

**JOINT REGIONAL PLANNING PANEL**  
**(Western Region)**

<b>JRPP No:</b>	<b>PPSWES-19</b>
<b>DA No:</b>	DA 2019/223
<b>Local Government Area:</b>	Federation Shire
<b>Proposed Development:</b>	Development Application (DA) for the construction of new buildings and associated works for the new Corowa Aquatic Centre. 50m outdoor pool, 25m indoor pool, splash pad, swimming club rooms, Main Administration Building, Plant Room, Shade Structures and 30kw Solar Energy System
<b>Street Address:</b>	28 BRIDGE ROAD COROWA 2646 Lot 545 DP1005541 83 EDWARD STREET COROWA 2646 Lot 7002 DP1115315 CROWN RESERVE: 80910 PURPOSE: PUBLIC LAND
<b>Applicant/Owner:</b>	<b>Federation Council – C/O Habitat Planning</b>
<b>Number of Submissions:</b>	<b>1</b>
<b>Regional Development Criteria (Schedule 7 of SEPP)</b>	<p><b>Council related development has a capital investment value of more than \$5 million and as such is nominated under Schedule 7 of SEPP (State and Regional Development) 2011</b></p> <p><b>4.</b> Council related development over \$5 million Development that has a capital investment value of more than \$5 million if:</p> <p>(a) a council for the area in which the development is to be carried out is the applicant for development consent, or</p> <p>(b) the council is the owner of any land on which the development is to be carried out, or</p> <p>(c) the development is to be carried out by the council, or</p> <p>(d) the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).</p>
<b>List of All Relevant 4.15(1)(a) Matters</b>	<ul style="list-style-type: none"> <li>• <b>State Environmental Planning Policy (State and Regional Development) 2011</b></li> <li>• <b>Environmental Planning and Assessment Regulation 1979</b></li> <li>• <b>State Environmental Planning Policy (Infrastructure) 2007</b></li> <li>• <b>Corowa Local Environmental Plan 2012</b></li> <li>• <b>Corowa Development Control Plan 2013</b></li> <li>• <b>DEVELOPMENT CONTRIBUTIONS PLAN - Section 7.12 Environmental Planning &amp; Assessment Act 1979</b></li> <li>• <b>Murray Regional Environmental Plan No. 2 – Riverine Land (deemed SERF)</b></li> <li>• <b>Practice Note 15 – Water Safety</b></li> <li>• <b>Public Health Act 2010 and Public Health Regulation 2012.</b></li> </ul>

List all documents submitted with this report for the panel's consideration:	<ul style="list-style-type: none"> <li>• Proposed Conditions of Development Consent – Agreed to by applicant – Appendix A</li> <li>• Referral Agency Response - Appendix B</li> <li>• Public Submission – Appendix C</li> <li>• Copy of Advertisement for exhibition and Agency Referrals – Appendix D</li> <li>• SoEE</li> <li>• Application Form</li> <li>• Plans</li> <li>• Negotiations For Conditions of Consent</li> </ul>
Recommendation:	Approval
Report By:	Megan Leahy – Town Planner
Report Date	20 January 2020

### Summary of S4.5 matters

Have all recommendations in relation to relevant s4.15 matters been summaries in the Executive Summary of the assessment report? Yes

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### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? Yes

e.g. Clause 7 of SEPP55 – Remediation of Land, Clause 4.6(4) of the relevant LEP

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<b>Clause 4.6 Exceptions to development standards</b>	Not
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment Report?	Applicable

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<b>Special Infrastructure Contributions</b>	Not
Does the DA require Special Infrastructure Contributions conditions (S7.24)?	Applicable

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<b>Conditions</b>	
Have draft conditions been provided to the applicant for comment?	Yes

*Note: In order to reduce delays in determinations, the Panel Prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report.*

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## 1.0 EXECUTIVE SUMMARY

### 1.1 Reason for Report

Pursuant to Clause 20 and Schedule 7 of the SEPP, this application is referred to the Joint Regional Planning Panel (JRPP) as the development is a Council related development and has a capital investment value of more than \$5 million. The application submitted to Council nominates the value of the project as \$9,813,032.00.

