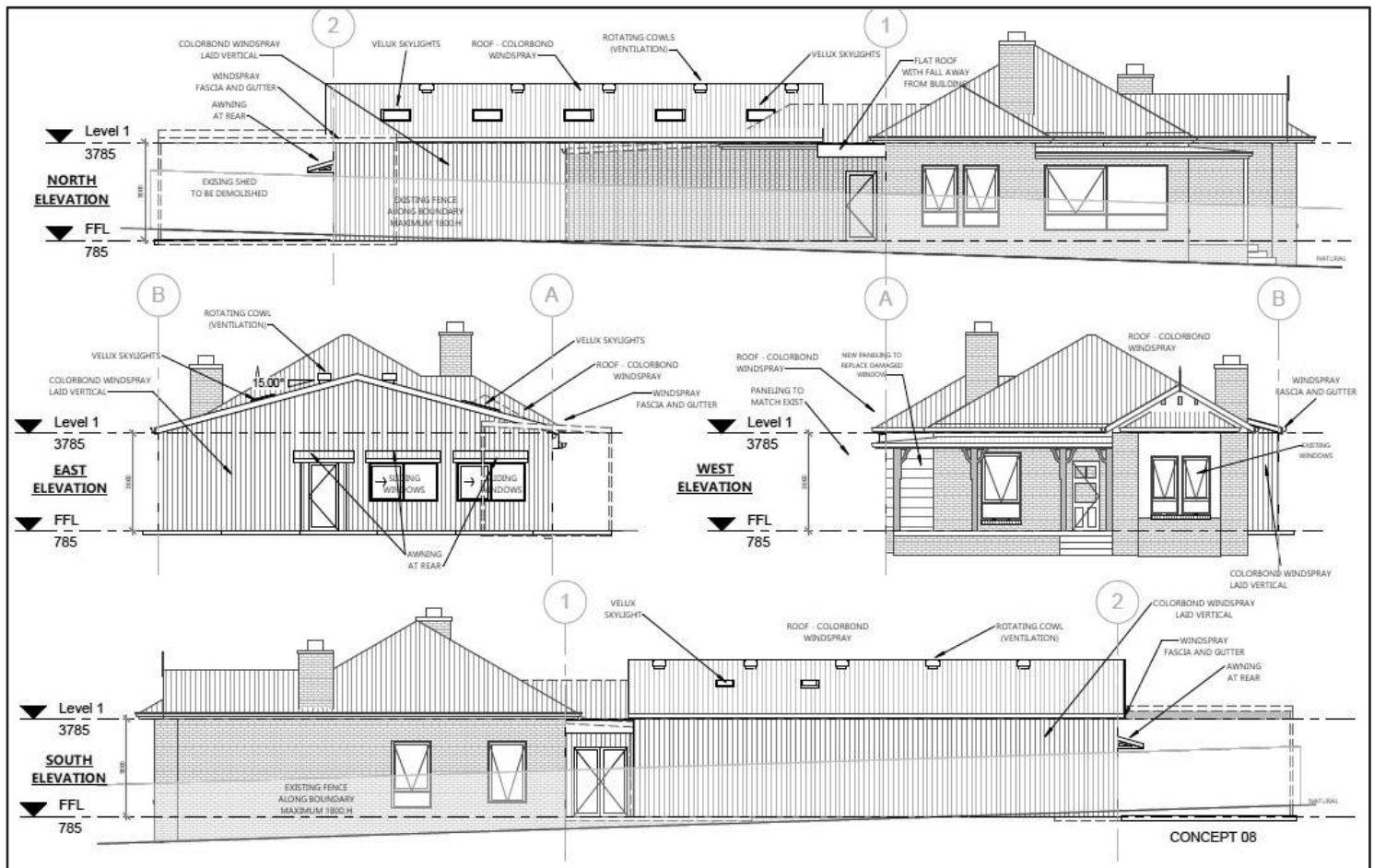


# STATEMENT OF ENVIRONMENTAL EFFECTS



## Proposed Indoor Recreation Facility 51 Trail Street, Wagga Wagga NSW 2650 Lot 1, DP937208 & Lot 3 DP4999



**CITY OF WAGGA WAGGA**  
Application Number:  
DA20/0310  
Approved By Council -  
01/10/2020

Prepared for R Hoogvelt  
Rev 2.2 – September 2020



**Salvestro Planning**

16 Fitzmaurice Street  
PO Box 783  
WAGGA WAGGA NSW 2650

Telephone: (02) 6921 8588  
Facsimile: (02) 6921 8388  
Email: [admin@salvestroplanning.com.au](mailto:admin@salvestroplanning.com.au)  
Website: [www.salvestroplanning.com.au](http://www.salvestroplanning.com.au)

**Disclaimer**

*While every reasonable effort has been made to ensure that this document is correct at the time of printing, Salvestro Planning and its employees make no representation, undertake no duty and accept no responsibility to any third party who use or rely upon this document or the information contained in it.*

© **Salvestro Planning 2020**

# Proposed Indoor Recreation Facility

## Trail Street, Wagga Wagga

### TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Brief Overview .....	1
1.2	Subdivision and Staging .....	1
1.3	Supporting Plans and Documentation.....	1
<b>2</b>	<b>APPLICANT AND LAND OWNERSHIP .....</b>	<b>1</b>
<b>3</b>	<b>SUBJECT LAND .....</b>	<b>2</b>
3.1	Subject Land and Locality .....	2
3.2	Site Characteristics.....	3
3.2.1	Existing Site .....	3
3.2.2	Surrounding Land.....	3
3.3	Site History .....	4
<b>4</b>	<b>DEVELOPMENT PROPOSAL.....</b>	<b>5</b>
4.1	Proposal Details - Overall.....	5
4.2	Site Preparation/Demolition .....	5
4.3	Heritage Interpretation.....	6
4.4	Details of Proposal.....	7
4.4.1	Existing Building .....	7
4.4.2	Staff .....	7
4.4.3	Facilities .....	7
4.4.4	Hours of Operation .....	7
4.4.5	Car Parking .....	9
4.4.6	Access.....	10
<b>5</b>	<b>INFRASTRUCTURE.....</b>	<b>10</b>
5.1	Provisions of Essential Services.....	10
<b>6</b>	<b>PLANNING POLICIES AND GUIDELINES .....</b>	<b>12</b>
6.1	Relevant Acts & Regulations.....	12
6.1.1	Integrated Development.....	12
6.2	State Environmental Planning Policies .....	13
6.2.1	SEPP55 – Remediation of Land .....	14
6.3	Wagga Wagga Local Environmental Plan (LEP) 2010.....	16
6.3.1	Land Use Zoning .....	16
6.3.2	Permissibility .....	17
6.3.3	Consideration of Relevant LEP Clauses .....	17
6.3.4	Height of Buildings – LEP Clause 4.3.....	18
6.3.5	Floor Space Ratio – LEP Clause 4.4.....	18
6.3.6	Heritage Conservation – LEP Clause 5.10 .....	18
6.3.7	Flood Planning – LEP Clause 7.2.....	18
6.3.8	Groundwater vulnerability – LEP Clause 7.6 .....	19
6.3.9	Primacy of Zone B3 Commercial Core – LEP Clause 7.9.....	20
6.4	Wagga Wagga Development Control Plan 2010 (DCP).....	20
6.5	Other Relevant s4.15 Matters for Consideration.....	26
<b>7</b>	<b>ENVIRONMENTAL IMPACT ASSESSMENT .....</b>	<b>26</b>
7.1	Site and Locality Analysis .....	26
7.2	Bushfire.....	27
7.3	Flora and Fauna .....	28
7.4	Heritage Conservation.....	28
7.5	Statement of Environmental Effects Summary Table .....	29
<b>8</b>	<b>CONCLUSION .....</b>	<b>30</b>

**TABLE OF TABLES**

<b>Table 1: Plans and Support Documentation.....</b>	<b>1</b>
<b>Table 2: Parking Calculations.....</b>	<b>10</b>
<b>Table 3: Applicable Integrated Development .....</b>	<b>12</b>
<b>Table 4: SEPPs Applying to the Land and Proposal.....</b>	<b>14</b>
<b>Table 5: Contaminated Land Consideration – Initial Evaluation Data .....</b>	<b>14</b>
<b>Table 6: Relevant LEP 2010 Zone Objectives.....</b>	<b>17</b>
<b>Table 7: Consideration of LEP Clause 7.2 Provisions .....</b>	<b>19</b>
<b>Table 8: Relevant DCP 2010 Controls.....</b>	<b>20</b>
<b>Table 9: Statement of Environmental Effects .....</b>	<b>29</b>

**TABLE OF FIGURES**

<b>Figure 1: Subject Land (Source: WWCCGIS 2020).....</b>	<b>2</b>
<b>Figure 2: Location Map (Source: Google Maps 2020).....</b>	<b>2</b>
<b>Figure 3: Extract of DP4999 (Source: WWCCGIS Deposited Plans 2020) .....</b>	<b>3</b>
<b>Figure 4: Extract of DP937208 (Source: WWCCGIS Deposited Plans 2020).....</b>	<b>3</b>
<b>Figure 5: Historical Aerial of Subject Land – 1971 (Source: WWCCGIS 2020) .....</b>	<b>4</b>
<b>Figure 6: Historical Aerial of Subject Land – 2014 (Source: WWCCGIS 2020) .....</b>	<b>4</b>
<b>Figure 7: Historical Aerial of Subject Land – 2020 (Source: WWCCGIS 2020) .....</b>	<b>5</b>
<b>Figure 10: Extract of Demolition Plan (Source: Align Building Design 2020) .....</b>	<b>6</b>
<b>Figure 11: Surrounding buildings with similar colours (Source: R Hoogvelt 2020) .....</b>	<b>7</b>
<b>Figure 13: Riverina Water County Council Assets Map (Source: DBYD 2020) .....</b>	<b>11</b>
<b>Figure 14: APA Assets Map (Source: DBYD 2020).....</b>	<b>11</b>
<b>Figure 15: Essential Energy Assets Map (Source: DBYD 2020) .....</b>	<b>11</b>
<b>Figure 16: WWCC Sewer and Stormwater Assets Map (Source: WWCCGIS 2020) .....</b>	<b>11</b>
<b>Figure 17: Site Photos (Source: SP 2020) .....</b>	<b>15</b>
<b>Figure 18: Site Photos (Source: SP 2020) .....</b>	<b>15</b>
<b>Figure 19: Site Photos (Source: SP 2020) .....</b>	<b>15</b>
<b>Figure 20: Potentially Contaminated Register Mapping (Source: WWCCGIS 2020) .....</b>	<b>15</b>
<b>Figure 21: Land Zoning Map (Source: WWCCGIS 2020) .....</b>	<b>16</b>
<b>Figure 22: Groundwater Sensitivity Map (Source: WWCCGIS 2020) .....</b>	<b>20</b>
<b>Figure 23: Photo of Site (Source: SP 2020).....</b>	<b>27</b>
<b>Figure 24: Extract from Site Analysis Plan (Source: SP 2020) .....</b>	<b>27</b>
<b>Figure 25: Heritage Items and Conservation Area Map (Source: WWCCGIS 2020).....</b>	<b>28</b>
<b>Figure 26: AHIMS Search Extract (Source: OEH 2020) .....</b>	<b>28</b>

# Proposed Indoor Recreation Facility

## Trail Street, Wagga Wagga

### 1 INTRODUCTION

#### 1.1 Brief Overview

The following Statement of Environmental Effects (SEE) has been prepared in support of a proposed recreation facility (indoor) for the purpose of a swim school at 51 Trail Street, Wagga Wagga, Lot 1 DP937208 and Lot 3 DP4999.

