

TO: Sydney Central City Planning Panel

SUBJECT: 1 Tamplin Road GUILDFORD NSW 2161

APPLICATION No: DA2024/0330 / PPSSCC-591

Application lodged	19 July 2024
Applicant	Cumberland City Council
Owner	Cumberland City Council
Application No.	DA2024/0330 / PPSSCC-591
Description of Land	1 Tamplin Road GUILDFORD Lot 21 in DP 1018330
Proposed Development	Construction of an indoor and outdoor recreation facility (known as Guildford Pool) including change rooms, multi-purpose space, an indoor 25m program and lane pool, an outdoor 25m lane pool, external storage building, provision of signage, associated civil works and associated landscaping, including the removal of trees (Guildford Pool Modernisation Project)
Site Area	63,380m ²
Zoning	RE1 Public Recreation
Disclosure of political donations and gifts	Nil disclosure
Cost of works	\$20,156,186.76
Heritage	Not an item or within a Heritage Conservation Area, however located in proximity to 2 State Heritage Items being: <ul style="list-style-type: none"> Item 'I01629' 'Pipehead, water supply canal and associated works' at 477a Guildford Road Guildford, approximately 100 metres to the north-east of the site; and Item 'I01661' 'Linwood' at 11 Byron Road Guildford, approximately 30 metres to the south-east of the site and 100 metres south-east of the proposed building.
Principal Development Standards	N/A
Issues	Non-compliant car parking, minor shortfall.

SUMMARY

- Development Application No. DA2024/0330 was lodged on 19 July 2024 for the Construction of an indoor and outdoor recreation facility (known as Guildford Pool) including change rooms, multi-purpose space, an indoor 25m program and lane pool, an outdoor 25m lane pool, external storage building, provision of signage, associated civil works and associated landscaping, including the removal of trees (Guildford Pool Modernisation Project).
- The application was publicly notified to occupants and owners of the adjoining properties for a period of 28 days between 26 July 2024 and 23 August 2024. In response, no formal submissions were received. In addition, Council placed a notification of the proposed project to the community on Council's 'Have Your Say' page to which 4 responses were received.
- The subject site is located in proximity to 2 State Heritage Items including Item 'I01629' 'Pipehead, water supply canal and associated works' at 477a Guildford Road Guildford, approximately 100 metres to the north-east of the site and Item 'I01661' 'Linwood' at 11 Byron Road Guildford, approximately 30 metres to the south-east of the site and 100 metres south-east of the proposed building .
- The application does not propose any variations to the development standards in the *Cumberland Local Environmental Plan 2021* and complies with the development controls in the *Cumberland Development Control Plan 2021* with the exception of car parking shortfall proposed.

5. The application has been assessed by an independent external Town Planning Consultant and is referred to the Panel as the proposal is on land that is owned by the Council and is for Council related infrastructure.
6. The application is recommended for Approval subject to the conditions as recommended in the Council's assessment report.

REPORT

SUBJECT SITE AND SURROUNDING AREA

Description:

The site is legally described as Lot 21 in DP 1018330 which is generally known as Guildford Pool at 1 Tamplin Road Guildford.

The subject site has a primary frontage with vehicular access to Tamplin Road, Guildford to the east and a secondary frontage to Guildford Road to the north.

The site is irregular in shape and according to Council records, the site occupies an area of 63,380m² (6.338 hectares) as a total site area. The portion of the site the subject of this DA has an area of 15,114.70m² (1.51 hectares) and references to "the site" within the remainder of this report will be a reference to this area.

The Locality:

The site, the subject of the development application is situated within an area that is predominately residential uses on all sides with the site situated approximately 1km west of the Guildford Train Station and Town Centre. Land adjoining the site to the immediate south comprises the Guildford Leagues Club, to the west, north and east comprises residential development and to the south-west comprises the remainder of the RE1 Public Recreation zoned land.

The overall site is shown below shaded orange while the site the subject of this DA is shown below edged in red.



Figure 1 - Location Map (Overall Reserve Site)

