

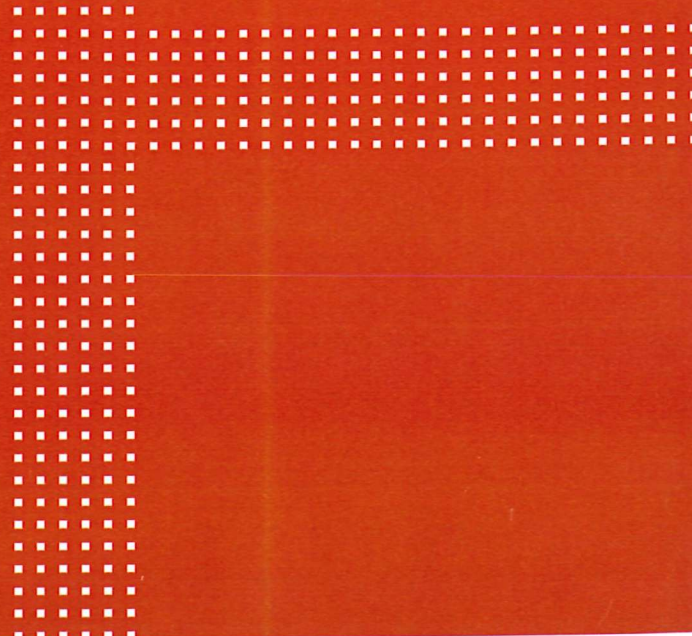
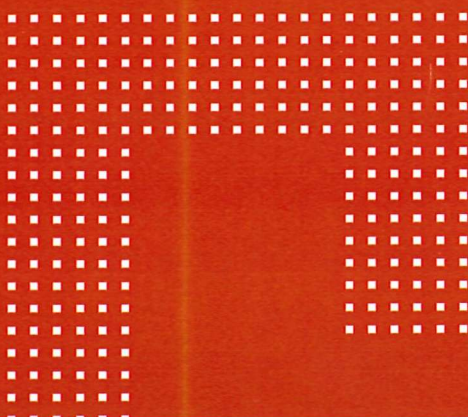
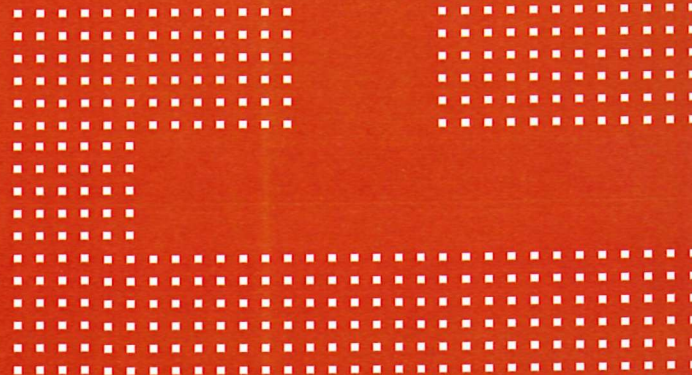
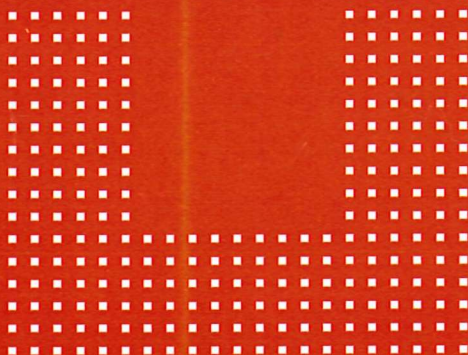
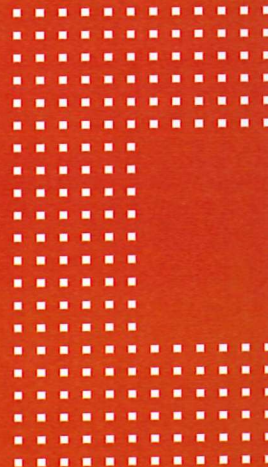
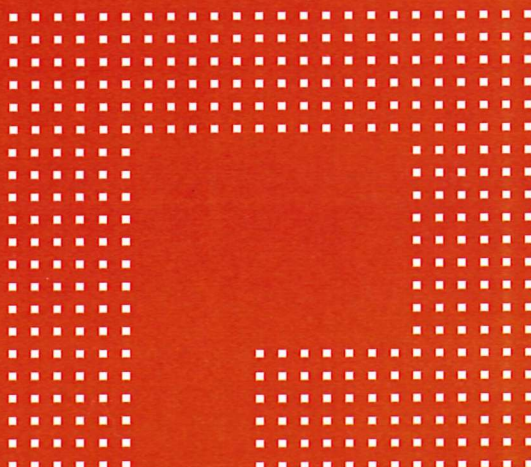
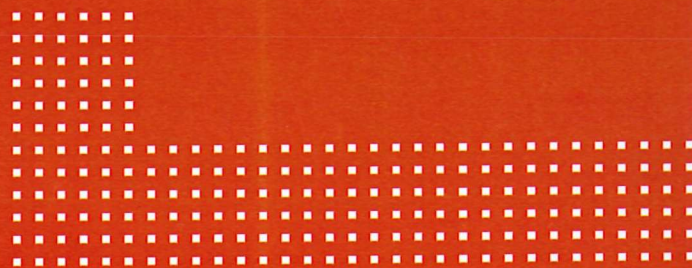
habitat planning

## Statement of Environmental Effects

**Bridge Road & Edward Street, Corowa**

Construction of a Recreation Facility –  
Corowa Aquatic Centre

September 2019







**Prepared for**

Federation Council

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Attachment B	Existing Site Plan
Attachment C	Proposed Architectural Plans
Attachment D	Proposed Landscape Plans
Attachment E	Access Report
Attachment F	AHIMS Report
Attachment G	Planning Property Report

# 1 Introduction

## 1.1 Overview

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning and is submitted to Federation Council in support of a Development Application (DA) for the construction of new buildings and associated works for the new Corowa Aquatic Centre.

The DA and this report have been prepared in accordance with the Environmental Planning & Assessment Act 1979 ("EP&A Act") and the Environmental Planning and Assessment Regulation 2000 ("EP&A Regs").

The proposal represents a regionally significant development, pursuant to State Environmental Planning Policy (State and Regional Development) 2011.

This report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It also describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

## 1.2 Background

The land to which the proposal relates to has historically been used as an outdoor swim centre, with this use having ceased in recent years. The old pool was considered unsustainable due to its ongoing maintenance requirements and it being restricted to seasonal usage. The existing structures have since been decommissioned and approved for demolition.

Since the decommissioning, the centre has become delapidated and unutilised, leaving the local population of Corowa without access to a public swimming pool. The proposal is to reinstate the subject land with a new aquatic centre to replace the old facility and provide Corowa with access to new contemporary indoor and outdoor pools for sport and leisure during all seasons.

## 1.3 Pre-DA Meeting

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 behaviour 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 centre area.

#### 1.4 Supporting Plans and Documentation

The report has been prepared with input from a number of technical and design documents which have been prepared to accompany the DA. These documents are included as Attachments to this report and are identified in the table below.

**Table 1 – Plans and Technical Documents**

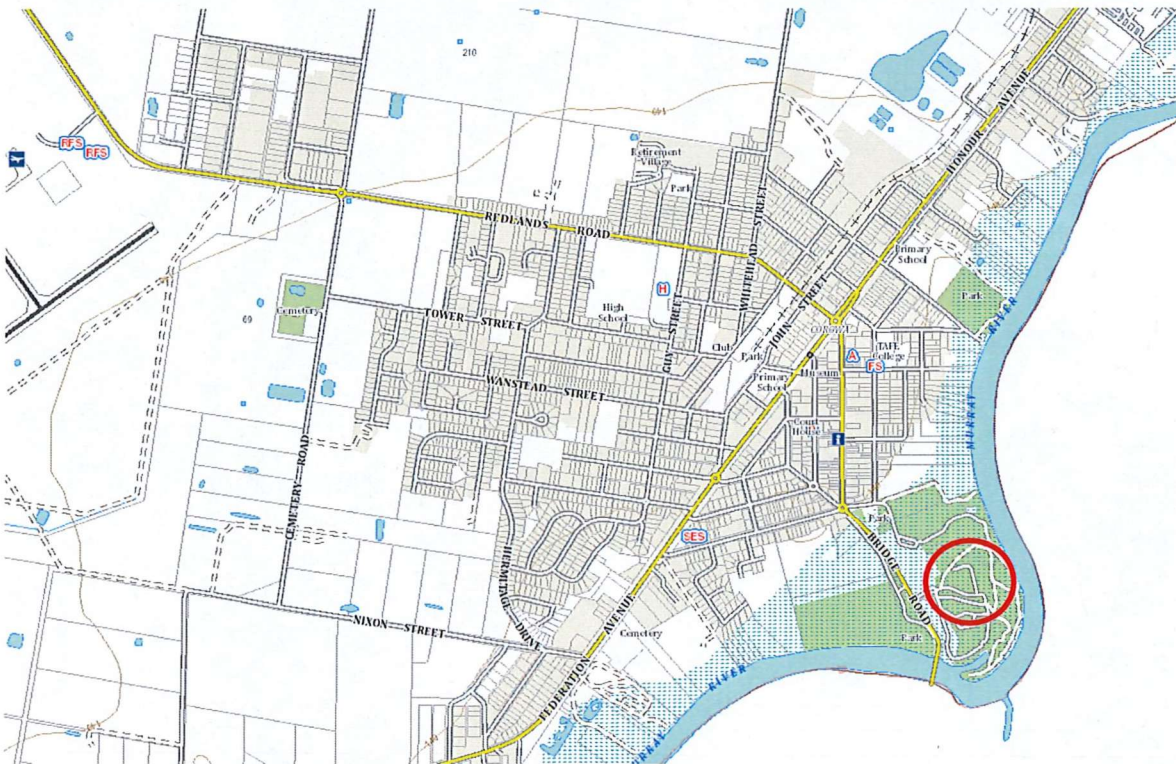
Plan/Document	Reference/Date	Author	Attachment
Cover Sheet	A000 – 19/08/2019	Facility Design Group	C
Existing Survey	A001 – 19/08/2019	Facility Design Group	B
Site Plan	A010 – 19/08/2019	Facility Design Group	C
Demolition Plan	A020 – 19/08/2019	Facility Design Group	C
Landscape Plan	A050 – 19/08/2019	Facility Design Group	D
Floor Plan	A100 – 19/08/2019	Facility Design Group	C
Upper Floor and Swim Club	A101 – 19/08/2019	Facility Design Group	C
Elevations and Sections	A500 – 19/08/2019	Facility Design Group	C
Perspectives 1	A900 – 19/08/2019	Facility Design Group	C
Perspectives 2	A901 – 19/08/2019	Facility Design Group	C
Perspectives 3	A902 – 19/08/2019	Facility Design Group	C
Access Report	26/08/2019	Accessible Building Solutions	E

## 2 Site Analysis

### 2.1 Site Location and Context

The subject site is located at 83 Edward Street and 28 Bridge Road, Corowa to the south east of the township adjacent to the Murray River. The site is approximately 600 metres from the town centre and 230 metres from the bank of the Murray River and forms part of a defined recreational and civic precinct of Corowa.

The location of the site is shown at **Figure 1** below.



**Figure 1** Location of the subject site in context to the Corowa urban area

### 2.2 Site Description

The subject site for this application involves an area identified across a portion of two parcels of land described as Lot 545 in DP1005541 and Lot 7002 in DP1115315 with a combined area of 14.3 hectares. The existing main building and pool facilities are located on the northern portion of Lot 545 with entry and parking facilities located within adjacent Lot 7002.

**Figure 2** below indicates the location of the former Corowa Swimming Pool buildings and facilities in context to the current lot configuration. For the purposes of this report, references to the subject site relate to the Corowa Swimming Pool precinct which occupies a portion of the total area of the two lots.



