

Assessment Report and Recommendation Cover Sheet

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast Region)

JRPP No	2014/HCC031
DA Number	DA215/2014
Local Government Area	Singleton
Proposed Development	Partial demolition of existing recreational facility and construction of a new gymnasium, hydrotherapy/program pool with ancillary plant, and administration offices.
Street Address	14-18 Civic Avenue, Singleton
Applicant/Owner	Singleton Council
Number of Submissions	Two (2) submissions
Regional Development Criteria (Schedule 4A of the Act)	Council related development over \$5 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy No. 64 – Advertising and Signage</i> • <i>Singleton Local Environmental Plan 2013</i> • <i>Singleton Development Control Plan 2014</i>
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • DA215/2014 Development Application Form • Statement of Environmental Effects, prepared by <i>Facility Design Group – Architects</i>, and dated October 2014 • Geotechnical Report, prepared by <i>Douglas Partners</i>, and dated October 2014 • Stormwater Concept, prepared by <i>GR Consulting Engineers Pty Ltd</i>, and dated 17 October 2014 • Cover Sheet, prepared by Facility Design Group, and dated 7 October 2014 • Existing Floor Plan, prepared by Facility Design Group, dated 7 October 2014 • Demolition Plan, prepared by Facility Design Group, dated 7 October 2014 • Site Analysis Plan, prepared by Facility Design Group, dated 7 October 2014

	<ul style="list-style-type: none"> • Proposed Ground Floor and Site Plan, prepared by Facility Design Group, dated 7 October 2014 • Proposed Roof Plan, prepared by Facility Design Group, dated 7 October 2014 • Sections, prepared by Facility Design Group, dated 7 October 2014 • Elevations, prepared by Facility Design Group, dated 7 October 2014 • Stormwater Drainage Strategy, prepared by Facility Design Group, dated 7 October 2014 • Landscaping Plan, prepared by Facility Design Group, dated 7 October 2014 • Materials Board, prepared by Facility Design Group, dated 7 October 2014 • Area Plan, prepared by Facility Design Group, dated 7 October 2014 • Submissions received (two submissions) • Applicant's response to submissions
Recommendation	Approval subject to conditions
Report by	Kylie-Anne Pont, A/Senior Planner

LIST OF APPENDICES

APPENDIX A – Schedule 1 of State Environmental Planning Policy No. 64:
Advertising and Signage

APPENDIX B – Conditions of Consent

APPENDIX C – Plans (annotated) (12 pages)

APPENDIX D – Statement of Environmental Effects, prepared by *Facility Design Group – Architects*, and dated October 2014

APPENDIX E – Geotechnical Report, prepared by *Douglas Partners*, and dated October 2014

APPENDIX F – Submissions

APPENDIX G – Response to Submissions

Assessment Report and Recommendation

1. Background

History of application

The subject application was lodged on 30 October 2014 and forwarded to the Hunter and Central Coast Joint Regional Planning Panel for registration on 5 November 2014 pursuant to Schedule 4A, Clause 4(a) and 4(b) of *Environmental Planning and Assessment Act 1979* as the proposed development has a capital investment value of \$5,720,000 and Singleton Council is the applicant for development consent and the owner of the land on which the development is to be carried out.

Additional information was requested from the applicant on 8 December 2014 in response to comments provided in an internal referral from Council's Development Engineers. The request relates to anomalies in the submitted documentation and raises concerns regarding the stormwater drainage design, structural certification and demolition plan. It is considered that these matters can be resolved by the conditions of consent.

2. Site and Locality Description

The development site consists of one parcel being Lot 100 DP 737187. The lot is an irregular shape, with an area of 1.96 hectares, and a primary frontage to Civic Avenue. The site contains: an indoor gym including crèche and administration areas, approximately 1000sqm in floor area; an indoor pool; and, a 50m outdoor pool.



Map 1: Aerial photo showing locality. Subject site is highlighted.

