

COUNCIL ASSESSMENT REPORT

SYDNEY SOUTH PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSSH-173 & DA-783/2024
PROPOSAL	Demolition of the existing Greenacre Community Centre building, carpark and facilities and the construction of a new Community Hub consisting of a multipurpose hall, meeting rooms, children-focused library, kitchen, staff offices and amenities
ADDRESS	35 Waterloo Road, GREENACRE NSW 2190
APPLICANT	Patrick Love – lahznimmo Architects
OWNER	City of Canterbury Bankstown
DA LODGEMENT DATE	5 August 2024
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Schedule 6 – Regionally significant development of State Environmental Planning Policy (Planning Systems) 2021 as Council is the owner of the land on which the development is proposed and the development has an estimated development cost of more than \$5 million.
EDC	\$11,227,552.50 (excluding GST)
CLAUSE 4.6 REQUESTS	None
KEY SEPP/LEP	<ul style="list-style-type: none"> • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Canterbury Bankstown Local Environmental Plan 2023
TOTAL & UNIQUE SUBMISSIONS ISSUES KEY IN SUBMISSIONS	Two (2) unique submissions
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Detailed Site Investigation (Rev. 0) • Arboricultural Impact Assessment (Rev A) • Stormwater Report for D.A. (Rev A) • Acoustic Report (Rev 4) • Operational Plan of Management

SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	None
SCHEDULED MEETING DATE	16 December 2024
PLAN VERSION	Architectural Plans - 15 July 2024 Revision nos. 03 & 05 22 October 2024 Revision no. 06 Landscape Plans – 22 October 2024 Revision B Civil Plans – 15 July 2024 Revision B
PREPARED BY	External Consultant – Jeremy Swan - The Planning Hub
DATE OF REPORT	4 December 2024

EXECUTIVE SUMMARY

This matter is reported to the Sydney South Planning Panel in accordance with Section 2.19 *Declaration of regionally significant development: section 4.5(b)* and Schedule 6 *Regionally significant development* of State Environmental Planning Policy (Planning Systems) 2021 as the proposed development exceeds a capital investment value of \$5 million and Council is the owner of the land on which the development is proposed.

Development application no. DA-783/2024 seeks consent for the demolition of the existing Greenacre Community Centre building, carpark and facilities and the construction of a new Community Hub consisting of a multipurpose hall, meeting rooms, children-focused library, kitchen, staff offices and amenities, which is permissible with consent in the RE1 Public Recreation land use zone.

The application has been assessed against the relevant provisions within State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023), and the Canterbury Bankstown Development Control Plan 2023.

The development complies with all applicable development standards as well as all applicable planning controls, with the exception of controls relating to the location of the community centre loading area and the location and landscaping of the car parking area within the Canterbury-Bankstown Development Control Plan 2023.

These non-compliances are detailed within this report and are considered worthy of support owing to the development achieving consistency with the objectives of the controls.

The application was advertised and neighbour-notified for a period of twenty-eight (28) days from 21 August 2024 to 17 September 2024. A total of two (2) submissions were received during the notification period.

A briefing was held with the Panel on 9 September 2024 where key issues were discussed. The Panel noted the following:

- On exhibition until 17 September 2024.
- Traffic and Parking concerns from 2 submissions. The applicant engaged with the school to the north to discuss the issue around parking, explaining that the current council parking being used by the school was not technically allocated to it. The

Applicant advised the submitter was amenable once the circumstance was understood.

- Panel requested information on any previous consent in relation to existing versus proposed increases to intensity of use.

Section 2.1 of this report provides history in respect of consents and use in response to the Panel's request.

The below assessment report provides a detailed assessment of the site and its surrounds and how this development application addresses the relevant planning legislation.

1. THE SITE AND LOCALITY

1.1 The Site

The site comprises part Lot 1 DP 191879 and is known as 35 Waterloo Road, Greenacre. The site forms part of Roberts Park which is owned by Council and classified as community land pursuant to the *Local Government Act 1993*. Roberts Park currently accommodates a community centre, early learning centre, playground, sportsground, skate park, splash park, basketball court and associated car parking for 61 vehicles (54 in the open at-grade parking area and an additional 7 spaces that are associated with the early learning centre).

The development is proposed within the north-western portion of Roberts Park, where the existing Community Centre building and associated car parking is located, refer to the below Figure 1 which denotes the Roberts Park boundary with a yellow dashed line and the site the subject of the proposed works with a red outline.

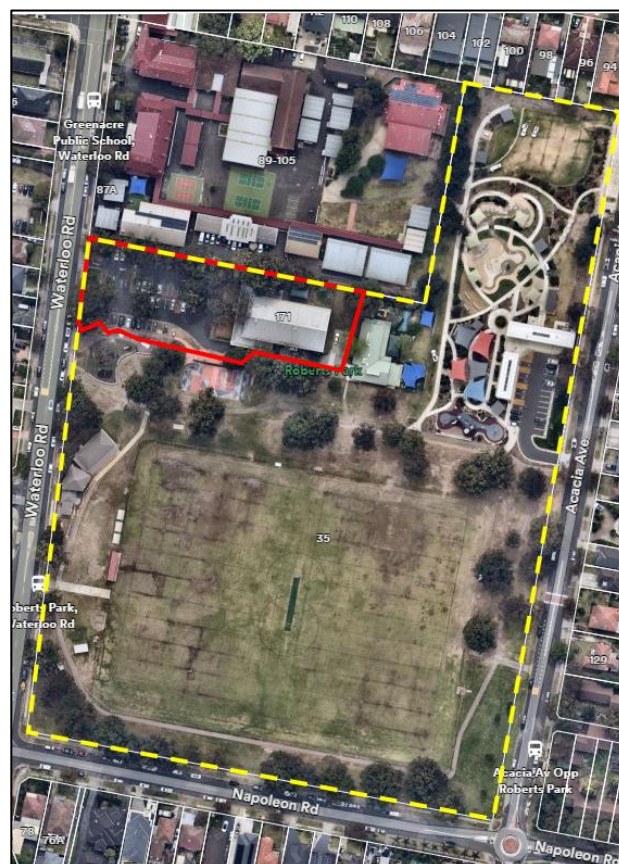


Figure 1: Aerial image of the site – Roberts Park boundary denoted by yellow dashed line and the site of the proposed development outlined red – Source: Nearmap

Council’s ‘Generic Plan of Management for Community Land and Crown Land for Community Land and Crown Land’ (PoM) identifies Roberts Park as comprising a mix of sportsground, park and general community uses. The site of the proposed works is wholly within the area designated for ‘general community use,’ with a small portion being located with the ‘park’ area, refer to Figure 2 below.



