



# **STATEMENT OF ENVIRONMENTAL EFFECTS**

*For:*

**Lots 1 & 2 DP 862730**

**Redevelopment works comprising demolition,  
alterations, addition & the refurbishment of the existing  
Casino Memorial Pool Complex  
Centre Street, Casino**

*Prepared for:*

**Richmond Valley Council**

Updated April 2021

*Prepared by:*

**FACILITY DESIGN GROUP – ARCHITECTS**

Ph: (02) 4446 0777 Mob: 0411 030 343

# **CONTENTS**

## **1.0 OVERVIEW**

- 1.1 SUMMARY
- 1.2 CONSENT AUTHORITY
- 1.3 SCOPE OF WORKS
- 1.4 PLANNING ASSESSMENT

## **2.0 THE SITE**

- 2.1 LOCALITY DESCRIPTION
- 2.2 PLANNING CONTROLS

## **3.0 PROJECT DESCRIPTION**

- 3.1 DEVELOPMENT PROPOSAL
- 3.2 ARCHITECTURAL & URBAN DESIGN
- 3.3 MATERIALS & FINISHES
- 3.4 DISABLED ACCESS
- 3.5 OVERSHADOWING & GLARE
- 3.6 NOISE
- 3.7 BUILDING CONSIDERATIONS
- 3.8 CONNECTION TO UTILITY SERVICES & WASTE WATER DISPOSAL
- 3.9 STORMWATER DRAINAGE
- 3.10 SEDIMENTATION CONTROL AND DEMOLITION
- 3.11 ECOLOGY
- 3.12 ENERGY EFFICIENCY & SUSTAINABILITY

## **4.0 PLANNING CONTROLS**

- 4.1 APPROVAL PROCESS
  - 4.1.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
- 4.2 STATE LEGISLATION
  - 4.2.1 WATER MANAGEMENT ACT 2000
  - 4.2.2 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997
  - 4.2.3 SEPP 55 – CONTAMINATED LAND
  - 4.2.4 SEPP (INFRASTRUCTURE) 2007
- 4.3 RICHMOND VALLEY LOCAL ENVIRONMENTAL PLAN 2012 (AS AMENDED)
- 4.4 RICHMOND VALLEY DEVELOPMENT CONTROL PLAN 2015
- 4.5 DEVELOPMENT CONSTRAINTS
- 4.6 BUILDING REQUIREMENTS
- 4.7 AMENITY
- 4.8 VISUAL IMPACT
- 4.9 IMPACT ON NATURAL ENVIRONMENT
- 4.10 IMPACT ON BUILT ENVIRONMENT
- 4.11 SOCIAL IMPACTS
- 4.12 ECONOMIC IMPACTS

## **5.0 ENVIRONMENTAL EFFECTS**

5.1 SECTION 4.15 MATTERS FOR CONSIDERATION

5.2 THE LIKELY IMPACTS OF THE DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL & BUILT ENVIRONMENTS AND SOCIAL & ECONOMIC IMPACTS ON THE LOCALITY

5.3 THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

5.4 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS

5.5 THE PUBLIC INTEREST

## **6.0 CONCLUSION**

## **1.0 OVERVIEW**

### **1.1 Summary**

This Statement of Environmental Effects has been prepared for Richmond Valley Council as trustee of the Casino War Memorial Pool to assess the proposal to carry out Stage 2 redevelopment works comprising demolition, alterations, additions & refurbishment of the existing Centre including a new indoor 25 metre program pool /LTS pool, new store, plant & family change, adult change room, refurbishment of existing entry/control/gym/kiosk, new twin flume waterslide, and the removal of one (1) tree - Poinciana. In addition a new swim club room and equipment store will take the place of the old open air amenities wing.

Council is proposing the redevelopment to the Casino War Memorial Pool Centre. The estimated cost of these works has been budgeted at a maximum spend of \$8 million. The Stage 2 works are yet to gain Development Approval and Construction Certificate.

Following extensive Community Consultation a Master Plan has been developed for the recreational precinct and the features of the proposed Stage 2 works have been identified to be in line with community expectation. In addition, the current asset has been assessed as requiring upgrade and refurbishment. The proposed indoor 25 metre programme pool/learn to swim pool addition will occupy the same land title as the current asset. It is also noted that whilst the nature and condition of the existing Centre indicates that the premises has a number of strengths there is a need for works which will enhance and update the physical condition and appearance of the asset ensuring its continued service to the community.

The existing building arrangement is proposed to be redeveloped to provide better use of the Centre's facility. The proposed redevelopment will not only provide an upgraded modern contemporary facility, but it is felt that these necessary changes will greatly benefit the community, providing more versatility and a year round facility catering to all ages.

In preparing this proposal all urban design and planning controls outlined in the various planning instruments have been considered.

The statement examines the details, by taking into account the relevant matters for consideration under Section 4.15 of the Environmental Planning Act 1979 (as amended) including:

- Richmond Valley Local Environmental Plan 2012;
- Richmond Valley Development Control Plan 2015;
- The Environmental Planning and Assessment Act (as amended) 1979;
- The Environmental Planning and Assessment Regulation 2000 (updated January 2002).

This statement should be read in conjunction with the following supporting documents:

- Architectural D.A. Plans and 3D renders prepared by Facility Design Group.
- Stormwater Drainage Concept Plan by Eclipse Consulting Engineers.
- Landscape concept plan by Facility Design Group.
- Waste Minimisation Plan by FDG.

### **1.2 Consent Authority**

This report forms part of the Development Application to Richmond Valley Council and the Northern Regional Planning Panel, the determining authority.

The report describes in detail, together with assessments of impact as required under the Environmental Planning and Assessment Act, as amended, Stage 2 redevelopment works comprising demolition, alterations, addition and refurbishment of the Casino Memorial Pool Complex, Centre Street, Casino.

### 1.3 Scope of Works

The proposed Stage 2 works are to include the following:

- Partial demolition of existing building;
- New indoor 25 metre program pool/learn to swim pool;
- New family accessible amenities;
- New adult change room;
- New enclosed walkway from entry;
- New plant room;
- New Store room;
- Refurbishment of control/kiosk, administration, first aid, staff facilities;
- New swim club;
- Refurbished gym and swim squad room;
- New twin flume waterslide;
- Solar Photovoltaic roof panels;
- Removal of one (1) tree – Poinciana.

### 1.4 Planning Assessment

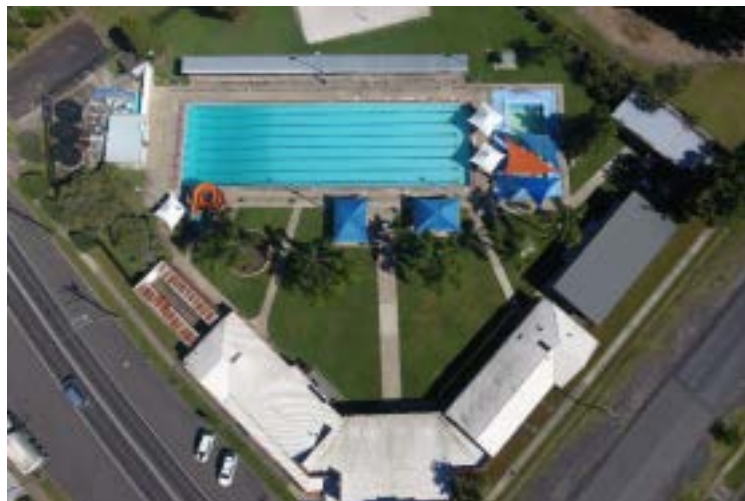
The key planning issues relevant to this DA are:

- Traffic and Parking;
- Compliance with BCA requirements;
- Stormwater Management;
- Heritage;
- Height.

These matters and others are addressed in this report. Our assessment concludes that these issues can be appropriately managed and that the proposed development represents a positive development outcome for the community. The project is in the public interest and will provide social and economic benefits to the region.

It will:

- Generate local employment opportunities during construction and the ongoing operational phases of the development.
- Increase the productive use of recreational zoned land.
- Maximise the use of existing site infrastructure.
- Increase the available multi purpose sporting/community opportunities within the Richmond Valley locale.



*Existing Site*

## 2.0 THE SITE

### 2.1 LOCALITY DESCRIPTION

The subject site is currently identified as Lots 1 & 2 DP 862730, 84 Centre Street Casino and is known as the Casino War Memorial Pool.

The site has street frontage to Richmond and Centre Streets with its main entrance being at its junction. The subject site has a total area of approximately 7,900sqm. The site forms a component of the Recreational/Open Space precinct lying adjacent to existing bowling greens, tennis courts and community centre.



(Source: Six Maps)

The site comprises a split zoning being part RE1 Public Recreation, part E2 Environmental Conservation and part B3 Commercial Core under the provisions of Richmond Valley LEP 2012.



Zoning (Source: E-Planning Portal)

The proposed Stage 2 works are permissible as development with consent under the provisions of Richmond Valley Local Environmental Plan 2012.

There are no known land title, ownership or zoning impediments to the proposed works. Information obtained from Council identifies that the property is not subject to mine subsidence or road widening, does not contain critical habitat or environmentally sensitive land and is not located within the coastal zone, however the site has been identified as partially bushfire prone land on Council's Bushfire Prone maps and is noted as comprising a Local Heritage Item.

## **2.2 Surrounding Development**

Development surrounding the site is characterised as follows:

- South: Richmond River and Coronation Park.
- North: Residential and Commercial.
- East: Commercial (Town Centre).
- West: Low density residential area.

## **2.3 Planning Controls**

Relevant Statutory planning controls affecting the site include the provisions of:

- Richmond Valley Local Environmental Plan 2012;
- Richmond Valley Development Control Plan 2015;
- Environmental Planning and Assessment Act 1979, as amended;
- Environmental Planning and Assessment Regulation 2000 (updated January 2002).



## **3.0 PROJECT DESCRIPTION**

### **3.1 Development Proposal**

#### **The Proposal**

This Development Application seeks approval to carry out Stage 2 redevelopment works comprising demolition, alterations, additions & refurbishment of the existing Pool Complex.

The proposed Stage 2 works are to include the following:

- Partial demolition of existing building;
  - New indoor 25 metre program pool/learn to swim pool;
  - New family accessible amenities;
  - New adult change room;
  - New enclosed walkway from entry;
  - New plant room;
  - New Store room;
  - Refurbishment of control/kiosk, administration, first aid, staff facilities;
  - New swim club;
  - Refurbished gym and swim squad room;
  - New twin flume waterslide;
  - Solar Photovoltaic roof panels;
  - Removal of one (1) tree – Poinciana.
- a) The existing hours of operation are to remain the same being;
- Weekdays 6:00am - 7:00pm
  - Saturday 10:00am - 6:00pm
  - Sunday 10:00am - 6:00pm
  - Public holidays: 10:00am - 6:00pm
- b) No change is proposed to the existing site access arrangements.
- c) No change is proposed to existing parking arrangements.
- d) Minor additional change is proposed to existing staff numbers to allow for indoor pool during summer.
- e) One (1) tree – Poinciana is to be removed as a component of the stage 2 works. (Please note tree/vegetation removal also sought within Stage 1 works).

