

**SECTION 4.15 ASSESSMENT REPORT**
Environmental Planning & Assessment Act 1979

DA No:	DA/14/2022
Subject Property:	Lot 34 DP 251044 32 Moseley Street, Carlingford NSW 2118
Proposal:	Demolition of an existing single storey administration building and construction of a new two (2) storey Ministry Centre with associated signage to be used concurrently with the existing church and associated landscaping works.
Date of receipt:	11 January 2022
Applicant:	St Paul's Anglican Carlingford and North Rocks
Owner:	Anglican Church Property Trust (Carlingford)
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Seventeen (17) unique
Recommendation:	Approval
Assessment Officer:	Alicia Hunter

Legislative Requirements

Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979	<ul style="list-style-type: none">• State Environmental Planning Policy (Biodiversity and Conservation) 2021• State Environmental Planning Policy (Resilience and Hazards) 2021• State Environmental Planning Policy (Transport and Infrastructure) 2021• State Environmental Planning Policy (Industry and Employment) 2021• Parramatta (former The Hills) Local Environmental Plan 2012 (PLEP 2012)• The Hills Development Control Plan 2021 (HDCP 2012)• Draft Parramatta Local Environmental Plan 2020 (DLEP 2020).
Zoning	R2 Low Density Residential
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Designated Development	No
Integrated Development	No
Clause 4.6 variation	No
Delegation	Parramatta Local Planning Panel (PLPP) due to number of objections received.

1. Executive Summary

Development Application DA/14/2022 was lodged on 11 January 2022 for the demolition of an existing single storey administration building and construction and use of a two (2) storey Ministry Centre with associated signage and landscaping works.

This Development Application is made pursuant to the Parramatta (former The Hills) LEP 2012 (PLEP 2012). Development for *Place of Public Worship* as proposed is permitted with consent in this zoning.

Note: The proposed Ministry Centre will support the operations and functions of the existing St Paul's Anglican Church, which is defined as a *Place of Public Worship*. This is discussed in detail in Section 8 of this report.

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 20 January 2022 to 11 February 2022. Nineteen (19) submissions were received objecting to the proposal, with seventeen (17) of those being unique. Key concerns raised in the submissions are as follows:

Key concerns raised in the submissions are as follows:

- The proposal is not consistent with the character of the Low Density Zone and the surrounding area
- The site is not suitable for the proposed development as the proposal resembles a commercial development
- Unacceptable bulk and scale impacts, including the proposed building height
- Unacceptable streetscape impacts
- Unacceptable increase in traffic movements and congestion
- Concern regarding the adequacy of the submitted Traffic Impact Assessment
- Concern regarding air pollution as a result of increase in traffic movements
- Lack of on-site car parking
- Lack of access to public transport (suggested drop off point on site)
- Concern regarding the proposed hours of operation
- Concern regarding the proposed increase in attendees
- Concern regarding safety of residents on Trigg Avenue
- Concern regarding signage and lighting facing Trigg Avenue
- Amenity concerns for neighbouring properties (Solar Access)
- Amenity concerns for neighbouring properties (Overlooking)
- Amenity concerns for neighbouring properties (Noise)
- Non-compliance with an existing covenant relating to building materials
- Concern regarding outdoor spaces, and access to shaded areas
- Concern relating to the expansion of the Church and
- Concern relating to the effect the proposal may have on the elderly.

In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Parramatta Local Planning Panel for determination as it is a contentious development, having received greater than ten (10) unique submissions by way of objection.

Section 4.15 Assessment Summary

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. Consideration of technical matters by Council's engineering and landscaping departments has not identified any fundamental issues of concern, with any matters of concern recommended to be addressed via conditions of consent.

This report concludes that in its context, this development proposal is able to be supported in terms of the development's broader strategic context, function and overall public benefits.

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, it is recommended Development Application No. DA/14/2022 be approved. The recommended conditions of consent are within **Attachment 1**.

2. Site Description and Conditions

The subject site is legally described as Lot 34 DP 251044 and commonly known as 32 Moseley Street, Carlingford and has an approximate area of 6,321m². The site falls approximately 6m from the north eastern corner of the site to the south western corner of the site.

The site is currently occupied by St Pauls Anglican Church including two (2) church halls, an associated administration building and car park. Vehicular access provided off Moseley Street to an at-grade car park.

The site is a corner allotment and has a primary street frontage of approximately 77.38m to Moseley Street, 68.24m to Vickery Avenue and 77.38m to Trigg Avenue.

The site is located within a residential area comprising of low to high density residential development. The site sits directly opposite the Harold West Reserve. Further to the east of the site is the Sydney Australia Temple and Carlingford Court shopping centre.

To clarify the location of the application site and specifically that of the subject site, refer to the aerial image and photographs in **Figures 1 – 9** below.



Figure 1: Aerial view of the subject site and surrounds. Subject site outlined in red. Source: Nearmap: July 2022.



Figure 2: Subject site as viewed from the corner of Moseley Street and Vickery Avenue. Source: Site Inspection.



Figure 3: The existing Administration Building as viewed from the car park Source: Site Inspection.



Figure 4: The existing Administration Building as viewed from Trigg Avenue. Source: Google Maps.



Figure 5: Existing Church building as viewed from the car park. Source: Site Inspection.



Figure 6: Existing Church Building showing rear addition (completed in 2018). Source: Site Inspection.



Figure 7: Existing Church building as viewed from Trigg Avenue. Source Google Maps.



Figure 8: 35-39 Donald Street, Carlingford (Directly adjacent to the site). Source: Site Inspection.



Figure 9: 7 Trigg Avenue, Carlingford. Source: Google Maps.

3. Relevant Site History

Table 1 below provides details of existing approvals relating to the site.

Development Application	Description
Development Application DA/338/2016	<p>Development Application DA/338/2016 for alterations and additions to the existing place of public worship was granted 14 June 2016.</p> <p>This Development Application granted consent for alterations and additions to the existing Church. The application involved additions to the Church building as well as the demolition of the existing administration building and construction of a new administration building. The construction of the modified Church was completed in 2018.</p> <p>Demolition of the existing and construction of the new administration building was not started. The new administration building had a footprint area of 401m² and was located similarly to that of the proposed Ministry Centre. See Figure 10.</p> <p>The approved Administration Building comprised ten (10) offices, three (3) meeting rooms, one (1) multi-purpose room and one (1) activities courtyard.</p> <p>Note: In comparison, the proposed Ministry Centre will provide 13 offices, seven (7) seminar rooms, three (3) multi-purpose rooms and two (2) meeting rooms. The use of the seminar rooms and multi-purpose rooms will be predominantly for religious worship and will be used for Sunday School 'classes', Friday night Youth Group and other activities throughout the week on a less intensive basis.</p>