Figure 2: Land Classification Map extract from Generic Plan of Management, site outlined red – Source: Canterbury-Bankstown Council

Existing improvements on the site include a Community Centre building, associated car parking for 54 vehicles and landscaping. The carpark is accessed via an existing one-way driveway off Waterloo Road; vehicles then exit the carpark via an exit-only driveway onto Waterloo Road via a left-only turn. A separate path off the Waterloo Road footpath currently provides pedestrian access to the Community Centre building. There is an existing row of established vegetation along the northern boundary of the site with the adjoining school.

Pursuant to clause 2.2 of Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP) the site is zoned RE1 Public Recreation on the Land Zoning Map. Surrounding properties primarily comprise a residential zoning, with the exception of the immediately adjoining Greenacre Public School to the north which is zoned SP2 Educational Establishment. Community facilities are permissible with consent within the subject RE1 Public Recreation zone.

1.2 The Locality

Immediately adjoining the site to the north is the Greenacre Public School, with established low to medium density residential development beyond. There is an existing commercial strip, along Waterloo Road to the north-west of the site, with the surrounding residential development earmarked for future higher density residential development. Immediately adjoining the site to the east is the established early learning centre and the recently constructed Greenacre Splash Park, both of which are located within the curtilage of Roberts Park. The sportsground is located immediately to the south, with established low density residential development beyond. The St. John Catholic School and St. John the Beloved Melkite Catholic Church is located to the east of the site and is surrounded by existing low density residential development.



Figure 3: Locality map identifying the site – Source: lahznimmo Architects

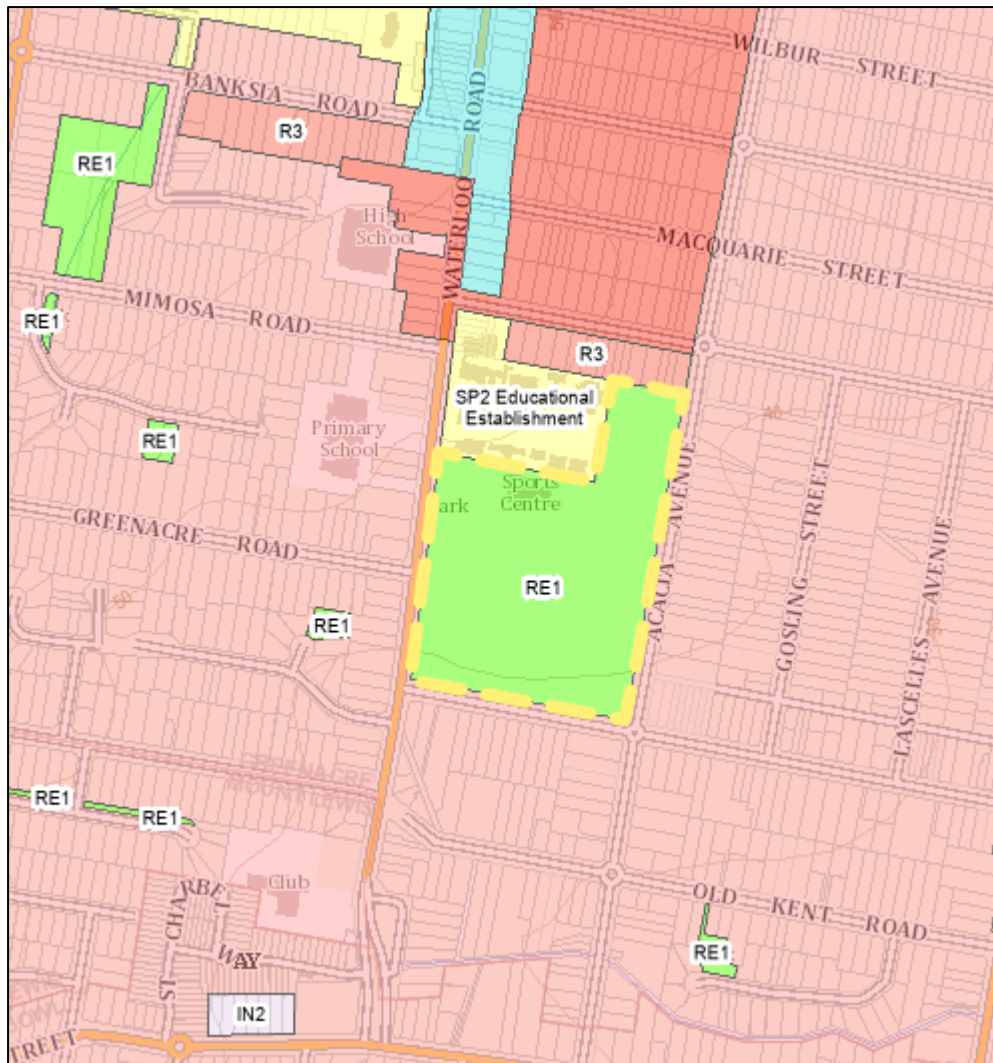


Figure 4: Land Zoning Map extract – Source: NSW Planning Portal Spatial Viewer

2. THE PROPOSAL AND BACKGROUND

2.1 History

Historically, the existing building on the site, that is proposed to be demolished, has been used as a general community centre by the local community, including various community groups and sporting groups, consistent with Council's 'Generic Plan of Management for Community Land and Crown Land' that applies to the site.

