

## Report to Sydney West Joint Regional Planning Panel

<b>JRPP No.</b>	<b>Item (2012SYW084)</b>
<b>DA No:</b>	<b>JRPP-12-1529</b>
<b>Proposed Development:</b>	<b>Construction of a Place of Public Worship</b>
<b>Development Type:</b>	<b>“Regional Development” – Capital Investment Value &gt; \$5 million</b>
<b>Lodgement Date:</b>	<b>20 August 2012</b>
<b>Land/Address:</b>	<b>Lot 701, DP1157579, Stanhope Parkway, Stanhope Gardens</b>
<b>Land Zoning:</b>	<b>2(a) Residential (Clause 20C) (Clause 20D) (Clause 48) pursuant to Blacktown Local Environmental Plan 1988</b>
<b>Value Of Development:</b>	<b>\$8.5 million</b>
<b>Applicant:</b>	<b>Anglican Church Property Trust</b>
<b>Report Author:</b>	<b>Melissa Parnis, Town Planner</b>
<b>Instructing Officers:</b>	<b>Judith Portelli, Manager Development Services &amp; Administration and Glennys James, Director City Strategy and Development</b>
<b>Date Submitted to JRPP:</b>	<b>21 November 2012</b>
<b>Date Considered by JRPP:</b>	<b>20 December 2012</b>



Figure 1: Photomontage (Source: Terrior, 2012)

## **ASSESSMENT REPORT**

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## 1 Executive Summary

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- 1.1 Council is in receipt of a Development Application (DA) from the Anglican Church Property Trust for the construction of a Place of Public Worship at the subject site. The Capital Investment Value of the proposed development is \$8.5 million.
- 1.2 The proposed development is to be constructed in two stages and includes:
  - construction of the Ministry Centre in two development stages
  - use of the Ministry Centre
  - construction of on-site parking
  - landscaping
  - erection of signage
  - lighting and car parking.
- 1.3 Stage 1 is proposed to consist of the construction of the Ministry Centre which will have a capacity for 250 seats, associated lounge areas, wash rooms, multi-purpose room, administration offices, kitchen and storage. 113 car parking spaces, including 6 disabled spaces and 10 grassed overflow spaces, will also be provided in Stage 1.
- 1.4 Stage 2 is proposed to consist of the construction of an extension to the Ministry Centre to allow for an additional 750 seats (overall total of 1,000 seats), construction of children's youth ministry rooms, recreational hall and playground areas. An additional 158 car parking spaces will be constructed with 11 grassed overflow spaces.
- 1.5 The proposed development constitutes 'Regional Development' requiring referral to a Joint Regional Planning Panel (JRPP) for determination as the Place of Public Worship has a Capital Investment Value of more than \$5 million. Schedule 4A of the Environmental Planning and Assessment Act 1979 identifies that private infrastructure and community facilities over \$5 million, which includes a Place of Public Worship, are to be determined by the JRPP. As such, while Council is responsible for the assessment of the DA, determination of the Application will now be made by the Sydney West Joint Regional Planning Panel.
- 1.6 Vehicle access to the subject development will be provided off View Street to the south of Stanhope Parkway.
- 1.7 A total of 292 car parking spaces are proposed to be provided on the subject site, including the provision of 6 disabled car parking spaces and 21 overflow car parking spaces. In addition, provision has also been made for a bus drop-off point and bicycle parking within the proposed carpark.
- 1.8 The subject site is zoned 2(a) Residential pursuant to Blacktown Local Environmental Plan 1988. A 'Place of Public Worship' is permissible in this zone with development consent.
- 1.9 The subject Development Application was notified in accordance with Blacktown Development Control Plan 2006 Part K – *Notification of Development Applications* to adjoining and nearby property owners and occupants for a period of 14 days from 18 September to 2 October 2012. In response to the public exhibition no submissions were received.
- 1.10 The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, including suitability of the site and the public interest, and is considered satisfactory. The proposed development is considered satisfactory with regard to key issues such as Built Form, Access, Stormwater Drainage, ESD, Site Contamination, Salinity, Social and Economic Impacts and the like, subject to the imposition of suitable conditions of consent to satisfactorily control the development.

- 1.11 In light of the above, it is recommended that the Sydney West Joint Regional Planning Panel approve the DA subject to the imposition of suitable conditions of consent. Recommended conditions are provided at **Attachment 2** to this Report.

## 2 Location

- 2.1 The subject site is located approximately 6km north-east of the Blacktown CBD.
- 2.2 The subject site is located in Neighbourhood 7B of the Stanhope Gardens Estate.
- 2.3 The site is located at the southern end of Stanhope Gardens, within close proximity to the release areas of The Ponds, Kellyville Ridge and the Alex Avenue Precinct within the North West Growth Centre.
- 2.4 The land is bounded by the Stanhope Parkway to the north of the site, Stanhope Gardens Shopping Centre to the east, View Street to the west and Lookout Circuit to the south.