Lot 545 forms an irregular shaped parcel of land extending generally south from the existing Corowa Swimming Pool towards the Murray River at the south, taking in a large former caravan park. The lot is buffered to the Murray River on the eastern side by densely vegetated portions of land.

Lot 7002 forms a large parcel of land which accommodate a car park, circulation area, tennis courts and a recreation oval. This lot extends to the north of the existing Corowa Swimming Pool by approximately 150 metres and east for 200 metres through to the Murray River.

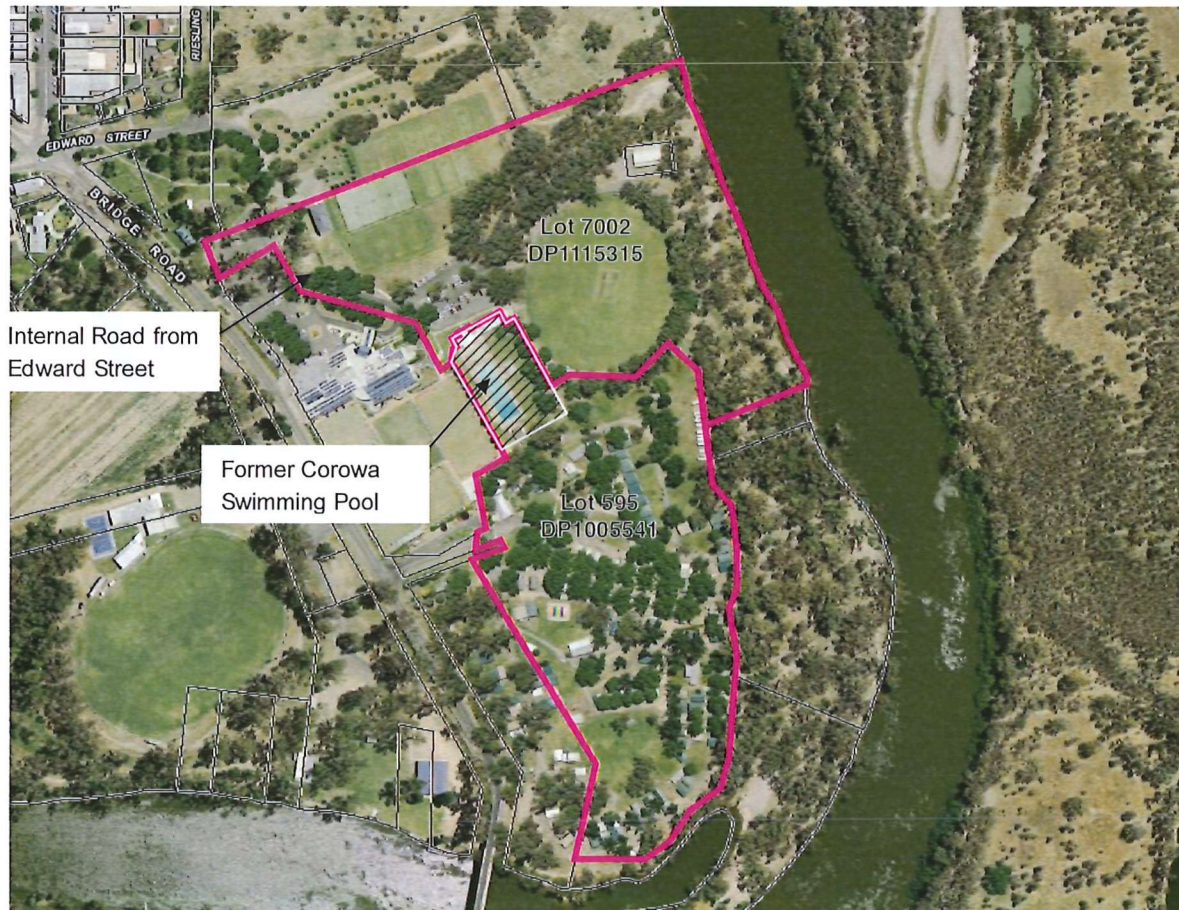


Figure 2 Location of the subject land in context to the current lot configuration of Lots 545 and 7002.

### 2.3 Existing Development

The existing building is identified as the Corowa Swimming Pool and contains entry kiosk, change rooms and general storage areas along with various other club facilities and rooms. The building extends along the northern boundary of Lot 545 and presents as a defined entry to the swimming pool precinct. It has minimal openings along its northern elevation, with the main entry from the adjacent car park made at the western end of the building which contains a small portico highlighting the entry. The eastern end of the building comprises an open pergola with a pitched roof and concrete surface, which is used in conjunction with the adjacent recreation oval. The rear (southern elevation) of the building contains a small verandah with entry to the main kiosk area and change room facilities.



The remainder of the swimming pool precinct is vacant, with former swimming pools having been demolished.

The southern portion of Lot 7002, immediately north of the Corowa Swimming Pool comprises a large sealed car parking area, which is integrated with the overall central parking facilities for the civic and recreational precinct. The car park allows for access to the former pool precinct via concrete pavements constructed adjacent to the main Corowa Swimming Pool building.

The topography of the subject site is flat with no significant changes in grade noted. There is also no significant slope noted in the surrounding area, with only gentle undulations existing closer to the Murray River alignment to the east and south.

Vegetation on the subject site is minimal and comprises non-native native planted trees. Vegetation conditions across the entirety of both Lot 545 and 7002 include remnant native vegetation along the Murray River corridor and surrounding the recreation oval as well as non-native planted and ornamental trees which have been incorporated into the landscaping works of existing development.



**Figure 3** View of the front façade of the existing building, viewed from the adjacent car park.



**Figure 4** View of the existing northern frontage of the building, including the main entry and small portico.



**Figure 5** Interface of the existing swimming pool precinct with the adjacent former bowling greens.

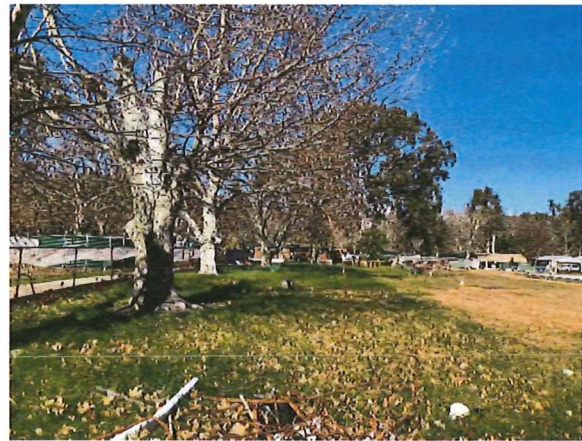


**Figure 6** View of the existing southern façade of the main building, addressing the internal pool area.





**Figure 7** View across the main swimming and outdoor area, looking south west toward the adjacent former caravan park.



**Figure 8** View along the eastern border of the swimming area, showing the existing retained trees.

## 2.4 Surrounding Development

The subject site is within a large civic and recreational precinct, containing a number of public land uses and functions. Edward Street continues east off the Bridge Road/Sanger Street roundabout and provides main access into the civic and recreation precinct.

Most notable, the immediate area is defined by the large Corowa Civic Centre building which is located immediately west of the subject site. The building comprises a former bowling club and now accommodates the main administrative offices and chambers of the Federation Council, the Corowa Library along Service NSW facilities. The building addresses a large sealed surface parking area to its north west and former bowling greens to its south east.



**Figure 9** View west from the car parking area adjacent to the swimming pool site, towards the civic centre building and entry.



**Figure 10** Existing internal driveway adjacent to the civic centre, accessing the parking area adjacent to the swimming pool.





**Figure 11** View north towards the tennis courts beyond the adjacent car parking area.



**Figure 12** Existing car parking area located to the north of the swimming pool site.

Bangerang Park is located at the north west of the precinct, adjacent to the Bridge Road/Sanger Street roundabout. It comprises a large public open space area and is improved with a number of small structures and outdoor barbeque equipment. Tennis courts and associated club facilities are established immediately adjacent to Bangerang Park, occupying a large area to the north east of the precinct. The courts extend through to vegetated areas along the Murray River foreshore.

At the more immediate norther interface of the land, a large sealed surface car park is provided between the swimming pool building and the adjacent tennis courts. The car park is accessed from the main internal loop road to the adjacent civic centre building and provides car parking spaces for use between the swimming pool, recreation oval and tennis courts.

A large recreation oval immediately adjoins the subject site on the eastern interface. The oval exists a large cleared area almost entirely surrounded by established vegetation. It also separates the subject site from the Murray River, which is located approximately 200 metres east. The land east of the recreation oval is undeveloped and contains informal walking tracks along the Murray River foreshore.



**Figure 13** The adjacent recreation oval, looking east towards the Murray River foreshore.

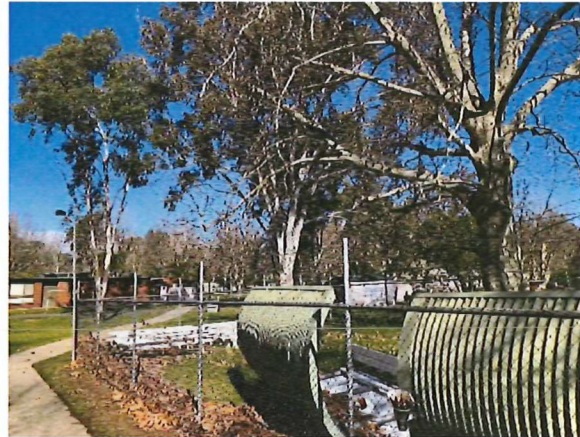


**Figure 14** The adjacent recreation oval, looking from the swimming club building east towards the Murray River.





**Figure 15** View south along the pathway adjacent to the swimming pool site with the recreation oval and tank facilities adjacent



**Figure 16** View south through the rear portion of the swimming pool site towards the former caravan park.

Ball Park Caravan Park is located to the south east and south of the subject site and occupies the majority of the land between the site and the Murray River. The caravan park area includes bitumen paved and unsealed internal roads accessing a variety of accommodation sites. The alignment of the River curves around the former caravan park and extends under the John Foord Bridge, with vegetated land buffering the caravan park to the River.

Further recreation land is located to the south west of the subject site and beyond Bridge Street which creates a significant physical separation as it rises to the John Foord Bridge. A large recreation oval known as John Foord Oval, is located adjacent to the Murray River, along with Rowers Park. Facilities are established in this area for the Wahgunyah Rowers Club and Corowa Rowing Club, including boat ramp and launching facilities at the Murray River edge.

## 3 Description of Proposal

### 3.1 Overview

This application seeks approval for construction of the new Corowa Aquatic Centre. Specifically, the proposal involves:

- 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; and
- Associated landscaping works and new concrete pavements surrounding the site and frontage of new building.

Proposed plans detailing the future development outcome for the site are attached at Attachment C of this DA.



