



Bayside Council

Serving Our Community

Part 71

Places of Public Worship

Botany Bay Development Control Plan 2013





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71.1 Introduction

Data from the census illustrates that a larger proportion of residents of Bayside profess a religion compared to that of greater Sydney region and a smaller proportion stated they had no religion. Places of public worship are therefore an important element of the Bayside community. They provide central venues for people of all backgrounds to congregate for regular worship services, key community events, meetings and special festivals. Often these functions can attract a significant amount of people, which can result in potential impacts on neighbouring properties.

In order to minimise potential impacts proposals for places of public worship are required to address a range of factors, including appropriate site selection, design, car parking and traffic generation, height, building setbacks, landscaping, noise and solar access.

71.1.1 Land to which this Part Applies

The controls in this Part of the DCP applies to land to which this DCP applies where places of public worship are permissible. Places of worship are permitted with the consent in the following zones:

- R2 - Low Density Residential
- R3 - Medium Density Residential
- R4 - High Density Residential
- B1 - Neighbourhood Centre
- B2 - Local Centre
- B3 - Commercial Core
- B4 - Mixed Use
- B5 - Business Development
- B7 - Business Park
- RE2 - Private Recreation

This Part needs to be read in conjunction with:

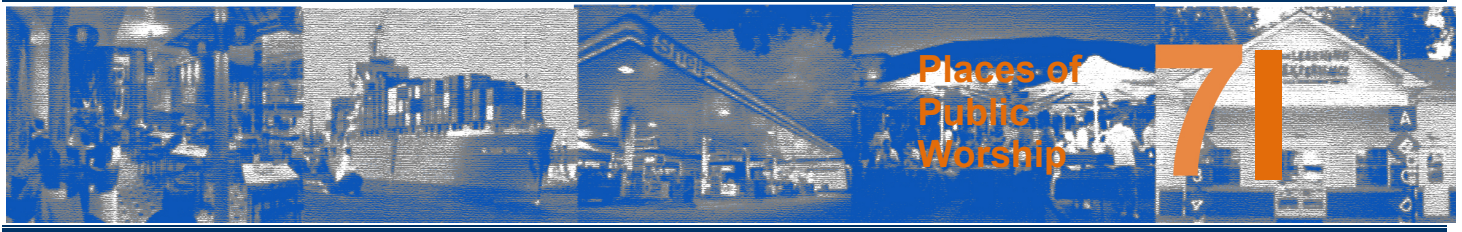
- Part 1 - Introduction
- Part 2 - Notification and Advertising
- Part 3 - General Provisions
- Part 4 - Residential Development
- Part 5 - Business Centres
- Part 6 - Employment Zones
- Part 8 - Character Precincts
- Part 9 - Key Sites
- Part 10 – Technical Guidelines*

Note: Places of public worship must comply with the all other applicable Parts of the DCP, if there is a discrepancy between **Part 71 - Places of Public Worship** and other Parts, the Objectives and Controls of **Part 71** will always prevail.



71.1.2 General Objectives

- O1** To ensure that the scale, and intensity of a place of worship is compatible with the existing and desired future character of the area;
- O2** To maintain and protect the amenity of the surrounding locality, especially in residential areas; and
- O3** To encourage the location of larger places of public worship on land zoned for business or industrial purposes.



71.2 Design and Layout

Objectives

- O1** To ensure places of public worship are designed in order to maintain the predominant character of the area;
- O2** To ensure that the bulk and scale of places of public worship is consistent with the scale of existing or likely future development in Bayside;
- O3** To establish appropriate setbacks and enable an adequate area for landscape area and planting; and
- O4** To ensure sufficient separation between buildings to reduce overshadowing, loss of privacy or undue noise.

Controls

- C1** Places of public worship are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape.
- C2** Any spire, tower or similar structure must be considered on the basis of the form / bulk, scale and height of the structure and its relationship with the surrounding character of the locality.
- C3** The entrance of a place of public worship shall be located at the front of the building.
- C4** Where possible public areas within the place of public worship shall overlook the car parking area and other public areas surrounding the building.
- C5** Car parking shall make provision for overflow car parking for Special Festival days.
- C6** Car parking area shall be located:
 - (i) Near the street frontage;
 - (ii) To minimise conflict with vehicle movements for the other uses on the site; and
 - (iii) Close as possible to any buildings to minimise on-street car parking.

*Refer to **Part 3A – Car Parking**.*

- C7** Front, side and rear setbacks are to be landscaped, providing a dense visual buffer to adjoining developments in accordance with **Part 3L - Landscaping**.
- C8** Car parking areas are to be screened from adjoining properties and the street by landscaping.



Residential Zones

- C9** Places of public worship in a residential zone shall be designed to maintain the character of the residential area. *Refer to Part 8 – Character Precincts.*
- C10** Where a place of public worship has a dual street frontage, the development must address both streets, by using windows, architectural features and surveillance.
- C11** Places of public worship located within residential zones shall have a maximum site coverage of 50%.

Floor Space

- C12** The maximum FSR of development must comply with the Floor Space Ratio Map in the Bayside Local Environmental Plan 2021.

Setbacks

- C13** New buildings must be setback from the front, side and rear boundaries in accordance with **Table 1**.
- C14** New development should, where possible be consistent with the setback of existing development on adjacent sites.



