



Clause 6.5 discusses development on land that is within or below the flood planning level, of which this property is situated. As stated above, the proposed development has installed several measures to manage the risk of extreme flood events including the regrading of the site in order to improve the flood conveyance of the area, the elevation of the buildings above ground level, and the use of a 1.8m high steel paling fence with brick columns along the perimeter of the site to prevent cars floating away during extreme flood events and allow an unobstructed water flow. The Flood Risk Management advice accompanying this report confirms that the development has taken all necessary steps to avoid negative impacts in the event of flooding, as the aforementioned fence is structurally sufficient to prevent cars floating away from the site during extreme flooding.

4.3 FAIRFIELD CITY-WIDE DCP 2006

Chapter 10: Miscellaneous Development

Parking Provisions

The required parking for the proposed development will be included in our discussion of Chapter 12: Car Parking, Vehicle and Access Management.

Vehicle Access and Road Provisions

The proposed road opening on the south-western side of the Edensor Road frontage will facilitate the easterly directed entry and exit from the site without the need to cross the proposed median island stretching from the current mid-block refuge to the existing blister island, as seen in the maps within the Traffic and Parking Assessment and in the position seen in the picture below.



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The proposed median island will extend from the refuge island ahead to the small island adjacent to the roundabout.



The proposed road opening will be situated approximately 3m from the western boundary of the site. This will facilitate the safer exit of vehicles from the site heading towards the Edensor Road/Meadows Road roundabout, and also to ensure that vehicles enter and exit in one direction.

Advertising and Signage



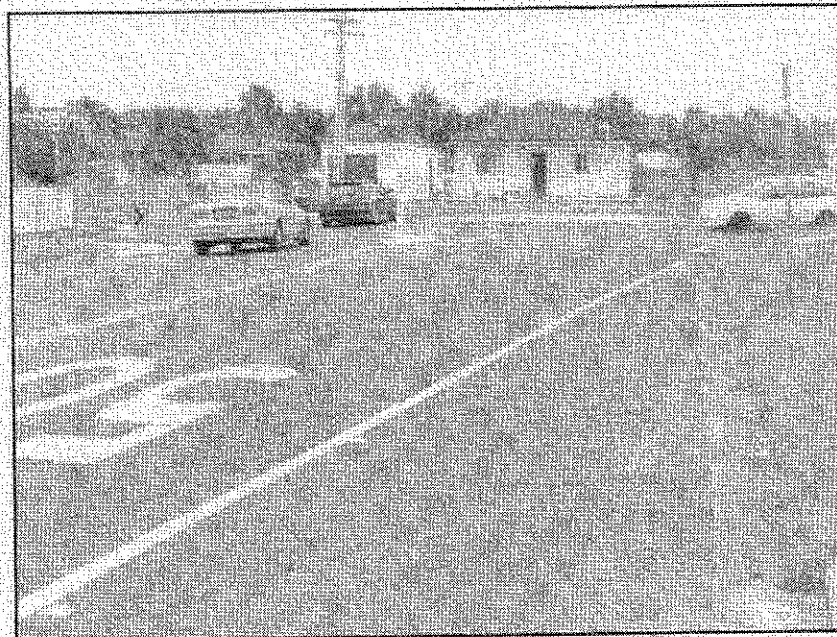
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The proposed external signage on the entry arch will be perfectly integrated with the proposed arch, being oriented vertically on the side pylons and horizontally on the top span of the central and side arches, all facing the street frontage. The top arch sign will use dulled metal lettering to reduce any glare, and the remainder of the signs featuring blessing messages will use dulled bronze lettering.

Building Design

The DCP states that buildings adjoining residential development are limited to 2 storeys to maintain the established residential character, as well as limiting overshadowing and privacy impacts. The proposed temple avoids the negative aspects of building height mainly in the distribution of the structures involved in the development. The distribution and tiered stepping of the structures offsets perceived bulk and provides an aesthetically pleasing configuration seen from the main frontage which draws focus to the highest central building, being set far back from the street frontage. The height is further offset by the peaked roof forms characteristic of traditional Chinese design and articulation and the varying colours and finishes included in the plans submitted. Another contributor to the height of the temple is the raised platform used in order to facilitate the provision of parking required by the DCP and to raise the structures above the minimum 20 year flood event line due to its proximity to Green Valley Creek. Despite the height, the architectural form will be a positive and attractive feature to the terminating vista of Meadows Road in comparison to the current form.