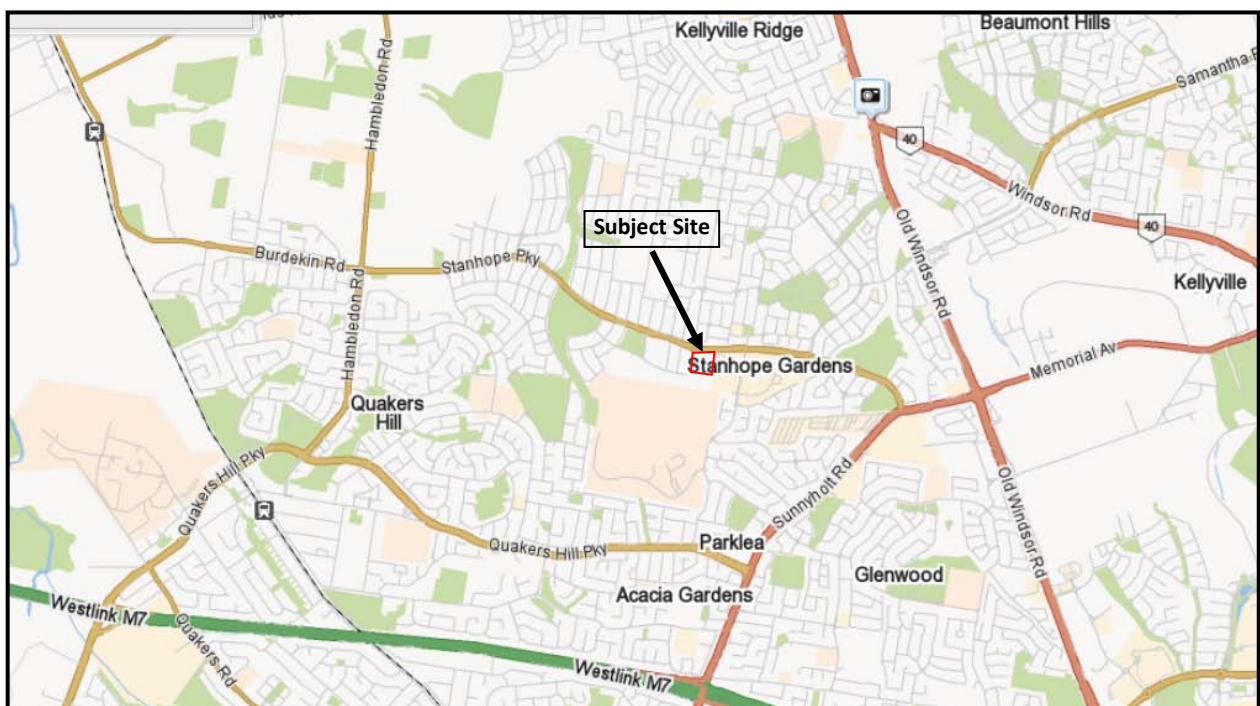


Figure 2. Location Context (Source: Whereis, 2012)

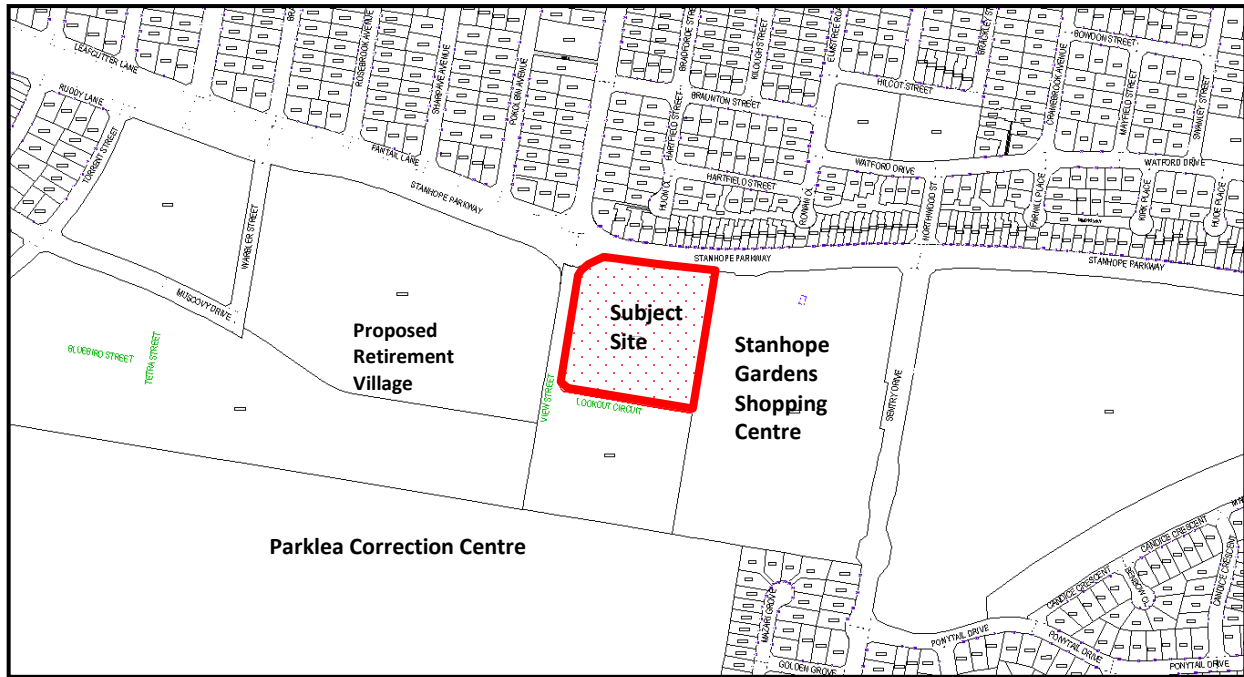


Figure 3. Location Plan

### 3 Site Description and Locality

- 3.1 The subject site, being Lot 701 in DP 1157579, Stanhope Parkway, Stanhope Gardens, is located within the Stanhope Gardens Release Area.
- 3.2 Stanhope Gardens and the surrounding areas of The Ponds and Kellyville Ridge have been subject to a number of Development Applications for subdivision, residential development and associated facilities to support the residential development, such as schools and open space.
- 3.3 The area of the subject site is approximately 1.5 hectares.
- 3.4 The site has 3 street frontages, bounded by Stanhope Parkway to the north, View Street to the east and Lookout Circuit to the south.
- 3.5 The property adjoins the Stanhope Gardens Shopping Centre on its eastern boundary and located opposite the shopping centre is Council's Leisure Centre, including a Library. There is a significant level difference between the subject site and the Stanhope Gardens Shopping Centre to the east which provides for a 10m retaining wall within the Shopping Centre boundary along this elevation.
- 3.6 The land slopes from its southern boundary to its north-west and north-eastern boundaries.
- 3.7 An electrical substation is located on the western boundary of the site.
- 3.8 Lot 701 is currently vacant with no existing structures located on the site. The site is cleared of any significant vegetation, with isolated trees existing on the site.
- 3.9 The area surrounding the site is predominantly characterised by land which has been recently subdivided and utilised for low density residential development and vacant land which will be subject to future residential subdivision and a new retirement village across the road.
- 3.10 The northern portion of the site is bounded by Stanhope Parkway, which comprises a 30-metre wide road reservation, with a service road to the north of that servicing low density residential development further north still.

- 3.11 To the south of the subject site is a recently approved residential subdivision comprising of both Integrated Housing and Medium Density Housing development. Development Consent for this development was granted on 20 September 2012.
- 3.12 To the west of the subject site is the proposed Retirement Village and future proposed Residential Aged Care Facility. The Retirement Village is currently under separate consideration by the Sydney West Joint Regional Planning Panel.
- 3.13 The subject site is zoned 2(a) Residential (Clause 48) pursuant to Blacktown Local Environmental Plan 1988 as shown in Figure 4 below.

