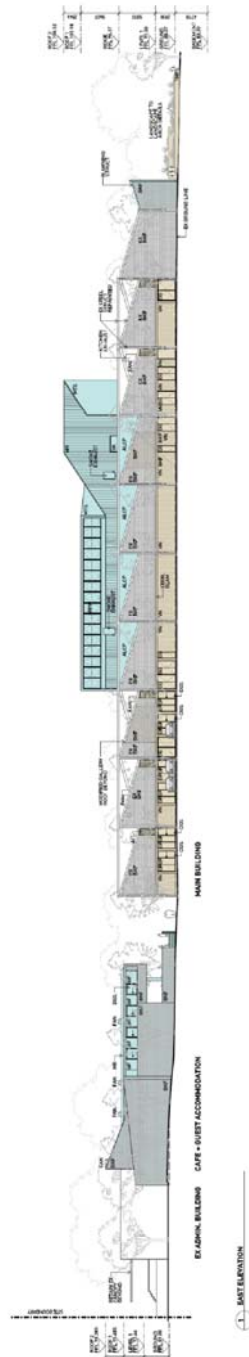
ATTACHMENT 8 - CAR PARK - FIRST FLOOR PLAN



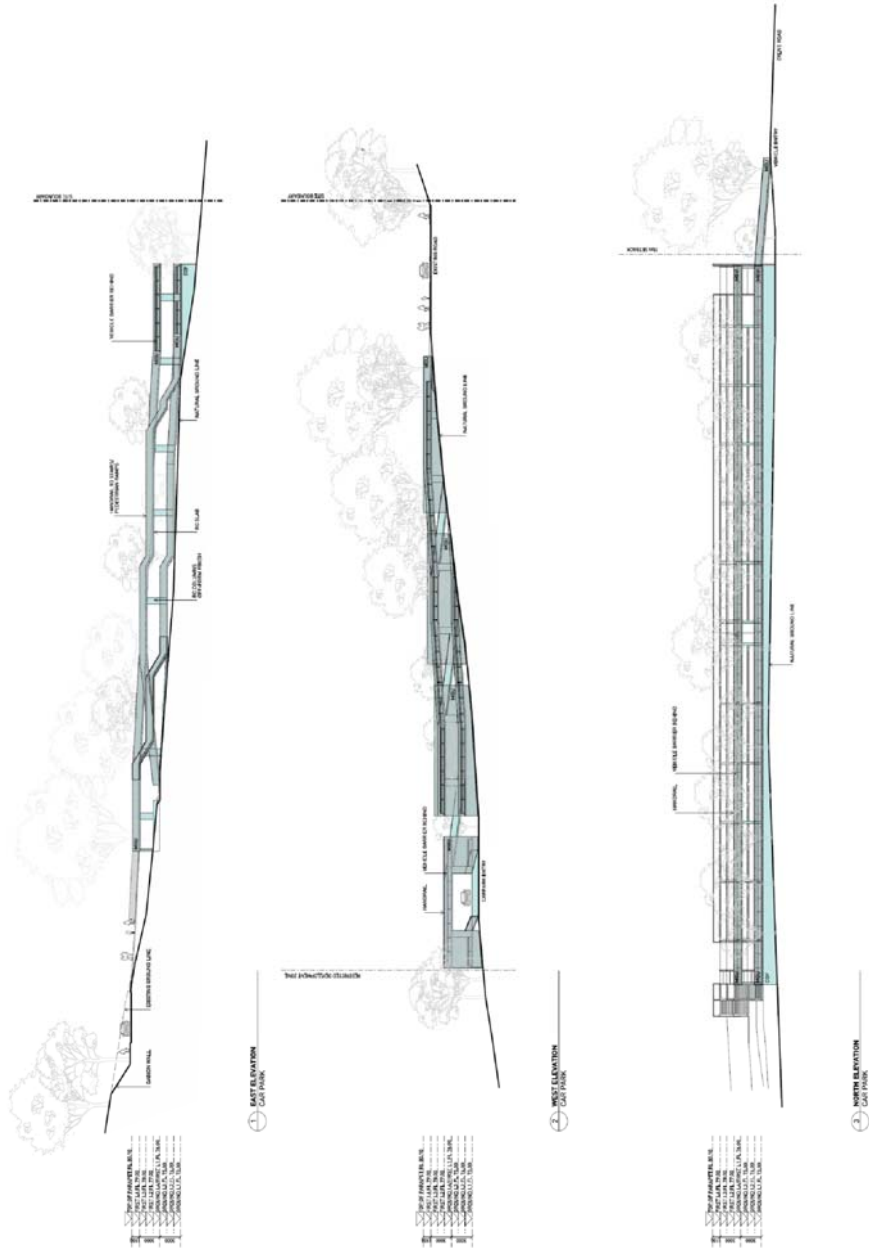
ATTACHMENT 9 – MAIN BUILDING ELEVATIONS