### **3.2 Architectural and Urban Design**

The total planned re-development will make the Casino War Memorial Pool a revitalised and modern facility that is in line with modern community expectations. It will provide a multitude of opportunities for the Richmond Valley community. In essence it seeks to provide a more contemporary form of development where the choice of facilities is upgraded and the public have the potential to experience a community/recreational facility that contributes to the environment of the locale. The form and use of the site will remain unaltered but the facility itself will be re-developed and enhanced to ensure its continued service to the community.

In general, the physical appearance of the aquatic centre has been designed to ensure that it is compatible with the existing and likely future character, bulk and scale of adjoining development in the area and will contribute in a positive manner to the existing spatial context of the locality.



## Key Design Issues

The key design issues are noted as follows:

- Ensure comfortable access to the facility by people with disabilities.
- Provide a much needed modernisation and upgrade of the existing amenities and social areas that support the complex – demonstrating ‘best practice’ intentions. The revised building form is also a demonstration that Council is pursuing ‘best practice’ planning to reduce operational costs and maximise potential income both directly and indirectly.
- Provide a multi-faceted facility that will better service the needs of the local community.
- Design of a facility which provides a continued and improved identifiable presence in the community, which offers a welcoming character with the vitality deserving of such a complex.
- To ensure the local environment is not negatively impacted by the redevelopment.

## 3.3 Materials and Finishes










### External Materials of Proposed Extension

**Walls:** Colourbond Extreme Vertical Custom Orb Fixed to Furring Channels with glass louvres.

**Windows:** Aluminium framed energy efficient glazing.

**Doors:** Aluminium framed glazed doors, metal lined solid doors to external plant. Roof: Arcopanel 200mm Aquatek composite system with R 3.2 insulation



EXTERNAL		INTERNAL	
	COLORBOND 'SHALE GREY' -WINDOW AND CURTAIN WALL FRAMES, VERTICAL METAL CLADDING, ROOFING, PAINTED BLOCKWORK, STEEL COLUMNS/ BEAMS		DULUX 'WHITE DUCK HALF' P16B1H -ALL INTERNAL WALLS AND PLASTERBOARD CEILINGS
	COLORBOND 'WINDSPRAY' -GUTTERS, BARGE AND FASCIA CAPPING, DOWNPIPES		COLORBOND WOODLAND GREY -DOORS
	EXTERNAL WALL CLADDING - CEMTEL TERRITORY - QUARRY URBAN GREY		COLORBOND 'SHALE GREY' -VERTICAL METAL CLADDING, ROOFING, STEEL COLUMNS/ BEAMS
	WHITE POSTS AND BEAMS		DULUX 'MUSK MEMORY' S02EB -FEATURE WALLS
	MONOTEC BUNDENÄ TENSILE SHADE COVERS		

The proposal is considered to be a positive contribution to the existing recreational/community precinct and will provide a clearly identifiable presence with its contemporary forms and modern colour scheme.

The proposal will have minimal adverse impact upon the surrounding environment as it is wholly contained within the subject site and forms a component of the existing recreational precinct.

### **3.4 Disabled Access**

Access has been carefully considered in the design of the proposed redevelopment works. The new addition will provide total accessibility throughout for wheelchairs. Internal amenities provision for disabled and ambulant people has also been incorporated into the design as well as an adult change room facility.

### **3.5 Overshadowing & Glare**

The proposed building envelope will have no impact on the local amenity with regard to overshadowing or glare from the new building structures.

### **3.6 Noise Control**

The key sources of potential adverse noise impacts from the proposed development are primarily associated with plant and equipment.

The site is located within a designated "recreational/community precinct", and as such it is considered it will not result in any significant noise impact from that already experienced. To ensure minimal adverse impact upon the adjoining neighbours, the following design consideration has been incorporated into the proposal:

- all new mechanical plant as proposed is state of the art with built in noise attenuation measures, heat pump compounds to be surrounded by masonry walls to reduce noise.

As a result it is considered that there will be minimal impact upon adjacent residential areas and the surrounding locale.

Noise generation during construction will be ameliorated by adopting a number of measures during the construction period.

Working hours:

- 7.00am till 5.00pm Monday to Friday;
- 8.00am to 1.00pm Saturdays;
- 8.00am to 4.00pm on Saturdays if work is internal and inaudible (no power tools permitted);
- No work on Sundays or public holidays.

All equipment to be in good working order;

- all contractors to be advised to avoid excess noise and use *work friendly* practices; and
- contractor trucks and cars to be adequately muffled.

### **3.7 Building Considerations**

The proposed design of this development has taken into account the BCA. AS 1428 has also been referenced in order to provide as accessible a facility as possible. All accessible amenities are provided with fully complying fit out according to the latest Premises Standard. The CC documentation will detail all accessible amenities, ramps and associated stairs and handrails.

### **3.7.1 Regulations**

The indoor 25 metre program pool building (indoor pool) will be designed in accordance with the requirements of the Building Code of Australia (BCA).

- Class of Building – Class 5 – Offices/Administration, Class 6 – Shop/Kiosk & Class 9b – Assembly Building
- Rise in Storeys One
- Construction Type Required Type C

In accordance with the provisions of Section E of the BCA, the following services and equipment will be installed to serve the facility:

- Fire hydrant system – existing coverage from road system.
- Fire Hose Reels - additional hose reels will be added to comply with BCA
- Portable fire extinguishers – to be dispersed throughout facility & plant rooms.
- Emergency lighting.
- Exit signs.
- Paths of Travel Stairways, Passages , Ramps

### **3.7.2 Access for People with Disabilities**

A mandatory design parameter is the requirement to comply with the BCA and Access Codes. This facility has been designed to provide very equitable access for people with disabilities. The requirements of AS 1428 Part 1 are incorporated as well as the enhanced requirement of Part 2 for paths of travel and toilets.

The following issues are given consideration in the design:

- Lighting levels will be suitable for visitors with visual impairment.
- The site of the complex is made to be totally accessible for the public.
- Family change/accessible amenities have been provided within the facility.
- Adult change room has been included to service the indoor pool.

### **3.8 Connection to Utility Services & Waste Water Disposal**

All required services such as electricity, stormwater, gas and telecommunications are available to the site. Any issues that need addressing will be resolved at Construction Certificate stage.

### **3.9 Stormwater Drainage**

A Stormwater Concept Design & Sedimentation Control Plan has been provided by Eclipse Consulting Engineers. These drawings form part of this DA submission.

The Engineering drawings detail how stormwater run-off will be managed within and external to the site. The addition of rainwater harvesting and re-use will improve the run off impact on the current stormwater systems of the complex.

Given these measures, no significant impacts on stormwater are anticipated.

A Water Savings Solutions Plan has also been incorporated and sets out technical measures to be implemented in the construction and use of the development in order to reduce consumption of potable water. These measures relate to tap water, toilet flushing and irrigation and include specifications of water efficient fixtures and fittings, methods of rainwater harvesting and landscaping.

Due care has been taken in the design of this proposal to ensure minimal adverse impact will occur upon the existing site. The proposal is in accordance with Council's requirements.

### 3.10 Sedimentation Control & Demolition

Sedimentation control during construction of the building works will comply with Council's requirements and will be approved by Council's Officers after onsite up-front assessment of the issues.

Documentation of this process is not required at this stage due to the uncertainty of the exact process of demolition & removal by a selected contractor. However, standard soil and water management controls will be implemented onsite as part of the construction stage.

These are to include:

- Sediment fences down-slope of all disturbed or bare soil areas;
- Minimise the disturbance of soil;
- Diversion of onsite run-on water by the construction of diversionary bunds;
- Stabilisation of disturbed soil as soon as practical after construction.

Demolition will be carried out under strict Council and EPA guidelines to ensure that any hazardous building materials are handled and disposed of properly by licensed contractors and that dust from the demolition works is controlled and does not pose any problems to surrounding residents. Dust during construction is proposed to be managed by the following measures:

- Regularly wetting down all exposed surfaces;
- Wetting down of crusher plant during on site recycling of all concrete & masonry
- Cease construction activities if weather conditions are adverse.

### 3.11 Ecology

The site is unconstrained by ecology and is considered to be suitable for re-development. The site is currently used for recreational/community purposes noted as the Casino Memorial Swimming Pool and is largely devoid of vegetation. Flora and fauna investigations have confirmed that the proposed development will not impact on threatened/endangered species, communities and/ or habitats.

To retain the integrity of the listed heritage item – front façade, one (1) tree – Poinciana, is required to be removed as a component of the Stage 2 works located at the front of the subject site.



*Front Façade obscured by Poinciana*

In support of the proposal to remove the Poinciana the following is noted:

- the Poinciana is not a native Australian tree and as such, is not identified as critical habitat nor significant vegetation;

- The tree is only 24 years old and from an age perspective is also not identified as a significant tree;
- In order to preserve the heritage façade, minimising tree root damage to it's footings and to ensure the facades longevity;
- It is detracting significantly from the visual aspect of viewing from the street of the heritage façade;
- The façade in essence is a "Memorial" in that a wreath and lanterns embellish the façade which cannot be seen from the street. The removal of the tree will ensure it's "Memorial aspect is recognised and viewed from the street;
- It's rate of growth is likely to cause further damage to the heritage façade;
- The tree has already been compromised by the power lines that run through its canopy;
- It's falling foliage is blocking and negatively impacting the performance of the street drainage system.

It is also noted that additional onsite landscaping works and plantings are proposed to minimise the visual impact of the proposed redevelopment within the complex and to integrate it into the site in accordance with Council's requirements.

### **3.12 Energy Efficiency and Sustainability**

The proposed redevelopment incorporates energy efficiency measures with the aim of maximising resource efficiency and achieving significant savings in energy usage. The proposal seeks to install solar photovoltaic roof panels upon the new roof of the indoor 25 metre program pool and the new roof the swim club building.

Water re use – roof water will be collected and stored to be utilised as top up water to the pool balance tanks. This top up water is a constant requirement and makes best use with minimal equipment to supply.

The proposal promotes resource, energy and water efficiency within the recreational facility. The proposal is in accordance with Council's requirements.

## **4.0 PLANNING CONTROLS**

### **4.1 Approval Process**

#### **4.1.1 Environmental Planning & Assessment Act 1979**

The NSW Environmental Assessment and Planning framework is established by the EP&A Act and relevant planning instruments. The EP&A Act controls development in NSW, and Environmental Planning Instruments impose restrictions on the types of development that may be carried out on land. Under the EP&A Act development is assessed in three main categories – Part 3A, Part 4 and Part 5.