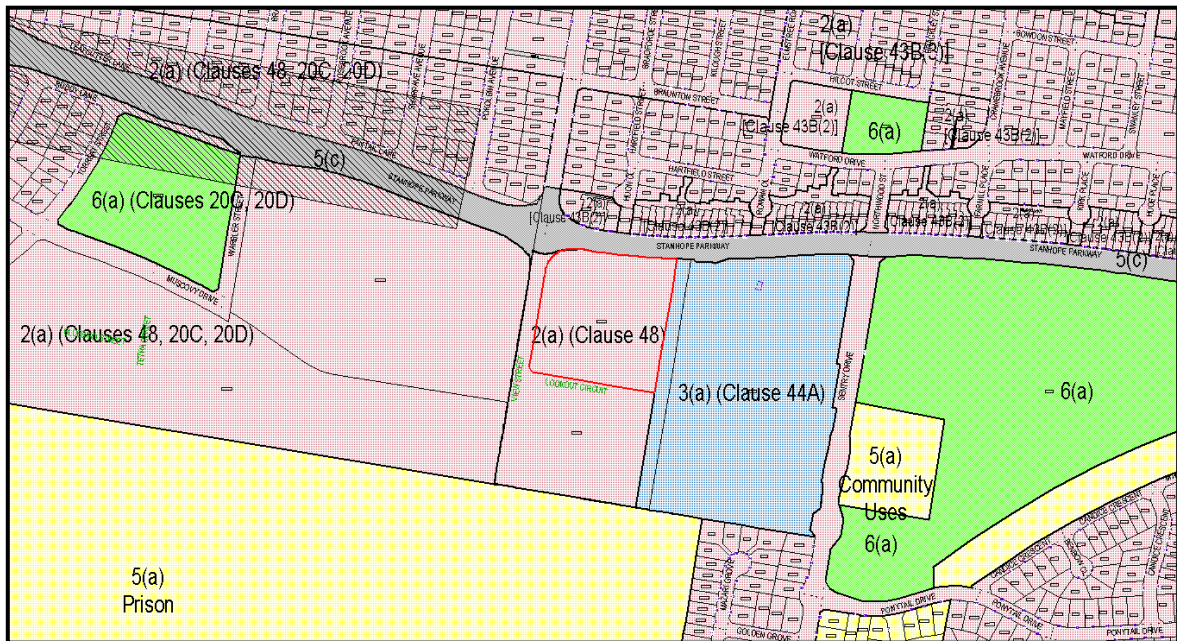


Figure 4. Zoning Plan (Source: Blacktown City Council)

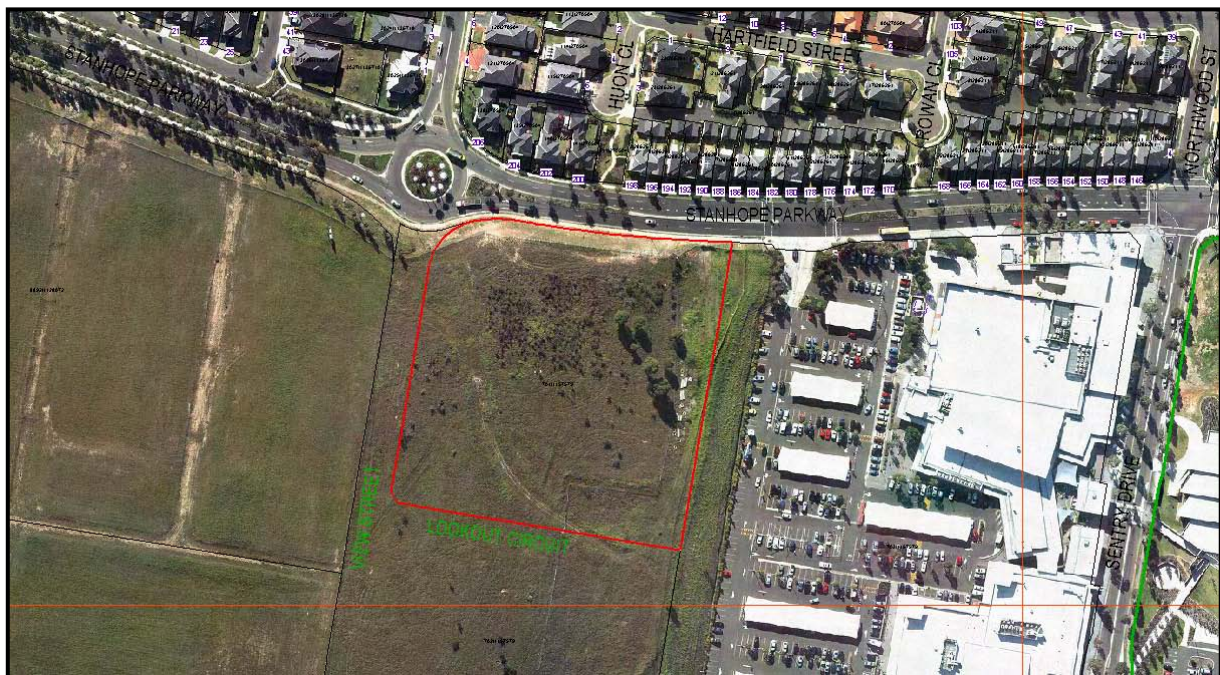


Figure 5. Aerial Photo of Site and Surrounds (Source: Blacktown City Council, 2011)

## **4 History and Current Use of the Site**

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- 4.1 The subject site has been subject to a number of Development Applications with respect to the subdivision of the land to create residue Lot 701.
- 4.2 On 17 September 2010 Council approved DA-10-1509 for Torrens title subdivision by Landcom into 2 residue lots and 1 lot for commercial purposes (i.e. to increase the Stanhope Gardens Shopping Centre site).
- 4.3 On 8 July 2003 Council approved DA-03-1132 for the subdivision of now superseded Lot 5002 DP 1060190 into 3 residue allotments.
- 4.4 Residue allotment 8003 was created under DA-03-1132 which was later subdivided to create Lot 701 under DA-10-1509.
- 4.5 The Anglican Church Property Trust purchased the land from Landcom with the intent of developing the proposed Place of Public Worship.
- 4.6 The site is currently vacant land.

## **5 The Proposal**

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- 5.1 Council is in receipt of a Development Application (DA) from the Anglican Church Property Trust for the construction of a Place of Public Worship at the subject site. The Capital Investment Value of the proposed development is \$8.5 million.
- 5.2 The proposed development is to be constructed in 2 stages and includes:
  - Construction of the Ministry Centre in 2 development stages
  - Use of the Ministry Centre
  - Construction of on-site parking
  - Landscaping
  - Erection of signage
  - Lighting and car parking.
- 5.3 The proposed Ministry Centre building design portrays a contemporary building design in the form of 3 wings which is predominantly single storey, as well as incorporating an extensive covered patio area. The maximum height of the proposed Ministry Centre at the roof ridge line is 11.1m. All setbacks of the proposed building exceed 10m. The built form is further designed to provide active street frontages to Stanhope Parkway, View Street and Lookout Circuit. The building materials comprise a variety of external materials, including brick and glass.
- 5.4 Stage 1 is proposed to consist of the construction of the auditorium which will have capacity for 250 seats, associated lounge areas, washrooms, multi-purpose room, administration offices, kitchen and storage. 113 car parking spaces, including 6 disabled spaces and 10 grassed overflow spaces, will also be provided in Stage 1.
- 5.5 Stage 2 is proposed to consist of the construction of an extension to the auditorium to allow for an additional 750 seats (overall total of 1,000 seats), construction of children's youth ministry rooms, recreational hall and playground areas. An additional 158 car parking spaces will be constructed together with 11 grassed overflow spaces.