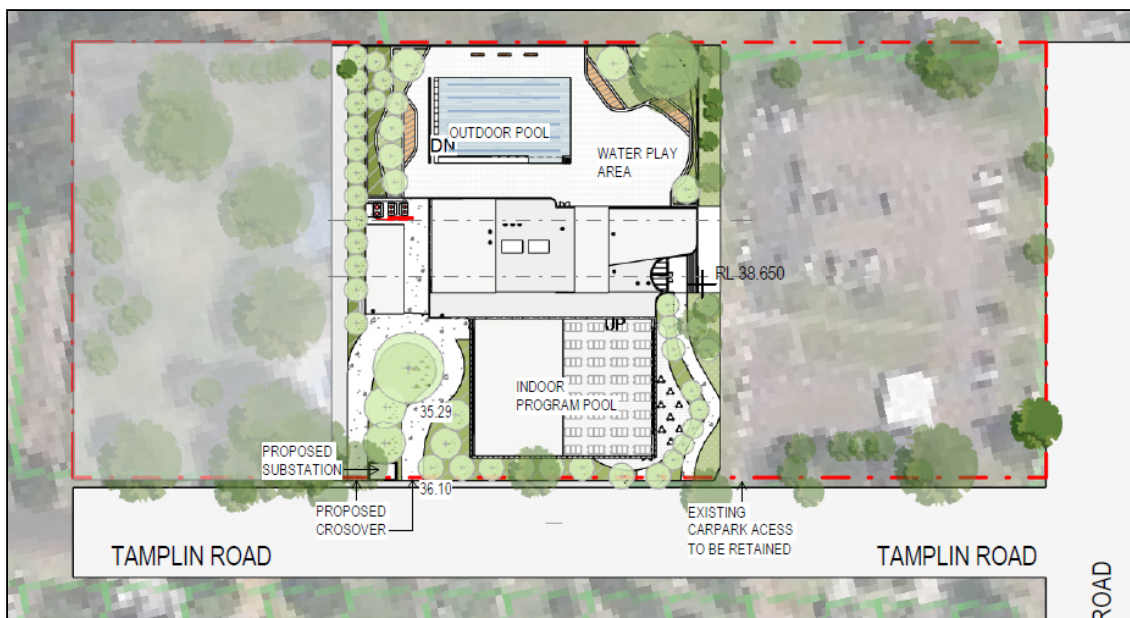


Figure 2 - Proposed site plan. Source: Mode Design



Figure 3 - Land zoning map

The subject site is currently vacant and contained the former Guildford Pool and leisure centre which was recently demolished to facilitate the future redevelopment of the site for the new pool and leisure centre. The demolition of the existing Guildford Pool and associated centre and structures was approved by a Review of Environmental Factors pathways on 7 March 2024.

DESCRIPTION OF THE DEVELOPMENT

Council has received a development application for construction of an indoor and outdoor recreation facility (known as Guildford Pool) including change rooms, multi-purpose space, an indoor 25m program and lane pool, an outdoor 25m lane pool, external storage building, provision of signage, associated civil works and associated landscaping, including the removal of trees (Guildford Pool Modernisation Project).

The application specifically proposes the following works, as detailed within the Statement of Environmental Effects accompanying the DA:

Proposed Works:

The proposed development is the Guildford Pool Modernisation Project which includes the construction of the new Guildford Pool, including earthworks, remediation if required and building works with associated support facilities, change rooms, multi-purpose space, and indoor 25m program and lane pool. The proposal will also include a 25m outdoor lane pool, external storage building and associated landscaping and fencing.

Signage:

The proposal incorporates building and business identification signage.

Tree Removal:

Thirty-seven (37) trees are proposed to be removed to facilitate the works and replaced with new plantings.

Car Parking & Vehicular Access:

The proposal will retain the use of the existing car park to the north.

A new one-way rear access road is provided to the south of the new Guildford Pool via dual vehicle access crossings from Tamplin Road. This access road will provide back-of-house access for waste collection, servicing, deliveries and emergency vehicle access. The access road adjoins a new substation along the eastern frontage.

Pedestrian Access:

The main entrance to the new Guildford Pool is located to the north fronting the car park, alongside the reception and staff rooms. This gives way to a common area with lockers and changerooms/WCs, flanked by the internal 25m program / lane pool hall to the east and the external 25m lane pool and concourse to the west.

Associated Structures:

The plant room, storage rooms and waste room are located south of the new building. Showers are to be located adjacent to the external pool concourse and internal pool hall.

Proposed Hours of operation:

The new Guildford Pool will have the following operational hours:

- Monday to Friday: 6am to 8pm
- Saturday: 6am to 5.30pm
- Sunday and public holidays: 7.30am to 5.30pm

Patrons:

The proposed new Guildford Pool will have a maximum capacity across the facility of approximately 500-550 patrons.

Subdivision:

No subdivision of the site is proposed as part of this application.

Perspectives:



Figure 4 - Perspective of Development from North-East

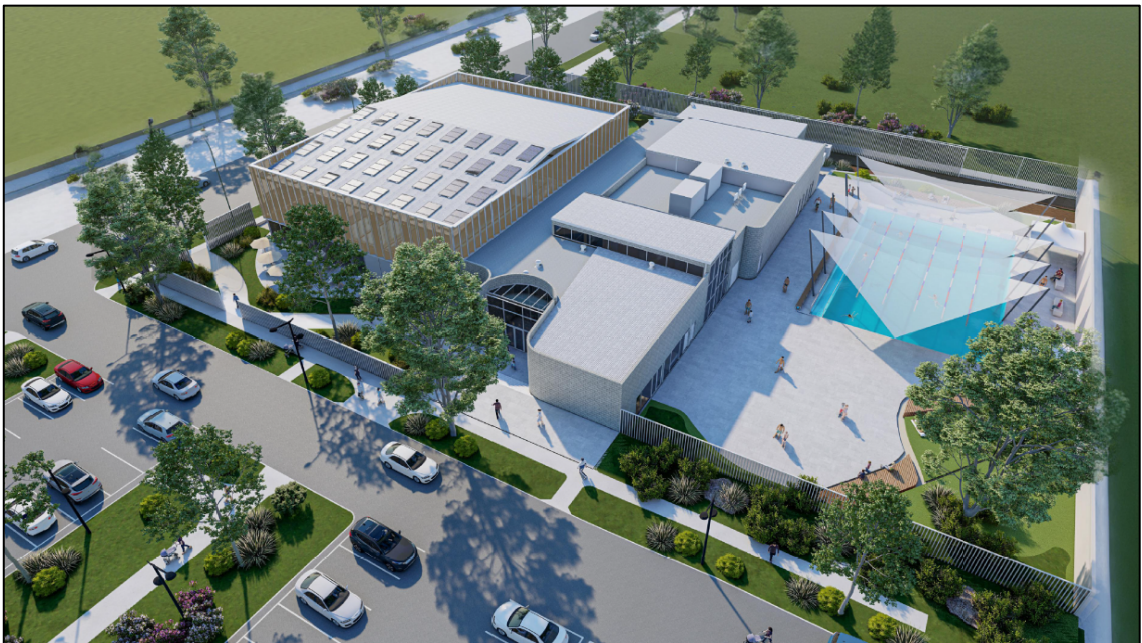


Figure 5 - Perspective of Development from North-West



Figure 6 - Perspective of Outdoor Swimming Pool

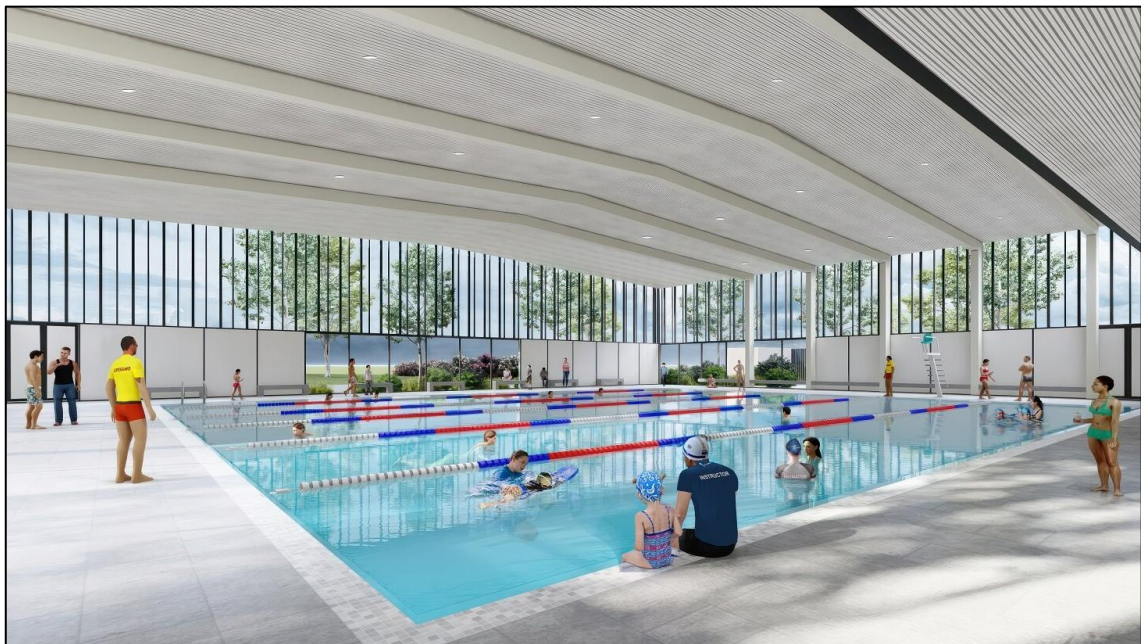


Figure 7 - Perspective of Indoor Swimming Pool

HISTORY

The demolition of the existing Guildford Pool and associated centre and structures was approved by a Review of Environmental Factors pathways on the 7th of March 2024.

A pre lodgement application PL2024/0017 was finalised by Council officers on 18th April 2024 for:

- The development proposes the construction of a new building to house an indoor pool, a new outdoor pool. Site remediation is also proposed as part of the application.
- The new building consists of the following:
 - 25m lap/program pool
 - Entry and foyer area
 - Staff management rooms
 - Male and female amenities
 - Plant room
 - Store room

- The outdoor area consists of:
 - 25m lap pool
 - Water play area/child play pool
 - Two (2) grassed areas

Development Application No. DA2024/0406 was approved by the Cumberland Local Planning Panel on the 13th of November 2024 for the Torrens Title subdivision of one (1) lot into two (2) lots on land known as McCredie Park.