A thorough search of Council's records has been undertaken for past consents related to the site, however, the current facility on site predates Development Application records.

2.2 The Proposal

Consent is sought for the demolition of the existing community centre building, the at-grade car parking area and surrounding hardstand areas to facilitate the construction of the single storey Roberts Park Community Hub and associated carpark. The proposed development specifically comprises:

- Multipurpose Centre:

- Multi-Purpose Hall (257.3m²) which opens onto a Covered Outdoor Area (95m²);
- 2 x Store Rooms (7.8m² & 14m²);
- Cleaner's Room (4.6m²);
- Kitchen (30.9m²);
- Meeting Room 01 (111.1m²) and associated Kitchenette (2.4m²), Craft Room (2.4m²) and Store Room (9.1m²); and
- Meeting Room 02 (15.6m²).
- Library and Knowledge Centre:
 - Library (171.1m²);
 - Staff Area (42.2m²);
 - Staff Bathroom (4.3m²);
 - Meeting Room 03 (13m²);
 - Comms Room (6.2m²);
 - Covered Outdoor Area (40.2m²) accessed via the Library which leads to a Reading Deck around an existing tree, outdoor seating and a Picnic Lawn; areas.
- Ancillary Areas:
 - Shared foyer area with access to shared female, male and accessible bathrooms and Cleaner's Room (6.7m²);
 - Bin Room (19.1m²); and
 - Plant Room attached to the rear building elevation (198m²);
- Construction of a detached Bin Enclosure within the north-eastern corner of the site to service the existing early learning centre. A sealed pathway is provided from the early learning centre along the southern edge of the carpark with a kerb ramp to enable rubbish bins to be wheeled directly across the shared turning bay to the Bin Enclosure.
- Construction of a 9 m wide two-way vehicular layback and driveway which transitions to a 6.2m wide aisle off Waterloo Road to access 51 car parking spaces, including 4 accessible spaces, which are concentrated along the northern side boundary and to the east of the community hub building.
- 2 x loading bays are proposed, one abutting the community hub Bin Room, to facilitate waste collection and the second within the north-western corner of the site to enable waste collection from the early learning centre Bin Enclosure.
- The landscape strategy for the development has been designed to retain the majority of the established landscaping along the northern boundary with the Greenacre Public School. The development proposes the protection and retention of 46 trees and the removal of 19 trees. The Landscape Plan incorporates replacement tree planting to compensate for the proposed tree removal.



Figure 5: Montage view from the Picnic Lawn area looking towards the Library – Source: Iahznimmo Architects

- Consent is sought for the following days and hours of operation:

- Multipurpose Centre

Sunday to Thursday: 8am to 10pm

Friday to Saturday: 8am to 12am

- Library and Knowledge Centre

Monday and Thursday: 9:30am to 8pm

Tuesday, Wednesday and Friday: 9:30am to 5pm

Saturday: 10am to 1pm

The application is accompanied by an Operational Plan of Management which details the operational measures to be employed to minimise impacts on adjacent development and residents.

2.3 Background

The development application was lodged on **5 August 2024**. A chronology of the development application since lodgement is outlined below including the Panel's involvement (briefings, deferrals etc) with the application:

Table 1: Chronology of the DA

Date	Event
5 August 2024	DA lodged
21 August 2024	Exhibition of the application commenced
9 September 2024	Panel briefing
17 September 2024	Exhibition of the application concluded

21 October 2024	Sydney South Planning Panel attended site inspection
9 October 2024	Request for Information issued to Applicant
22 October 2024	Additional information provided by the Applicant
26 November 2024	Second Request for Information issued to Applicant
28 November 2024	Additional information provided by the Applicant

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- that apply to the land to which the development application relates,*
- (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,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

In this regard, the following environmental planning instruments, development control plans, codes and policies are relevant and considered below:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)
- Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023)
- Canterbury-Bankstown Local Infrastructure Contributions Plan 2022

These matters are further considered below.

It is noted that the proposal is not considered to be:

- Integrated Development (s4.46)
- Designated Development (s4.10)
- Crown DA (s4.33)

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application.

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Canterbury Bankstown Local Environmental Plan 2023

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 2** and considered in more detail below.

Table 2: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	<p>Chapter 2: Vegetation in non-rural areas</p> <ul style="list-style-type: none"> • Part 2.2 Clearing vegetation in non-rural areas: the development proposes the removal of vegetation on site, which is considered suitable subject to replacement plantings. <p>Chapter 6: Water catchments</p> <ul style="list-style-type: none"> • Part 6.2 Development in regulated catchments: the application is accompanied by sufficient information to satisfy Council with regard to this development being in a regulated catchment. 	Y
State Environmental Planning Policy (Planning Systems) 2021	<p>Chapter 2: State and Regional Development</p> <ul style="list-style-type: none"> • Part 2.4 Regionally significant development: in accordance with the criteria of Schedule 6, the development proposed is of regional significance, as the development exceeds a capital investment value of \$5 	Y