The development proposal includes:

- Demolition of part of building and carport
- Construction of facility including 15.2m x 4.5m pool and amenities
- Access ramp
- Renovation of office
- Change of use from office to recreation facility (indoor)

Pre-DA discussions have been held with Council including preliminary heritage advice from Council's Heritage Advisor. The following matters were raised and have been considered in the detail of this application:

- Overall business operation
- Traffic
- Heritage
- Potential site contamination

#### 1.2 Subdivision and Staging

No subdivision or staging is proposed.

#### 1.3 Supporting Plans and Documentation

The SEE shall be read in conjunction with accompanying plans and support documentation as listed below in Table 1.

**Table 1: Plans and Support Documentation**

Accompanying Documents			
Ref:	Description	Rev	Prepared By
1	Proposal Plan Set Plan Sheet 1 – Site Analysis Plan Sheet 2 – Existing - Floor Plan Sheet 2.1 – Elevations - Existing Plan Sheet 3 – Additions Plan Sheet 3.1 – Additions – Elevations Plan Sheet 4 – Site Plan - Proposed	8	Align Building Design
2	Site Analysis Plan – 20025 – 16/06/20	A	Salvestro Planning
3	Soil and Water Management Plan	A	Salvestro Planning
4	Heritage Report – March 2020	-	David Scobie Architects

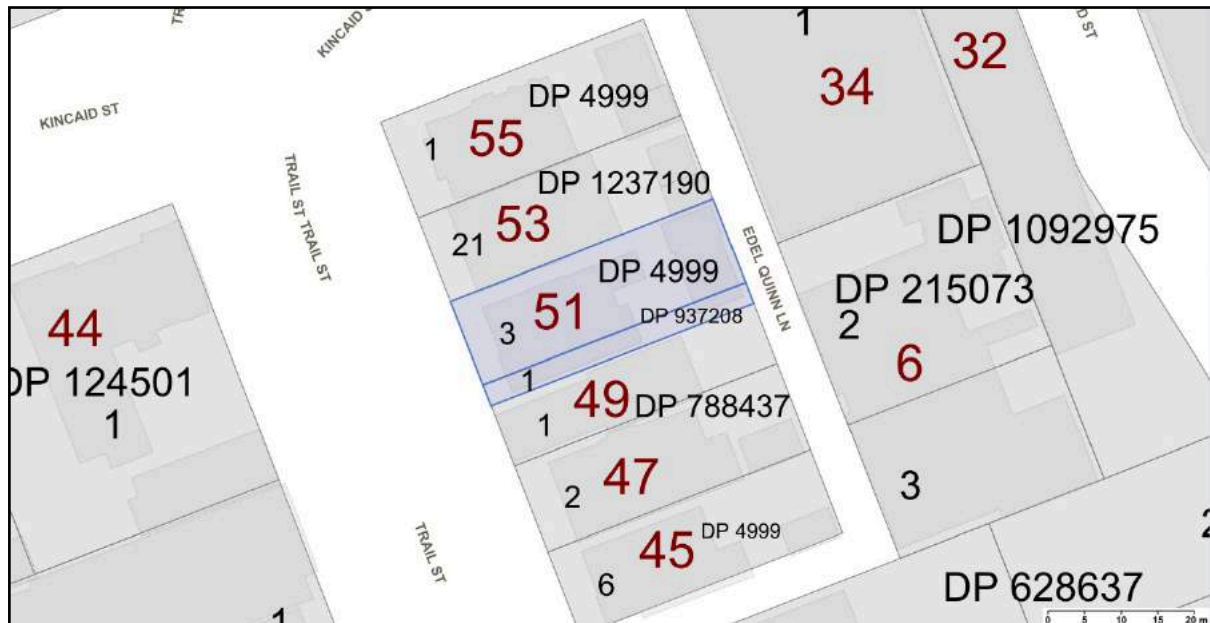
### 2 APPLICANT AND LAND OWNERSHIP

The applicant is Renae Hoogvelt and the site landowner is Michael and Renae Hoogvelt. The landowners have given their consent for the proposal as shown on the relevant forms submitted to Council in addition to this SEE.

### 3 SUBJECT LAND

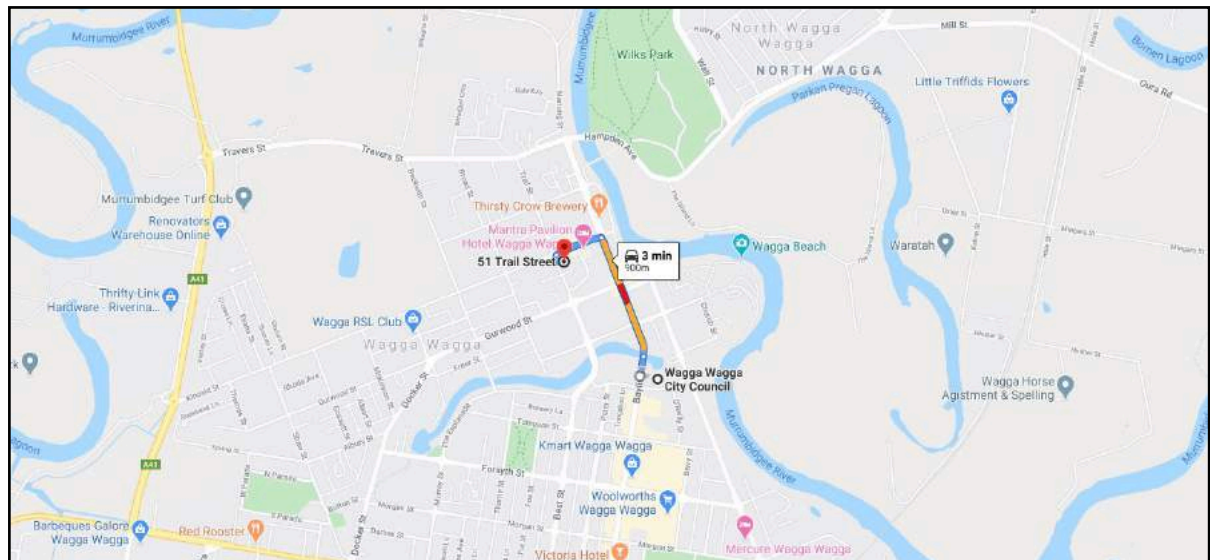
#### 3.1 Subject Land and Locality

The subject land is known as Lot 1 DP937208 and Lot 3 DP4999, 51 Trail Street, Wagga Wagga, as identified in the mapping extract below.



**Figure 1:** Subject Land (Source: WWCCGIS 2020)

The subject site is located on the eastern side of Trail Street and encompasses an area of approximately 684.7m<sup>2</sup>. The land has a total of 15.2m of street frontage to Trail Street with rear lane access to Edel Quinn Lane. The general location of the land is shown in the figure below, relative to the CBD of Wagga Wagga.



**Figure 2:** Location Map (Source: Google Maps 2020)

The site currently has no easements as shown in the DP extracts below.



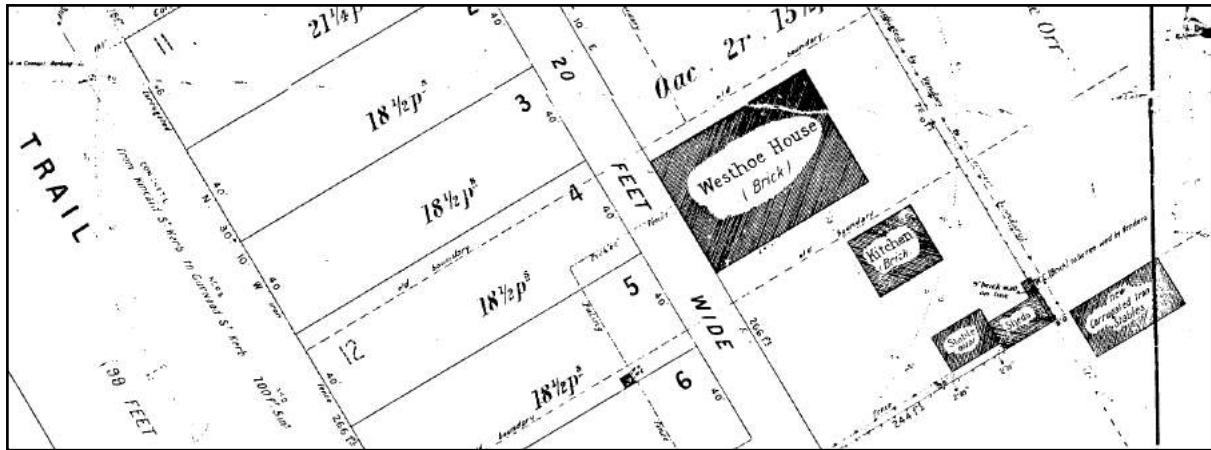


Figure 3: Extract of DP4999 (Source: WWCCGIS Deposited Plans 2020)

