

JRPP No:	2010SYW084
DA No:	1145/2010
PROPOSED DEVELOPMENT:	Bankstown Town Hall, 80 Rickard Road and part of 375 Chapel Road, Bankstown. Adaptive reuse of Bankstown Town Hall including partial demolition for the purpose of a theatre, exhibition spaces, café and ancillary uses. Construction of a new three level public library to the east of and adjoining the existing Town Hall building.
ZONING:	80 Rickard Road is zoned 3(a) Business CBD and 375 Chapel Road is zoned Part 3(a) Business CBD and the existing basement car park extends into land zoned 6(a) Open Space.
DATE OF LODGEMENT:	23 November 2010
APPLICANT:	Simon John Barr care of FJMT Architects
OWNERS:	Bankstown City Council
ESTIMATED VALUE:	\$21,647,999
AUTHOR:	Environmental Resources Management (Australia) (ERM)

Assessment Report and Recommendation

SUMMARY REPORT

This matter is reported to Sydney West Joint Regional Planning Panel (JRPP) due to the capital investment value of works exceeding \$5 Million and works being proposed on land that is owned by Council, in accordance with Clause 13B of the Major Development SEPP.

Development Application No. DA - 1145/2010 proposes the adaptive reuse of the Bankstown Town Hall, including part demolition of the existing building and construction of a new three level public library connected to the eastern side of the existing Town Hall building.

DA - 1145/2010 has been assessed against *Bankstown Local Environmental Plan 2001 (BLEP 2001)* and *Bankstown Development Control Plan 2005 (DCP 2005)*. The application generally complies with the provisions of both these policies. However, the basement car parking arrangement is non compliant with the provisions of the DCP 2005 in regard to the car space dimensions and the proportion of small car spaces proposed. It has therefore been recommended that a deferred commencement consent be granted with a condition to be imposed requiring that amended plans be submitted to address these concerns.

There are also some minor non compliances with the side setback provisions in the DCP, however these departures pertain to existing building setbacks and are not considered to detract from a beneficial design outcome for the site.

The application was advertised for a period of 42 days. One (1) objection was received during this period which raised concerns relating to potential insufficient parking at the site. It is considered that the proposed on-site car parking provision will provide sufficient capacity to cater for site operational use.

ERM has prepared the following report. Additional technical assessments were prepared by Samsa Consulting Transport Planning and Traffic Engineering and Chris Summers Building Certification Service.

POLICY IMPACT

This matter has no direct policy implications.

FINANCIAL IMPACT

ERM is not in a position to comment on the financial implications of the project.

RECOMMENDATION

It is recommended that the application be submitted to the Joint Regional Planning Panel (JRPP) with a recommendation that a deferred commencement consent be granted, subject to the attached conditions, including the following specific deferred commencement conditions:

1. Drawing no's SK104 and SK112 (prepared by FJMT Architects and dated 19/11/2010) are to be amended so that all car spaces including the disabled car space comply with the relevant Australian Standard *AS 2890.1: 2004* and/or Bankstown City Council's DCP – *Part D8 Parking*. Spaces designated as 'small car' spaces are to be clearly marked. Amended plans are to be submitted to Council prior to the issue of an operational consent. The amended car park design is to achieve a minimum of 64 car parking spaces.
2. Sectional plans of the basement car park are to be provided indicating compliance with the minimum height clearance stipulated in Australian Standard *AS 2890.1: 2004*. and/ or Bankstown City Council's DCP – Part D8 Parking.

ATTACHMENTS

ATTACHMENT A - Section 79C Assessment Report

DA - 1145/2010 ASSESSMENT REPORT

SITE & LOCALITY DESCRIPTION

The subject site is known as Bankstown Town Hall, 80 Rickard Road and part of 375 Chapel Road, Bankstown and comprises Lot 12 DP 566924 and part Lot 6 DP 77510 (the existing basement carparking for the Town Hall extends into Lot 6). The site is a regular allotment. Lot 12 DP 566924 is zoned 3(a) Business CBD and Lot 6 DP 77510 is zoned part 3(a) Business CBD and part 6(a) Open Space.

The site contains the existing Bankstown Town Hall. The building is a raised podium style building which is three stories in height with split level car parking below.

The site is located within the Bankstown Civic Centre Precinct and is bounded by Chapel Road to the west, the Mall to the south and Appian Way to the east. Directly south of the site are the Council Chambers and Paul Keating Park. A car park for Council staff immediately adjoins the site to the east. The surrounding locality comprises a variety of multi storey office buildings with ground floor level retail land uses.

The site is located approximately 300m north of Bankstown train station and approximately 200m west of the Centro Bankstown public transport interchange.



EXISTING DEVELOPMENT

Bankstown Town Hall was constructed in 1973. The building is a three storey concrete structure set on a podium. The building is a flat roofed structure of reinforced concrete post and beam construction and clad with pre-cast concrete panels. The existing uses in the building consist of

- a large auditorium (1300 seating capacity);
- theatre (300 seating capacity);
- function rooms;
- art gallery;
- Mayoral room;
- foyers;
- booking office;
- eight dressing rooms;
- several kitchens; and
- amenities.

The main entrance is located on the southern elevation, addressing the Council Chambers to the south west. The existing basement car park provides 82 spaces.