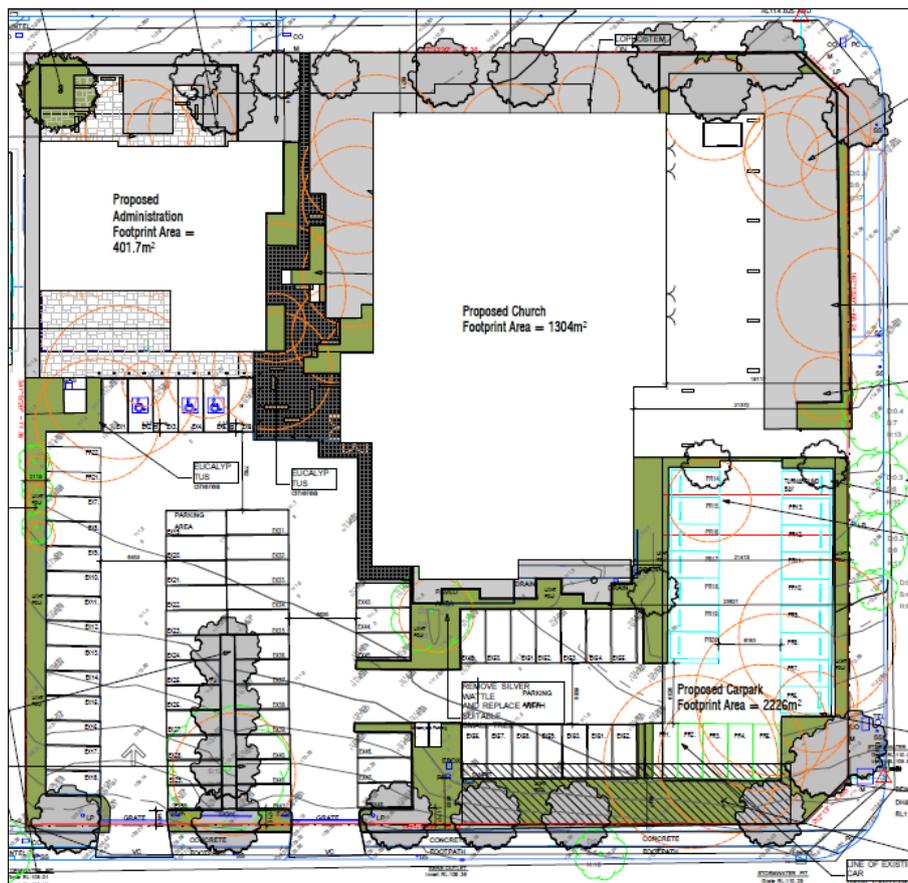


Figure 10: Approved Site Plan DA/3338/2016

Development Application DA/338/2016/A	Modification Application DA/338/2016/A to a number of conditions issued in error was granted 10 August 2016.
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Development Application DA/338/2016/B	Modification Application DA/338/2016/B to Condition No. 49 relating to the hours of operation, and Condition No. 53 relating to the use of the Church hall was granted 2 June 2018.
Development Application DA/338/2016/C	Modification Application DA/338/2016/C to Condition No. 47. This Application was withdrawn.
Development Application DA/338/2016/D	Modification Application DA/338/2016/D to Condition No. 49 relating to the hours of operation, was granted 11 December 2020.
Pre- Lodgement Application PL/4/2021	<p>A pre-lodgement meeting was held with the applicant on 10 February 2021. The Applicant was seeking to modify DA/338/2016 to allow for the alterations and additions to the existing administration building. Council Assessment Officers identified a number of non-compliances with relevant Development Standards and other relevant controls. Concern was also raised with permissibility of the proposal.</p> <p>It was noted to the applicant that the proposal was not categorised as being substantially the same, and a new Development Application was required.</p>
Pre- Lodgement Application PL/66/2021	<p>A pre-lodgement meeting was held with the applicant on 14 July 2021. Council Assessment Officers identified a number of non-compliances with relevant Development Standards and other relevant controls. Concern was also raised with permissibility of the proposal.</p> <p>It was recommended the applicant address concerns raised as well as achieving compliance with relevant standards and controls.</p>

4. The Proposal

Development Application DA/14/2022 was lodged on 11 January 2022 for the demolition of an existing single storey administration building and construction and use of a two (2) storey Ministry Centre with associated signage and landscaping works. Specifically, the application seeks approval for:

- Enabling works which comprise:
 - Demolition of the existing single storey administration building
 - Minor earthworks to create a level building platform
 - Reconfiguration of the existing at grade car park including the provision of a pickup/drop off area
Note: No car parking spaces are proposed to be removed.
- Construction of a two (2) storey Ministry Centre comprising:

Ground Level

- Foyer
- 13 enclosed office suites
- Open plan office area
- Three (3) seminar rooms
- Meeting room
- Staff kitchenette
- Bathroom facilities
- Utilities room
- Stair and lift access to the upper floor
- Open landscaped area and courtyard area including a footpath connecting to the existing bin storage and Church storage area.

First Floor

- Four (4) seminar rooms
- Three (3) multipurpose rooms
- Breakout space
- Kitchenette
- Bathroom facilities

- Store room
- Stair and lift access to the lower floor

Access to the existing Church building is proposed via an internal walkway on the ground and first floor.

- Landscape works are proposed throughout the site which include the planting of mature trees, shrubs and ground covers
- Installation of signage which comprise:
 - The proposal also includes the installation of one (1) new business identification on the southern elevation of the proposed ministry centre. The proposed business identification sign will be 7.8m wide and 0.65m in height. The sign is proposed to be of anodised aluminium construction. The proposed sign will not be illuminated.

This application is also seeking consent for the use of the Ministry Centre. The Ministry Centre is proposed to be used in association with the existing Church and will offer a range operations and activities associated with the functions of the Church. The hours of operation are proposed to remain consistent with the operating hours of the associated Church, which are:

- 7:30am to 10:00pm Monday through to Sunday and
- 7:30am to 1:00am (Sunday before Christmas day and Christmas Eve only)

It is noted that the proposal does not seek to increase the currently approved maximum total seating capacity of 455 seats. However, the proposal does seek to increase the approved maximum capacity of persons on site to 550 for the purpose of Sunday morning service only, which is from 9:15am to 10:30am. It is noted that this increase in persons is for the purpose of children to attend Sunday school and Youth group.

No change is proposed to the existing vehicle access which is achieved via Moseley Street. Additionally, no change is proposed to the existing pedestrian access which is achieved via Vickery Avenue.

Note: It is not proposed to remove the existing vehicular crossing located on Trigg Avenue, however, the existing driveway is proposed to be replaced with a landscape courtyard.

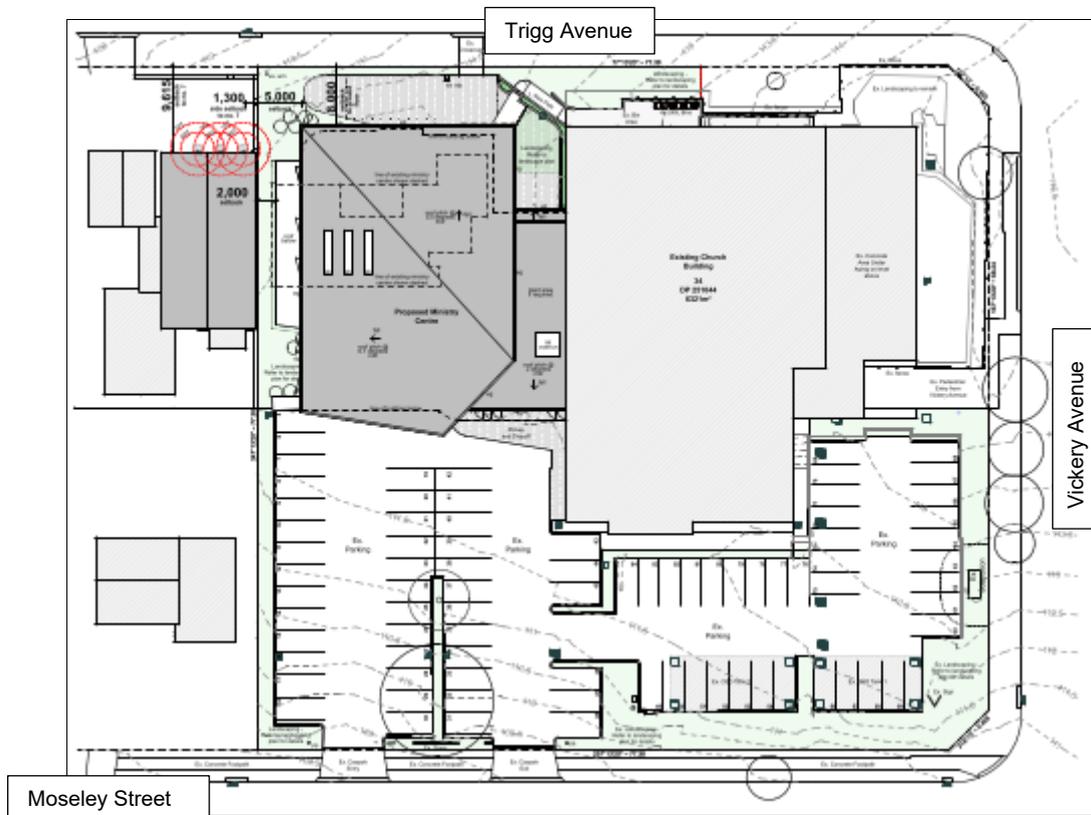


Figure 11: Site Plan. Source: Stanton Dahl Architects.



Figure 12: Photomontage. Stanton Dahl Architects.

5. Relevant Application History

Date	Comment
11 January 2022	Subject Development Application lodged to Council.
12 January 2022	In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 20 January 2022 to 11 February 2022. Nineteen (19) submissions were received objecting to the proposal, with seventeen (17) of those being unique.
22 March 2022	A Request for Information (RFI) was sent to the applicant. This RFI specifically related to matters raised by Council's Development Engineer, Traffic Engineer and Urban Designer. Matters relating to permissibility, character and amenity and compliance with Development Standards were also raised.
12 April 2022	A meeting was held with the Applicant to discuss the Request for Information.
10 May 2022	Additional information was provided.

6. Referrals

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

Referral	Comment
Urban Design (Built Form)	Supported, subject to conditions of consent.
Urban Design (Public Domain)	Supported, subject to conditions of consent.
Urban Design (Accessibility)	Supported, subject to conditions of consent.
Development Engineer	Supported, subject to conditions of consent.
Transport and Traffic Engineer	Supported, subject to conditions of consent.
Tree and Landscape	Supported, subject to conditions of consent.

7. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- Parramatta (former The Hills) Local Environmental Plan 2012 (PLEP 2012)
- The Hills Development Control Plan 2021 (HDCP 2012)
- Draft Parramatta Local Environmental Plan 2020 (DLEP 2020).

Compliance with these instruments is addressed below.

7.2 PREVIOUS STATE ENVIRONMENTAL PLANNING POLICIES

The subject application was lodged prior to the commencement of the Consolidated State Environmental Planning Policies on 1 March 2022. As the provisions within the previous SEPPs are generally the same, savings provisions do not apply to the new SEPPs. A comparison of the previous and consolidated SEPPs are demonstrated in the table below.

