

JRPP Number	2014SYW093
DA number	DA14/0932
Capital Investment Value	\$25,025,000
Assessing Officer	Mahbub Alam - Environmental Planner
Local Government	Penrith City Council
Proposed Development	Alterations and Additions to St Mary's Rugby League Club to Expand the Club with Associated Car Parking and Landscaping Works.
Property Description	Lot 11 DP 1192443
Property Address	St Marys League Club, Nos.183-197 Boronia Road, NORTH MARYS NSW 2760
Date Received	29 July 2014
Type of Development	Advertised Development
Recommendation	Approval, subject to conditions of consent

Assessment Report and Recommendation

Executive Summary

On 29 July 2014 Council received a Development Application from the St Mary's Leagues Club (C/-Urbis) for alterations and additions to St Mary's Rugby League Club to expand the club with associated car parking and landscaping works at Nos. 183-197 Boronia Road, North St Marys.

The proposed development has a 'capital investment value' (CIV) of \$25.025 million. Given that the CIV is in excess of \$20 million, the proposed development is required to be determined by the Joint Regional Planning Panel (JRPP) – Sydney West Region pursuant to Section 23G and Schedule 4A (3) of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*.

Penrith Local Environment Plan 2010 (PLEP 2010) applies to the whole site. The subject site is part zoned IN2 Light Industrial and part zoned RE2 Private Recreation. The portion of the site subject to the proposal is zoned RE2 Private Recreation under PLEP 2010. The proposal is categorised as works to an existing "Registered Club" which is a permissible form of development on the site with Council's consent under Clause 2.5 (Additional Permitted Uses for Particular Land) and Schedule 1 (Additional Permitted Uses) of PLEP 2010.

The subject application was placed on public exhibition and notified to adjoining property owners from 11 August 2014 to 25 August 2014. No submission has been received in relation to the proposal.

An assessment of the proposed development under Section 79C of the *EP&A Act 1979* has been undertaken and the following issues with the initial proposal emerged as a result of this assessment process:

- External design;
- Landscaping;

- Accessibility;
- Access, parking and traffic;
- Noise generation;
- Safety, security and crime prevention;
- Social and economic impacts; and
- Stormwater management

The proposed development is in accordance with the relevant provisions of the Environmental Planning Instruments and Development Control Plan applicable to the subject site and is not considered to result in a negative impact on the surrounding environment.

An assessment under Section 23G and Section 79C of the *Environmental Planning and Assessment Act 1979* (as amended) has been undertaken. After detailed consideration of all matters, it is recommended that the JRPP grant consent to the proposal subject to the imposition of recommended conditions of development consent.

Background

The St Mary's Rugby League Club (SMRLC) is an established community club that provides members and visitors with entertainment, dining and childcare opportunities. Part of the SMRLC long term vision is the creation of a new feature entrance and foyer to the existing club as well as delivering new facilities to expand the Club's offerings to the community.

The proposed changes respond to the recent completion of the new main vehicular entry off Forrester Road, and the Masters Home Improvements Centre to the north of the SMRLC which have shifted the focal point of the Club from its current southern entry (facing Boronia Road) to the north west corner (facing Forrester Road).

As part of St Marys Rugby League Club's long term vision, a number of development application have been lodged with Penrith City Council. These application are summarised below.

Application No	Proposal	Status
DA10/1141	Training Field Relocation	Deferred Commencement consent was granted by Council in 2011 for the relocation of the training field to the eastern side of the existing stadium and removal of an area of Cumberland Plain Woodland (CPW).
DA11/0470	Masters Home Improvement Store	Development consent was granted by Council in 2012 for a torrens title subdivision of the St Marys Leagues Club land. The subdivision separated the north western corner of the site for development as a Masters Store. This approval included a new entry and access road and roundabout in the north western corner of the Club site. This development is now completed.
DA13/0362	Outdoor Family and	Development consent was granted in 2013 for the re-design and expansion of the northern outdoor

	BBQ Court	family and BBQ court.
DA 13/1018	Remediation Works	Development consent was granted in February 2014 for site remediation works to existing stockpile along the eastern edge of the Club site.
DA13/1196	Fitness Centre and Motel	<p>In October 2013 an application was lodged seeking consent for a two-storey fitness centre including a cafe, pools and play area, as well as two x three-storey motel buildings. New internal parking and circulation areas for pedestrians and vehicles, extensive landscaping and signage are also proposed. The location of the proposed buildings was to the east of the existing Club buildings.</p> <p>On 18 September 2014 the application was withdrawn due to ongoing issues raised by Council regarding building design, intensity of development and car parking configuration.</p>