EPI	Matters for Consideration	Comply (Y/N)
	million and Council is the owner of the land on which the development is proposed.	
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Chapter 4: Remediation of Land</p> <ul style="list-style-type: none"> Section 4.6 Contamination and remediation to be considered in determining development application: A Detailed Site Investigation (DSI) accompanies this application which concludes that, based on observations made during the field investigations and the sampling and analysis program conducted at the site, the site is suitable for the proposed land use and further assessment and/or remediation and validation is not considered to be warranted. 	Y
State Environmental Planning Policy (Transport and Infrastructure) 2021	<ul style="list-style-type: none"> Division 17 Roads and traffic: the application was referred to Transport for New South Wales (TfNSW) pursuant to Section 2.122. TfNSW advised that the development is not traffic generating development as Waterloo Road is a non-classified regional road under the care and control of Council. 	Y
State Environmental Planning Policy (Sustainable Buildings) 2022	<p>Chapter 3: Standards for non-residential development</p> <p>Section 3.2 – Development consent for non-residential development: the development is consistent with the requirements of this section through the management of waste, the inclusion of a solar panel array on the roof of the building, the use of low energy appliances and the use of rainwater for toilet flushing and the installation of low water use fittings and fixtures.</p> <p>The application is also accompanied by a NABERS Embodied Emissions Materials Form which quantifies the embodied emissions attributable to the development.</p>	Y
Proposed Instruments	There are no proposed instruments applicable to the subject site or the development typology.	N/A
CBLEP 2023	<ul style="list-style-type: none"> Clause 1.2 – Aims of plan: the development is consistent with the aims of the plan, regarding providing recreational and community service opportunities to meet the needs of residents and visitors to Canterbury-Bankstown while achieving good urban design in terms of site layouts, building form, streetscape and public and private safety and enhancing the social well-being and amenity of the community. Clause 4.3 – Height of buildings: no height of building restriction applies to the site. 	Y

EPI	Matters for Consideration	Comply (Y/N)
	<ul style="list-style-type: none"> • Clause 4.4 – Floor space ratio: no floor space ratio restriction applies to the site. • Clause 5.10 – Heritage conservation: The site is not heritage listed and is not within a heritage conservation area. Immediately adjoining the site to the north is the locally listed 'Greenacre Public School' at 105 Waterloo Road, Greenacre (I146). Council's Heritage Advisor has reviewed the proposal and advised that the proposal is supported from a heritage point of view. • Clause 6.2 – Earthworks: the DA is accompanied by a cut and fill plan which details the extent of the proposed earthworks. Conditions of consent have been imposed to manage cut and fill and ensure drainage patterns and soil stability are not adversely impacted. • Clause 6.3 – Stormwater management and water sensitive urban design: Council's Development Engineer has reviewed the submitted Stormwater Report and Plans and confirmed that, in principle, the proposed stormwater layout and configuration is satisfactory, subject to conditions. • Clause 6.9 – Essential services: The site is readily serviced by reticulated water and sewer and electricity. Conditions of consent has been imposed to manage stormwater drainage, waste management and vehicular access. 	
CBDP 2023	<ul style="list-style-type: none"> • Chapter 2.3 – Tree Management: The application proposes the removal of vegetation which is considered suitable subject to replacement plantings. • Chapter 3.1 – Development Engineering Standards: The application does not propose on-site stormwater detention and this is considered a suitable outcome in this instance owing to the information supplied in support of this application. • Chapter 3.2 – Parking: The application proposes adequate parking and loading to service the development. • Chapter 3.3 – Waste Management: The development generally complies with requirements. • Chapter 3.7 – Landscape: The application generally complies with requirements, offering an alternate and acceptable solution to strict compliance in relation to landscaping of the car parking area. • Chapter 4.4 – Development in the Vicinity of Places of Heritage Significance: The development is suitable for the site having regard to the site's proximity to the adjoining locally listed heritage item (Greenacre Public School). 	Y

Consideration of the relevant SEPPs is outlined below:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of SEPP (Biodiversity) aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. Chapter 2 applies to the whole of Canterbury Bankstown Council, including the subject development site.

The accompanying Arboricultural Impact Assessment has identified the protection and retention of 46 trees and the removal of 19 trees. The Landscape Plan incorporates replacement tree planting to compensate for the proposed tree removal. The Arboricultural Impact Assessment has concluded that none of the trees proposed for removal are significant from a biodiversity perspective.

The Arboricultural Impact Assessment has been reviewed by Council's Tree Management Officer who has concluded that removal of the vegetation is suitable for the site and consistent with the aims of SEPP (Biodiversity and Conservation) 2021 subject to replacement tree planting conditions which have been included within the accompanying conditions of consent.

Chapter 6 of SEPP (Biodiversity) applies to all development on land in a regulated catchment. Canterbury Bankstown Council includes land within the Georges River Catchment, in which the subject site falls. This chapter has no specific objectives but requires the consent authority to consider a number of matters which are addressed below:

Section 6.6 Water quality and quantity

- The application will have a neutral effect on the quality of water entering the adjoining waterway.
- The application is accompanied by sufficient information in order to determine that the flow of water within the adjoining waterway will not be impacted, primarily as a result of potential excess stormwater run-off from this site.
- The application has supplied sufficient information to determine that the development will not provide for an increase in stormwater run-off compared to what exists on site today.
- The application is not expected to have any impact on the level or quality of the water table.
- The application is accompanied by sufficient information to determine the cumulative environmental impacts of the development on the catchment.
- The development would have a neutral impact on the quality and quantity of ground water.
- The development is expected to have a neutral impact on the quality of water entering the adjoining waterway.
- The application is accompanied by sufficient information to determine the impacts to the water flow within the adjoining waterway.

Section 6.7 Aquatic ecology

- The development is not expected to have an impact on aquatic ecology, noting that the adjoining waterway has been concrete-lined and is not yet re-naturalised.

Section 6.9 Recreation and public access

- The development will provide no impact on recreation or public access.

Section 6.10 Total catchment management

- Consultation with downstream councils has not been undertaken as it has not been demonstrated to what effect, if any, the development will have on the flow of water downstream to the subject site.

In light of the above comments, the development will not have any adverse impacts on the Georges River Catchment.

State Environmental Planning Policy (Planning Systems) 2021

Clause 2.19(1) of Part 2.4 of SEPP (Planning Systems) 2021 reads as follows;

Development specified in Schedule 6 is declared to be regionally significant development for the purposes of the Act.

Schedule 6 of SEPP (Planning Systems) 2021, in part, reads;

2 Council related development over \$5 million

Development that has an estimated development cost of more than \$5 million if –

(b) the Council is the owner of any land on which the development is to be carried out.