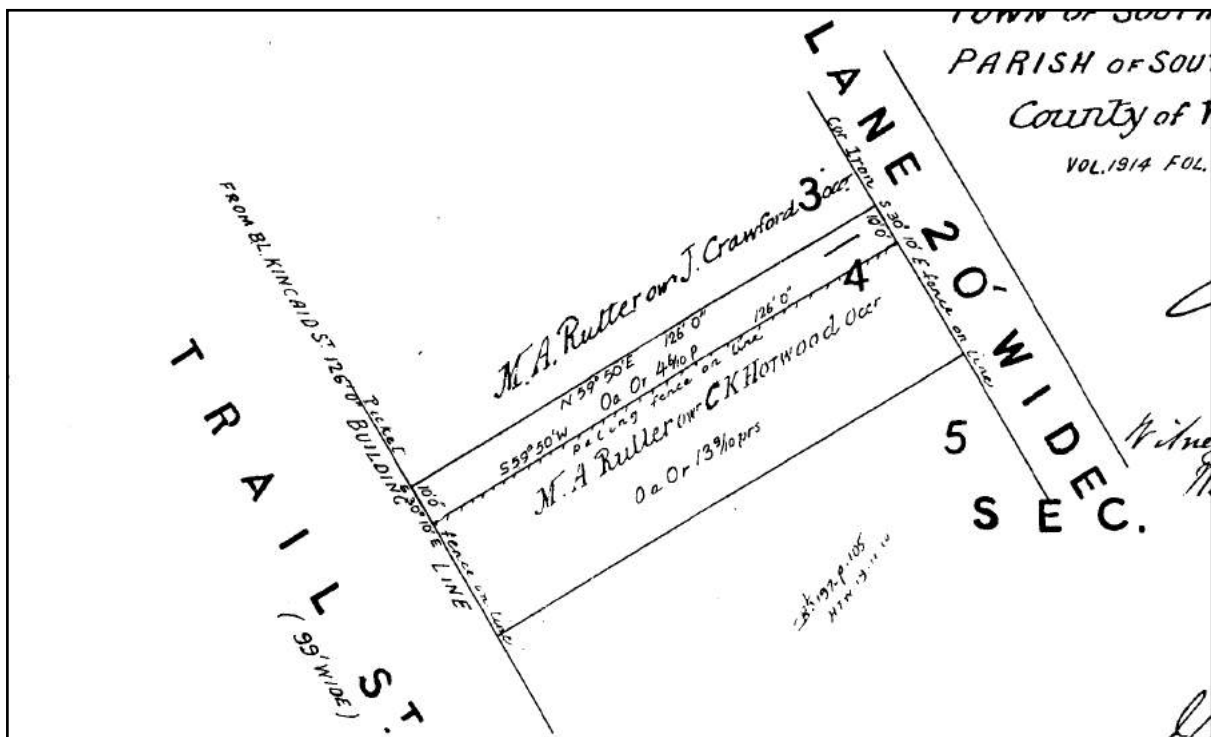


Figure 4: Extract of DP937208 (Source: WWCCGIS Deposited Plans 2020)

## 3.2 Site Characteristics

### 3.2.1 Existing Site

The existing site is located within the general Central Business District (CBD) of Wagga Wagga, along Trail Street. Its location is a transitional land use environment where a mixture of business and residential uses co-exist.

The site contains a main building, previously used as a residence, restaurant and most recently an office. The site contains an onsite parking area with rear lane access.

### 3.2.2 Surrounding Land

The streetscape is typical of a historic post-European settlement Australian town centre with wide streets/avenues, large established street trees and period style buildings.

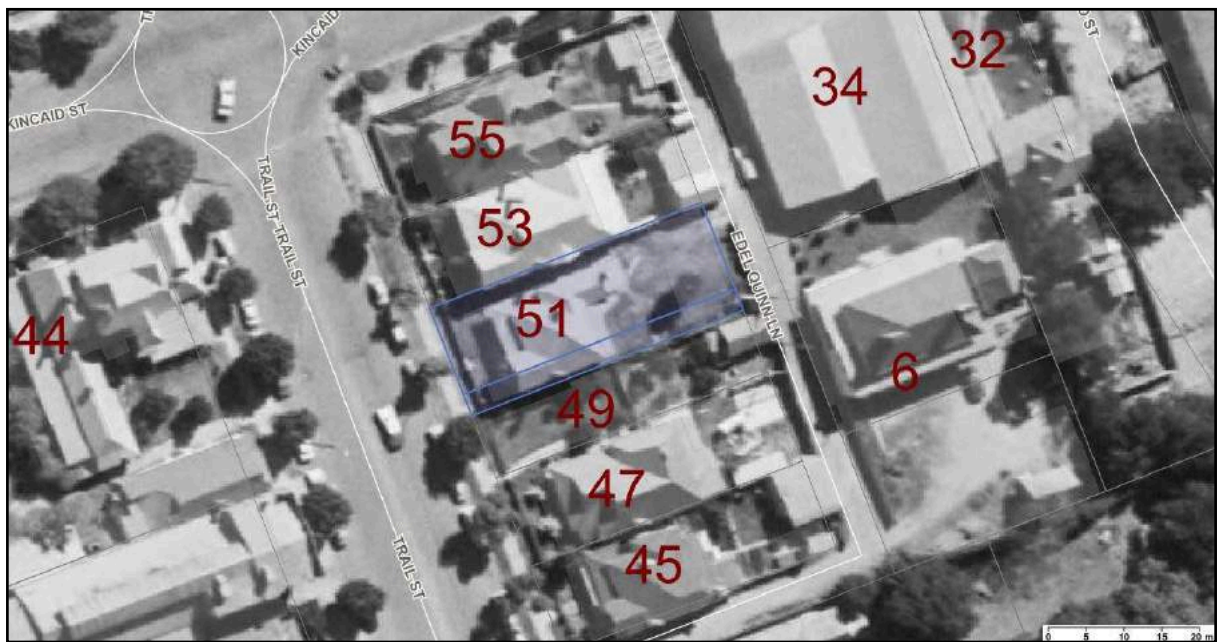
### 3.3 Site History

Historically, the subject site was traditional land of the Wiradjuri people. The land was progressively acquired and subdivided during post European settlement.

Council records indicate that the site has been subject to a number of development applications that were approved and carried out.

DA	Date Approved	Description
519/78	27/7/79	Alterations to building and proposed restaurant
115/72	13/3/72	Garage and renovations to house

The site was most recently used as an office, although no record of formal land use change can be cited. This application seeks to change the use with alterations and additions to accommodate the proposed changes.



**Figure 5:** Historical Aerial of Subject Land – 1971 (Source: WWCCGIS 2020)



**Figure 6:** Historical Aerial of Subject Land – 2014 (Source: WWCCGIS 2020)





**Figure 7:** Historical Aerial of Subject Land – 2020 (Source: WWCCGIS 2020)

## 4 DEVELOPMENT PROPOSAL

### 4.1 Proposal Details - Overall

It is proposed to change the use from an office premises to a recreation facility (indoor).

As shown in the below figures, the proposal involves the following key elements:

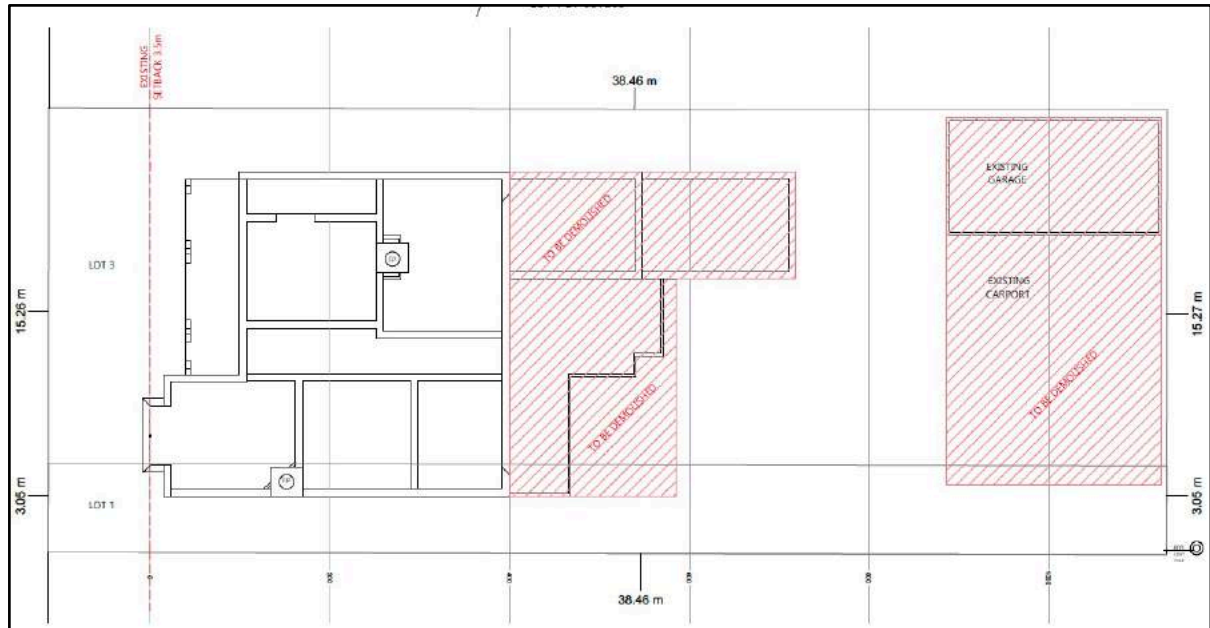
- Demolition of part of building and carport
- Construction of facility including 15.2m x 4.5m pool and amenities
- Access ramp
- Renovation of office
- Change of use from an office premises to recreation facility (indoor)
- Repainting of parts of the original building frontage to Trail Street including fence.

### 4.2 Site Preparation/Demolition

The proposal involves the demolition of:

- Garage
- Carport
- Rear section of dwelling

The total demolition amounts to 154m<sup>2</sup> as shown below. No demolition or alterations are proposed to the front of the building.



**Figure 8:** Extract of Demolition Plan (Source: Align Building Design 2020)

### 4.3 Heritage Interpretation

The heritage component of the site is mostly related to the local streetscape and surrounding built environment.

An initial meeting was held with the Heritage Advisor onsite on 6/3/2020, when the property was first purchased. At this meeting it was advised and noted the top portion of the front fence was a later addition to the original fence. A clear distinction of this was evident by poorly constructed piers and a metal fence from a different era. Part of the section of fence that was removed was due to the footings falling away. This was identified and required immediate repair as the mortar had lost its binding properties and was sitting in place without restraint. This posed an immediate risk to pedestrians and a decision was made to remove the peers which formed part of the addition to the existing fence. The remaining front fence is original with a small portion of addition remaining. It is proposed to remove the existing gates and replace with a heritage wire gate to keep in line with the heritage façade. The peers have been replaced with a garden hedge to provide softened greenery.

The front fence was also initially painted light grey and has since been repaired. Due to the quality and thickness of the existing paint, it is not possible to expose the original brickwork without causing damage. The front fence and small selection of the front façade is to be repainted. The accompanying heritage advice states:

*"The controls aim to encourage use of colours in a traditional way with base colours and highlights to appropriate elements. It is not intended to demand strict adherence to prescribed colours."*

The colours chosen include Haymes Heritage Palette Dark Admiralty Grey 4028 and Athens Grey 4029. It is noted there are several other renovations completed in the surrounding area with similar colours, as shown in the below figure. The chosen colours are thought to highlight the appropriate elements and continue with the existing streetscape with the use of a non-evasive colour.



**Figure 9:** Surrounding buildings with similar colours (Source: R Hoogvelt 2020)

The existing frontage of the building is to be retained and renovated to ensure continuing compatibility and respect of the local heritage area character and amenity.

The proposed works are within the rear section of the site with little exposure to the Trail Street public domain. The new building extensions will have very limited exposure to the heritage built environment of the area. Overall, the impact to the heritage significance of the area is minimal.

In relation to the rear additions, the accompanying preliminary heritage advice suggests the new building should be clad in sympathetic materials such as weatherboard, galvanised iron or suitable brick. The rear addition is to be clad in galvanised iron, as shown on the plan set.