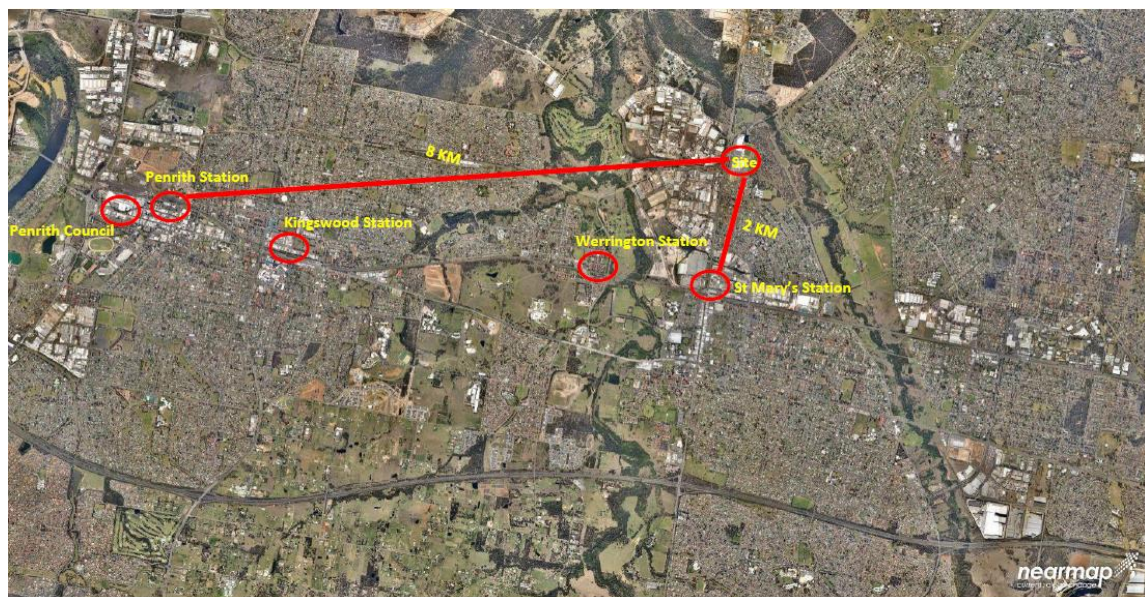
A pre-lodgement meeting was held on 29 May 2014 to discuss the initial design proposal for the current application. Prior to this, an Urban Design Review Panel (UDRP) meeting was held on 21 May 2014 to review the design of the development. Council issued combined meeting advice for both of these meeting on 12 June 2014. The following key issues were identified during these initial design meetings:

- The architectural elements of the proposed development are not considered to demonstrate a high level of urban design quality. Although proposed additions to the existing club endeavour to address the variety of architectural styles and built-form solutions which have evolved on this site over recent decades, the proposed entrance porte cochere and curved screen wall do not represent the most-coherent design solution and should be reconsidered.
- The proposal includes a dramatic curved element however concern is raised that the front façade contains too many features / finishes that take away from the intention of the curved facade treatment.
- The design requires greater consideration of the car park forecourt which should be reconfigured to provide an attractive street frontage as well as a safe and visually-appealing point of arrival for visitors.
- The existing car park areas along Forrester and Boronia Roads should be landscaped with considered patterns of new trees planted along car park verges as well as throughout the parking areas.
- Landscape species should achieve mature canopy heights which at least match the height of the proposed club facade, and canopies should be elevated to permit sight lines from roads to the proposed entrance screen wall.
- Configuration of trees and species should be designed or selected to emphasise the hierarchy of vehicle driveways, as well as identifying pedestrian paths across those driveways.

- Plantings within the leagues club car parking areas should have a density and scale which are equivalent to the Masters development, as well as a character which is consistent with that neighbouring development.
- The proposed landscape embellishment and associated reduction in parking is generally supported provided that the traffic and parking analysis submitted in support of the application can demonstrate that suitable parking provision is retained on site to address the needs of the development.

Site and Surrounds

The site is located on the north-eastern corner of Forrester Road and Boronia Road, St Marys.



The site contains the St Marys Rugby League Club, and associated playing and car parking fields. The site has a land area of 23.62 hectares with frontages to both Forrester and Boronia Roads.



St Marys League Club and Surrounds

The site is surrounded by a variety of land uses, including a Masters Home Improvement store to the north and open space land to the north (Ropes Creek Corridor) and east, residential properties on the southern side of Boronia Road and industrial land uses to the west (being the Dunheved Business Park).

Proposed Development

The proposal comprises the expansion of the existing club building to the north west. The ground floor addition includes 1,642m² of additional gross floor area. The first floor addition includes 2,025m² of additional gross floor area.