The vista created by the terminating Meadows Road. The temple will make an interesting and attractive centrepiece on the subject site.

Shadow diagrams show that the windows and private open space of adjoining properties will receive more than the minimum 4 hours sunlight in mid-winter. The amended Environmental Noise Impact assessment by Day Design Pty Ltd accompanying this application confirms that the proposed temple will have minimal acoustic impacts on



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neighbouring properties during normal and special operation and, due to the acceptance of the report's recommendations in section 7, will meet the NSW Industrial Noise Policy's acceptable noise level requirements and will not result in Offensive Noise as defined by the PEO Act 1997.

A 2.1m high fence with an acoustic louvre insert is included on the eastern boundary to minimise acoustic impacts to the neighbouring dwelling at no. 45 in accordance with the recommendations of the aforementioned noise impact assessment. A kitchen extractor fan associated with the proposed dining area and air conditioning condenser serving the main hall and caretakers residence were also assessed and will have no negative acoustic impacts following the acceptance of the recommendations made within the noise impact assessment.

Fencing and Screening

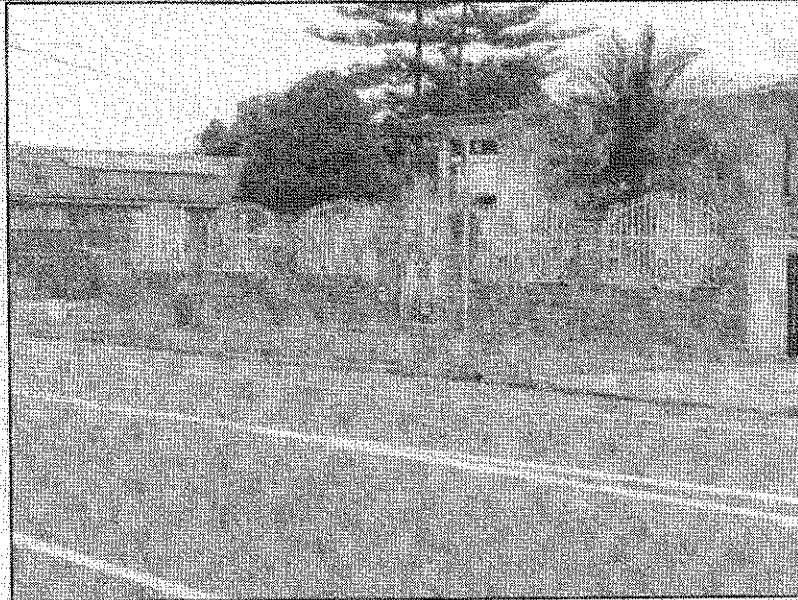
The temple complex includes a 1.8m high steel paling and bride pier fence along the front, side and rear boundaries for the containment of cars during extreme overland flooding events and maintaining unobstructed waterflow as well as security reasons, as the temple will contain a variety of items of religious significance and will be a significant building in its own right. As mentioned above, a 2.1m high colourbond fence with acoustic louvres spans the eastern side boundary. The driveway entry to the site will feature a 1.8m high west facing sliding paling gate giving access to the site's parking area. The proposed fencing is in keeping with fencing found on neighbouring 45 Edensor Road and surrounding dwellings.





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Properties on the southern side of Edensor road.

Landscaping

As per the landscape plan, the proposed temple will provide extensive screen planting around the border of the temple complex as well as several deciduous and evergreen trees around the northern and western boundaries. Evergreen trees will screen the south-eastern front portion of the proposed carpark and the front gate to beside the proposed driveway. As the design indicates, this will not only screen the sliding entry gate but will also maintain visibility from the main western entry and provide an attractive relief on the Meadows Road vista.

Extended Operating Hours

The only proposed event which exceeds normal operating hours will be the eve of Chinese New Year, occurring on the first day of the lunar year. At this time, the temple will operate from 9:00am until midnight, with an expected 450 people during the course of the day. Parking will be stretched beyond capacity. Traffic and parking wardens to be used to manage traffic flow and direct visitors to designated streets nearby if required. All this is described in the Plan of Management.



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A bus stop is located on the eastern boundary of the Edensor Road frontage.