Due to non compliance with Building Code of Australia (BCA) requirements only the ground level of the Town Hall building is currently accessible to the public.

The existing Bankstown Library is located on The Mall. It is a two storey structure with no dedicated parking spaces.

Bankstown Council is seeking to redevelop the Town Hall and relocation of the library as part of the CBD Renewal Project. The CBD Renewal Project aims to redevelop and promote Bankstown CBD as the pre-eminent civic precinct within Sydney.

PROPOSED DEVELOPMENT

The Development Application proposes to demolish the existing 1300 seat capacity auditorium on the eastern side of the Town Hall building. Demolition will include the external and internal walls, windows, floors, doors, the existing podium, landscaping and paving.

The remainder of the existing Town Hall building will be adaptively redeveloped to include:

- stage and 250 seat theatre;
- offices and administration areas;
- venue management and ticket collection;
- amenities and facilities at each level for staff and visitors;
- exhibition spaces;
- lobby and foyer areas at each level;
- storage areas;
- dressing rooms; and
- café (to be the subject of a future development application).

The works to the existing Town Hall building will include demolition of some internal walls, reconfiguration of spaces, and fire upgrade measures. The refurbishment will also provide equitable access to the building; including sanitary facilities, unisex dressing room facilities, wheelchair accessible spaces to the theatre and a new lift complying with current accessibility standards.

Bankstown Library is to be moved from its existing site on The Mall to the current Town Hall building. The existing library building has no parking. To facilitate the relocation of the library, Council proposes to demolish the existing 1,300 seat auditorium in the Town Hall building and construct a new three level public library directly east of and connected to the existing Town Hall building.

The new Library will comprise:

- lobby and foyer areas at each level;
- offices and administration area;
- amenities and facilities at each level for staff and visitors;
- multi purpose rooms;
- book return facilities;
- internal reading lounge;
- junior and children's reading areas;
- book shelving/racking/columns;
- external north facing reading garden with an area of 418m²;
- individual and group study areas, lounges and desks; and
- IT labs.

The new library element will be sited primarily on the footprint of the demolished auditorium, however it will extend east to the extent of the existing raised podium structure and south by approximately 6m.

The total development (the adaptively reused Town Hall building and the new library) will have a gross floor area (GFA) of 5,914m² and a maximum building height of 17.956m from the natural ground level to the top of the roof plant. This height is the same as the existing building.

Vehicular access to the development will be provided via Rickard Road. A new car park entrance will be constructed on the eastern elevation below the library building leading to the existing basement car parking area. The existing vehicular access for drop off and pick up from Chapel Road to the entrance of the Town Hall building will be retained. Spaces in the existing basement car park are proposed to be reconfigured resulting in a total of 71 car spaces to be provided to the development.

Pedestrian access to the development is to be provided via a new pedestrian site link from Rickard Road through to the Council Chambers. The existing pedestrian access from Chapel Road and The Mall will be retained.

The works also include the upgrade of site infrastructure, including the installation of a 60,000L capacity in ground rainwater reuse tank to collect rainwater from the new Library roof area and a 160,000L capacity tank to intercept the existing stormwater drainage line from the existing building.

The proposed development includes public domain landscaping including planting along the shared vehicular/ pedestrian access from Rickard Road, a sculpture garden/ reflection pool with integrated seating in the library forecourt and mass planting to garden beds. The library proposal includes an outdoor reading garden room on the north elevation adjoining Rickard Road.

The existing Town Hall forecourt will be improved by resurfacing and installation of bike racks and seating.

STRATEGIC CONTEXT

The Bankstown CBD Draft Local Area Plan

As part of the Metropolitan Strategy for Sydney, Bankstown CBD is identified as a major centre, and has a target of accommodating 3,800 additional homes and 4,000 new jobs by 2031. In order to fulfil the objectives of the Metropolitan Strategy Bankstown Council has prepared a draft Local Area Plan (LAP) for the CBD highlighting key actions and initiatives for the Bankstown CBD to achieve these goals. The draft LAP was on exhibition from 4 August 2010 to 3 September 2010.

The key actions of the LAP relevant to the Bankstown Town Hall redevelopment are found in Part 2.5 of the LAP, Community infrastructure.

Relevant actions are to:

- establish Sydney's best local civic precinct; and
- improve library services in the Bankstown CBD.

The adaptive reuse of the Town Hall building and the construction of the new library will contribute to the revitalisation of the Bankstown Civic Precinct and are consistent with Council's desired future vision for the CBD precinct.

SECTION 79C ASSESSMENT

The proposed development has been assessed pursuant to section 79C of the *Environmental Planning and Assessment Act, 1979*.

Environmental planning instruments [section 79C(1)(a)(i)]

SEPP- Major Development

The following clauses of the SEPP- Major Development were taken into consideration:

- Clause 13B – General development to which this part applies
- Clause 13F – Consent functions to be exercised by regional panels

Part 3 Regional Development applies as the proposal has a capital investment value of more than \$5 Million and is to be carried out on land that is owned by Council (refer to Clause 13B). In accordance with Clause 13F the development application is therefore required to be determined by the Sydney West Joint Regional Planning Panel (JRPP).

