

JRPP No.	Item 1 (2009SYW 014)
DA No.	09/da-427 - 643 King Georges Road, Penshurst
Applicant:	Hurstville Council
Report By:	Consultant Planner – Ms J Askin

JRPP REPORT

643 KING GEORGES ROAD, PENSHURST – ALTERATIONS AND ADDITIONS TO THE EXISTING HURSTVILLE AQUATIC CENTRE

APPLICANT	Hurstville Council
PROPOSAL	Alterations and additions to the existing Hurstville Aquatic Centre
ZONING	Zone No. 6(a) Open Space zone
APPLICABLE PLANNING INSTRUMENTS	Hurstville Local Environmental Plan 1994, Development Control Plan No. 1 – LGA Wide – Section 3.1 Car Parking, Section 3.3 Access and Mobility, Section 3.4 Crime Prevention through Environmental Design, Section 3.5 Energy Efficiency, Section 3.6 Rainwater Tanks, Section 3.7 Drainage and Onsite Detention (OSD) Requirements, Section 3.8 Fences adjacent to Public Roads, Section 3.9 Waste Management, Section 5.4 Child Care Centre
HURSTVILLE LOCAL ENVIRONMENTAL PLAN 1994 INTERPRETATION OF USE	Recreation facility with ancillary child care centre
OWNER/S	Department of Lands
EXISTING DEVELOPMENT	Recreation facility with ancillary child care centre
COST OF DEVELOPMENT	\$5.6 million
REASON FOR REFERRAL TO JOINT REGIONAL PLANNING PANEL	Cost of works greater than \$5 million (Community Facility)
REPORT AUTHOR/S	Consultant Planner – Ms J Askin
FILE NO	09/DA-427
HAS A DISCLOSURE OF POLITICAL DONATIONS OR GIFTS BEEN MADE?	Nil

EXECUTIVE SUMMARY

1. The proposal seeks approval for alterations and additions to the existing recreation facility (Hurstville Aquatic Leisure Centre).
2. The existing Hurstville Aquatic Leisure Centre was constructed after Building Approval was granted in May 1994.
3. The proposal complies with the objectives of the Hurstville LEP and with DCP No. 1.
4. No submissions received.

RECOMMENDATION

THAT the application be approved in accordance with the conditions included in the report.

DESCRIPTION OF THE PROPOSAL

The proposal seeks to undertake alterations and additions to the existing Hurstville Aquatic Leisure Centre. The works proposed are as follows:

- refurbishment of existing office/reception area
- new building to accommodate existing crèche
- extended gymnasium space (replacing existing crèche)
- new staff room with change and showering facilities
- refurbishment of extended changing facilities
- new spin class cycle room (within existing foyer space)
- new Mind & Body Studio/Enclosed conference space with enclosed outdoor courtyard
- additional car parking to accommodate a total of 330 vehicles

DESCRIPTION OF THE SITE AND LOCALITY

The site is trapezoid in shape located on the corner of Forest Road and Kings Georges Road with frontage to Cambridge Avenue and Percival Street.

The site has an area of 23,015sqm.

Adjoining the site to the south-west and north-east is residential of varying densities. The area is generally residential in character with the subject site used for community and open space purposes.

COMPLIANCE AND ASSESSMENT

The development has been inspected and assessed under the relevant Section 79C (1) "Matters for Consideration" of the Environmental Planning and Assessment Act 1979.

1. Environmental Planning Instruments

Hurstville Local Environmental Plan

The land is zoned Open Space 6(a) and the existing and proposed use as a recreation facility is a permissible use in the zone. The proposal meets the zone objectives.

Clause 15 - Services

The proposal is considered satisfactory in this regard, as stormwater runoff can be managed to Council's requirements by discharging by gravity to the street.

Clause 18 – Development in Open Space Zones

Pursuant to Clause 18, the proposed development in the open space zone is satisfactory in the following manner:

- The proposal seeks to refurbish the existing recreation facility with an ancillary child care centre to meet the need for the local community; and
- The proposed development will maintain the existing use of the site for the purposes of a recreational facility, which is an important facility for the community.

Clause 22 Excavation

Excavation proposed as part of the proposal is limited to footings for the proposed additions. This level of excavation will not impact on the existing drainage patterns and soil stability in the locality and will not affect the future use or redevelopment of the land.

Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

The site is within the area affected by the Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment. The proposal, including the disposal of stormwater, is consistent with Council's requirements for the disposal of stormwater in the catchment.

State Environmental Planning Policy No 55 – Remediation of Land

The subject site is zoned 6(a) Open Space and, given the types of uses permissible within the residential zones, it is considered unlikely that the land is contaminated.