The site is located on the fringe of the Singleton town centre, predominately surrounded by public parkland. Adjoining land uses includes a single-storey

childcare centre approximately 40m to the southwest of the site and a bowling alley immediately east. Other nearby land uses includes a service apartment block and commercial office building to the south and a nursing home further east than the bowling alley, fronting Combo Lane. Council administration office and civic centre auditorium are 200m southwest of the site.

3. Project Description

The proposed development seeks consent for the partial demolition of the main *Singleton Gym and Swim* including the demolition of:

- the western end of the building totaling approximately 430sqm and containing:
 - The entry and admission area for the multipurpose recreational facility,
 - Crèche,
 - Administration offices,
 - Spin room and
 - Retail area; and,
- the eastern end of the building totaling approximately 570sqm and containing:
 - The main gymnasium,
 - Group exercise room,
 - Storage and staff bathroom.

Approximately 165sqm in the centre of the existing building will remain including the main amenities, which are accessible from the outdoor pool area, and ancillary plant area.

The new construction is approximately 1000sqm larger than the existing facility as it includes additional facilities (see **APPENDIX C Plans**). The west end construction will contain:

- Entry and admission area;
- Administration offices;
- A new hydrotherapy/program pool with ancillary plant and storage,
- New amenities including an accessible bathroom,
- A spa and sauna,
- Crèche; and,
- A café.

The eastern end construction will contain:

- The main gymnasium;
- Group exercise room;
- Spin room;
- New entry and “control” desk;
- Assessment room; and,
- Store room.

The operating hours are to remain as existing, being 5:00am to 9:00pm Mondays to Thursdays, 5:00am to 8:00pm Fridays and 6:00am to 6:00pm Saturdays (summer),

10:00am to 6:00pm Sundays (summer), 6:00am to 4:00pm Saturdays (winter) and 10:00am to 4:00pm Sundays (winter).

A temporary recreational facility is to be provided during the construction phase (as illustrated in **APPENDIX C Plans**) however approval has not been sought for the temporary structure as part of this application.

4. Consultation

Council notified and advertised the application for a period of 28 days, commencing 7 November 2014 and concluding 5 December 2014. As a result of the notification, **two (2) submissions** were received (see **APPENDIX F Submissions**).

5 Referrals

Referrals were dispersed to internal professional staff including engineering, waste and water, building surveying and health officers. An additional referral was sent to the Local Area Command (police) for consideration of the design against Crime Prevention Through Environment Design (CPTED) principles. No State authorities were required to provide approval or concurrence as the application does not trigger assessment against any environmental planning instrument other than the *Singleton Local Environmental Plan 2013*.

6. Section 79C Considerations

(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed development includes the erection of an illuminated business identification sign visible from the public domain and therefore in accordance with Clause 8 of the *State Environmental Planning Policy No.64 (Advertising and Signage)* ("SEPP") requires assessment against Clause 3 *Aims, Objectives etc* and Schedule 1 of the SEPP.

A response to the aims and objectives under Clause 3 is provided below:

a) to ensure that signage (including advertising):

- i. is compatible with the desired amenity and visual character of an area, and**
- ii. provides effective communication in suitable locations, and**
- iii. is of high quality design and finish, and**

The proposed signage is proportionate to the new façade design, clearly identifies the business that seeks to occupy the site and is of high quality design and finish.

b) to regulate signage (but not content) under Part 4 of the Act, and

Content has been assessed as so far as it meets the definition of a "business identification sign".

c) to provide time-limited consents for the display of certain advertisements, and

The proposed signage is not required to be subject to time limitation.

d) to regulate the display of advertisements in transport corridors, and

The proposed sign is not in a transport corridor.