#### **Relevance to proposed development**

Part 4 of the EP&A Act applies to the development which requires development consent under an Environmental Planning Instrument (e.g. a Local Environment Plan). Development under Part 4 requires the applicant (either private or public) to lodge a development application (DA) with the relevant consent authority (generally the local Council). The consent authority will then assess the impacts of the proposed development taking into account the matters for consideration stipulated under Section 4.15 of the EP&A Act. Part 4 applies to development that is not assessed under Part 3A or Part 5 of the EP&A Act.

## **4.2 STATE LEGISLATION**

A review of the relevant State Environmental Planning Instruments, namely the State Environmental Planning Policies (SEPPs), is provided in the following sections.

### **4.2.1 INTEGRATED DEVELOPMENT**

#### **4.2.1 Water Management Act 2000**

The *Water Management Act 2000* (Water Management Act) replaced the provisions of the *Rivers and Foreshores Improvement Act 1948* coming into effect from February 2008. The Water Management Act provides for the protection of river and lakeside land in NSW and aims to provide for the sustainable management of the water sources throughout NSW.

The Water Management Act provides for the granting of various licenses and approvals, including for the use of water and water supply works. Generally speaking the following approvals may be required under the Water Management Act:

- *a water access licence – which entitles the holder to a share of available water in a river or aquifer (groundwater body)*
- *water use approval – which authorises use of water on land for a particular purpose at a particular location, or*
- *water management works approval – which authorise construction and use of water supply works such as bores, pumps, dams and channels.*

#### **Relevance to proposed development**

The proposal includes redevelopment and upgraded works all to be fully compliant with EPA requirements, and as the works are located in excess of 40m from the Richmond River it is noted that the proposed development will not require the consent of the Office of Water under the provisions of the Water Management Act.

The proposed development will not impact on the Richmond River nor pose any negative impact upon its tributaries. It is therefore assumed the proposal will have no impact on the quality of water to be discharged from the site as a whole. The proposal involves works within the existing subject site – therefore not increasing the impact of storm water run off. Due care has been taken in the design of this proposal to ensure minimal adverse impact will occur upon the existing site.

The proposed development is consistent with the Aims of the Act and is considered capable of fulfilling the statutory requirements. It is considered that the proposed development would not result in any negative impact in this regard and that appropriate conditions of consent would be applied to any approval, as required.

### **4.2.2 Protection of the Environment Operations Act 1997**

The *Protection of the Environment Operations Act 1997* (POEO Act) consolidates the key pollution statutes relating to air, water, noise, pollution and environmental offences and establishes a duty to notify either the Environmental Protection Authority or the local council where incidents are likely to cause material harm to the environment. In addition, the Act provides for an integrated environmental licensing arrangement for scheduled activities.

Under the POEO Act an environmental protection license is required for scheduled activities in Schedule 1 of the Act. The Department of Environment, Climate Change and Water (DECCW) is responsible for administering the Act.

### ***Relevance to proposed development***

The subject site does not fall within any current licences for operations under the POEO Act. However, the general provisions of the POEO Act in relation to pollution of the environment will apply throughout the proposed development on the site such as the need to consider general requirements during the proposed development in relation to the control of environmental issues such as noise, dust, emissions and any run-off which may be discharged from the site.

### **4.2.3 State Environmental Planning Policy No.55 Remediation of Land**

SEPP 55 requires Council to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose. SEPP 55 further requires the preparation of a report specifying the findings of a preliminary investigation of the land concerned, carried out in accordance with the contaminated land planning guidelines, to be considered by the consent authority before determining an application for consent to carry out development that would involve a change of use of that land.

The site has not been subject to any known contaminating uses. Prior to this proposed redevelopment the site has been used for recreational/community purposes. The potential for contamination is considered to be low.

No evidence of contamination has been detected and or is known.

### **4.2.4 State Environmental Planning Policy (Infrastructure) 2007**

The Infrastructure SEPP facilitates the delivery of infrastructure across the state of NSW through a series of regulatory provisions for use and consideration by developers, local authorities and state agencies.

Clause 101 of the Infrastructure SEPP encourages development to have access from local roads (as opposed to classified roads) wherever practicable and safe, and to minimise impacts on the functioning of adjoining classified roads.

#### **1 *Development with frontage to classified road***

*(1) The objectives of this clause are—*

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
  - (i) the design of the vehicular access to the land, or*
  - (ii) the emission of smoke or dust from the development, or*
  - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

No new access points from the classified road are sought as a component of this application and it is considered that the existing onstreet parking arrangement within Centre and Richard Streets, including the informal parking at the rear of the site associated with the recreational precinct as a whole, is capable of meeting the existing and expected demand.

It is anticipated that the proposed upgrade of the existing recreational facility will not result in greater impacts than that which is currently contemplated by the site, will not generate greater traffic impacts than that which currently atone with the site and the safety, efficiency and ongoing operation of the classified road will not be hindered.

### **4.3 Richmond Valley Local Environmental Plan 2012**

This proposal is in accordance with all relevant general aims and objectives of this plan in particular:

Clause 1.2 (2) Aims of the Plan:

- “(a) to encourage the proper management, development and conservation of natural and man-made resources,*
- (b) to support and encourage social and economic benefits within Richmond Valley,*
- (c) to ensure that suitable land for beneficial and appropriate uses is made available as required,*
- (d) to manage appropriate and essential public services, infrastructure and amenities for Richmond Valley,*
- (e) to minimise the risk of harm to the community through the appropriate management of development and land use.”*

The proposed upgrade and redevelopment of the Casino War Memorial pool complex will provide a more modern updated and useable design. It is considered to be of benefit not only to the immediate locality providing an upgraded recreational community facility.

The proposal is also consistent with the key objectives of the Environmental Planning and Assessment Act, in *encouraging the proper management and continued use of facilities* to meet the demand generated by changing demographic and household needs whilst improving the amenity of the local recreational/community precinct.

The proposal is consistent with the above nominated general Aims of the Local Environmental Plan and it's specific clauses as they apply to the subject site, noted below:

### **Part 2 Permitted or prohibited development**

#### **Clause 2.1 Land Use zones**

Under the provisions of Part 2, the subject site is zoned part RE1 – Public Recreation, part E2 – Environmental Conservation and part B3 – Commercial Core.

The relevant objectives of the RE 1 – Public Recreation zone are provided below:

- *“To enable land to be used for public 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 relevant objectives of the E2 – Environmental Conservation zone are provided below:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.”*

The relevant objectives of the B3 – Commercial core zone are provided below:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

The proposal is in accordance with the nominated objectives of the various zones.

It is noted that the proposed works are to be carried out predominantly within the RE1 – Public Recreation zone and partially within the B3 – Commercial core zones.

Under the provisions of the RE1 Public Recreational zone, development permissible with consent within the zone includes:

Development for the purpose of:

*“Animal boarding or training establishments; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Caravan parks; Charter and tourism boating facilities; Community facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; **Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor);** Roads; Water recreation structures; Water reticulation systems; Water storage facilities.”*

Under the provisions of the B3 Commercial Core zone, development permissible with consent within the zone includes:

Development for the purpose of:

*“Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; **Recreation facilities (indoor);** Registered clubs; Respite day care centres; Restricted premises; Roads; Shop top housing; Tank-based aquaculture; **Any other development not specified in item 2 or 4”***

The proposed redevelopment of the existing Casino War Memorial Swimming Pool Complex is permissible within the identified zones, within the definition of a Recreation facility (indoor) and Recreational Facility (outdoor) and as such is permitted with the consent of Council.

The proposal is of positive benefit to the local area and community as a whole.

## OTHER RELEVANT CLAUSES FROM THE LOCAL ENVIRONMENT PLAN

### Part 4 – Principal development standards

#### CLAUSE 4.3 HEIGHT OF BUILDINGS

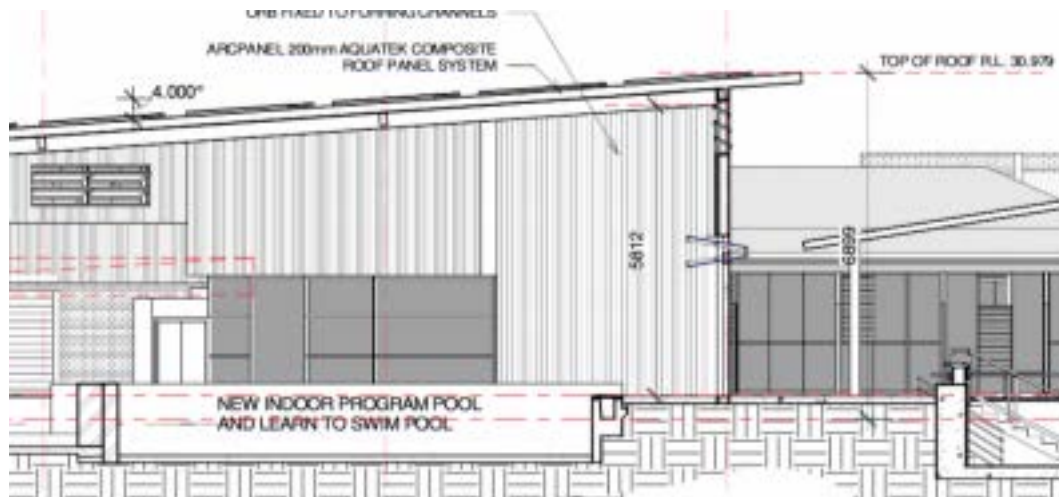
The objectives of this clause are noted as follows:

- (a) to establish the maximum height for buildings,
- (b) to ensure that the height of buildings complements the streetscape and character of the area in which the buildings are located,
- (c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.

The proposal has been designed taking into consideration the existing centre and adjoining structures as a whole and is contained wholly within the subject site - RE1 Public Recreation zone. The maximum Building height limit as nominated within Council's LEP is 8.5m.

The proposed indoor learn to swim pool is to have a maximum height of 6.899m to the roof ridge.

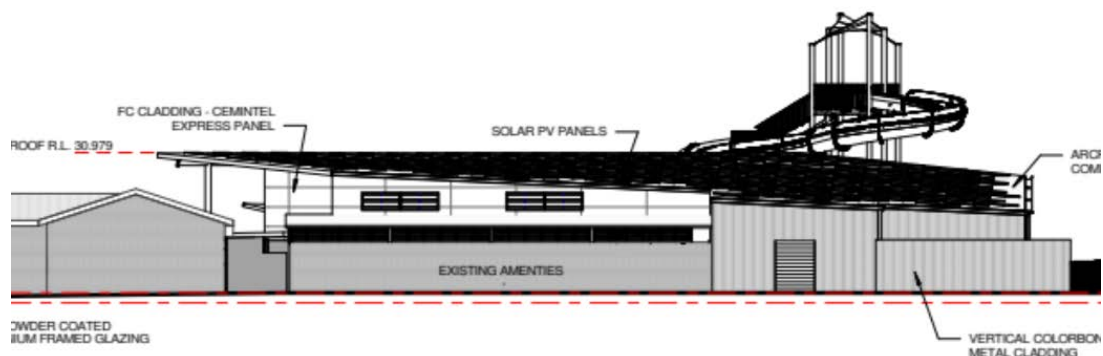
The proposal is in accordance with the existing height of the adjoining structure.