The proposed works to the ground floor are as follows:

- Creation of a new club entry at the north west corner of the extension, reorientating the main club entrance from Boronia Road to Forrester Road;
- Introduction of a new internal driveway and porte cochere;
- Extension of the current western foyer
- Inclusion of lobby with reception area management offices;
- Function and meeting rooms;
- Separate Public and Club TAB;
- Access stairs and escalators to the first floor;
- Extension to Outdoor Gaming Terrace;
- Loading dock;
- Double Height Façade; and
- Landscaping around the new façade;
- Landscaping along the Boronia Road and Forrester Road frontages; and

- Removal of fencing fronting Forrester Road.

The proposed works to the first floor are as follows:

- Addition of a second level above the foyer extension;
- New function/convention facility and associated kitchen and bar;
- Male and female bathrooms;
- Smoking terrace; and
- Circulation areas including foyer and lobby.

There will be also minor refurbishments to the existing club to help integrate the proposed changes.

The Club will continue to operate between the hours of:

- Monday to Thursday, 10Am -4AM
- Friday, 10AM to 6AM
- Saturday, 9AM to 6AM
- Sunday, 9AM – 4AM

This application seeks approval for the proposed works as a single consent under Division 2 of Part 4 of the *Environmental Planning and Assessment Act 1979*.

However, as the timing of construction of the club expansion will be subject to the availability of funding for the construction work, and the demand for the first floor facilities, the proposed works have been designed in a way which enables construction to occur in two phases.

The built form resulting from the initial Phase 1 construction will appear and fully operate as a finished single storey club. The Phase 2 construction will adopt the Phase 1 roof form and services, with the addition of access points (fire stairs, escalators, and elevator) and extension of the façade ribbon design element.

Accordingly, while construction will occur over two phases, all relevant design documentation has been prepared and provided as part of this application and no further environmental assessment will be required to construct both phases of the club expansion.

The architectural plans contained in below demonstrate the resulting built form of each phase.



Built Form Photomontage - Phase 1 Construction



Built Form Photomontage - Phase 2 Construction

The following documents have accompanied the subject application:

- Pre-DA meeting minutes and subsequent correspondence with Penrith Council;
- Acoustic Report – Acoustic Logic;
- BCA / Fire Services Report – BM + G;
- Bushfire Report – Bushfire Planning Services;
- DDA Access Report – Design Confidence;
- Electrical/Lighting – Haron Robson;
- ESD Rating Certificate – AECOM;
- Flood Impact Statement – Worley Parsons;

- Penrith Development Control Plan 2010 Compliance Table – Urbis;
- Principals of Universal Design Compliance Table – Urbis;
- Quantity Surveyors Report – WT Partnership;
- St Mary's Rugby League Club Security Plan of Management – St Marys RLC;
- Traffic / Parking Study – Colston Budd Hunt & Kafes (CBHK);
- Waste Management Plans (Demolition, Construction, Ongoing) – PwC;
- Architectural Drawings showing Phase 1 and Phase 2 construction, Design Statement, Materials and Finishes, and Montages – Curtin Architects;
- Civil Engineering (Overland Flow Study, Erosion and Sediment Control, Stormwater Concept plan) – TTW; and
- Landscape Plans and Design Statement – Site Image.

Planning Assessment

The development has been assessed in accordance with the matters for consideration under Section 79C of the *EP&A Act 1979*. The main issues that have arisen in the assessment relate to:

- External design;
- Landscaping;
- Accessibility;
- Access, parking and traffic;
- Noise;
- Safety, security and crime prevention;
- Social and economic impacts; and
- Stormwater management.

1. Section 23G - Environmental Planning and Assessment Act 1979

The Sydney West Joint Regional Planning Panel is the consent authority with authority conferred on it under Section 23G and Schedule 4A (3) of the EP&A Act, 1979.

2. Section 79C (1) (a) (i) – Any Environmental Planning Instrument

State Environmental Planning Policy (Infrastructure) 2007 (SEPP2007)

Clause 104 – Traffic-Generating Development

Forrester Road is an unclassified regional road and therefore the proposed works within this road do not require the NSW Roads and Maritime Services approval under the *Roads Act 1993* (i.e. Council will be responsible for approving the works).

The Development Application was referred to Council's Traffic Engineering Department for further review. Council Traffic Engineering Department has raised no objection to the proposal subject to conditions.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP55)

SEPP55 aims to provide a framework for the assessment, management and remediation of contaminated land throughout the State. SEPP55 prevents consent authorities from consenting to a development unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

A Soil Sampling Stage 1 Preliminary Site Investigation was undertaken as part of DA13/1018 (Remediation Works). This investigation concluded that subject to validation of the stockpile footprint following completion of the Stockpile Remediation Strategy (as per DA13/1018 above) the site will be suitable for the proposed land use.

