

DA2024/0330 / PPSSCC-591 - 1 Tamplin Road, GUILDFORD NSW 2161
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| Clause | Requirement | Comments | Compliance |
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| Part 1 Preliminary | | | |
| 1.2 Aims of Plan | <p>The particular aims of this Plan are as follows:</p> <ul style="list-style-type: none"> (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to provide a comprehensive planning framework for the sustainable development of land in Cumberland, (b) to provide for a range of land uses and development in appropriate locations to meet community needs, (c) to facilitate economic growth and employment opportunities within Cumberland, (d) to conserve and maintain the natural, built and cultural heritage of Cumberland, (e) to provide for community facilities and services in Cumberland to meet the needs of residents, workers and visitors, (f) to promote development that is environmentally sustainable. | <p>The proposed development is considered to achieve the relevant objectives in the following ways:</p> <ul style="list-style-type: none"> (a) The proposed development satisfies the criteria of the planning framework; and (b) The proposed development will contribute a community facility land use in an appropriate location that will meet community needs for public recreation; and (c) The proposed development will facilitate economic growth and employment opportunities within the Cumberland Local Government Area in the short-term via construction related opportunities and long term via ongoing use of the facility; (d) The proposed development is replacing the existing facility with a similar footprint resulting in minimal impacts on the natural, built and cultural heritage of Cumberland as detailed within the report; (e) The proposed development will provide a community facility and service that will contribute toward meeting the needs of residents, workers and visitors; and (f) As demonstrated within the report, the proposed development is environmentally sustainable. | Yes |
| Part 2 Permitted or prohibited development | | | |
| 2.3 Zone Objectives and Land Use Table | <p>The objectives of the RE1 Public Recreation zone are:</p> <ul style="list-style-type: none"> • <i>To enable land to be used for public open space or recreational purposes.</i> • <i>To provide a range of recreational settings and activities and compatible land uses.</i> • <i>To protect and enhance the natural environment for recreational purposes.</i> | <p>The proposed development is defined as a '<i>recreation facility (indoor)</i>', '<i>recreation facility (outdoor)</i>' and '<i>signage</i>' (including both '<i>building identification signage</i>' and '<i>business identification signage</i>') which are permissible in the RE1 Public Recreation zone with consent.</p> <p><i>recreation facility (indoor)</i> 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</p> | Yes |

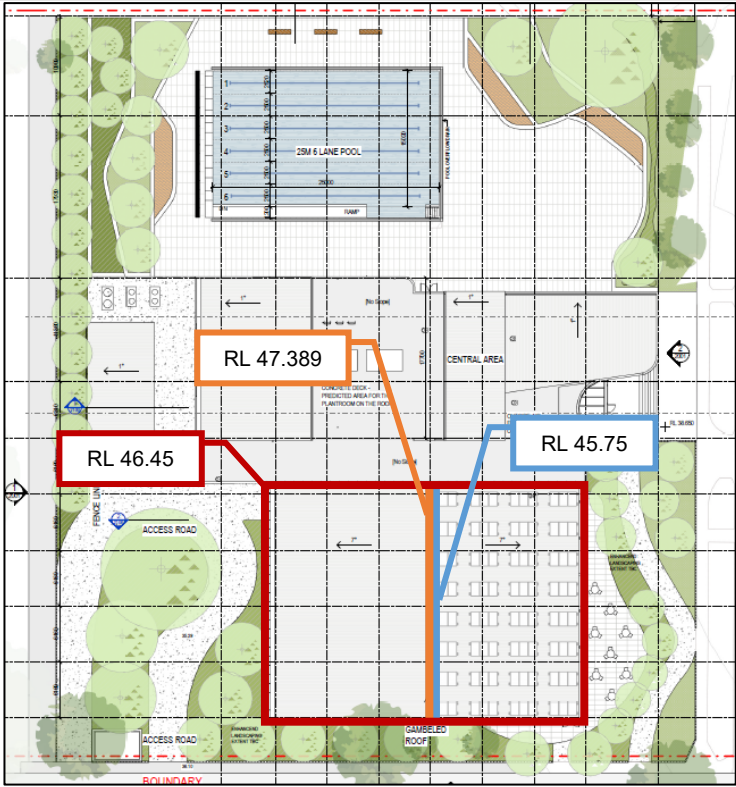
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| | | <p><i>facility, a recreation facility (major) or a registered club.</i></p> <p>recreation facility (outdoor) <i>means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the 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).</i></p> <p>signage <i>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—</i> <i>(a) an advertising structure,</i> <i>(b) a building identification sign,</i> <i>(c) a business identification sign,</i> <i>but does not include a traffic sign or traffic control facilities.</i></p> <p>building identification sign <i>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.</i></p> <p>business identification sign <i>means a sign—</i> <i>(a) that indicates—</i> <i>(i) the name of the person or business, and</i> <i>(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and</i> <i>(b) that may include the address of the premises or place and a logo</i></p> | |