The plans also show that the proposed addition's roof is subservient to the existing ridge line.

The Heritage Report notes that the rear skillion portion, proposed to be demolished, does not retain sufficient elements to warrant retention.

## 4.4 Details of Proposal

### 4.4.1 Existing Building

The intended use of the existing building includes:

- Reception,
- Sitting/viewing room to the pool area,
- Office,
- Storage area
- Staff area

Those existing areas will be refurbished accordingly.

### 4.4.2 Staff

The proposal will provide the opportunity for four FTE employees including 2 office staff and 2 swimming instructors.

### 4.4.3 Facilities

Facilities are provided for both staff and clients, with appropriate separate female, male and disabled bathrooms. A baby changing room is also proposed.

### 4.4.4 Hours of Operation

Hours of operation include:

Monday, Tuesday, Wednesday and Friday: 8.45am to 6.00pm

Thursday: 8.45am to 7.00pm

Saturday: 8.45am to 1.30pm

Operational details are as follows:

- Monday to Friday 9.00 am to 12.00 pm – Learn to Swim Lessons.

9.00 am – 9.30 am – Group lesson plus 2 x 15 minute private lessons

9.30 am – 9.45 am - Gap

9.45 am – 10.15 am Group lesson plus 2 x 15 minute private lessons

10.15 am – 10.30 am - Gap

10.30 am – 11.00 am – Group lesson plus 2 x 15 minute private lessons

11.00 am – 11.15 am – Gap

11.15 – 11.45 am – Group lesson plus 2 x 15 minute private lessons

11.45 -12.00 pm – 2 x 15 minute private lessons

There will be two x learn to swim lessons running at one time with a duration of 30 minutes for the group lesson and 15 minutes for the private lesson. Ratio for one class will be 1:5 and the second class running will be a private lesson with a ratio 1:1. Totalling 14 classes each morning.

- Monday to Friday 12.00 pm to 3.00 pm – Hydrotherapy.

Bookings for Hydrotherapy will take place between these hours with a maximum of five patrons booked in every 30 minutes.

- Monday to Friday 3.30 pm to 6.00 pm – Learn to Swim Lessons.

3.30 pm -3.45 pm – 2 x 15 minute private lessons

3.45 pm – 4.00 pm 2 x 15 minute private lessons

4.00 pm -4.30 pm – Group lesson plus 1 x 30 minute private lesson

4.30 pm – 4.45 pm – Gap

4.45 pm – 5.15 pm – Group lesson plus 1 x 30 minute private lesson

5.15 pm – 5.30 pm - Gap

5.30 pm – 5.45 pm – 2 x 15 minute private lessons

There will be two lessons running at one time with lessons varying from 15 minutes to 30 minutes. Ratio for the group class will be 1:5 and the private lessons ration of 1:1. Totalling 12 classes each afternoon.

- Saturday 9.00 am to 1.00 pm – Learn to Swim Lessons.

There will be 2 lessons running at one time with a duration of 30 minutes for each lesson. Ratio for one class will be 1:5 and the second class will be a private lesson with a ratio of 1:1. Totalling 16 classes each Saturday.

The office will be open an additional hour on Thursdays.

Staffing includes two office administrators until 4pm to which there will only be one staff member until closing. There will be two teachers between 9am to 12pm and 3.30pm to



6pm. During the Hydrotherapy allotted time, occurring between the hours of 12pm and 3pm, there will only be two office staff members on site. The Hydrotherapy is developed for either patrons to attend during their allotted timeframe for personal rehabilitation or including a physiotherapist. At any one time, a maximum of five patrons will be attending the facility for Hydrotherapy. During Learn to Swim, a maximum of six students will attend at any one time. Therefore, a maximum of 6-10 persons including students, patrons and staff members will be on site at any given time.

The goal for the business is to create a boutique style swim school which provides a more intimate, quiet family focussed environment for babies and toddlers to learn to swim, unlike the previous swim school in Copland Street and many others in the Wagga Wagga area. The facility will also offer much needed Hydrotherapy in Wagga Wagga, where patrons can feel comfortable in a more private setting.

#### **4.4.5 Car Parking**

Under the current DCP guidelines, a total of 9 spaces are required in respect of this type of proposal (indoor recreation facility). A variation is therefore sought in relation to car parking provision.

A total of 5 off-street car spaces are proposed to be available from the existing laneway, together with an indicated shared access zone. The indicated shared access zone also caters for pick up and drop off access and access to pedestrians whom may utilise other forms of transport. A previous parking contribution provides 1 off-street car parking space.

Street parking is available along Trail Street, with pedestrian access available from both Trail Street and Edel Quinn Lane. There are many all-day parking options within walking distance of the site, such as within 50m to Barrand Street car park and Kincaid Street centre parking and within 200m to the Trail Street car park. Trail Street also has restricted 1hr street parking, consistent with a commercial environment to maximise parking availability during normal business hours. Scheduling of lesson times has taken this into account and allows for the quick turnover of vehicles within the vicinity with a 15 minute gap between classes.

An objective of the B3 Commercial Core zone to encourage walking and cycling and maximise public transport. DCP control 2.2-C6 allows no additional car parking for redevelopment in B3 zones in situations where there is no increase in gross floor area (GFA). The proposal involves replacing existing floor area with a new structure that will result in a net change of an additional 108m<sup>2</sup> GFA. Carparking arrangements, however, will be further embellished by the removal of the old garage and carport (4 non designated spaces), and replacing with 5 delineated spaces and a shared access zone. This indicates a shortfall of 3 spaces when measured against the current DCP car parking requirements and contribution previously paid.

Previous commercial uses of the site, including restaurant and office, have operated without any significant impact on the surrounding road and parking network. Using current DCP standards, those land uses would have required between 11 and 6 spaces respectively.

The proposal will provide adequate onsite carparking spaces and will not significantly impact adjoining development or the local road network.

The proposal maximises all available parking on the site, without compromising the functionality of the intended use or impacting the conservation area character. The most appropriate definition in which the proposal falls into is gymnasium, health and fitness centre however it is thought the development is unique as it cannot be compared to any other indoor recreation facility. The structured pre-planned lessons will assist with controlling the flow of pedestrians and vehicles on and off the site.

Other defined gymnasium, health and fitness centres within the area include F45 (Fitzmaurice St), Anytime Fitness (Baylis St) and Hiit Republic (Baylis Street). These

facilities all hold significant memberships with Anytime Fitness having in excess of 1000 members. F45 and Anytime Fitness offers no onsite parking for staff or any members and relies upon shared parking. Hiit republic is the only facility that offers onsite parking within the CBD, being 5 pre-existing parking spaces.

The nature of the proposal ensures a constant turnover through onsite and street car parking. At any one time there will be a maximum of 7-10 persons including students, patrons and staff members. This is assuming all will utilise their own vehicles. There is a likelihood that a proportion of people will utilise various other means to attend the facility, such as car-pooling (one family sessions or the like) or the use of alternative means such as walking, cycling or public transport. Pick up and drop off is also readily accessible via the shared zone and will also be utilised by parents dropping off and picking up children for lessons.

With the nature of the use of the development, it is assumed linked trips will utilise the location of the development whilst parking locally. Nearby businesses will benefit from the proposal, with intended users and in particular mothers' groups also utilising the close proximity to the local shops and cafés.

The proposal will provide the opportunity for all customers attending to park onsite. Staff will utilise nearby all day parking options and will not park onsite.

Council's consideration to accepting a variation for this proposal is requested due to the specific use outlined, which is more akin to a personalised boutique service opposed to an indoor recreation facility. Special consideration was applied by Council to DA19/0570, where the proposed use fell under an indoor recreation facility. Special consideration was given due to the specific use being more akin to a child care facility. Additionally, flexibility has been applied to further satisfy these requirements by the developer in consideration with Council.

The following methodology shows the parking rates applicable to this development.

**Table 2: Parking Calculations**

	GFA	Carparks	Carparks Provided	Ratio
<b>Existing Use</b>	178	4	4	1/45m2 - Office
<b>Proposed Use Net Change</b>	113	5	5	1/25m2 Gymnasium, health and fitness centre
<b>Cumulative Total</b>		9	5	
<b>Contribution</b>		1		
<b>Surplus/Shortfall</b>			-3	

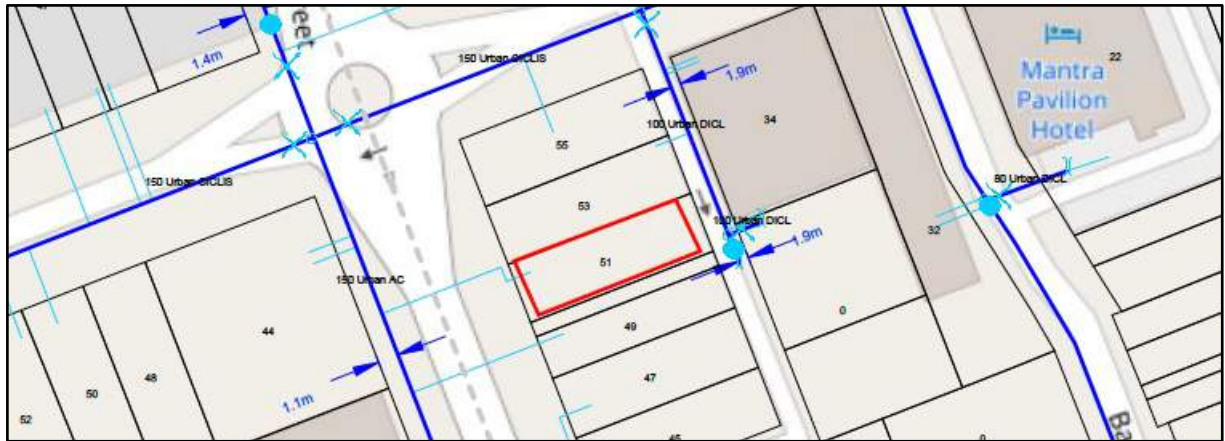
#### 4.4.6 Access

Pedestrian and disabled access is available from Trail Street. Access is also provided from the carpark within a marked shared zone.

