

## Assessment against planning controls: section 4.15, summary assessment and variations to standards

### 1 Environmental Planning and Assessment Act 1979

#### 1.1 Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
a. The provisions of:		Yes
(i) Any environmental planning instrument (EPI)	<p>The proposal is considered to be consistent with the relevant EPIs, including SEPP (State and Regional Development) 2011, SEPP (Infrastructure) 2007, SEPP No. 55 – Remediation of Land, SEPP No. 64 – Advertising and Signage, SEPP (Sydney Region Growth Centres) 2006, BLEP 2015 and the Central City District Plan 2018.</p> <p>The proposed place of public worship is a permissible land use within the RU4 Primary Production Small Lots zone and provides a land use which is compatible with the zone objectives outlined under BLEP 2015.</p>	
(ii) Any proposed instrument that is or has been the subject of public consultation under this Act	<p>From 6 September to 19 October 2018, and following the lodgement of this DA, the then Department of Planning and Environment (DPE) publicly exhibited the Draft Marsden Park North Precinct Masterplan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). This Masterplan will guide the future rezoning and development of this new precinct. DPE is currently considering submissions to the Masterplan.</p> <p>A copy of the draft Masterplan is at attachment 1 and a copy of the draft zoning map is at attachment 3. This DA will be consistent with both of these plans.</p> <p>The proposal is consistent with the draft Masterplan, subject to conditions requiring Excelsior Avenue to be widened to provide a 22 m wide collector road and shared pedestrian and cycle path.</p>	<p>Satisfactory. The proposal is consistent with the Draft Marsden Park North Masterplan, subject to conditions requiring improvements to Excelsior Avenue to provide a collector road.</p> <p>Refer to Section 7.2 of the Assessment report for further details.</p>
(iii) Any development control plan (DCP)	Blacktown DCP 2015 still applies to the site. The proposed development is compliant with the numerical controls established under the DCP.	Yes
(iii a) Any Planning Agreement	There are no Planning Agreements associated with this proposal.	Not applicable
(iv) The regulations	The proposal is consistent with the regulations.	Yes
b. The likely impacts of the development, including environmental impacts on both the natural and built	It is considered that the likely impacts of the development, including access, future hierarchy of roads, traffic and parking, trees and landscaping, design, bulk and scale, overshadowing, noise, privacy, waste management and stormwater management, can be satisfactorily addressed, subject to conditions including a condition requiring written	Yes

Heads of Consideration	Comment	Complies
environments, and social and economic impacts on the locality	<p>evidence from Sydney Water Corporation that the site is connected to the reticulated sewerage system in the precinct prior to the issue of any Stage 2 building Construction Certificate.</p> <p>A site analysis was undertaken to ensure that the proposed development will have a minimal impact on the surrounding properties. In view of the above it is believed that the proposed development will not have any adverse social, economic or environmental impacts. The tree removal will be offset by replacement tree planting, to be included as a condition of consent.</p>	
c. The suitability of the site for the development	<p>The site is zoned RU4 Primary Production Small Lots. A place of public worship is permissible on the site with development consent.</p> <p>The site is large enough and suitable to accommodate the proposed 2 stage building, access, parking and wastewater irrigation area subject to staging conditions. The design solution is based on sound site analysis and responds positively to the constraints of this site, including the slope towards its northern boundary and the future precinct planning of the locality.</p> <p>The site is serviced by a suitable road network, including Richmond Road to the west which has recently been upgraded to provide a signalised traffic intersection with Excelsior Avenue.</p>	Yes
d. Any submissions made in accordance with this Act, or the regulations	<p>One submission was received as a result of the notification of this DA. The submitter asked for their issues and details to be confidential.</p> <p>Our consideration of these issues is at attachment 8 (confidential attachment to the Panel).</p> <p>These issues are considered to be suitably addressed and, subject to conditions of consent, do not warrant the refusal of this application.</p>	Satisfactory, as the issues raised in the submission do not warrant refusal of this application.
e. The public interest	<p>It is considered that no adverse matters relating to the public interest arise from the proposal.</p> <p>The proposal provides a facility which is to be constructed and occupied in stages in response to the anticipated growing population in the Marsden Park area.</p>	Yes

## 2 State Environmental Planning Policy (State and Regional Development) 2011

Summary comment	Complies
<p>The Sydney Central City Planning Panel (SCCPP) is the consent authority for all development for private infrastructure and community facilities with a capital investment value (CIV) of over \$5 million (being the CIV applicable for applications for a place of public worship under Schedule 7 Regionally significant development of this SEPP).</p> <p>As this DA has a CIV of \$8.9 million, Council is not the consent authority and the Panel has the function of determining the application.</p>	Yes

### 3 State Environmental Planning Policy (Infrastructure) 2007

Summary comment	Complies
<p>The SEPP ensures that Transport for NSW (Roads &amp; Maritime) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP.</p> <p>The site is a distance of 471 m to Richmond Road and the proposal will provide 128 car parking spaces. The proposal does not trigger referral to Transport for NSW.</p>	Not applicable