Based on the Site Assessment, there is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination, and Council is not aware of any contaminating activities currently being undertaken on the site. This information is sufficient to conclude that the provisions of SEPP55 have been satisfied.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP64)

SEPP64 aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

A separate application will be lodged for any signage pursued. As a result SEPP 64 is applicable to the proposed development.

Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2 – 1995)(SREP9)

SREP9 identifies regionally significant extractive resources within the Sydney region to facilitate their utilisation. The plan ensures extraction is carried out in an environmentally acceptable manner and prohibits extraction from certain environmentally sensitive areas. It ensures that decisions on future urban expansion take into account the ability to realise the full potential of important deposits. There are no provisions contained in SREP9 which are of relevance to this proposal.

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997)(SREP20)

SREP20 integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture and urban and rural-residential development. It controls development that has the potential to impact on the river environment. The plan applies to all parts of the catchment in the Sydney region (15 local government areas), except for land covered by *Sydney Regional Environmental Plan No. 11 - Penrith Lakes Scheme (SREP11)*. SREP11 is supported by an Action Plan, which includes actions necessary to improve existing conditions.

Clause 11(14) states that consent is required for recreational facilities on land:

- a) *that adjoins the river or a tributary of the river, or*
- b) *that is flood prone land.*

The site and proposed works are located approximately 650m west of Ropes Creek at the closest point. Given this distance there will be no impact on the wider Hawkesbury-Nepean River system.

The northern region of the subject site falls within the 1:100 year flood plain for the Ropes Crossing flooding scenario, however the Club building and proposed works will not be affected.

A small portion of the proposed works however do fall within the broader catchment flooding scenario.

The Flood Statement provided by Worley Parsons has explored the impacts of the works on this catchment flood scenario and concludes that appropriate measures have been proposed to mitigate potential flooding impacts.

The objectives of SREP 20 are considered to be satisfied and Councils Development Engineers are satisfied in terms of stormwater drainage and flooding issues.

Penrith Local Environmental Plan 2010 (LEP2010)

Permissibility

The subject site is zoned *IN2 Light Industrial* and *RE2 Private Recreation*. The part of the site intended for development is primarily zoned *RE2 Private Recreation* under *Penrith Local Environmental Plan 2010 (LEP2010)*.

The proposal is categorised as works to a “*Registered Club*” which is a permissible form of development on the site with Council’s consent under Clause 2.5 (Additional Permitted Uses for Particular Land) and Schedule 1 (Additional Permitted Uses) of *LEP2010*.

LEP and Zones Objectives

The objectives of the RE2 Private recreation Zone are:

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

The proposal supports these objectives as it expands the offerings of the Club which will improve the overall recreational uses on the site. The proposed landscaping will improve the visual setting while the addition of the function room will accommodate additional activities. Given the alterations and additions are on an existing developed area, and a considerable distance from Ropes Creek, there will be no adverse impact on the natural environment.

Therefore, the proposed development is consistent with the aims and objectives of the LEP and the RE2 zone

Clause 2.5 – Additional permitted uses for particular land

This clause, applying specifically to the subject site, stipulates development for the purposes of a registered Club and associated car parking (among other uses) is permitted with consent. The proposed works are consistent with the additional permitted uses on the site as outlined within this clause of the LEP.

Clause 4.3 – Height of buildings

The application is seeking an additional storey above the existing building. This will bring the maximum height to 12.1m. This height is considered suitable given its separation from surrounding land uses, the scale of the site, the scale of the adjoining Masters development, and that there is no applicable height control for the site under either the LEP or DCP.

Clause 5.3 – Development near zone boundaries

The proposal complies as the development does not rely on the development provisions of this clause.

Clause 5.9 – Preservation of trees or vegetation –

The proposed development requires removal of a small number of trees to facilitate the proposal. However the removal is offset by replacement plantings along the front boundary and as such this clause is considered to have been satisfied.

Clause 5.11 - Bushfire Prone Land

The NSW Rural Fire Service Planning for Bushfire Protection (PBP) aims to protect human life and to minimize impacts on property from the threat of bushfire, while having due regard to development potential, on site amenity and protection of the environment.

The proposal is for the construction of a new entry area and function centre to the Western, non-hazard side of the existing building.

The mapped bushfire hazard to this proposal is to the east of the proposed works at a distance of well over 100m. The vegetation has been identified as Woodland on land that is generally flat.

As the proposed work is greater than 100 m from the identified hazard the deemed to satisfy construction requirements of AS3959 2009 are not considered applicable to this proposal.

Although AS 3959 2009 is not considered appropriate for this building, Planning for Bushfire Protection (PBP) applies to 'all development applications on land that is classified as Bushfire Prone Land (BPL), identified on a councils BPL map'.

This proposal falls outside the requirements for specific bushfire safety construction standards as outlined in the BCA and requires only the general fire safety provisions of the BCA that are associated with that class of structure.