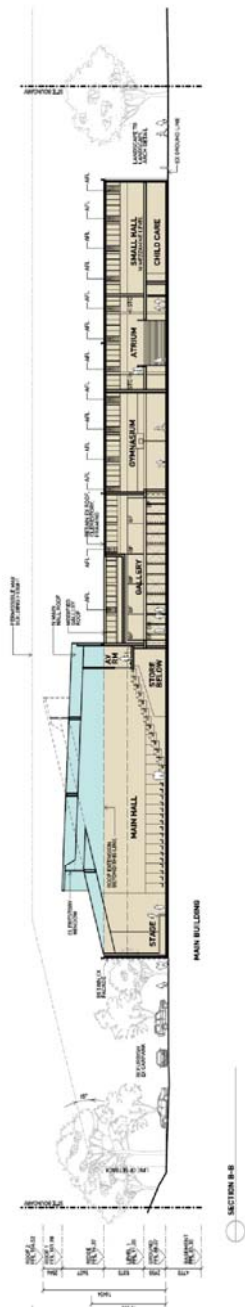
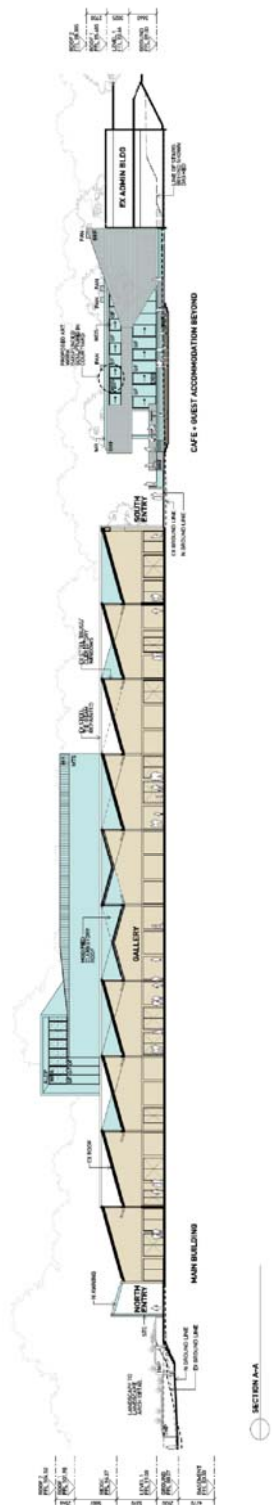
ATTACHMENT 10 –ANCILLARY BUILDING ELEVATIONS