The CIV of the proposed development is proposed on Council owned land and exceeds \$5 million. The development therefore qualifies as being a 'regionally significant development' and the Sydney South Planning Panel are the determining authority.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* have been considered in the assessment of the development application. Section 4.6 of the SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. In order to consider this, a Detailed Site Investigation ('DSI') has been prepared for the site.

The DSI relevantly concludes that, based on observations made during the field investigations and the sampling and analysis program conducted at the site, the site is suitable for the proposed land use and further assessment and/or remediation and validation is not considered to be warranted.

Having regard to the assessment set out above, the Panel can be satisfied that the development site is suitable for the proposed development, in accordance with clause 4.6(1) of SEPP (Resilience and Hazards) 2021.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 17 Roads and traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

2.122 Traffic-generating development

This section applies to new premises of the relevant size or capacity and enlargement of existing premises if the enlargement of the relevant size and capacity (Schedule 3).

Council referred the application to TfNSW on 4 October 2024. TfNSW have advised that the development is not traffic generating development as Waterloo Road is a non-classified regional road under the care and control of Council and the scale of the development therefore does not trigger referral to TfNSW as traffic generating development under Section 2.122 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Canterbury Bankstown Local Environmental Plan 2023

The relevant local environmental plan applying to the site is the Canterbury Bankstown Local Environmental Plan 2023 ('the LEP').

Aims

The aims of the LEP include:

- *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- *to manage growth in a way that contributes to the sustainability of Canterbury-Bankstown,*
- *to protect landforms and enhance vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Canterbury-Bankstown,*
- *to provide a range of recreational and community service opportunities and open spaces to meet the needs of residents of and visitors to Canterbury-Bankstown,*
- *to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,*
- *to consider the cumulative impact of development on the health of the natural environment and waterways and on the capacity of infrastructure and the road network,*
- *to support healthy living and enhance the quality of life and the social well-being and amenity of the community,*
- *to ensure development is accompanied by appropriate infrastructure,*
- *to promote ecologically sustainable development.*

The proposal is consistent with the aims of the LEP as it will deliver a revitalised, well designed community centre to meet the social needs of residents of and visitors to Canterbury Bankstown.

Zoning and Permissibility

The site is zoned RE1 Public Recreation pursuant to clause 2.2 of the LEP.

A community facility is a permissible form of development within the zone.

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of *community facility* which is a permissible use with consent in the Land Use Table in Clause 2.3.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

- To protect and enhance the natural environment for recreational purposes.
- To promote a high standard of urban design and local amenity.

The proposal is considered to be consistent with these objectives through the provision of a community facility to meet the needs of the community within the established Roberts Park precinct. The design of the development promotes a high standard of urban design and local amenity.

General Controls and Development Standards

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 3** below.

Table 3: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Height of buildings (Cl 4.3(2))	No standard	9.025 metres	N/A
Cl. 5.10 Heritage conservation	Assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	The site is not heritage listed and is not within a heritage conservation area. Immediately adjoining the site to the north is the locally listed 'Greenacre Public School' at 105 Waterloo Road, Greenacre (1146). Council's Heritage Advisor has reviewed the proposal and advised that the proposal is supported from a heritage point of view.	Y
Cl. 6.2 Earthworks	Ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses.	The application is accompanied by a cut and fill plan which details the extent of the proposed earthworks. Conditions of consent have been imposed to manage cut and fill and ensure drainage patterns and soil stability are not adversely impacted.	Y
Cl. 6.3 Stormwater management and water sensitive urban design	Avoid or minimise the adverse impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland, waterways and ground water systems.	Council's Development Engineer has reviewed the submitted Stormwater Report and Plans and confirmed that, in principle, the proposed stormwater layout and configuration is satisfactory, subject to conditions.	Y
Cl. 6.9 – Essential services	Services that are essential for the development are to be available or that adequate arrangements have been made to make them available when required.	The site is readily serviced by reticulated water and sewer and electricity. Conditions of consent has been imposed to manage stormwater drainage, waste management and vehicular access.	Y

Control	Requirement	Proposal	Comply

The proposal is considered to be generally inconsistent with the LEP.

(c) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no applicable proposed instruments.

(d) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- Canterbury Bankstown Development Control Plan 2023 ('the DCP')

Table 4: Consideration of the DCP Controls

Control	Requirement	Proposal	Comply
Chapter 2.3 2.10 Approval granted by Council	A permit granted by Council or development consent may be subject to the requirement to plant suitable replacement trees on the site, offset tree planting, or any other conditions deemed suitable by Council. The replacement planting is to be completed within 28 days of the tree removal works, or as otherwise specified by Council.	The accompanying Arboricultural Impact Assessment has identified the protection and retention of 46 trees and the removal of 19 trees. The Landscape Plan incorporates replacement tree planting to compensate for the proposed tree removal. The development is supported by Council's Tree Management Officer, subject to conditions, which have been incorporated into the consent.	Y
Chapter 3.1 2.3 Internal driveway requirements	The on-site driveway layout must be designed so that a car may be able to access and exit all required car spaces in one motion. In addition, a required car parking space must be located so as to be outside and clear of any vehicular manoeuvring area or right of carriage way. Austroads standard turning path templates are to be used to determine acceptability.	Cars are able to access and exit all proposed car parking spaces in one motion and all spaces are clear of the vehicle manoeuvring areas.	Y
Chapter 3.1 24 Sight distance requirements	Adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the	Council's Traffic Engineering Officer reviewed the proposal and raises no issue with sight distances.	Y