### 1.2 Proposal

The application is for works for the new Corowa Aquatic Centre. Structures include, 50m outdoor pool, 25m indoor pool, splash pad, swimming club rooms, Main Administration Building, Plant Room, Shade Structures and 30kw Solar Energy System.

### 1.3 The Site

The subject site spreads across two separate lots, both of which are irregular shapes and contains various additional structured facilities. The proposed site is located next to Federation Council office, hockey ground and bowling greens to the west. Ballpark cricket ground to the east, Corowa tennis club to the north and Ball Park caravan park to the south. The total area of the two lots combined is 14.3ha. The site is classified for Public Recreation under the crownlands Management Act 2018.

### 1.4 The Issues

Several Issues arose during the assessment process and have been addressed via the inclusion of conditions.

Issue	Resolution
Lack of information regarding the construction and future operation of the facility	The consent has been conditioned for compliance with the Building Code of Australia, all relevant Australian Standards and any relevant legislation, i.e. Public Health Act 2010
Site operations	To ensure that the facility can have adequate vehicle and pedestrian access the application has now been staged with two stages: Stage 1 – Construction of main facilities Stage 2 Car parking and Subdivision.
Subdivision	There will need to be a subdivision to ensure that the site can be leased for a period of greater than 5 years and to ensure adequate vehicle access for deliveries on site. To ensure that the requirements of the conditions relating to operation of the site can be met the subdivision of the site has been listed for stage 2 of the Development..
Definition of Development	The development when advertised was missing the 30kW Solar Energy System in the description, The system is ancillary to the building however it does require an approval under State Environmental Planning Policy (Infrastructure) 2007.
Lack Of Parental/Infant Change Facilities	The development does not show any allocation of any area for a parent/infant change room. A condition requesting further detail of such a room has been included in the negotiated conditions of consent.

## 1.5 Recommendation

Following detailed assessment of the proposed development in accordance with section 4.15 of the EP&A Act the recommendation is for approval in accordance with section 4.16 (1) (a), subject to conditions, inclusive of Engineering, Environmental Health, NSW Public Health and Environmental Protection agency conditions.

## 2.0 DESCRIPTION OF PROPOSAL

An application has been received for a community aquatic Centre. The proposal is for the:

- Removal of two existing non-native trees;
- Construction of a new single storey building at the northern extent of the site containing entry facilities, administration, amenities, and kiosk facilities;
- Construction of an L-shaped 25 metre concrete indoor pool;
- Construction of a concrete splash pad pool
- Construction of a 50 metre concrete outdoor pool;
- Construction of a new standalone building in the south west corner comprising a 6 metre x 6 metre swim club room and attached 14 metre x 6 metre plant/storage room
- Construction of new shade structures;
- Construction of new 2.2 metre high palisade fencing to perimeters;
- Associated landscaping works and new concrete pavements surrounding the site and frontage of new building.
- 30kw Solar Energy System