- 5.6 The proposed Ministry Centre will comprise a number of usable spaces, including an auditorium for religious based services, seminars and meetings, youth and children’s ministry rooms for religious learning and social activities; children’s recreational hall for associated recreational activities; administrative offices and kitchen facilities to be used in direct association with the Ministry Centre.
- 5.7 Proposed earthworks will generally only relate to the construction/foundations of the Ministry Centre, grading of the car parking area and stormwater management. Net cut and fill depths will generally be less than 1500mm across the site, with no importation of fill proposed.
- 5.8 The proposed hours of operation are 7.00am to 10.00pm Monday to Saturday and 8.00am to 10.00pm Sundays and Public Holidays.
- 5.9 The proposal seeks approval for 4 signs comprising of:
- A large cross on the north-western elevation of the proposed building that is 18m high and 8m wide. This cross protrudes above the height of the building.
  - A small cross on the north-eastern elevation of the proposed building that is 7m high and 4m wide.
  - Carpark entry sign that provides directional signage off View Street on a dwarf concrete wall. The wall is 9m long and nominally 1.5m high and text height is nominally 300mm high by 7m long and includes a small metal cross 1.8m high x 400mm wide.
  - Building sign on northern elevation identifying ‘New Hope Anglican Ministry Centre Stanhope’, that is 1.2m high and 39m long.
- 5.10 Vehicle access to the subject development will be provided by way of a dual driveway off View Street, which is an extension of Conrad Road to the north of the Stanhope Parkway.
- 5.11 A total of 292 car parking spaces are proposed to be provided on the subject site, including the provision of 6 disabled car parking spaces and a total of 21 overflow car parking spaces. In addition, provision has also been made for a bus drop-off point and bicycle parking within the proposed carpark.
- 5.12 Refer to **Attachment 1** for the Development Plans.

## 6 Planning Controls

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- 6.1 The planning controls that relate to the proposed development are as follows:

**(a) State Environmental Planning Policy (State and Regional Development) 2011**

SEPP (State and Regional Development) 2011 confers ‘Regional Development’ as listed in Schedule 4A of the Environmental Planning and Assessment Act 1979 to the Joint Regional Planning Panel (JRPP) for determination. The proposed development constitutes ‘Regional Development’ requiring referral to the JRPP for determination as the proposed development has a Capital Investment Value of more than \$5M and is defined as a “community development”. As such, while Council is responsible for the assessment of the DA, determination of the Application will now be made by the Sydney West Joint Regional Planning Panel.

**(b) State Environmental Planning Policy (Infrastructure) 2007**

SEPP (Infrastructure) 2007 aims to ensure that the Roads and Maritime Services (RMS) is made aware of and allowed to comment on types of development nominated as ‘traffic

generating development’ listed in Schedule 3 of the SEPP. Schedule 3 identifies any use with parking for more than 200 vehicles. The proposed development therefore triggers the Infrastructure SEPP referral requirement. The DA was referred to the RMS for comment in accordance with the Infrastructure SEPP. RMS referred the Application to its Sydney Regional Development Advisory Committee (SRDAC) who raised no objections in principle subject to conditions. The RMS’s comments are outlined in Section 7 of this Report. In addition, a copy of any determination will be forwarded to the RMS in accordance with Clause 104(4) of the SEPP, following any consent granted by the JRPP.

**(c) State Environmental Planning Policy No. 55 – Remediation of Land**

SEPP No. 55 relates to the remediation of contaminated lands. This policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If land is considered to be unsuitable, remediation must take place before the land is developed. As part of a previous Development Application for residential subdivision on the subject site, DA-10-2512, a further Site Contamination Assessment undertaken by Geotechnique Pty Ltd was submitted to Council, which identifies that the site is suitable for the proposed residential subdivision development. Therefore, no further works will be required to be undertaken on site in this regard.

**(d) State Environmental Planning Policy No. 64 – Advertising and Signage**

The proposed development seeks approval for 4 signs within the development, as described in Section 5.9 above. As defined in SEPP 64:

***building identification sign** means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.*

The proposed signage is considered to identify the name of the building and the proposed cross signage is a symbol that identifies the building as a Place of Public Worship.

Schedule 1 of SEPP 64 sets out assessment criteria for signage, including character of the area, views and vistas, streetscape, site and building, illumination and safety.

A Compliance Table for the proposed signs in accordance with Schedule 1 of SEPP 64 is included at **Attachment 3** to this Report. In summary, the proposed signage complies with all the criteria of SEPP 64.

**(e) Blacktown Local Environmental Plan 1988**

The land is zoned 2(a) Residential pursuant to Blacktown Local Environmental Plan 1988 (BLEP). The proposed use is defined in the BLEP as a “Place of Public Worship”, which is permissible within the zone with consent.

**Clause 22** of BLEP applies as the subject site adjoins a designated road, Stanhope Parkway, which is zoned 5(c) under BLEP. Clause 22 states that *a person shall not carry out development on land which adjoins a designated road unless vehicle access to the land from that road is made by way only of another road (not being a designated road)*. The subject development does not propose any access off Stanhope Parkway and only proposes a single dual vehicle access point off View Street. As such, Clause 22 is complied with.

**Clause 48** applies to land for the development of Dual Occupancies, Medium Density Housing and Integrated Housing with respect to 2 storey development. The proposed use

is within the land use definition of “place of public worship” and as such Clause 48 does not apply.

**Clause 37(2)** of BLEP 1988 stipulates that the consent authority must consider the following provisions before granting consent to an advertisement:

(2) *Before granting consent to development relating to an advertisement:*

- (a) *the council must consider both the objectives of this clause and the relevant zone objectives, and*
- (b) *the council must be satisfied that the applicant can demonstrate the following:*
  - (i) *the advertisement relates to a use of the land on which it is to be situated,*
  - (ii) *the advertisement will not detract from the amenity of the local environment because of its appearance, size, design, illumination or location, or as a result of the number and location of advertisements within the vicinity,*
  - (iii) *the size and likely impact of the advertisement is compatible with the size and design of the premises on which the advertisement is to be constructed and with the size and design of the surrounding buildings,*
  - (iv) *the advertisement will not detract from any items of scenic, historic, architectural, scientific or cultural interest,*
  - (v) *appropriate setbacks, clearances and structural features are incorporated into the proposal to ensure safe pedestrian and vehicular traffic circulation,*
  - (vi) *the advertisement is not a flashing or moving sign.*

The proposed signage is business identification signage only and will not detract from the amenity of the local environment given that the appearance, scale, design and location are considered to be satisfactory and will not visually intrude on the character of the streetscape.