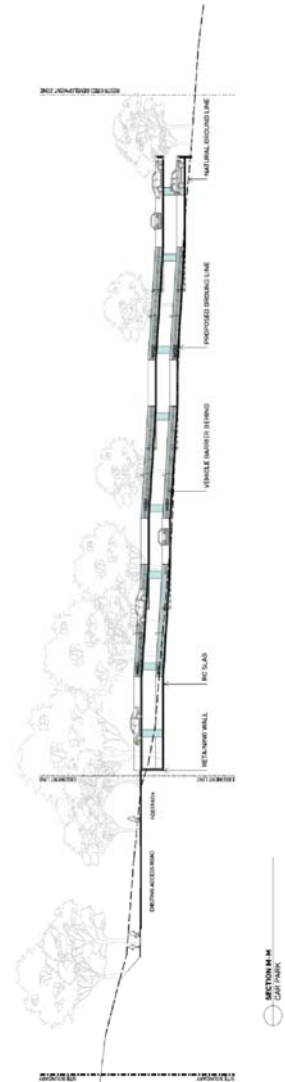
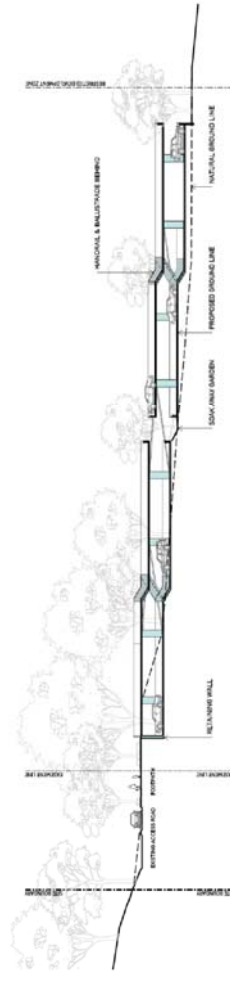
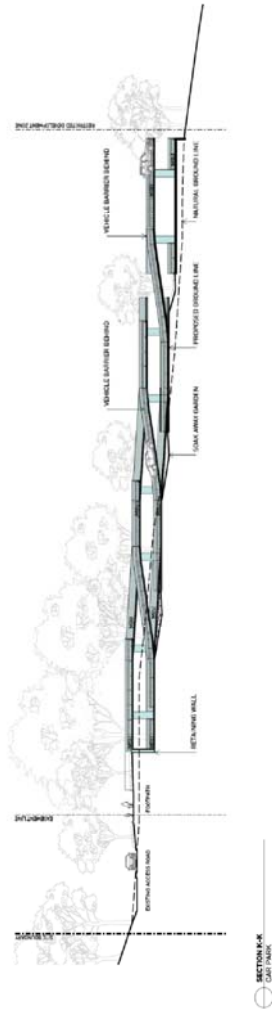
ATTACHMENT 11 – CAR PARK ELEVATIONS