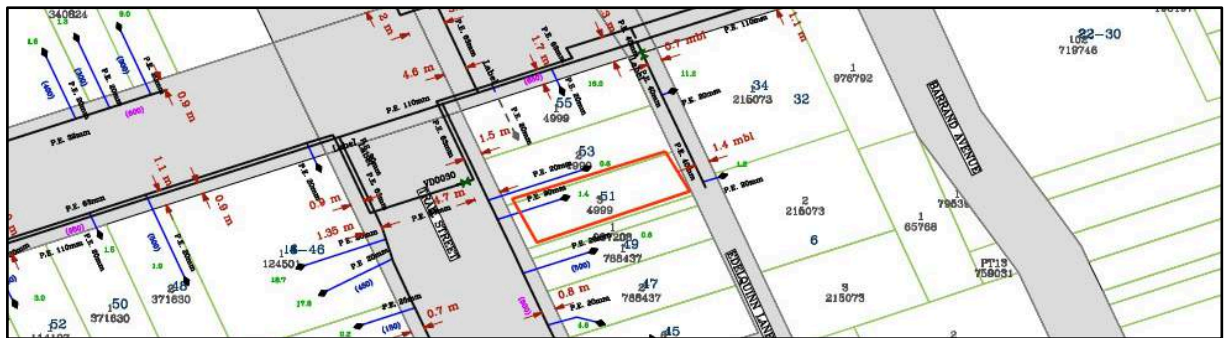
## 5 INFRASTRUCTURE

### 5.1 Provisions of Essential Services

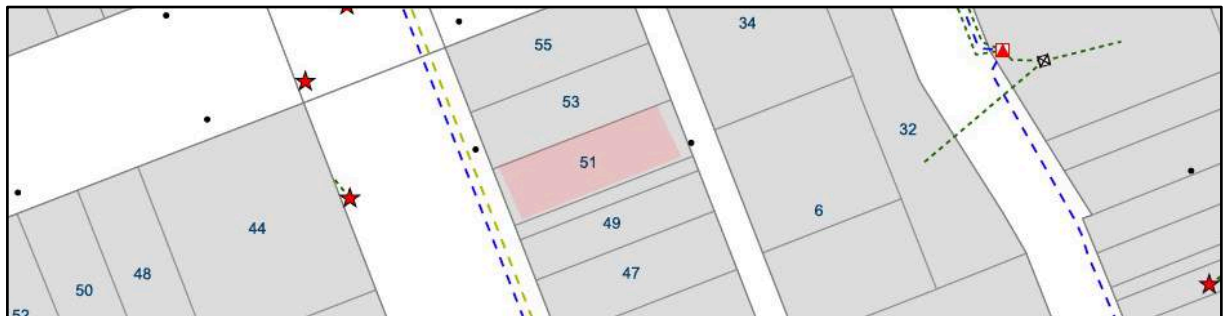
All essential services, including water, electricity, gas, telecommunication, sewer, drainage, road network and garbage services, are available in the general area. Connections will be provided in accordance with all relevant Council and Service Provider Guidelines.



**Figure 10: Riverina Water County Council Assets Map (Source: DBYD 2020)**



**Figure 11:** APA Assets Map (Source: DBYD 2020)



**Figure 12:** Essential Energy Assets Map (Source: DBYD 2020)



**Figure 13:** WWCC Sewer and Stormwater Assets Map (Source: WWCCGIS 2020)

## 6 PLANNING POLICIES AND GUIDELINES

### 6.1 Relevant Acts & Regulations

Development of the site is subject to the provisions of the Environmental Planning & Assessment Act 1979 & Environmental Planning & Assessment Regulations 2000.

In addition, certain other Acts and regulations are applicable to the development as referred to in the following table.

#### 6.1.1 Integrated Development

The proposed development is not integrated development.

The table below shows the assessment of the site against section 4.46 of the EP&A Act 1979.

**Table 3: Applicable Integrated Development**

Consideration of S4.46 of the EP&A Act 1979		
Act	Approval	Comment
<i>Coal Mine Subsidence Compensation Act 2017</i>	<i>Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Fisheries Management Act 1994</i>	<i>Aquaculture permit</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to carry out dredging or reclamation work</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of an such land or lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to: (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
<i>Heritage Act 1977</i>	<i>Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Mining Act 1992</i>	<i>Grant of mining lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>National Parks and Wildlife Act 1974</i>	<i>Grant of aboriginal heritage impact permit</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Petroleum (Onshore) Act 1991</i>	<i>Grant of production lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Protections of the Environment Operations Act 1997</i>	<i>Environment protection licence to authorise carrying out of scheduled development work at any premises.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Environment protection licence to authorise carrying out of scheduled</i>	Not Applicable, proposal does not meet criteria for consideration as



	<i>activities at any premises (excluding any activity described as a "waste activity" but including any activity described as a "waste facility").</i>	integrated development under this Section.
	<i>Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
<i>Roads Act 1993</i>	<i>Consent to: (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Rural Fires Act 1997</i>	<i>Authorisation under section 100b in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Water Management Act 2000</i>	<i>Water use approval, water management work approval or activity approval under part 3 of chapter 3</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.

## 6.2 State Environmental Planning Policies

Development consent is required for the proposed development under the provisions of the Environmental Planning and Assessment Act 1979.

The State Planning Controls applicable to this site, as listed by the NSW Planning Portal, are outlined in the table below.

**Table 4: SEPPs Applying to the Land and Proposal**

SEPP Applicability to the Proposal	
SEPP	Comments
SEPP55 – Remediation of Land	Consideration of site contamination is a statutory requirement when considering development applications. The subject site is not classified as potentially contaminated land by Council's records and there is no known knowledge of any activities listed in Table 1. Further details are discussed below.

### 6.2.1 SEPP55 – Remediation of Land

Consideration of site contamination is a statutory requirement when considering development applications. Relevant guidelines prepared under State Environmental Planning Policy No.55 (SEPP55) provide an outline of matters to be considered in this respect.

The history of land use of the subject land needs to be considered as an indicator of whether land contamination is a potential issue. Where there is no reason to suspect contamination after acting substantially in accordance with the SEPP55 Guidelines, the proposal may be processed in the usual way. However, where there is an indication that the land is, or may be, contaminated, the appropriate procedures outlined in the SEPP55 Guidelines should be followed.

The following information is provided to assist in an initial evaluation of the proposal in relation to site contamination.

**Table 5: Contaminated Land Consideration – Initial Evaluation Data**

Initial Evaluation Data	
<b>Consideration of readily available information:</b>	<b>Response</b>
a) current zoning	B3
b) permissible uses	See applicable section
c) records from previous rezonings or rezoning requests	
i. history of land uses including:	See applicable section within the SEE
ii. development applications & building applications	See applicable section within the SEE
d) aerial photo history	See applicable section within the SEE
e) property file information & site owner information	Historical information on previous development and building approvals were obtained from Council via GIPA.
f) knowledge of council staff	To be determined by Council during its initial evaluation of the proposal.
g) adjoining property information	No immediate adjoining properties, adjacent land warehouse.
h) site inspection information including photographs	Photos are provided below
<b>Checklist questions (from SEPP55 Guidelines)</b>	<b>Response</b>
a) Are there any previous contaminated land investigations available for the site? If so, what were the results?	No.
b) Is there any history of activities, as listed in Table 1 of the Guidelines, on the land, past or present?	No.
c) Was the land at any time zoned for industrial, agricultural or defence purposes?	No.
d) Is there any history of licences, past or present, regulating the use of activities listed Table 1 of Guidelines over the land?	No.
e) Are there any land use restrictions on the land relating to possible contamination (eg EPA or other authority)?	No.
f) Does site inspection data suggest a history of any activities listed in Table 1 of Guidelines?	No.
g) Is there any information concerning contamination impacts on land immediately adjacent the site that could affect the site?	No.



**Figure 14:** Site Photos (Source: SP 2020)



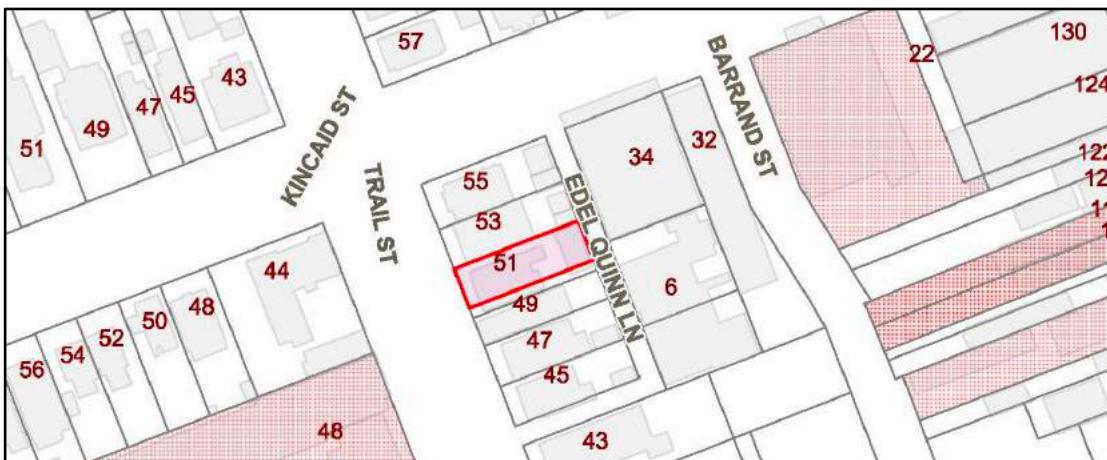
**Figure 15:** Site Photos (Source: SP 2020)



**Figure 16:** Site Photos (Source: SP 2020)

As shown in the figure below, the subject site is not listed in Council records as potentially contaminated. No potentially contaminating activities have occurred on the site according to all available historical data. A site inspection did not reveal any potential contamination issues on the site.

Based on the information available and presented in the table above, there is no reason to suspect contamination exists on the subject land. It is considered that no further investigation is required and the proposal may be considered and processed accordingly.



**Figure 17:** Potentially Contaminated Register Mapping (Source: WWCCGIS 2020)

### 6.3 Wagga Wagga Local Environmental Plan (LEP) 2010

The site is subject to the provisions of Wagga Wagga Local Environmental Plan 2010 (the LEP).

The particular aims of the LEP are:

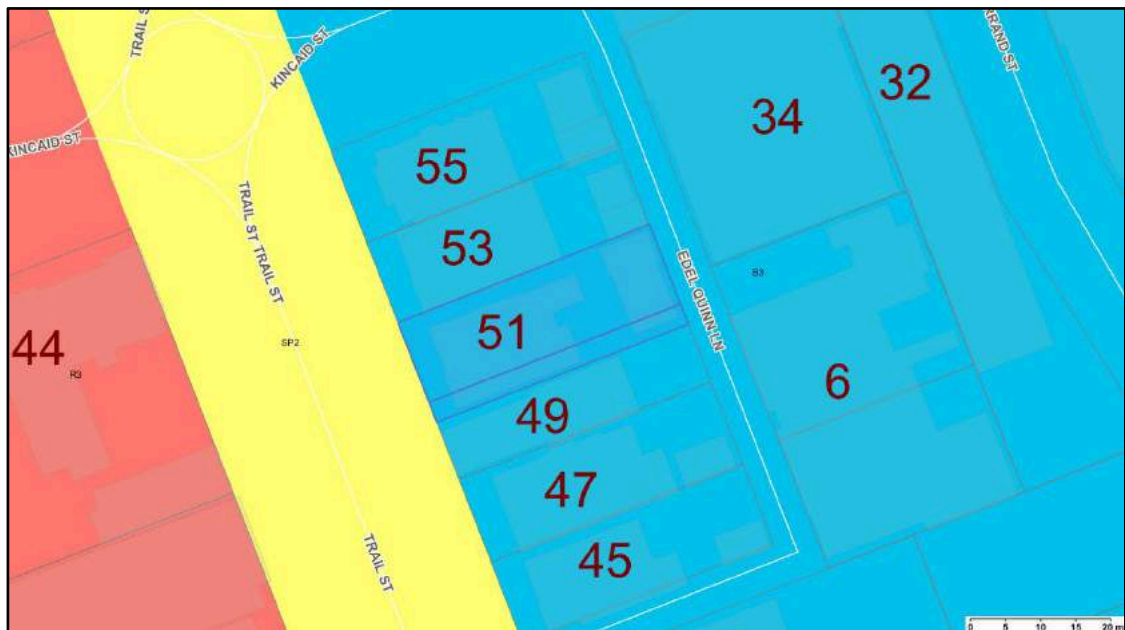
- (a) to optimise the management and use of resources and ensure that choices and opportunities in relation to those resources remain for future generations,
- (b) to promote development that is consistent with the principles of ecologically sustainable development and the management of climate change,
- (c) to promote the sustainability of the natural attributes of Wagga Wagga, avoid or minimise impacts on environmental values and protect environmentally sensitive areas,
- (d) to co-ordinate development with the provision of public infrastructure and services.