Old SEPP/SREP	New SEPP	New Location
(Vegetation in Non-Rural Areas) 2017	(Biodiversity and Conservation) 2021	• Chapter 2
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)	(Biodiversity and Conservation) 2021	• Chapter 10
No 55—Remediation of Land (Infrastructure) 2007	(Resilience and Hazards) 2021 (Transport and Infrastructure) 2021	• Chapter 4 • Chapter 2
Advertising and Signage	Industry and Employment	• Chapter 3

7.3 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 2 VEGETATION IN NON-RURAL AREAS

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the site. The aims of the plan are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of the non-rural areas of the State through the preservation of trees and other vegetation.

Council’s Consultant Landscape Architect/Arborist raised no objections to the proposal subject to appropriate conditions of consent.

It is considered that the proposal will not have an adverse impact of the ecological, heritage, aesthetic and cultural significance of the area. The proposed planting will ensure that the development will not result in an unacceptable loss of amenity values or finite natural resources. The development as a whole will positively contribute to ensuring a sustainable urban forest canopy in the City of Parramatta.

7.4 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 10 SYDNEY HARBOUR CATCHMENT

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal, and any matters of general relevance (erosion control, etc) are able to be managed by conditions of consent.

7.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4 REMEDIATION OF LAND

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have an obvious history of a previous non-residential land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.

Clause 4.6 of the SEPP requires that the consent authority must consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use. In considering this matter it is noted:

- The site is not identified in Council's records as being contaminated.

Therefore, in accordance with Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the land is suitable for the proposed development being a residential care facility.

Standard and special conditions relating asbestos, site audit statement, site investigation and contamination have been recommended.

7.6 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 2 INFRASTRUCTURE

The relevant matters to be considered under Chapter 2 of the SEPP for the proposed development are outlined below.

Transport for NSW

Clause 2.18: Development with a frontage to a Classified Road

The application is not subject to Clause 2.18 of the SEPP as the site does not have frontage to a classified road.

Clause 2.121 Traffic Generating Development

Clause 2.121 applies to the development of a new premises of a relevant size or capacity. For the purpose of defining traffic generating development, which is of a relevant size and capacity, the SEPP refers to Schedule 3. Schedule 3 does not specifically define a Place of Public Worship, however, for the purpose of this assessment, the proposal is defined as 'any other purpose'. For development, for 'any other purpose', this Clause applies to development which generates 200 or more motor vehicles per hour; as the property is more than 90m from a classified road.

A Traffic Impact Assessment (TIA), prepared by Fernway Engineering (dated December 2021) was submitted as part of this Development Application. The TIA concluded that the current proposal will not generate any additional traffic beyond those already generated by the approved use of the site and noted:

The current proposal will not generate any additional traffic beyond those generated by the already approved use of the site. The key objective of the proposed MSC component is to facilitate the delivery of classes for the children who will be accompanied by the adults who are already attending the church sessions on Sundays. In this regard, the MSC component will be an ancillary use to the existing church.

It is noted that the peak operational periods for the church occur on Sunday. Therefore, the peak traffic generating period for this use is outside the general network peak periods (i.e. weekday AM and PM peak periods).

Council's Traffic Engineer reviewed the proposal with regarding to traffic generation and noted:

The submitted traffic report states that the current proposal will not generate any additional traffic beyond those generated by the already approved use of the site. The proposed Ministry Support Centre (MSC) is used to facilitate the delivery of classes for children who will be accompanied by adults who are already attending the church sessions on Sundays. In this regard, the MSC component will be an ancillary use to the existing church.

The report further states that the peak operational periods for the church occur on Sunday. Therefore the peak traffic generating period for this use is outside the general network peak periods (i.e. weekday AM and PM peak periods).

Furthermore, the report states that all trips accessing the church will be realised at the intersection of Pennant Hills Road/Moseley Street and Jenkins Road/Moseley Street. Pennant Hills Road includes storage bays for vehicles turning right and left into Moseley Street. As such, vehicles accessing Moseley Street can do so without impacting through traffic on Pennant Hills Road. The intersection of Moseley Street and Jenkins Road is signalised and therefore, is expected to have sufficient capacity.

Based on this, the proposed development is not expected to have a significant impact on the surrounding road network. It is considered that the intensity and nature of the proposal is compatible with road capacity and function. Both vehicle and pedestrian safety will be maintained. The proposal provides for well-designed and safe vehicle and pedestrian access.

With regards to requirements of Clause 2.121 and, Schedule 3 of the SEPP, the development does not have a capacity for 200 or more motor vehicles per hour. Therefore, the SEPP does not apply in this respect.

7.7 STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The provisions of State Environmental Planning Policy (Industry and Employment) 2021 came into force in November 2021. As per Chapter 3, the provisions of this policy are considered to be relevant to this proposal.

The aims and objectives of this policy are:

- (a) to ensure that signage (including advertising):
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements.*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The application proposes the installation of one (1) new business identification sign on the subject site. The following is proposed:

- The proposal also includes the installation of one (1) new business identification on the southern elevation of the proposed ministry centre. The proposed business identification sign will be 7.8m wide and 0.65m in height. The sign is proposed to be of anodised aluminium construction. See Figure

No third-party advertising is proposed.



Figure 13: Proposed Signage. Source: Stanton Dahl Architects.

The proposed signage has been assessed against the provisions under Schedule 5 – Assessment Criteria of the SEPP and is considered to be satisfactory as shown below.

SCHEDULE 5 – ASSESSMENT CRITERIA	
1 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?	The proposed sign is compatible with the existing and desired future character of the area.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is of a size and scale which is consistent with the character that is typical of the proposed use of the site, which is permissible with consent.
2 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?	The proposed scheme does not detract from the amenity or visual quality of the surrounding area.
3 Views and vistas	
Does the proposal obscure or compromise important views?	No important views are obscured or compromised.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed business identification sign will not dominate the skyline, nor does it reduce the quality of the surrounding vista.
Does the proposal respect the viewing rights of other advertisers?	No viewing rights of other advertised is compromised.
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed business identification sign is of a scale and extent that maintains the character and amenity values of the area and is consistent with that anticipated. The character of the streetscape is maintained.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The design, location and size of the proposed signage will complement the surrounding streetscape setting. The signage is consistent in terms of colour scheme with that of the proposed Centre. The proposed sign is integrated into the existing and proposed landscape scheme.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage does not reduce visual clutter.

Does the proposal screen unsightliness?	The proposal does not screen unsightliness.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed business identification sign does not protrude above any structures or tree canopies in the area or locality.
Does the proposal require ongoing vegetation management?	The location will not require any ongoing vegetation maintenance.
5 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?	The proposed sign is compatible with the scale, proportion and other characteristics of the site and building.
Does the proposal respect important features of the site or building, or both?	The design and display of the proposed signage is complementary to the site and overall design of the building.
Does the proposal show innovation and imagination in its relationship to the site or building, or both	The proposal will ensure effective communication of business information and commercial individuality within the context of the wider commercial area.
6 Associated devices and logos with advertisements and advertising structures	
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?	The proposed sign will not be illuminated.
7 Illumination	
Would illumination result in unacceptable glare?	The proposal will not result in unacceptable glare.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed sign will not be illuminated.
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed sign will not be illuminated.
Can the intensity of illumination be adjusted, if necessary?	The proposed sign will not be illuminated.
Is the illumination subject to a curfew?	The proposed sign will not be illuminated.
8 Safety	
Would the proposal reduce the safety for any public road?	Each proposed sign is located wholly on the subject site. Road safety will not be reduced.
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposal will not affect pedestrian or cyclist safety.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed sign is located wholly on the subject site. Sightlines from public areas will not be obscured.

Having regard to the aims and objectives, and Schedule 5 of the SEPP, the proposal can be supported as it has satisfied Clause 3.6 of the SEPP as follows:

A consent authority must not grant development consent to an application to display signage unless the consent authority 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 5.*

Based on the above assessment the proposed signage is considered to be satisfactory, having regard to the aims and objectives as well as the Assessment Criteria of State Environmental Planning Policy (Industry and Employment) 2021.

8. Parramatta (former The Hills) Local Environmental Plan 2012

This Development Application is made pursuant to the Parramatta (former The Hills) LEP 2012 (PLEP 2012). The relevant matters considered under the PLEP 2012 for the proposed development are outlined below:

Clause 1.2 Aims of Plan

- (a) to guide the orderly and sustainable development of the City of Parramatta local government area, balancing its economic, environmental and social needs,
- (b) to provide strategic direction and urban and rural land use management for the benefit of the community,
- (c) to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs,
- (d) to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of the City of Parramatta local government area,
- (e) to preserve and protect the natural environment of the City of Parramatta local government area and to identify environmentally significant land for the benefit of future generations,
- (f) to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism.

The proposed development of a Ministry Centre will provide a range of services and facilities which will ensure the needs of existing and future residents of Parramatta are met.