The proposed future twin flume waterslide is to have a maximum height of 13.8m in height (to top of shade structure at the top landing) as defined on the submitted architectural drawings.

The proposal exceeds the nominated maximum building height requirement,

A Clause 4.6 Variation Request is attached in support of the non-compliance.



## Part 5 Miscellaneous provisions

### CLAUSE 5.6 ARCHITECTURAL ROOF FEATURES

The objectives of this clause are noted as follows:

- “(a) to ensure that architectural roof features are decorative elements only,*
- (b) to provide flexibility in building height limits where architectural roof features result in minor encroachments.”*

The new indoor pool hall as proposed within the existing facility provides a modern appropriate design solution that integrates with the existing roof form and will allow the heritage façade element to the primary entrance to stand alone and to remain the ‘hero’ in the visual streetscape of the centre.

The proposed works being wholly internal to the existing complex are compatible with the surrounding environment and respond sympathetically to the existing form, massing, setbacks, and scale of the existing swim centre.

### CLAUSE 5.10 HERITAGE CONSERVATION

The objectives of this clause are noted as follows:

- “(a) to conserve the environmental heritage of Richmond Valley,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.”*



There are several heritage items within the locality of the subject site which have been identified and listed within the LEP namely Residence (former Manyweathers) (I81), Platypus Sculptures/carvings, bed of Richmond River (I60), Casino River Crossing site (I61) and Casino Memorial Bath Entrance Façade (I38).

The subject site comprises an identified Local Item, as noted within Council's LEP being:

(I38) Casino Memorial Baths Entrance Facade.



The **Statement of Significance** notes:

*“The pool is historically significant showing the development of sporting facilities in the district and marks the transition from swimming in the Richmond River. It is likely to have social significance to the residents of Casino who swim here and who raised funds after WW 11 in memory of the district's soldiers.”*

**Physical description:**

*“Facade of the Memorial Swimming Pool entrance with brick surrounds.”*

Physical condition:

*“Generally in good condition but evidence of cracking in brick work.”*

Recommended Management:

*“Clacking is evident in the entrance facade. Stabilisation of the facade needed to prevent further clacking.”*

Under the provisions of *Clause 5.10.2 Requirement for consent* the following is noted:

*“Development consent is required for any of the following—*

*(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—*

*(i) a heritage item,*

*(ii) an Aboriginal object,*

*(iii) a building, work, relic or tree within a heritage conservation area,*

***(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,***

*(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*

*(d) disturbing or excavating an Aboriginal place of heritage significance,*

***(e) erecting a building on land—***

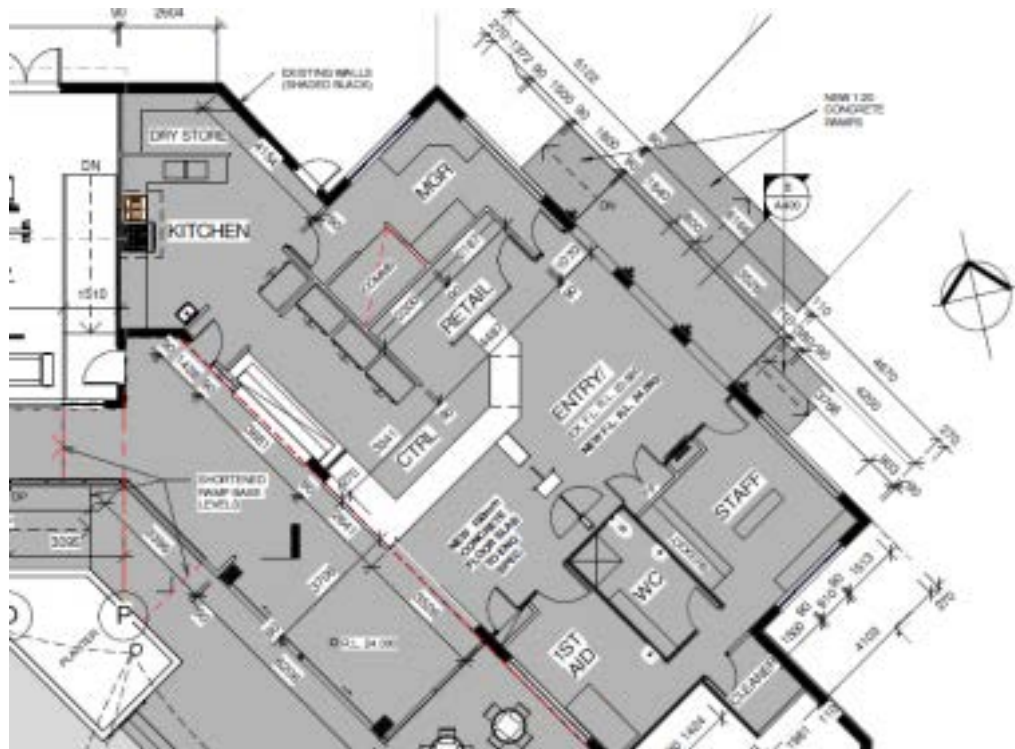
***(i) on which a heritage item is located or that is within a heritage conservation area, or***

- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—
- (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.”

Development consent is sought under the provisions of subclause (b) and (e)(i) as noted above.

It is noted that a component of the proposed works (being the refurbishment of the entry/control area and the construction of the indoor 25 metre program pool/learn to swim pool) are to occur behind the existing entrance façade within the grounds of the existing complex. As such, minimal intrusion and no impact upon the significant heritage fabric is envisaged upon the identified heritage item – entrance façade.

See below alterations to the entrance space/kiosk and control/administration Area.

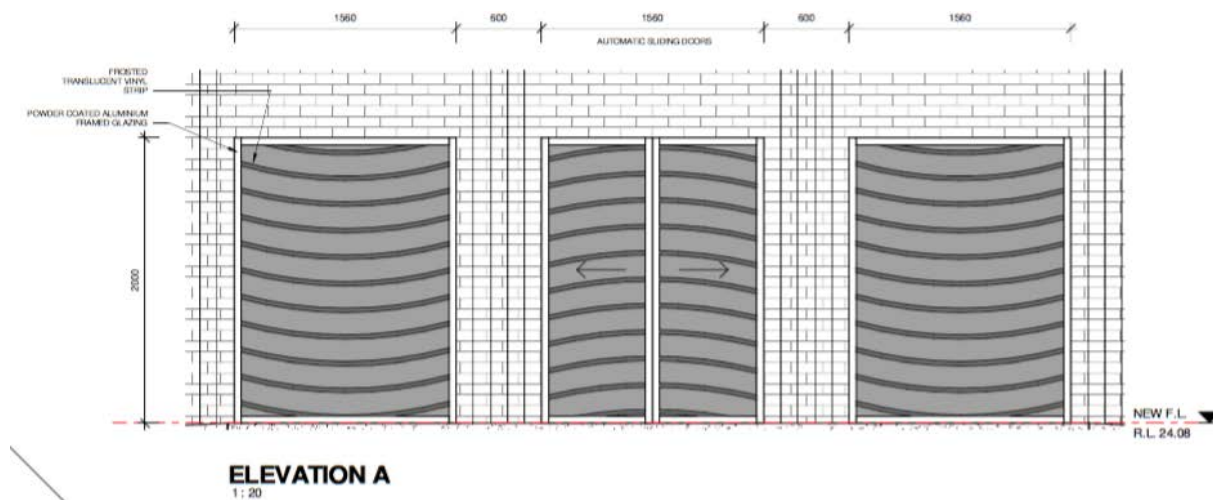


It is noted that the existing entrance façade comprises metal gates which are to be removed.



EXISTING METAL GATES- TO BE REMOVED

The existing metal gates are to be removed and replaced with two fixed glass panels and the primary entrance is to be from the centre glass sliding panel doors.



The form of the façade and brick surrounds are to remain intact and will not be impacted upon the building fabric of the entrance. The proposed glass panels have been designed to be uncomplicated and sensitive in scale and character to the existing heritage façade entrance and the existing streetscape.

In addition, it is noted that the existing Poinciana tree which is to be removed as a component of the proposed works is obtrusive, blocking the façade of the Memorial Baths. Furthermore, the façade is being undermined by the Poinciana as it's roots are damaging it's footings and causing the brickwork to crack. In order to protect and preserve the heritage façade, Council is seeking that the Poinciana be removed.

In accordance with the guidelines issued by the State Heritage Office of NSW the following aspects are required to be addressed when a new development is proposed adjacent to an item of local heritage significance.

**5.10.1 How is the impact of the new building on the heritage significance of the item to be minimised?**

- There is minimal intrusion on the heritage listed element of the property as the proposed stand alone indoor swim pool and club facilities are located some 20 metres away well away from the curtilage of the entrance and façade of the complex.
- The proposed waterslide will not impact the heritage significance of the entrance as it is a stand alone structure, located at the far corner of the site, some 100m from the entrance.
- The new structures will be obscured by existing roof forms, shade structures and other elements within the site.
- Landscaping and the existing built form will reduce the visual impact of the new building and provide a complimentary setting.
- The existing built form (entrance façade brick surrounds) will not be altered from the street as a result of the removal of the metal gates and replacement with glass panels.
- The existing built form (entrance façade brick surrounds) will not be altered from the street as a result of the removal of the tree, in fact it will be preserved and will be viewed from the street It will be of positive benefit giving the heritage item full presence to the street.

**5.10.2 Why is the new development required to be adjacent to a heritage item?**

- To retain the integrity of the listed heritage item, the proposed redevelopment of the Casino War Memorial Pool Complex is located well away from the nominated heritage item, furthermore,

minimal works are proposed to the entrance façade being the replacement of the metal gates.

- The existing building arrangement is proposed to be redeveloped to provide better use of the facility providing a modern contemporary facility that will enhance and update the physical condition and appearance of the asset and ensure its continued service to the community.

**5.10.3 How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?**

- The siting of the new indoor learn to swim pool, water slide and club facilities are well outside the physical curtilage of the nominated Heritage item being the entrance facade.
- The redevelopment of the internal learn to swim addition, waterslide and club facilities will have no impact upon the nominated Heritage item.
- The removal of the Poinciana will ensure that the façade is preserved and no further damage to the brickwork and footings will be caused.

**5.10.4 How does the new development affect views to, and from, the heritage item?**

- No significant views will be impacted by the proposed redevelopment of the swimming pool complex.
- In fact the removal of the Poinciana will ensure that the façade will be viewed from the street.