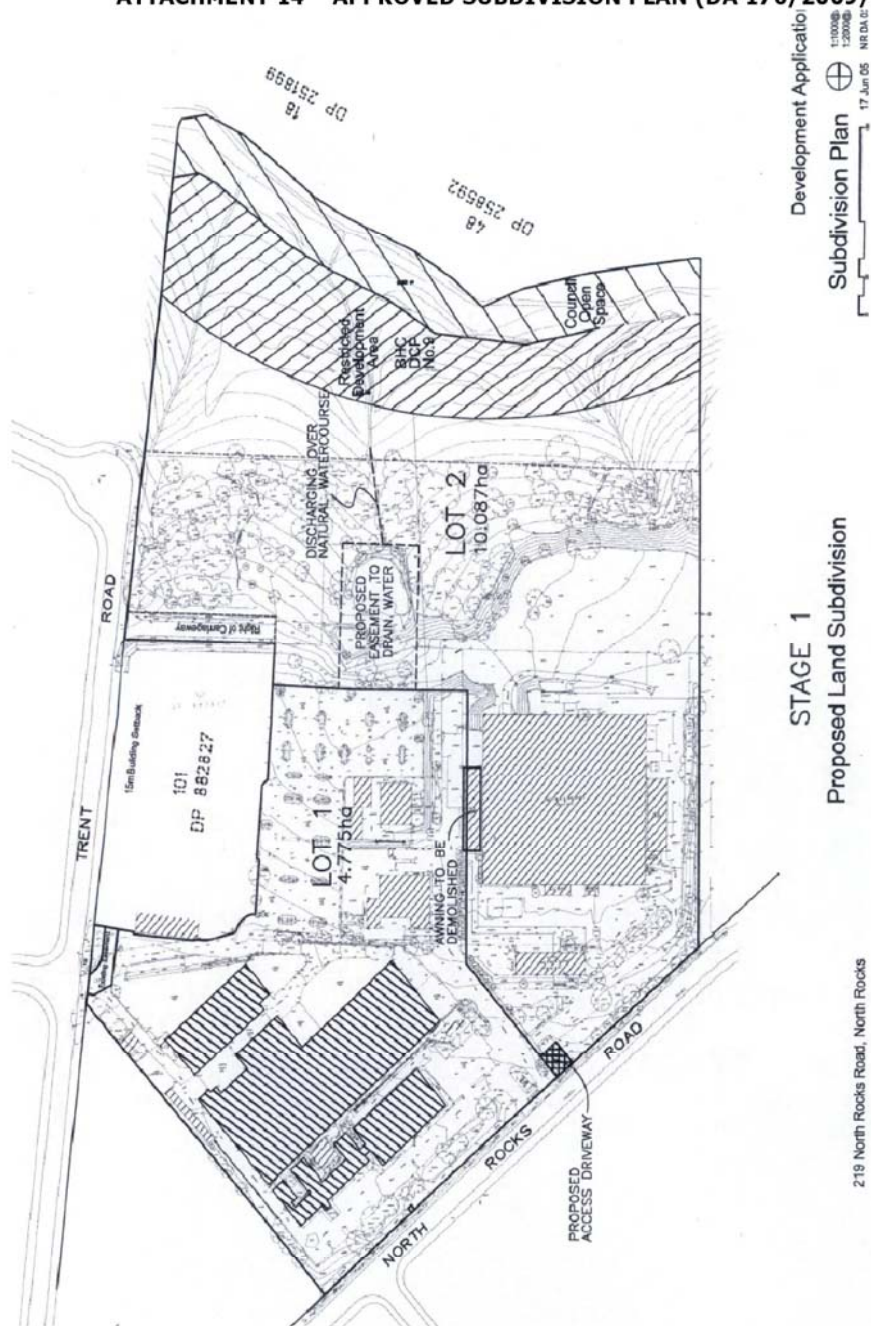
ATTACHMENT 12 – MAIN BUILDING SECTIONS



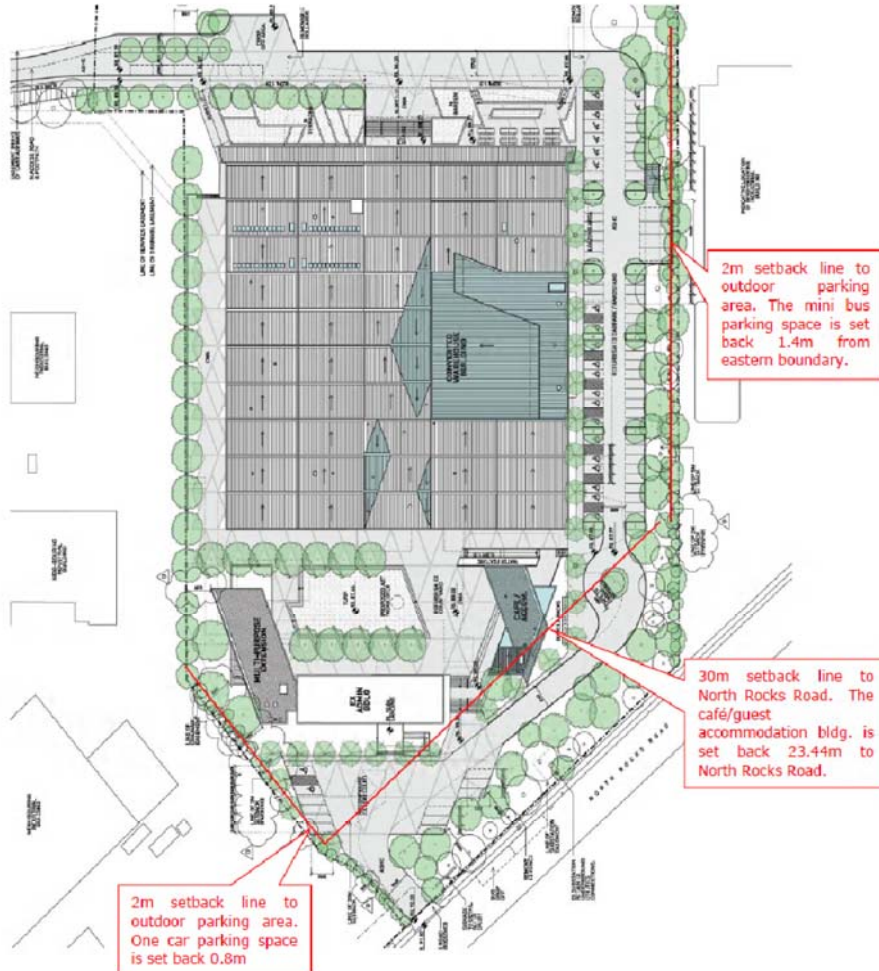
ATTACHMENT 13 – CAR PARK SECTIONS



ATTACHMENT 14 – APPROVED SUBDIVISION PLAN (DA 176/2009/ZB)



ATTACHMENT 15 – VARIATIONS TO SETBACK CONTROLS



**ATTACHMENT 16 – APPENDIX "A" – NSW RURAL FIRE SERVICE REQUIREMENTS
(3 PAGES)**

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 8741 5175 Facsimile: 8741 5433
e-mail: development.assessment@rfs.nsw.gov.au



The General Manager
The Hills Shire Council
PO Box 75
Castle Hill NSW 1765

Your Ref: 298/2011/JF
Our Ref: D10/1501
DA10090272333 BH
ID:72333/66634/5

ATTENTION: Claro Palag

23 September 2010

Dear Sir / Madam

**Integrated Development for 2//1143379 219a North Rocks Road North Rocks
NSW 2151**

I refer to your letter dated 27 August 2010 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

1. A fire management plan is to be prepared that addresses the following requirements:
 - a) Contact person / department and details; and
 - b) Schedule and description of works for the construction of asset protection zones and their continued maintenance.

DOC. No.:
BOX No.:
24 SEP 2010
THE HILLS SHIRE COUNCIL

2. At the commencement of building works and in perpetuity the property to the north and north west of the proposed Church building to a distance of 70 metres, shall be maintained as an inner protection area (IPA) and an additional 30 metres as an outer protection area (OPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

3. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.

4. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - The emergency plan shall incorporate protocols for the early relocation of assets (vehicles) located in the carpark building.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack.