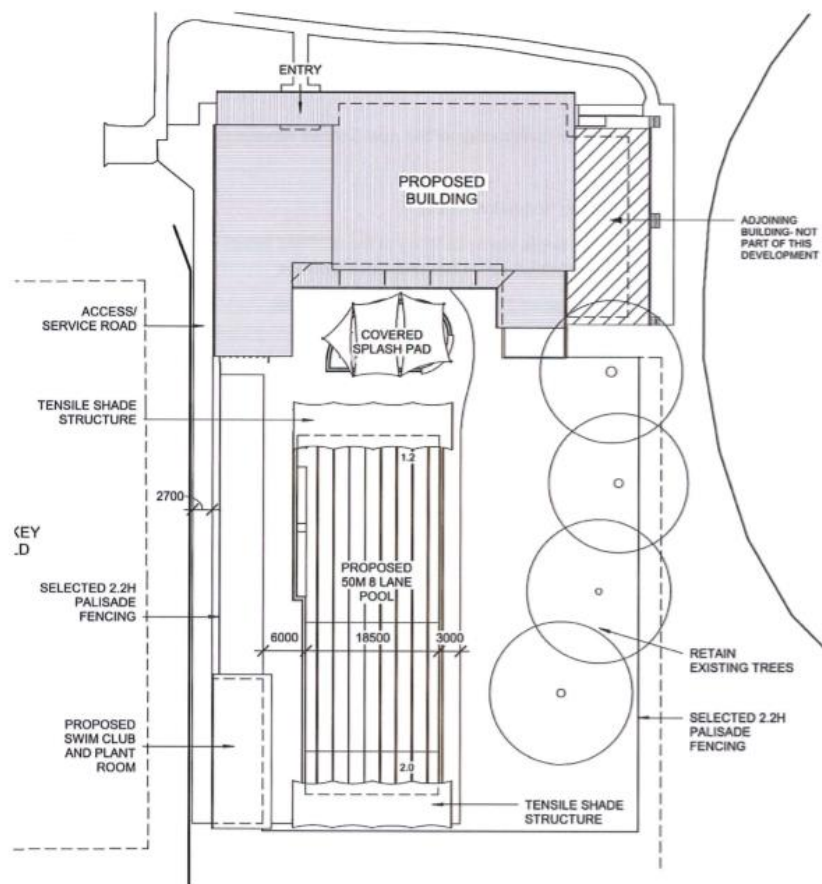


Figure 17 Proposed site plan for the Corowa Aquatic Centre

The development is of a contemporary design and in keeping with the surrounds. The main building is single story and is to be constructed at the norther end of the subject site with the swim club rooms to be constructed in the south west corner. The western section of the main building will include, main entry threshold, administration area, open counter reception, offices, kitchen, staff amenities, café and circulation space and male and female amenities. Whilst the central section and eastern portion include the 25m indoor pool, change rooms, rinse showers, plant room and parents room (detail of parents room to be provided see appendix A, condition 38, a).

The main building opens out on to a splash pad area immediately to the south. The building will wrap the splash pad area and includes outdoor cafe seating and circulation space for observation and supervision of pool users.

The splash pad will have approximate dimensions of 8.95 metres x 18 metres and a depth of 0.3 metres and a shade sail is to be constructed over the entirety of the play area.

The outdoor proposal includes a 50 metre x 18.5 metre 8-lane concrete pool. The new pool is to be constructed to the south of the splash pad area and aquatic centre building with side setbacks of 6m and 15m respectively.

Freestanding shade structures are to be constructed at each end of the pool.

The second building (swim club rooms) is a basic rectangular building with a large plant room and smaller private room for swim club members.

The site will include concourse around the splash pad and 50m pool and the remaining area to be turfed. The front of the building will also be landscaped with small shrubs and turf.

### **3.0 SITE DESCRIPTION AND LOCALITY**

The site is located at 83 Edward Street and 28 Bridge Road, Corowa, at the south east of the main street of Corowa. The site is approximately 600 metres from the town centre and 230 metres from the bank of the Murray River, the area around the proposed site is predominantly used for recreational purposes, in accordance with the Crown Land grant for the Reserve (No.80910)

The subject site for this application falls over two parcels of land described as Lot 545 in DP1005541 and Lot 7002 in DP1115315, with a combined area of 14.3 hectares. Both lots are irregularly shaped and also include various other buildings and recreational facilities including, a large caravan park, tennis courts, recreational oval, council offices, recreational park and 2 large carparks. Both lots are buffered with dense natural vegetation to the Murray River. Both Lots of land are owned by Crownlands and are under the care and control of Federation council. Most surrounding facilities are also owned by council and are leased to community sporting groups.

The two lots of land are zoned under the Corowa Local Environmental Plan as RE2 – Public recreational and RE1 Private Recreation, both of which allow facilities such as the proposed.



Figure 2 Location of the subject land in context to the current lot configuration of Lots 545 and 7002.

