

Charlestown Swim and Leisure Centre Amendment

Proposal Title :	Charlestown Swim and Leisure Centre Amendment		
Proposal Summary :	Rezone Lot 970 DP 755233 at 19 Mulbinga Street Charlestown from R3 Medium Density Residential zone to RE1 Public Recreation zone and in respect of Lots 970 and 971 and Lot 1 DP 113863 at 17 Mulbinga Street alter Height of Building from 8.5m and 10m to 13m and Minimum Lot Size from 900m2 to 'Not Specified' over the enlarged swim centre site to accommodate new facilities.		
PP Number :	PP_2014_LAKEM_005_00	Dop File No :	14/20453

Proposal Details

Date Planning Proposal Received :	09-Dec-2014	LGA covered :	Lake Macquarie
Region :	Hunter	RPA :	Lake Macquarie City Council
State Electorate :	CHARLESTOWN	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	17 Mulbinga Street		
Suburb :	Charlestown	City :	Lake Macquarie
Land Parcel :	Lot 1 DP 113863	Postcode :	2290
Street :	19 Mulbinga Street		
Suburb :	Charlestown	City :	Lake Macquarie
Land Parcel :	Lot 970 DP 755233	Postcode :	2290
Street :	19A Mulbinga Street		
Suburb :		City :	
Land Parcel :	Lot 971 DP 755233	Postcode :	

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Adam Ovenden**
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DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings (where relevant) : 0
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government **Yes**
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been **No**
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes : **The proposal is consistent with the Lower Hunter Sub-Regional Strategy which classifies
Charlestown as a Major Regional Centre.**

Facilities proposed to be provided or upgraded on this site are:

- **Eight lane 50m outdoor pool with access ramp and marshalling area**
- **Indoor aquatic centre with:**
- **Eight-lane 25m pool with access ramp**
- **18m multi-function indoor pool with access ramp**
- **Indoor water play area**
- **Café/social zone with indoor and outdoor seating**

- Short-term child minding (possible future proposal to include long-term child care)
 - Outdoor covered seating for 500
 - Multipurpose meeting room
 - Family change rooms
 - Large fitness gym with program and allied health rooms overlooking indoor and outdoor pools
 - All abilities access
 - 141 formal car spaces
 - Improved coordination of pools and facilities to provide greater flexibility of spaces and year-round use
 - Sustainable design
- (source: Council)

Current Operating Hours: open all year round except Christmas Day. Monday – Friday: 5.30am to 7.00pm Saturday: 6.00am to 6.00pm (close 5pm winter) Sunday/Public Holidays: 7.00am to 6.00pm (close 5pm winter)

External Supporting Notes :

Pursuant to Lake Macquarie Community Strategic Plan's public preferences and Council's recreation priorities, Charlestown Swim Centre is to be upgraded to include an indoor pool, health and fitness centre, new administration office and improved access and parking involving increases to building footprint and height to accommodate:

- 25 metre, 10-lane indoor heated pool with accessibility ramp.
- Renovated outdoor 50 metre heated pool.
- 1,000m² (approx.) Health and Fitness Centre.
- New café and kiosk facility.
- Updated amenities and administration centre.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : To amend Lake Macquarie Local Environmental Plan 2014 (LMLEP 2014) to permit the redevelopment of the Charlestown Swim and Leisure Centre in accordance with Council's Pool Service Delivery Model

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : •Rezone Lot 970 DP 755233 from R3 Medium Density Residential to RE1 Public Recreation on the Lake Macquarie Local Environmental Plan 2014 Zoning Map,
•Increase maximum building height for Lot 970 DP 755233, Lot 971 DP 755233 and Lot 1 DP 113863 from 8.5m and 10m to a maximum of 13 metres on the Lake Macquarie Local Environmental Plan 2014 Height of Building Map, and
•Remove the minimum lot size standard of 900m² over the consolidated site by redesignation to 'Not Specified' on the Lake Macquarie Local Environmental Plan 2014 Lot Size Map.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies

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6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered : **Not Applicable**

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

- 1) Location Map
- 2) Site definition and property boundaries aerial photo.
- 3) Existing Land Zoning Map
- 4) Proposed Land Zoning Map
- 5) Existing Height of Buildings Map
- 6) Proposed Height of Buildings Map
- 7) Existing Lot Size Map
- 8) Proposed Lot Size Map

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A 28-day public exhibition period is proposed by Council.
This is supported in view of the increased intensity of use, competition potential and spectator capacity of the upgraded venue. This includes 141 formal car parking spaces and building height increase to 13m across the enlarged site adjoining residential areas.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

The standard instrument Lake Macquarie LEP 2014 is in force.