e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

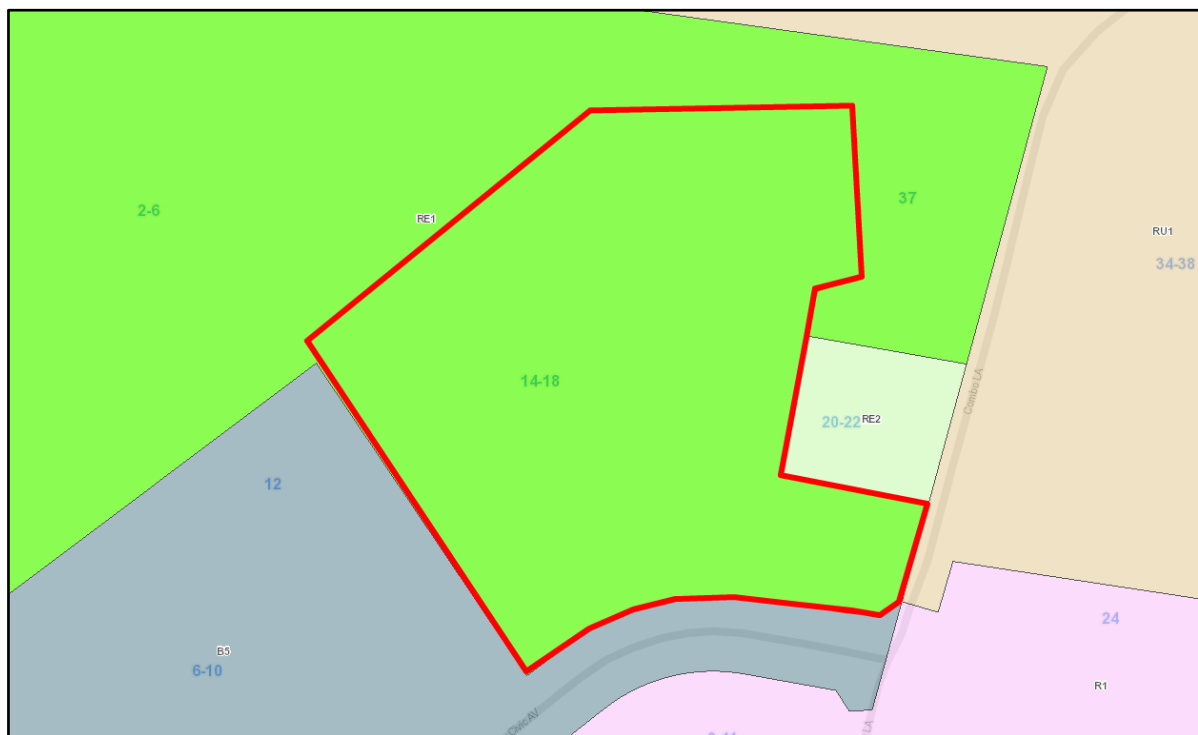
The proposed sign is not in a transport corridor.

The applicant has a response to Schedule 1 of the SEPP in the Statement of Environmental Effects in accordance with Clause 17(3)(a). Compliance with Schedule 1 is addressed in **APPENDIX A** at the end of this report.

Overall, the proposed sign complies with the objectives and aims under Clause 3 and the requirements of Clause 17 of the SEPP.

Singleton Local Environmental Plan 2013

The site is zoned RE1 *Public Recreation* pursuant to *Singleton Local Environmental Plan 2013* ("SLEP 2013") as illustrated in Map 2 below:



Map 2: Zoning map extract. Subject site is outlined red.

The site contains both a *recreation facility (indoor)* and a *recreation facility (outdoor)*, each defined as follows:

Recreation facility (indoor)

means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming

pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

Recreation facility (outdoor)

means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The proposed development involves alterations to the *recreation facility (indoor)* and is permissible with consent.

A planning assessment of the development against the aims and objectives of the RE1 *Public Recreation* zone is provided below.

- ***To enable land to be used for public open space or recreational purposes.***

The proposed development not only enables the use of the land for recreational purposes but seeks to renovate and improve the recreational facilities available for public use.