Control	Requirement	Proposal	Comply
	driveway and pedestrians on the footway and vehicles on the roadway. Refer to the Australian Standard AS 2890.1 for minimum sight distance requirements.		
Chapter 3.1 3.2 Disposal of stormwater runoff	Site stormwater drainage systems should be designed to flow under gravity, and be connected to Council's stormwater drainage system at the nearest suitable location or CDL benefiting the site. Site drainage design should follow the natural fall of the catchment to a pipeline connection point that has been designed for the runoff. Catchment redirections may be permitted subject to compliance with requirements outlined below.	The application is accompanied by a Stormwater Design Report and Civil Plans which demonstrate that the development will drain via gravity to the existing infrastructure (junction pit) within the open space to the south.	Y
Chapter 3.1 4.2 OSD	Multi-dwelling development and non-residential development will require OSD regardless of the impervious area before and after the development, and regardless of whether the site falls toward or to the street.	The accompanying Civil Plan relevantly provide that, prior to the proposal, the site has an impervious area of 3,820m ² with the post conditions providing for a reduced impervious area of 3,680m ² . On this basis, no OSD is required.	Y
Chapter 3.2 2.1 Off-street parking rates	Development must use the Off-Street Parking Schedule to calculate the amount of car, bicycle and service vehicle parking spaces that are required on the site. Centre-based child care facilities 1 car space per 4 children Development not included in the Off-Street Parking Schedule must submit a	The application is accompanied by a Traffic and Parking Assessment Report which acknowledges that 12 car parking spaces are required to service the existing early learning centre, which accommodates 47 children. The early learning centre spaces will only be occupied by the early learning centre on weekdays, within business hours. Having regard to the community centre use, the proposed 51 car parking	Y

Control	Requirement	Proposal	Comply
	parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.	spaces are considered adequate to service the development, acknowledging that the current car park provides 48 spaces for the existing community centre use on weekends.	
Chapter 3.2 3.2 Parking location	Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.	A total of 4 accessible car parking spaces are proposed within close proximity of the building entry.	Y
Chapter 3.2 3.3 Parking location	Where above ground parking is the only solution possible, locate to the rear of buildings.	<p>It is acknowledged that there are car parking spaces forward of the front building line, however the proposed spaces are generally consistent with the existing car parking arrangement, towards the northern boundary of the site. As a result of the deletion of the separate entry and exit driveways and the provision of a single entry and exit driveway, the location of car parking on the site has been rationalised.</p> <p>The location and design of the carpark achieves consistency with the following objectives of the control:</p> <p><i>O1 To ensure the location and layout of parking areas function efficiently and safely.</i></p> <p><i>O3 To achieve a balance between parking requirements, visual aesthetics and pedestrian safety.</i></p> <p>The car parking spaces are located in proximity to the building entrance and the development includes a pedestrian crossing to guide pedestrian movement through the carpark. The proposed landscaping design seeks to retain as many of the trees as possible along the front and northern side boundary and incorporates additional</p>	N, variation supported

Control	Requirement	Proposal	Comply
		planting to reduce the visual impact of the car parking area.	
Chapter 3.2 3.9 Access driveway width and design	The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.	Council's Traffic Engineering Officer reviewed the proposal and raised concerns in relation to the width of the layback and driveway. A condition of consent has been imposed requiring amended plans to be provided prior to the issue of a Construction Certificate that widen the vehicle layback to 9m to facilitate access for a waste collection vehicle.	Y
Chapter 3.2 3.15 Loading and unloading facilities	<p>The design of loading docks must:</p> <p>(a) be separate from parking circulation or exit lanes to ensure safe pedestrian movement and uninterrupted flow of other vehicles in the circulation roadways;</p> <p>(b) allow vehicles to enter and leave the site in a safe manner; and</p> <p>(c) have minimum dimensions of 4m by 7m per space.</p> <p>Service vehicles are to enter and leave the site in a forward direction.</p>	<p>The loading bay for the community centre bin storage room is located adjacent to the bin room entrance, within the driveway access aisle.</p> <p>This arrangement has been reviewed by Council's Traffic Engineering Officer who raises no objection to the location of the loading bay, provided deliveries and service vehicles will be scheduled outside peak hours to reduce interference with other carpark users. A condition of consent has been imposed requiring all deliveries and service vehicle access to the loading bay to occur outside peak hours.</p> <p>Service vehicles are able to enter and exit the site in a forward direction.</p>	N, variation supported
Chapter 3.2 3.43 At-grade parking	Avoid car parking areas and access driveways characterised by large expanse of bare concrete.	The hardstand driveway and car parking spaces have been offset by the proposed landscaping design to ensure that visual impacts are mitigated.	Y
Chapter 3.2 3.44 At-grade parking	Use a combination of different surface materials to delineate pedestrian thoroughfares, vehicular access and parking areas.	A designated pedestrian path from the northern car parking spaces to the building is proposed.	Y
Chapter 3.2 3.45 At-grade parking	Use perforated paving materials (for example, paving units with wide bands of gravel aggregates) that allow infiltration of stormwater.	The stormwater report and plans demonstrate that the proposed stormwater layout and configuration is satisfactory.	Y

Control	Requirement	Proposal	Comply
Chapter 3.2 3.46 At-grade parking	Trees are to be planted at the ratio of one tree per five car park places allocated. Species are to be selected for their ability to thrive where compaction and deoxygenation are characteristic of the soils.	The carpark proposes a total of 51 car parking spaces, the majority of which run parallel to the northern side boundary, with the remainder located behind the primary building line. As a result of the retained and proposed landscaping along the front and northern side boundaries, coupled with the alignment of the spaces, their visibility from the street is largely obscured. The siting and design of the carparking spaces presents a functional layout that maximises the number of spaces provided, whilst not compromising the visual presentation to the street and adjoining property to the north, consistent with objective O3; to achieve a balance between parking requirements, visual aesthetics and pedestrian safety.	N, variation supported
Chapter 3.2 3.47 At-grade parking	For proposed car parks of capacity 40 cars or more, raised landscape island beds of minimum dimensions 2m by 4m shall be provided to break up row of cars, spaced at every ten car places for placement of a canopy tree.	The carpark proposes a total of 51 car parking spaces, the majority of which run parallel to the northern side boundary, with the remainder located behind the primary building line. As a result of the retained and proposed landscaping along the front and northern side boundaries, coupled with the alignment of the spaces, their visibility from the street is largely obscured. The siting and design of the carparking spaces presents a functional layout that maximises the number of spaces provided, whilst not compromising the visual presentation to the street and adjoining property to the north, consistent with objective O3; to achieve a balance between parking requirements, visual aesthetics and pedestrian safety.	N, variation supported
Chapter 3.3 6.1 Boarding houses*, centre-based child care centres,	Development must provide bin storage and separation facilities.	Separate waste storage has been provided for the community centre building and the existing early learning centre.	Y