Planning for Bushfire Protection requires that this proposal complies with the aims and objectives of that document.

It is considered that this proposal does comply with the aims and objectives of Planning for Bushfire Protection.

Clause 6.1 – Earthworks

The extent of earthworks is necessary to form level pads for building, parking and roads and to ensure that the development proposal can comply with relevant flooding requirements. The extent of excavation will not have a detrimental effect on the land in terms of drainage patterns, soil stability, and amenity impacts to adjoining properties. The site is not identified as containing relics however an advisory condition of consent will be imposed to require the cessation of works in the event that relics are discovered.

Clause 6.2 – Salinity

The development complies with the provisions of this clause as the works are contained on land which is currently impervious with no detrimental environmental impact resulting from the proposed further development.

The proposal is consistent with the provisions of the clause and the proposed works will not be impacted by salinity.

Clause 6.3 – Flood planning

The site is identified as flood prone land and a flood study prepared by Worley Parsons was submitted with the development application. The development proposal has been designed to ensure that flood behaviour is not unreasonably affected and that floodwater can continue to be conveyed through the site whilst ensuring safety for motorists and other users of the site.

The LEP requires that development consent must not be granted for development on land that is at or below the flood planning level unless the consent authority is satisfied that the development:

- (a) *is compatible with the flood hazard of the land;*
- (b) *if located in a floodway, is compatible with the flow conveyance function of the floodway and the flood hazard within the floodway;*
- (c) *is not likely to adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties;*
- (d) *is not likely to significantly alter flow distributions and velocities to the detriment of other properties or the environment, and is not likely to adversely affect the safe and effective evacuation of the land and the surrounding area;*
- (e) *is not likely to significantly detrimentally affect the environment or cause avoidable erosion, destruction of riparian vegetation or a reduction in the stability of river banks or waterways;*
- (f) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding; and*
- (g) *is consistent with any relevant floodplain risk management plan.*

In addition, development consent must not be granted for development on flood prone land unless the consent authority is satisfied that the development will not adversely affect the safe and effective evacuation of the land and the surrounding area.

Council's Development Engineer has reviewed the proposed development with regard to the preceding flood planning considerations and is satisfied with this aspect of the proposal.

Clause 6.5 – Protection of scenic character and landscape values

The objectives of this clause are as follows:

- *To identify areas that have particular scenic value either from major roads, identified heritage items or other public places; and*
- *To ensure development in these areas is located and designed to minimise its visual impact.*

The site is identified as 'Land with scenic and landscape values' by Penrith Council's *LEP 2010 Scenic and Landscape Value Map*. Photomontages and a Design Statement have been prepared by Curtin Bathgate & Somers Architects to demonstrate that the proposed development will have minimal visual impact from major roads and other public spaces.

The proposed building when finished will be setback approximately 64.2m from Forrester Road and 78m from Boronia Road, and have a maximum height of 12.1m. As such, the overall impact of the building will be minimal.

The existing verge and car park landscaping, combined with the proposed building periphery landscaping, will assist in creating a visual buffer from the public domain.



Proposed Landscape Plan

The proposed development will substantially improve the existing streetscape presentation to Forester Road, as reflected in the current image of the site.



The proposal will provide for landscape embellishment works to align with the landscape concept for the Masters site which will be a significant improvement over the current situation. The proposal satisfies the provisions of this Clause of PLEP 2010.

Clause 6.6 – Servicing

The proposed development complies with this clause as existing services are available to the site and conditions of consent can be imposed to ensuring sufficient servicing is available as a result of the proposed intensified development.

3. Section 79C (1) (a) (ii) – Any Draft Environmental Planning Instrument

The site is affected by the draft Stage 2 Local Environmental Plan which was exhibited in 2013 but is yet to be gazetted. The relevant provisions of LEP 2010 are not amended by the Draft Stage 2 LEP and as such the proposal is considered to be satisfactory under the provisions of the Draft LEP as exhibited.

Section 79C (1) (a) (iii) – Any Development Control Plan

Penrith Development Control Plan 2010

Penrith Development Control Plan 2010 (DCP 2010) applies to the development and an assessment is summarised in a compliance table in appendix 7

4. Section 79C (1) (a) (IV) – The Regulations

Subject to the imposition of conditions of consent, Council's Building Surveyor has raised no objection to the proposed development regarding fire safety considerations as prescribed under the *Environmental Planning and Assessment Regulation 2000*.

5. Section 79C (1) (b) – The Likely Impacts of the Development

Site Design, Context and Setting

Natural Environmental

The proposed works do not involve excavation or the removal of any trees, are adequately distanced from the Cumberland Plains Woodlands conservation area, and will not result in a reduction in deep soil area. Given the above, and considering the works will take place on an existing hard paved area, there will be no negative impacts on the natural drainage and stormwater patterns on the site.