Based on Council's records, the subject site has not been used for any potentially contaminating activities. As such, it is considered unlikely that the land is contaminated.

2. Draft Environmental Planning Instruments

Hurstville City Council Comprehensive LEP 2011

The Hurstville Comprehensive LEP 2011 seeks to apply the zone RE1 Public Recreation to the existing the 6(a) Open Space zone. The objectives of this zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and comparable land uses.
- To protect and enhance the natural environment for recreational purposes.

The proposal complies with these objectives.

3. Regulations

The Regulations prescribe the following matters for consideration for development in the Hurstville Council area:

- **Clause 92**

Clause 92 of the EP & A Regulation 2000 requires Council to consider Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this standard by condition of consent. This will comply by condition.

- **Clause 94**

This clause applies to a development application for development comprising the rebuilding, alteration, enlargement or extension of an existing building where:

- (a) the proposed building work, together with any other building work completed or authorised within the previous 3 years, represents more than half the total volume of the building, as it was before any such work was commenced, measured over its roof and external walls, or
- (b) the measures contained in the building are inadequate:
 - (i) to protect persons using the building, and to facilitate their egress from the building, in the event of fire, or
 - (ii) to restrict the spread of fire from the building to other buildings nearby.

In determining a development application to which this clause applies, a consent authority is to take into consideration whether it would be appropriate to require the existing building to be brought into total or partial conformity with the *Building Code of Australia*. **Condition No. #** requires the proposal to comply with the provisions of the BCA. It is noted that the proposal does not seek to alter the classification of the building.

4. Development Control Plans

DEVELOPMENT CONTROL PLAN NO 1 – LGA WIDE – SECTION 3.1 CAR PARKING

The proposal has been assessed against the parking requirements of Development Control Plan No. 1 – LGA Wide – Section 3.1 Car Parking as follows:

DCP – Car Parking	Standard	Proposal	Complies
Car parking space requirements for a gymnasium	4.5 (min) – 7.5 (ideal) spaces per 100m ² of GFA 112.5 spaces (based on area of 1500m ² /100 x 7.5)		
Car parking space requirements for swimming pool	Not specified in DCP		
Car parking space requirements for indoor cricket/netball/soccer centres	8 spaces per court 24 spaces		
Car parking requirement for child care centre	Not applicable as child care facilities are ancillary to use of recreational facility		
Admin/Staff amenities	1 space per 40m ² 11.25 spaces (based on area of 450m ² /40 x 1)		
Retail shop/Kiosk	6 spaces per 100m ² 10.8 spaces (based on area of 180m ² /100 x 6)		
Total	158.55 (159)	330	Yes
Car space dimension requirements and garage door clearance	- Car spaces 2.4m x 5.4m (width x length)	- 5.6m x 5.6m	Yes

The above table demonstrates how the car parking requirements comply with those activities outlined in the Table of Development Activities in Section 3.1.2.1 – Parking Provision of DCP 1.

Swimming pools are not included in this list of activities and therefore this area has not been accounted for in the calculation of required spaces. The wet pool area and pool surface have an area of 3320m² and cannot be assessed in accordance in terms of a car-parking requirement.

In considering only the additional floor area of gym area of 580m² (increase from 920m² to 1500m²), the proposal is required to provide 39 additional spaces. In considering the additional floor area for the entire complex of 805m², the proposal is required to provide 60.3 spaces. The proposal provides 90 additional spaces and therefore complies with this requirement.

The application included a traffic report prepared by McLaren Traffic Engineering. This report identifies the lack of requirement for parking for swimming pools and assesses the increased car-parking requirement based on the existing parking provision against the increase in floor area. The report determines that the current provision of 240 is appropriate, based on a traffic study, and this equates to 1 space per 35m².

Using this formula of 1 space per 35m², the proposed floor area of 8990m² would require 265 spaces. The proposed 330 spaces exceed this requirement.

The traffic study goes further to state that based on an appropriate comparative assessment of the patronage and car parking needs of the increased gym area, allowing for seasonal variations, the forecast total parking for the proposed refurbished centre equates to 258 spaces. The report concludes that the proposal will therefore provide an appropriate number of spaces to meet the demand for parking.

DEVELOPMENT CONTROL PLAN NO 1 – LGA WIDE – SECTION 3.3 ACCESS AND MOBILITY

This Development Control Plan requires that

The Assessment Table set out in Section 3.3.1 of the DCP specifies the following requirements for aquatic centres and public swimming pools:

- Access in accordance with AS1428.2 and general access for all persons to appropriate facilities;
- 2% of all parking spaces are to be set aside for accessible parking where 50 or more spaces are provided and designed in accordance with AS 2890.