During the Chinese New Year event, the amended Plan of Management by VT Architects accompanying this application shows that the only major noise concern will occur in the afternoon with the Lion Dancing display with drums, copper gongs and firecrackers. The dance will last for one to two hours. As this is a special event, and acoustic measures will be carried out following the recommendations of the environmental noise impact assessment, the event should have minimal impact on the immediate vicinity and should be permitted outside of normal hours.

CHAPTER 11: FLOOD RISK MANAGEMENT

Responses to the controls in schedule 3 of chapter 11 are discussed on page 4 and 5 of the Flood Risk Management Study for the subject site. The proposed temple is within the 20 year flood event level due to its proximity to Green Valley Creek, however following the recommendations of the aforementioned report the complex is constructed above natural ground level, and measures have been made to negate the severity of extreme flood events such as a brick and steel paling fence around the perimeter of the site which is structurally capable of containing floating cars within the site and allowing unobstructed waterflow, and a re-grading of the site to assist in floodwater diffusion.



CHAPTER 12: CAR PARKING, VEHICLE AND ACCESS MANAGEMENT

Parking Rate

Following discussions with Council, the proposal has been submitted with a revised car parking arrangement including 81 sealed and covered cars spaces and up to an additional 27 spaces within a designated parking overflow area that can be activated on special event occasions (ie 108 in total). The amended plans are supplemented by an amended Traffic and Parking assessment which has reviewed the attributes of different rates to the variety of proposed uses. The table on page 2 of the supplementary report identifies that peak number of spaces required (outside of the 3 Special Occasions per year) will be 92 based on the rates alone, however on page 3 contends that that in reality, the different halls are not all used at capacity concurrently and the strict application of the rates is therefore excessive. Notwithstanding this, the total number of spaces will accommodate all demand with the exception of the special occasions nominated, in which case specific parking management controls as detailed in the supplementary Plan of Management can be activated

Design Guidelines

Dimension of Spaces and Aisles

The proposed parking bays and aisles comply with the necessary requirements found in AS2890 as demonstrated in the Traffic and Parking Assessment.

Dead-end Aisles

The proposed parking lot has a dead-end aisles, located on the south-eastern side of the Edensor Road frontage (with 4 straight and parallel spaces with turning bay at the front). The configuration of these aisles complies with the DCP standard of no more than 7 spaces where the spaces are not opposing, or no more than 14 spaces where they are opposing.

Headroom

The entry to the proposed parking area provides headroom of 2.5m, with spaces under the temple complex above having headroom of 2.85m being the elevation distance of the floor of the temple complex above natural ground level.

Access, Manoeuvring and Layout

Streetscape and Car Parking

The entry driveway on the south western side of the Edensor Road frontage permits storage of 4 to 5 cars in the 'waiting area' for traffic both entering and exiting the site from Edensor Road. The driveway does not require the redirection of the adjacent footpath and contributes to streetscape continuity in conjunction with extensive turf and tree plantings on the main frontage.

Vehicle Movement Direction

All vehicle movements in the proposed carpark will be in a forward direction due to the width of the aisles throughout the carpark.

Manoeuvring



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As indicated in the plans provided, the turning circles are adequate to give access to all of the parking spaces in the parking lot.

Pedestrian and Car Park Layout

Traffic movements within the proposed carpark will be dispersed due to 3 main aisles accessed from the main entry gate as well as the two lane traffic flow throughout the parking area. The western lift and the two sets of stairs from the carpark on the eastern and western sides give unobstructed access to the main temple complex above, as do the pathways beside the front entry arch which give access to the main stairs at the front of the complex.

Landscaping

The temple complex will include perimeter plantings of various sizes. As indicated on the landscape plan, larger trees will be placed along the eastern and western perimeter to facilitate screening, and trees closer to the main vehicle entry are placed to avoid the obstruction of views for cars entering and leaving in an easterly direction as well as improved aesthetics on the main frontage.

Special Requirements

Drivers with a Disability

The DCP prescribed one disabled space per 100 parking spaces. The proposed carpark includes 4 disabled parking spaces within close proximity to a pathway leading to the front stairs of the complex and the lift on the western side of the development. The minimum width of the spaces satisfies the 2.5m minimum as prescribed in the current AS2890.6-2009 as confirmed in the Traffic and Parking Assessment accompanying this application.

Bicycles

A bike rack has been provided at the south-eastern corner of the parking area.