The proposal is consistent with the Local Environmental Plan.

Assessment Criteria

Need for planning
proposal :

Council has developed concept plans for a Charlestown Leisure Centre. The proposal is for the current swim centre to be redeveloped as an indoor / outdoor facility that will continue to operate as a 12 month community venue with provision for:

To accommodate the above facilities a corner residential lot is proposed to be rezoned in association with increases in building height, lot size and height of buildings across the enlarged (rezoned) site area. As the ground-level footprint is required to expand to meet car parking demand, the swim centre's upgrade could not be achieved by building envelope changes alone in the absence of the corner lot rezoning.

Consistency with strategic planning framework :

Lower Hunter Sub-Regional Strategy

The proposal is consistent with the Lower Hunter Sub-Regional Strategy which classifies Charlestown as a Major Regional Centre. The main entrance of the core retail area of Charlestown Square is about 450m from the entrance of the swim centre. The range of swim centre facilities proposed are of a higher-order than those currently offered on the site, enabling swim and retail centres to better interact and so multiply their public benefits.

Assessment of the Proposal Against State Environmental Planning Policies-

• State Environmental Planning Policy 14- Coastal Wetlands

The policy is not applicable in this case.

• State Environmental Planning Policy 19- Bushland in Urban Areas

The land is substantially cleared of native bushland with isolated remnant trees and so the Planning Proposal does not affect any bushland as such within urban areas.

• State Environmental Planning Policy 32- Urban Consolidation

The land to be rezoned is a former dwelling site which, as a drainage-constrained corner lot of 670m² surrounded by public recreation land, is not well-suited to multi-unit housing.

• State Environmental Planning Policy 44 Koala Habitat

Remnant isolated tree species and groupings across the total site do not constitute Koala habitat.

• State Environmental Planning Policy 55- Remediation of Land

Known former uses on the subject land (residential) would not indicate likely contamination however the floodway function of some areas has resulted in land-filling in the past. This fill could contain contaminated material. A Stage 2 Detailed Investigation, and its applicable remediation actions, is proposed at development application stage for the proposed recreation facility, in accordance with clause 7 of this State Policy.

• State Environmental Planning Policy- Mining, Petroleum Production and Extractive Industries 2007

The proposal does not prohibit or introduce any additional constraints on extractive industry.

Assessment of the Proposal Against Directions Under Section 117 of the Environmental Planning and Assessment Act-

• Direction 1.3 Mining, Petroleum Production and Extractive Industries

The proposal does not prohibit or introduce any additional constraints on extractive industry. The proposal is consistent with this Direction.

• Direction 2.1 Environment Protection Zones

The proposal will not impact on environmentally sensitive areas. The proposal is consistent with this Direction.

Direction 2.3 Heritage Conservation

There is no known Aboriginal or non-Aboriginal heritage associated with the subject land. The proposal is consistent with this Direction.

• Direction 3.1 Residential Zones

The proposal is inconsistent with this direction in that it rezones residential land (Lot 790 DP755233) which is 670m² in area. The loss of residential potential is considered to be small and so it is recommended that the Minister's Delegate accept the inconsistency with as being of minor significance.

• Direction 3.2 Caravan Parks and Manufactured Home Estates

The rezoning proposed would not diminish opportunities for caravan parks or low-cost

rental housing. The proposal is consistent with this Direction.

- **Direction 3.3 Home Occupations**

The proposal is consistent with this Direction as no reduction in home occupation opportunities is proposed.

- **Direction 3.4 Integrating Land Use and Transport**

Access to/ by public transport and active transport could be improved by such measures as extending footpaths to the two existing bus stops and providing seats and shelters to these exposed locations as well as providing safe, secure and weather-protected bicycle parking at the upgraded swim centre under Council's Development Control Plan transport provisions.