**5.10.5 Are the additions sited on any known or potentially significant archaeological deposits?**

- No archaeological investigation has been carried out. Presently there are no known significant archaeological deposits in the area of the proposed re-development.

**5.10.6 Are the additions sympathetic to the heritage sites?**

- The design of the proposed replacement glass panels is considered to be sympathetic to the existing entrance facade and will have minimal impact upon the identified heritage items. The proposed design is considered to be uncomplicated in style and sensitive in scale and character with a similar interpretation in design to the previous physical metal gates.
- The removal of the Poinciana will ensure the preservation of the heritage façade.

**5.10.7 Will the additions tend to visually dominate the heritage item?**

- The new indoor learn to swim pool and club facilities are located some 20 metres away from the nominated heritage item, which will limit the impact it will have upon the heritage item.
- The proposed waterslide will not impact the heritage significance of the entrance as it is a stand alone structure, located at the far corner of the site, some 100m from the entrance.
- As the proposed works are primarily internal of the existing structure, it is considered that these elements will limit any visual dominance to the heritage item.

**5.10.8 Will the public and users of the items still be able to view and appreciate its significance?**

- The Stage 2 redevelopment works to the Casino War Memorial Swim Centre will not limit public access to the nominated heritage item – entrance façade, nor will it limit visual appreciation from the street and surrounding locality.
- The removal of the Poinciana will ensure are able to view and appreciate the facades significance.

It is considered that the proposed upgrade and refurbishment works to the existing aquatic facility will have minimal impact upon the listed local heritage item – Building façade - entrance.

The proposal retains the existing façade entrance and brick surrounds with particular attention ensuring that its streetscape presentation is maintained and as such, ensuring the entrance remains prominent, visible whilst maintaining its character contribution to the area. The proposed redevelopment is contemporary in design, yet sympathetic to its setting and interface with the entrance facade. The architectural design responds in a respectful manner and is well-integrated into the local context and site characteristics.

## **Part 6 – Additional local provisions**

### **Clause 6.3 Earthworks**

The objective of this clause is:

- “(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- (b) to allow earthworks of a minor nature without requiring separate development consent.”*

The Stage 2 works as proposed will be excavated and disposed of in accordance with Council’s requirements.

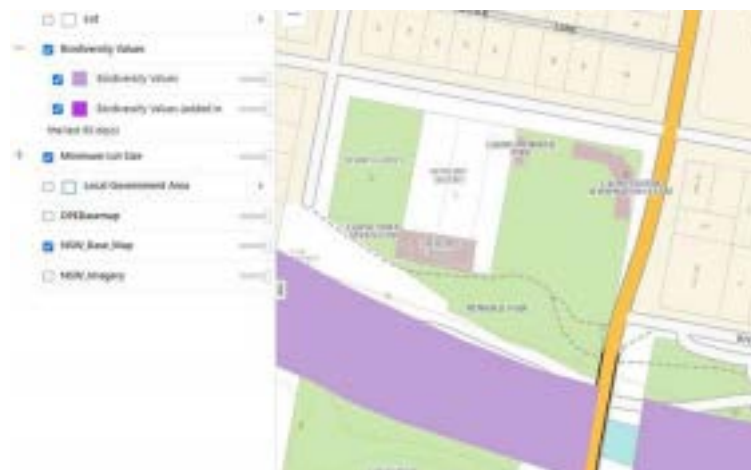
As such it is considered that the proposed earthworks will not have a detrimental impact upon the subject site.

### **Clause 6.6 Terrestrial Biodiversity**

The objective of this clause is:

- “(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.”*

The subject site comprises Riparian Lands and Terrestrial Biodiversity Layers



The site is currently used for recreational/community purposes and has largely been cleared of native vegetation where the proposed works are to occur. The natural environment is a key asset that makes Casino a highly valued place to live and it is critical to local amenity. Effective management of environmental assets is one of the key components of achieving ecologically sustainable development and is therefore a fundamental philosophy required in developing land in the region.

Council has identified “biodiversity” within the LGA, and is required to consider the impact of any development proposed on this land against a number of criteria prior to the granting of any consent. The subject site within the confines of Casino War Memorial Pool has not been identified within the nominated Biodiversity Map and does not contain a sensitive landscape or vegetation community



however the extent of the site is captured under the provisions of the Water Catchment Management Act 1998.

It should also be noted that Section 5 of the *Environmental Planning and Assessment Act 1979* outlines the objects of the Act, inclusive of the desire “to encourage the proper management, development and conservation of natural and artificial resources...for the purpose of promoting the social and economic welfare of the community and a better environment” s5(a)(i) and “ecologically sustainable development” s59(a)(vii). ‘Ecologically sustainable development’ has the meaning defined in the *Protection of the Environment Administration Act 1991* including the principles of:

Intergenerational equity.

Conservation of biological diversity and ecological integrity.

Improved valuation and pricing of environmental resources.

The proposed development has taken into consideration the ecological and aesthetic features of the site which has been almost totally cleared and highly disturbed. The majority of the site is totally cleared except surrounding the river within the E2 zone component of the subject site where it adjoins and extends to the adjoining park.

The proposal seeks to remove one (1) tree – Poinciana at the front of the subject site. The Poinciana is not a native Australian tree and as such is not impacted by the identified Biodiversity Layer to the subject site and furthermore, is not recognised as being a component of an endangered ecological community.

## **Fauna and Flora Conservation Significance**

### **Commonwealth Legislative Requirements**

*The Environment Protection and Biodiversity Conservation Act 1999 lists “Matters of National Environmental Significance” and provides Administrative Guidelines provided under the Act, for the assessment of these matters. “an action has, will have, or is likely to have a significant impact on a critically endangered or endangered ecological community if it does, will, or is likely to:*

1. *lead to a long term adverse effect on an ecological community,*

The long term impacts from the proposal on the adjoining highlighted terrestrial biodiversity within the local community area are not considered significant as the subject site where the works are to occur is highly disturbed and altered.

2. *Or reduce the extent of the community,*

There will be no significant reduction in the extent of the nominated riparian community. The vegetation within the area of the proposed works has been highly disturbed both structurally and floristically that it now only poorly represents this community.

3. *Or fragment an occurrence of the community,*

There would be no fragmentation to this community as a result of the proposed upgrade works. The subject site is already highly fragmented. Fragmentation is not considered an issue in relation to this proposal.

4. *Or adversely affect habitat critical to the survival of an ecological community,*

No critical habitat to the survival of this ecological community will be impacted. No clearing is proposed as a result of the proposed works.

5. *Or modify or destroy abiotic (non living) factors (such as water, nutrients, or soil) necessary for the community's survival,*

There would be some disturbance to the site, however, it would not impact the community's survival in the local area. The vegetation on the site within the vicinity of the proposed works has been highly modified. The survival of this community would not be significantly impacted.

6. *Or result in invasive species that are harmful to the critically endangered or endangered ecological community becoming established in an occurrence of the community,*

It is considered that there is no threat of invasive species to this community. The vegetation community (along the bank of the river) within the location of the proposed works is disturbed. The proposed works will not increase this threat.

7. *Or interfere with the recovery of an ecological community.*

The proposed development would not interfere with the recovery of this community as a whole.

As no significant impact is likely, no referral to the Federal Minister for the Environment would be required in relation to the obligations and objectives of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. A Species Impact Statement is also not deemed to be required.

### **NSW Legislative Requirements**

Under Section 5A of the Environmental Planning and Assessment Act 1979 a *Seven Part Test* is required to determine "*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*" listed on Schedules 1 or 2 of the Threatened Species Conservation Act 1995, and consequently, whether a Species Impact Statement is required.

- (a) *in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.*

No threatened species are likely to occur due to the highly degraded nature of the habitat within the area of proposed works. As such no viable local population of any species would be placed at risk of extinction.

- (b) *in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction.*

Due to the highly degraded nature of the habitat within the vicinity of the aquatic centre no endangered population is known and as such none would be placed at risk of extinction.

- (c) *in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:*

- *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
- *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*

No endangered Ecological Community is present on the subject site and/or within the proposed development area. The existing vegetation on the subject site is no longer truly representative of the nominated Community. Due to the high levels of structural and floristic degradation to the vegetation the site is no longer considered to be representative of an endangered community where the disturbance is required.

*(d) in relation to the habitat of a threatened species, population or ecological community:*

1. *the extent to which habitat is likely to be removed or modified as a result of the action proposed, and*
2. *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of proposed action, and*
3. *the importance of the habitat to be removed, modified, fragmented or isolated to the long term survival of the species, population or ecological community in the locality.*

No threatened species are likely to occur due to the highly degraded nature of the habitat within the area of proposed works, as such none would be modified or removed, fragmented or isolated. Within the site, the vegetation present is not considered to represent an endangered ecological community due to its high levels of structural and floristic degradation.

*(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),*

There are currently no identified areas of critical habitat within the vicinity of the Casino War Memorial Pool Centre. As such the proposed development is not likely to have an adverse effect on any critical habitat as no critical habitat is listed within this area.

*(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,*

The action proposed is not inconsistent with the objectives of any recovery plan or Threat abatement plan.

*(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.*

The proposed works do not represent a significant key threatening process. No vegetation is proposed to be removed which is representative of an endangered ecological community, and as such does not represent a significant key threatening process.

As no significant impact on any threatened species, populations or endangered ecological community has been determined, referral to the Federal Minister for the Environment is not required and a Species Impact Statement would not need to be undertaken.

Taking into consideration the highly disturbed and drastically altered nature of the site, it has been established that the site is generally considered to be of low conservation value. The result is a development that will have minimal impact on visual amenity of the locale, no impact on remnant

vegetation, no threatened species are likely to be significantly impacted and no impact on water quality is envisaged.

The subject site is generally considered to be of low or non-existent recovery potential.

#### **Clause 6.8 Riparian land and watercourses**

The primary objective of this clause is to protect and maintain the following:

- (a) water quality within watercourses,
- (b) the stability of the bed and banks of watercourses,
- (c) aquatic and riparian habitats,
- (d) ecological processes within watercourses and riparian areas.

Subclause (2) notes that this clause applies to all of the following:

*“This clause applies to land identified as “Key Fish Habitat” on the [Riparian Land and Waterways Map](#).*

The proposed works are to occur in excess of 40m from the Richmond River. As such this Clause is not applicable to the proposal.

The proposed development will not impact on the Richmond River. It is therefore assumed the proposal will have no impact on the quality of water to be discharged from the site as a whole.

The proposed development is consistent with the Aims of the Plan and is considered capable of fulfilling the statutory requirements. It is considered that the proposed development will not result in any negative impact in this regard and that appropriate conditions of consent would be applied to any approval, as required.

The proposal is in accordance with Council's development standards as noted within Richmond Valley Local Environmental Plan 2012. The proposal will have no impact upon the existing neighbourhood, in fact it maintains the integrity of the street and the local community environs.