SEPP - Infrastructure

The following clauses of the SEPP - Infrastructure were taken into consideration:

- Clause 15 - Consultation with councils—development with impacts on flood liable land

The proposal is located on flood liable land and therefore Clause 15 of SEPP Infrastructure applies. The proposal complies with the above clauses of SEPP Infrastructure. Discussions have been held with Council regarding the flood impacts of the proposed development and measures included in the design to reduce flood impacts. These are discussed below under *Clause 26 – Flood Liable Land*.

SEPP 55 - Remediation of Land

Clause 7 SEPP 55 - Remediation of Land requires Council to consider whether the land is contaminated prior to granting consent to the carrying out of development on that land.

The existing and proposed land uses on the site are not included as activities that may cause contamination. The existing Town Hall was built in 1973 and this similar use will continue on the site. It is considered that the site is suitable to accommodate the proposed adaptive reuse and library development without any further investigation.

Bankstown Local Environmental Plan (LEP) 2001

The following clauses of *Bankstown LEP 2001* (LEP 2001) were taken into consideration:

- Clause 8 – Zones in this plan
- Clause 11 – Development which is allowed or prohibited within a zone
- Clause 12 – Additional discretion to grant consent
- Clause 13 – Other development which requires consent
- Clause 15 – Roads, drainage, open space etc
- Clause 20 – Trees
- Clause 24 – Airports
- Clause 26 – Flood liable land
- Clause 29 – Land classified or reclassified as operational land
- Clause 30 – Floor space ratios
- Clause 32 – Access for people with disabilities
- Clause 36A – Special requirements for particular sites
- Clause 37 – Heritage items and Clause 38 – Development in the vicinity of heritage items
- Clause 38 – Heritage conservation incentives
- Clause 48 – Objectives of the business zones
- Clause 57 – Objectives of the open space zones

An assessment of the Development Application revealed that the proposal complies with the matters raised in each of the above clauses of Bankstown Local Environmental Plan 2001. The following section discusses the compliance of the proposal with selected critical provisions of LEP 2001.

Clause 8 of LEP 2001 – Zones in this plan

Pursuant to Clause 8 of LEP 2001, the site is predominantly located in the 3(a) General Business zone with a small portion (the basement car park) being located in the 6(a) Open Space zone.

Clause 11 – Development which is allowed or prohibited within a zone

Under LEP 2001 the Town Hall building is defined as an entertainment facility, or public building. The proposed library is defined as a community facility. Development for all of these uses is permissible in the 3(a) zone with development consent.

In the part of the site which is zoned 6(a) Open Space the proposed use is the basement car park and landscaping. These uses are permissible with consent in the 6(a) zone.

Clause 26 – Flood Liable Land

The site is not identified on the map in Part E3 of Bankstown Development Control Plan 2005 as being flood prone, however the site is affected by potential local catchment flooding, as identified by the Salt Pan Creek Stormwater Catchment Study (June 2007) and Report Addendum (October 2009).

Officers of Bankstown City Council advised the applicant that an appropriate flow rate for the 1 in 100 Year flow discharging downstream into Rickard Road is 5.57m³/sec. At the entrance to the existing basement car park this flow rate equates to a maximum point on the roadway gutter invert of 417mm, which equates to approximately 266mm at the boundary line on the southern side. This 1:100 flood flow rate was used as a basis for the design of the car park entrance.

Surveys of the existing driveway entrance level indicate that it varies from 25.49 (gutter RL25.23m) to 25.38m (gutter RL 25.12m). In order to allow for a total flow depth of 266mm and trap floodwater at this point it will be necessary for the new driveway entrance to be set at a threshold of RL25.50m. A freeboard of 100mm has been provided. The proposed driveway entrance will therefore need to be at RL 25.60m. The new driveway ramp will also need to be graded with a crossfall away from the basement car park to ensure that any overtopping flows safely escape beyond the basement floor.

The proposal will not result in any significant issues in terms of flow rates or impacts of flood water on adjoining land. The proposed measures adopted in the design are considered adequate in response to the flood risk present on the site.

Clause 30 – Floor space ratios

Under Clause 30, a maximum FSR of 4.5:1 applies to the site. The total site area for is 5,492m². An FSR of 1.1:1 inclusive of the existing Town Hall and the new library building is proposed and therefore the proposal is well within the requirements of Clause 30 of LEP 2001.

Clause 32 – Access for people with disabilities

An accessibility design statement prepared by Accessibility Solutions NSW Pty Ltd was submitted with application. The report finds that the proposed development will provide access in accordance with current legislative provisions. The proposed development is therefore considered to be consistent with the provisions of this clause.

Clause 37 – Heritage items and Clause 38 – Development in the vicinity of heritage items

The site is located adjacent to and within Lot 6 DP 777510 (375 Chapel Road) which contains the Council Chambers building, a heritage item identified in Schedule 6 of LEP 2001, thus the provisions of Clause 37 and Clause 38 apply.

Although the site is located partially on the same site as the Council Chambers building, there is no physical relationship between the two structures. The Council Chambers has a well defined landscaped curtilage and the proposed development will not impact on this. Additionally, sightlines between the Council Chambers building and the Town Hall buildings are largely obscured by existing vegetation.