- ***To provide a range of recreational settings and activities and compatible land uses.***

The proposed expansion of the recreational facility (indoor) seeks to increase the range of recreational facilities. The proposal includes the construction of a new indoor hydrotherapy pool, and maintains the activities provided by the gym within a larger floor area. The development is compatible with the existing land use.

- ***To protect and enhance the natural environment for recreational purposes.***

The proposed development will not cause detriment to the natural environment.

Overall, the proposed development complies with the aims and objectives of the zone.

Clause 7.2 – Flood Planning

As the subject site is identified as flood liable land, clause 7.2 of SLEP 2013 applies. Clause 7.2(3) advises that consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- a) is compatible with the flood hazard of the land, and***
- b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and***

- c) incorporates appropriate measures to manage risk to life from flood, and**
- d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and**
- e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.**

The applicant submits that,

The 1% AEP water level as established in the 2007 flood study is RL40.5AHD. The 2011 report recommends an increase in flood levels of 0.2m due to increased rainfall induced by climate change. The existing floor level by survey is RL40.87. The current floor level is considered to have a freeboard of 0.17m. Current practice in NSW is for non-residential buildings to be at or above the 1% AEP flood level. The existing gym's floor level can therefore be used.

Council's development engineer has considered the development. While it is considered that the site presents a generally low risk flood hazard, concern is raised about the strength of the proposed structure in the event of a flood as the applicant has not provided evidence that the materials and construction will not be adversely affected by flood. As a result it is recommended that a condition be imposed requiring submission of a Structural Engineers Report to be supported by Council prior to the issue of a construction certificate. The report should specifically address the impact of flood on the site.

(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft planning instruments that apply to the subject site.

(a)(iii) any development control plans

The *Singleton Development Control Plan 2014* (the DCP) applies to the development site and the relevant elements are addressed below:

Clause 2.4 Stormwater drainage system

The proposed development results in an increase in roof area thereby increasing stormwater being discharged into the public stormwater system. The development is capable of connecting to the existing street stormwater drainage system on Civic Avenue. Two 42,000L water tanks are to be located at the rear of the site and are to harvest and rainwater and allow on-site re-use. The total stormwater discharge from the site as a result of the proposed development has not been calculated by the applicant to demonstrate that the existing collector pit is capable of accommodating the runoff.

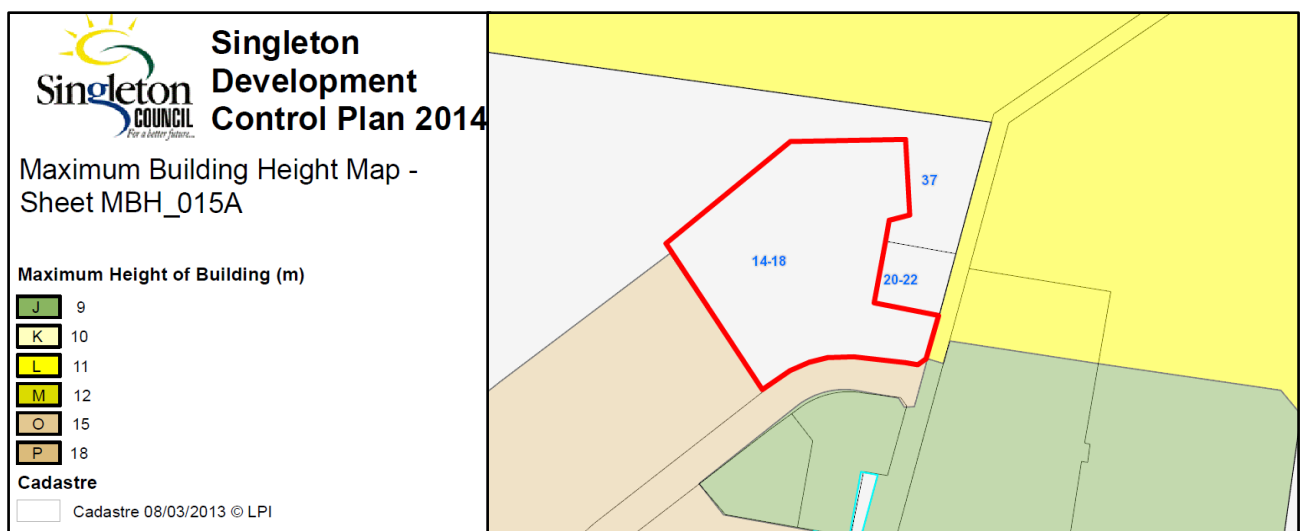
The on-site inter-allotment drainage system comprises of a series of pipes that generally run parallel to the external walls of the building. One existing stormwater pipe is located directly underneath the proposed gym floor. Concern is raised by