The proposal satisfies these aims providing a sustainable development on serviced and appropriately zoned land. The development will avoid impacts on environmentally sensitive areas and localities, and provide a facility for the social and economic benefit of the local and wider community.

Discussion on applicable sections of the LEP is provided below.

#### 6.3.1 Land Use Zoning

The subject land is zoned B3 Commercial Core under the provisions of the LEP, as shown in the figure below.



**Figure 18:** Land Zoning Map (Source: WWCCGIS 2020)

Land Use Table extracts for the B3 zone is provided below:

#### **Permitted without consent**

Home businesses; Home occupations; Roads

#### **Permitted with consent**

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Helipads; Hostels; 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; Self-storage units; Seniors housing; Shop top housing; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4

#### **Prohibited**

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay



accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Pond-based aquaculture; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities

### 6.3.2 Permissibility

The proposal is defined under the LEP as a recreation facility (indoor), as below:

**recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

The Zone Objectives are considered in the table below:

**Table 6: Relevant LEP 2010 Zone Objectives**

LEP 2010 – Zone B3 Commercial Core	
Objective	Comments
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.	Satisfied, the proposal will contribute to providing the needs of the local and wider community with the establishment of a swim school.
To encourage appropriate employment opportunities in accessible locations.	Satisfied, the proposal will provide employment opportunities.
To maximise public transport patronage and encourage walking and cycling.	Satisfied, the development is within close proximity to the City's public buss network and is located within a central location, encouraging walking and cycling.
To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.	Satisfied, the proposal will not change the character of the local area, with the redevelopment allowing maintenance and general upkeep to continue.

### 6.3.3 Consideration of Relevant LEP Clauses

In addition to LEP2010 clauses contained in Part 1 (Aims) and Part 2 (Permissibility) discussed above, the following other clauses have been considered in relation to this development proposal:

#### Part 3 Exempt & Complying Development

3.1 – 3.3 - Noted

#### Part 4 Principal Development Standards

4.1 – 4.2B - Not applicable  
 4.3 - Height of buildings - Applicable – see below  
 4.4 – Floor space ratio - Applicable – see below  
 4.5 – 4.6 - Not applicable

#### Part 5 Miscellaneous provisions

5.1 – 5.9 - Not applicable  
 5.10 – Heritage conservation - Applicable – see below  
 5.11 – 5.19 - Not applicable

#### Part 6 – Urban release areas

6.1 – 6.5 - Not applicable

**Part 7 – Additional Local Provisions**

7.1 – 7.1A	- Not applicable
7.2 – Flood planning	- Applicable – see below
7.3 – 7.5	- Not applicable
7.6 – Groundwater vulnerability	- Applicable – see below
7.7 – 7.8	- Not applicable
7.9 – Primacy of Zone B3 Commercial Core	- Applicable – see below
7.10 – 7.12	- Not applicable

Where indicated as applicable, the relevant clause subject matter is discussed and considered in further detail below.

**6.3.4 Height of Buildings – LEP Clause 4.3**

The site is affected by this clause. A maximum of 16 metres is permitted for the height of any proposed building. The proposal does not exceed this limit.

**6.3.5 Floor Space Ratio – LEP Clause 4.4**

The site is affected by this clause. A maximum of floor space ratio of 2:1 is permitted for any proposed building. The proposal does not exceed this limit.

**6.3.6 Heritage Conservation – LEP Clause 5.10**

The proposed development involves land and buildings located within a heritage conservation area and adjacent Listed Heritage Items. The proposal is subject to Council consideration and approval (relevant clauses 5.10(2)(a)(iii), 5.10(4) & 5.10(8)).

The objectives of this Clause are:

- (a) to conserve the environmental heritage of Wagga Wagga,
- (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.

**Heritage Conservation Area**

The adjacent land includes the following:

- I107 – Belmore House, residence
- I101 – Residence

The significance of the Listed Heritage Items is local. The front portion of the site and existing building will remain intact with refurbishment works to restore and contribute positively to the local heritage area. Works, including painting, are to be undertaken in accordance with the preliminary advice provided by Council's Heritage Advisor.

Overall, the proposal does not pose a risk to the local heritage area or identified items in the immediate vicinity. Consultation has occurred with Council's Heritage Advisor to ascertain constraints and considerations which have been incorporated into the design of the development.

**6.3.7 Flood Planning – LEP Clause 7.2**

Consideration of LEP Clause 7.2 is applicable.

The objectives of this Clause are:

- (a) to minimise the flood risk to life and property associated with the use of land,

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

The clause is relevant to the consent authority by identifying matters that it must be satisfied with in order to grant development consent.

The proposal has considered various relevant and appropriate environmental planning matters, as has been outlined and discussed in this SEE document.

**Table 7: Consideration of LEP Clause 7.2 Provisions**

Relevant 7.2 Provisions	Response
<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) will not significantly adversely affect flood behavior resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p>	<p>The available data indicates that the proposal will be compatible with the flood hazard rating of the land.</p> <p>The proposal will not change the existing ground level relating to the mapped flooding area. The development will not significantly adversely affect flood behavior, based on available information.</p> <p>The area is now protected from riverine flooding @ 1/100yr event.</p> <p>The proposal will not significantly impact the environment. The site is within the flood protected CBD area and a considerable distance from the riverine environment.</p> <p>The proposal will not generate unsustainable social and economic costs to the community, the land is within the upgraded flood levee system that has been designed to cope with flood events, including appropriate warning and evacuation procedures.</p>
(4) & (5)	Noted. There is no Flood Planning Map.

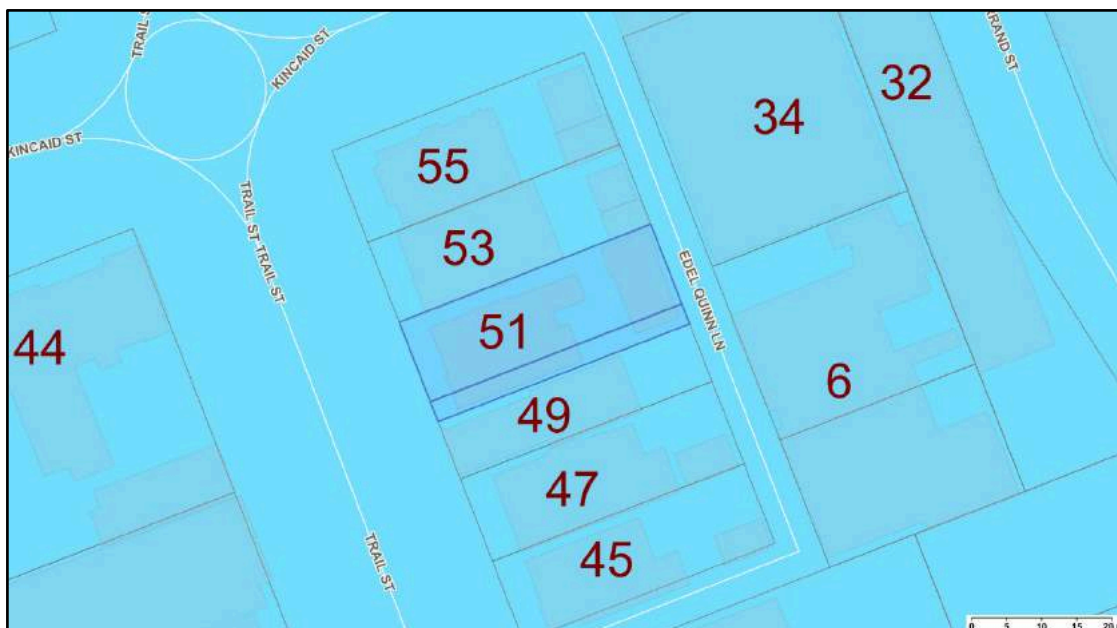
### 6.3.8 Groundwater vulnerability – LEP Clause 7.6

The objective of this Clause is:

*to protect and preserve groundwater sources.*

The clause is relevant to the consent authority by identifying matters that it must be satisfied with in order to grant development consent.

No further consideration is required at this stage.



**Figure 19:** Groundwater Sensitivity Map (Source: WWCCGIS 2020)

### 6.3.9 Primacy of Zone B3 Commercial Core – LEP Clause 7.9

The objectives of this Clause is:

(a) to maintain the primacy of Zone B3 Commercial Core as the principal business, office and retail hub of the Wagga Wagga city centre and to ensure that development does not conflict with the hierarchy of commercial centres,

(b) to strengthen Wagga Wagga's position as an eminent regional centre by creating employment opportunities for tourism, commerce, education, health care, culture and the arts.

The clause is relevant to the consent authority by identifying matters that it must be satisfied with in order to grant development consent.

The satisfies the objectives of this Clause by not conflicting with the hierarchy of commercial centres and providing an establishment for the purpose of a swim school.

## 6.4 Wagga Wagga Development Control Plan 2010 (DCP)

Sections 2, 3, 4, 5 and 10 of the Wagga Wagga Development Control Plan (DCP) 2010 are relevant to the proposed development and are considered in the Table below.