The proposed development is considered to be beneficial to the overall setting and context of the heritage item and is therefore acceptable in relation to these clauses.

Clause 48 – Objectives of the business zones

The objectives for development in Business Zone 3(a) include reinforcing the status of Bankstown CBD as a metropolitan regional centre, encouraging the development of offices and other commercial activities in the CBD and promoting the centre as a place for employment.

The proposed development adaptively reuses the existing Town Hall building within the Bankstown Civic Precinct. The relocation of the existing library clusters and consolidates land uses within Bankstown CBD and will revitalise the Civic precinct. The proposed development is therefore considered to be consistent with the provisions of this clause.

Draft environmental planning instruments [section 79C(1)(a)(ii)]

The proposed development is not subject to any draft planning instruments.

Development control plans [section 79C(1)(a)(iii)]

The following table provides a summary of the development application against the controls contained in *Parts D4, D7, D8, and E3* of the *Bankstown Development Control Plan 2005*.

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
FSR	1.1:1	Maximum 4.5:1	Yes	Yes
Building Height	Maximum 17.956m, measured from the natural ground level below the podium to the top of the plant.	Maximum 36m	Yes	n/a
	Maximum 17.956m	A development adjacent to the northern side of Paul Keating Park must comply with the following building envelope control to minimise overshadowing of Paul Keating Park: (a) the building height on the northern side of Paul Keating Park is determined by a building envelope based on the 32½ °angle of the 12 noon mid-winter sun to the park edge. This control relates to a 30 metre height limit. Council may allow the height to increase to 36 metres provided the building is sited to create minimal overshadowing of the park.	Yes.	n/a
Setbacks	Existing building alignment to Rickard Road remains unaltered and is approximately 11m.	5m setback to Rickard Road	Yes	n/a
	The existing building setback to Chapel Road remains unaltered.	Zero setback to the Chapel Road, Jacobs Street, The Mall, The Appian Way, and Fetherstone Street boundaries of an allotment.	No, however the existing setback remains unaltered.	n/a
	Setback to Paul Keating Park is approximately 15m. A café (to be the subject of future development application) is proposed for the forecourt on the southern side of the Town Hall building.	A development fronting Rickard Road also fronts onto Paul Keating Park. A zero setback is required to the park frontage, and development is to include restaurants, cafes, or bars along this frontage at the ground floor or podium level.	No, however the proposed development does reduce the setback to Paul Keating Park and the introduction of the café use to the forecourt will encourage public activation of this open space.	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
Properties facing Paul Keating Park	The modified foyer of the existing Town Hall building will include a café and exhibition spaces.	Commercial premises or shops on sites that face Paul Keating Park must have open, active frontages contributing to the public space of Paul Keating Park.	Yes.	n/a
Facade design	The new library building uses aluminum sun shading to articulate the façade.	Architectural elements must be used to articulate facades, and minimise large expanses of blank walls and glazed areas.	Yes	
	The new library building uses aluminum sun shading to articulate the façade. This elements will provide a striking appearance when viewed from Rickard Road.	A development must use colour, modulation, or articulation to improve the appearance of a blank party wall when viewed from the street and adjoining residential zoned land.	Yes	n/a
	Plant and equipment has been located so that it is not visible.	A development must avoid siting an external air conditioning unit and the like on the street facade of a building.	Yes	n/a
Facade design–corner allotments	The existing Town Hall building is situated on the corner of the allotment. There are no significant structural changes proposed to this corner as part of the proposal.	The street facade of a development on a corner allotment should incorporate architectural corner features to add visual interest to the streetscape.	Yes	n/a
Facade design–business zones	Ground floor uses are all commercial which will increase public visitation to the Bankstown Civic Precinct. .	A development should restrict the use of the first storey (i.e. the ground floor) to a business, retail, or other non-residential: (a) to maintain business and retail floor space in the business zones; and (b) to maintain active street frontages in the business zones.	Yes	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
	The new library building will be clad in a folded aluminium sun shade over glass which will provide visual interest and permeability to the structure. The design of the sun shade reflects the patterning on the façade cladding on the existing Town Hall building. The selected materials are complementary to the existing concrete Town Hall structure and distinctly contemporary.	A development must articulate the facades to achieve a unique and contemporary architectural appearance that: (a) unites the facades with the whole building form; (b) composes the facades with an appropriate scale and proportion that responds to the use of the building and the desired contextual character; (c) combines high quality materials and finishes.	Yes	n/a
	The proposed development provides the appearance of a contemporary flat roof consistent with the existing Town Hall and clad in high quality metal sheeting.	A development must incorporate a high quality roof design that: (a) achieves a unique and contemporary architectural appearance; and (b) combines high quality materials and finishes.	Yes	n/a
Lighting	The proposal is not located in proximity to sensitive residential receivers. External lighting will comply with relevant Australian standards.	External lighting to a business development and residential flat building must give consideration to the impact of glare on the amenity of adjoining residents.	Yes	n/a
Landscaping of open spaces	The proposal includes an outdoor sculpture garden/ reflection pool in the forecourt adjoining the Town Hall building.	The landscape treatment must address the visual amenity of a place and may include on-grade planting, planter boxes or containers, paved areas, painted surfaces, water features, sculptural elements or artwork, mosaics, lighting, and furniture	Yes	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
	The existing street tree planting to the Rickard Road and Chapel Road elevations are to be retained under this proposal.	A business development and residential flat building with a primary frontage of 5 metres or more must provide at least 1 street tree per 5 metres of primary frontage. Council may vary this requirement if a street tree already exists in good condition, if an awning or site constraints limit their inclusion, or a Masterplan is yet to determine the location of trees in a precinct.	Yes	