- ***Flood Management***

The proposed development will have a freeboard of approximately 0.7m above the maximum flood level where the minimum flood-proof requirement is 0.5m. This flood proofing feature will create a safe environment for members and guests during potential periods of flooding.

Worley Parsons has completed a Flood Impact Assessment for the proposed works and has found the proposed is fully compliant with Council's DCP requirements.

- ***Overland Flow***

The location of the works is presently a hard paved and impervious surface. Given this, there will be no negative impact on the overland flows.

- ***Stormwater and Sediment Control***

The location of the works is presently a hard paved and impervious surface. Given this, the proposed development will not have a negative impact on stormwater and sediment movement on the site.

- ***Flora and Fauna***

The proposed works do not involve the removal of any trees and are adequately distanced from the Cumberland Plains Woodlands conservation area so as to not have an impact on this habitat. Additional landscaping around the building periphery and along the road frontages is also proposed as part of this application.

- ***Bush Fire***

A statement regarding the site's vulnerability to bushfires has been prepared by Bushfire Planning Services. This statement concludes the mapped bushfire hazard on this site is to the east of the proposed work at a distance of well over 100m. As such, the deemed to satisfy construction requirements of AS3959 2009 are not considered applicable to this application.

The Bushfire Statement provides further detail on this, and compliance with Planning for Bushfire Protection aims and objectives.

- *Noise*

Acoustic Logic has prepared an Acoustic Report which assesses the potential environmental noise impacts of the proposal. The report concludes that no substantial building treatments are required to ensure acceptable noise levels. The predicted noise emissions will comply with the NSW Office of Liquor, Gaming and Racing guidelines provided the implementation of recommendations set out the Section 5 of the Acoustic Report. These recommendations, which include limits to outdoor sound pressure levels, and fitting doors with closing mechanisms, will be addressed.

- *Waste*

Management plans for demolition, construction and ongoing waste have been prepared and form part of this application.

Water

The proposed works will incorporate potable water use reduction mechanisms through the installation of water efficient high WELS (Water Efficiency Labelling & Standard scheme) rated hydraulic fixtures and fittings throughout.

A water meter covering the building extension will be incorporated in the design to help facilitate on-going management of water consumption for the overall Club.

Recycled rainwater is currently being used on the Club premises for watering the playing fields. The possibility of extending the existing system to irrigate the landscape surrounding the building extension will be investigated.

Built Environment

- *Built Form and Scale*

The considerable setback of 64.2m to Forrester Road and 78m to Boronia Street, and location of Ropes Creek between the site and nearby residential area means the building will not be read with surrounding building forms.

Similarly, the separation of 114m between the proposed building form and the Masters development is adequate to ensure these buildings will be read as separate developments.

Appropriate selection of colours and materials has ensured the proposed development is compatible with its surroundings. A materials and finishes schedule has been provided as part of the architectural plans, and is included with this application.

Curtin Architects have prepared a Design Statement relating to the built form and scale of the proposed development. The following excerpt provides justification of the built form:

The Proposed extensions will improve the visual context of the Club when viewed north and south along Forrester Road, firstly by increasing its height with the introduction of a second storey to the north western end of the Club, and secondly by introducing a range of materials, textured and colours across a modulated building form.

Relationship to Adjoining Properties

The setback of 64.2m to Forrester Road and 78m to Boronia Street, separation of 114m to the Masters Development, and location of Ropes Creek between the site and nearby residential area ensures there will be no impacts on adjoining properties.

The reorientation of the Club's main to Forrester Road will reduce patron movements on Boronia Road.

- *Access, Parking and Traffic*

The amended Traffic report has been submitted with this application. This report provides an assessment of parking and traffic demands for the foyer extension which are considered separately to other developments not yet proposed across the site.

The study includes a car park supply and demand calculation for both Phase 1 and 2 of the proposed development, as well as further information on the car park survey and SIDRA model details.

The proposal includes the addition to the ground and first floors with 3,605m² of floor space. The amended traffic report considers existing peak times for the Club, being Friday and Saturday evenings, and estimates that the current peak parking demand is 1 space per 14.5-15m².

There are currently 1,094 car spaces at the Club, and 88 spaces will be removed to allow landscaping within the car park, leaving 1,006.

The table on page 10 of the traffic report shows the various parking demands over various times of the week for the existing club plus the extensions in two stages.

- Stage 1 (1580m²) requires approx 110-115 additional spaces
- Stage 2 (2025m²) requires approx 135-140 additional spaces
- Total 245- 255 additional spaces

The peak period of Friday evening will demand 860-895 spaces after Stage 1, which can be accommodated within the remaining 1,006 existing spaces.