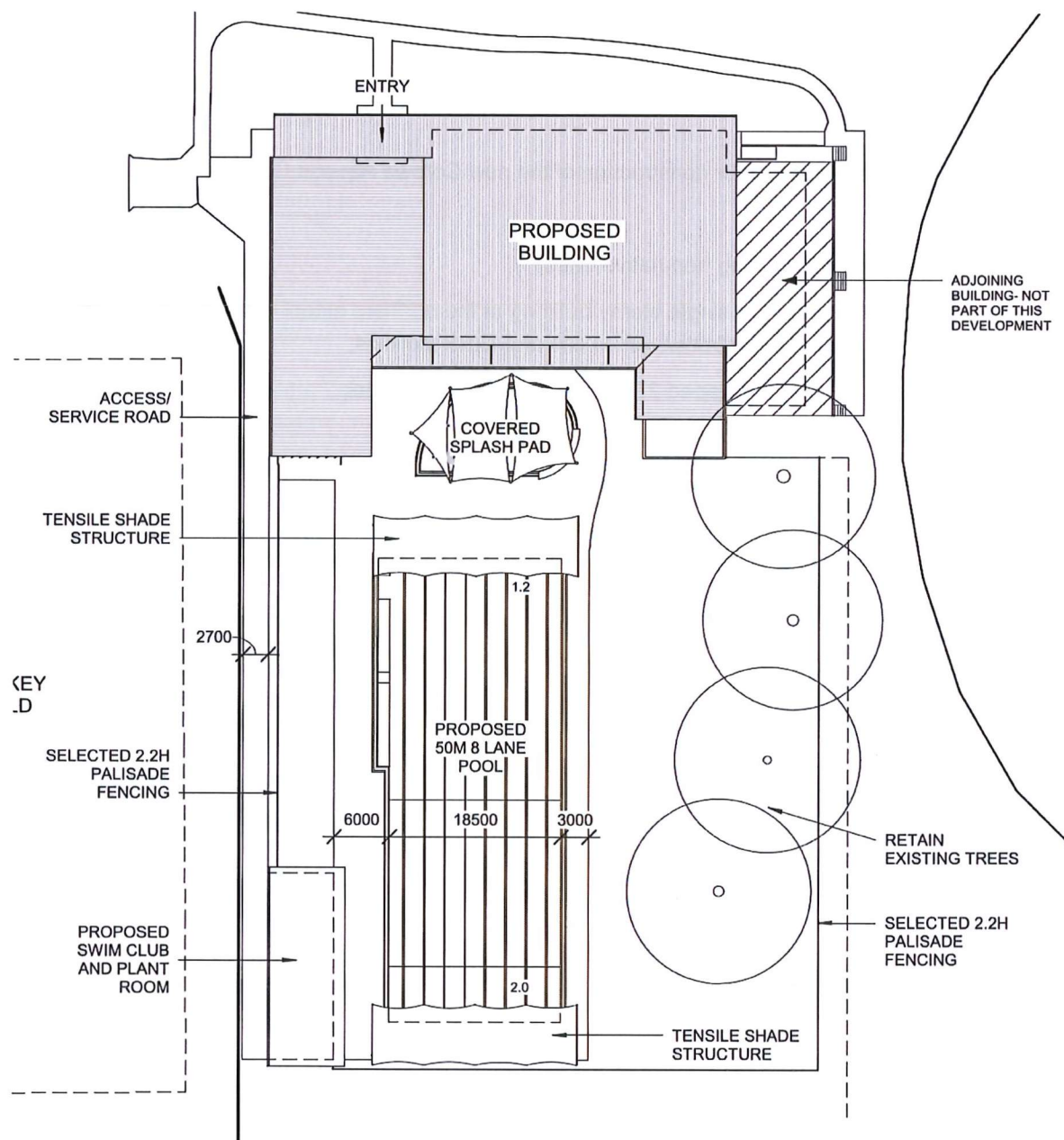


Figure 17 Proposed site plan for the Corowa Aquatic Centre

### **3.2 Site Establishment**

The subject site will be cleared and prepared in anticipation of the construction works associated with the new facility, including any other ancillary clearing and removal of redundant infrastructure and other ancillary components on the site.

### **3.3 Proposed Aquatic Centre**

The new development of the land will comprise a contemporary aquatic facility comprising new indoor and outdoor swimming facilities and associated buildings.

#### **3.3.1 Aquatic Centre Building & Indoor Pool**

The main building for the new aquatic centre will be constructed at the northern extent of the subject site, in the approximate location of the former building. It will comprise a larger overall area and contain an indoor pool hall along with other facilities.

The eastern portion of the building will accommodate the main entry threshold to the centre, with sliding doors and glazed frontage opening to the northern car park. Once inside the building, an access controlled entry is to be established, adjacent to a small administration area contain an open reception counter, offices, kitchen and staff amenities. A small café seating area and circulation space will be established beyond the entry point, leading to large male and female amenities, accessible changing room and first aid room.

The central and eastern portion of the new building will be defined by a large indoor pool hall, containing a 25 metre 3-lane pool and adjacent smaller swimming pool. The indoor facilities offer the ability for lane swimming and general play spaces to cater for different needs of users. A wide accessway is to be established around the full extent of the pools and will have expansive glazed and louvered openings to the north and south sides. Amenities are to be provided at the south east corner of the pool hall area for use in conjunction with the indoor space. Access to the pool hall will be available only from the main entry area to the west, ensuring that there is suitable access control for users of the indoor space. No direct access can be made from the southern or northern sides, with secured access available between the plant room for maintenance services.

A plant room and heat pump yard is to be constructed at the south east corner of the building. An additional 8.464 metre x 8.625 metre storage area will be constructed at a first floor level over the ground floor changing rooms at the eastern extent of the building.

#### **3.3.2 Splash Pad**

The main northern building will open to a splash pad area immediately to the south. The building will wrap the splash pad area and includes outdoor café 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 edges of the splash pad will be defined with small be curved and a small curved wall will be constructed to one side. A variety of internal play elements are to be constructed within this area subject to detailed design.



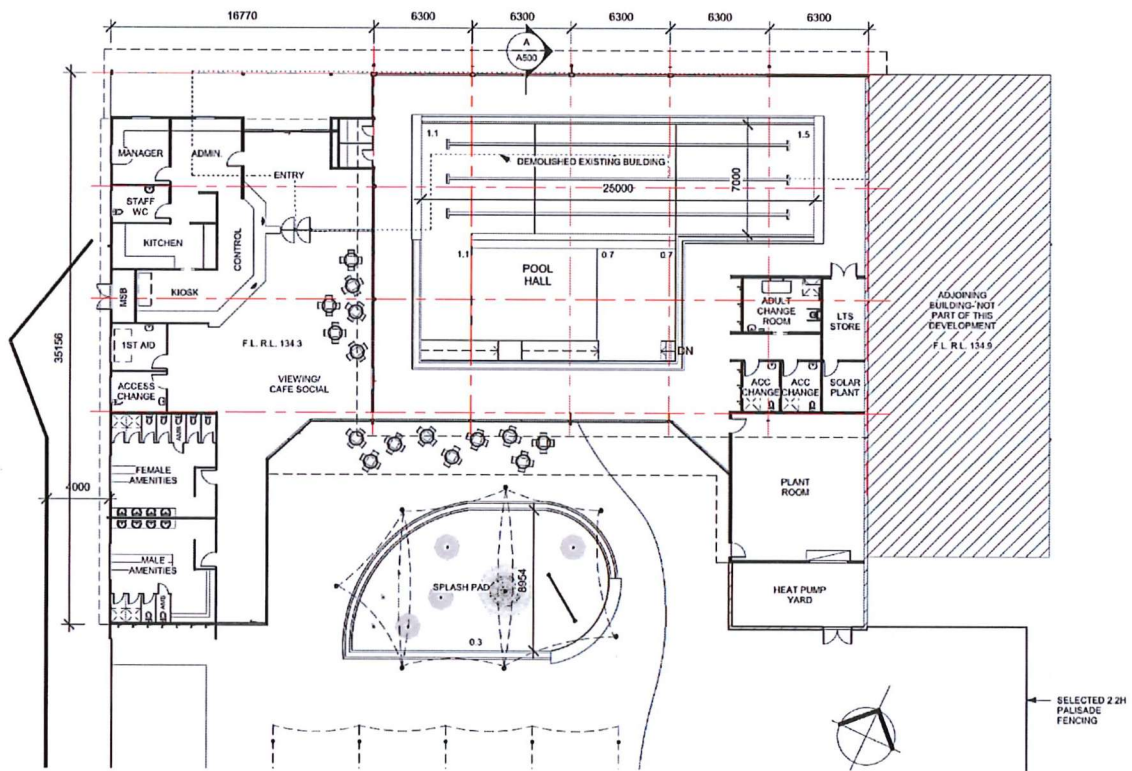


Figure 18 Proposed floor plan of the new aquatic centre and external splash pad

### 3.3.3 Outdoor Pool

The outdoor portion of the site will include a new 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 and will be setback approximately 15 metres from the western side boundary and 6 metres from the southern side boundary. Concrete surrounds are to be constructed to each side of the pool, with a 6 metre width on the western side and a 3 metre width on eastern side.

New high tensile freestanding shade structures are to be constructed at each end of the pool to provide comfort to pool users.

The eastern side of the pool will be retained as turf and tree planting for use in association with the pool use and for observation and supervision of users. A landscape plan is provided detailing the finishes for the associated areas surrounding the outdoor pool.

A small single storey Colourbond clad building is to be constructed at the south west corner of the site, to accommodate a plant and equipment space and provide for a separate area of the Corowa Swim Club. The Swim Club room will include a space of 5.85 metres x 5.95 metres and will be accessed from the western elevation. The plant room will have dimensions of 13.85 metres x 5.95 metres.

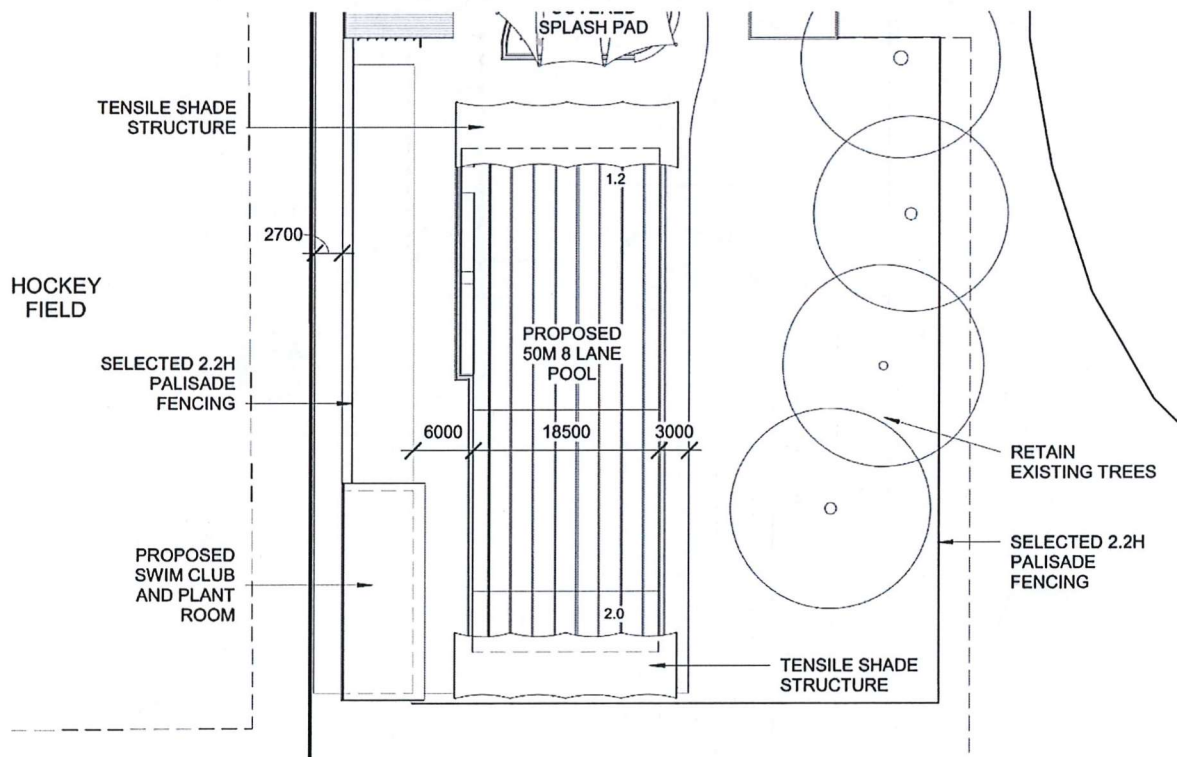


Figure 19 Proposed outdoor pool, swim club and plant room and associated outdoor space



### 3.4 Landscaping and Fencing

It is proposed to undertake landscape improvements works associated with the new aquatic centre and pool development. Conceptual landscaping works are detailed on drawing A050 at **Attachment D** and reproduced at below.

New landscaping is proposed to the norther extent of the building, surrounding new entry pathways and circulation space. It is envisaged that landscaping works to the frontage will comprise scattered tree plantings, low shrub plantings and turf coverage.