	The existing landscaping to the Chapel Road and Rickard Road boundary has been maintained.	The setback between the front building line and the primary and secondary frontages must contain landscape treatment.	Yes	n/a
	This level of detail is not shown on the existing landscape plans.	An on-grade planter bed must have a minimum width of 600mm and a minimum length of 600mm	No, but can be addressed by condition of consent.	n/a
	This level of detail is not shown on the existing landscape plans.	An on-structure planter bed must have a minimum width of 500mm, a minimum length of 500mm, and a minimum depth of 600mm.	No, but can be addressed by condition of consent.	n/a
	The development proposes subsoil drip irrigation systems, using collected rainwater.	All planter boxes, planter containers, and planted garden bed areas must be provided with a sub-surface, automatic, self-timed irrigation system. This must be regularly checked for continued successful operation.	Yes	n/a
	This level of detail is not shown on the existing landscape plans.	The minimum requirements for an in-situ planter box, planting container, or on-grade landscaping above a podium level that is created by a basement car park or by the upper floor setback of a building are: (a) planter boxes and planter containers must have a minimum width of 500mm, a minimum length of 500mm, and a minimum depth of 600mm. These structures must be fully waterproofed, and lined with filter fabric equivalent to Bidum PF1; and (b) the base and sides	No, but can be addressed by condition of consent.	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
		must be lined with drainage cell membrane; and (c) the planter boxes and planter containers must use soil described as 'planter box mix' that meets AS 4454–Compost, Soil Conditioners, and Mulches. The mix must be lightweight, free draining, and contain organic material.		
	This level of detail is not shown on the existing landscape plans.	All species are to be planted using the following minimum pot sizes: (a) 150mm for ground covers; and (b) 200mm for small shrubs; and (c) 200–300mm for large shrubs; and (d) 300mm for Camellia species; and (e) 25 litres for trees. Council may require larger pot sizes depending on the scope of works. For example, a development or street planting may require mature plantings of 25 litres for large shrubs and 45–75 litres for trees.	No, but can be addressed by condition of consent.	n/a
	The landscape plan utilises appropriate species to the Rickard Road Street frontage and driveway access which will not impinge upon pedestrian or vehicular traffic.	All species must be appropriate in size and form for their intended purpose as follows: (a) a tree or large shrub species capable of attaining a growth of 2 metres or more are unacceptable for a planter box or planter container where the soil volume is less than 2m ³ per species; and (b) a tree with a low branching form is discouraged in a pedestrian traffic area such as a footpath, lane, and within 2 metres of a driveway; and (c) a species with prickly or spiny leaves, or fruit is unacceptable for use where pedestrian traffic is frequent or encouraged.	No, but can be addressed by condition of consent.	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
		All species must be provided with an organic mulch cover that is 75mm in depth. Inorganic mulch treatments such as stabilised decomposed granite or porous gravel systems must be considered for street locations or pedestrian traffic areas.		n/a
	The development proposes subsoil drip irrigation systems, using collected rainwater.	All planter boxes, planter containers, and planted garden bed areas must be provided with a sub-surface, automatic, self-timed irrigation system. This must be regularly checked for continued successful operation.	Yes	
	The species in the landscape design have been selected to be low maintenance.	Where a planter bed is to be provided, a DA must submit a demonstrable method and schedule of ongoing maintenance. The maintenance is to include but not be limited to weeding, cleaning of rubbish, replacing plant materials that fail to thrive, topping of mulch, fertilising, checking and treating for pests and diseases, and the continued watering of plants.	No, but can be addressed by condition of consent.	
Safety and Security	Main entrance addresses Paul Keating park and is discernible from Chapel Road. The proposal will improve the safety and security of the locality by providing activity and surveillance of Paul Keating Park.	The main entrance or entrances to a business development and residential flat building must face the street.	Yes	
Car park design	The basement car park provides clear internal sightlines.	The design of a car park must avoid potential hiding places.	Yes	n/a
	Can be addressed at detailed design stage.	Signs must be installed to encourage people to lock their cars, and to conceal or remove valuables	Yes, requires a condition of consent.	n/a
Security devices for business development	Appropriate security measures should be employed in the development.	A security alarm system must be installed in the non-residential areas of a building.	Yes, requires a condition of consent.	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
Security devices for car parks	Secure access is provided throughout the building and including the basement level car parking and servicing areas.	Access to a loading dock or other restricted area in a building must only be available to tenants via a large security door with an intercom, code, or lock system.	Yes	n/a
	Can be addressed at detailed design stage.	Lighting must be provided to an external entry path, common lobby, driveway, and car park to a building; building using vandal resistant, high mounted light fixtures.	Yes, requires a condition of consent.	
	Can be addressed at detailed design stage.	The lighting in a car park must conform to AS 1158.1, 1680, and 2890.1.	Yes	n/a
Access	The development proposes access in accordance with all relevant standards.	A development must be easily accessible to people with disabilities and must comply with the Building Code of Australia, AS 1428 Parts 1 to 4–Design for Access and Mobility, AS 2890.1–Parking Facilities, and AS 1735–Lifts, Escalators, and Moving Walks	Yes	n/a
	The proposed café space at the foyer of the refurbished Town Hall building has a designated waste storage area.	A development must provide a waste storage area inside every food premises, and inside any shop that is capable of accommodating a food premise	Yes	n/a
Site Facilities and Services	Waste storage areas are designated within the basement car park.	A development must locate a waste storage area inside the building, or adjacent to a lane where it is: - convenient and safe for residents, tenants, and waste collection trucks to access the waste storage area; and - the location and floor level are to the satisfaction of Council's Waste and Cleansing Unit.	Yes	n/a