#### 4.0 BACKGROUND

A history of the development proposal is as follows:

- A pre-lodgement meeting was held with Council on 9 August 2019. The matters discussed at the meeting are summarised below.
  - "It was confirmed that the works to establish the new cricket club rooms would be undertaken separately. The adjoining building is to be attached to the aquatic centre building and appropriate provisions will be made to integrate the two works.
  - Council officers advised that Practice Note No. 15 - Water Safety prepared by the Division of Local Government, Department of Premier and Cabinet would be relevant and should be considered by the applicant.
  - The subject site is identified within a high hazard floodway and the application should have regard to impacts from flooding and upon the flood behavior of the area.
  - The application will need to have regard to the development of land in a riparian corridor. The discussions noted that the extent of tree removal was limited to non-native vegetation within the existing swim center area.

- The application was submitted on 28 October 2019.
- The application was placed on exhibition with the last date for public submissions being 5 December 2019. One submission was received.
- Referrals were sent to Albury Public Health Unit, Department of Planning Industry and Environment (Natural Resources Access Regulator) , Environment Protection Agency, Murray Darling Basin Authority, NSW Crown Lands
- Internal Referrals were also sent to Environmental Health officer Angela Lawson and Project and development engineer Scott Donders – Comments and Conditions provided
- 17 January 2020: Review and negotiation with developer on conditions of consent. Includes a new section J report.

## 5.0 ADEQUACY OF APPLICANT'S SUBMISSION

In relation to the Statement of Environmental Effects, plans and other documentation submitted with the application or after a request from Council, the applicant has provided adequate information to enable an assessment of this application. Further documentation will however be required to be submitted for the construction certificate application.

## 6.0 PUBLIC PARTICIPATION

The application was exhibited in accordance with the provisions of Section 2.2 (Exhibition timeframes) of Federation Council Community Participation Plan 2019. Three (3) adjoining or affected owners were notified of the proposal. At the end of the submission period, one submission had been received. The application was exhibited for 28 Days on council's website, at all council offices (Corowa, Mulwala, Howlong and Urana), advertised in the local print media and on social media platforms. (Appendix D)

### 6.1 Issue Raised:

#### 1. *From Corowa Amateur Swimming & Life Saving Club: (attached Appendix C)*

a. The old Club Rooms included both a shower room and a kitchen (containing two ovens, a fridge, microwave, sink, bench space and overhead cabinets as well as a meeting space.

We had anticipated that the new Club Room would be of a sufficient space to again have a kitchen as well as an area for our members to meet and also to undertake dry land exercises. A space of less 5850x5950 would be insufficient for that purpose.

***It is our submission that the Swim Club Room should be of a size that will adequately allow a kitchen space (which would again include an oven, fridge, microwave, sink, bench and cabinets) as well as a meeting space for our members. We suggest that a more appropriate size for the Swim Club Room would be 5950 (assuming that this is as wide as the room can be) x 13850 (the size presently allowed for the plant room.)***

b. In addition, we do not appear to have been allocated a storage room for Swim Club equipment. In the past the Swim Club has been responsible for the storage of lane ropes and flags as well as other equipment used by our members. We had previously stored much of that equipment in the Club Rooms as well as in the shared storage

room. This led to the inability to properly utilise the Club Rooms as a community meeting place.

***Is It Intended that Swim Club utilise the proposed "Storage Room" for that purpose? If not, it is submitted that the plan should include a further lockable storage space for the Swim Club to utilise for the storage of Swim Club's equipment as well as the undercover storage of lane ropes and flags.***

#### **6.2 Response:**

The swim club had two members on the project committee who recommended the final design to council prior to the application formally being lodged.

Storage: The design of the plant room is to include storage for the swim club equipment.

Kitchen Facilities: The overall complex will have a commercial grade kitchen within the main building. A second kitchen within the complex is not considered necessary

Meeting Room: The swim club room has been designed as a defined meeting room for the club.