Table 1 - Setbacks for Places of Public Worship

Boundary	Landscaping Setback	Building setback
Front - to a non-classified road	3 metres	9 metres (Refer to Note 2 for corner sites)
Front - to a classified road	4 metres	9 metres (Refer to Note 2 for corner sites)
Side - adjoining a non-residential use/zone including lane	2 metres	2 metres (Refer to Note 2 for corner sites)
Side - adjoining a residential use/zone or in the Council's opinion the building impacts on the streetscape	3 metres	3 metres (Refer to Note 2 for corner sites)
Rear (Refer to Note 1)	Nil to 3 metres	Nil to 3 metres

Notes:

1. The setback will depend on the character of the site and its surrounds. Please check with Council. Rear boundary walls are to be treated aesthetically.
2. New development on sites that have a corner frontage is to provide a 9-metre minimum setback to the main street/road and a minimum 3 - metre setback to the secondary road/street.



71.3 Neighbourhood Amenity

Objectives

- O1** To ensure that the scale and intensity of places of public worship is compatible with and maintains neighbourhood amenity;
- O2** To minimise the noise levels from places of public worship upon neighbouring or nearby properties; and
- O3** To minimise the overshadowing impact of places of public worship on the amenity of adjoining developments.

Controls

General

- C1** A place of public worship shall be located a minimum of 150 metres in radius from any other existing or approved place of public worship in order to minimise potential traffic generation, noise or amenity impacts on the surrounding locality.
- C2** Places of public worship with a seating capacity over 250 people are only permitted in business zones.

Noise

- C3** A noise impact assessment report, prepared by a suitably qualified and experienced acoustic consultant shall be submitted with any Development Application for new places of public worship or any proposed alterations to an existing place of public worship where Council is of the opinion the development may result in potential adverse noise impacts upon the surrounding locality.

The report is required to address the following issues:

- (i) Hours of operation;
- (ii) Details of special events;
- (iii) Existing background noise levels;
- (iv) Predicted noise emission levels based on the size and nature of the proposed place of public worship and associated activities;
- (v) Assessment of all potential noise sources on-site, including vehicles, bells, musical instruments, singing and calling etc; and
- (vi) Proposed noise mitigation measures, including any design amendment, landscaping requirements and restrictions on the hours of operation of the development.

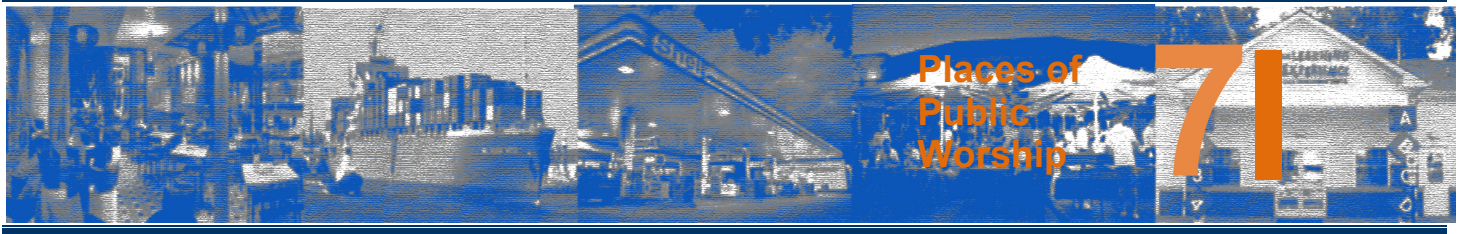


Solar Access

- C4** Where council is of the opinion that a proposal may have an impact on over shadowing on adjoining residential buildings, the applicant shall provide shadow diagrams to the satisfaction of Council. Shadow diagrams will be required for hourly intervals between 9:00am and 3:00pm for 21 June.
- C5** Adjoining principal areas of private open space for residential development must receive sunlight into at least 50% of the required open space between 9:00am and 3:00pm on 21 June.
- C6** Design must avoid overshadowing upon an existing solar collector of an adjoining residential dwelling. This includes solar hot water systems, photovoltaic panels or similar structures.

Lighting

- C7** Where the hours of operation are after sunset, the car parking areas and any other public areas shall be provided with lighting.
- C8** Applications for lighting need to be accompanied by detailed light spill plans in accordance with AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting. This standard sets out criteria relative to property boundaries of existing buildings and for the location of buildings within vacant properties. Detail on vertical luminance criteria and impact on adjoining properties should be provided with all applications.



71.4 Plan of Management

Objective

- O1** To provide certainty about the ongoing management practices of the proposed development and to minimize impacts on the local community.

Controls

- C1** A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of place of public worship will be managed to reduce its impact upon the amenity of surrounding properties.

The POM allows Council to exercise control over the ongoing operation of a premises by requiring, as a condition of consent, that the premises operate in accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.

The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (i) Title;
- (ii) Objectives;
- (iii) Operational details;
- (iv) Hours of operation;
- (v) Staffing details;
- (vi) Schedule of regular services held and special events held throughout the year;
- (vii) Estimated number of people to be in attendance at regular services, special events and those other times where it is described that the place of public worship will be in use;
- (viii) A list of the types of community purposes that the building may be used for outside regular services;
- (ix) Measures in place to manage parking and local traffic when a special event is scheduled;
- (x) Contact persons who will be responsible for complaints handling;
- (xi) Guidelines for staff for using the site facilities and equipment;
- (xii) Deliveries and loading/unloading;
- (xiii) Managing worshippers and visitors;
- (xiv) Security details;
- (xv) Complaint recording and handling process; and
- (xvi) The review process to continuously improve the POM.