6. The proposed Church and administration buildings shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of "Planning For Bush fire Protection".

Landscaping

7. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Bruce Hansen on 8741 5175.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nika Fomin', with a stylized flourish at the end.

Nika Fomin
Team Leader Development Assessment & Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

ATTACHMENT 17 – APPENDIX “B” – NSW RTA REQUIREMENTS (2 PAGES)

Our Reference: RDC 10M2092 – SYD10/00797
Your Reference: 298/2011/JF
Contact: Pahee Sellathurai
Telephone: 8849 2219

SRDAC

**SYDNEY
REGIONAL
DEVELOPMENT
ADVISORY
COMMITTEE**

The General Manager
The Hills Shire Council
PO Box 75
Castle Hill NSW 1765

DOC. No.:
BOX No.:
09 NOV 2010
THE HILLS SHIRE COUNCIL

Attention: Claro Patag

PROPOSED PLACE OF WORSHIP AT 219A NORTH ROCKS ROAD, NORTH ROCKS

Dear Sir/Madam,

Reference is made to Council's correspondence dated 15 September 2010 with regard to the abovementioned development application, which was referred to the Roads and Traffic Authority (RTA) in accordance with Clause 104 and Column 2 of Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007. I wish to advise that the Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of this development application at its meeting held on 7 October 2010.

Below are the committee's recommendations and RTA comments for consideration in the determination of the development application:

1. To minimise impedance to through movements and to facilitate right turn access into the site from North Rocks Road, Council must ensure that a condition is imposed which requires the provision of an appropriately designed painted right turn bay (with adequate storage for peak movements into the site).