The subject site is of sufficient size and location to provide required services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties and is ideally located close to services and facilities.

It is considered that the development satisfactorily meets the aims of the plan.

Clause 2.3 Zone objectives and Land Use Table

The site is zoned R2 Low Density Residential. The aims and objectives for the R2 Low Density Residential zone in Clause 2.3 – Zone Objectives are as follows:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a variety of housing types.

The application proposes the demolition of an existing single storey administration building and construction and use of a two (2) storey Ministry Centre with associated signage and landscaping works. The Ministry Centre will provide a range of services and functions which will meet the day to day needs of residents.

Permissibility

This Development Application is made pursuant to the Parramatta (former The Hills) Local Environmental Plan 2012 (PLEP 2012). The proposed Ministry Centre will support the operations and functions of the existing St Paul's Anglican Church, which is defined as a *Place of Public Worship*. Development for *Place of Public Worship* as proposed is permitted with consent in this zoning.

In the PLEP 2012 a Place of Public Worship is defined as:

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

In this regard the applicant has noted:

St Paul's is much more than a church that operates as a place of public worship only for Sunday Services. Like most contemporary churches, St Paul's provides a range of services that support the surrounding community and these services, together with the traditional worship services are integral to the operations of St Paul's. In this regard, therefore, St Paul's is a 7 day/week operation. As detailed in the Operational Management Plan submitted with the application, many of the services provided by St Paul's are attended by a diverse range of community members including:

- Youth groups.
- English as a second language classes.
- Play groups.

As set out in the letter prepared by St Paul's Anglican Church, Carlingford (St Paul's), a range of staff members are required to facilitate the operations of the Church. The staff of St Paul's consists of a Pastoral Team with nine (9) full-time staff all of whom are licensed by the Archbishop of Sydney and assist in facilitating the operations of the Church.

There are also nine (9) Ministry Support Team members who provide the essential administrative support for the Church operations. Additionally, St Paul's has five (5) ministry trainees who are undertaking religious training. These trainees also assist during religious worship services held at the Church. Several volunteers also assist in various roles at St Paul's, all of which are related to the operations of the Church and services provided by the Church.

The intent of the office suites is to provide the various staff and volunteers of the Church with their own spaces to conduct their various tasks involved with the management of St Paul's. As is the case with all Churches, the provision of adequate on-site administrative spaces is essential to support the various operations that are involved with the running of a Church.

The proposed Ministry Centre is integral to and will complement the functions and services provided by the existing Church Hall. The primary purpose and peak usage of the Ministry Centre is for providing additional and separated spaces for children to occupy during Sunday Church services and to accommodate the Friday night Youth Group.

The proposed Ministry Centre is considered to be a building which will support the existing St Paul's Church, being a place of public worship and will provide a space which can be utilised for counselling, social events, instruction and religious training.

Standards and Provisions	Compliance
Part 4 Principal development standards	
Cl. 4.3 Height of buildings Allowable: 9m Proposed: 9m	Complies
Cl. 4.4 Floor Space Ratio	N/A The site is not subject to FSR pursuant to the PLEP 2012.
Cl. 4.6 Exceptions to Development Standards	N/A
Part 5 Miscellaneous provisions	
Cl. 5.10 Heritage Conservation	The site is not identified as a heritage item and is not located within a heritage conservation area.
Cl. 5.21 Flood Planning	The site is not flood prone or subject to overland flow.
Part 6 Additional local provisions	
Cl. 6.2 Earthworks	<p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Associated earthworks to create a level building platform are proposed.</p> <p>The scale and location of the proposed earthworks will not adversely affect the visual quality and amenity values of the site given the earthworks are localised to the vicinity of the site and are largely required to create a foundation for building works, access and the proposed car park. The proposed earthworks will not change the line of the landscape.</p> <p>In addition, adequate sediment and erosion control measures are proposed as part of this development as are supporting conditions.</p>

	The proposed earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
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9. Draft Environmental Planning Instruments

The Draft Parramatta Local Environmental Plan 2020 was placed on public exhibition from 31 August 2020 to 12 October 2020. The draft LEP will replace the five existing LEPs that apply within the Local Government Area and will be the primary legal planning document for guiding development and land use decisions made by Council.

Whilst the draft LEP must be considered when assessing this application under Clause 4.15 (1) (a) (ii) of the Environmental Planning & Assessment Act 1979, the LEP is neither imminent nor certain and therefore limited weight has been placed on it.

At present, Places of Public Worship are permissible with development consent under the PLEP 2012 within the R2 Low Density Residential zone. However, under the draft LEP, places of public worship are proposed to be prohibited within the R2 Low Density Residential zone.

It is noted that if the draft LEP was in force, as the proposed Ministry Centre is considered to be ancillary to an existing place of public worship, existing use rights would apply in accordance with Part 5 of the Environmental Planning and Assessment Regulation 2000 (the EP&A Regulation).

10. The Hills Development Control Plan 2012

The relevant matters to be considered under The Hills Development Plan 2012 (DCP 2012) for the proposed development are outlined below.

The Hills DCP 2012 (HDCP 2012) does not contain specific controls relating to a place of public worship. A consideration of the relevant sections of the HDCP 2012, which includes the controls for general residential development is provided below.

Control	Proposal	Compliance
Part B, Section 2 - Residential		
2.5 Streetscape and Character	<p>The proposed Ministry Centre will replace an existing single storey administration building, with a building which is of a high architectural quality and is well-articulated at all levels, with a mix of façade treatments.</p> <p>The proposed Ministry Centre will sit comfortably within the streetscape and respect the existing and desired future character of the area.</p> <p>Further, it is considered that the building will continue to contribute positively to the visual amenity and character of the streetscape, without resulting in any unreasonable adverse amenity impacts.</p> <p>In addition, Council's Urban Designer reviewed the proposal and raised no objections.</p>	Yes
2.6 Bushfire Hazard Management	The site is not bushfire prone.	N/A
2.7 Geotechnical Site Stability	The development responds to the topography of the site. The building is stepped, and appropriate excavation and fill is proposed enabling an adequate building platform.	Yes
2.8 Bushland and Biodiversity	The site does not contain any mapped significant bushland. The proposal involves tree removal. Council's Landscape Officer has reviewed the proposal and raised no objection subject to the imposition of recommended conditions.	Yes
2.9 Erosion and Sediment Control	Adequate sediment and erosion control measures are proposed as part of this development as are supporting conditions.	Yes

2.10 Heritage	The site is not heritage listed and is not in the vicinity of a heritage listed item or a heritage conservation area.	N/A
2.12 Stormwater Management	Council's Senior Development Engineer reviewed the proposal with regard to stormwater and advised the concept stormwater design is considered to be satisfactory subject to the imposition of the recommended conditions.	Yes
2.14 Residential		
2.14.1 Building Setbacks Front Setback (Secondary Road Frontage): 4m Side Setback: 0.9m	8m Ground Floor: 2m First Floor: 5m	Yes
2.12.2 Site Coverage Maximum site coverage: 60% (3,792.60m ²)	A site coverage of approximately 4,880m ² is proposed noting, the existing site coverage is approximately 4,686m ² including the existing Church, administration building, car parking and courtyard areas. Whilst not complying with the numerical requirements of this control, the proposed development has been sensitively sited and designed to ensure appropriate amenity is afforded to surrounding properties and areas of public open space. The character, scale and intensity proposed development in terms of built form is considered to be appropriate due to the size of the site, the existing built environment.	Yes
2.14.3 Building Height Maximum building height as per LEP 2012: 9m	9m	Yes
2.14.5 Landscaping and Open Space Minimum landscaped area: N/A	Numerical landscaped area controls do not apply to the subject site, or the proposed development. However, the applicant has proposed a detailed landscape scheme which includes the planting of mature trees, shrubs and ground covers and will result in approximately 290m ² of landscaped area throughout the site. The planting around the street frontage will create a quality landscape setting which will assist to integrate the building within the streetscape and provide a high level of amenity.	Yes. Satisfactory on merit.
2.14.7 Cut and Fill Maximum Fill: 600mm Maximum Fill with Dropped Edge Beams: 1.5m Maximum Cut: 1m	Minimal earthworks (up to 0.8m cut throughout the site) are proposed to ensure a level building platform.	Yes
2.14.8 Building Materials The choice of materials and external finishes are to be compatible with surrounding developments and landscape features in terms of colours, textures and quality.	The proposal incorporates significant articulation and materials in the composition of the facades which serves to break up the visual scale and bulk of the development, visually reducing the apparent building mass and will provide a contemporary building, reinforce the desired future character of the area and enhance the amenity of the locality.	Yes
2.14.9 Privacy – Visual and Acoustic Privacy	With regard to visual and acoustic privacy, the proposed development has been designed to minimise the likelihood of any adverse overlooking or intrusion of aural privacy of adjoining properties. This has been achieved by providing sufficient setbacks, screening elements, and narrow windows.	Yes