## 7 External Referrals

7.1 The Development Application was referred to the following external authorities as summarised in the table below:

Section	Comments
<b>Roads and Maritime Services (RMS)</b>	<p>The DA, being Place of Public Worship involving over 200 car parking spaces, was referred to the RMS on 31 August 2012 pursuant to Clause 104 of SEPP (Infrastructure) 2007. The traffic impact of the proposed development was considered by the Sydney Regional Development Advisory Committee (SRDAC) on 26 September 2012 and no objections were raised subject to the following <b>conditions</b>, which will be imposed on any consent granted. (Refer to Conditions 1.5.1, 3.5.1, 4.3.5 and 4.3.7).</p> <ul style="list-style-type: none"> <li>All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS.</li> </ul>

	<ul style="list-style-type: none"> <li>• A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to and approved by Council prior to the issue of a Construction Certificate.</li> <li>• The developer shall be responsible for all public utility adjustment/relocation works necessitated by the above work and as required by the various public utility authorities and/or their agents.</li> <li>• The car parking provision shall be to Council's satisfaction.</li> <li>• The layout of the car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) shall be in accordance with AS 2890.1-2004 and AS2890.2-2002 for heavy vehicle usage.</li> <li>• The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.</li> <li>• The required sight lines to pedestrians or other vehicles within the development shall not be compromised by landscaping, signage, fencing or display materials and shall be in accordance with minimum sight lines for pedestrian safety as outlined in AS2890.1.</li> </ul>
<b>Sydney Water</b>	Pursuant to Section 78 of the <i>Sydney Water Act 1994</i> , the Application was referred to Sydney Water on 31 August 2012. Comments were received from Sydney Water dated 4 September 2012 identifying the need for a Section 73 Certificate for the subject site. A suitable <b>condition</b> of consent will be imposed requiring the submission of a Section 73 Certificate prior to the release of the Occupation Certificate, should consent be granted. (Refer to Condition 11.3.1).

## 8 Internal Referrals

8.1 The subject Development Application was referred to the following internal sections of Council as summarised in the table below:

Section	Comments
<b>Engineering</b>	No objections subject to the imposition of appropriate <b>conditions</b> of consent. (Refer to Conditions 6 and 7).
<b>Building</b>	No objections subject to the imposition of appropriate <b>conditions</b> of consent. (Refer to Conditions 5 and 8).
<b>Traffic</b>	<p>Comments from Council's Traffic Management Section have been received as follows:</p> <ol style="list-style-type: none"> <li>1. Impact of the additional traffic generated by the proposed development is not considered significant as the majority of additional trips will be undertaken during off-peak traffic periods.</li> <li>2. TMS agreed with the applicant's traffic assessment that the additional traffic generated by the proposed development can be accommodated within the existing road network capacity.</li> <li>3. Whilst the proposed vehicular access along View Street appears to be satisfactory, given the size of the carpark it is desirable to have a secondary access off Lookout Circuit. This access can only be used when there is a large gathering at the facility.</li> <li>4. The requirement under Council's DCP is 250 parking spaces for this development. The provision of 292 car parking spaces is considered sufficient for this development.</li> </ol>

	<p>5. Layout of the proposed car parking area, including circulation aisles/ramps, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, parking bay dimensions and headroom clearance are to be in accordance with AS 2890.1 -2004.</p> <p>6. All vehicles must enter and leave the development in a forward direction.</p> <p>With respect to comment 3 above, identifying that a secondary access off Lookout Circuit would be desirable, given the implications this may have on surrounding residential neighbours the consent is not proposed to be conditioned for a secondary access. The submitted Traffic Impact Assessment identifies that the proposed access arrangements and internal design comply with the requirements of AS 2890.1 (2004), AS2890.2 (2002) and AS 2890.6 (2009). Further, RMS and SRDAC did not raise this as an issue.</p>
<b>Environmental Health</b>	No objections subject to the imposition of appropriate <b>conditions</b> of consent. (Refer to Conditions 10, 11.6 and 13).

## 9 Assessment

9.1 An assessment of the key issues relating to the proposed development is presented below:

**(a) Blacktown Development Control Plan 2006**

The provisions of the Blacktown Development Control Plan 2006, Part A - *General Guidelines*, Part C, Section 10.2 – *Places of Public Worship and Educational Establishments*, Part O - *Site Waste Management and Minimisation* and Part R – *Water Sensitive Urban Design and Integrated Water Cycle Management* are relevant to the proposal. The following table outlines that the Application is compliant with the relevant provisions of the Blacktown DCP.

Section	Comment	Complies
<b>Part A – General Guidelines</b>		
<b>Tree Preservation</b>	The proposal seeks approval for the removal of 7 trees on the subject site. The site is not identified as containing remnant Cumberland Plain Woodland on the National Parks mapping. The removal of the trees is considered satisfactory as significant native vegetation is proposed on the submitted Landscaping Plans.	Yes
<b>Pollution Control</b>	A Waste Management Statement prepared in accordance with the requirements of the DCP has been submitted with the Development Application.	Yes
<b>Noise Reduction</b>	An Acoustic Assessment has been submitted with the Application. The proposed development is considered satisfactory subject to a <b>condition</b> requiring compliance with the recommendations of the submitted Acoustic Assessment. (Refer to Conditions 3.5.2 and 10.2).	Yes
<b>Roads</b>	The Application seeks a DCP road variation to proposed roads within the subject site. This variation is discussed in detail in (b) below.	Yes
<b>Car Parking</b>	The development provides for a total of 292 car parking spaces, which includes a total of 21 overflow car parking spaces and complies with the BDCP controls for car parking for both stages of the proposed development. The proposed location of the car parking	Yes