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| | | <p><i>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.</i></p> <p>The application proposes the following work:</p> <ul style="list-style-type: none"> • Construction of the new Guildford Pool; • Earthworks; • Remediation (if required); • Construction of support facilities, change rooms, multi-purpose space; • Construction of an indoor 25 metre pool; • Construction of a 25m outdoor pool; • External storage building; • Associated landscaping, fencing and stormwater works; • Erection of <i>building identification signage</i> and <i>business identification signage</i>. <p>The proposed development seeks consent to use the land for a public purpose, providing for a range of activities and compatible land uses, whilst protecting and enhancing the natural environment for recreational purposes.</p> | |
| 2.6 Subdivision-consent requirements | Subdivision is not proposed under this application. | Subdivision is not proposed as part of this application. | N/A |
| 2.7 Demolition requires development consent | Demolition requires development consent. | Demolition is not proposed as part of this application. The demolition of the existing facility has been undertaken separately as 'development without consent' under Part 5 of the EP&A Act 1979. | N/A |
| Part 4 Principal development standards | | | |
| 4.3 Height of Buildings | (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. | No maximum height is prescribed for the site. 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 | N/A |

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| | | 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>Figure 1 - Roof Plan and Building Heights</p> | | |
| 4.4 Floor Space Ratio | (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. | No FSR is prescribed for the site. | N/A |
| 4.6 Exceptions to development standards | (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (a) that there are sufficient environmental planning grounds to justify contravening the development standard. | No exceptions to development standards are proposed. | N/A |
| Part 5 Miscellaneous provisions | | | |

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| 5.10 Heritage Conservation | The site is not identified as a heritage listed item and is not located within a heritage conservation area. The clause. | <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. <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</p> | Yes |

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| | | <p>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 | <p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to</p> | <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 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> | <p>Yes, subject to conditions.</p> |

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| | <p>life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.</p> <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p> | | |
| Part 6 Additional local provisions | | | |
| 6.1 Acid Sulphate Soils | Development consent is required for the carrying out of works described in the table to this subclause on land shown on the <i>Acid Sulfate Soils Map</i> as being of the class specified for those works. | The site is not mapped as being potentially affected by acid sulphate soils. The Review of Geotechnical and Contamination Reports Following Revised Design Plans Report prepared by Douglas Partners notes that " <i>The NSW National Resource Atlas Acid Sulfate Soil Risk Map indicates that the site is located in an area of no known occurrence of acid sulfate soil and no areas of risk were identified within 1km of the site.</i> " | N/A |
| 6.2 Earthworks | Development consent is required for earthworks. | The proposed earthworks will not have a detrimental impact on existing drainage patterns or soil stability. The proposal will not affect the amenity of adjoining properties. The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent. | Yes |
| 6.4 Essential Services | (1) Development consent must not be granted to development unless | A Building Services Infrastructure Report prepared by Building | Yes |

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| | <p>the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> a) the supply of water, b) the supply of electricity, c) the disposal and management of sewage, d) stormwater drainage or on-site conservation, e) suitable vehicular access. | <p>Services Engineers accompanies the DA and provides advice on the suitability of the existing services infrastructure to accommodate the proposed works including water, sewer, gas, electricity and communications. The report generally outlines that upgrades to existing utilities and services will be required and these matters can be addressed by the imposition of conditions in any approval of the development.</p> | |
| 6.7 Stormwater management | <p>(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <ul style="list-style-type: none"> (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact. | <p>Council's Development Engineer has reviewed the proposal and did not raise any objections, subject to conditions.</p> | <p>Yes, subject to conditions.</p> |
| 6.9 Salinity | <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following—</p> <ul style="list-style-type: none"> (a) whether the development is likely to have an adverse impact on salinity processes on the land, (b) whether salinity is likely to have an impact on the development, (c) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> | <p>The site is identified as Potential Moderate Salinity Land. A Geotechnical and Salinity Investigation was prepared and reviewed by Douglas Partners in relation to the proposed development which confirms the following regarding groundwater and salinity:</p> <p><i>“Groundwater was generally not encountered during the previous investigation, except for shallow water observed at one borehole. This was considered likely to be associated with potential leaks from existing pool infrastructure. Water seepage may be expected along fill / residual clay boundaries, or at the rock / soil interface or within joints / faults in the rock</i></p> | <p>Yes, subject to a condition</p> |

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| | <p>(a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or</p> <p>(b) if a significant adverse environmental impact cannot be avoided—the development is designed, sited and will be managed to minimise the impact, or</p> <p>(c) if a significant adverse environmental impact cannot be minimised—the development will be managed to mitigate the impact.</p> | <p><i>These seepage flows will fluctuate with rainfall, climatic conditions and proximity to structures which have the potential to release water into the upper subsoils. The proposed slightly deeper excavations could encounter additional water seepage, particularly at the soil-rock interface, however, the comments on groundwater and its management provided in the GI report previously is still applicable."</i></p> <p>The Geotechnical and Salinity Investigation Report prepared by Douglas Partners (Ref: 86664.01.R.002.Rev0, dated 13 June 2019) includes a Salinity Management Plan that will be included in the conditions contained in the attached Draft Notice of Determination.</p> | |
| 6.12 Urban Heat | <p>In deciding whether to grant development consent for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether—</p> <p>(a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and</p> <p>(b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and</p> <p>(c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and</p> <p>(d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and</p> <p>(e) the development accommodates sufficient tree canopy, open space and deep</p> | <p>The application is not for a commercial premises, industry or residential accommodation.</p> <p>Notwithstanding the above, 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 SEPP (Sustainable Buildings) 2022. 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> | N/A |

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| | soil zones to achieve urban cooling benefits, and (f) the building is designed to achieve high passive thermal performance. | | |