The approved Torrens title sub-division has resulted in the area associated with the pool and on-site car parking having a defined area of 15,030 square metres. The remainder of the park which contains McCredie Park ovals, fields and facilities will be located on a separate lot.

Request for Additional Information:

Following an initial assessment of the subject development application, a request for additional information was uploaded to the NSW Planning Portal on 5 September 2024 relating to outstanding stormwater, tree removal and landscaping matters. In response, amended plans and additional information were received from the applicant on the 24th of September 2024.

APPLICANTS SUPPORTING STATEMENT

The applicant has provided a Statement of Environmental Effects prepared by Barker Ryan Stewart dated 5 July 2024 and was received by Council in support of the application.

CONTACT WITH RELEVANT PARTIES

The assessing officer has undertaken a site inspection of the subject site and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

INTERNAL REFERRALS

Department	Comments
Development Engineering (Flood, stormwater, civil works, parking, traffic, access)	The development application was referred to Council's Senior Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
Environmental Health (contamination, noise/acoustics, sediment and erosion control and food/public health)	The development application was referred to Council's Environmental Health Officer for comment who has advised that the development proposal is satisfactory as it satisfies Council's requirements in relation to contamination, noise/acoustics, sediment and erosion control and food/public health and therefore can be supported subject to recommended conditions of consent.
Trees (removal of trees)	The development application was referred to Council's Senior Tree Management Officer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
Waste (waste provisions)	The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported with no recommended conditions of consent.
Parks & Open Space (McCredie Park)	The development application was referred to Council's Landscape Architect for comment who has advised that the development proposal is satisfactory and therefore can be supported with no recommended conditions of consent.

Figure 8 - Internal Agency Referral Summary

EXTERNAL REFERRALS

Agency	Comments
Sydney Water	The development application was referred to Sydney Water for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
Endeavour Energy	The development application was referred to Endeavour Energy for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Figure 9 - External Agency Referral Summary**PLANNING COMMENTS****The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))***State Environmental Planning Policies*

The proposed development is affected by the following State Environmental Planning Policies:

SEPP Relevant Clause(s)	Compliance with Requirements
State Environmental Planning Policy (Biodiversity and Conservation) 2021	
Chapter 2 - Vegetation in non Rural Areas	<p>The development application includes the removal of 37 trees and significant replacement landscaping. The proposal incorporates 47 replacement trees.</p> <p>The application was referred to Council's Senior Tree Management Officer who have assessed the proposal as acceptable subject to conditions.</p> <p>The proposal does not exceed the biodiversity offsets scheme threshold. Therefore, the proposed vegetation removal is considered acceptable.</p>
Chapter 6 - Water Catchments Georges River Catchment	<p>The subject site is not affected by acid sulphate soils, does not disturb the bank or foreshore along the Georges River tributaries, and the proposed development will not increase flooding or stormwater runoff, will not discharge industrial waste and will not cause land degradation by way of erosion, sedimentation, pollution, salinity or acidity. The proposed development will not cause adverse impacts to the sensitive natural environments within the catchment area and sewer is proposed to be connected directly into the Sydney Water sewerage system.</p> <p>It is therefore determined that the location, a detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses. As such, the development is acceptable under the provisions that came into effect on Monday, 21 November 2022.</p>
State Environmental Planning Policy (Industry and Employment) 2021	
Chapter 3 - Advertising and Signage	<p>The application proposes signage including '<i>building identification signage</i>' and '<i>business identification signage</i>' displaying the name of the premises in block letters and the Cumberland City Council branding.</p> <p>A comprehensive assessment of the signage is contained in Attachment 8.</p>
State Environmental Planning Policy (Planning System) 2021	
Schedule 6	<p>Development of a type that is listed in Schedule 6 of Planning System SEPP is defined as 'regional significant development'. Such applications require a referral to a Sydney District Panel for determination as constituted by Part 3 of Schedule 2 under the Environmental Planning and Assessment Act 1979.</p> <p>The proposed development constitutes 'Regional Development' as it is Council related development with an estimated development cost of more than \$5 million. While Council is responsible for the assessment of the DA, determination of the Application will be made by the Sydney Central City Planning Panel.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	
Chapter 2 - Coastal Management.	The subject site is not identified as a coastal wetland or 'land identified as "proximity area for coastal wetlands" or coastal management area.
Chapter 4 - Remediation of Land.	Clause 4.6 of Resilience and Hazards SEPP requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development.