	is considered suitable with respect to the site, proposed buildings and adjoining properties. Appropriate <b>conditions</b> will be included requiring the development to comply with appropriate Australian Standards with respect to car parking, manoeuvrability, disabled car parking spaces and signage. (Refer to Condition 4.3).	
<b>Solar Access</b>	The proposed Place of Public Worship achieves a minimum separation of 10m from its nearest property boundary and has a maximum ridge height of 11.1m. The Ministry Centre will therefore not cause any unreasonable overshadowing over adjoining land uses.	Yes
<b>Traffic Generating Development</b>	The applicant has submitted a Traffic Impact Assessment identifying the implications of the proposed development on the surrounding street network, car park design and car parking.	Yes
<b>Crime Prevention through Environmental Design</b>	The siting and design of the proposed development has taken into consideration CPTED measures, including natural surveillance, design of fencing to secure the site, landscaping and proposed lighting within the development.	Yes
<b>Part C, Section 10.2 – Places of Public Worship and Educational Establishments</b>		
<b>Definitions</b>	The proposed development falls within the definition of “Place of Public Worship” within <i>Blacktown Local Environmental Plan 1988</i> . The proposed Place of Public Worship includes an auditorium for religious services as well as ancillary spaces to support the primary use of the site as a Place of Public Worship.	Yes
<b>Locational Preferences</b>	<p>The subject site is located within the 2(a) Residential zone pursuant to Blacktown Local Environmental Plan 1988. Places of Public Worship are permissible with consent in this zone.</p> <p>The subject site is located on main public transport routes to centres, including Blacktown and Rouse Hill. Furthermore, the site is accessible to collector roads including The Ponds Boulevard.</p> <p>The proposed development has a minimum setback of 10m from property boundaries and provides adequate landscaping and fencing to suitably address possible conflicts including noise, privacy implications and overshadowing.</p> <p>The subject Ministry Centre is located so that car parking and road reserves act as a buffer for the proposed development to the nearest residential uses. Furthermore, a 1.8m high boundary fence is proposed to surround the development. The size of the land is considered to be suitable for the proposed development and ample car parking is available to patrons of the Place of Public Worship in accordance with the DCP.</p>	Yes
<b>Pedestrian Safety Measures</b>	A Traffic Impact Assessment prepared by TRAFFIX dated July 2012 has been prepared for the subject Development Application. The Traffic Impact Assessment has been reviewed by Council’s Traffic Management Section and is considered satisfactory.	Yes

	Furthermore, the Application was referred to the Roads and Maritime Services (RMS)/Sydney Regional Development Advisory Committee in accordance with the Infrastructure SEPP. The RMS/SRDAC did not object to the proposal subject to <b>conditions</b> . (Refer to Conditions 1.5, 3.5.1 and 4.3.5 to 4.3.7).	
<b>Landscaping</b>	A detailed landscaping plan has been submitted, detailing extensive landscaping throughout the site through a variety of native trees, grasses and shrubs. The proposed landscaping effectively embellishes the car parking area and impact of the built structure on adjoining properties. Furthermore, proposed fencing, including 1.8m high fencing, will be <b>conditioned</b> to be decorative fencing, with details to be submitted to the Council for separate approval prior to the issue of the Construction Certificate. (Refer to Condition 4.2.1).	Yes
<b>Off-street Car Parking</b>	The proposal provides for 292 car parking spaces which includes 21 overflow car parking spaces and complies with the BDCP controls for car parking for both stages of the proposed development. (Refer to Condition 4.3).	Yes
<b>Part O – Site Waste Management and Minimisation</b>		
<b>Waste Management Plan</b>	A Waste Management Statement prepared in accordance with the requirements of the DCP has been submitted with the Development Application.	Yes
<b>Part R – Water Sensitive Urban Design and Integrated Water Cycle Management</b>		
<b>Water Sensitive Urban Design &amp; Integrated Water Cycle Management</b>	Council's Engineers have undertaken an assessment of the proposal in accordance with the requirements of BDCP Part R. Accordingly, appropriate Engineering <b>conditions</b> will be included and sufficient information has been provided to satisfy the requirements of Part R. (Refer to Conditions 6 and 9).	Yes

**(b) DCP Road Pattern Variation**

A DCP road pattern variation is proposed to remove the proposed DCP culs-de-sac roads within the subject site as identified in Figure 6 below. As the proposed development seeks to develop the site as a Place of Public Worship, a public road network is not required in contrast to a residential subdivision. As such, the proposed variation is considered satisfactory. Furthermore, the Application was notified for a period of 14 days identifying a proposed road variation, in which time **no objections** were received. In addition, Council's Traffic Management Section has reviewed the subject road pattern variation and has raised no objections to the proposal.

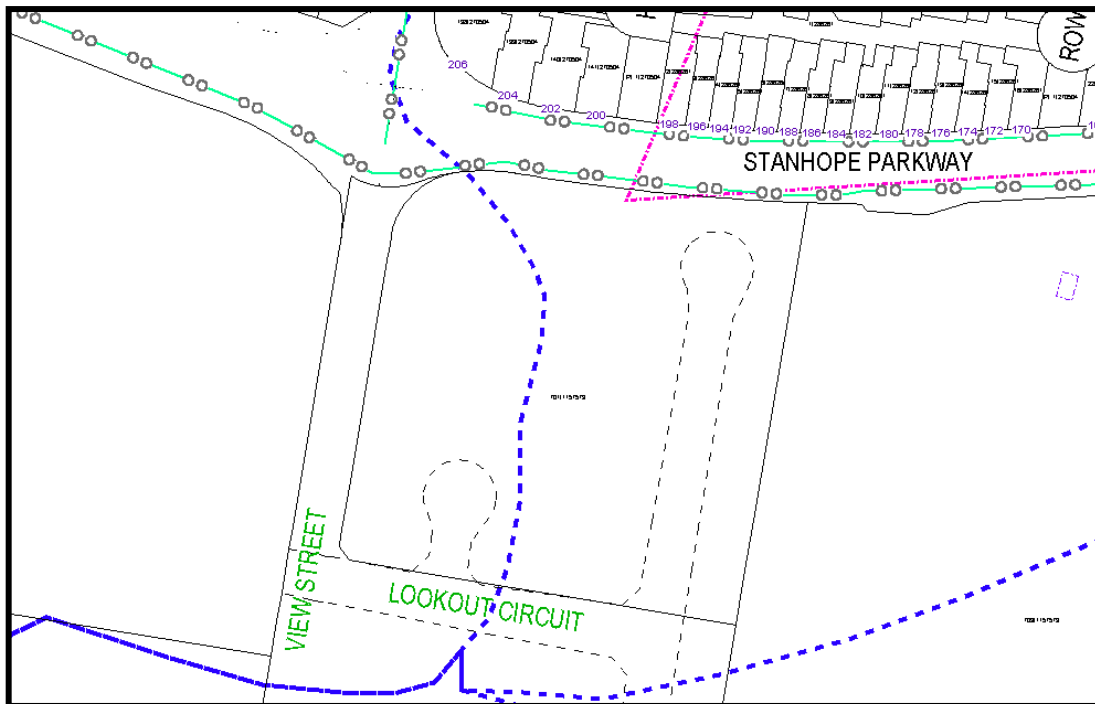


Figure 6: Proposed DCP Road Pattern (Source: Blacktown City Council, 2012)

### (c) Context and Scale

The site falls within an area characterised by new low density residential subdivision and housing development. The desired future character of the area is largely determined by the planning controls applying under the provisions of Blacktown Local Environmental Plan 1988 and Blacktown Development Control Plan 2006 – Part C Development in the Residential Zones. The proposed development has been designed to be consistent with the desired future character and existing development of the locality.