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO.64 ADVERTISING AND SIGNAGE

Granting Consent to Signage

Clause 8 of the SEPP restricts Council from granting consent to applications to display signage unless it is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

As the proposed signage is identified as Building Identification Signs within the SEPP, part 3 Advertisements applies to the development.

Clause 8(a) requires signage to be consistent with the objectives set out in Clause 3 (1) (a) of the SEPP, which states:

3 (1) (a) to ensure that signage (including advertising):



- (i) *is compatible with the desired amenity and visual character of an area,*
- (ii) *provides effective communication in suitable locations,*
- (iii) *is of high quality design and finish, and*

The proposed signage will be of a quality design in colours, finishes and materials used as it relates to the identification of the temple. The placement of the signage on the main Edensor Road frontage is situated in the most prominent spot possible, providing effective communication of the use of the site. The scale of the frontage signs is compatible with the scale of the temple, and the internal signage is also compatible in terms of placement, materials and the identification of the respective buildings and areas. Amenity and contribution to the local cultural character is paramount in the design and materials of the signage and their placement on the site. Materials, including steel and bronze, are those compatible with the design and cultural architectural influence of the temple. Its compliance with Schedule 1 will be discussed below.

Schedule 1: Assessment Criteria

Character of the area:

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

As mentioned above, the proposed signage contributes to the existing cultural and desired future character in a visually appealing and identifiable manner. In terms of themes of signage, there are no discernible themes of signage within the local area as it is predominantly residential development. The proposed signage responds to the use of the site being a temple, which in itself responds to the high number of Chinese residents in the area and surrounds, and their spiritual/religious beliefs attracting them to the temple. Through the use of similar levels, sizes and positioning of signage relative to the entry of the subject site, the proposed signage satisfies the clause.

Special areas:

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

Notwithstanding the fact that the site is not located within any such areas, the signs do not detract from the amenity or visual quality of the area in which it is located. Green Valley Creek, being the nearest waterway, is not impacted by the identification signage.

Views and vistas:

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*



The location of the sign above the main entry will not obstruct or compromise any important views, being within the boundary of the subject site as well as being close to the proposed temple and within the setback established by the adjoining dwellings to the east. None of the signs impact on the skyline or reduce the quality of vistas along Edensor Road, but instead provide an attractive vista at the termination point of Meadows Road. As the proposed signs are in an otherwise residential setting, these signs will not be in a position to compete with neighbouring advertisements.

Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

The scale, proportion and form of the signs are consistent with the setting of the aforementioned signs in the materials, positioning and location on the site. The signs are uniquely designed to match the classical Chinese form of temple development and are well integrated with the arch form as well as contributing to the visual interest when viewed from Edensor Road. As stated earlier, the varying levels, and materials of the proposed signs will contribute interesting visual features to the streetscape. There will be no unsightly features to hide using the proposed signage.

Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

All signs are of a modest design and scale in the context of the building height and extent, and the signs are certainly compatible with the scale proportions and architectural characteristics of the building. The vertical pillar bronze lettered signs are complimentary to the nature and the intent of the temple as well as culturally pertinent to general Chinese temple design. The horizontal flat metal lettered sign on the central point of the archway will be in keeping with the style and colours of the proposed temple. All internal signs will also be complimentary and in keeping with the overall architectural design of the temple.

Associated devices and logos with advertisements and advertising structures



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- Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

No, there are no such devices encompassing the proposed signage.

Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

No elements of the proposed signage include lighting.

Safety

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The heights and fixed nature of the signs, as well as the fact that they are not flashing or moving will not reduce safety in this segment of Edensor Road. The proposed messages could in no way be confused with any traffic or road safety signals and are therefore satisfactory in that regard.

5.0 SECTION 79C CONSIDERATION

The following is a summary assessment of the proposed development against the heads of consideration in Section 79C(1) of the Environmental Planning & Assessment Act 1979. It is presented in this form to assist Councils consideration of the proposal.

- 5.1 (a)(i)- the provisions of any environmental planning instrument (EPI)-** The relevant EPI being Fairfield Local Environmental Plan 1994 has been discussed in Section 4 of this Statement of Environmental Effects. The proposed development is permissible in the zone subject to the consent of the Council.
- 5.2 (a)(ii)- the provisions of any draft environmental planning instrument-** The site is affected by the provisions of Fairfield Draft LEP 2011. The proposed temple complies with the applicable draft controls.
- 5.3 (a)(iii)- any development control plan-** The relevant DCP has been discussed.
- 5.4 (a)(iia)- any developer-initiated planning agreements or draft planning agreements under sec 93F of the EP&A Act 1979-** None at this stage.