The internal areas surrounding the outdoor pool will be finished with turf surfaces. Existing established planted trees are to be retained along the eastern boundary of the site to provide shading to the outdoor spaces alongside the pool.

The perimeter of the site is to include a new 2.2 metre high palisade style fence to secure the area of the pool, which allowing for passive surveillance and views of the surrounding area.

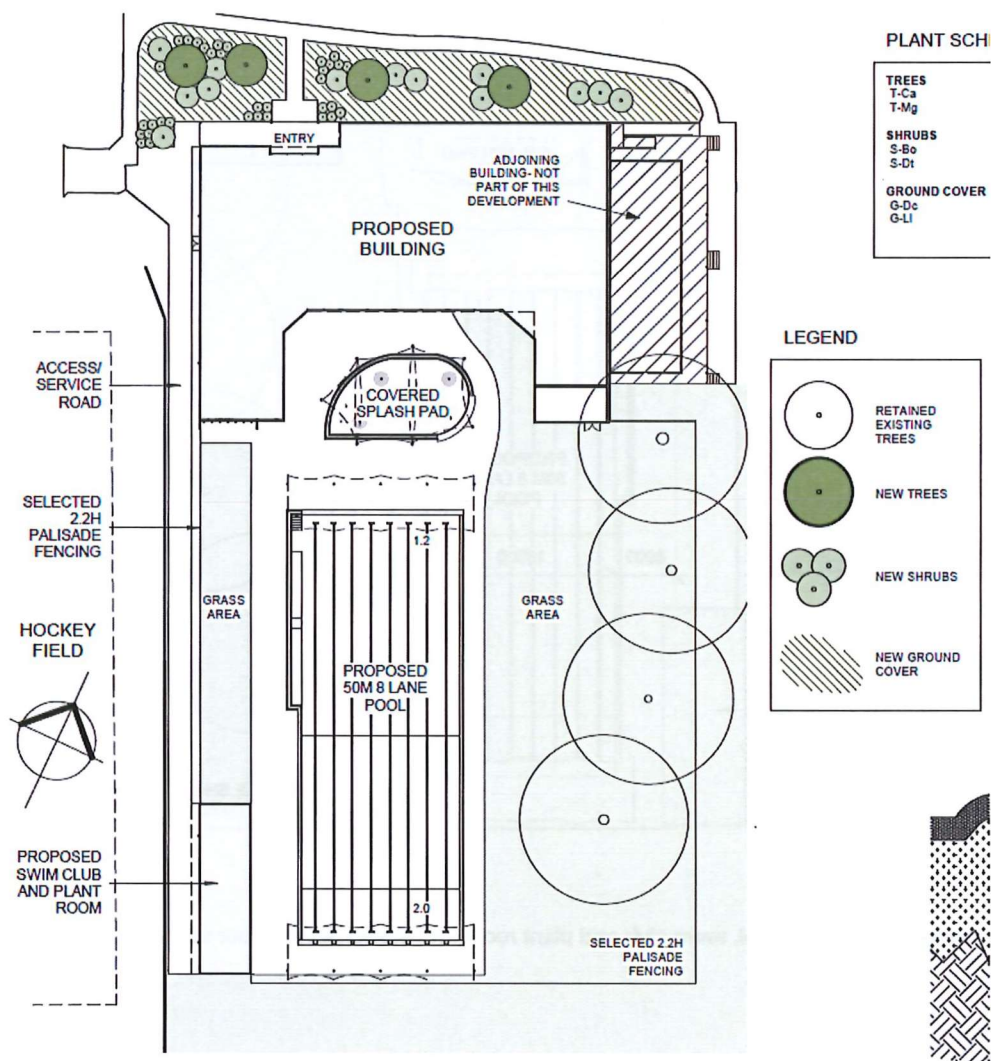


Figure 20 Proposed conceptual landscaping plan

## 4 Planning Assessment

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

*(1) Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(iiia) 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, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

*(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest."*

The matters for consideration identified in Section 4.15(1) of the EP&A Act are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act are addressed in Section 5 of this SEE.



#### 4.2 Murray Regional Environmental Plan No. 2 – Riverine Land (deemed SEPP)

The subject land falls within the area to which *Murray Regional Environmental Plan No 2 – Riverine Land* (MREP) applies. The aims of the MREP are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The objectives of the REP are:

- *to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray;*
- *to establish a consistent and coordinated approach to environmental planning and assessment along the River Murray; and*
- *to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.*

Part 2 of the REP sets out planning principles, and clause 8 specifies that these principles apply when a consent authority determines a development application. Accordingly, the planning principles at Clauses 9 and 10 of the REP are applicable for consideration against this development.

The proposed works are to be undertaken on a cleared and disturbed area more than 200 metres from the Murray River alignment, and therefore the impacts of the development on the riverine environment are expected to be low. The REP requires Council to consider the objectives and planning principles expressed in it when determining a development application. The specific principles in the REP applicable to the proposal are addressed below.

Table 2 – MREP Compliance Table

Principle to be considered	Response
<b>General Principles</b>	
When this Part applies, the following must be taken into account: (a) the aims, objectives and planning principles of this plan, (b) any relevant River Management Plan, (c) any likely effect of the proposed plan or development on adjacent and downstream local government areas, (d) the cumulative impact of the proposed development on the River Murray	The aims and objectives of the MREP are addressed in the section above. It is generally considered that the proposal will have no adverse impacts on the riverine environment of the Murray River as the works are limited to disturbed areas of land well away from the river and there will be no works that are likely to cause changes to the landscape or function of the environment surrounding the site. The development will not likely have any effects on adjacent or downstream LGA's.
<b>Specific principles</b>	

Principle to be considered	Response
<p><b>Access</b></p> <ul style="list-style-type: none"> <li>▪ The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.</li> <li>▪ Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.</li> <li>▪ Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.</li> </ul>	<p>The lots containing the proposed works interface with the Murray River at the east and south, however proposed works are well removed from these points. The proposed development will not impact or restrict access to the River over and above what already exists.</p>
<p><b>Bank disturbance</b></p> <ul style="list-style-type: none"> <li>▪ Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.</li> </ul>	<p>Not applicable. As above, the proposed development will not occur on waterfront land.</p>



Principle to be considered	Response
<p><b>Flooding</b></p> <ul style="list-style-type: none"> <li>▪ Where land is subject to inundation by floodwater:               <ul style="list-style-type: none"> <li>(a) the benefits to riverine ecosystems of periodic flooding,</li> <li>(b) the hazard risks involved in developing that land,</li> <li>(c) the redistributive effect of the proposed development on floodwater,</li> <li>(d) the availability of other suitable land in the locality not liable to flooding,</li> <li>(e) the availability of flood free access for essential facilities and services,</li> <li>(f) the pollution threat represented by any development in the event of a flood,</li> <li>(g) the cumulative effect of the proposed development on the behaviour of floodwater, and</li> <li>(h) the cost of providing emergency services and replacing infrastructure in the event of a flood.</li> </ul> </li> <li>▪ Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.</li> </ul>	<p>The subject site is on land subject to flooding risks. While there is risks to the site from flooding, the proposed building is able to accommodate appropriate finished floor levels above the 1 in 100 year flood level.</p> <p>It is generally not considered that the proposed development increases the flood risk and the safety of surrounding infrastructure and land. The development is similar in nature to the former use of the site and effectively represents replacement of recreation facilities for Corowa.</p> <p>Consequently, there are no additional impacts on the matters relevant to flooding in the MREP.</p>
<p><b>Land degradation</b></p> <ul style="list-style-type: none"> <li>▪ Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</li> </ul>	<p>Overall it is considered that the proposal will have no adverse impacts on land degradation, native vegetation, soil and groundwater pollution, and adverse land impacts in general. The works are well removed from the Murray River banks and the more sensitive riverine environment alongside the River. Appropriate construction management measures will be implemented to avoid any runoff or soil from the property entering surrounding waters.</p>

Principle to be considered	Response
<b>Landscape</b> <ul style="list-style-type: none"> <li>Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</li> </ul>	Not applicable. The subject land is not immediately at the riverbank and does not remove or otherwise impact riverine, and connecting, native vegetation.
<b>River related uses</b> <ul style="list-style-type: none"> <li>Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.</li> <li>Development which would intensify the use of riverside land should provide public access to the foreshore.</li> </ul>	Not applicable. The site is not on land immediately alongside the River land and considered sufficiently removed from the Murray River environs as to not have any potential for adverse impacts.
<b>Settlement</b> <ul style="list-style-type: none"> <li>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located: <ul style="list-style-type: none"> <li>(a) on flood free land,</li> <li>(b) close to existing services and facilities, and</li> <li>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</li> </ul> </li> </ul>	The proposed facility is located on flood prone land, however, is considered appropriate for development given it can incorporate appropriate mitigation measures, will be replacing existing swimming facilities and will not include any habitable areas. It is located adjacent to other existing civic and recreational facilities and services and has an appropriate relationship with this area. It is not near any productive farm land.
<b>Water quality</b> <ul style="list-style-type: none"> <li>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</li> </ul>	The development does not include any activities or outcomes that will increase the salt and nutrient levels of the ground.



Principle to be considered	Response
<p><b>Wetlands</b></p> <ul style="list-style-type: none"> <li>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</li> </ul> <p>Land use and management decisions affecting wetlands should:</p> <ul style="list-style-type: none"> <li>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</li> <li>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</li> <li>(c) control human and animal access, and</li> <li>(d) conserve native plants and animals</li> </ul>	<p>A portion of the lots containing the proposed development is identified as a 'wetland' by the LEP. However the proposed area to be developed for the new aquatic centre is not identified as a 'wetland' by the LEP, nor does it have characteristics of a wetland environment.</p> <p>It is not considered that the proposal will have any adverse impacts on the nearby wetland environments associated with the adjacent Murray River. It will be sufficiently removed and buffered from the more sensitive areas adjoining.</p> <p>As above, there is no significant risk of contaminants entering the surrounding waters, and the risk will be further mitigated by appropriate measures during construction.</p>

#### 4.3 State Environmental Planning Policy (State and Regional Development) 2011

The *State Environmental Planning Policy (State and Regional Development) 2011* ("State and Regional Development SEPP") aims to identify development identified as state significant or regionally significant.

Part 4 of the SEPP refers to regionally significant development. Pursuant to clause 20 and Schedule 7 of the SEPP, Council related development over \$5 million is regionally significant development if

- (a) a council for the area in which the development is to be carried out is the applicant for development consent, or
- (b) the council is the owner of any land on which the development is to be carried out, or
- (c) the development is to be carried out by the council, or
- (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).

In this instance, the proposal has a capital investment value of more than \$ 9.5 million, which exceeds the \$5 million threshold. Federation Council is also the applicant and landowner and will be undertaking the works. As a result, the proposal is characterised as regionally significant development.

#### 4.4 Corowa Local Environmental Plan 2012

The Corowa Local Environmental Plan 2012 ("the LEP") is the principal planning instrument that guides development within the former Corowa Shire. The sections below provide an overview of consistency and compliance of the proposal against the LEP provisions.

##### 4.4.1 Zone objectives and Land Use Table (Clause 2.3)

The subject site is located on land zoned RE2 Private Recreation by the LEP, which relates to the private recreation areas within the Corowa area. It is noted that Lot 7002 to the north is zoned RE1 public recreation, however the proposal does not propose any new works or changes within Lot 7002.