To accommodate the abovementioned painted right turn bay, this will require a suitable length of the existing kerbside parking lane opposite the development site (along North Rocks Road) to be changed to full time 'No Stopping'.

The implementation of the "No Stopping" restrictions will be subject to Council's Local Traffic Committee's approval.

2. Council is to ensure that adequate parking provision is provided on-site in order to accommodate the peak parking demand requirements.
3. To minimise the traffic impacts along the adjacent road system, Council should ensure that the development uses on-site traffic marshals to direct vehicles to under utilised parking areas (particularly for peak Sunday Services and Special Events).
4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths,

Page 1 of 2

Roads and Traffic Authority
ABN 64 480 155 255



27-31 Argyle Street,
Parramatta NSW 2150

PO Box 973 Parramatta CBD NSW 2124
DX 28555 Parramatta

T 131 782

www.rta.nsw.gov.au

and parking bay dimensions) should be in accordance with AS 2890.1 - 2004 and AS 2890.2 - 2002 for heavy vehicle usage.

5. All vehicles are to enter and leave the site in a forward direction.
6. All vehicles are to be wholly contained on site before being required to stop.
7. All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.

In accordance with Clause 104(4) of State Environmental Planning Policy (Infrastructure) 2007, it is essential that a copy of Council's determination on the proposal (conditions of consent if approved) is forwarded to the RTA at the same time it is sent to the developer.

Further enquiries in relation to this matter can be directed to Pahee Sellathurai on 8849 2219.

Yours faithfully,



Chris Goudanas
Chairman, Sydney Regional Development Advisory Committee

3 November 2010

ATTACHMENT 18 – APPENDIX “C” – NSW POLICE REQUIREMENTS (7 PAGES)



NSW POLICE FORCE
THE HILLS LOCAL AREA COMMAND

Castle Hill Police Station
Cnr Castle & Pennant St
Castle Hill NSW 2154
Ph. 9680 5399
Fax: 9680 5303

Tuesday 19th October 2010

Claro Patag
Town Planner
Baulkham Hills Shire Council
P.O. Box 75
Castle Hill NSW 1765

Dear Mr. Patag,

Subject: Development Application No. DA 298/2011/JP – Proposed Place of Worship

Property: Lot 2 DP 1143379, No. 219A North Rocks Road, North Rocks

Police Ref: 2010_

We refer to your development application which seeks approval for the development of a proposed Place of Worship on North Rocks Road, North Rocks.

After perusing the paperwork and plans associated with this proposal, Police have some concerns with the request. There are a number of Crime Prevention through Environmental Design (CPTED) factors that should be considered in this development.

Surveillance

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical. Good surveillance means that people can see what others are doing.

People feel safe in public areas when they can easily see and interact with others. Would-be offenders are often deterred from committing crime in areas with high levels of surveillance.

- **Lighting and Technical Supervision**

Lighting should meet minimum Australian standards. Effective lighting contributes to safety by improving visibility, increasing the chance that offenders can be detected and decreasing fear. Special attention should be made to lighting the entry and exit points from the buildings, car park and access/exit driveways.

The access/exit driveways need to be adequately lit to improve visibility and increase the likelihood that offenders will be detected and apprehended. At the same time throughout the site transition lighting is needed to reduce vision impairment, i.e. reducing a person walking from dark to light places.

- **Landscaping**

The safety objective of "to see and be seen" is important in landscaped areas. Dense vegetation can provide concealment and entrapment opportunities. As this development proposes to have shrubs and trees throughout the site, it must be emphasised that the vegetation be kept trimmed at all times.

Police strongly recommend the use of a CCTV system to monitor all the external entry/exit points to the Place of Worship and associated buildings. Police suggest CCTV also be utilised inside common areas of the buildings including any lobby/reception areas and any common/public areas of the gym and administration buildings.

Access Control

Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime. By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in restricted areas.