	<p>An Acoustic Assessment prepared by Acouras Consultancy (dated 10 December 2021) was submitted as part of this Development Application. The report concludes:</p> <p><i>Providing the recommendations in this report are implemented, the noise from the proposed Ministry Centre is predicted to comply with acoustic requirements of the Parramatta City Council, EPA noise policies and Australian Standards.</i></p> <p>Appropriate conditions of consent have imposed requiring the recommendations of the Acoustic Assessment to be incorporated into the design of the development.</p>	
<p>2.14.10 Solar Access Dwellings should be sited to allow adequate provision for access of direct sunlight to private open space within the subject land and on adjacent properties. At least 50% of the required private open space within the subject property and that on adjoining properties is to receive direct sunlight for a minimum of 4 hours between 9am and 3pm on 21 June.</p>	<p>The applicant has demonstrated that the proposal will allow adequate provision for access of direct sunlight to the private open space of adjacent properties.</p> <p>At least 50% of the required private open space on adjoining properties receive a minimum of 4 hours of direct sunlight between 9am and 3pm on 21 June</p>	Yes
<p>2.14.12 Lighting</p>	<p>It is considered that through the measures outlined in the submitted Section J Report prepared by Certified Energy (dated 10 December 2021) that the proposed development embraces principles of quality urban design and is consistent with principles of best practice environmentally sensitive design in accordance with the objectives of this clause. A condition has been recommended in the consent requiring compliance with this report.</p> <p>Additional conditions of consent are recommended that any lighting must not cause a nuisance in accordance with AS 4282 (The Control of Obtrusive Effects of Outdoor Lighting).</p>	Yes
<p>2.14.14 Car Parking and Vehicular Access Place of Public Worship</p> <p>1 space per 5 seats.</p> <p>455 / 5 = 91.</p>	<p>As stated above Development Application DA/856/2016 granted consent for alterations and additions to the existing Church building and the demolition of the existing and construction of a new administration building. As part of this DA on-site car parking was increased from 64 to 84 car spaces.</p> <p>A shortfall of seven (7) car parking spaces was granted.</p> <p>The construction of the administration building was not started.</p> <p>The current proposal does not seek to increase the currently approved maximum total seating capacity of 455 seats. However, the proposal does seek to increase the approved maximum capacity of persons on site to 550 for the period of the Sunday morning service only, which is from 9:15am to 10:30am. The increase in persons will be primarily to attend Sunday School and Youth Group services.</p>	No. Acceptable on merit.

	<p>Given that a departure from this control was previously granted, thus creating a permitted baseline, it is considered that the existing extent of car parking provided is satisfactory. Further, noting that the previously consented Administration Building, was similar in size and location to the proposed Ministry Centre.</p> <p>It is noted that the addition of the persons, namely children attending the site on a Sunday morning is not a significant increase given it is for a short period of time only. It is likely that these children will be dropped off/picked up from the proposed drop off/pick off area at the front entrance of the Ministry Centre.</p> <p>The Applicant has submitted an updated Plan of Management (dated May 2021) which outlines the days of the week, and time of the activities which will be undertaken on site. A condition will be recommended in the consent requiring the Plan of Management to be adhered to at all times.</p> <p>Further, Council's Traffic Engineer has reviewed the proposal and raised no objections subject to recommended conditions of consent.</p> <p>Overall, it is considered that the proposal achieves sufficient on-site car parking for the extent of the proposed development.</p>	
<p>2.14.15 Access and Surveillance</p>	<p>The applicant has submitted an Access Report by Inclusive Places (dated 7 December 2021) which confirms that the development can comply with the accessibility requirements under Council's HDCP 2012, the Building Code of Australia (BCA) and DDA Access to Premises Standards (including DDA Access Code). The report concludes:</p> <p style="text-align: center;"><i>On the basis of our assessment, we confirm that the DA Submission architectural drawings for the Church Ministry Centre development for St Paul's Anglican Church at Carlingford have the capacity to meet:</i></p> <ol style="list-style-type: none"> <i>1. Performance Requirements of the Disability (Access to Premises-Buildings) Standards 2010 and Part D3, E3.6, F2.4 of the Building Code of Australia (BCA) (2019) Amendment 1, through the deemed-to-satisfy provisions.</i> <i>2. The intent and objects of the Disability (Access to Premises- Buildings) Standards (2010).</i> <p>Overall, it is considered that the application has demonstrated that the building has been designed and is capable of being constructed to provide access and facilities for people with a disability in accordance with the accessibility requirements under Council's RDCP 2014, the Building Code of Australia (BCA) and DDA Access to Premises Standards (including DDA Access Code).</p>	<p>Yes</p>

	<p>Council's Accessibility Officer reviewed the report and raised no objection subject to appropriate conditions of consent ensuring compliance with the recommendations of this report.</p> <p>Further, the proposed development has been designed to achieve safety and security for visitors and encourages crime prevention.</p>	
2.15 Fencing	No fencing is proposed.	N/A
2.16 Waste Management		
2.16.1 Storage and Facilities	The existing waste storage area is located along the northern elevation of the existing Church. It is adequately screened, integrated into the design of the existing and proposed building and easily accessible.	Yes
2.16.2 Waste Management Planning	<p>A Waste Management Plan prepared by Dickens Solutions (dated December 2021) was submitted as part of this application. Council's Environmental Health Officer reviewed the report and raised no objection subject to appropriate conditions of consent regarding waste transportation and excavated material.</p> <p>Further to this, the report also concluded that the facilities provided in the proposed development will adequately cater for the projected waste generation rates at the completion of the development in addition to the existing waste generation profile for the existing operations. Council's Environmental Health Officer reviewed the report and raised no objection subject to appropriate conditions of consent regarding ongoing waste management.</p> <p>Overall, it is considered that appropriate waste minimisation and management practices have been proposed. The proposal complies with this part of the HDCP 2012.</p>	Yes
2.17 Services	Existing services are able to adequately services the proposed development.	Yes
Part C, Section 2 - Signage		
2.3 Signs in Residential Zones		
<p>The maximum area of any sign shall be 2.25m² with maximum dimensions of 1.5 metres x 1.5 metres.</p> <p>The maximum height to the top of a sign shall be 2.5 metres from the natural ground level.</p> <p>The advertising area of an identification sign relating to an approved use for the purposes of a home activity or home business shall not exceed 0.72m² and that would fit within a rectangle 1.2 metres x 0.6 metres</p>	<p>Does not comply. The proposed business identification sign will be 7.8m wide and 0.65m in height resulting in a total area of 5.07m.</p> <p>Does not comply. The maximum height at the top of the sign is 3.5m from natural ground level.</p> <p>It is considered that the erection of the business identification signage is compatible with the desired amenity and visual character of the area and appropriate and will ensure the effective communication of necessary information</p> <p>N/A. No third party advertising is proposed.</p>	<p>Variation is acceptable. State Environmental Planning Policy (Industry and Employment) 2021 prevails. See Section 7.7 of this report.</p> <p>N/A</p>

Building identification and business identification signage within residential zones shall not be illuminated other than an illuminated cube light to identify health care premises.	The proposed sign will not be illuminated.	N/A
<p>2.11 Illumination of Signs</p> <p>Any illuminated signage shall not adversely impact upon adjoining properties and shall be designed to ensure that no light spills onto adjoining or adjacent properties.</p> <p>Any illumination of signage shall be switched off upon the closure of business each day. Should the business operate during normal business hours only, illumination shall be switched off by 9pm daily.</p> <p>Illuminated signage is prohibited within residential zones other than an illuminated cube light to identify health consulting rooms.</p> <p>Illuminated business and building identification signs are not to be used on the land upon which a heritage item is located.</p>	The proposed sign will not be illuminated.	N/A

11. Development Contributions

The City of Parramatta (Outside CBD) Development Contributions Plan 2021 applies to the land. As such, a development contribution based on the increase in staffing numbers.

A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of a Construction Certificate.

12. Bonds

In accordance with Council's Schedule of Fees and Charges, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. A standard condition of consent has been imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate.

13. EP&A Regulation 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 1.

14. The likely impacts of the development

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment through compliance with the applicable planning instruments and controls. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as tree removal and excavation, and built environment impacts such as traffic and build form. In the context of the site and the assessments provided by Council's experts, the development is considered satisfactory in terms of environmental impacts.

15. Suitability of the Site

The subject site can accommodate a development of scale as the site required services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties and is ideally located close to services and facilities.

Suitable investigations and documentation have been provided to demonstrate that the site can be made suitable for the proposed development and the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.

16. Public Consultation

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 20 January 2022 to 11 February 2022. Nineteen (19) submissions were received objecting to the proposal, with seventeen (17) of those being unique.

Key concerns raised in the submissions are addressed below.