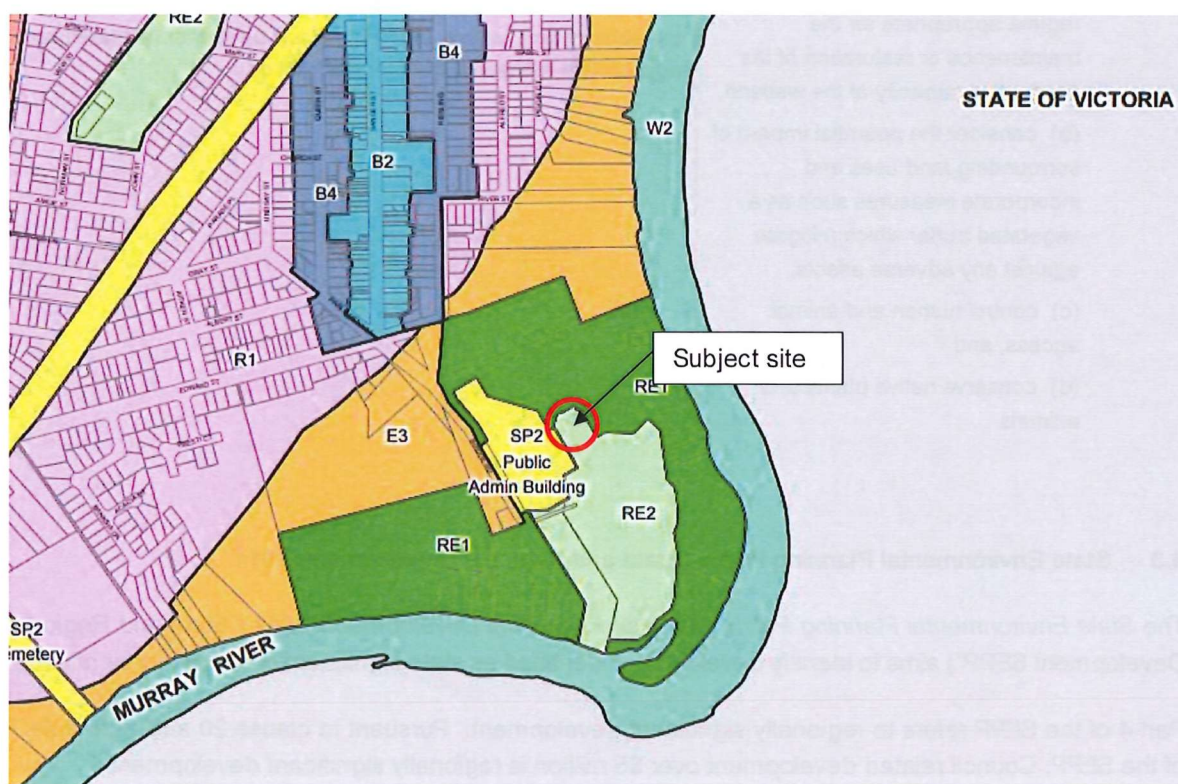


Figure 21 LEP Land Zoning Map extract

The objectives of the RE2 zone are as follows:

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

The proposal is in accordance with the objectives of the RE2 zone as it proposed a new development which will provide for recreation use to the broader community of Corowa and Federation Council generally. The development will form an appropriate recreational use amongst the civic and recreational precinct of Corowa. Importantly, it will also positively contribute to the variety of public recreation facilities in Corowa and will have no adverse impacts upon the surrounding sensitive riverine environment.



The proposal represents a land use of recreation facility (indoor) and recreation facility (outdoor), being defined as:

**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).

Both a recreation facility (indoor) and recreation facility (outdoor) are permissible with consent in the RE2 zone.

#### 4.4.2 Flood Planning (Clause 7.2)

Clause 7.2 of the LEP refers to flood planning. The provisions of this clause apply as the land, including the proposed works, are within the flood planning area mapped by the LEP.

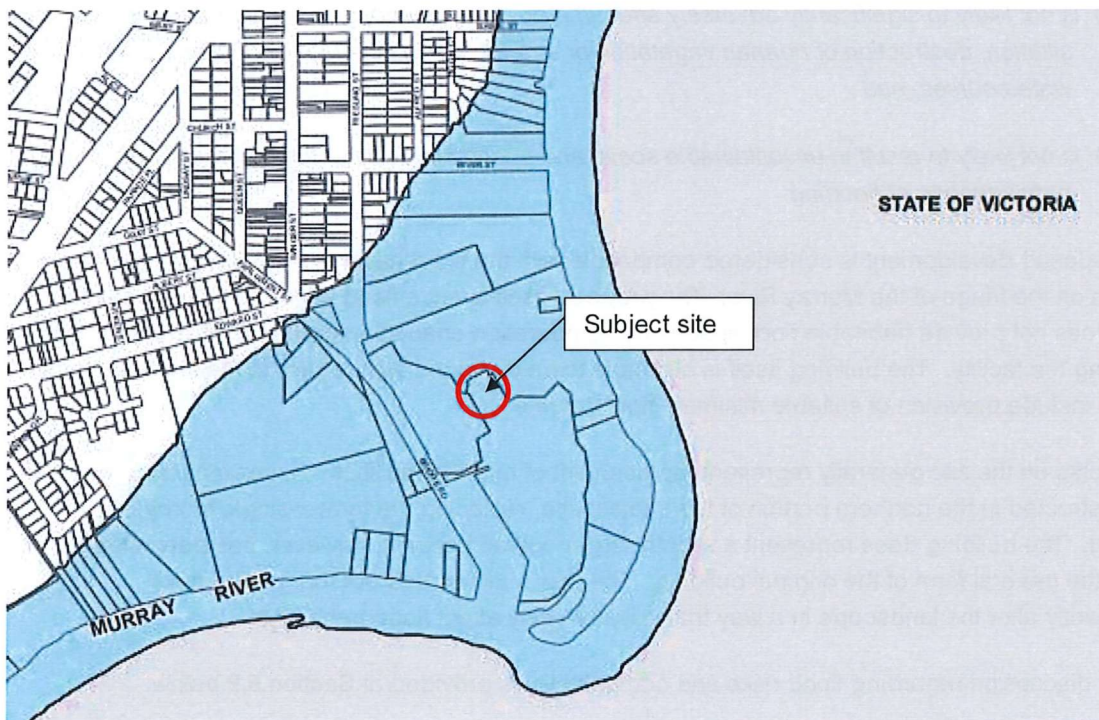


Figure 22 LEP Flood Planning Map extract

The objectives of this clause are:

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

The proposal involves replacement of public recreational facilities, being the Corowa Aquatic Centre, with previous swimming pool and associated facilities having been established on the subject site for long period of time. The facility is not habitable and is located adjacent to internal road circulation areas that enable suitable egress towards the Corowa urban area. It is considered that the replacement of the building and facilities in approximately consistent locations will ensure that there are no increased impacts on the flood behaviour or capacities across the immediate area.

Development consent must not be granted for development in the flood planning areas unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding*

The proposed development is considered compatible with the flood hazard of the site owing to the location on the fringe of the Murray River. The proposal itself is not a flood sensitive development in that it does not provide habitable floor space and its operation enables adequate control of persons attending the facility. The building itself is also able to be designed with regard to the flood hazards on site, include provision of suitable minimum floor heights.

New works on the site generally represent replacement of existing facilities. A new main building is to be constructed in the northern portion of the subject site, replacing the former single storey brick building. The building does represent a slightly larger overall footprint, however, has been shaped to reflect the general form of the original building. The new building and outdoor pool will not significantly alter the landscape in a way that will adversely affect flood behaviour.

Further discussion regarding flood risks and compatibility is provided at **Section 5.9** below.

#### **4.4.3 Terrestrial Biodiversity (Clause 7.4)**

Clause 7.4 refers to terrestrial biodiversity. The subject site is located at the fringe of the Murray River foreshore and is surrounded by areas of remnant native vegetation and sensitive riverine environmental conditions. The subject lot containing the proposed development is within an area



identified as "Biodiversity" by the LEP, however the proposed works are not. Despite this, the provisions of Clause 7.4 have been considered against the proposed development given the potential for works to impact nearby areas.

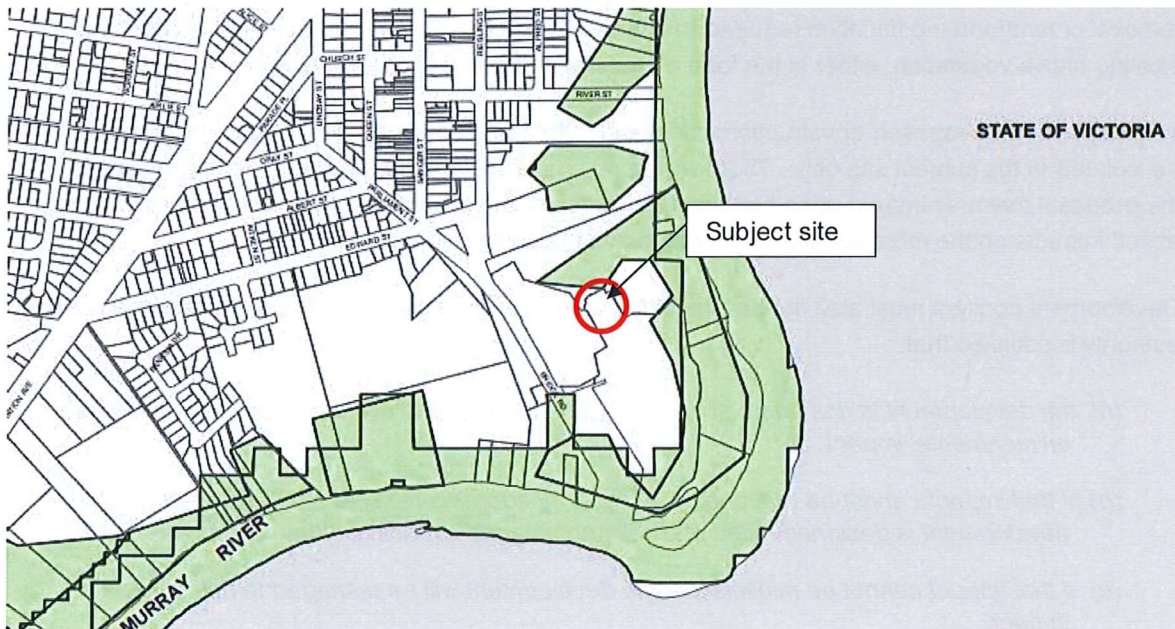


Figure 23 LEP Biodiversity Map extract

The objective of this clause is to:

... maintain terrestrial biodiversity by:

- (a) protecting native fauna and flora, and
- (b) protecting the ecological processes necessary for their continued existence, and
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.

Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:

- (a) whether the development is likely to have:
  - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
  - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
  - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
  - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The subject site is not specifically mapped as being within the terrestrial biodiversity area of Corowa, however, is located adjacent to the Murray River foreshore environs which is recognised as a sensitive location. The proposed works are to be undertaken on a cleared and previously disturbed area, which is well separated to the surrounding vegetation and foreshore area. There will be no vegetation removal or landform modification required to achieve the proposal. The site does not contain any existing native vegetation, either in the form of trees or native understorey coverage.

The nature of the proposed construction works and subsequent ongoing use is such that impacts will be isolated to the subject site only. There will be no emissions or other off-site impacts generated by the proposal that may impact upon biodiversity. Therefore the proposal will have no indirect or 'edge effect' impacts on the more sensitive environment to the south and east.

Development consent must also not be granted to land to which clause 7.4 applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

As above, the site is located on an already established and heavily disturbed area that is not specifically identified as significant biodiversity area. The existing separation distances of the buildings and works to the nearby remnant vegetation, combined with the isolated nature of impacts resulting from development, means that there will be no adverse impacts upon biodiversity.

#### **4.4.4 Wetlands (Clause 7.5)**

Clause 7.5 relates to wetlands and aims to ensure that wetlands are preserved and protected from the impacts of development.

A small portion of the lots containing the proposed development are mapped as wetland on the Wetlands Maps of the LEP. The portion of the lot to be developed for the aquatic centre is not identified by the map. Despite this, the provisions of Clause 7.4 have been considered against the proposed development given a portion of the land is affected, and the potential for works to impact nearby areas.