The proposal is consistent with the above requirements in that the proposal is considered to be a positive contribution to the existing recreational precinct. It is considered to be of benefit not only to the locality but the existing property. The proposal will have minimal adverse impact upon the surrounding environment as it is wholly contained within the existing site.

No other provisions as nominated within the LEP apply to this application.

#### **4.4 Richmond Valley Development Control Plan 2015**

The proposed redevelopment of the Casino War Memorial Pool Complex is considered to be greatly needed but also compatible with the surrounding environment whilst responding sympathetically to the existing form, massing, setbacks, scale of existing development.

The proposed alterations and addition are considered to be of high quality which will not only improve the amenity of the Centre but encourage year-round usability whilst expanding the site's attractiveness to the environment of the recreational/community precinct as a whole.

Relevant clauses from the Richmond Valley DCP 2015 that apply to the subject site/proposal are noted as follows:

#### **PART H1 – FLOOD PLANNING**

##### **H1.1 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

*“(1) align flood planning with the NSW Government's Floodplain Policy.*

*(2) explain the relevance of the adopted Flood Planning Level.*

*(3) call up Flood Planning Development Controls from Council's Floodplain Risk Management Plans, which adopt a flood planning approach taking into account social and environmental considerations alongside economic benefits to reach the most objective balance.*

*(4) explain the adopted floodplain risk hazard categories and encourage suitable development compatible with flood hazard.*

*(5) make allowances for alterations to existing development, or on compassionate grounds such as when a building has been lost to fire or storm."*

As previously noted the subject site has not been identified as flood prone land in accordance with Council's Land Maps.

However, based upon advice provided by Council Officers, the following assessment is provided:

- (a) Council's Flood Policy permits development on the subject land indicating the development is compatible with the flood hazard of the land,
- (b) The Flood category is considered to be low hazard flood storage and would consist of slow moving flood flows as a result of back up waters from the main river channel. The proposed works are unlikely to impact on other development or properties,
- (c) Flood depth and velocities are low and do not pose a significant risk to life.
- (d) The development is not in a location that would affect the environment, cause erosion, destruction of riparian vegetation or the stability of river banks or watercourses,
- (e) There would be minimal stock and materials stored at the facility that would be affected by flood inundation.

The subject site is partially identified as flood prone, predominantly within the constraints of the E2 zone. It is noted, that the proposal has been designed in collaboration with Council Officers and some minor measures have been incorporated within the design of the works to satisfy design parameters with respect to flood control with particular note the structural soundness of the building.

As the works are occurring wholly with the RE1 portion of the subject site which is not identified as flood prone land, it is considered that the proposal is in accordance with Council's performance controls.

## **PART H2 – BUSHFIRE PRONE LAND**

### **H2.1 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

*"(1) define bushfire prone land.*

*(2) explain the development assessment process for development applications involving bushfire prone land."*

The subject site has been identified as partially Bushfire Prone Land (predominantly the component of the site zoned E2).

Properties considered to be affected by possible bushfire impact are determined from the local Bushfire Prone Land Map as prepared by Council and or the Rural Fire Service. All property development within affected areas is subject to the conditions detailed in the document 'Planning for Bush Fire Protection

2019' (PBP). Setback distances for the purpose of creating Asset Protection Zones (APZ's) must be applied and any buildings must then conform to corresponding regulations detailed in Australian Standard 3959 'Construction of buildings in bushfire prone areas' 2009.

Planning for Bushfire Protection 2019, (PBP) as amended, provides for the protection of property and life (including fire fighters and emergency service personnel) from bushfire impact.

The thrust of the document is to ensure that developers of new properties or subdivisions include the constraints associated with the construction of buildings in bushfire prone areas within their proposed development sites. PBP is applicable to proposed development inside determined Category 1 or 2 areas and also inside a buffer zone radius of 100m from Category 1 bushfire area or 30m from a Category 2 bushfire area.

The document also acknowledges 'infill' developments associated with redevelopment of existing properties and allows some higher levels of building safety where the increased 'setbacks' (APZ's) may not be achievable.

To accord with PBP the proposed works are not classified as integrated development under section 100B of the Rural Fires Act 1997, as the works are occurring wholly with the RE1 portion of the subject site which is not identified as bushfire prone land.

The proposal is capable of satisfying Council's and the Rural Fire Service's concerns.

### **PART H3 – ACID SULPHATE SOILS**

#### **H3.1 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

- “(1) to identify what are acid sulfate soils.*
- (2) explain the provisions of Richmond Valley LEP 2012 Clause 6.1 Acid Sulfate Soils, and the Acid Sulfate Soils Map.*
- (3) to ensure effective management of areas affected by acid sulfate soils.*
- (4) provide guidance to landowners, consultants and the general community on the procedures involved in the management of areas affected by acid sulfate soils.*
- (5) to outline the preliminary assessment process for acid sulfate soils.*
- (6) to assist with the preparation of an acid sulfate soil management plan, which is necessary when the nature of development poses an acid sulfate soil risk.”*

The subject site has not been identified as comprising Acid Sulphate Soils.

Acid sulphate soils are typically found in low lying areas near the coast, such as mangrove and salt marsh areas, tidal areas, at the bottom of coastal lakes, estuaries and under sand dunes. They usually occur below 5 meters AHD and beneath the water table but occasionally have been found above the water table.

The subject site does not trigger the requirement for assessment nor management, as such it is considered that the proposed works will not have any undue effect to the local environment nor water table.

## **PART H4 – NATURAL RESOURCES**

### **H4.1 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

*“(1) provide background information on each of the Natural Resource Sensitivities mapped within the LEP.*

*“(2) provide protective responses and mitigation measures for sensitive environmental locations throughout Richmond Valley.*

*“(3) provide consistency as to how protection of natural resources are implemented throughout Richmond Valley LGA.*

*“(4) require adequate design considerations to avoid unacceptable adverse impacts upon sensitive environs.”*

The site is unconstrained by ecology and has not been identified as a sensitive site and as such is considered to be suitable for the proposed redevelopment works. The site is currently used for recreational/community purposes and the use and purpose of the subject site is to remain the same.

## **PART H4.3 – TERRESTRIAL BIODIVERSITY**

### **H4.3 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

*“(1) to assist with the interpretation of the Terrestrial Biodiversity NRS provisions of the LEP.”*

The site is unconstrained by ecology and is considered to be suitable for the proposed redevelopment works. The site is currently used for recreational/community purposes and has largely been cleared of vegetation.

Based on advice provided by Council Officers, flora and fauna investigations have confirmed that the proposed development will not impact on threatened/endangered species, communities and/ or habitats.

## **PART H4.5 – RIPARIAN LAND AND WATERCOURSES**

### **H4.5 - GENERAL OBJECTIVES**

The general objectives are noted as follows:

*“(1) to assist with the interpretation of the Terrestrial Biodiversity NRS provisions of the LEP.”*

Council seeks to minimise the impact that the proposed works will have on the surrounding water resources and as such indirectly protecting the Catchment through the appropriate siting and management of potentially polluting industry.

As noted previously, the proposed works are to occur in excess of 40m from the Richmond River as such, the proposed works are not anticipated to impact the existing groundwater system. The works to Casino War Memorial Swimming Pool complex will ensure a safe environment. As such, it is deemed that there will be no risk of environmental contamination.

The proposal is in accordance with Council's requirements.

## **PART I – OTHER CONSIDERATIONS**

### **PART I.1 – ENVIRONMENTAL HERITAGE**

The general objectives are noted as follows:

*“(1) recognise the heritage of Richmond Valley Council area.*

*(2) provide guidance on the implementation of the heritage provisions of the Richmond Valley LEP 2012.*

*(3) recognise the people of the Bundjalung Nation as the first inhabitants of this area and acknowledge the area is rich in cultural heritage.*

*(4) acknowledge the Due Diligence Code of Conduct for the Protection of Aboriginal Objects and encourage all applicants and land owners to follow these guidelines.”*

The Casino War Memorial Swimming Pool Centre is in itself not a nominated Local Heritage Item however, the entrance façade is (as identified previously). The sympathetic design of the new indoor learn to swim pool, water slide structure and club facilities ensures that the proposal fits into the existing recreational environ and is consistent with development contemplated by the zoning and controls.

The design and scale of the proposed works are an appropriate response to the existing site constraints. The proposed works are sympathetic and will ensure its continued service to the community as it will not limit public access to the nominated heritage item nor limit its visual interest from the street.

### **PART I.6 – ALTERATIONS AND ADDITIONS TO HERITAGE ITEMS**

The general objectives are noted as follows:

*“(1) Protect heritage significance by minimising impacts on the significant elements of heritage items.*

*(2) Encourage alterations and additions which are sympathetic to the item’s significant features and which will not compromise heritage significance.*

*(3) Ensure that alterations and additions respect the scale, form and massing of the existing item.”*

The proposed works are primarily internal of the entrance façade, and will have minimal adverse impact upon the heritage item as it has been designed to harmonise with the form of the existing building and surrounding locale.

The development will have minimal adverse impact on the surrounding environs with regard to views. The proposed internal refurbishment of the entrance facade is low key and will not eliminate any external view corridors, its use as the primary entrance to the facility nor its significant prominence to the street. Furthermore, no significant views will be impacted by the proposed redevelopment of the recreational complex.

The proposal to redevelop the existing centre respects and complies with Council’s controls as noted above. The proposal is consistent with the character of the neighbourhood and respects the scale and form of the streetscape, the existing site conditions and the nominated heritage item.



## **PART I.12 – ABORIGINAL CULTURAL HERITAGE**

The general objectives are noted as follows:

*“(1) To outline planning regulations as related to the management and protection of Aboriginal Cultural Heritage.*

*“(2) To outline Council expectations when undertaking Due Diligence assessment of Cultural Heritage.”*

The subject site is not identified as an archaeological site and given the history of land uses on the site, is not anticipated to contain any items of archaeological significance.

An AHIMS search has revealed that there are no Aboriginal sites in or near the subject site and no Aboriginal places declared in or near the site. It is noted that the site is within the Casino Boolangle Local Aboriginal Land Council (LALC) area.

## **PART I.4 – CAR PARKING PROVISIONS**

The general objectives are noted as follows:

*“(1) facilitate an appropriate level of car parking to cater for a mix of development types.*

*(2) establish a flat rate of car parking for developments within business zones.*

*(3) provide for the adequate design of car parks, manoeuvring areas and road access.*

*(4) minimise the visual impact of car parking.*

*(5) allow for the unique aspects of a locality to be considered when a variation to parking, or a Voluntary VPA is proposed.”*

### **PART I.4.4 – EXCEPTIONS TO GENERAL CAR PARKING REQUIREMENTS**

The general objectives are noted as follows:

*“(1) to provide flexibility in how car parking is provided by development.*

*(2) to provide guidance on what should be considered when considering a car parking variation.*

*(3) to authorise variations to car parking development standards by delegation.”*

There is currently no formalised off street parking solely associated with the swimming pool complex, however it is noted that there are two informal sites adjacent to the complex (rear of site tennis courts bowling greens) used for parking purposes including the provision of on street parking adjacent to the site (along Centre Street and Richmond Street). The existing parking arrangements are to remain the same as there is no potential to provide additional offstreet parking for the swim centre. It is considered that the existing available parking scenario is capable of meeting the demand generated by the facility.