STANDARD	PROPOSED	BDCP 2005 PARTD4 (BUSINESS ZONES)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
Infrastructure	All plant and equipment are located within the existing plant level or within the basement car park.	The siting of a telecommunication facility, aerial, satellite dish, plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must: (a) integrate with the architectural features of the building to which it is attached; or (b) be sufficiently screened when viewed from the street and neighbouring residential zoned land.	Yes	n/a
	The proposed development includes extensive upgrades to the public domain, including the elevation addressing Rickard Road.	Council may require a development to include public domain improvements to an adjacent footpath in accordance with a design approved by Council's Landscape Architect	Yes, condition of consent to be applied requiring detailed landscape design to be provided in accordance with the requirements set out in the DCP.	

STANDARD	PROPOSED	BDCP 2005 PART D7 (SUSTAINABLE COMMERCIAL AND INDUSTRIAL DEVELOPMENT)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
Water Conservation Controls	The development proposes water efficient tap ware.	Water efficient fixtures required.	Yes	n/a
	The proposed development incorporates two water capture and storage tanks. Rainwater will be used for landscape irrigation and for flushing of toilets.	Site water management plan	Yes	n/a
	The proposed development incorporates effective shading through the aluminum façade detail and utilizes high insulation glass to improve the thermal efficiency of the new library building.	Energy efficient building design required.	Yes	n/a

STANDARD	PROPOSED	BDGP 2005 PART D7 (SUSTAINABLE COMMERCIAL AND INDUSTRIAL DEVELOPMENT)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
	Lighting in the proposed development building will use high efficiency luminaries and sensors and timers will be used to maximize efficiency. An automated Building Monitoring and Control system will be used to maximise efficiency of all mechanical services.	Energy efficient hot water systems, air-conditioning and lighting required	Yes	n/a

STANDARD	PROPOSED	BDGP 2005 PART D8 (PARKING)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
Off street parking spaces	71	The DCP does not include specific requirements for parking for community facility or library land uses. In this instance the proponent must submit a parking study prepared by a qualified traffic consultant for Council's consideration.	AECOM was commissioned by the applicant to prepare a parking study. This is discussed below.	n/a
	The design of the basement car park has been informed by the recommendations in the Warren Smith report. The design of the car park is considered to be appropriate in relation to the potential for flooding.	Car parking and driveway access in flood liable land in Bankstown must be in accordance with Part E3– Flood Risk Management of this DCP.	Yes	n/a
Parking standards for people with a disability	1	Accessible parking spaces should be provided at the rate of at least one car space per 100 car spaces provided	Yes.	n/a
Off street parking design and layout	The disabled car park space is located in an accessible location.	Parking areas for disabled people should be close to an entrance to a development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.	Yes	n/a

STANDARD	PROPOSED	BDCP 2005 PART D8 (PARKING)		LEP 2001 COMPLIANCE
		REQUIRED	COMPLIANCE	
	New parking space are 2.6m x 5.4m Existing parking spaces are 2.3 x 5.4m and do not comply.	5.4m x 2.5m minimum dimensions	No, refer discussion below.	
	New disabled parking space 4.8 x 5.4m.	6m x 3.2m minimum dimensions for disabled	No, refer discussion below.	
Service restriction and small car parking spaces	Designated small car spaces are 4.5m x 2.3m.	The minimum dimensions required for parking small car are 4.5m X 2.3m.	Yes	
	Currently 70%.	The number of small car spaces shall be a maximum of 10% of the total car parking provision.	No, refer discussion below.	
Service bay dimensions	7m x 15m	To comply with AS 2890 and truck size.	Yes	
Off street parking access and circulation	The proposal utilizes the existing vehicular access from Rickard Road.	The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.	Yes	
	Detailed design of the vehicular crossing not provided with the application.	Design and construction of vehicular footway crossing is to be in accordance 'Bankstown Development Engineering Standards'.	Yes, requires a condition of consent.	
Section 5- Other considerations	Submitted sectional plans do not indicate the locations of fire sprinklers etc.	Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs	Yes, requires a condition of consent.	
Loading and unloading facilities	The basement car park provides adequate unloading facilities.	Mixed-use developments must provide appropriate loading /unloading or furniture pickup spaces.	Yes	n/a

PROPOSED	BDCP 2005 PART E3-FLOOD RISK	
	REQUIRED	COMPLIANCE
The proposal incorporates a threshold of RL 26.60m to the basement car park to prevent inundation in the event of a 1:100 year flood event.	The subject site is not identified in the flood prone land mapping. The applicant has consulted Council and was advised of predicted flood levels in Rickard Road and Chapel Road. This has informed the design of the ingress to the basement car park.	Yes, refer to discussion above under Clause 26 of LEP 2001.