Unfortunately, offenders target this type of development, both in its construction phase and when the buildings are occupied. Police would recommend the use of security sensor lights and a security company to monitor the site while construction is in progress.

Territorial Reinforcement

With few exceptions, criminals do not want to be detected, challenged or apprehended. For offenders, the capability of guardianship (to detect, challenge or apprehend) is an important consideration. It is argued that employees are more effective as guardians (crime deterrents) than passing members of the community.

Territorial reinforcement can be achieved through:

- ✓ Design that encourages people to gather in public space and to feel some responsibility for its use and condition
- ✓ Design with clear transitions and boundaries between public and private space
- ✓ Clear design cues on who is to use space and what it is to be used for. Care is needed to ensure that territorial reinforcement is not achieved by making public spaces private spaces, through gates and enclosures.

- **Environmental Maintenance**

Clean, well-maintained areas often exhibit strong territorial cues. Rundown areas negatively impact upon perceptions of fear and may affect community confidence to use public space and ultimately, it may affect crime opportunity. Vandalism can induce fear and avoidance behaviour in a public space, therefore the rapid repair of vandalism and graffiti, the replacement of car park lighting and general site cleanliness is important to create a feeling of ownership. Ownership increases the likelihood that people will report or attempt to prevent crime.

Many graffiti vandals favour porous building surfaces, as 'tags' are difficult to remove. Often a ghost image will remain even after cleaning. Easily damaged building materials may be less expensive to purchase initially, but their susceptibility to vandalism can make them a costly proposition in the long term, particularly in at-risk areas. This should be considered when selecting materials for construction.

Traffic Matters

The Traffic Supervisor at The Hills, Senior Constable Crick, has been consulted in relation to this matter and has a number of concerns in relation to the proposal. Her concerns are outlined below.

Access in and out of North Rocks Rd to the site should be restricted (to weekdays only and only to the administration building and top car park area, only to drop off/pick up perhaps disabled/elderly persons) as there is no way to prevent vehicles attempting to enter or exit the entire site from this direction and it would be a difficult right turn into and out of the site onto North Rocks Road.

The Traffic Assessment reports that there are between 400 -500 vehicles per hour using North Rocks Road in both directions already on Sundays without this development. If the main access point is from North Rocks Road then Police would suggest that an appropriate traffic control device (traffic control lights or a roundabout) be placed at that driveway to assist the safe entrance and exiting of traffic from this development. The safe entry and exit of the thousands of parishioners/staff into and out of North Rocks Road in their motor vehicles is of the highest concern to Police.

Police would recommend that the car parks be separated in some way so that the Trent Road car park could not possibly be exited via North Rocks Road. North Rocks Road is only one lane in each direction and southbound traffic on this road may queue in order to turn right into the site driveway. This queuing may also occur at the Loyalty Road intersection causing potential rear end collisions. Police would suggest a right turn bay may be warranted at both locations.

Also, it is anticipated that coaches will queue on North Rocks Road northbound to drop off and collect hundreds of parishioners. The parking of those buses will obscure the sight distance for vehicles exiting the North Rocks Road driveway in any direction which may increase potential collisions. Any queuing coaches may also obscure visibility of southbound North Rocks Road vehicles creating difficulty for motorists exiting Loyalty Road wanting to turn right onto North Rocks Road.

If there is not already an existing footpath at the location, Police suggest that one be constructed upon North Rocks Rd to ensure bus passengers do not spill onto the roadway in the event of inclement weather. Additionally, Police believe parking restrictions will be required upon both sides of North Rocks Road to reduce parishioners' parallel parking along this road and making their way to the location on foot.

Additionally, the only way out of the proposed site from Trent Road is via Loyalty Road which the traffic report states is controlled by a give way sign. The reported traffic counts into and out of Loyalty Road in the traffic report that were conducted at 11am-12 midday and 1pm-2pm on Sundays are currently very low. At the completion of this project this intersection will become extensively used. Extensive queuing upon Loyalty Road will develop for all motorists. Police would suggest that it is now timely that a roundabout be constructed for this intersection. Predicted traffic volumes may indicate a warrant for such a traffic control device.