SEPP Relevant Clause(s)	Compliance with Requirements
Part 4.6.	<p>A Review of Geotechnical and Contamination Reports Following Revised Design Plans, prepared by Douglas Partners, accompanies the DA and provides an assessment and review of the following supporting site investigation and geotechnical reports:</p> <ul style="list-style-type: none"> • Preliminary Site Investigation for Contamination (PSI) - 866664.00.R.001.Rev1 dated 18 February 2019; • Desktop Geotechnical Assessment – 866664.00.R.002.Rev0 dated 23 January 2019; • Detailed Site Investigation (the DSI) – 866664.01.R.001.Rev0 dated 13 June 2019; and • Geotechnical and Salinity Investigation (the GI) – 866664.01.R.002.Rev0 dated 13 June 2019. <p>Overall, the DSI concluded that the site was suitable for the proposed recreational land use, subject to the following recommendations:</p> <ul style="list-style-type: none"> • Removal of hazardous building materials (HBM) prior to demolition / refurbishment, and subsequent clearances of ground surfaces; • Incorporation of an unexpected finds protocol (UFP) to manage unexpected finds such as odorous soils or HBM; and • Waste classification of soils prior to off-site disposal. <p>A Remediation Action Plan (RAP) prepared by Douglas Partners accompanies the DA and considers the site can be made suitable for the proposed recreational development subject to implementation of the RAP.</p> <p>The pool and buildings that occupied the site when the report was originally prepared were subsequently demolished pursuant to a Part 5 REF and the site is now vacant. Accordingly, a Report on Supplementary Site Investigation (SSI) prepared by Douglas Partners was submitted and assessed the subsurface soil conditions beneath the building footprint following demolition of existing structures on the site.</p> <p>The SSI concludes that based on the current results, no unacceptable contamination risks have been identified for the data gaps previously outlined in the RAP (i.e. soil beneath the building and structures), and no other unacceptable contamination risks have been identified.</p> <p>Council's Environmental Health Officer has reviewed the reports and determined that the site is suitable to support such a development given that the report provides that the site is suitable for the proposed use subject to implementing the RAP.</p> <p>As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	
Chapter 3 - Standards for non-residential development	<p>Chapter 3 of SEPP (Sustainable Buildings) 2022 applies to this non-residential development and is for the erection of a new building that has an estimated development cost of over \$5 million.</p> <p>A Sustainable Design Assessment, including a NABERS assessment, prepared by Building Services Engineers has been submitted that addresses the requirements of Chapter 3 and Schedule 3 of the SEPP. The application was also accompanied by an Embodied Emissions Material Form prepared by Building Services Engineers that quantifies the embodied emissions attributable to the development in accordance with Clause 3.2(2) of the SEPP.</p> <p>The information accompanying the application demonstrates that the development satisfies the requirements in Chapter 3 of SEPP (Sustainable Buildings) 2022 and accordingly, consent can be granted to the development.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	

SEPP Relevant Clause(s)	Compliance with Requirements
Chapter 2 - Infrastructure	State Environmental Planning Policy (Transport and Infrastructure) 2021 is relevant to the development application as follows.
Clause 2.122 - Traffic generation developments	The development does not propose 200 or more car parking spaces and will not generate more than 200 vehicle movements per hour and is therefore not a traffic generating development listed in Schedule 3 of the SEPP.

Figure 10 - SEPP Compliance Table

Local Environmental Plans**Cumberland Local Environmental Plan 2021**

The provision of the *Cumberland Local Environmental Plan 2021* is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the LEP and the objectives of the RE1 Public Recreation zone.

(a) Permissibility:

The proposed development is defined as a '*recreation facility (indoor)*', '*recreation facility (outdoor)*' and '*signage*' (including both '*building identification signage*' and '*business identification signage*') which are permissible in the RE1 Public Recreation zone with consent.

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).

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

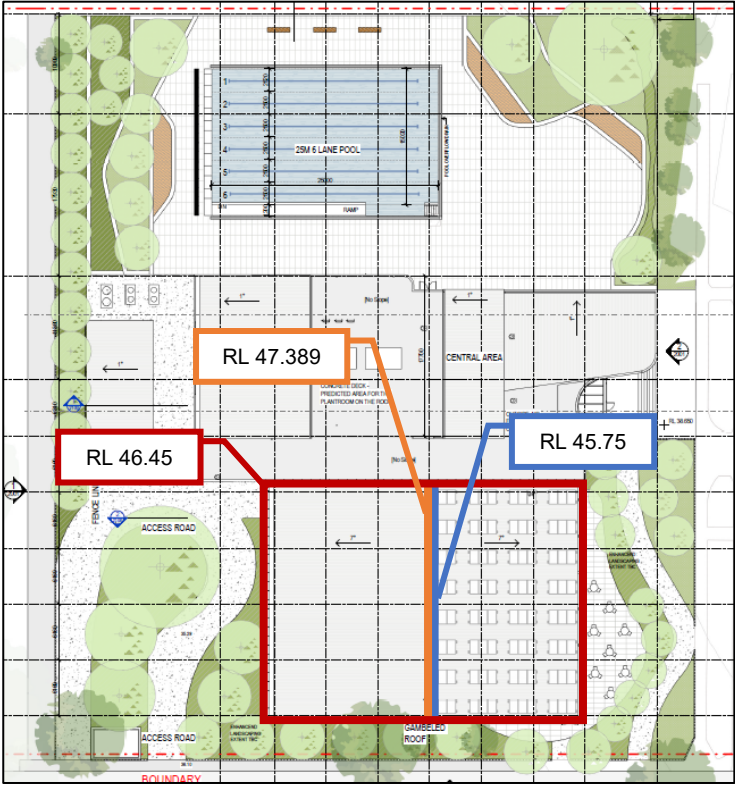
- (a) an advertising structure,
 - (b) a building identification sign,
 - (c) a business identification sign,
- but does not include a traffic sign or traffic control facilities.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

business identification sign means a sign—

- (a) that indicates—
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
 - (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,
- but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