### **7.0 STATUTORY CONSIDERATIONS**

The subject land is located within RE1 and RE2 zones pursuant to the provisions of Corowa Shire Council LEP 2012 (CSLEP2012). The proposed development, being the construction of a recreation facility, is a permissible with consent within the zone.

The following Environmental Planning Instruments (EPIs), Development Control Plan (DCP), Codes or Policies are relevant to this application:

- **State Environmental Planning Policy (State and Regional Development) 2011**
- **State Environmental Planning Policy (Infrastructure) 2007**
- **State Environmental Planning Policy (Koala Habitat Protection) 2019**
- **Environmental Planning and Assessment Act 1979**
- **Corowa Shire Local Environmental Plan 2012**
- **Corowa Shire Development Control Plan 2013**
- **Development Contributions Plan - Section 7.12 Environmental Planning & Assessment Act 1979**
- **Murray Regional Environmental Plan No. 2 – Riverine Land (deemed SERF)**
- **Practice Note 15 – Water Safety**
- **Public Health Act 2010 and Public Health Regulation 2012**



## 8.0 STATEMENT OF COMPLIANCE

The statement of compliance below contains a summary of applicable development standards and controls and a compliance checklist relative to these:

- 8.1** The development is to be compliant with all considerations listed in section 7.0 with the exception of Development Contributions Plan - Section 7.12 Environmental Planning & Assessment Act 1979, Reason for exemption: The facility is a recognized in the developer contribution plan as a high priority project and is a community facility there for developer contributions do not apply.

### 8.2 Local Controls – CSLEP 2015 and CSDCP 2015

Corowa Shire Council LEP		
Objective RE2 Zone	Proposed	Complies
<ul style="list-style-type: none"><li>• To enable land to be used for private open space or recreational purposes.</li></ul>	Public aquatic facility comprising new indoor and outdoor swimming facilities and associated buildings.	Yes
<ul style="list-style-type: none"><li>• To provide a range of recreational settings and activities and compatible land uses.</li></ul>	The proposed development is within a large recreational precinct, containing public land uses and functions. Tennis, Hockey, Cricket, Lawn bowls, and parks surrounds the Development.	Yes
<ul style="list-style-type: none"><li>• To protect and enhance the natural environment for recreational purposes.</li></ul>	The Development had much the same foot print of the now demolished old aquatic center and is not intended to disturb any additional land.	Yes

The compliance table below contains a summary of applicable development controls.

<b>Corowa Shire Council Development Control Plan</b>			
Standard/Control	Required	Proposed	Complies? (% variation)
Location	<ul style="list-style-type: none"> <li>-To consolidate existing town centres.</li> <li>- To discourage isolated commercial development.</li> <li>-To encourage infill development within existing town centres</li> </ul>	-Subject Site – not a part of the main commercial precinct	N/A
Appearance and Design	<ul style="list-style-type: none"> <li>- A high standard of commercial development.</li> <li>-Growth in the town centres.</li> <li>- Consolidation of town centres.</li> <li>-A positive contribution to the existing character of the town centres. 1</li> </ul>	<ul style="list-style-type: none"> <li>- Facade will incorporate color bond, Federation Council cladding and glazing to the façade.</li> <li>- On the fringe of the town center.</li> </ul>	YES
Energy Efficiency	<ul style="list-style-type: none"> <li>- Energy efficient buildings that minimize greenhouse gas emissions</li> </ul>	<ul style="list-style-type: none"> <li>- Building is designed to capture northern orientation for solar access to the internal spaces, as well as natural cross ventilation. Designed with louvered openings that encourage natural cross ventilation and will result in significant savings in mechanical heating and cooling costs.</li> </ul> <p>The new development will be required to demonstrate Section J BCA compliance.</p>	YES Condition 39- Section J Report required with Occupation certificate application <b>Appendix “A”</b> .
Parking	<ul style="list-style-type: none"> <li>- To match the supply of off-street car parking with the demand likely to be generated by customers and employees.</li> <li>- To provide off-street car parking and manoeuvring areas to a high standard.</li> <li>- Minimisation of the visual impact of large areas of car park.</li> </ul>	See Detail in section 10.4	NO- Conditions 26, 27 and 43 included to ensure compliance with these requirements. <b>Appendix “A”</b> .