It is noted, that the adequate provision of off street parking is important to the economic viability of local facilities and furthermore, that adequate on-site parking can also have significant benefits to the local community by ensuring an appropriate level of access is provided.

On balance it is considered, that the existing parking arrangements with respect to the proposed redevelopment is generally in accordance with Council's flexible approach to provision of parking, whilst ensuring that the amenity of neighbouring properties and adjoining recreational community, commercial precinct is maintained at all times.

It is considered that the existing road network will be able to adequately cater for the traffic generated by the proposed Stage 2 works and in particular the new learn to swim pool to the existing centre. It is therefore concluded that the overall potential traffic and transport impacts of the proposal would be minimal and would be able to operate within the capacity of the existing road network without impacting on current efficiency and safety.

As such it is appropriate in this instance that Council consider a car parking reduction for the following reasons:

- the existing parking arrangement and provision is appropriate;
- is in keeping with Council's policies;
- access arrangements for maintenance and emergency vehicles are appropriate;
- the surrounding road network will be able to cater for the traffic generated by the proposed development now and in the future.

During construction phase of the development the proposed works are not anticipated to have any measurable negative impact on the road network surrounding the site or on the local community.

However, a number of traffic management measures are proposed in order to ensure traffic safety standards are maintained.

Mainly:

- Signposting clearly displayed throughout and adjacent to the site;
- 40km/ph speed limit is recommended around the curtilage of the site;
- Signs shall be installed along Centre Street prior to the main site access to warn traffic of possible heavy vehicle movements entering and exiting the site;
- All heavy truck movements are to have a traffic plan to ensure quickest route to a main road designated for heavy loads as per Council's requirements.

## **PART I.5 – LANDSCAPING GUIDELINES**

The general objectives are noted as follows:

*“(1) Facilitates the integration of proposed development into the surrounding streetscape or rural environ;*

*(2) Presents a new development favourably and introduces the proposal into a neighbourhood in a manner which will promote acceptance;*

*(3) Contributes to native flora and supporting fauna (both urban and rural) in the environ in which the development is proposed and furthers Environmentally Sustainable Development principles;*

*(4) Integrates an important component of inter-allotment design by providing essential infiltration areas, as necessary for achieving Water Sensitive Urban Design (WSUD) principles;*

*(5) Embellishes a new development aesthetically and softens the impact visually of individual components, and the overall design as a whole; and*

*(6) Provides essential leisure and recreational opportunities as part of the development,*

*promoting health and wellbeing of residents and employees.”*

The site is currently used for recreational/community purposes and is largely devoid of vegetation.

Minimal onsite landscaping works and plantings are proposed to soften the visual impact of the proposed development and to integrate it into the functioning of the site as it is noted that lawn areas are valued in aquatic centre environs.

The proposal is in accordance with Council's requirements.

## **PART I.7 – NOISE IMPACT**

The general objectives are noted as follows:

*(1) Provide examples of development types that require Noise Impact Assessment (NIA) as an integral part of an application for the development.*

*(2) Describe the level of detail required to satisfy qualitative and quantitative assessment of noise impacts within an application or proposal. Effective NIA requires accurate deduction of all potential and likely noise impacts upon adjoining land uses and the community as a whole.*

*(3) Establish conditions and procedures to be applied to any relevant approval for development/proposals in order to offset possible negative resulting noise impacts. Conditions may apply to any aspect of the proposed development, including building design & materials, operational procedures (particularly hours of operation), and/or any combination of operation and construction controls as a result of the findings of the NIA. Precautionary measures are required to be anticipated by the proponent which may then be conditioned on any consent Council may grant. Conditions may be imposed by Council with some negotiation possible with the offsetting of major impacts, however it will be required the proponent suggest mediating measures within the NIA.*

*(4) Provide mechanisms for avoiding the creation of 'offensive noise' through development control initiated through the approval process.*

*(5) Provide for any additional advertising and notification procedures for the development application process in relation to noise matters.*

The key sources of potential adverse noise impacts from the proposed development are associated with mechanical plant/equipment and carparking (people and vehicles).

The site is located within a designated "recreational/community precinct", and as such it is considered it will not result in any significant noise impact from that already experienced. To ensure minimal adverse impact upon the adjoining neighbours, the following design considerations have been incorporated into the proposal –

- all plant will be concealed and enclosed behind a solid masonry walls providing acoustic dampening of sound - preventing horizontal noise transfer;
- all new mechanical plant as proposed is state of the art will be in compounds surrounded by masonry walls to a height of 2.2 metres.

As a result, it is considered that there will be minimal impact upon adjoining neighbours and the surrounding locale.

Noise generation during construction will be ameliorated by adopting a number of measures during the construction period.

Working hours:

- 7.00am till 5.00pm Monday to Friday;
- 8.00am to 1.00pm Saturdays;
- 8.00am to 4.00pm on Saturdays if work is internal and inaudible (no power tools permitted);
- No work on Sundays or public holidays.

All equipment to be in good working order;

- all contractors to be advised to avoid excess noise and use *work friendly* practices; and • contractor trucks and cars to be adequately muffled.

## **PART I.8 – SOCIAL IMPACT**

The general objectives are noted as follows:

*(1) Provide a concise checklist to determine whether social impact Provide assessment is required as part of a development proposal or application.*

*(2) Provide for qualitative assessment of social impacts within an application or proposal accurately interpreting the possible and likely impacts upon a social sector or community as a whole. The social consideration is required to balance environmental and economic considerations and provide a balanced and integrated assessment of all impacts.*

*(3) Allow for easy identification of the social constituents within a community likely to be impacted by a proposal or development. If the proposal is permitted to proceed, monitoring of possible impacts upon the identified stakeholders may take place over the lifespan of the development.*

*(4) Social Impact Assessment should determine conditions and procedures which need to be followed to offset possible negative social impacts resulting from of the proposal. Precautionary measures are required to be anticipated by the proponent that can then be conditioned on any consent Council may grant. Conditions may be interpreted and negotiated between Council and the proponent, however it required the proponent suggest mediating measures within the SIA. This section of the DCP should be read in conjunction with and regard for Clause 1.2 of the Richmond Valley Local Environmental Plan 2012 (the LEP).*

The social benefits that grow from these facilities are numerous and actually provide economic benefits to the community as a whole. Healthier youngsters, families and elderly people will inevitably contribute to an improved social landscape within the community. The potential for a greater social interaction at the complex is substantially increased with the greater range of recreational/community opportunities. Interaction between the differing age groups that will be attracted by the range of facilities will have a positive impact on the age divide.

The enhanced development will have a contemporary modern range of facilities, This modernisation will put new vigour into the existing recreational/community facility. The proposed re-development of the Centre will improve the amenity of the recreational precinct and use of the facility for the community as a whole. It is considered to be of benefit not only to the immediate locality but the Casino locale as a whole. No adverse social impacts are expected from the proposed works. It is noted that the type of experience these facilities offer have positive implications for community welfare, well-being and health and can result in reduced social problems.

The proposed addition and upgrade of the existing Centre will provide a more modern updated and useable design. It is considered to be of benefit not only to the immediate locality as it will provide a year round commercial/cultural facility.

The proposal is consistent with the Council's provisions and the proposed works are generally in accordance with Council's controls.

#### **PART I.9 – WATER SENSITIVE URBAN DESIGN**

The general objectives are noted as follows:

*“(1) ensure that adequate water quality management principles are incorporated into development design and this is carried through into the construction phase.”*

The proposed works will not impact on the Richmond River. It is also therefore assumed the proposal will have no impact on the quality of water to be discharged from the site as a whole.

The proposal involves works to the existing community aquatic facility, the proposed new indoor pool hall structure being located within the existing site will therefore not increase the impact of storm water run off.

The Engineering drawings detail how stormwater run-off will be managed within and external to the site.

Given these measures, no significant impacts on flooding and storm water are anticipated. The drawings also include an Erosion and Sedimentation Control Plan proposed to be implemented during the construction phase of the proposed development. This involves the use of sediment fences, traps and stormwater sumps.

Due care has been taken in the design of this proposal to ensure minimal adverse impact will occur upon the existing site. The proposal is in accordance with Council's requirements.

#### **PART I.10 – CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN - CPTED**

The general objectives are noted as follows:

*“CPTED generally tries to minimise crime opportunities by:*

*(1) Maximising risks to offenders (increasing the likelihood of detection, challenge and apprehension);*

*(2) Maximising the efforts required to commit crime (increasing the time, energy and resources required to commit crime);*

*(3) Minimising the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and*

*(4) Minimising excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour).”*

Development should be designed to deter crime and vandalism and facilitate:

- *personal and property security;*
- *casual surveillance of public areas;*
- *activity and interaction within public spaces and movement networks.”*

Safer by design, and Crime Prevention Through Environmental Design (CPTED) principles have been considered in the design of the development. The design responds to crime reduction and prevention issues through the use of the four principles for CPTED which include surveillance, access control, territorial reinforcement and space management.

These principles are addressed below:

**Surveillance:** the site is located within an existing recreational precinct having workers during daylight hours providing passive surveillance of the proposal.

**Access control:** Only one entry/egress point for pedestrians is provided. Security lighting will be provided in key locations and will be sufficient for good visibility at night.

**Territorial reinforcement:** The provision of a fence along the sites boundary delineates the public and private areas in and around the site.

**Space management:** The development's design and internal layout have considered potential safety problems such as locations for entrapment and hiding. Straight lines of travel have been incorporated into the design of pathways which limit opportunities for hiding areas.

The design of the development optimises safety and security, both internal to the development and from the public domain. The safety of the public is also enhanced by the design of the proposal which improves casual surveillance of the street during the day and night. The entrance area, landscaping and public domain areas maintain clear sight lines and will be well lit. The proposed hours of operation and active use of the site will further improve the safety aspects of the proposal particularly within this recreational location of Casino.

Furthermore, the safety and security issues addressed have been devised to ensure the quiet amenity of neighbouring properties is maintained at all times during the operation of the premises.

## **PART I.12 – CONTEXT AND SITE ANALYSIS**

The general objectives are noted as follows:

*“(1) improve the quality of development through better planning, design and consideration for the local community and environments.”*

The proposed redevelopment of the Casino War Memorial Swimming Pool Complex will provide a more modern updated and useable design to the Centre as a whole. It is considered to be of benefit not only to the immediate locality providing a year round sporting choice and encourage greater use of existing facilities in the area. The proposal is consistent with the above nominated key objective, in encouraging the proper management and continued use of existing facilities to meet the demand generated by changing demographic and household needs whilst improving the amenity of the local recreational and community precinct.