**Table 8: Relevant DCP 2010 Controls**

Section 2: Controls That Apply to All Development		
Clause	Objective/Control	Comments
<b>2.1 Vehicle Access and Movements</b>	C1: Access should be from an alternative secondary frontage or other non-arterial road where possible.	Satisfied, access and parking is proposed from the back laneway, Edel Quinn Lane.
	C2: A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.	Not required
	C3: Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.	Not Satisfied. Vehicles are proposed to enter the car parking in a forward direction, parking nose to kerb and leave by reversing, as has previously been considered and approved by Council. The historic operation of the



		<p>existing access arrangements has not posed any detrimental issues in the use of the laneway or local road and traffic network.</p> <p>The site is bound by adjoining properties, all providing rear lane access only from Edel Quinn Lane. Edel Quinn Lane is sign posted as one way with vehicles entering from Kincaid Street and exit through Trail Street. A mirror is located adjacent the proposed carparking to assist with vehicles entering and exiting the carpark/laneway.</p> <p>The proposed design maximises the total car spaces and is consistent with other surrounding parking arrangements in Edel Quinn Lane.</p> <p>The existing vehicular access arrangements are consistent with the layout and function of heritage premises within the Central Wagga Wagga Area. The narrow lot layout of typical heritage area lots make it impossible to ensure vehicles enter and leave in a forward direction, whilst maintaining the heritage character of the area. Also, in order to achieve this control would result in less carparking and be contrary to the objectives of the DCP in relation to traffic and parking in the CBD.</p> <p>A variation is requested under the circumstances.</p>
	<i>C4: Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.</i>	Satisfied, a shared zone is located within the car park, providing adequate space. The proposal does not anticipate large deliveries which will only involve the maintenance of the pool and will be scheduled accordingly.
	<i>C5: Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.</i>	Not applicable.
	<i>C6: Ensure adequate sight lines for proposed driveways.</i>	Not applicable.
<b>2.2 Off-street parking</b>	<i>Controls – parking rates</i>	A variation is requested and discussed below.
	<i>C1: Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.</i>	
	<i>C2: The design and layout of parking is to be in accordance with the relevant Australian Standard at the time of lodgement of an application.</i>	Satisfied, see accompanying plan set.
	<i>C3: Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard at the time of lodgement of an application.</i>	Satisfied, see accompanying plan set.
	<i>C4: For mixed use developments, the parking required is the total of requirements for each use. Variations can be considered where it can be demonstrated that the peak demand for each land use component is staggered or that development as a whole generates less parking than separable parts.</i>	Not applicable.

	<p><i>C5: In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by:</i></p> <p><i>a. Determining the parking requirement of the current or previous use in accordance with the table, then</i></p> <p><i>b. Determining-e the parking requirement for the new use, then</i></p> <p><i>c. Subtracting the existing requirement from the requirement for the proposed use to determine the number of spaces required (i.e. a credit is provided for any shortfall that exists on the site for the current use).</i></p>	Not applicable
	<p><i>C6: In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances:</i></p> <p><i>a. Outbuildings are proposed to be used in association with the development, or</i></p> <p><i>b. A Traffic Impact Assessment (TIA) is required by Council for the development.</i></p>	Applicable. See discussion above.
	<p><i>C7: Variations to the parking requirements may be considered where minor alterations and additions are proposed and the changes do not encroach or reduce the current off-street parking spaces.</i></p>	Not applicable. The proposal is not considered minor alterations and additions.
	<p><i>C8: A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms.</i></p>	Not applicable.
	<p><i>C9: Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m<sup>2</sup>.</i></p>	Not satisfied. Existing carparking encompasses the whole rear access area. Proposal will utilise the same footprint. It would be physically very difficult to introduce trees to the confined space available for carparking and development. There are no trees present with the current carport parking arrangements. A variation is requested under the circumstances discussed.
	<p><i>C10: Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.</i></p>	Not applicable.
	<p><i>C11: To ensure sightlines are maintained for drivers and pedestrians, trees used within or adjacent to car parking areas shall have a minimum clear trunk height of 2.5m, with shrubs and ground covers not to exceed 500mm in height.</i></p>	Not applicable.
<b>2.3 Landscaping</b>	<p><i>Landscape design</i></p> <p><i>C1-C6:</i></p>	Not inconsistent, landscaping is existing at the front of the site and will be embellished.
<b>2.4 Signage</b>	<p><i>General controls for signage and structures</i></p> <p><i>C1 – C11:</i></p>	Not applicable. No signage is included with this application.
<b>2.5 Safety and security</b>	<p><i>C1: Use good site planning to clearly define public, semi-public and private areas.</i></p>	Satisfied.
	<p><i>C2: Entries are to be clearly visible and identifiable from the street, and</i></p>	Not inconsistent. The office reception is located at the front of the swim school.

	are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.	
	C3: Minimise blank walls along street frontages.	Not applicable.
	C4: Avoid areas of potential concealment and 'blind' corners	Satisfied. The proposal involves the removal of the carport and garage, removing concealment and 'blind' corners.
	C5: Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	Satisfied.
	C6: Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	Satisfied.
	C7: Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility	Satisfied.
	C8: Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	Not applicable.
<b>2.6 Erosion and Sediment Control Principles</b>	O1: Protect the environment against soil erosion and loss of soil from construction sites	Satisfied. Details to be provided at CC stage.
	O2: Prevent the degradation of drainage systems, waterways and aquatic environments from deposition of soil and foreign material from construction sites.	Satisfied.
	O3: Prevent flood damage of individual properties caused by sediment reducing the flow capacity of the stormwater drainage system.	Satisfied.
	O4: Promote the implementation of erosion and sediment control measures by persons undertaking construction and earthworks activities to prevent the loss of soil from the site.	Satisfied. Details to be provided at CC stage.
<b>2.7 Development adjoining open space</b>	C1-C4:	Not applicable.
<b>Section 3: Heritage Conservation</b>		
<b>Clause</b>	<b>Objective/Control</b>	<b>Comments</b>
<b>3.2.4 – Development in the vicinity of a heritage item</b>	C1: Alterations and additions to the buildings and structure, and new development are to be designed to respect and compliment the heritage item in terms of building envelope, proportions, materials, colours, finishes and building street alignment.	Satisfied, the proposal will respect and compliment the heritage conservation area and will not substantially protrude from behind.
	C2: Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by: a) Providing an adequate area around the heritage item to allow its interpretation. b) Retaining original or significant landscaping associated with the heritage item.	Satisfied, the proposal will retain the existing front façade and landscaping and will not draw attention away from the heritage items.

	<p>c) <i>Protecting and allowing the interpretation of archaeological features associated with the heritage item.</i></p> <p>d) <i>Retaining and respecting significant views to and from the heritage item.</i></p>	
<b>3.3.1 Fitzmaurice commercial precinct</b>	<p><b>Facade treatment</b></p> <p>C1: <i>Retain original elements and features, including features that are above awning level</i></p>	Satisfied, the original front of the building is not to be demolished.
	C2: <i>Where original shopfronts, verandas or awnings have been altered, the replacement is to be based on historic information and/or the interpretation of period details.</i>	Not applicable.
	C3: <i>Infilling original verandas is not supported.</i>	Not applicable.
	C4: <i>Additional storeys can be considered if set well behind the front building line and designed to not impact detrimentally on the contribution of the original facade to the streetscape. Service elements (solar panels, solar heating, antennas, satellite dishes and air conditioning units) to be placed to the rear of the properties, preferably not visible from the street, or on rear outbuildings.</i>	Satisfied, no additional storeys are proposed. Service elements such as the existing air conditioning units are set away from the front of the building and will be screened with soft greenery to become less visible to the street and improving the streetscape.
	C5: <i>Rendering or painting face brick is generally not supported.</i>	The existing fence and small portion of front facade is proposed to be repainted as maintenance is required. These elements were originally painted and the paint colour selected will be in accordance with preliminary heritage advice. Repainting will be an improvement to the property's appearance and streetscape. Colours selected include Haymes Heritage Palette Dark Admiralty Grey 4028 and Athens Grey 4029 .
	<p><b>Infill development</b></p> <p>C1: <i>Design infill and replacement buildings to reflect the general historic character of the precinct and nearby characteristic and heritage buildings.</i></p>	Satisfied, the original building is not proposed to be replaced.
	C2: <i>Maintain a two storey building height at the street frontage, constructed with a nil setback.</i>	Not applicable.
	C3: <i>Where sites are amalgamated use articulation to reflect the former subdivision pattern</i>	Not applicable.
	C4: <i>Maintain a balance of solid area over void. Large areas of plate glass curtain walls are generally not suitable and will not be supported.</i>	Not applicable.
	C5: <i>Use awnings and verandahs to reduce the bulk and scale of buildings</i>	Satisfied, as existing.
	C6: <i>Use of articulation in facades such as string courses, cornices, pilasters and other features that break up the scale of facades is encouraged.</i>	Satisfied, as existing.
	C7: <i>Painting of facades in corporate colours is not supported and corporate identity should be established through appropriate signage.</i>	Satisfied, no additional painting is proposed, other than as described above.
	<p><b>Colour schemes</b></p> <p>C1: <i>Colour schemes are to reflect the period and detail of the building, particularly where a building is identified as a streetscape reference</i></p>	Satisfied, the proposed colour is Haymes Heritage Palette Dark Admiralty Grey 4028 and Athens Grey 4029 .



	<i>building or contributes to the character of the conservation area.</i>	
<b>3.3.2 Residential precinct</b>	<i>Alterations and additions C1: Design new work to complement the style and period of the building in terms of style, scale, form, roof form and materials. New works can be a modern interpretation and do not need to strictly follow the original style.</i>	Satisfied, the proposal has considered the existing form and so the proposed does not draw attention away from the existing character of the local area.
	<i>C2: Alterations should generally be to the rear of the property. Alterations to the side can be considered where side setbacks are sufficient.</i>	Satisfied.
	<i>C3: Additions are to retain, and be subservient in form and scale, to the primary form of the building.</i>	Not inconsistent. The removal of rear dilapidated sections of the existing building and outbuildings. To be replaced with purpose designed covered swimming pool area.
	<i>C4: New work is to be below the main ridge height of the building, and be articulated from the primary form by setbacks in the walls and height of the roof. Maintain a descending scale to the rear.</i>	Satisfied.
	<i>C5: Use vertically proportioned windows.</i>	Not applicable.
	<i>C6: Select materials to complement the period and style of the building and the conservation area. Use compatible, but not necessarily matching materials – modern materials may be appropriate</i>	Satisfied.
<b>Section 4: Environmental Hazards and Management</b>		
<b>Clause</b>	<b>Objective/Control</b>	<b>Comments</b>
<b>Development within Central Business Area (Protected by levee)</b>	<i>C3: Development in the Central Wagga precinct (being the area protected by levees) is to comply with the provisions of Table 4.2.1.</i>	Not applicable.
<b>Section 5: Natural Resource and Landscape Management</b>		
<b>Clause</b>	<b>Objective/Control</b>	<b>Comments</b>
<b>5.4 Environmentally sensitive land</b>	<i>Natural Resources Sensitivity – groundwater C12: An application for development consent on land identified as a "Sensitive area" on the Natural Resources Sensitivity Map – Water, for development specified in Clause 7.6 (4) of the LEP, shall be accompanied by a report or documentation that: (a) addresses potential impacts upon: i) existing groundwater sources, and ii) future extraction from groundwater sources for domestic and stock water supplies. (b) demonstrates that the development is designed to prevent adverse environmental impacts, including exacerbation of salinity and the risk of contamination of groundwater sources from on-site storage or disposal facilities.</i>	Satisfied, as previously discussed.
	<i>C13: The construction of septic systems should be consistent with the "Environment and Health Protection Guidelines – On-site Sewerage Management for Single Households", 1998.</i>	Not applicable.
<b>Section 10: Business Development</b>		
<b>Clause</b>	<b>Objective/Control</b>	<b>Comments</b>
<b>10.1 City Centre</b>	<i>Fitzmaurice Street Precinct</i>	Satisfied.