- **Direction 4.2 Mine Subsidence and Unstable Land**

The proposal lies within the Lake Macquarie and Lake Macquarie No.1 Extension Mine Subsidence District and so is to be referred to the Mine Subsidence Board for technical advice. With such referral the proposal will be consistent with this Direction.

- **Direction 4.3 Flood Prone Land**

The land is not flood-prone. The south-eastern portion of the site performs a drainage function which Council will need to address under its Development Control Plan. The proposal is consistent with this Direction.

- **Direction 5.1 Implementation of Regional Strategies**

The proposal seeks to enhance an established district public recreational facility near an area identified in the Lower Hunter Regional Strategy as a Major Regional Centre. The pedestrian entrance to Charlestown Square, the Regional Centre's focus, is a 450m walk from the swim centre's entrance via Dickson Street, Frederick Street and Pearson Street. The proposal is consistent with this Direction.

- **Direction 6.1 Approval and Referral Requirements**

The proposal does not introduce any additional approval or referral requirements into Lake Macquarie Local Environmental Plan 2014. The proposal is consistent with this Direction.

- **Direction 6.2 Reserving Land for Public Purposes**

The proposal does not reserve land for a public purpose as the residential lot to be rezoned for the public swim centre is already within Council's ownership. Approval is required from the Director-General of the Department of Planning and Environment to alter land use zonings for public purposes. It is recommended that the Minister's Delegate issue consent for the rezoning of this 660m² additional area of land for the public purpose of swim centre.

- **Direction 6.3 Site Specific Provisions**

The proposal does not introduce site-specific provisions into Lake Macquarie Local Environmental Plan 2014. The proposal is consistent with this Direction.

Environmental social
economic impacts :

Environmental Impacts of the Proposal

The proposal seeks to upgrade an aging swim centre with modern equipment taking a sustainable approach. This will reduce the swim centre's energy costs and hence its carbon footprint. Facilities to better integrate this land use with transport, as outlined above, would further reduce energy demand, traffic congestion and carbon generation. Substitution of managed site landscaping for the extensive grassed areas now covering the site will, following water sensitive urban design principles, reduce grass maintenance and improve water quality, it being noted that some areas currently used for car parking are unsealed slopes.

Social Impacts of the Proposal

Positive social impacts are likely to accrue from the proposal through its encouragement of active lifestyles in the Lake Macquarie community, particularly young people, at whom new active play facilities are targeted.

Improved opportunities for competitive swim training encourages local elite sport in zoned

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pools, by segregating leisure users from competition swimmers and, being solar-heated, offer year-round access to all. These outcomes would be consistent with State policies on active lifestyles, obesity prevention and regional sports development.

Economic Impacts of the Proposal

Reducing energy inputs while enhancing commercial health and fitness activities in the expanded swim centre will reduce Council/ public operating costs and increase revenue-earning potential. Better customer services across the site will encourage longer stays, repeat visitation and a higher spend.

An upgraded community facility of this calibre is likely to reflect positively in the values of local residential accommodation and general drawing-power of, and activity in, the regional centre.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Ambulance Service of NSW
Mine Subsidence Board**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
2014-12-05 Attachment Planning Proposal - CharlestownSwim and Leisure Centre LEP Amendment.pdf	Proposal	Yes
2014-12-05 Attachment - Charlestown Swim and LeisureCentre LEP Amendment - Council Report.pdf	Proposal	Yes

Planning Team Recommendation

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Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.3 Mining, Petroleum Production and Extractive Industries**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
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- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**

Additional Information :

- The Minister's delegate accept that the inconsistency with Direction 3.1 Residential Zones as being of minor significance.
- The Minister's delegate accept the inconsistency of the proposal with Direction 6.2 Reserving Land for Public Purposes as being minor and grant consent for the rezoning of the land for the public purpose of swim centre as proposed.
- Council refer the proposal to the Mines Subsidence Board under Direction 4.2.

Supporting Reasons :

The proposed rezoning adds a proportionately small increment of land to the overall size of the swim centre.

The increase in building height allows for a tall-roofed indoor pool space to the advantage of internal climate and external solar energy potential.

On a site of this size, and having regard to Council's building controls, there is low risk of adverse impacts on neighbourhood amenity from the building envelope increases.

Updating facilities and equipment are likely to yield positive environmental, social and economic outcomes.

Signature: _____

Printed Name: _____ Date: _____