Council's development engineers about the location of the stormwater pipe due to the clay based soils of the site (which encourage soil expansion) and the inability to readily access the pipe for maintenance. The concern was raised with the applicant during the assessment process. The applicant noted Council's concerns but determined that due to the flat site area, an alternative route that maintained the appropriate gradient could not be achieved. Instead, it was identified that the stormwater pipe could be investigated after demolition and upgraded, if necessary, with a corrugated polypropylene pipe with rubber ring joints.

Council does not generally support development that is situated over stormwater drainage networks due to the potential detrimental impact the building foundations caused by a broken pipe and level of disturbance required to fix it. Due to the site constraints however maintaining the location of the pipe can be supported but should be upgraded and reinforced prior to the construction of the new concrete slab flooring as the demolition provides an opportunity to do so. As a result, a condition is recommended to be imposed requiring the installation of a new reinforced concrete stormwater pipe (at a resistance "class 4" level). A condition is also recommended to be imposed requiring further investigation into the suitability and size of the stormwater collector pit at Civic Avenue to determine whether it should be upgraded as a result of the total stormwater discharge.

Clause 2.9 Maximum building height

Clause 2.9(2) advises that, *this clause applies to the erection of a building (including additions to an existing building) on any land shown on the Maximum Building Height Map*. The subject site is not illustrated on the Maximum Building Height Map (No.15A) as being affected by a maximum building height (see excerpt of Maximum Building Height Map below).



Clause 2.16 Environmental outcomes

In deciding whether to grant consent to development on land, the consent authority must have regard to:

- a) avoidance of impacts on biodiversity,**
- b) prevention of land degradation,**
- c) prevention of salinity,**
- d) maintenance of good water quality,**

- e) prevention of broadscale clearing in overcleared landscapes, and***
- f) offsetting of impacts if they cannot be avoided.***

The subject site is occupied by an established public recreational facility including garden landscaping and a sealed car park. The site does not contain, nor is in the vicinity of, any natural vegetation of ecological significance, riparian land or watercourse or natural habitat for vulnerable fauna and therefore will not cause an adverse impact on biodiversity or result in broadscale clearing. Furthermore, the subject site is flat and suitable stormwater catchment methods are to be integrated into the design of the building, which will eliminate the potential for land degradation (i.e. erosion), salinity or impact water quality.

Overall, the development is designed and sited to avoid any adverse environmental impact.

Clause 2.18 Landscaping

Clause 2.18 advises that Development consent should not be granted to development on land unless the consent authority is satisfied that the site design incorporates suitable landscaping.

The proposed landscaping includes planting along the front building line comprising of six trees (all exceeding 3m height at maturity), a combination of shrubs, groundcover and native grasses. The proposed landscaping design compliments the building appearance from the public domain and enhances the outlook from inside the facility. Entryways are punctuated by hardstand surfaces and footpaths are delineated by the garden bed. Passive surveillance from inside the facility is provided by the use of grasses and shrubs in front of facade windows.

Overall, the proposed landscaping complies with the provisions and objectives of the DCP.