	<ul style="list-style-type: none"> <li>– Buffer between car parks and adjoining property.</li> <li>– Safe car parks (particularly at night).</li> <li>– Pedestrian and vehicular movement through commercial areas in a functional, safe and integrated fashion</li> </ul>		
Signage	<ul style="list-style-type: none"> <li>– Signage does not detrimentally affect the character and amenity of the area.</li> <li>– Signage does not distract road users.</li> </ul>	<p>The proposed signage will be limited to Identification signage on the front facade above the main entrance, displaying "Corowa Aquatic Centre".</p> <p>The signage will be plain coloured, proportional to the building, be of a compatible colour and not dominate.</p>	YES
Amenity	<ul style="list-style-type: none"> <li>– Provide amenity for users of commercial buildings</li> </ul>	<p>Heating and Cooling units appropriately integrated, exteriors to remain lit to provide security, building design to be highly accessible for a variety of transport modes, Inc. ramps at front ground level for wheelchair access.</p>	YES

### **8.3 Murray Regional Environmental Plan 2**

The development is located within 100m of the Murray River, on an already highly modified site. The proposal is to replace an old building of the same use. There will be no adverse impact on the natural and cultural heritage values of the riverine environment of the River Murray. Referrals were sent to referral agencies with no objections received.

## 9.0 SPECIALIST COMMENTS AND EXTERNAL REFERRALS

The application was referred to the following internal and external specialists for assessment and the following comments were received:

### 9.1. NSW Public Health Unit

The proposal was considered by NSW Public Health Unit on 27 November 2019. The following comments were made:

The PHU is interested in the design and operation of public swimming pools, ensuring compliance with the requirements in Public Health Act 2010 and Public Health Regulation 2012.

The limited level of detail on the design and operation of the pools and splash park accompanying the DA made the assessment difficult.

As such, I would suggest a general condition on the DA requiring the design and operation of the pools and Splash Park complies with the Public Health Act 2010 and Public Health Regulation 2012.

Please refer to condition 56 **Appendix “A”**.

A copy of the correspondence from Public Health Unit attached at **Appendix “B”**.

### 9.2. Murray Darling Basin Authority (MDBA)

The proposal was considered by Murray Darling Basin Authority (MDBA) on 18 November 2019. The following comments were made:

Based on the information provided, the MDBA has now assessed this planning proposal and concludes that the proposed activity, in isolation, is unlikely to have a detrimental impact on the flow, use, control or quality of the River Murray. Therefore, the MDBA has no comments or conditions on development application 2019/223.

A copy of the full comments is held at **Appendix “B”**.

### 9.3. Environmental Protection Authority

The proposal was considered by Environmental Protection Authority on 19 November 2019. The following comments were made:

The EPA has reviewed the Statement of Environmental Effects (SEE) for the Regionally Significant Development Application 2019/223. We note that the development is not a scheduled activity under Schedule 1 of the Protection of the Environment Operations Act 1997 and therefore the proposal does not require an environment protection licence.

Upon review of the SEE, the EPA recommends that, should Federation Council approve the project, the approval include the requirements set out at Attachment A.

We note the proposal is to be located within close proximity to Murray River. Please note,

the proponent should be aware that under section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

The EPA recommends that, if approval is granted for this proposal, Federation Council include the following in the conditions of approval:

- The proponent must take all necessary precautions and implement measures to prevent pollution of Waterways during the construction and operational phases of the project;
- The proponent must prepare and implement an erosion and sediment control plan in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) to prevent the pollution of waters during the construction phase of the project;
- During the construction phase of the project, the proponent must implement measures to control and minimize dust from the premise;
- The proponent must implement best practice standards and site specific feasible and reasonable noise control measures in accordance with the Interim Guidelines for Construction Noise (DECC 2009), including the implementation of a construction management plan which includes measures to minimise noise impacts during the construction phase of the project;
- Wastes generation during the construction and operational phases of the project must be classified in accordance with the EPA's Waste Classification Guidelines (EPA, 2014) and taken to a place that can lawfully accept and dispose of them.