The relevant matters to be considered under *Cumberland Local Environmental Plan 2021* and the applicable clauses for the proposed development are summarised below. A comprehensive LEP assessment is contained in **Attachment 9**.

DEVELOPMENT STANDARD	COMPLIANCE	COMMENT
2.3 Zone Objectives and Land Use Table	Yes	The proposed development is defined as a 'recreation facility (indoor)', 'recreation facility (outdoor)' and 'signage' (including both 'building identification signage' and 'business identification signage') which are permissible with consent in the RE1 Public Recreation zone. The assessment of the proposed development contained within this report and the attachments has had regard to the objectives for development in the zone and is considered acceptable in this regard.
4.3 Height of Buildings Not prescribed	Yes	<p>A maximum building height of RL 47.45 metres is proposed to the top of the solar panels on the rooftop (marked blue below), RL 47.389 metres to the ridge of the main roof over the indoor pool building (marked orange below) and RL 46.45 metres to the top of the surrounding building parapet walls (marked red below). These levels result in a maximum building height of 11.08 metres to the top of the solar panels, 11.04 metres to the roof ridgeline and 10.35 metres at the lowest point of the site to the top of the surrounding building parapet walls. The heights are based on the existing natural ground levels closest to the proposed building depicted on the Survey Plan accompanying the DA.</p>  <p>Figure 11 - Roof Plan and Building Heights</p>
5.10 Heritage Conservation	Yes	<p>The site is not identified as a heritage listed item and is not located within a heritage conservation area. However, the site is located in proximity to 2 State Heritage Items being:</p> <ul style="list-style-type: none"> Item 'I01629' 'Pipehead, water supply canal and associated works' at 477a Guildford Road Guildford, approximately 100 metres to the north-east of the site; and Item 'I01661' 'Linwood' at 11 Byron Road Guildford, approximately 30 metres to the south-east of the site and 100 metres south-east of the proposed building.

DEVELOPMENT STANDARD	COMPLIANCE	COMMENT
		<p>The site is considered sufficiently distanced from the nearby items to avoid any potential impacts on the items. The application was accompanied by a Statement of Heritage Impact prepared by Navin Officer Heritage Consultants that has recommended that the proposed development should adopt a maximum height of 10.5 metres for the proposed structure to ensure that the <i>“proposed works will have low impact on the views to and from other heritage items in the vicinity”</i>.</p> <p>As detailed above, the development proposes a maximum building height of 10.35 metres at the lowest south-western point of the site to the top of the surrounding main building parapet walls. However as also noted, the development result in a maximum building height of 11.08 metres to the top of the solar panels and 11.04 metres to the roof ridgeline. Notwithstanding these taller elements, the roof ridgeline and solar panels are significantly obscured from view from the public domain and at a distance having regard to the parapet walls surrounding the building being approximately 730mm lower than these heights and providing limited sightline to the taller elements. With particular regard to the nearby Heritage Items, views to and from the items in the vicinity are not impacted by the taller elements given they are obscured from view from the public domain by the main building parapet walls.</p> <p>The application was accompanied by a Due Diligence Archaeological Assessment prepared by Navin Officer Heritage Consultants which concluded in relation to Aboriginal sites or areas of Aboriginal archaeological potential:</p> <ul style="list-style-type: none"> • No Aboriginal sites or areas of Aboriginal archaeological potential have been identified within the subject area; and • At the time of the field walk over of the subject land area, conditions were such that ground surface visibility was low. However, based on an assessment of the landscape context, and analysis of historical aerial photos and a literature review of previous Aboriginal archaeological assessments within the area it is considered that there is little potential for previously unrecorded Aboriginal objects to occur in situ within the subject site. <p>Having regard to the above, the application is considered to have sufficiently addressed the matters for consideration in Clause 5.10 of the LEP.</p>
5.21 Flood planning	Yes	<p>The site is impacted by 1% AEP flooding. The application demonstrates compliance with Council's flood advice letter and Council's Flood Risk Management Policy. The application was referred to Council's Senior Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.</p>

Figure 12 - Cumberland LEP 2021 Compliance Table

The provisions of any proposed instrument that is or has been the subject (EP&A Act s4.15 (1)(a)(ii))

The proposed development is not affected by any relevant Draft Environmental Planning Instruments.