Clause 2.21 Earthworks and retaining

The proposed development will maintain existing floor levels. A mound of soil to the west of the existing building will need to be cut and flattened, and earth excavated for the new hydrotherapy pool will need to be removed. A geotechnical report (see **APPENDIX E Geotechnical Report**) submitted with the application was considered in the assessment.

A number of anomalies were identified throughout the geotechnical report including reference to the plasticity index and linear shrinkage information for an unrelated project. As the information provided within the report does not pertain to the soils affected by the proposed excavation, an amended geotechnical report should be submitted prior to the commencement of earthworks for the development. It is recommended that a condition be imposed requiring the submission of an amended geotechnical report, specifically addressing the following:

1. Geotechnical risk (if any) and recommendations;
2. Estimated site settlements be presented in a table;
3. Reactive soil movements;

4. Footings recommendations (i.e., depth, construction methods, etc.);
5. Plasticity index;
6. Linear shrinkage;
7. Expansion index; and,
8. Potential geotechnical issues based on soil/site classification and possible actions to minimise impact.

Clause 2.23 Building appearance

The proposed building appearance will not detract from the streetscape and is generally consistent with surrounding contemporary development. The external colour treatments of the building are appropriate in the setting, and the building design incorporates suitable measures to enhance the appearance of large expanses of wall including use of articulation, windows, stepped building form, suitable facade treatment and landscaping. The proposed development generally complies with the provisions of Clause 2.23 of the DCP.

Clause 2.25 Accessible design

The proposed design of the publically accessible building is considered to be capable of complying with the relevant standards within the BCA, Access to Premises Codes and Australian Standard AS1468, and as such complies with the objective and provisions of the DCP.

Clause 2.26 Driveway access

Separate entries (x2) and exit driveways are provided via Civic Avenue. No change to the existing vehicular accesses is proposed as part of this development.

Clause 2.27 Minimum number of car parking spaces

The site contains a sealed car park comprising 101 spaces including 6 accessible parking spaces. An extension to the car park has recently been completed, increasing the number of available parking spaces by a further 57 car parks including 4 accessible parking spaces. A total of 158 parking spaces are provided.

The minimum number of car parking spaces required in accordance with the DCP in the following compliance table:

Facility	Staff & Customer Parking	Required	Provided
Gym (845sqm)	0.5 per staff member + per 16sqm GFA + 1 bicycle space per 5 required staff/customer car parking space	6 spaces + 53 spaces + 12 bicycle spaces	158 car spaces (minus 30 for pool) No figure provided for bicycle parking

Swimming pool (1173sqm)	0.5 per staff member + 1 per 50sqm of water surface area + 1 bicycle space per 5 required staff/customer car parking space	6 spaces + 24 spaces + 6 bicycle spaces	158 car spaces (minus 59 for gym) No figure provided for bicycle parking
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Adjoining land uses including the child care centre and bowling alley also rely on this car park. Based Council enquiries into the demand generated for the child care centre and bowling alley, a total of approximately 35 spaces and 37 spaces respectively would be generated. When calculated with the required number of spaces for the gym/swim, the total number is 165 spaces. Despite the potential non-compliance with the numerical control, it is expected that demand for parking for each premises fluctuates at different peak periods (i.e. short-stay drop-off/pick-up for child care in early morning and afternoon, greater demand for the gym/swim in summer months due to pool use, and typical evening demand for bowling alley). As a result it is unlikely that the parking demand would regularly clash resulting in adverse traffic impacts. In any case, there is ample street parking provided along Civic Avenue, in excess of the resulting shortfall (8 spaces), should parking demand exceed on-site supply at any time.

While the applicant has not clearly indicated how many bicycle parking spaces are to be provided for the development, it is considered that there is sufficient space to provide the required number of bicycle spaces. It is recommended that a condition be imposed stipulating that 18 bicycle rack spaces be provided.

Overall, the proposed parking generally complies with the provisions of the DCP.