The estimated demand for peak Friday evening parking after Stage 2 is constructed is 995-1035 spaces.

Noting that a minor parking deficit is potentially proposed for the stage 2 component, it is recommended that a further parking study be undertaken, prior to the commencement of Stage 2 which confirms if additional parking is required to cater for the resulting demand. The provision of additional parking can be provided on the site should the need arise as a result of this further traffic modelling, and as such conditions to this effect are considered to be appropriate.

- *Accessibility*

The application has been accompanied by an Accessibility Report prepared by Design Confidence which provides a review of the proposed works with regard to access considerations. The key access issues considered in the Accessibility Report include:

- Accessible pedestrian pathways from the car parking are proposed to the principal entrance of the building.

- An accessible entrance and circulation area to all levels from the ground floor to the upper level is proposed.
- All internal doors and circulation areas are proposed to be of a dimension mandated by AS1428.1-2009.
- The entrance doorways are proposed to have a zero step entrance.
- A new lift is proposed within the location of works. The lift car size is compliant and accessibility features.
- The development includes unisex accessible toilets in accordance with the provisions of the BCA.
- Five (5) off street accessible parking spaces are proposed complying with AS2890.6 and Part D3.5 of the BCA and the Premises Standard 2010.
- Common areas are available on both ground and first floor levels and are designed to be fully accessible.

The Accessibility Report concludes that subject to minor design changes, the proposal will provide equitable access for people with disabilities. In particular, the main car park is to be provided with 5 accessible car spaces.

The proposal was reported to Council's Access Committee at its meeting held on 08 October 2014. At that meeting, the Committee requested the following matters be considered in Council's assessment of the proposal:

- An adult change table should be provided on both levels. This is now a requirement in Victoria and it will soon be a requirement here in NSW.
- Questions were raised that the new site levels accessing the building did not work.
- The committee has requested improvements in the linkage from the new carparking spaces to the main building.

In response to Council's Access Committee request for an adult change table within the Club, an adult change table has been proposed within the bridal changing room area on Level 1. This change has been indicated on the revised Architectural Plans submitted with this application. This facility will be accessible by at-grade access from the proposed main entry via the lift proposed to be delivered as part of the Phase 2 construction within the new foyer area.

It is noted that the provision of this facility on the ground floor was investigated by applicant, however due to the large spatial requirement of the adult change table and associated hoist, there are no appropriate areas within the ground floor extension that would readily suit such an amenity. The applicant also investigated existing accessible WC's for this purpose but found the size, height, and position requirements along with conversion capacity eliminated possibilities. Additionally, such a conversion would compromise the provision of accessible toilets in accordance with AS1428.1 within the club building.

In response to Council's Access Committee request regarding new site levels accessing the building and improvements in the linkage from the new car parking spaces to the building, an addendum to the access report submitted

with the original Development Application has been prepared and provided. The amended report confirms the minor deficiencies identified in the access report have been addressed satisfactorily. The amended architectural plan has also incorporated these updates to ensure full compliance with all current DDA requirements.

Social and Economic Impacts

The applicant has prepared a Security Plan of Management that details security measures adopted to ensure a safe and secure environment for members, staff and guests of the Club, including extensive CCTV networks and 24 hour security personnel.

Acoustic Logic has confirmed the proposed development will not have a negative impact on the acoustic privacy of surrounding residents and businesses.

The addition of the Level 1 function centre has the social advantage of providing a facility capable of accommodating large numbers of people for functions such as school events, sporting awards nights, and parties. Additionally, the proposed meeting rooms provide opportunities for local businesses and those wishing to arrange a function to meet in a private setting.

10. Section 79C (1) (c) – The Suitability of the Site for the Development

The site attributes are conducive to the proposed development for the reasons set out below:

- The facility and infrastructure on the site are already established, therefore the expansion will be maximising the efficiency of the existing services and infrastructure;
- Forrester Road is well serviced by public transport
- The expansion will not have no adverse impact on the Cumberland Plains Woodlands, and does not require the removal of existing trees or significant vegetation;
- The location of the expansion is not considered bush fire prone;
- The location of the expansion is already developed, therefore there will be no adverse impact on the hydrological systems on the site;
- The site is not a heritage item, within a heritage conservation area, or within close proximity to a heritage item;
- The site is capable of accommodating adequate parking for staff, members and guests; and
- The zoning of the site and specific additional uses for the site under the LEP 2010 permit the proposed works.

Accordingly the site is considered suitable for the development subject to conditions.