Control	Requirement	Proposal	Comply
educational establishments and places of public worship			
Chapter 3.3 6.2 Boarding houses*, centre-based child care centres, educational establishments and places of public worship	Development must provide an appropriate and efficient waste storage system that considers: (a) the volume of waste generated on-site; (b) the number of bins required for the development and bin size; (c) and waste and recycling collection frequencies.	Council's Resource Recovery Officer reviewed the proposal and provided conditions of consent.	Y
Chapter 3.3 6.3 Boarding houses*, centre-based child care centres, educational establishments and places of public worship 6.4 Boarding houses*, centre-based child care centres, educational establishments and places of public worship	Bin storage areas are to integrate with the overall design and functionality of development and are to locate within the building envelope to enable these areas to be screened from view from the public domain. The location of the bin storage area must not adversely impact on the streetscape, building presentation or amenity of any adjoining dwellings.	The bin storage room for the community centre building has been incorporated into the building footprint, with the access door along the northern side elevation not visible from the street. The bin store for the early learning centre is located at the rear of the site within the north-eastern corner and is also not visible from the street. The proposed landscaping along the northern boundary interface with the existing school assists in screening the bin store from the school.	Y
Chapter 3.3 6.5 Boarding houses*, centre-based child care centres, educational establishments and places of public worship	An on-site collection point is to be nominated for development. The location of the collection point must allow collection vehicles to enter and exit the site in a forward direction and allow all vehicle movements to comply with the Australian Standard AS 2890.2. The location of the collection point must ensure waste servicing does not impact on any access points, internal roads and car parking areas.	A loading bay is proposed adjacent to the community centre building bin room and a separate loading bay is proposed adjacent to the early learning centre bin store. Waste collection vehicles will be able to enter and exit the site in a forward direction.	Y
Chapter 3.7 2.1	New landscaping is to complement the existing	The landscape design for the development will increase	Y

Control	Requirement	Proposal	Comply
Existing vegetation and natural features	street landscaping and improve the quality of the streetscape.	activation, foster a diverse outdoor learning environment, provide comfort and shade, increase biodiversity and playfully manage water in the landscape. The landscape design also plays an important role in stitching the site together, connecting the western park frontage through to the early learning centre.	
Chapter 3.7 2.6 Trees	Development must consider the retention of existing trees, including street trees, in the building design.	Where possible, existing trees have been incorporated into the proposed landscape design. Replacement planting has been proposed to compensate for those trees that are unable to be retained.	Y
Chapter 4.4 1.1 Development in the vicinity of places of heritage significance	The design of development must: (a) respond to the setting, setbacks, form, scale and style of nearby places of heritage significance; (b) maintain significant views to and from the place of heritage significance; (c) ensure adequate setbacks from the site of the place of heritage significance to retain its visual setting; (d) retain original or significant landscape features that are associated with the place of heritage significance or that contribute to its setting; (e) use materials, finishes and colours selected to avoid strong contrast with the place of heritage significance in order to retain its visual importance or significance.	The site is not heritage listed and is not within a heritage conservation area. Immediately adjoining the site to the north is the locally listed 'Greenacre Public School' at 105 Waterloo Road, Greenacre (I146). Council's Heritage Advisor has reviewed the proposal and advised that the proposal is supported from a heritage point of view and no objection is raised to the proposal.	Y

Chapter 3.2. Clause 3.3: This clause requires above ground parking to be located to the rear of buildings. It is acknowledged that there are car parking spaces forward of the front building line, however the location of these spaces is generally consistent with the existing car parking arrangement, towards the northern boundary of the site. As a result of the deletion of the separate entry and exit driveways and the provision of a single entry and exit driveway, the

carparking is now all centrally located off the single access driveway, with increased landscaping proposed across the site.

The location and design of the carpark achieves consistency with the following objectives of the control:

O1 To ensure the location and layout of parking areas function efficiently and safely.

O3 To achieve a balance between parking requirements, visual aesthetics and pedestrian safety.

The car parking spaces are in proximity to the building entrance and the development includes a pedestrian crossing to guide pedestrian movement through the carpark. The proposed landscaping design seeks to retain as many of the trees as possible along the front and northern side boundary and incorporates additional planting to reduce the visual impact of the car parking area.

Chapter 3.2. Clause 3.15: This clause requires loading docks to be separate from parking circulation or exit lanes. The loading bay for the community centre bin storage room is located adjacent to the bin room entrance, within the driveway access aisle.

This arrangement has been reviewed by Council's Traffic Engineering Officer who raises no objection to the location of the loading bay, provided deliveries and service vehicles will be scheduled outside peak hours to reduce interference with other carpark users. A condition of consent has been imposed requiring all deliveries and service vehicle access to the loading bay to occur outside peak hours.

Chapter 3.2. Clause 3.46: This clause requires trees to be planted at the ratio of one tree per five car park places allocated and for proposed car parks with 40 or more car spaces, to provide raised landscape island beds of minimum dimensions 2m by 4m. The carpark proposes a total of 51 car parking spaces, the majority of which run parallel to the northern side boundary (spaces 1 – 38), with the remainder located on the southern side of the driveway (spaces 39 – 51). As a result of the retained and proposed landscaping along the front and northern side boundaries, coupled with the alignment of the spaces, their visibility from the street is largely obscured. The siting and design of the carparking spaces presents a functional layout that maximises the number of spaces provided, whilst not compromising the visual presentation to the street and adjoining property to the north, consistent with objective O3; to achieve a balance between parking requirements, visual aesthetics and pedestrian safety.