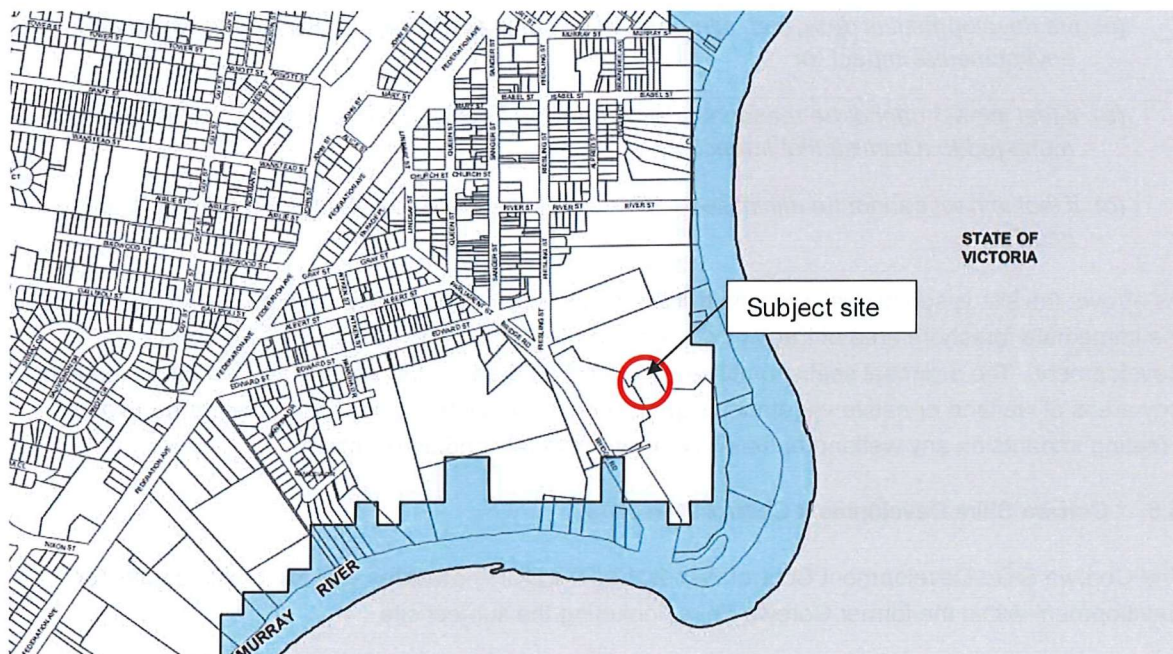


Figure 24 LEP Wetland Map extract

Before determining a development application for development on land to which this clause applies, the consent authority must consider:

- (a) *whether or not the development is likely to have any significant adverse impact on the following:*
  - (i) *the condition and significance of the existing native fauna and flora on the land,*
  - (ii) *the provision and quality of habitats on the land for indigenous and migratory species,*
  - (iii) *the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and*
- (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The subject site which will contain the proposed development is isolated to the northern portion of Lot 545 and is will separated from the mapped wetland areas which interface with the Murray River to the east and south. The conditions of the site also present as cleared and modified and do not contain any native vegetation or understorey conditions that relate to the immediate foreshore or wetland environment. As a result, there will be no change or impacts to the native vegetation conditions of the site or surrounds.

The proposed development and construction activities will not substantially alter the drainage flow of the land and will therefore avoid directing contaminants into nearby wetland ecosystems. Drainage will be directed to existing constructed drainage services that are already established to the site and will avoid natural drainage by overland flow towards the river or other sensitive locations.

In accordance with Clause 7.5(4), development consent must not be granted to development on land to which Clause 7.5 applies unless the consent authority is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

As above, the site is substantially removed from the sensitive wetland environment and conditions of the immediate foreshore area of the Murray River and is cleared and modified for previous development. The proposal seeks to utilise the disturbed areas of the site and will not encroach into any areas of wetland or native vegetation significance. Overall, the proposal is considered to avoid creating impacts on any wetland or sensitive environmental conditions entirely.

#### 4.5 Corowa Shire Development Control Plan 2013

The Corowa Shire Development Control Plan 2013 ("the DCP") provides specific requirements for development within the former Corowa Shire, including the subject site.

##### 4.5.1 Commercial Development (Chapter 4)

The DCP does not include any controls that specifically relate to recreational facilities in the shire. The provisions that best align with the proposal, is commercial development. The applicable standards of Chapter 4 Commercial Development have been considered and are addressed below.

**Table 3 – DCP Chapter 4 Compliance Table**

Standard	Complies	Comment
<b>4.2 Appearance &amp; design</b>		
Buildings to be constructed to the street frontage in the main commercial precincts of Corowa, Mulwala and Howlong	<b>Not applicable</b>	The subject site is not a part of a main commercial precinct.
Building facades to be constructed of timber, brick or masonry.	<b>No</b>	The façade will incorporate colorbond, FC cladding and glazing to the façade. The combination of materials creates a high quality and visually interesting appearance.
Shopfronts predominantly in glass to be provided on commercial buildings constructed to the front building line.	<b>Not applicable</b>	None
Shopfronts are to be inviting and interact with passers-by.	<b>Not applicable</b>	None
Large expanse of walls along the street frontage will not be supported.	<b>Yes</b>	The proposed building uses a combination of glazed openings and painted walls with large window and door openings along the frontage.



Standard	Complies	Comment
Colours used on walls visible to the public shall be subdued and blend in with the streetscape.	Yes	The proposed building will be finished with appropriate colour schemes that are responsive and appropriate for the recreation and civic context.
Development to be located within established commercial areas.	Not applicable	None
A front awning shall be provided (post-supported verandas are preferred).	Not applicable	None
The extent of front awnings should match those provided on any adjoining commercial property.	Not applicable	None. Given the nature of the surrounding area there are no built form elements that the building proposed to match.
<b>4.3 Energy efficiency</b>		
Building design to maximise solar access through orientation and location of glass where possible.	Yes	<p>The building is designed to capture northern orientation for solar access to the internal spaces, as well as natural cross ventilation. The building is designed with louvered openings that encourage natural cross ventilation and will result in significant savings in mechanical heating and cooling costs.</p> <p>The new development will be required to demonstrate Section J BCA compliance. This is required prior to construction and will be a condition of any development consent.</p>
<b>4.4 Parking</b>		
Surface car parking is to be located to the side or rear of the development.	No	The subject site fronts an existing car parking area which is shared with adjoining recreational facilities. The location of car parking is appropriate given the context of the subject site within a defined recreation precinct.
Car parking spaces to be provided at the rate specified in Table 4.1 of the DCP.	Yes	<p>A recreational facility is not specified in the DCP table. The RMS Guide to Traffic Generating Development states that parking for recreation facilities should be sufficient to accommodate peak demand periods at the facility.</p> <p>The aquatic centre will be one of a number of a recreational facilities in the part of Corowa, and benefits from a substantial area of parking surrounding. Having regard to the size of the facility, there will be more than sufficient parking areas provided within the surrounding area to accommodate peak demands from the facility.</p>
Parking spaces should be designed in accordance with Australian Standard 2890.1 and 2890.2.	Yes	The existing parking spaces are designed in accordance with Australian Standard 2890.1 and 2890.2

Standard	Complies	Comment
Car parks adjoining public land (including a road) shall be provided with a landscape strip at the interface.	Yes	New landscaping is to be established between the proposed aquatic centre building and the existing northern car park to integrate with the façade of the aquatic centre building.
Car parking to be accessible at all times during the business hours of the premises.	Yes	The parking will be accessible at all hours.
Car parks to be designed to provide pedestrian connectivity and minimise conflicts between vehicles and pedestrians.	Yes	Pedestrian paths are provided through the parking area and enable access to the building.
Loading facilities are to be located at the rear or side of the building and not adjacent to any residential property.	Not applicable	As the proposal is for a recreational facility, it is not considered necessary to provide designated loading facilities. Any deliveries to the site can be accommodated from the adjacent parking area.
Loading and unloading facilities are to be provided in accordance with the provisions of Policies Guidelines and Procedures for Traffic Generating Development.	Not applicable	See above
Loading and unloading areas are to be located separate from other vehicle manoeuvring areas, car parking areas and pedestrian movement areas.	Not applicable	See above.
<b>4.5 Signage</b>		
Signage to be kept to a minimum and commensurate with the type of commercial activity being undertaken.	Yes	The proposed signage will be limited to identification signage on the front façade above the main entrance, displaying "Corowa Aquatic Centre".  The signage will be plain coloured, proportional to the building, be of a compatible colour and not dominate.
Signage to be of a scale in proportion of the building (i.e. not to dominate).	Yes	As above
Signage to be modest in size and colour and not provide a distraction to motorists.	Yes	As above
Signage not to be a hazard for pedestrians or motorists.	Yes	As above
Moving and/or flashing signs will be considered incompatible with the objectives for this control.	Yes	As above
<b>4.6 Amenity</b>		
Cooling and heating units are to comply with the relevant noise standard for such equipment.	Yes	Mechanical heating and cooling units are appropriately integrated into the design, as demonstrated by the submitted plans.



Standard	Complies	Comment
Natural and artificial lighting is to be used to reduce poorly lit or dark areas to deter crime and vandalism.	Yes	The exterior areas will remain lit to provide security and discourage unsociable behaviour.
Development is designed having regard to safety and where possible implements measure for Crime Prevention Through Environment Design.	Yes	The proposed development is designed to enhance safety and does not propose any features that would otherwise increase the risk of crime.
Buildings shall comply with the Disability (Access to Premises—Buildings) Standards 2010 to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability.	Yes	The building is highly accessible by a variety of transport modes and incorporates ramps and a ground-level front entrance to enhance wheelchair access. An Access Report has been provided to demonstrate compliance of the proposed building.

#### 4.5.2 Flood Risk Management (Chapter 11)

Chapter 11 of the DCP relates to flood risk management and applies to all land identified as a flood planning area by the LEP, including the subject site. Section 11.6 refers to the development controls associated with flood risk management and determines the controls which must be considered.

The subject site is located within a high flood risk area of Corowa, being land which is within the 1 in 100 year flood area. The proposal is also best defined in Chapter 11 as a 'Recreational and Non-Urban Development'. Land use for Recreational and Non-Urban activities is one of the uses considered acceptable in the high flood risk locations of the LGA by the DCP.

The following table address the relevant development controls for Recreational & non-Urban development in a high flood risk area.

**Table 4 – DCP Chapter 11 Compliance Table**

Development Control for High Flood Risk (High Hazard Floodway) areas	Response
<b>General</b>	
Freeboard equals an additional height of 500mm.	The proposed building will accommodate a freeboard of 500mm as in line with LEP requirements.