Please see conditions 57-61 inclusive. **Appendix "A"**.

A copy of the full comments is held at **Appendix "B"**.

#### **9.4. Natural Resource Access Regulator**

The proposal was considered by Natural Resource Access Regulator on 3 December 2019. The following comments were made:

Natural Resources Access Regulator (formerly the Department of Industry - Water) has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required and no further assessment by this agency is necessary because the proposed activity is not on waterfront land as defined by the WM Act.

No water supply work approval or water access license will be required from this agency as water will be supplied as part of Corowa's existing town water supply.

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then NRAR should be notified.

A copy of the full comments is held at **Appendix "B"**.

#### **9.5. Crown Lands**

No submission received.

#### **9.6. Federation Council Engineering**

Council's development engineer has undertaken an assessment of the application and advised that subject to suitable conditions of development consent no objection is raised to the proposal. Conditions have been included in the recommendation.

Please see conditions 42 to 51 inclusive. **Appendix "A"**.

#### **9.7. Federation Council Environmental Health**

Council's environmental health officer has undertaken an assessment of the application and advised that subject to suitable conditions of development consent no objection is raised to the proposal.

Please see conditions 52 to 55 inclusive. **Appendix "A"**.

### **10.0 ASSESSMENT**

Following a detailed assessment of the application having regard to the Heads of Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 and the provisions of relevant environmental planning instruments, development control plans, codes and policies, the following matters are considered important to this application.

#### **10.1 Any environmental Planning Instruments**

*Corowa Local Environmental Plan 2012*

Please refer to section 8.2 of this report

*State Environmental Planning Policy (Infrastructure) 2007*

Consent is required for the proposed 30kW Solar Energy System which make up part of this application.

*State Environmental Planning Policy (Koala Habitat Protection) 2019*

The application was lodged before the instrument came into effect, however the new instrument mapping has identified the area being within a habitat protection area. The pool site is highly modified from natural state and has no trees on site of value for Koala Habitat. Therefore the development is in keeping with the aim of the instrument.

*.....to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.*

#### **10.2 Any Development Control Plan**

Corowa Development Control Plan 2012 – Please refer to section 8.2 of this report.

### **10.3 The Regulations (to the extent that they prescribe matters for the purposes of this paragraph)**

#### **10.3.1 Built Form**

The facility must be in keeping with the surrounds and compliant with the applicable standard of the Corowa Development control plan 2013

#### **10.3.2 Flood Management**

The facility must comply with the standards set out in the Corowa Development control plan 2013

#### **10.3.3 Public Health**

General condition on the DA requiring the design and operation of the pools and Splash Park complies with the Public Health Act 2010 and Public Health Regulation 2012.

Please refer to condition 56 **Appendix "A"**.

#### **10.3.4 Parking and Traffic**

This development shares 94 spaces with 3 other existing uses around the proposed development. There are currently no provisions for disabled parking or bus bays.

This specific use is not recognized in Table 4.1 of the DCP however council do not consider the current parking facilities adequate.

Please refer to **Appendix A**, conditions 26, 27 and 43.

#### **10.3.5 Stormwater Management**

All stormwater and surface water discharging from the site, buildings and works must be conveyed to a legal point of discharge by underground pipe drains to the satisfaction of Federation Council. No effluent, polluted or domestic waste water of any type may be allowed to enter the Council's stormwater drainage system or any road, stream, river or other waterway.

The information and plan must include catchment details and computations demonstrating how the works on the land are to be drained and retarded for a maximum discharge rate no greater than pre-development flow for a 10% AEP storm event.

Prior to issuing of the Occupancy Certificate, the drainage detailed in the approved Drainage Discharge Plan must be constructed to the satisfaction of the Federation Council. When approved, the plans will be endorsed and will then form part of the consent.