The above variations are considered acceptable on merit and worthy of support.

Development Contributions

The development is not subject to a development contribution under the Canterbury Bankstown Local Infrastructure Contributions Plan 2022.

(e) Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

(f) Section 4.15(1)(a)(iv) - Provisions of Regulations

The proposal is consistent with the relevant provisions of the Regulations.

3.2 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

- Context and setting – The proposal is considered to be consistent with the context of the site, acknowledging that the proposed building is replacing the existing Greenacre Community Centre. The proposed building is appropriate in terms of bulk and scale and its relationship with adjoining and surrounding development, including the locally heritage listed Greenacre Public School to the north.
- Access and traffic – The proposed development has been assessed by Council's Traffic Engineer who has confirmed that the development suitable for the locality and that it would not bring about adverse impacts on traffic in the area, subject to conditions of consent.
- Utilities – The site and existing community centre is readily serviced by reticulated water and sewer and electricity. The resultant development would not generate any adverse impacts on the utility infrastructure within the area.
- Contamination – as is demonstrated in the submitted DSI, which has been reviewed by Council's Environmental Health Officer, the land is suitable for the proposed development.
- Natural hazards – the application is satisfactory in terms of information to allow the consent authority to determine that the development would not provide for unacceptable levels of hazards to both personal safety and life as well as economic impacts.
- Economic impact – the proposal would provide for an increase in economic activity by delivering an upgraded, modern, well-designed community facility with good access to public transport for the benefit of the local community.
- Site design and internal design – the proposal is appropriately sited and designed on the site.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.3 Section 4.15(1)(c) - Suitability of the site

The proposal is suitable for the site. The proposed building and associated carpark will essentially replace the existing Greenacre Community Centre. The proposed community centre is located within Roberts Park, which is identified in Council's 'Generic Plan of Management for Community Land and Crown Land for Community Land and Crown Land' (PoM) as comprising a mix of sportsground, park and general community uses. The site of the proposed works is within the area designated for 'general community use.' The site is considered suitable for the proposed development, which will deliver an enhanced community facility for the benefit of the local community.

3.4 Section 4.15(1)(d) - Public Submissions

The proposal was notified in accordance with the Council's Community Participation Plan from 21 August 2024 to 17 September 2024. A total of two (2) submissions were received during the notification period. A summary of the issues raised is provided as follows:

Issue	Response
<i>Traffic congestion and parking are an issue due to the schools and shops in proximity</i>	The car parking arrangement has been reviewed by Council's Traffic Engineering Officer who has advised that the proposed car parking arrangement is suitable for the development.
<i>The shops are open from early to late and draw in too many teens who litter the Waterloo Road strip</i>	This matter relates to the operation of the shops along Waterloo Road, which do not form part of this application. This is not a matter for consideration under this application.
<i>Traffic during school drop off and pick up</i>	This matter relates to the operation of the adjoining school, which does not form part of this application. This is not a matter for consideration under this application.
<i>There is already limited parking around the park and this will increase traffic and driveways are already being blocked</i>	The car parking arrangement has been reviewed by Council's Traffic Engineering Officer who has advised that the proposed car parking arrangement is suitable for the development.

3.5 Section 4.15(1)(e) - Public interest

Approval of the development will be within the public interest as demonstrated within this report.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
N/A	None	None	N/A
Referral/Consultation Agencies			
N/A	None	None	N/A
Integrated Development (S 4.46 of the EP&A Act)			
N/A	None	None	N/A

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Engineering Officer reviewed the submitted stormwater concept plan and has provided conditions of consent.	Y
Traffic	Council's Traffic Engineering Officer reviewed the proposal and raised concerns in relation to the width of the layback and driveway. A condition of consent has been imposed requiring amended plans to be provided prior to the issue of a Construction Certificate that widen the vehicle layback to 9m to facilitate access for a waste collection vehicle.	Y
Building	Council's Building Surveyor reviewed the proposal and provided conditions of consent.	Y
Health	Council's Environmental Health Officer reviewed the proposal including the DSI and has provided conditions of consent for the proposal.	Y
Waste	Council's Resource Recovery Officer reviewed the proposal and provided conditions of consent.	Y
Tree	Council's Tree Management Officer reviewed the proposal, including the Arboricultural Impact Assessment and requested additional information in relation to tree protection measures for those trees in proximity to the stormwater works. These matters have been addressed by correspondence provided by the project arborist and Council's Tree Management Officer has subsequently provided conditions of consent.	Y
Landscape	Council's Landscape Architect reviewed the proposal and requested amendments to materiality of the paths and additional information in relation to furniture. These matters have been satisfactorily addressed through amended plans.	Y
Heritage	Council's Heritage Advisor has reviewed the proposal and advised that the proposal is supported from a heritage point of view and no objection is raised to the proposal.	Y

The outstanding issues raised by Council officers are considered in the Key Issues section of this report.

4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 21 August 2024 to 17 September 2024. The notification included the following:

- An advertisement in the local newspaper [Torch];
- A sign placed on the site;

- Notification on a website;
- Notification letters sent to adjoining and adjacent properties;
- Notification on the Council's website.

The Council received a total of two (2) submissions.

5. CONCLUSION

This development application has been considered in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls and the key issues identified in this report, it is considered that the application is worthy of support.

The application proposes an acceptable built form outcome and land use and is generally consistent with what is expected to be provided within an RE1 Public Recreation zone, acknowledging that the proposed Roberts Park Community Hub will replace the existing Community Centre building and continue to deliver a community asset that is consistent with Council's 'Generic Plan of Management for Community Land and Crown Land for Community Land and Crown Land.'

Based on the assessment contained within this report, it is recommended that the application be approved subject to recommended conditions of consent.

6. RECOMMENDATION

That Development Application No. DA-783/2024 be APPROVED pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided;

- Attachment A: Draft Conditions of Consent.
- Attachment B: Architectural Plans
- Attachment C: Landscape Plans