Access has been provided to the all sections of the facility.

The proposal includes nine car parking spaces, which are set aside for accessible parking, which is 2.7% of the total provided.

The proposal therefore satisfies the requirements of the DCP.

DEVELOPMENT CONTROL PLAN NO – LGA WIDE – SECTION 3.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The existing open style fencing will be retained. This fence allows for natural surveillance from the street to the building.

The proposal complies with the requirements to limit blind corners and provides opportunities for surveillance of open space.

The entries are clearly visible and the building is easily identifiable.

5. Impacts

Natural Environment

The proposal will not affect the natural environment surrounding the site in terms of tree loss, natural resources and systems or impact on flora or a threatened species.

Built Environment

The proposed additions to the complex are single storey and will not impact on the existing streetscape or adjoining residential properties in terms of overshadowing or privacy. The proposal will not impact on any heritage items including aboriginal heritage.

Social Impact

The proposal is considered to be in the public interest, as it will improve the existing community facilities in terms of amenities and gymnasium space. The proposed extension to the existing crèche will improve the ability for the community to use this facility.

The extension of the existing facility is appropriate for this location as the site can allow for additional car parking without impacting on on-street car parking and on the residential amenity of adjoining properties.

Economic Impact

The proposal is considered to be acceptable in terms of economic impact as it allow for the generation of local employment and will not be in direct conflict with other uses in the locality.

The proposal will not impact on property values in the locality, as the proposal will retain the existing level of residential amenity.

Suitability of the Site

The site is considered to be suitable for the subject use, as the Aquatic Centre is an existing community facility. The proposed additions have been designed having regard to the existing buildings and the residential nature of the locality.

The additional car parking on the site has been achieved through the removal of some landscaped area. However, these areas were not utilised as public open space and formed the curtilage of the facility. The provision of car parking will still allow for the main parkland area to be used as public open space.

The site is not located in a bushfire or acid sulfate soil area and is not located on contaminated land or flood prone land.

The proposal is therefore considered satisfactory in terms of site suitability.

5. REFERRALS, SUBMISSIONS AND THE PUBLIC INTEREST

Resident

Adjoining residents were notified by letter and given fourteen (14) days in which to view the plans and submit any comments on the proposal. One submission was received.

Need for rainwater collection system and storage

There seems to be no inclusion of a rainwater collection system and storage tanks for this facility. There is so much roof area at the Hurstville Aquatic Centre, which is not creatively used to support the environment. There is a constant use of water at this facility, not only in the swimming pools but also in watering the grounds. This must be investigated and included in the DA.

Comment: Council's Engineer has reviewed the proposal and advised that the proposal is acceptable in terms of stormwater management. There is no requirement in Council's controls for the applicant to provide rainwater tanks.

Council Referrals

Senior Health and Building Surveyor

No objection raised, subject to conditions.

Development Engineer

No objection raised, subject to conditions.

Traffic Engineer

The following comments have been provided:

Layout of Off-Street Parking Facilities

Parking Bays:

1. ***Proposed 90° angle parking.*** *The proposed spaces comply with the AS 2890.1:2004 Off-Street car parking, for user class 2, where the parking bays need to be 5.4m long and 2.5m wide minimum.*
2. ***Disabled parking spaces.*** *The proposed disabled parking spaces are not in suitable locations. They need to be relocated as close as possible to facilities access and entrance doorways. Also the proposed spaces do not comply with Council's DCP. Council's DCP requires disabled parking spaces to be minimum 3.8m wide and 6.0m long. The proposed parking bay is only 3.5m wide and 5.4m long.*

Aisles:

The required aisle width for the 90° parking orientation for user class 2 according to AS2890.1:2004 is 5.8m minimum, however the Aisle width for the 90° angle parking located on the north western side parallel to King Georges road are only 5.4m wide. (Drawing no 102)

Impact on Road Network

The impact on the local road network (Council's road network) resulting from the proposed development is considered acceptable.

Conclusion

Traffic engineering section raises no objections to the proposed development on traffic grounds subject to following conditions:

- *Parking spaces shall be clearly designated (sign posted and marked on ground) and line marked prior to the issuing of an Occupation Certificate. Signage, pavement symbols and line marking shall comply with Australian Standards, AS1742, Manual of Uniform Traffic Control Devices and NSW Road Transport (Safety and Traffic Management) Regulations 1999.*
- *All allocated car parking spaces shall be freely available for the customers of the proposed development.*
- *Any wall or fence or solid object on either side of the driveway/vehicular crossing where it meets the Council's road reserve at the boundary must comply with sight distance requirements stipulated in the Australian Standards AS2890.1.*
- *All vehicles shall enter and exit the premises in a forward direction.*
- *No deliveries to the premises shall be made direct from a public place or street inclusive of footpaths, nature strip, roadway and car parks.*
- *All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within the dedicated loading/unloading areas, which is wholly within the site.*

The proposed disabled spaces are located as close to the entrance to the Aquatic Centre and entrance to the Gymnasium component as possible and considered satisfactory.