Clause 2.28 Design of car parking areas, loading docks and vehicle manoeuvring areas

The existing sealed and landscaped car park is not proposed to change as a result of the application. There is sufficient vehicle manoeuvring space for cars and delivery vehicles. Signposting requires slow movement through the car park ensuring safety for pedestrians.

Clause 2.29 Waste storage and collection areas

Waste is to be stored within a 59sqm designated waste storage area, accessed externally via a service delivery bay. The applicant has advised that it is not expected that the proposed development will result in any meaningful increase in waste generation.

The location and size of the waste storage enclosure is considered conducive to the storage and collection of waste from the development.

Clause 2.32 Outdoor signage

One identification wall sign, comprising of illuminated red acrylic box lettering, 11m length x 0.75m height, is proposed to be erected at the new entry to the recreational facility. The sign compliments the building's facade and generally complies with the objectives and provisions of the DCP.

Clause 2.24 Views and visual impact

The subject site is located on the fringe of the Singleton town centre, surrounded by parkland and contemporary buildings. There are no views or vistas of significance in the area. Despite the 6m height, the proposed development is generally consistent with the appearance neighbouring buildings and will not compromise the setting.

The proposed development will result in a new facade incorporating contemporary lightweight building materials including aluminium sheeting, glass and colorbond metal sheeting. The proposed materials and colours (see **APPENDIX C Plans**) are considered appropriate in the setting.

Clause 4.1 Operational details

The application advises that the recreation facility will continue to operate as it currently operates. No additional staff will be employed and the site will continue to operate between the following hours:

	Winter	Summer
Mondays-Thursdays	5:00am to 9:00pm	5:00am to 9:00pm
Fridays	5:00am to 8:00pm	5:00am to 8:00pm
Saturdays	10:00am to 6:00pm	6:00am to 6:00pm
Sundays	6:00am to 4:00pm	10:00am to 4:00pm

The proposed operations of the site generally comply with the provisions of the DCP.

Clause 4.3 Site Planning

The proposed building design shows “good manners” to surrounding development having considered the characteristics of adjoining and adjacent sites as discussed extensively throughout this report. The proposal complies with the provisions of Clause 4.3 of the DCP.

(a)(iia) any planning agreement that has been entered into or any draft planning agreement that the developer has offered to enter into

Not applicable.

(a)(iv) any matters prescribed by the regulations

Not applicable.

(b) the likely impacts of the development

Safety, security & crime prevention

The application was referred to the NSW Police Force to undertake an assessment and review of the proposed safety by design measures implemented in the development. No objection or recommendations were made by the Police.

The application addresses Crime Prevention Through Environmental Design (CPTED) within the Statement of Environmental Effects, dated October 2014 (see **Attachment D Statement of Environmental Effects**). An assessment of the proposal against the principles is provided below:

Surveillance

The site is located within an established recreational precinct. Passive surveillance from inside the glazed building into the carpark and rear of the site is provided during opening hours. The proposed landscaping compliments the windows of the façade to promote passive surveillance. No CCTV is proposed.

Lighting

The applicant has identified within the Statement of Environmental Effects that security lighting is to be provided in key locations and will be sufficient in and around the site. The plans do not illustrate where lighting is to be located.

Due to the generally isolated location of the site and reliance on passive surveillance for security, it is recommended that a condition be imposed requiring the submission of a lighting strategy for Council approval prior to the issue of a Construction Certificate.

Territorial Re-enforcement

Fencing is provided from the corners of the front façade to the boundary lines to delineate public space.

Access Control

There are only two entry/exit points for pedestrians, including the main entry to the front reception and another entry directly to the gym which will have a service desk to manage entry to the facility.

Waste Management

The waste storage area is located next to the direct gym entrance near the service delivery desk. The storage area is accessible via the car park by a sliding gate. It is partially open to the sky.

The material of the sliding gate has not been provided however it is recommended that it incorporate a slatted design to allow for transparency into the space.

BCA Compliance

Council's building surveyor has reviewed the documents submitted with the application and is satisfied that the proposal can comply with the requirements of the BCA, subject to the imposition of conditions.