Issue	Response
<p>Character of the area is not maintained</p>	<p>The current character of the neighbourhood is a mix of low to high density residential in nature, which consists of mainly single, two (2) and three (3) storey detached dwelling houses, multi dwelling housing and residential flat buildings.</p> <p>The proposed development is compatible with the existing and future character of the locality. When viewed from the street, the development presents as a dwelling a contemporary architectural style with an articulated building elevation along the street frontage and side boundaries. The development does not detract from the nearby heritage item in the vicinity.</p>
<p>Suitability of the Site The site is not suitable for the proposed development.</p>	<p>The subject site can accommodate the proposed development of this scale as the site has the required services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties and is ideally located close to public transport links, services and facilities.</p> <p>Suitable investigations and documentation have been provided to demonstrate that the site is suitable for the proposed development and the development is consistent with the land use planning framework for the locality.</p> <p>No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.</p> <p>Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.</p>
<p>Bulk and Scale Unacceptable bulk and scale impacts for neighbouring properties including the proposed height.</p>	<p>The building has been sensitively designed regarding scale, bulk and form, high quality composition of building elements, textures materials, landscaping and colours, which respond to the setting and will contribute positively to the future character of the area.</p> <p>Adequate setbacks are provided to ensure that solar access, visual and acoustic privacy is maintained for adjoining properties. Landscaping is provided to enhance the amenity of future occupants and to provide a visual buffer to adjoining neighbours and to soften the building appearance from the street.</p>

	<p>The proposed Ministry Centre has a maximum building height of 9m which is compliant with the Parramatta (former The Hills) Local Environmental Plan 2012.</p>
<p>Streetscape Unacceptable impacts on the streetscape will occur as a result of the proposal.</p>	<p>The proposed Ministry Centre will replace an existing single storey administration building, with a building which is of a high architectural quality and is well-articulated at all levels, with a mix of façade treatments.</p> <p>The proposed Ministry Centre will sit comfortably within the streetscape and respect the existing and desired future character of the area.</p> <p>Further, it is considered that the building will continue to contribute positively to the visual amenity and character of the streetscape, without resulting in any unreasonable adverse amenity impacts.</p> <p>In addition, Council’s Urban Designer reviewed the proposal and raised no objections.</p>
<p>Traffic Movements and Congestion/Parking Unacceptable increase in traffic movements and congestion and parking.</p>	<p><i>Parking and Access/Manoeuvring</i></p> <p>This application does not propose any amendments to the existing car parking arrangements on site. The following is noted:</p> <p>The current proposal does not seek to increase the currently approved maximum total seating capacity of 455 seats. However, the proposal does seek to increase the approved maximum capacity of persons on site to 550 for the purpose of Sunday morning service only, which is from 9:15am to 10:30am. The increase in persons will be primarily to attend Sunday School and Youth Group services.</p> <p>Given that a departure from this control was previously granted, thus creating a permitted baseline, it is considered that the existing extent of car parking provided is satisfactory. Further, noting that the previously consented Administration Building, was similar in size and location to the proposed Ministry Centre.</p> <p>It is noted that the addition of the persons, namely children attending the site on a Sunday morning is not a significant increase given it is for a short period of time only. It is likely that these children will be dropped off/picked up from the proposed drop off/pick off area at the front entrance of the Ministry Centre.</p> <p>The Applicant has submitted an updated Plan of Management (dated May 2021) which outlines the days of the week, and time of the activities which will be undertaken on site. A condition will be recommended in the consent requiring the Plan of Management to be adhered to at all times.</p> <p>Further, Council’s Traffic Engineer has reviewed the proposal and raised no objections subject to recommended conditions of consent.</p> <p>Overall, it is considered that the proposal achieves sufficient on-site car parking for the extent of the proposed development.</p> <p><i>Traffic Generation</i></p> <p>A Traffic Impact Assessment (TIA), prepared by Fernway Engineering (dated December 2021) was submitted as part of this Development Application. The TIA concluded that the current proposal will not generate any additional traffic beyond those already generated by the approved use of the site and noted:</p> <p><i>The current proposal will not generate any additional traffic beyond those generated by the already approved use of the site. The key objective of the proposed MSC component is to facilitate the delivery of</i></p>

<p>The submitted Traffic Impact Assessment was inadequate.</p> <p>Air pollution as a result of increased traffic movements.</p>	<p><i>classes for the children who will be accompanied by the adults who are already attending the church sessions on Sundays. In this regard, the MSC component will be an ancillary use to the existing church.</i></p> <p><i>It is noted that the peak operational periods for the church occur on Sunday. Therefore, the peak traffic generating period for this use is outside the general network peak periods (i.e. weekday AM and PM peak periods).</i></p> <p>Council's Traffic Engineer reviewed the proposal with regarding to traffic generation and noted:</p> <p><i>The submitted traffic report states that the current proposal will not generate any additional traffic beyond those generated by the already approved use of the site. The proposed Ministry Support Centre (MSC) is used to facilitate the delivery of classes for children who will be accompanied by adults who are already attending the church sessions on Sundays. In this regard, the MSC component will be an ancillary use to the existing church.</i></p> <p><i>The report further states that the peak operational periods for the church occur on Sunday. Therefore the peak traffic generating period for this use is outside the general network peak periods (i.e. weekday AM and PM peak periods).</i></p> <p><i>Furthermore, the report states that all trips accessing the church will be realised at the intersection of Pennant Hills Road/Moseley Street and Jenkins Road/Moseley Street. Pennant Hills Road includes storage bays for vehicles turning right and left into Moseley Street. As such, vehicles accessing Moseley Street can do so without impacting through traffic on Pennant Hills Road. The intersection of Moseley Street and Jenkins Road is signalised and therefore, is expected to have sufficient capacity.</i></p> <p>Based on this, the proposed development is not expected to have a significant impact on the surrounding road network.</p> <p>It is considered that the intensity and nature of the proposal is compatible with road capacity and function. Both vehicle and pedestrian safety will be maintained. The proposal provides for well-designed and safe vehicle and pedestrian access.</p> <p>The submitted Traffic Impact Assessment was prepared by a suitability qualified person. Council's Traffic Engineer reviewed the assessment and raised no objection to its findings.</p> <p>This matter is not considered determinative to this application. However, as stated above, the overall traffic movements will not be increased as a result of this Development Application.</p>
<p>Access to public transport Concern regarding the lack of access to public transport (suggested drop off point on site)</p>	<p>This matter is not considered determinative to this application.</p> <p>It is noted that a number of public transport options are available within 350 – 500m walk of the subject site.</p>
<p>Hour of Operation Concern regarding the proposed hours of operation</p>	<p>The hours of operation are proposed to remain consistent with the operating hours of the associated Church, which are:</p> <ul style="list-style-type: none"> • 7:30am to 10:00pm Monday through to Sunday and

	<ul style="list-style-type: none"> 7:30am to 1:00am (Sunday before Christmas day and Christmas Eve only) <p>This is considered to be satisfactory.</p>
<p>Increase in attendees on site Concern regarding the proposed increase in attendees</p>	<p>The current proposal does not seek to increase the currently approved maximum total seating capacity of 455 seats. However, the proposal does seek to increase the approved maximum capacity of persons on site to 550 for the purpose of Sunday morning service only, which is from 9:15am to 10:30am. The increase in persons will be primarily to attend Sunday School and Youth Group services.</p> <p>This is considered to be satisfactory.</p>
<p>Safety of residents on Trigg Avenue Concern regarding safety of residents on Trigg Avenue as a result of attendees parking on street.</p>	<p>In this regard, the applicant has noted:</p> <p><i>Car parking along Trigg Avenue will be discouraged, with the existing car parking spaces being sufficient to cater for the anticipated maximum demand of the Church. No car parking spaces are proposed within the Trigg Avenue frontage as part of this development and as such, no additional pedestrian safety impacts are anticipated for residents along Trigg Avenue.</i></p> <p>This is considered to be satisfactory, and a condition will be recommended in the consent to this effect.</p>
<p>Amenity for residents on Trigg Avenue Concern regarding signage and lighting facing Trigg Avenue</p>	<p>The proposed business identification sign is located on the southern elevation (facing the existing car park) of the Ministry Centre and is not proposed to be illuminated.</p> <p>With regard to lighting, the following has been noted by the applicant:</p> <p><i>For safety and security reasons, lights may remain on during the night for parts of the proposed Ministry Centre. However, St Paul's will manage light spill so that the amenity of adjoining residential properties is not adversely impacted.</i></p> <p>A condition has been recommended in the consent requiring all existing and proposed lighting to comply with the Australian Standard AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting.</p>
<p>Amenity (Solar Access) Amenity concerns for neighbouring properties (solar access)</p>	<p>The applicant has demonstrated that the proposal will allow adequate provision for access of direct sunlight to the private open space of adjacent properties.</p> <p>At least 50% of the required private open space on adjoining properties receive a minimum of 4 hours of direct sunlight between 9am and 3pm on 21 June</p>
<p>Amenity (Overlooking) Amenity concerns for neighbouring properties (Overlooking)</p>	<p>With regard to visual and acoustic privacy, the proposed development has been designed to minimise the likelihood of any adverse overlooking or intrusion of aural privacy of adjoining properties. This has been achieved by providing sufficient setbacks, screening elements, and narrow windows.</p>
<p>Amenity (Noise) Amenity concerns for neighbouring properties (Noise from patients)</p>	<p>With regard to acoustic privacy, the proposed development has been designed to minimise the likelihood of any intrusion of aural privacy of adjoining properties. This has been achieved by providing sufficient setbacks, screening elements, and narrow windows. As well as a appropriately detailed Plan of Management.</p> <p>An Acoustic Assessment prepared by Acouras Consultancy (dated 10 December 2021) was submitted as part of this Development Application. The report concludes:</p> <p><i>Providing the recommendations in this report are implemented, the noise from the proposed Ministry Centre is predicted to comply with acoustic requirements of the Parramatta City Council, EPA noise policies and Australian Standards.</i></p> <p>Appropriate conditions of consent have imposed requiring the recommendations of the Acoustic Assessment to be incorporated into the design of the development.</p>