A condition has been included requiring all car parking to comply with AS2890 – Off Street Car parking. All other recommended conditions have been included.

External Referrals

NSW Roads and Traffic Authority

The RTA reviewed the development application and provided the following advisory comments to Council for consideration in its determination of the development application:

1. *The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS 2890.1 – 2004 (Parking Facilities, Part 1: Off Street Car Parking).*
2. *All vehicles to enter and leave the site in a forward direction.*
3. *A Construction Traffic Management Plan detailing construction vehicles routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.*

4. *All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Kings Georges Road and Forest Road.*
5. *The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public authorities and/or their agents.*
6. *All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.*

These conditions have been included within the recommendation.

6. CONCLUSION

The proposal is considered to be satisfactory against the provisions of Section 79C of the Environmental Planning & Assessment Act, 1979 and is recommended for approval, subject to conditions.

RECOMMENDATION

THAT pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, as amended, the Council, grants development consent to Development Application 09/DA-427 for alterations and additions to the existing Hurstville Aquatic Centre on Lot 7051 DP 1027262 and known as 643 Kings Georges Road, Penshurst, subject to the attached conditions:

1. Approved Plans

Plan No	Plan Date	Description	Prepared by
DA01	27.10.2009	Site Plan	Peter Hunt Architect
DA02	27.10.2009	Floor Plan Creche	Peter Hunt Architect
DA03	27.10.2009	Floor Plan Gym	Peter Hunt Architect
DA04	27.10.2009	Floor Plan Spincycle	Peter Hunt Architect
DA05	27.10.2009	Elevations	Peter Hunt Architect
DA06	27.10.2009	Section AA	Peter Hunt Architect
DA07	27.10.2009	Section BB	Peter Hunt Architect

2. In accordance with Clause 94 of the Environmental Planning and Assessment Regulation, 2000, the existing smoke hazard management system in the original swimming pool portion of the building must be brought into conformity with NSW Variation Table E2.1 of the Building Code of Australia (BCA 90) - Amendment 6, i.e. the air handling system serving this part of the building must exhaust or purge smoke at a rate of not less than 6 air changes per hour. In addition, a repeater or mimic panel for the use of fire fighters in an emergency, in association with the fire indicator panel installed in the multi-purpose sports hall, must be provided in the main entry to the swimming pool area.

Note:

Building approval to erect the original swimming pool complex was granted under Building Application 263/94; and BCA 90 – Amendment 6 was in force at the time of the granting of this approval.

Details relating to the level of operation of the smoke hazard management system currently serving the existing swimming pool portion of the complex and any improvements required to be carried out to the system, together with the provision of a repeater panel or mimic panel in the main entry of the swimming pool area must be submitted with the construction certificate application.

3. All storm waters shall be disposed of by gravity in general accordance with the submitted civil works plans.
4. DR11
 - a) An Report prepared by a practicing Hydraulics Engineer shall be submitted with the construction certificate application to confirm that the proposed crèche will not be inundated by the storm waters generated by a storm of 100 years recurrence interval (ARI) flowing along the overland escape route.

Evidence from an appropriately qualified person that this design requirement has been met **shall accompany the application for the Construction Certificate.**

5. The position of the 900mm diameter pipeline adjacent to the proposed crèche structure shall be determined on the site to confirm the proposed structure is clear of the pipeline. Evidence from an appropriately qualified person that this requirement has been met **shall accompany the application for the Construction Certificate.**
6. **Drainage pipeline encroachments/support** - Any structure adjoining the existing 900mm pipeline shall be designed to withstand all forces should the easement be excavated to existing pipe invert levels. Evidence from an appropriately qualified person that this design requirement has been met **shall accompany the application for the Construction Certificate.**
7. The construction over the underground electric cables shall be done with the consent and conditions of the relevant utility authority.
8. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) is to be in accordance with AS 2890.1 – 2004 (Parking Facilities, Part 1: Off Street Car Parking).
9. All vehicles to enter and leave the site in a forward direction.
10. A Construction Traffic Management Plan detailing construction vehicles routes, number of trucks, hours of operation, access arrangements and traffic control is to be submitted to Council prior to the issue of a Construction Certificate.

11. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Kings Georges Road and Forest Road.
12. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public authorities and/or their agents.
13. All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.