The proposed Place of Public Worship is designed to be in keeping with the surrounding area, taking into consideration the size of the subject site, height and setback controls of the surrounding locality. Furthermore, the development is considered to be of a high architectural standard and will contribute to the future quality and identity of the area. The site's proximity to services, facilities and public transport makes the site suitable for the proposal.

The proposal complies with the development standards established within the Blacktown Development Control Plan, in particular the development controls established within Section 10.2 of Part C - *Places of Public Worship and Educational Establishments*. A number of supporting technical studies have been submitted with the Application, including an Acoustic Assessment and Traffic Impact Statement to identify the implications that the proposed development may have on the amenity of the surrounding uses. Overall, the scale of the development is considered suitable within the surrounding context and the size of the subject site and aims to minimise potential conflicts with in adjoining properties through landscaping, fencing and the overall siting of the Place of Public Worship on the subject site.

The maximum height of the proposed Place of Public Worship at the roof ridgeline is 11.5m, which is less than the maximum permissible roof ridgeline height within the DCP – Part C. The building is characterised as a Place of Public Worship by use of appropriate signage, including 2 crosses which are symbolic of the religious significance of a Place of Public Worship. All setbacks within the development exceed 10m and are greatest where

residential adjoins the subject site to the south. The built form is further designed to provide active street frontages to Stanhope Parkway, View Street and Lookout Circuit.

**(d) Hours of Operation**

The proposed hours of operation are 7.00am to 10.00pm Monday to Saturday and 8.00am to 10.00pm Sundays and Public Holidays. The proposed hours of operation are considered satisfactory for the proposed use as it is in keeping with the neighbouring Stanhope Gardens Shopping Centre. Furthermore, the applicant has submitted an Acoustic Assessment taking into consideration the proposed hours of operation of the Place of Public Worship. The Acoustic Report has provided recommendations to ensure that the Place of Public Worship complies with relevant acoustic measures and standards. As such, the proposed hours of operation are considered satisfactory and relevant **conditions** will be included within any consent regarding the hours of operation and acoustic measures as recommended in the Acoustic Assessment. (Refer to Conditions 12.3.7, 3.5.2 and 10.2).

**(e) Proposed Uses**

The following activities are proposed within the Place of Public Worship:

- (i) Auditorium – Religious-based services including worship services, wedding ceremonies, funerals, community and youth groups, seminars and meetings will be conducted within the auditorium, involving the use of internal amplified speech and music and associated serving of food and refreshments.
- (ii) Youth and Children’s Ministry Rooms – Ministry rooms will be utilised for religious learning and the care of children, as well as support various creative and social activities and games.
- (iii) Children’s Recreational Hall – The recreational hall will be used for associated recreational activities and may involve the use of internal amplified music and speech.
- (iv) Office Use – Administration office areas within the Ministry Centre will be used for the carrying out of administrative functions related to the Ministry Centre.
- (v) Kitchen Facilities – Kitchen facilities within the Ministry Centre will only be used in direct association with the Ministry Centre, such as the preparation and serving of food and refreshments prior to and at the conclusion of worship services or during religious festival events.

The proposed uses are considered to be ancillary to the use of the premises as a Place of Public Worship. As previously identified, an Acoustic Report has been submitted supporting the development proposal subject to acoustic mitigation measures. As such, **conditions** will be included requiring the proposed uses to be undertaken in accordance with the details submitted, and acoustic measures be carried out as recommended by the Acoustic Assessment. (Refer to Conditions 3.5.2 and 10.2).

**(f) Landscaping**

The subject site is currently vacant with no existing structures located on the site. The site is cleared of any significant vegetation, with isolated trees existing on the site.

The applicant has submitted a detailed landscape plan and supporting landscape statement. The submitted landscape plan provides for the extensive embellishment of the site through predominant use of native species. Landscape treatment proposed on-site is proposed to provide screening to adjoining development, embellish the car parking area

and contribute to the management of stormwater flow on site. Suitable **conditions** will be imposed requiring the development to be consistent with the submitted Landscape Plan. (Refer to Condition 4.2.1).

**(g) Parking**

The Blacktown Development Control Plan requires the provision of 1 space per 4 seats or 1 space per 10sq.m. seating area, whichever is the greater. The proposed development is proposed to be developed in 2 stages.

**Stage 1** comprises 250 seats and has a seating area of 294sqm within the auditorium. In accordance with the BDCP controls, Stage 1 requires the provision of 63 car parking spaces based on seats or 30 car spaces based on seating area. The proposal provides for 123 car parking spaces including 10 overflow car parking spaces as part of Stage 1, providing an additional 60 car spaces.

**Stage 2** comprises an additional 750 seats and an additional 461sqm of seating area within the auditorium. The BDCP requires the provision of an additional 188 car parking spaces based on the additional seating numbers and 47 car parking spaces based on the additional seating area. The proposal provides for 169 additional car parking spaces, including an additional 11 overflow car parking spaces, which complies with the BDCP controls for car parking.

Overall, the development will have a capacity for 1,000 seats and an auditorium size of 755sqm. The proposal provides for a total of 292 car parking spaces which includes 21 overflow car parking spaces. Therefore, the proposed car parking space requirements for both stages within the development can be satisfied, with an additional 42 car parking spaces being provided in addition to the required 250 car parking spaces.

**(h) Heritage**

The site is vacant and not identified as containing any Aboriginal Archaeological potential in accordance with Blacktown Development Control Plan 2006 – Part A. An appropriate **condition** will be included that identifies that the applicant should consult with the NSW Office of Environment and Heritage prior to any land disturbance and that should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the National Parks and Wildlife Service and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted. (Refer to Condition 2.5.1).

**(i) Contamination**

As part of DA-10-2512, a further Contamination Assessment prepared by Geotechnique Pty Ltd dated 20 October 2010 was submitted. The contamination report identifies that the site is suitable for residential subdivision. As such, the subject site is considered suitable with respect to contamination.

**(j) Salinity and Soil Aggressivity**

A Salinity Assessment prepared by Geotechnique Pty Ltd dated 7 October 2010 was submitted with the subdivision of land under DA-10-2512. The report concludes that the subject site contains non to slightly saline and no aggressive soils within the A and B1 soil horizons (i.e. down to a depth of 1m) and slightly to moderately saline and mildly aggressive soils within the C soil horizon (i.e. below 1m in depth). Therefore, a Salinity Management Plan was prepared which provides measures to mitigate the impact of, and on, salinity and soil aggressivity on the proposed development.