<p>Existing Covenant Non-compliance with an existing covenant relating to building materials</p>	<p>A title search has been undertaken and a review of each covenant and restriction on the use of the land has been reviewed. A covenant or restriction on the title relating to building materials does not exist.</p> <p>Notwithstanding this, Clause 1.9A of the Parramatta (former The Hills) Local Environmental Plan 2012 allows for the suspension of covenants, agreements and instruments for the purpose of enabling development on land to be carried out in accordance with the PLEP 2012.</p>
<p>Shaded areas on site Concern regarding outdoor spaces, and access to shaded areas</p>	<p>This matter is not considered determinative to the assessment of this Application.</p> <p>However, it is considered that sufficient outdoor areas comprising of trees and shrubs have been provided which are considered to be adequate for attendees of the Ministry Centre.</p>
<p>Expansion of Church operations Concern relating to the expansion of the Church</p>	<p>This matter is not relevant to the assessment of this Development Application.</p> <p>The proposed use is permissible with consent of Council.</p>
<p>Elderly residents Concern relating to the effect the proposal may have on the elderly.</p>	<p>This matter is not relevant to the assessment of this Development Application.</p> <p>However, it is considered that the proposal has been sited and designed to ensure that the amenity of adjoining residents has been maintained.</p>

17. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

18. Conclusion

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been appropriately designed and will provide acceptable levels of amenity for future residents. It is considered that the proposal sufficiently minimises adverse impacts on the amenity of neighbouring properties. Hence the development, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land. On balance, the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for approval subject to conditions.

21. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- a) **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, **approve** development consent to DA/14/2022 for the demolition of an existing single storey administration building and construction of a new two-storey Ministry Centre with associated signage to be used concurrently with the existing church and associated landscaping works on land at 32 Moseley Street, Carlingford for the following reasons:
- a. The development is permissible in the R2 Low Density Residential zone pursuant to the Parramatta former Hills Local Environmental 2012 and satisfies the requirements of all applicable planning standards controls.
 - b. The development will be compatible with the emerging and planned future character of the area.
 - c. The development will provide facilities and services which meet the day to day needs of residents.
 - d. For the reasons given above, approval of the application is in the public interest.

b) **That** Council advise those who made a submission of the determination.

“Appendix 4” to Section 4.15 Assessment Report - DA/14/2022

DRAFT CONDITIONS OF CONSENT

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/14/2022
Property Address: Lot 34 DP 251044
32 Moseley Street, CARLINGFORD NSW 2118

PART A – GENERAL CONDITIONS

PA0001 #Approved Plans & Support Doc(DIEP Mandatory Cond)

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings (Project No.2736.21)

Drawing/Plan No.	Issue	Plan Title	Dated
DA00	DA01	Cover Sheet	13 December 2021
DA01	DA01	Site Analysis Plan	13 December 2021
DA02	DA01	Site Plan/Roof Plan	13 December 2021
DA03	DA01	Proposed Ground Floor Plan	13 December 2021
DA04	DA01	Proposed First Floor Plan	13 December 2021
DA05	DA01	Elevations	13 December 2021
DA06	DA01	Elevations and Sections	13 December 2021
DA011	DA01	Height Limit Diagram and Signage	13 December 2021
DA012	DA01	External Perspective	13 December 2021
DA013	DA01	External Perspective	13 December 2021
DA014	DA01	Signage Plan	23 December 2021

Civil Drawings/Stormwater (Project No. 2211)

Drawing/Plan No.	Issue	Plan Title	Dated
C00	B	Civil Construction Notes	8 December 2021
C01	B	Sediment and Erosion Control Plan	8 December 2021
C02	B	Sediment and Erosion Control Details	8 December 2021

Drawing/Plan No.	Issue	Plan Title	Dated
C03	C	Bulk Earthworks Plan	10 December 2021
C04	B	Demolition Plan	8 December 2021
C05	B	Retaining Wall Plan	8 December 2021
C06	C	Retaining Wall Details	10 December 2021

Landscape Drawings

Drawing/Plan No.	Issue	Plan Title	Dated
L/00	B	Cover Sheet	6 December 2021
L/01	B	Proposed Landscape Plan	6 December 2021

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	21324B	-	Dfp Planning	17 December 2021
Plan of Management	-	-	-	May 2022
Waste Management Plan	Ref – 21265	-	Dickens Solutions Pty Ltd	December 2021
Disability Access Report	P000669	-	Inclusive Places	7 December 2021
Section J Report	Final	1	Certified Energy	10 December 2021
Acoustic Assessment	SYD2021-1162-R001D	-	Acouras Consultancy	10 December 2021
Traffic Impact Assessment	-	-	Fernway Engineering	December 2021

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of consent, the condition prevails.

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

PA0003 Construction Certificate

2. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

3. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

PA0011 #Demolition of Buildings

4. Approval is granted for the demolition of the existing administration building currently on the property, subject to compliance with the following: -

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to

demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.

- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under “Prior to Works Commencing” in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council’s domestic waste service for the disposal of any waste.
- (i) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover “Demolition Licence” and a current WorkCover “Class 2 (Restricted) Asbestos Licence”.
- (j) Demolition is to be completed within 5 days of commencement.
- (k) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - I. Proposed ingress and egress of vehicles to and from the construction site;
 - II. Proposed protection of pedestrians adjacent to the site;
 - III. Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - I. An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and

- II. A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- (r) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

PA0013 #LSL Payment Const> \$25,000 (DIEP Mandatory Cond)

- 5. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy of \$ 10,410.11 as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Note: The Long Service Levy is to be paid directly to the Long Service Corporation at www.longservice.nsw.gov.au. For more information, please contact the Levy support team on 13 14 41.

Reason: To ensure that the long service levy is paid.

LA0002 #Demolition & tree removal (Delete N/A Councils)

- 6. Hills Shire - Trees equal to or greater than six (6) metres in height, which are protected under Hills Development Control Plan 2012 (Part C Section 3), must not be removed or damaged without Council consent (Refer to the City of Parramatta Council website version dated 12 May 2016)

Reason: To preserve existing landscape features.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

(Note: Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.)

PB0020 #Parra Develop Contrib. Plan – Outside City Centre

- 7. Before the issue of a construction certificate the applicant must pay the following contributions to Council for:

Contribution Type	Amount
Open space and outdoor recreation	\$ 27,755.00
Indoor sports courts	\$ 0.00
Community facilities	\$ 0.00
Aquatic facilities	\$ 0.00
Traffic and transport	\$ 39,147.00
Plan administration	\$ 2,036.00

Total	\$ 68,938.00
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The total contribution payable to Council under this condition is \$ 68,938.00 as calculated at the date of this consent, in accordance with the City of Parramatta (Outside of CBD) Development Contributions Plan 2021.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the City of Parramatta (Outside of CBD) Development Contributions Plan 2021.

A copy of the development contributions plan is available for inspection at <https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/Parramatta%20%28Outside%20CBD%29%20Contributions%20Plan%202021%20FINAL.pdf>

Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

PB0030 Infrastructure & Restoration Adm. fee for all DAs

8. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.

The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

TB0001 #Car Parking Condition

9. The PCA shall ascertain that any new element in the at-grade carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

TB0003 #Parking Provision

10. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of 84 parking spaces is to be provided and be allocated as follows:

- (a) 84 spaces for staff and visitors including 2 spaces as accessible parking.

Note: A bollard is to be installed in the shared space for accessible parking spaces in accordance with Figure 2.3 of AS2890.6-2009. Directional pavement arrows are

to be installed in the car park to show the direction of traffic. Details are to be illustrated on plans submitted with the construction certificate application.

Reason: To comply with Council's parking requirements and Australian Standards.

TB0004 Pedestrian Safety

11. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

Reason: To comply with Australian Standards and ensure pedestrian safety.