The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))

The *Cumberland Development Control Plan 2021* provides guidance for the design and operation of development to achieve the aims and objectives of the *Cumberland Local Environmental Plan 2021*.

A comprehensive assessment of the proposed development against the DCP is provided in the DCP Compliance Table contained in **Attachment 10**.

The application complies with the provisions of the *Cumberland Development Control Plan 2021* and proposes a non-compliance with the car parking requirements of the DCP as discussed below.

Part G3 – Traffic, Parking, Transport & Access (Vehicle)

A car parking rate of 4.5-7.5 spaces per 100m² GFA is specified for '*recreational facility (indoors)*' outside the town centre under Part G3 Section 3 Table 1 of the DCP. There is not a specified parking rate for the outdoor portion of the development.

Based on the size of the proposed indoor facility, 85.5 to 142.5 spaces would be required.

A Traffic and Parking Impact Assessment Report prepared by Barker Ryan Stewart was submitted in support of the development and suggests that the lower of these rates should be used considering a swimming pool is on the lower end of density for an indoor recreational facility (as opposed to gymnasiums or basketball courts). Therefore, 86 spaces should be provided for the indoor portion of the development.

The report adopts a car parking rate for the *recreation facility (outdoor)* component based on a survey of the nearby Wentworthville Memorial Swimming Centre which is an equivalent similar and operational development within the Cumberland City Council LGA. Based on the survey results, the report concludes that 25% of the overall number of car parking spaces should be allocated to the outdoor component and the proposal would therefore require:

- 86 spaces are required for the indoor section, and
- 31 spaces are required for the outdoor section,
- 117 spaces are required for the total development.

The reports accompanying the DA indicates that the existing car park contains a total of 111 spaces. Conflicting information was presented on the plans accompanying the application with the existing Site Survey plan indicating 108 existing car parking spaces while the Architectural and Landscape Plans indicate 104 car parking spaces within the existing car park. Notwithstanding this, an amended Traffic and Parking Impact Assessment was received in response to a request for information that clarifies that the site contains 111 car parking spaces within the existing car park.

It is noted that no works are proposed to the existing car park including reconfiguration or changes to the layout or spaces and therefore a total of 111 existing car parking spaces are available as observed on visual inspection of the site which is a shortfall of 6 spaces from the DCP requirement.

Based on the above and the surveyed data, the proposed development would require:

- 86 spaces for the indoor section (as per DCP); and
- 29 spaces for the outdoor section (as per 25% of total supply from Survey results); totalling
- 115 spaces for the total development.

Based on 111 existing car parking spaces being available as observed on visual inspection of the site and given that no works are proposed to the existing car park, the development is considered to provide a sufficient number of car parking spaces for the facility. This is particularly given that the Traffic and Parking Impact Assessment includes parking surveys of similar, comparable swimming pool sites within the LGA, including the Wentworthville Swimming Centre, which indicate that a 25% occupancy rate is typical of these facilities. Based on the expected 25% occupancy rate, it is likely that the existing car park at the subject site would experience a demand for 28 spaces out of 111 total and therefore a surplus of 83 parking spaces are likely to be available during peak demand.

The application is therefore considered acceptable from an environmental planning view point.

McCredie Park Plan of Management (PoM)

The site is identified as land covered by the 'McCredie Park Plan of Management' (PoM). The PoM provides the community and users of the park a clear strategy for the future use and management of McCredie Park in

which the site is located. The proposed development is considered acceptable having regard to the specific management principles and objectives for McCredie Park which include:

Management Principles and Objectives	Comment
<i>Conserve McCredie Park for recreation purposes with an emphasis on sporting activities.</i>	The proposed development will provide a new sporting facility to contribute to the various sporting activities available at the park.
<i>Provide sports facilities which are accessible to all members of the community and which are appropriate to these needs.</i>	The proposed facility will be accessible to all members of the community.
<i>Develop McCredie Park into a regional sporting facility which is strategically planned and managed and takes the needs of all the Park users and stakeholders into account.</i>	The proposed development will provide a new modern aquatic facility that will have the potential to encourage more regional sporting events.
<i>Increase the utility of public recreation resources.</i>	The proposed redevelopment of the leisure centre will increase the utility of the resource by renewing its life and providing a modern facility for use by the community.
<i>Ongoing preventative and remedial maintenance of existing Council assets.</i>	The proposed redevelopment of the leisure centre replaces the former centre which negates the need to remediate and maintain the former ageing facility.

Furthermore, the proposed development is permissible with consent under the provisions of the *Cumberland Local Environmental Plan 2021* which is one of the listed permitted uses for the park in the PoM and the proposal is not listed as a prohibited activity in the PoM.

The scale and intensity of the proposed leisure centre is consistent with that shown on the Master Plan in Figures 6.1 and 6.2 of the PoM, particularly given that the structures are located in the same area as the existing leisure centre that is being replaced.