Accordingly, **conditions** will be imposed requiring all works to be undertaken in accordance with the requirements of the Salinity Management Plan and final sign-off from a suitably qualified consultant verifying that the requirements of the SMP have been implemented, to be submitted prior to the issue of the Occupation Certificate. (Refer to Condition 4.3.8).

**(k) Bushfire**

The subject site has not been identified as bushfire prone land or as buffer to bushfire prone land. In this regard there are no Asset Protection Zones or construction standard requirements for the proposed development.

**(l) Fencing**

The development proposes 1.8m high fencing on side and rear boundaries in accordance with the recommendations of the Acoustic Assessment submitted as part of the Development Application. A **condition** of consent will be imposed requiring details of proposed fencing to be submitted to Council for approval prior to the release of the Construction Certificate. In this regard, fencing adjoining View Street and Lookout Circuit is required to be decorative fencing. (Refer to Condition 4.2.1).

**(m) External Building Materials and Colours**

A suitable variety of external materials, consistent with the scale and character of development in the locality, has been selected for the proposed development. A **condition** will be included within the consent requiring details of proposed finishes, including colour samples to be submitted to Council for approval prior to the release of the Construction Certificate. (Refer to Condition 4.2.1).

**(n) Developer Contributions**

The subject site falls within Council's Contributions Plan No. 5 – Parklea Release Area. The subject development is subject to Section 94 contributions. As the site does not generate additional demand for community services, contributions based on the development area only have been imposed. For information purposes, the Section 94 Contributions that would otherwise apply have been calculated and are listed below:

Contribution	Amount	Plan No.	Base Date
Open Space	N/A	CP5	September 2003
Community Facilities	N/A	CP5	September 2003
Tributary Trunk Drainage	\$46,137	CP5	September 2003
Major Roads	\$59,397	CP5	September 2003
Local Roads	\$23,893	CP5	September 2003

These contributions will be subject to CPI indexation as at the date of payment and these will be **conditioned** on any consent granted. (Refer to Condition 4.1).

**(o) Impacts during Construction**

**Conditions** of consent will be imposed to mitigate any potential impacts on the amenity of surrounding development. (Refer to Condition 8.1).

**(p) Social and Economic Impacts**

It is considered that the proposed development will complement the locality. The proposal is not expected to have any adverse social or economic impacts.

**(q) BCA Compliance**

A **condition** of consent will require that the proposed development complies with the applicable requirements of the Building Code of Australia. (Refer to Condition 5.1).

**(r) Water Management**

The Application has been reviewed by Council's Development Engineers who have raised no objections to the proposed development subject to the implementation of **conditions** of consent. (Refer to Conditions 6 and 9).

**(s) Soil Management**

The proposed development is not expected to have an adverse impact in regard to soil erosion or sedimentation. A **condition** of consent will require the applicant to ensure the proposal is carried out in compliance with erosion and sedimentation controls. (Refer to Condition 6.5).

**(t) Waste Management**

A Waste Management Plan (WMP) has been prepared and submitted as a part of the Application. The proposed development will generate little waste during the construction phase. Therefore, a **condition** of consent will be included within the consent requiring compliance with the submitted WMP. (Refer to Condition 12.6.1).

**(u) General Services**

The subject site has access to services such as water and sewer, power, telecommunications and gas supply. **Conditions** will be imposed on the consent requiring the applicant to obtain Service Authority Clearances prior to the issue of any Occupation Certificate. (Refer to Condition 11.3).

## 10 Public Comment

10.1 The subject Development Application was notified in accordance with Blacktown Development Control Plan 2006 Part K – *Notification of Development Applications* to adjoining and nearby property owners and occupants for a period of 14 days from 18 September to 2 October 2012. In response to the public exhibition **no submissions** were received.

## 11 Section 79C Consideration

11.1 Consideration of the matters prescribed by Section 79C of the Environmental Planning and Assessment Act is summarised below:

Head of Consideration	Comment	Complies
<p>a. the provisions of:</p> <p>(i) any environmental planning instrument (EPI)</p> <p>(iii) any development</p>	<ul style="list-style-type: none"> <li>The provisions of the relevant EPIs relating to the proposed development are summarised under Section 6 of this report.</li> <li>The proposal is permissible within the 2(a) Residential zone and satisfies the zone objectives</li> </ul>	Yes

<i>control plan</i> <i>(iiia) any planning agreement</i> <i>(iv) the regulations</i>	<p>outlined under Blacktown Local Environmental Plan 1988.</p> <ul style="list-style-type: none"> <li>• The Blacktown Development Control Plan applies to the subject site.</li> <li>• The proposed development is consistent with the desired future character of the area.</li> <li>• A detailed assessment of the Application is provided under Section 9 of this Report.</li> </ul>	
<i>b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i>	<ul style="list-style-type: none"> <li>• An assessment of the key issues is provided in Section 9 of this Report and it is considered that the likely impacts of the development have been satisfactorily addressed.</li> </ul>	Yes
<i>c. the suitability of the site for the development</i>	<ul style="list-style-type: none"> <li>• The subject site is zoned 2(a) Residential and permits “Place of Public Worship” with consent.</li> <li>• The proposal has been designed taking into consideration the site’s constraints and locality.</li> <li>• The site is therefore considered suitable for the proposed development.</li> </ul>	Yes
<i>d. any submissions made in accordance with this Act or the regulations</i>	<ul style="list-style-type: none"> <li>• As noted in Section 10 of this Report, the Application was placed on public notification for a period of 14 days in which time no submissions were received.</li> </ul>	Yes
<i>e. the public interest</i>	<ul style="list-style-type: none"> <li>• No adverse matters relating to the public interest arise from the proposal and the provision of a Place of Public Worship is desirable and is considered to be in the public interest.</li> </ul>	Yes

## 12 General Comments

12.1 The proposed development has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning & Assessment Act 1979 and is considered to be satisfactory. In this regard it is considered that likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. Further, the subject site is considered suitable for the proposed development.

12.2 The proposal is consistent with the objectives of Blacktown Local Environmental Plan 1988 and the 2(a) Residential zone and is permissible in the zone with development consent. The proposal is considered satisfactory with regard to relevant matters such as Built Form, Heritage, Access, Stormwater Drainage, ESD, Site Contamination, Salinity, Social and Economic Impacts and the like subject to the imposition of suitable conditions of consent to satisfactorily control the development.

## 13 Recommendation

13.1 The Development Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at **Attachment 2**.

13.2 The applicant be advised of the Sydney West Joint Regional Planning Panel's decision.

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Melissa Parnis  
TOWN PLANNER

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JUDITH PORTELLI  
MANAGER DEVELOPMENT SERVICES AND ADMINISTRATION

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GLENNYS JAMES  
DIRECTOR CITY STRATEGY AND DEVELOPMENT