DCP 2005 Section D8- Car Parking Parking Provision

A transport report prepared by AECOM accompanied the application. A review of this traffic and access assessment for the proposal was prepared by *Samsa Consulting Pty Ltd*, Transport Planning & Traffic Engineering Consultants and this is included at Attachment G.

Parking provision for the development is proposed to be reduced from the existing 82 parking spaces to 71 parking spaces. The provision of 71 parking spaces is considered to be adequately justified and is based on a parking demand assessment incorporating interview surveys undertaken at the existing library by AECOM during their study as well as examples from other similar developments.

Bankstown city centre car parking occupancy surveys were undertaken by Bankstown City Council during November 2009, February 2010 and March / April 2010. This information was used by the AECOM study team as part of the parking assessment. The most pertinent findings of the occupancy survey indicate that even at a time when the surveyed car parks are at their highest occupancy, there is still spare capacity available. During the midday peak, there are approximately 183 short term car park spaces available and 130 long term spaces available. Significantly, this does not include the large Centro shopping centre car park (over 3,500 parking spaces), which is likely to also have some spare capacity.

The reduction of parking is considered a positive impact with respect to traffic generation in the Bankstown CBD area and is appropriate due to:

- Bankstown CBD area's well established public transport links – two public transport interchanges are located within a 5 minute walk-time (400 m distance) of the site;
- the surveyed spare capacity of nearby off-street public parking – over 300 parking spaces during peak times; and
- the existing library has no dedicated on-site parking.

Parking Space Dimensions

The parking space dimensions required under Bankstown DCP – Part D8 are 5.40m x 2.5m, which differs from AS 2890.1:2004 which stipulates 5.40m x 2.6m.

The new parking spaces proposed are compliant with the dimensions stipulated in AS 2890.1. Of the proposed 27 new parking spaces, 6 spaces (approximately 22%) are marked as 'small car' spaces, of dimension 4.5m x 2.3m.

The existing parking spaces within the car park (shown in pink with dotted outline on drawing number SK 112 'Car Parking Vehicle Movement' plan) are approximately 5.40m x 2.3m and therefore are not in compliance with AS 2890.1 or Council's DCP provisions for regular size car spaces. The plans do not indicate that these parking spaces are to be marked as 'small car' spaces, as per AS 2890.1: 2004.

The redevelopment therefore provides 50 of 71 parking spaces (approximately 70%) that are small car spaces. This is significantly in excess of DCP requirements, which state that the number of small car spaces shall be a maximum of 10% of the total car parking provision.

It would appear that there is some scope to adjust the dimensions of both the existing and proposed car parking spaces so that a larger proportion of the overall number of parking spaces could be made to comply with AS 2890.1:2004 or Council's DCP provisions for standard size spaces.

Although this may result in a reduction in the total number of spaces provided it considered to be of greater benefit to provide a car park that is compliant with current standards and that provides car spaces that are able to be used by a wider spectrum of vehicle types. The likely reduction in the number of spaces that may arise from the redesign of the car park is not likely to exceed 7 spaces and is considered justified given the spare parking capacity identified in nearby public car parks during the occupancy surveys undertaken for the AECOM transport study. A minimum number of 64 car parking spaces is therefore proposed to be required.

The proposed disabled parking space is 5.4m x 4.8m and therefore is not in compliance with the length required under DCP 2005 of 6m. The disabled parking space should be redesigned or relocated so that it complies with the length requirement.

Accordingly, it is recommended that a deferred commencement consent be issued with a condition imposed requiring that the applicant to submit amended plans of the basement car park. The amended plans are to show that all car spaces, including the disabled parking space, comply with the relevant Australian Standard AS 2890.1: 2004 and/or Bankstown City Council's DCP. The number of small car spaces to be provided is also to be in compliance with Council's DCP provisions.

Site Access and Manoeuvring

With respect to site access and internal manoeuvring, the proposal is in compliance with AS 2890.1: 2004. A swept path analysis template has been overlaid on the submitted plans using the Standards Australia B85 and B99 vehicles. Circulation within the proposed car park was assessed using a B85 vehicle and was found to comply.

In order to conform to minimum dimensions stipulated in AS 2890.1, a minimum 2.2m height clearance is required within the car parking area, in addition to a minimum 2.3m height clearance for travel paths to and from any accessible parking spaces. Generally, height clearances below 2.3m require signposting at the car park entry point. It appears that the re-development complies with height clearance requirements, although only building section drawings were available, which did not show services that may decrease the height clearance, eg. fire sprinklers. The AECOM assessment does not state whether height clearances conform to Australian Standards. Accordingly, it is recommended that a deferred commencement consent be issued with a condition imposed requiring that the applicant submit amended plans of the basement car park evidencing compliance with the height clearance requirements of the relevant Australian Standard AS 2890.1: 2004 and/or Bankstown City Council's DCP.