Having regard to the above, the proposed development is consistent with the PoM.

The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))

There is no draft planning agreement associated with the subject Development Application.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg).

The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

Advertised (Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Cumberland Community Engagement Strategy 2022 and the Cumberland Development Control Plan, the application was publicly notified to occupants and owners of the adjoining properties for a period of 28 days between 26 July 2024 and 23 August 2024. In response, no formal submissions were received. In addition, Council placed a notification

of the proposed project to the community on Council's 'Have Your Say' page to which 4 responses were received.

The issues raised in the public submissions are summarised and commented on as follows:

Issue	Planner's Comment
<i>The pool site is only a 100 metres from the Prospect Canal cycleway, so travel to the pool by bicycle should be given high priority. The redevelopment should include a shared user path right to the entrance of the pool, with substantial area set aside for bicycle parking. Some bike racks should be provided from the start; and as bicycle use increases more racks can be added. The shared path should include a safe crossing of Guildford Road for young and old cyclists like a pedestrian crossing.</i>	<p>No work is proposed outside the confines of the proposed building, including the existing car park. However it is noted that the proposed new path to the front entrance of the building from Tamplin Road has a 2.5 metre width which would allow for shared modes of use including pedestrians and bicycles.</p> <p>A condition requiring the provision of bicycle parking racks is included in the draft Notice of Determination.</p> <p>The suggested shared paths and road crossings are outside the scope of the works proposed in this DA and are not required works by Council's Traffic and Development Engineers.</p>
<i>The Parramatta Aquatic Centre is a great example of a modern swim facility that caters to all groups in the community and I hope the new Guildford facility has similar features. Some specific suggestions are free to use lockers available with electronic pins, hot showers and 2 hour free parking so the car park isn't congested.</i>	The proposed facility includes lockers, showers and unmetered/untimed parking.
<p><i>The redevelopment looks good and a welcome upgrade to the facilities.</i></p> <p><i>I have read that there is upgrades to the pool areas and amenities - are these amenities going to include sauna programs for health and well-being? May be good to have something like this to service the general area, instead of needing to go into Fairfield or Parramatta which, fall outside council jurisdiction.</i></p> <p><i>Looking forward to see how this project progresses to support our community.</i></p>	<p>The comments in support of the proposed development are noted. The provision of particular services, classes or group activities is not a relevant matter for consideration in the assessment of this DA. Notwithstanding this, the Operational Management Plan accompanying the DA indicates a variety of programs and services that are proposed to be offered from the facility.</p>

Figure 13 - Submission Summary Table

The public interest (EP&A Act s4.15(1)(e))

In view of the foregoing analysis, it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2020

The development was referred to Council's Senior Contributions Advisor who advised that the application does not require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020 as it is Council owned land.

HOUSING AND PRODUCTIVITY CONTRIBUTION (HPC)

In accordance with s7.24, s7.26 and s7.28 of the Environmental Planning and Assessment Act, 1979 the proposed development is not subject to the (Housing and Productivity Contribution) Act 2023, and not subject to the payment of the Housing and Productivity Contribution (HPC) as the development is defined as a 'recreation facility (indoor)', 'recreation facility (outdoor)' and 'signage' which are not a type of *residential development, commercial development or industrial development* as defined in Schedule 1 of the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024*.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

CONCLUSION

The development application has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979*, *State Environmental Planning Policy (Planning System) 2021*, *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *State Environmental Planning Policy (Resilience and Hazards) 2021* and *State Environmental Planning Policy (Transport and Infrastructure) 2021*, *Cumberland Local Environmental Plan 2021* and *Cumberland Development Control Plan 2021*.

The proposed development is appropriately located within the RE1 Public Recreation zone under the relevant provisions of the *Cumberland Local Environmental Plan 2021*. The proposal is consistent with all statutory and non-statutory controls applying to the development with no non-compliances with Council's controls with the exception of the car-parking. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the development may be approved subject to conditions.

RECOMMENDATION

1. **That Development Application No. DA2024/0330 for Construction of an indoor and outdoor recreation facility (known as Guildford Pool) including change rooms, multi-purpose space, an indoor 25m program and lane pool, an outdoor 25m lane pool, external storage building, provision of signage, associated civil works and associated landscaping, including the removal of trees (Guildford Pool Modernisation Project) on land at 1 Tamplin Road GUILDFORD NSW 2161 be Approved subject to conditions listed in the attached schedule.**
2. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

ATTACHMENTS

1. Draft Notice of Determination
2. Architectural and Landscape Plans
3. Stormwater/Engineering Plans
4. Operational Plan of Management
5. Acoustic Impact Assessment
6. McCredie Park Plan of Management
7. Submissions Redacted
8. SEPP (Industry and Employment) 2021 Assessment
9. Cumberland LEP Assessment
10. Cumberland DCP Assessment