The proposal is consistent with the objective of the Development Control Plan.

#### 4.5 Development Constraints

ADVISORY (Based on S149 advice)	YES/NO	COMMENT
Is the land identified as being possibly contaminated?	No	No issue
Is the land identified as being Flood Prone?	Partially	No issue
Is the land identified as being Bush Fire Prone?	Partially	No Issue
Is a Traffic Impact Assessment Required?	No	Acceptance on Merit
Are there Flora and Fauna, Threatened Species or Native Vegetation Issues?	No	None identified
Are there Aboriginal Significance Issues?	No	Not to Council's knowledge
Are there Heritage Issues?	Yes	No issue
Is the land identified as being potentially affected by Acid Sulphate Soils?	No	No issue
Is the land identified as being potentially affected by Mine Subsidence?	No	Not within declared Mine Subsidence District

#### 4.6 Building Requirements

The proposed redevelopment works have taken into account the BCA. AS 1428 has also been referenced in order to provide as accessible a facility as possible. All accessible amenities are provided with fully complying fit out according to the latest Premises Standard. The CC documentation will detail all accessible amenities, ramps and associated stairs and handrails.

Furthermore, compliance with Part J of the BCA will be incorporated as a component of the Construction Certificate. This will include design and certification by an Electrical Engineer for the proposed lighting design, Mechanical Engineer for air conditioning and handling.

The design of the proposed alterations, addition and refurbishment works satisfy the requirements of the BCA for structural adequacy, health, amenity and fire safety.

#### **4.7 Amenity**

The proposal is considered to be a positive contribution to the Casino recreational locale and more importantly the existing Centre. It is considered to be an ancillary component being of benefit not only to the locality but the existing region as a whole. The proposal will have minimal adverse impact upon the surrounding environment as it only relates to the subject site.

#### **4.8 Visual Impact**

The proposed development will not negatively impact upon the visual amenity and character of the surrounding area in that:

- the design of the proposal is unique to the site and addresses public entry and building scale at the main entrance;
- The heritage facade will be preserved;
- it is situated within the recreational/community precinct;
- it is surrounded by other recreational/community uses and therefore will not give rise to any adverse impacts in the surrounding locality;
- the design of the indoor program pool and club facilities constitutes a single storey addition of high quality finishes and generally low scale proportions set within an recreational landscape;
- the proposed water slide being a stand alone structure within the far corner of the site will not impact the heritage nor the existing streetscape;
- it is sufficiently separated from adjoining residential properties.

#### **4.9 Impact on Natural Environment**

The proposed works are not considered to have any significant impacts on the natural environment.

The proposal uses functional and environmentally attractive materials that are consistent with the streetscape and environmental quality of the area.

#### **4.10 Impact on Built Environment**

The proposal is considered to be a positive contribution to the locality. The scale and character of the proposal is not out of context and complies with Council's requirements and objectives.

The sympathetic design ensures that the proposal fits into the existing streetscape and is consistent with development contemplated by the zoning and controls.

The design and scale of the proposed works are an appropriate response to the existing site constraints.

The proposed works are sympathetic and will ensure its continued service to the community.

#### **4.11 Social Impacts**

No adverse social impacts are expected from the proposed works. It is noted that the type of experience these facilities offer have positive implications for community welfare, well-being and health and can result in reduced social problems. The proposed addition and upgrade to the existing Centre will provide a more modern updated and useable design. It is considered to be of benefit not only to the immediate locality but to the region as a whole as it will provide a year round commercial/cultural facility.

The proposal is consistent with the Council's provisions and the proposed works are generally in accordance with Council's controls.



## 4.12 Economic Impacts

The economic impact will be a net gain in terms of attracting greater use of the site with a wider benefit of capital being injected into the local economy. The positive impacts of redevelopment and modernisation for this vital facility are clear. The Council would not have undertaken this upgrade if positive outcomes were not envisaged.

Furthermore, the proposal will have positive impacts in terms of employment associated with the construction of the development. Beyond this, there will also be positive impacts in terms of making better use of existing infrastructure and services within the locality on a year round basis.

## 5.0 ENVIRONMENTAL EFFECTS

### 5.1 Section 4.15 Matters for Consideration

Under the provisions of Section 4.15 of the EP&A Act 1979 (as amended) 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.

The provisions of:

- Any environmental planning instrument, and
- Any draft environmental planning instrument that is or has been placed on exhibition and details of which have been notified to the consent authority, and
- Any development control plan, and
- Any matters prescribed by the regulations,
- that apply to the land to which the development application relates.

The relevant Planning Instrument is Richmond Valley Local Environmental Plan 2012. This proposal is in accordance with all relevant aims and objectives of this plan in particular:

- “(a) *to encourage the proper management, development and conservation of natural and man-made resources,*
- (b) *to support and encourage social and economic benefits within Richmond Valley,*
- (c) *to ensure that suitable land for beneficial and appropriate uses is made available as required,*
- (d) *to manage appropriate and essential public services, infrastructure and amenities for Richmond Valley,*
- (e) *to minimise the risk of harm to the community through the appropriate management of development and land use.”*

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

LIKELY IMPACTS OF THAT DEVELOPMENT	RESPONSE
Context and Setting	<p>Relationship to local context:</p> <ul style="list-style-type: none"> <li>• The proposal comprises alterations &amp; addition to the existing aquatic facility, the impact on scenic qualities and landscape features will be nil;</li> <li>• The proposal is proportional, contextual and appropriate in terms of scale, form, character and design in the local area.</li> </ul> <p>Potential impacts on adjacent properties:</p> <ul style="list-style-type: none"> <li>• There will be no adverse shadow impacts;</li> <li>• There will be no adverse impacts on visual and acoustic privacy;</li> </ul>

	<ul style="list-style-type: none"> <li>There will be no adverse impacts on views and vistas of adjacent properties.</li> </ul>
Access, Transport & Traffic	<ul style="list-style-type: none"> <li>There will be no impact on travel demands;</li> <li>Public transport availability remains unchanged within the local area.</li> </ul>
Public Domain	<p>The proposal:</p> <ul style="list-style-type: none"> <li>Will not impact on public recreational opportunities;</li> <li>No impact on amount, location, design, use and management of public space around the site;</li> <li>No impact on pedestrian linkages.</li> </ul>
Utilities	Proposal does not generate additional demand for utilities.
Heritage	The subject site comprises a heritage Item being I-38 – Entrance Façade. The proposal is in accordance with Council's requirements and no impact is envisaged to the entrance façade, in fact the façade will be preserved and viewed from the street.
Other Land Resources	Not applicable
Water	It is envisaged that there will be no increase in run-off. No increase in water needs for the development.
Soils	Not applicable
Air & Microclimate	Not applicable
Flora & Fauna	Not applicable
Waste	In accordance with Council's requirements.
Energy	Conserve energy and energy efficiency.
Noise & Vibration	The primary noise source will be mechanical and plant. The proposal has been designed to minimise noise impact upon adjacent residential environs.
Natural Hazards	Proposal will not cause any risks in the natural environment.
Technological Hazards	Not applicable
Safety, Security & Crime Prevention	Has been considered within the design of the proposal.
Social Impact in Locality	The proposal is a positive contribution for the local community.
Economic Impact in Locality	<p>Economic costs and benefits:</p> <ul style="list-style-type: none"> <li>Employment generation for local area;</li> <li>Positive impact on surrounding businesses;</li> <li>Positive contribution for the local community;</li> <li>The proposal will provide economic growth for the local area.</li> </ul>
Site Design and Internal Design	Development design sensitivity to environmental conditions and site attributes. The proposal has been designed to comply with BCA and associated codes.
Construction	Applicable.
Cumulative Impact	No cumulative impacts are envisaged as a result of the development.

### **5.3 The suitability of the site for the development**

As described in Section 4.15, the subject site is considered suitable for the proposed works to be carried out. The proposal makes suitable and efficient use of the subject site. The proposal will not result in any adverse amenity impacts for neighbouring/surrounding properties, which confirms the suitability of the site.

In particular, in Section 4.15 under context and setting, the site is appropriate and acceptable for the proposed works and the landscape and scenic quality of the locality will not be impacted upon by the proposal.

### **5.4 Any submissions made in accordance with this Act or regulations**

We welcome the opportunity to respond to any submissions received by Council as a result of any public notification or exhibition.

### **5.5 The public interest**

As the proposal is for the Stage 2 redevelopment of the existing swimming pool complex, it is considered to be a positive contribution to the local area. Amenity impacts are negligible and the proposal is considered to result in a positive contribution to the built environment. The proposal has acceptable design and amenity impacts and therefore does not negatively impact on the public interest.

## **6.0 CONCLUSION**

The proposal is considered to be of an appropriate form and will maintain the character of the existing recreational precinct, whilst being compatible with the scale and character of the surrounding environs.

The proposed development is satisfactory when assessed under the matters of consideration of Section 4.15 of the Environmental Planning and Assessment Act, as amended. No adverse environmental impacts have been identified.

The beneficial effects of the proposal include:

- Generally in accordance with the objectives and standards of the relevant Richmond Valley LEP 2012.
- The new addition to the Centre and external elements will provide a much more functional and useable facility.
- The present complex is vital to the existing recreational precinct.
- Will provide Casino with an upgraded recreational/community facility – providing for an improved social outcome.
- Does not impede on any adjoining properties in terms of overshadowing, acoustic or visual aspects and, due to its positioning and scale, and the fact that it is upgrading an existing facility, provides a low level of impact on the existing local amenity.
- A positive contribution to the locality;
- An appropriate development of the land.

The proposal has been developed with a view to upgrading the site and producing a form of development that is consistent with Council's nominated objectives and design principles.

The proposed addition has been designed to minimise any adverse or unreasonable amenity impacts on surrounding properties in terms of visual, acoustic privacy, overshadowing and view loss. The works will allow for a more contemporary functional facility that better utilises the site and its features. The new addition to the existing aquatic centre represents a vast improvement in terms of aesthetics and internal layout and use of the facility as a whole.

The proposal is consistent with the character of the area and will have no negative environmental or urban design impacts. It is consistent with the objectives of the Environmental Planning and Assessment Act which includes:

*“The proper management.... And conservation of man made resources for the purpose of promoting the economic welfare of the community and a better environment via promotion... of the orderly and economic use and development of the land.”*

The proposed Stage 2 alterations, addition and redevelopment of the existing Centre will address the site and its context, retains existing form of the area and will generally upgrade the image of the recreational/community precinct.

All potential environmental impacts associated with the future construction works have been considered and are capable of being sufficiently mitigated.

In light of the merits of the proposal and the absence of any unreasonable environmental effects, the proposal is considered worthy of support.