Servicing for the site was assessed to cater for all servicing, deliveries, loading and unloading, and refuse / garbage collections for the site. This was also found to be adequate with suitable swept path analysis.

Building Code of Australia Assessment

An assessment of the proposal in relation to the provisions of the Building Code of Australia (BCA) was prepared by Chris Summers Building Certification Service Pty Ltd and this is included at Attachment H.

This assessment found that the proposal is generally in compliance with the BCA. There were several instances identified where travel distances to exits exceed BCA standards; and additionally an enclosure under a stairwell was identified as not complying with fire separation provisions. However, no issues were identified that will require significant redesign of the proposal. Accordingly, it is recommended that as a condition of consent amended plans be required to be lodged prior to the release of the construction certificate addressing the issues identified in the BCA assessment.

Planning agreements [section 79C(1)(a)(iia)]

The proposed development is not subject to any planning agreements.

The regulations [section 79C(1)(a)(iv)]

The proposed development complies with the *Environmental Planning and Assessment Regulation, 2000*. The development must comply with the provisions of the Australian Standard for Demolition AS 2601. This has been addressed in the consent conditions.

The likely impacts of the development [section 79C(1)(b)]

It is considered that the proposed development will provide beneficial impacts through substantial improvements to the public domain in the Bankstown Civic precinct. As part of the proposed development, the existing precast cladding to the Town Hall building is to be refurbished, which will improve the overall appearance of the structure. The proposed landscaping to the southern podium and library forecourt will also significantly improve the appearance of the Town Hall and the amenity of the overall precinct.

The adaptive re-use and upgrades to the existing Town Hall will provide equitable access and the new library should improve visitation and occupation of Paul Keating park.

The likely environmental, social or economic impacts of the development are therefore considered acceptable.

Suitability of the site [section 79C(1)(c)]

The site is considered suitable for the proposed development and consistent with the surrounding civic land uses.

Submissions [section 79C(1)(d)]

The application was advertised for a period of 42 days. One (1) objection was received during this period, which raise/s concerns relating to insufficient parking.

Objection: The proposed reduction in car parking to 71 spaces is insufficient for the proposal and this would adversely impact on the Aldi Store car park diagonally across Rickard Road / Chapel Road because it may be considered by town hall / library users to be a convenient nearby 'overflow' car park.

Comment:

The car parking provision of a minimum of 64 car parking spaces is considered to be adequate. Any 'overflow' parking, if it does occur, is likely to take place on-street adjacent to the re-development site or in larger public parking areas nearby.

Objection: The proposed car park location (existing location) should be clearly signposted and marked so that users do not pass the car park and then decide to park in the Aldi Store car park area diagonally across the road.

It is considered that the proposed car park will be readily able to be seen by motorists and that it would be likely to be publicised to library users.

Objection: A condition of consent should be imposed requiring formalisation of the proposed car parking management measures within a Car Parking and Transport Management Plan, including management measures to ensure that town hall / library users would not use the Aldi Store car park.

It is not considered necessary to impose a condition of consent relating to the management of car parking. Management measures to control car parking for the Aldi Store car park are Aldi's responsibility.

The public interest [section 79C(1)(e)]

The proposed development is an important component of Bankstown Council's urban renewal strategy. The relocation of the library to the site will improve the amenity of the Bankstown Civic precinct and contribute to the revitalization of the Bankstown CBD. The adaptive reuse and upgrade of the existing Town Hall building will ensure that this building continues to provide a useful function to the community.

The proposed development is thus assessed as being in the public interest.

CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 79C of the *Environmental Planning and Assessment Act 1979*, *Bankstown Local Environmental Plan 2001* and *Bankstown Development Control Plan 2005*.

It is considered that the proposal is consistent with the relevant objectives and standards. The environmental, social and economic impacts associated with the proposed development are likely to be overwhelmingly positive and therefore acceptable and in the public interest.

RECOMMENDATION

It is recommended that Development Application DA 1145/2010 be granted a deferred commencement consent subject to the attached conditions, including the following specific conditions:

1. Drawing no's SK104 and SK112 (prepared by FJMT Architects and dated 19/11/2010) are to be amended so that all car spaces including the disabled car space comply with the relevant Australian Standard *AS 2890.1: 2004* and/or Bankstown City Council's DCP – *Part D8 Parking*. Spaces designated as 'small car' spaces are to be clearly marked. Amended plans are to be submitted to Council prior to the issue of an operational consent. The amended car park design is to achieve a minimum of 64 car parking spaces.
2. Sectional plans of the basement car park are to be provided indicating compliance with the minimum height clearance stipulated in Australian Standard *AS 2890.1: 2004*. and/ or Bankstown City Council's DCP – *Part D8 Parking*.

Christine Allen, Principal Consultant
Environmental Resources Management (ERM)

Recommendation Endorsed

Ian Woodward
Acting Coordinator
Development Services

ATTACHMENT B - Conditions of Consent

ATTACHMENT C- Locality Plan

ATTACHMENT D - Objectors Map

ATTACHMENT E - Site Plan

ATTACHMENT F – Elevations

ATTACHMENT G- Samsa Consulting Report

ATTACHMENT H - Chris Summers Building Certification Service Report