Development Control for High Flood Risk (High Hazard Floodway) areas	Response
<p>The relevant environmental planning instruments (generally the Local Environmental Plan) identify development permissible with consent in various zones in the LGA. Notwithstanding, constraints specific to individual sites may preclude Council granting consent for certain forms of development on all or part of a site. This matrix identifies where flood risks are likely to determine where certain development types will be considered "potentially unsuitable" due to flood related risks.</p>	<p>The proposed development is also not identified as an unsuitable development in the high flood risk area, as it does not provide a habitable development. As such, it is considered that the proposed development is appropriate for the site.</p>
<p>Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.</p>	<p>Not applicable. No filling is proposed for the site other than for potential minor earthworks associated with site establishment.</p>
<p>The rear portion of a dwelling is able to be located within either the High or Medium Flood Risk Precinct, subject to habitable rooms being located 500mm above the 100 year ARI level and the front of the dwelling is located on a minimum of 550 m2 land that is above the 100 year ARI flood level and has direct access to land that is above the 100 year ARI flood level.</p>	<p>Not applicable. Proposal does not include a dwelling.</p>
<p>From time to time, Council may adopt mapping showing the Flood Precincts for this floodplain. Refer to Council to find out if these areas have been defined and mapped for this floodplain</p>	<p>Noted. However, no Flood Precincts are mapped by Council at present.</p>
<p>development that produces sewerage wastes shall not be developed on medium or high risk flood land unless it is connected to Council's sewerage system and arrangements suitable to Council have been made for the disposal of wastes in a manner that is not likely to cause pollution.</p>	<p>The proposal includes amenities that will discharge wastewater from the building. These will be connected to Council's reticulated sewerage system in a manner that will not cause pollution to the surrounding area.</p>
<p><b>Floor Level</b></p>	
<p>All floor levels to be no lower than the 20 year flood unless justified by site specific assessment.</p>	<p>The proposed building is able to comply with this requirement, and will provide an appropriate floor level, which is not lower than the 20-year flood, as per the <i>NSW Floodplain Development Manual 2005</i>.</p>



Development Control for High Flood Risk (High Hazard Floodway) areas	Response
Non-habitable floor levels to be no lower than the 20 year flood unless justified by site specific assessment.	As above
<b>Building Components</b>	
All structures to have flood compatible building components below the 100 year flood level plus freeboard.	The proposed buildings will be constructed from appropriate flood compatible building materials as demonstrated by the submitted plans.
<b>Structural Soundness</b>	
Engineer's report to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus freeboard.	<p>The proposal will be constructed in the 1 in 100 year flood area of Corowa, however, is considered to be an appropriate development in this instance. The proposal does not represent a significant transformation from its former use and the proposed structures on the site will not substantially alter flood characteristics of the land.</p> <p>The new buildings and outdoor pools will replace the former swimming pool facilities and will be of a generally similar form and location on the site. The size of the proposed building is slightly larger than the existing building, however the form of the building and placement on the site is consistent.</p> <p>The proposed building will be constructed and finished with high quality flood compatible materials and use appropriate construction methods. The building will have concrete slab on ground and walls will be clad in appropriate waterproof metal sheeting and cladding.</p>
<b>Flood Effects</b>	
Engineer's report required to certify that the development will not increase flood effects elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels and velocities caused by alterations to the flood conveyance; and (iii) the cumulative impact of multiple potential developments in the floodplain.	<p>As above, the proposal does not represent a significant transformation from its former use and the proposed structures on the site will not substantially alter flood characteristics of the land.</p> <p>The proposal is not located on land identified as flood storage, and the extent of development on the land does not significantly exceed existing. There is not expected to be any change to the flood storage conditions of the land.</p> <p>Likewise, the form of the building and its siting on the subject land is such that allows for movement of flood waters around the building and site. There is not expected to be any significant changes in flood flows or velocities.</p> <p>The subject land will not be significantly altered from its previous use and will not significantly transform the land or drainage patterns. There are not expected to be any cumulative impacts on the surrounding flood affected land.</p>
<b>Evacuation</b>	

Development Control for High Flood Risk (High Hazard Floodway) areas	Response
The development is to be consistent with the Floodplain Risk management Plan adopted by Council or SES Local Flood Plan.	A Local Flood Plan has been adopted for the Corowa township. Operation of the facility is able to comply with the Local Flood Plan. The site can be accessed from the urban road network via Edward Street.
The evacuation requirements of the development are to be considered. An engineers report will be required if circumstances are possible where the evacuation of persons might not be achieved within the effective warning time.	The development will not comprise habitable floor area or accommodate permanent residents. Operation of the facility will also be undertaken in accordance with the Local Flood Plan and evacuation procedures. While the subject site will accommodate a range of mobility levels, there will be sufficient warning time available from the land to enable evacuation. In addition, the facility is also able to be closed in times where a risk may be anticipated.
<b>Management &amp; Design</b>	
Site Emergency Response Flood Plan required where floor levels are below the design floor level, (except for single dwelling-houses).	Not applicable. Finished floor levels will not be below the design floor level.
Applicant to demonstrate that area is available to store goods above the 100 year flood level plus freeboard	All storage spaces within the building can be provided above the 1 in 100 year flood level.
No storage of materials below the design floor level which may cause pollution or be potentially hazardous during any flood.	There will be no storage below the design floor level.



## 5 Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979. Impacts were identified based on searches of relevant databases and technical guidelines, through visual site inspection and through anticipation.

### 5.1 Context & Setting

The subject site is identified within a portion of a larger lot within an established recreational and civic centre precinct. The surrounding area includes a major civic building and larger areas of recreation facilities, including open space, tennis courts and recreation ovals. The subject site itself also contains a former swimming pool facility which has operated for a number of years. Construction of new recreation facilities within the subject land retains the existing character of development and represents an appropriate use of land within this area of Corowa.

The new development represents a substantial upgrade to the swimming pool recreation facilities for Corowa, while retaining the location and accessibility of these services.

The location of the facility is well suited to service the broader Corowa and Federation Council community. It is close to the primary urban centre of Corowa and is accessible via pedestrian and road networks.

### 5.2 Access & Traffic

The subject land is located at the periphery of the Corowa urban centre, with access to the urban road network provided via Edward Street. An internal road network from Edward Street through the adjacent land associated with the civic centre building provides direct access to the subject site. The internal road consists of a sealed and well-constructed pavement between various bitumen sealed parking areas. These existing internal roads and parking areas have been constructed in accordance with appropriate urban standards and allow for two-way movement of vehicles and good sight distances at primary internal intersections. The network is capable of accommodating higher volumes of traffic given its purpose to provide access to various uses across the surrounding precinct.

Existing traffic to and from the civic and recreational precinct varies on a daily and seasonal basis given the variation of uses in the precinct. A number of activities surrounding the subject site have peak demand out of hours, either on weekends or evenings. Having regard to the make up of uses in the surrounding, it is assumed and observed, that traffic movements are generally well distributed throughout the day and generally avoid significant peak periods.

Proposed development of the site involves replacement of former swimming pool recreation facilities with new facilities. Given the replacement of facilities, rather than establishing new facilities, there is not expected to be substantial increases in traffic movements to and from the site beyond existing. However, some increases in traffic are anticipated due to the additional size of the facility, and potential capacity, and the overall improvement of facilities being offered. Given the proposal includes a new indoor pool it is also anticipated that demand for use of the facilities in 'off-peak' seasons may increase.

Having regard to the existing traffic and movement conditions of the surrounding precinct, there is considered to be adequate capacity within the internal road network. The additional traffic movements that would be expected from expanded capacity and the indoor all-seasons pool area, can be adequately accommodated within the existing road network without detriment to function or condition.

The majority of traffic generated by the pool use will be from passenger vehicles. There are no new works or changes to the operations of the facility that will require access by heavy vehicles, other than during construction, to the site that may otherwise have an impact upon road conditions and/or function.

Pedestrian and cycle movements have been considered within the overall design of the recreational and civic precinct, along with the placement of the new aquatic centre. Existing pathways throughout the surrounding precinct will provide suitable levels of access to the site and encourage pedestrian movements from the urban area of Corowa. The proposal will not displace the pedestrian facilities, with users able to access the site from the existing pathways.

### **5.3 Car Parking**

Car parking requirements for recreational facilities are not specified within the Corowa DCP. The NSW RMS *Guide to Traffic Generating Development* ("the Guide") has been considered in relation to provision of appropriate parking. The Guide indicates that parking of recreation facilities should be considered on a case by case basis and that it is difficult to assign a specific ratio of parking given the variations between different uses and contexts. In particular, the Guide states *"Research by the RTA has failed to find a conclusive relationship between parking demand and the size and nature of the recreation facilities surveyed, indicating that the number of parking spaces required is best determined by the nature of the proposed development."*

As discussed throughout, the subject site has accommodated a swimming pool precinct comprising an outdoor swimming pool for many years. A large 94 space car par has been provided adjacent to the property, providing parking for the swimming pool use and shared with surrounding recreation uses. The parking provision in this area has been sufficient as the recreational uses in the immediate area operate seasonally and at varied times, generally not overlapping with other uses for any extended period.

The proposal provides improved swimming pool facilities for the site, however does not represent the introduction of a new use to the site. As discussed above, there may be a moderate increase in the total number of persons attending the facility, due to the increased capacity, and persons may attend the site throughout the year given the indoor pool facilities, although this is likely to be at a lower rate. The provision of 94 parking spaces adjacent to the facility is considered to be adequate given historical data on parking from the facility.

Car parking demand is expected to be offset by the availability of pedestrian movement networks to the Corowa urban area. These pedestrian networks extend through the adjacent reserve areas to the north and offer a comfortable pedestrian movement environment that encourage users to attend the site via other modes of transport.

### **5.4 Infrastructure & Servicing**



Existing constructed services, including reticulated water and sewer are available to the subject land and have previously been connected to the existing development. The new development will be connected to these reticulated services of the surrounding area, which have adequate capacity to accommodate the proposed use and the expected load generated by the upgraded facilities.

All other essential services, including electrical services, gas and telecommunications are available to the site and will be connected to the new development. No major infrastructure or servicing augmentation is anticipated.

### **5.5 Heritage**

A search of Schedule 5 of the LEP determined that there are no heritage items or heritage conservation areas in the immediate surrounds. A number of heritage items are identified to the north west, within the Corowa town centre, but do not interface with the subject site or the immediate civic and recreation precinct.

The John Foord Bridge, located to the south west of the site is also identified as a local heritage item, however the proposal will not have any adverse impact upon the location of setting of the bridge.

### **5.6 Cultural Heritage**

It is noted that the location of the Murray River represents an area of greater sensitivity and potential for Aboriginal Cultural Heritage. A search of the NSW AHIMS database for registered cultural heritage items and consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*, Department of Environment, Climate Change and Water NSW, 2010 were undertaken estimate the potential for Aboriginal items to be contained within the site. The search determined that there are no locations of cultural heritage within a 1 kilometre radius of the subject site.

Previous development of an existing swimming pool, including subsurface disturbance, has occurred on the site as well as more recent minor works in decommissioning the previous buildings and pool areas. The result of this is a high level of disturbance to the site and an environment that is expected to have very little likelihood of any items of containing cultural heritage. The proposed works are to be undertaken across the previously disturbed areas only and will not extend into any new undisturbed areas closer to the River frontage.

In the unlikely event that the applicant does identify or uncover archaeological items during works, the items will be left in place and appropriate protocols for dealing with such instances will be observed.

### **5.7 Soils**

The proposed works will include initial disturbance of soils during the demolition and construction phases. Areas for new buildings and pool areas will be excavated and other ancillary trenching and disturbance works are expected.

Proposed works areas will be secured prior to the commencement of works, using sediment fences and the like, to prevent exposed and displaced soils from movement beyond the subject site. Any areas which will be used for placement of excavated soil will also be appropriately secured. Drainage from the site during construction will include directing stormwater flows to approved points of discharge, while establishing appropriate sediment control devices along temporary surface drainage

lines and at the point of discharge. The appointed contractors will be responsible for checking and maintaining the sediment control devices to avoid any impacts of sediment and soil movement.

Potential erosion to exposed areas of the site is low given the generally flat topography of the site. Risks will also be reduced through appropriate soil and water management techniques, including those described above, which will manage stormwater flows across the construction site and prevent high velocity flows.

To ensure all potential impacts are minimised, appropriate Soil and Water Management techniques will be implemented during demolition and construction works in accordance with Council's guidelines by way of an approved Construction Management Plan.

The subject site has had a long term use as a recreational facility, namely as a swimming pool, with this having ceased in recent periods. As part of that former use, there were no activities or storage processes that are potentially contamination. The recent clearing works on the property also did not identify or uncover any potential contaminating materials or storage areas.

## **5.8 Biodiversity**

The subject land is identified as within an area of "Biodiversity" as identified by the LEP and as addressed in Section 4.4.4 of this report. The mapped area of biodiversity sensitivity is located to the southern extent of the subject lot. It indicates that the more sensitive locations of the immediate area are to the east and south of the subject site, being the land which has an immediate frontage to the Murray River. The surrounding land along the banks of the Murray River also contain dense native remnant vegetation, which represents high quality wetland and riparian habitat

The subject site itself is separated from both the Murray River and the more established areas of vegetation by other uses, including a recreation reserve and the caravan park site. The vegetation within the development site does not include native vegetation, including understorey conditions, with the only vegetation on site comprising non-native ornamental trees. As such, the subject site does not represent part of the sensitive riparian corridor or habitat surrounding and the potential for direct impacts on biodiversity is considered to be low.