The information submitted must show the details listed in Council's Engineering Guidelines for Subdivisions and Development Standards and be designed in accordance with the requirements of that manual.

Please refer to **Appendix A**, condition 42.

#### **10.3.6 Disabled access**

The facility management shall ensure that, when completed, the works comply with the provisions and requirements of the Disability (Access to Premises – Buildings) Standards 2010.

Please refer to **Appendix A**, condition 17.

#### **10.3.7 Amenities**

The facility must comply with the standards set out in BCA, public Health Regulation and Practice Note 15 – Water Safety from office of Local Government, Condition 40 has been included to ensure compliance.

Please refer to **Appendix A**, conditions 18 & 41.

### **10.4 Likely Impacts of Development**

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The application has been assessed as have no adverse impact on the natural or built environment due to the site being highly modified thanks to its past use as a swimming pool complex. The social and economic benefits to the community within not only Corowa but the Council and surrounding areas is considered to be positive as the facility will provide access to an indoor pool that can be used all year.

### **10.5 The Suitability of the site for the development**

The site is considered suitable for the development as it is the site of the former Corowa Swimming Pool Complex that was demolished in Late 2019.

### **10.6 Submissions**

Any Submissions made in accordance with this Act or Regulations

Please refer to Section 6 of this report.

### **10.7 The public Interest**

The application is consider to be in the public interest. The 2018-2028 Federation Community Strategic Plan Objective 1.2 Maintain and improve aquatic, recreational and other community facilities to meet the needs of residents identified the area of importance to the community .....*the progression of the development of a new swimming pool in Corowa in the near term.*

## **11.0 NEGOTIATIONS FOR CONDITIONS OF CONSENT**

On Friday 17 January 2020 a meeting was held to negotiate areas of concern regarding the draft conditions of consent. Both Council assessment staff and the applicant (Council project managers) have reached agreement on the draft conditions of consent with the following changes.

#### **Staging of the development**

The following condition was added to the original draft conditions of consent.

*Stage 1: Construction of 50 metre outdoor pool, 25 metre indoor pool, splash pad, swimming club rooms, main administration building, plant room, shade structures, 30 kW Energy System.*



*Stage 2: Construction of carpark and subdivision*

*Note: All stages are to be completed within 3 years of commencement of works onsite.*

#### Chemical Deliveries

The following condition was included and replaced a condition requiring vehicles to enter and exit the site in a forward direction. This aspect to the operations of the site will be reviewed for consideration of the subdivision required under stage 2 of the project.

*All vehicles delivering chemicals to the site are to stand wholly within the boundaries of the pool site.*

#### Condition 39

The words construction certificate are to be replaced with Occupation certificate.

#### Amendment to Development Definition

The power that is to be generated from the Solar Energy System on the roof of the building has been included as part of the definition of the proposal.

### **12.0 SECTION 7.11 CONTRIBUTIONS**

The facility is a recognized in the developer contribution plan as a high priority and is a community facility there for developer contributions do not apply to this application.

### **13.0 DECLARATION OF AFFILIATION**

Section 10.4 of the Environmental Planning and Assessment Act, 1979 requires the declaration of donations/gifts in excess of \$1000. In addition Council's development application form requires a general declaration of affiliation. In relation to this development application no declaration has been made.

### **14.0 CONCLUSION**

The proposed development is for the construction of a new recreational facility- Corowa Aquatic Center

The subject land is located within Zone RE1 and RE2 for the purposes of private and public recreation as set out in the provisions of Corowa Shire Local Environmental Plan 2015. The proposed development, is a permissible land use within the zone with development consent.

In response to public exhibition, one submission was received and has been addressed in Section 6.2 none of the matters raised within the submission are considered grounds on which to refuse the application

### **15.0 RECOMMENDATION**

That Development Application No. DA2019/223 be approved in accordance with section 4.16 (1)(a), subject to the draft conditions as shown in **Appendix A**.