### 4 State Environmental Planning Policy No. 55 – Remediation of Land

Summary comment	Complies
<p>SEPP 55 aims to 'provide a State-wide planning approach to the remediation of contaminated land'. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.</p> <p>The DA is accompanied by a Detailed Site Investigation report prepared by Martens Consulting Engineering dated January 2018 and prepared in accordance with the National Environmental Protection Measure (NEPM) 2013 Guidelines.</p> <p>The report concludes that the site will be rendered fit for its proposed land use subject to the preparation, implementation and validation of an appropriate site remediation action plan. Conditions are included in the draft consent to address the remediation and final validation of the site to the residential standard under NEPM 2013 Guidelines.</p>	Yes, subject to conditions

### 5 State Environmental Planning Policy No 64 – Advertising and Signage

Summary comment	Complies
<p>The aim of this SEPP is to improve the amenity of urban and natural settings by managing the impact of outdoor advertising. The policy responds to growing concerns from the community, the advertising industry and local government that existing controls and guidelines were not effective.</p> <p>Building identification signage is proposed as follows:</p> <ul style="list-style-type: none"> <li>• 'Marsden Park Anglican Church' 0.6 m high x 0.4 m wide mounted on a 1.2 m high landscaped wall, illuminated by directional garden uplights</li> <li>• a logo 0.6 m high x 0.4 m wide mounted on a 1.2 m high landscaped wall, illuminated by directional garden uplights</li> <li>• a cross 5 m high x 3 m wide mounted on the wall of the Auditorium to match the façade colour with low-level recessed backlighting.</li> </ul> <p>Directional / way finding signage for vehicles and pedestrians is also proposed within the site.</p> <p>The signage is defined as a business identification sign as it indicates the name of the business carried out on the premises where the signage is displayed. Part 2 of the SEPP applies to signage generally, and states:</p> <p>"A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</p> <ol style="list-style-type: none"> <li>(a) that the signage is consistent with the objectives of this Policy as set out in Clause 3(1)(a), and</li> <li>(b) that the signage the subject of the application satisfies the assessment criteria</li> </ol>	Yes

Summary comment	Complies
<p>specified in Schedule 1.”</p> <p>The proposed signage complies with the objectives of the SEPP.</p>	

## 6 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Summary comment
<p>This DA was referred to DPIE for its consideration as required by Clause 17 of SEPP (Sydney Region Growth Centres) 2006, as it has a capital investment value over \$500,000 on land within a Growth Centre Precinct that has been released for urban development. However, a precinct plan is yet to be applied to this land.</p> <p>The land release branch of DPIE raised no objection to the proposed development.</p>

## 7 Blacktown City Council Growth Centre Precincts Development Control Plan 2016 (Growth Centre DCP)

Summary comment
<p>This DCP only applies to Precincts where precinct planning has been completed. Given that the Marsden Park North Precinct is not yet adopted for this locality, the Growth Centre DCP is not relevant.</p> <p>Nonetheless, we note that the proposal is consistent with the Growth Centre DCP, with specific reference to Clause 4.4.3 controls relating to educational establishments and places of public worship.</p> <p>The proposal is capable of being consistent with the Draft Marsden Park North Masterplan, including provision for future improvements to Excelsior Avenue to provide a 22 m wide collector road. Refer to the Assessment report for further details.</p>

## 8 Blacktown Local Environmental Plan 2015

Summary comment
<p>Blacktown LEP 2015 applies to the site with regard to the proposed place of public worship.</p> <p>The proposal demonstrates full compliance with the LEP and is a permissible land use.</p>

## 9 Blacktown Development Control Plan 2015

Summary comment	Complies
<p>The provisions of BDCP, including Part A - Introduction and Design Guidelines, Part C – Development in the Residential Zones (with specific reference to non-residential development in Residential zones), Part G – Site Waste Management and Minimisation and Part J - Water Sensitive Urban Design and Integrated Water Cycle Management are relevant to the proposal. The proposal complies with the relevant provisions of BDCP.</p>	Yes

## 10 Central City District Plan 2018

Summary comment	Complies
<p>While the Act does not require consideration of District Plans in the assessment of Development Applications, the DA is consistent with the following overarching planning priorities of the Central City District Plan:</p> <p><b>Liveability</b></p> <ul style="list-style-type: none"><li>• Contributing to the provision of services to meet communities' changing needs.</li><li>• Supporting communities which are socially connected and brings people together.</li></ul> <p><b>Sustainability</b></p> <ul style="list-style-type: none"><li>• Supporting urban tree canopy cover by retaining 6 existing trees and providing new trees.</li><li>• Energy and water flows are captured and re-used.</li></ul>	Yes

## 11 Blacktown Local Strategic Planning Statement

Summary comment	Complies
<p>The Blacktown Local Strategic Planning Statement (LSPS) 2020 outlines a planning vision for the City over the next 20 years to 2041. The LSPS contains 18 Local Planning Priorities based on themes of Infrastructure and collaboration, Liveability, Productivity, Sustainability and Implementation.</p> <p>The DA is consistent with the following priorities:</p> <ul style="list-style-type: none"><li>• LPP3 – Providing services and social infrastructure to meet people's changing needs</li></ul>	Yes