The proposal also does not require any removal of native vegetation from the site or the immediate surrounds. No works are proposed external of the site which may have a direct impact on native vegetation or biodiversity conditions of the sensitive riparian corridor.

The potential for indirect impacts on biodiversity have also been considered, including the potential impacts of development on the condition of surrounding vegetation and wetland areas. The risk of these indirect impacts is also considered low, as the footprint of the proposal will be contained entirely within the boundaries of the previously disturbed site, and the operations will not involve activities that have the potential to cause any off-site impacts.

The proposal is considered to have no adverse impact upon biodiversity. The site and immediate surrounds represent a modified habitat that is unlikely to provide core habitat for threatened and endangered species.

## **5.9 Flooding**



The subject land is within the 1 in 100 year flood planning area of Corowa and is therefore identified as being within a high flood risk area. Assessment of the proposal against the relevant controls related to flooding in the DCP is provided at **Section 4.5.2** above.

Despite its location within a high risk flood area, the proposed development of a recreation or non-urban use is identified as an acceptable use for the location. It is also noted that the proposal will be replacing an existing swimming pool facility with a new facility, which is generally reflective of what has previously been established on site. As such, the proposal is not expected to result in a development which is significantly different to existing conditions.



**Figure 25 Extract of Corowa 1 in 100 year Flood Map, with subject site indicated**

The entire area of the recreation and civic precinct of Corowa is located within the 1 in 100 year flood area, and there is no opportunity to move the building and works to an area in the precinct which would be flood free. The design of the building has therefore sought to replicate the location existing buildings and works and maintain the general form of development to that of existing conditions. The size of the new building will be larger than existing, however it is not expected to result in significant changes to flood storage on the site, with the building area being negligible in context to the surrounding area.

Retaining the existing location and form of the building and main outdoor pool have been important considerations for minimising impact of flooding on the site. The intention is to maintain an existing form and placement of works to avoid any changes to the behaviour of flood waters in the area surrounding the building or modify the flood velocities which may result. It is not considered that there will be an increase in flood risk on the surrounding area created by the new development.

The new building will also be constructed and finished with high quality flood compatible materials and use appropriate construction methods. The building will have concrete slab on ground and walls will be clad in appropriate waterproof treated metal sheeting and cladding which will be able to withstand impacts of flooding. Floor areas of the proposed buildings are able to be constructed at appropriate heights, in accordance with the relevant requirements.

Internally, the building will be constructed with electrical and other services provided in a manner which can withstand floodwaters. This includes providing appropriate heights above ground, using suitable materials and the like.

The new pools for the facility will also comprise concrete construction which ensure a high degree of stability and integrity with regard to flooding. The design and proposed construction methods of the pools ensures that they will not be displaced or impacted in flood events.

Occupation of the facility does not include any habitable floor space, with users of the facility only attending the premises intermittently for shorter periods of time. A Local Flood Plan has been adopted for the Corowa township which details appropriate evacuation processes and procedures and the availability of warning times for flooding events. The site has good road connection, enable direct access to the urban area of Corowa outside the 1 in 100 year flood extent. There is also the ability to provide suitable warning times for residents and business of the town of likely flood events, with steps able to be taken for safety. In this instance, there is the ability for the facility to be closed and vacated during period where a flood event is likely, avoiding any potential for having persons on-site during flood events. It is recommended that appropriate evacuation procedures be implemented for operation of the facility, including processes for evacuation and closing the facility when flood warning information indicates a possible flood event. Procedures would also include erection of signage at Edward Street that prevents access to the facility.

Overall, while it is recognised that the subject site is within an area of high risk flooding, the nature of the proposed use is considered acceptable in that it will not provide habitable areas for permanent accommodation. It also represents an appropriate recreation development, in an area of Corowa which is established as a defined recreation and civic precinct and that can be evacuated and closed ahead of any potential advised flood events. The information above and within the submitted documentation indicates that the proposed redevelopment of the site will not result in any significantly greater flooding impacts than already exist. Importantly, the scale and location of the buildings and works are not expected to displace or disturb floodwater, flows or velocities to any significant extent that may cause detriment to surrounding areas. The building itself will also be constructed in a manner that can appropriately withstand flooding and will not expose any services to levels which may be impacted by floodwaters.

#### **5.10 Bushfire**

The subject site is identified as bushfire prone land given the location of surrounding vegetation hazards. The proposal is not for a residential or habitable purpose and does not represent a Special Fire Protection Purpose. Therefore the proposal does not require the concurrence of the NSW Rural Fire Service or a Bush Fire Safety Authority.

The RFS *Planning for Bushfire Protection 2006* ("the PBP") is the primary development standard used in considering design and building requirements for development on bushfire prone land. A recreation facility is not specifically identified by the PBP, however it refers to other non-residential development. In particular, the PBP states that the NCC does not provide for any specific bush fire performance requirements for these developments and that development should consider AS 3959 and the NASH Standard when meeting the aims and objectives of PBP.

The PBP also lists the following objectives which should be considered for other non-residential development on bushfire prone land.



- to provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation;
- to provide adequate services of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building;
- to provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development; and
- consideration of storage of hazardous materials away from the hazard wherever possible.

As discussed above, the site is well serviced by an internal road network linking with Edward Street to the north. The roads represent urban standards of construction and have a higher capacity for traffic movements. Two-way movement is possible along all internal roads, along with appropriate continuous movement throughout the network, avoiding the need to undertake complicated or complex turning manoeuvres. It is considered that the road network enables an appropriate safe access and egress arrangement for the site.

The subject site is connected to the Corowa urban reticulated system, and which includes hydrants located in other locations across the recreation and civic precinct. The development can also be provided with appropriate water supply services, such as tank storage, if considered necessary. The materials of the building will be selected to withstand bushfire attack. The majority of the buildings are to comprise steel cladding to the exterior and steel roof coverage. These materials will provide a high degree of protection to the building.

The nature of the building means that persons will not be accommodated within the facility on a permanent basis. Future operations should include procedures regarding the use of the facility on fire danger days and periods, with the potential for the facility to be closed on days where there is a high fire danger. Overall, it is considered that the proposed development and the precinct generally, could be sufficiently and safely evacuated as required in bushfire events.

Having regard to the above, the proposed development is considered to be appropriate for the site and can be designed and operate in a manner that will not increase the risk of bushfire or to the safety of human life.

#### **5.11 Waste**

The proposal will generate waste during and construction that would typically include excavated soil, off-cuts and excess construction material, concrete; and domestic and putrescible waste (including food waste, bottles, cans and paper). All waste generated during construction will be collected or stored in appropriate locations and either removed from the site for disposal or reused if appropriate. The appointed contractors will provide details of receptacles for the works as part of a construction management plan prior to works commencing.

Any waste, including surplus soils, which cannot be reused shall be classified in accordance with the Waste Classification Guidelines (EPA, 2014), removed from the site and disposed of at a facility that can lawfully accept the waste.

Once operational, waste output of the facility is expected to be predominantly general domestic waste typical of a recreational facility. All waste generated by the proposal will be collected and stored in

bins and removed from site via the regular waste service operating in Corowa. It is anticipated that the facility will operate with a waste collection contract, similar to other Council facilities.

#### **5.12 Noise**

Construction works will involve minor noise generating works during the construction of the proposed development. These works will occur over a short period of time and will be limited to appropriate hours of operation. The expected noise impacts will be from use of excavation and demolition machinery, movement of trucks and construction equipment to and from the site, use of power tools and manual construction activities.

The site is not located adjacent to any sensitive locations, such as dwellings, aside from the Ball Park Caravan Park. All activities will be undertaken entirely within the boundaries of the site and it is not considered that the works will have a detrimental noise impact upon any other surrounding properties.

Ball Park Caravan Park will occupy the land to the south of the proposed development and will be potentially impacted by the construction noise and through the noise generated by pool users. The construction noise will occur over a short period of time and the noise generated by people using the pool will be restricted to opening hours of the facility. It is also noted that the previous use of the site as a pool also overlapped with the operation of the caravan park and recreational noise is expected given the recreational context of the area.

During operation, the use of the facility is expected to result in an acceptable level of noise. The level of noise will be at a rate which would generally be expected from a recreational facility and is not within close proximity to any sensitive noise receptors. Operational hours of the facility will be during appropriate day time periods when general sensitivity to noise is lower.

#### **5.13 Economic & Social Impacts**

The development will result in the redevelopment of an important public asset for the community that will benefit the wider Corowa and Federation Council communities. The new facilities represent a substantial investment in public facilities and will offer improved aquatic facilities. Development of the facility in the defined civic and recreation precinct also results in consolidation of Council facilities within a preferred and appropriate area of Corowa, close to the main urban area, and highly accessible for the community.

Survey findings from the Federation Council Community Strategic Plan ("the CSP") identified the priorities of the residents of the Federation Council area. With regard to infrastructure priorities, pools were ranked second (22%) after roads (37.7%) and ahead of general infrastructure (8.2%). Infrastructure projects generally were also ranked as the highest priority for the community with 51% of respondents identifying services as "extremely important" and 44% identified them as "very important". The respondent's satisfaction with infrastructure services were also ranked the lowest with 15% responding "not at all satisfied" with the services presently available. It is evident that the provision of the proposed aquatic centre aligns with the priorities of the community and represents a preferred outcome that will have positive social impacts.

The CSP has subsequently identified improved aquatic, recreational and other community facilities to meet the needs of residents as a priority outcome for Federation Council, including *"progressing the development of a new swimming pool in Corowa in the near term"*.



The design of the facility has ensured that the broader needs of the community, as identified by the CSP, have been provided, with facilities catering for all age groups and mobility levels, and the desires of the local population. The design also offers the ability for year round usage, through the provision of an indoor pool hall.

Overall, the development will result in positive social and economic outcomes for the Corowa and Federation Council community. It also represents continued investment in community facilities and will have flow on effects to local businesses and traders.

#### **5.14 Suitability of the Site**

As discussed above, the site has been previously used as an outdoor public swimming pool and is situated within a defined recreational civic precinct of Corowa. Retaining public swimming facilities in a highly accessible location and amongst other recreational uses represents an appropriate use of land. Council's future intentions for the immediate precinct include upgrading and improving public access and consolidating the role as a river front precinct for Corowa.

The area land has already been highly disturbed and cleared, with new development ensuring that there will be no greater impact upon vegetation or habitat conditions of the Murray River corridor. There will also be no adverse impacts on any off-site locations.

The subject site therefore represents an appropriate and preferred location for public swimming facilities.

## 6 Conclusion

The DA seeks consent for the construction of buildings and works for the new Corowa Aquatic Centre at 83 Edward Street and 28 Bridge Road, Corowa.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15 of the EP&A Act. The proposal represents a regionally significant development, pursuant to State Environmental Planning Policy (State and Regional Development) 2011.

As demonstrated by the detailed assessment of the proposed structures and works involved, the proposal satisfies the intent of the provisions of the LEP, SEPP's and DCP, and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it is consistent with the relevant environmental planning instruments and development control plan;
- it proposes the replacement of an important public facility benefiting the Corowa and broader Federation Council communities;
- it proposes a design that will add significant visual interest and improvement to the surrounding precinct;
- it proposes development of the site in a manner which is generally consistent with the original form and siting of the facility, ensuring that impacts are generally no greater than existing;
- it proposed works which will not further displace floodwaters in flood events, disturb existing flows or increase flood velocities in the immediate area;
- it proposes new design and infrastructure that will deliver efficiencies in operating costs and services usage over the longer term;
- it is appropriately located with a civic and recreational precinct of Corowa, and represents a preferred land use for the surrounding context;
- it is highly accessible by a number of transport modes and is provided with sufficient public parking areas; and
- it provides improved quality and availability of recreational facilities for to local population of Corowa and surrounds generally.

In light of the above considerations, it is our opinion that the proposal complies with the requirements of Section 4.15 of the EP&A Act and notably is in the public interest.