TB0006 #Motorcycle Parking Condition

12. 2 motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements

LB0004 #Landscaping Plan

13. The final Landscape Plan must be consistent with plan numbered Revision B, dated 6 December 2021, prepared by A Total Concept together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- (a) Retention of trees numbered.
- (b) Screening between properties and along rear boundaries to provide privacy and amenity is required to be provided in a minimum 200mm containers. Tree replenishment to both front and rear landscape areas is required. Trees are to be provided in a minimum 45 litre container, must be able to reach a minimum mature height of five (5) metres, and planted with a minimum setback of 3.5m to the outside enclosing wall or edge of a legally constructed building, structure or the proposed development. It is recommended that the location of proposed canopy trees also takes into consideration appropriate distances from boundaries and proposed stormwater infrastructure.
- (c) A proposed plant schedule indicating planting locations, species type (botanic/ common name) mature dimensions, plant numbers and the size of the containers at planting.
- (d) The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees.
- (e) Any proposed hard surface under the canopy of existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations.
- (f) All landscape plans are to be prepared by a professionally qualified Landscape Architect or Landscape Designer.

Reason: To ensure restoration of environmental amenity.

DB0001 Stormwater Disposal

14. All roof water and surface water is to be connected to the existing stormwater drainage system within the catchment of OSD tank No. 2 as noted on the Stormwater Drainage Plan, Drawing No. 01557_201, Revision J, dated 27 June 2018, prepared by C&M Consulting Engineers and Catchment Plan, Drawing No. 01557_601, Revision B, dated 9 March 2018, prepared by C&M Consulting Engineers. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

DB0002 Retaining walls

15. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

16. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Principal Certifying Authority upon request prior to works commencing.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

Reason: To ensure the requirements of Sydney Water have been complied with.

DB0004 Dial Before you Dig Service

17. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To ensure Council's assets are not damaged.

DB0021 Impact on Existing Utility Installations

18. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

Public Domain Construction Drawings

19. Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed Public Domain Construction Drawings must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not be limited to, the following areas:

- (a) All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback,
- (b) Any publicly accessible areas;
- (c) Any works in carriageway, and
- (d) Onsite landscape work.

Reason: To ensure the public domain is constructed in accordance with Council standards.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

PC0001 #Appointment of PCA

20. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site

21. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

PC0003 Site Sign

22. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
 - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - (c) The name, address and telephone number of the Principal Certifying Authority;
 - (d) The development consent approved construction hours;
 - (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

BC0001 Toilet facilities on site

23. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

Reason: To ensure adequate toilet facilities are provided.

PC0005 Public liability insurance

24. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- (a) Above;
- (b) Below; or
- (c) On.

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

Note: Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

LC0006 Pruning/works on tree(s)

25. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.

All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

Reason: To ensure the protection of the tree(s) to be retained.

DC0002 Road Opening Permits - DA's involving drainage wrk

26. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

In addition, no drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

Reason: To protect Council's assets throughout the development process.

DC0006 Erosion and Sediment Control measures

27. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

Reason: To ensure soil and water management controls are in place before site works commence.

DC0007 Site Maintenance

28. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (s) All existing buildings are to be secured and maintained to prevent unauthorised access and vandalism;
- (t) All site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (u) All general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (v) The site is to be maintained clear of weeds; and
- (w) All grassed areas are to be mowed on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

DC0008 Shoring and adequacy of adjoining property

29. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

Reason: As prescribed under the Environmental Planning and Assessment Regulation 2000.

DC0009 Special Permits

30. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant,

owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

(a) On-street mobile plant:

E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.

(b) Storage of building materials and building waste containers (skips) on Council's property.

(c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.

(d) Kerbside restrictions - construction zones:

(e) The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

The application is to be lodged with Council's Customer Service Centre.

Reason: Proper management of public land.

DC0010 Driveway Crossing Application

31. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

PD0001 Copy of development consent

32. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

PD0003 Dust Control

33. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

PD0004 Materials on footpath

34. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

PD0006 Hours of work and noise (DPIE Mandatory Condition)

35. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- 7am to 5pm on Monday to Friday
- 8am to 5pm on Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of

Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: To protect the amenity of the surrounding area.

PD0007 Complaints register

36. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complaint; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

PD0008 Construction Noise (DPIE Mandatory Cond)

37. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

Reason: To protect the amenity of the neighbourhood.

PD0010 Survey Report

38. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier: -
- (a) All footings/ foundations
 - (b) At other stages of construction – any marks that are required by the principal certifier

Reason: To ensure buildings are sited and positioned in the approved location.

TD0001 Road Occupancy Permit

39. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

TD0002 Oversize vehicles using local roads

40. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

LD0004 Material storage and trees

41. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.

Reason: To ensure the protection of the tree(s) to be retained on the site.

LD0001 No removal of trees on public property

42. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

Reason: Protection of existing environmental infrastructure and community assets.

LD0008 No attachments to trees

43. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

Reason: To ensure the protection of the tree(s).

LD0009 Planting Requirements

44. All trees planted as required by the approved landscape plan are to be a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

DD0001 Drainage to existing system

45. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system within the catchment of OSD tank No. 2 as noted on the Stormwater Drainage Plan, Drawing No. 01557_201, Revision J, dated 27 June 2018, prepared by C&M Consulting Engineers and Catchment Plan,

Drawing No. 01557_601, Revision B, dated 9 March 2018, prepared by C&M Consulting Engineers. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).

Reason: To ensure satisfactory stormwater disposal.

DD0005 Erosion & sediment control measures

46. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

DD0006 Damage to public infrastructure

47. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

PE0001 Occupation Certificate

48. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

Reason: To comply with legislative requirements of the Environmental Planning and Assessment Act 1979.

BE0001 Record of inspections carried out

49. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Construction Certificate number as registered;
- (b) The address of the property at which the inspection was carried out;
- (c) The type of inspection;
- (d) The date on which it was carried out;
- (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with statutory requirements.

PE0006 Street Number when site readily visible location

50. A street number is to be placed on the site in a readily visible location from a public place prior to the issue of an Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

PE0007 #BASIX Compliance

51. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. X, will be complied with prior to occupation
Reason: To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.

LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)

52. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.
Reason: To ensure restoration of environmental amenity.

DE0003 Work-as-Executed Plan (DPIE Condition)

53. Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:

- (a) All stormwater drainage systems and storage systems
- (b) The following matters that Council requires to be documented
 - (i) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
 - (ii) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
 - (iii) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).

The principal certifier must provide a copy of the plans to Council with the occupation certificate.

Reason: To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.

DE0006 Section 73 Certificate

54. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92.

Reason: To ensure the requirements of Sydney Water have been complied with.

DE0015 Driveway Crossover

55. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

All footpath crossings, laybacks and driveways are to be constructed according to Council’s Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council's Civil Assets Team for approval prior to commencement of the driveway crossing works. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: Pedestrian and Vehicle safety.

DE0018 Reinstatement of laybacks etc

56. All redundant lay-backs must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

57. The redundant vehicle crossing on Trigg Avenue must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

PART F – OCCUPATION AND ONGOING USE

PF0049 Graffiti Management

58. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

PF0004 External Plant/Air-conditioning noise levels

59. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

60. **Amplified Music.**

The use of amplified music in the Station Plaza must not cause the emission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To ensure the amenity of adjoining properties is maintained

61. Acoustic Monitoring

Within three months from the issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the NSW EPA's - Industrial Noise Policy and submitted to Council's Manager Environment and Health for consideration.

This report must include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that the activities does not give rise to "offensive noise" as defined under the Protection of the Environment Operation Act 1997.

Reason: To ensure the amenity of adjoining properties is maintained

Lighting.

62. The lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads. All existing and proposed lights shall comply with the Australian Standard AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting.

Reason: To ensure the amenity of adjoining properties is maintained.

Hours of Operation.

63. The days and hours of operation are restricted to:

Day	Time
Monday	7:30am to 10pm
Tuesday	7:30am to 10pm
Wednesday	7:30am to 10pm
Thursday	7:30am to 10pm
Friday	7:30am to 10pm
Saturday	7:30am to 10pm
Sunday	7:30am to 10pm
Sunday before Christmas Eve and Christmas Day only	7:30am to 1am

Reason: To minimise the impact on the amenity of the area.

64. The approved Plan of Management must be adhered to at all times. A copy must be kept on the premises at all times.

Reason: To maintain the amenity of the surrounding area.

65. The maximum number of total seating capacity within the Church must not exceed 455.

Reason: To ensure the development does not expand beyond that approved.

66. On a Sunday, between the hours of 9am and 12pm, the maximum number of persons on site, including staff must not exceed 550 in both the Church and the Ministry Centre. At all other times, the maximum number of patrons/parishioners/students/attendees, excluding staff, on site must not exceed 455.

Reason: To ensure the development does not expand beyond that approved.

67. Staff Numbers

A maximum of 30 staff are to be working in the Ministry Centre at any one time.

Reason: To ensure the amenity of adjoining properties is maintained.

68. Car parking along Trigg Avenue is to be discouraged at all times. Signage must be erected to this effect.

Reason: To ensure the amenity of adjoining properties is maintained.

69. Fire Safety Statement: Pursuant to Clause 177 of the Environmental Planning and Assessment Regulation 2000, the building owner must submit the annual Fire Safety Statement to council with all the essential statutory fire safety measures installed in the building.

Reason: To ensure the safety of the building and its occupants.

Date: 11 July 2022
Responsible Officer: Alicia Hunter