Food Safety and Compliance

Council's health officer has reviewed the application and has determined that the proposed development is capable of complying with the relevant food, health and safety standards within the *Food Act 2003*, *Food Regulation 2010*, *Food Standards Code* and *Australian Standard 4674-2004 – Design , construction and fitout of food premises*. Conditions relating to waste water disposal, mechanical exhaust ventilation system, and food fitout standards are included in the recommended conditions of consent.

Social and economic impact on the locality

The proposed development is an improvement to a public facility which benefits the local Singleton community.

Disability Access

The design has incorporated compliance with the BCA and Access Codes ensuring equitable and dignified access for people with disabilities. The requirements of Australian Standards AS1428 have been incorporated into the design by provision of suitably proportioned entryways, internal circulation areas and amenities, as well as appropriate lighting.

Council's community development officer reviewed the proposal, raising no objection to the design, subject to conditions requiring compliance with specific standards under AS1428.1 and the Access to Premises Standard for the proposed hydrotherapy pool (i.e. non-slip tiles), internal circulation areas and access/entryways, internal signage and the reception counter (e.g. suitable height).

Noise & Vibration

Potential noise and vibration sources from the proposed development include air conditioning unit and other mechanical plant, vehicles (including patrons and service vehicles), and internal noise.

The proposed development is to provide additional air conditioning units on the southwest corner of the roof top of the building. The units are to be enclosed behind a solid acoustic parapet to prevent horizontal noise transfer to the neighbouring child care centre.

It is not expected that noise from vehicular traffic will exceed noise levels generated by the existing development. Similarly, internal noise is unlikely to exceed existing levels and can be managed by staff.

c) the suitability of the site for development

The subject land is considered suitable for the proposed development for the following reasons:

- The proposed development is an upgrade of a public facility which will greatly benefit the Singleton community;
- The proposed development seeks to expand the services available to the community by the provision of a new internal hydrotherapy pool;
- The proposed development will result in a positive contribution to the streetscape.

(d) any submissions made in accordance with this Act or the Regulations

In accordance with Part C of the DCP the proposed development was notified to adjoining landowners and advertised in the local newspaper for a period of 28 days. The notification/advertising period began on 7 November 2014 and concluded on 5 December 2014. As a result of the notification, **two (2) submissions** were received (see **APPENDIX F Submissions**). Both submissions raised concern that the application did not include a proposal to heat the existing outdoor pool and did not include the provision of additional shading around the outdoor pool area.

The applicant was forwarded a copy of the submissions on 8 December 2014 and was invited to provide a response to the issues raised (see **APPENDIX G Response to submissions**). The applicant's response includes reference to a 2012 Masterplan for the upgrade of the facility. The Masterplan project has the following six focus points:

- Extension of the existing fitness centre/gym, provide flexibility for extended working hours;
- Demolition of spa/sauna, provide spin studio & new spa;
- Build a new program / hydrotherapy pool;
- Build a new crèche;
- If pool can be sheltered with wind breaks consider heating of 50m pool during summer; and,
- Construct additional car parking.

The applicant's response notes that while it Council's intention to provide heating for the outdoor pool in the future, consistent with the Masterplan (2012), budget constraints of the project did not permit implementing the "technically challenging and costly" heating of the pool without compromising other focus points.

(e) the public interest

The development proposal is a suitable use of the land, and is considered to be in the public interest.

Consultation/Social Implications

These are addressed under the statutory considerations above.

Environmental Consideration

These are addressed under the statutory considerations above.

Conclusions

Council has carried out a comprehensive assessment against Section 79C of the *Environmental Planning and Assessment Act 1979* and applicable planning instruments, including the *Singleton Local Environmental Plan 2013*, and the *Singleton Development Control Plan 2014*. Council recommends approval, subject to conditions.

Recommendation

That Development Application No. 215/2014 be approved, subject to conditions contained in APPENDIX B.