

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	28 November 2024
DATE OF PANEL DECISION	27 November 2024
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Steve Murray
APOLOGIES	None
DECLARATIONS OF INTEREST	The matter is of council interest, the Panel Chair has declared a conflict of interest for all council nominated members that are councillors or staff.

Papers circulated electronically on 25 November 2024.

MATTER DETERMINED

PPSSCC-591 – Cumberland – DA2024/0330 - 1 Tamplin Road, Guilford - 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).

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report, generally as follows:

Assessment included 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.

The facility will be of social and recreational benefit to the local community.

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.

The Panel further noted:

- The site is currently vacant however hazardous building material is required to be removed and a Remediation Action Plan (RAP) accompanies the DA and considers the site can be made suitable for the proposed recreational development subject to implementation of the RAP.
- Assessment included 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.
- The facility will be of social and recreational benefit to the local community

CONDITIONS



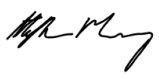
The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that matters raised included:

- Provision of shared access pathways to the development
- Suggested provision of amenities

The panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-591 – Cumberland – DA2024/0330
2	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).
3	STREET ADDRESS	1 Tamplin Road, Guilford
4	APPLICANT/OWNER	Applicant: Barker Ryan Stewart Pty Ltd Owner: Cumberland City Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Transport and Infrastructure) 2021 Cumberland Local Environmental Plan 2021 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Cumberland Development Control Plan 2021 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 14 November 2024 Written submissions during public exhibition: 4 Total number of unique submissions received by way of objection: 4
8	COUNCIL RECOMMENDATION	Approval
9	DRAFT CONDITIONS	Attached to the council assessment report