11. Section 79C (1) (d) – Any Submissions made in relation to the Development

Referrals

The application was referred to the following persons within Council and their comments have formed part of the assessment:

<i>Referral Body</i>	<i>Comments Received</i>
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<i>Referral Body</i>	<i>Comments Received</i>
<i>Urban Design Review Panel</i>	Concerns raised in the Urban Design Review Meeting have been addressed through the provision of revised plans and additional information during the assessment of the proposal.
<i>Building Surveyor</i>	No objections raised subject to conditions of development consent.
<i>Development Engineer</i>	No objections raised subject to conditions of development consent.
<i>Traffic Engineer</i>	No objections raised subject to conditions of development consent.
<i>Environmental Management</i>	No objections raised subject to conditions of development consent.
<i>Environmental Public Health</i>	No objections raised subject to conditions of development consent.
<i>Landscape Architect</i>	No objections raised subject to conditions of development consent.
<i>Community Safety Officer</i>	No objections raised subject to conditions of development consent.
<i>NSW Police</i>	The response from NSW Police summarises their assessment with regard to Crime Prevention Through Environmental Design (CPTED). A number of recommendations are provided and these will be incorporated as recommended conditions of development consent as appropriate.
<i>Social Planning</i>	No objections.
<i>Access Committee</i>	<p>The proposal was reported to Council's Access Committee at its meeting held on 08 October 2014. At that meeting, the Committee requested the following matters be considered in Council's assessment of the proposal:</p> <ul style="list-style-type: none"> • An adult change table should be provided on both levels. This is now a requirement in Victoria and it will soon be a requirement here in NSW. • Questions were raised that the new site levels accessing the building did not work. • The committee has requested improvements in the linkage from the new carparking spaces

Referral Body	Comments Received
	<p>to the main building.</p> <p>In response to Council's Access Committee request for an adult change table within the Club, an adult change table has been proposed within the bridal changing room area on Level 1. This change has been indication on the revised Architectural Plans submitted with this application. This facility will be accessible by at-grade access from the proposed main entry via the lift proposed to be delivered as part of the Phase 2 construction within the new foyer area.</p> <p>It is noted that the provision of this facility on the ground floor was investigated by applicant, however due to the large spatial requirement of the adult change table and associated hoist, there are no appropriate areas within the ground floor extension that would readily suit such an amenity. The applicant also investigated existing accessible WC's for this purpose but found the size, height, and position requirements along with conversion capacity eliminated possibilities. Additionally, such a conversion would compromise the provision of accessible toilets in accordance with AS1428.1 within the club building.</p> <p>In response to Council's Access Committee request regarding new site levels accessing the building and improvements in the linkage from the new car parking spaces to the building, an addendum to the access report submitted with the original DA has been prepared and provided. The amended report confirms the minor deficiencies identified in the access report have been addressed satisfactorily. The amended architectural plan has also incorporated these updates to ensure full compliance with all current DDA requirements.</p>

Community Consultation

In accordance with Section F4 (Notification and Advertising) of *Penrith DCP 2010*, the proposed development was notified to the owners and occupiers of adjoining and nearby properties from 11 August 2014 to 25 August 2014 and no submission was received in response.

8. Section 79C (1) (e) – The Public Interest

The St Marys Rugby League Club expansion will contribute additional social and entertainment opportunities and facilities to the community within an established and recognised site, without reducing the amenity or privacy of local residents and businesses.

The proposed works will encourage vehicular access to the Club via Forrester Road, which will reduce the amount of traffic using Boronia Street, thus improving traffic conditions and safety for residents using this road.

The proposed development will increase employment and recreational densities close to existing public transport services, and would therefore strengthen the existing demand for these services.

The design of the expansion will improve the visual context of the Club when viewed north and south along Forrester Road by introducing a second storey to the north-western end of the club and a range of materials, textures and colours across a modulated building form.

The landscape plans include additional landscaping around the periphery of the building, in addition to road frontage planting. This softens the appearance of the facility from the public domain while maintaining site lines to the Club, and improves road side amenity for motorists.

Section 94 Contributions

There is no Section 94 contributions plan applicable to the subject site.

Conclusion

The proposed development is in accordance with the relevant provisions of the Environmental Planning Instruments and Development Control Plan pertaining to the land. The proposed development is unlikely to have a negative impact on the surrounding environment. The proposed development has been assessed against the relevant heads of consideration contained in Section 79C of the *Environmental Planning and Assessment Act 1979* and has been found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of support.

Recommendation

That DA14/0932 for Alterations and Additions to St Mary's Rugby League Club to Expand the Club with Associated Car Parking and Landscaping Works (Stage Development Proposal) at 183-197 Boronia Road, NORTH ST MARYS NSW 2760, be approved subject to the attached conditions (Development Assessment Report Part B).

Attachment:

1. Locality Plan;
2. Aerial Photograph;
3. Architectural Plans;
4. Photomontages;
5. Landscape Plans
6. Stormwater Plan; and
7. DCP Compliance Table
8. NSW Police Comments.