- 5.5 (b)- the likely impacts of that development-** Given the scale of the proposed development and use, it is considered that the development is unlikely to have any adverse impacts on any adjoining or surrounding dwellings, the streetscape or the locality in general. The temple will contribute to the cultural and visual diversity of the area as well as the Buddhist community in western Sydney. It will not cause any adverse level of noise for adjoining developments as shown in the plans due to the following of recommendations made within the Environmental Noise Impact assessment. In terms of vehicle movements, the attached Traffic and Parking Assessment confirms that the proposed development should not generate any level of traffic movements that would burden the existing and future street capacity.
- 5.6 (c)- the suitability of the site for the development-** There are no questions as to the sites suitability to accommodate the proposed development. The subject site has access to all necessary services to cater for the proposal including electricity, sewerage, water and telephone. There is no evidence that the site is affected by contamination, subsidence or any other risk including bush fire. The site is affected by flood controls and is classified as being a low to mid-risk flood lot and within the 20 year flood event line. The development has followed the recommendations of the Flood Risk Management study accompanying this application in order to avoid negative impacts in the event of extreme flood events.
- 5.7 (d)- any submissions made in accordance with this Act or the Regulations-** Nil at this stage.
- 5.8 (e)- the public interest-** The proposal is in the public interest in that it will enable the redevelopment of the site in a form that enhances the visual, religious and cultural diversity of the area, and which ensures no adverse impacts on adjoining or surrounding development. In response to notification of the development proposal, it is understood that 7 letters of objection were received. The following planning commentary is made to the objections as summarised.

- *Noise concerns both during construction and later due to bell ringing during ceremonies*

Comment: Appropriate conditions of would be included in any consent regarding hours of construction and noise levels during the construction phase. Noise from the actual use and impacts have been addressed in the acoustic consultants initial and revised reports.

- *Storage of remains creates superstition concerns relating to the lingering of the dead.*

Comment: This is not a valid planning objection.

- *Busy atmosphere not compatible with the park and natural environment*

Comment: The overall "atmosphere" of the temple complex will that of a relaxed and tranquil setting. While the complex appears as a multi function multi use facility, it is not will be a use that operates with peak

demand of at full intensity often. The development and its setting will actually complement and be complemented by its vicinity to open space.

- *Smell of money burning and incense will cause a nuisance.*

Comment: given its distance to neighbours, it is unlikely that any odours received at the nearest residential receptors will cause any offensive odour or nuisance. The burning of 'joy paper' will be done in a low emission incinerator as detailed in the Plan of Management.

- *Adverse privacy impacts from numerous visitors*

Comment: The site has effectively one immediately adjoining neighbour. Every effort has been made to ensure that the proposal will minimise impacts on that dwelling.

- *Dangerous location*
- *dangerous for pedestrians crossing road*
- *traffic congestion on Edensor Road already a problem*
- *parking for special occasions inadequate*

Comments: The traffic and parking study has reviewed the existing road capacity and factored in the likely traffic generation and its impact on that road capacity and including likely peak demand times. The reports have concluded that the proposal is acceptable on traffic and parking grounds and provided measures are adopted into a Plan of Management for parking overflow on special occasions, the proposal will not have adverse on local streets and on street parking. See the revised traffic report for additional comments.

- *impact on flood risk and potential for insurance premium increases*

Comment: Flood impact assessment has been carried out and submitted the application. There is no evidence to suggest premiums will rise as result of the development.

- *depreciation of property values*

Comment: there is no evidence to support the development will decrease surrounding property values. There is scope to argue that the property values may actually rise as demand to be located close to the facility could increase.

6.0 CONCLUSION

The amended proposal is consistent with the LEP aims, objectives and controls in the 2(a) Residential zone. The proposal is permissible under the DLEP and represents a suitable development of the site. When assessed under Section 79C(1) of the Environmental Planning & Assessment Act, 1979, the proposal is considered satisfactory, causing no adverse planning, environmental, social or economic consequences.

In light of the merits of the proposal and the absence of any adverse social or environmental impacts, the application is worthy of Council's approval.