	C1: Comply with the requirements of Section 3.3.1 of the DCP	
	C2-C4:	Not applicable.

## 6.5 Other Relevant s4.15 Matters for Consideration

- *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.....:*

There are no known proposed instruments applicable to the development proposal.

- *any planning agreement ....:*

There are no known planning agreements applicable to the development proposal.

- *the suitability of the site for the development...:*

Based on the above discussion, the site is considered suitable for the development.

- *any submissions ....:*

Council will undertake appropriate public consultation and consider any submissions accordingly.

- *the public interest ...:*

The public interest is supported with this application as the proposal is in accordance with the publicly endorsed planning policies and guidelines to ensure compatible and sustainable development on this site and within the future desired character of the locality.

## 7 ENVIRONMENTAL IMPACT ASSESSMENT

### 7.1 Site and Locality Analysis

The subject site is located on the eastern side of Trail Street.

The subject site is 684.7m<sup>2</sup> in area and contains an existing dwelling, carport and garage.



**Figure 20:** Photo of Site (Source: SP 2020)

The site has existing access to Edel Quinn Lane, as shown in the figure below, with a frontage of 15.2m to Trail Street. The access arrangements for the site will remain as existing.



**Figure 21:** Extract from Site Analysis Plan (Source: SP 2020)

## 7.2 Bushfire

The subject land is not classed as Bushfire Prone Land.



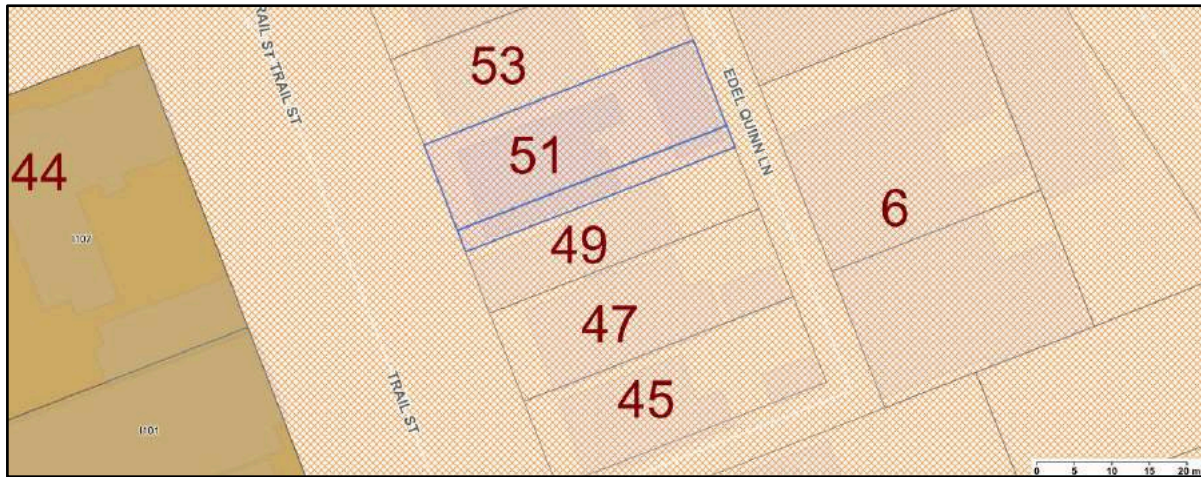
### 7.3 Flora and Fauna

The subject site has little vegetation in the form of landscaping on the land. The proposal does not require the removal of any trees.

No endangered species have been sighted near the proposed development, as per the Office of Environment and Heritage Wildlife Atlas.

### 7.4 Heritage Conservation

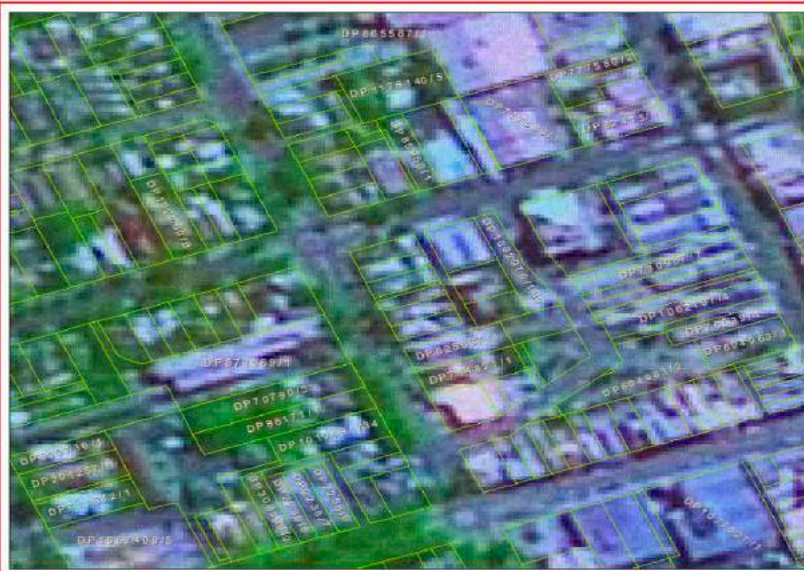
There are no known items of heritage significance on the site. The site is located within a heritage conservation area and within close proximity to local heritage items as shown below.



**Figure 22:** Heritage Items and Conservation Area Map (Source: WWCCGIS 2020)

AHIMS Web Service search for the following area at Lot : 1, DP:DP937208 with a Buffer of 200 meters, conducted by Rhiana Reardon on 16 June 2020.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

- 0 Aboriginal sites are recorded in or near the above location.
- 0 Aboriginal places have been declared in or near the above location. \*

**Figure 23:** AHIMS Search Extract (Source: OEH 2020)



An AHIMS search extract is shown above, which confirms that within 200m of the site, there are no aboriginal sites recorded or declared places.

In accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW2010)*, generic due diligence process, the following information is provided:

*Will the activity disturb the ground surface or any culturally modified trees?*

- Yes, the development proposed will disturb the ground surface, however will have no impact on any known culturally modified trees.

*Are there any:*

*a) relevant confirmed site records or other associated landscape feature information on AHIMS?*

- No (see AHIMS search as discussed above).

*b) any other sources of information of which a person is already aware?*

- No, there are no other known sources of information as determined via Council records and information available to the applicant.

*c) landscape features that are likely to indicate presence of Aboriginal objects?*

- There are no landscape features in the locality that would indicate the presence of Aboriginal objects.

It is considered that all due diligence requirements have been fulfilled. An Aboriginal Heritage Impact Permit (AHIP) application is considered to be unnecessary. The development will proceed with caution. If any Aboriginal objects are found, work will be stopped and relevant authorities notified. If human remains are found, work will be stopped, the site will be secured and Police and other relevant authorities notified accordingly.

## 7.5 Statement of Environmental Effects Summary Table

**Table 9: Statement of Environmental Effects**

Proposed Indoor Recreation Facility – Trail Street, Wagga Wagga			
Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Context & Setting	Minimal	Visual observation, site and locality analysis	Appreciation of local character, quality design
Access & Traffic	Minimal	Development data, site plans, client information, TIA	Development in accordance with applicable standards and policies. Implementation of TIA recommendations.
Infrastructure	Minimal	Analysis of existing infrastructure and provisions.	Connection to existing services in accordance with the requirements of servicing authorities and applicable standards.
Heritage	Minimal	Local and State policy, local studies.	Design considerations with respect to the conservation area and local character
Archaeology	Nil	Local and State policy, local studies.	Due diligence procedures. Proceed with caution and notify any authorities if any artifacts are found.
Land Resources	Nil	Local knowledge, site records	Appropriate mitigation measures implemented as necessary.
Soils	Minimal	Local records, investigation and available history	Appropriate mitigation measures implemented as necessary.

Proposed Indoor Recreation Facility – Trail Street, Wagga Wagga			
Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Air & Microclimate	Minimal	Local knowledge	Appropriate mitigation measures implemented as necessary.
Flora & Fauna	Nil	Local knowledge, available data.	Not applicable, existing site.
Waste	Minimal	Development proposal information.	Waste disposed of in accordance with legislative guidelines.
Noise	Negligible	Local conditions, NIA	Implement recommendations of NIA. Operations will be in accordance with legislative guidelines.
Natural Hazards	Negligible	Local records.	Minor overland flooding over carpark. Site conditions as existing including building floor levels to remain.
Social Impact	Positive	Local policy and knowledge	Not applicable.
Economic Development	Positive	Local records and available history	Not applicable
Design	Positive	Visual assessment. Local policy and knowledge	Site layout and building design, appreciation of local character.
Construction	Minimal	Visual assessment. Local knowledge	Appropriate measures and standards implemented as necessary.

## 8 CONCLUSION

The proposed indoor recreation facility on the subject land has been considered in respect of current policy and environmental conditions. It is considered the proposal is justified and permissible, for the following reasons:

- Satisfies State Environmental Planning Policy provisions relevant to the proposal;
- Is permissible under the relevant provisions of the Wagga Wagga Local Environmental Plan 2010 and meets the objectives of the zone, where applicable;
- Satisfies and complies with the relevant provisions of the Wagga Wagga Development Control Plan 2010, where applicable and any variations are justified, including the following variations:
  - CI 2.1 C3 – vehicles entering and leaving
  - CI 2.2 C1 – parking rates
  - CI 2.2 C9 – trees;
- Will not have an adverse impact on the environment, as discussed in the Statement of Environmental Effects above.

The proposal is submitted to Council for consideration.

**20025: Document History**

Revision No.	Date	Authorised By		
		Name/Position	Signature	Notes
Rev 1.0 – Draft	16/06/2020	Rhiana Reardon Assistant Planner	RR	Preliminary draft for internal review
Rev 1.1 – Edited Draft	26/6/20	Garry Salvestro Director	GS	Internal review prior lodgement
Rev 2.0 – Final	26/6/20	Rhiana Reardon Assistant Planner	RR	Issued for client review and DA lodgement
Rev 2.1 – Edited	10/07/20	Rhiana Reardon Assistant Planner	RR	RFI addressing amended plans, materials and colours, front fence and façade, CI 2.1 C3, CI 2.2 C9, Section 3.3.1, use of existing building, operational details and parking justification.
Rev 2.2 – edited	01/09/2020	Rhiana Reardon Assistant Planner	RR	Amended plans, sections 4.3, 4.4.4, 4.4.5, and 6.4 section 3.

**This report is prepared by****Salvestro Planning**

16 Fitzmaurice Street

PO Box 783

WAGGA WAGGA NSW 2650

Telephone: (02) 6921 8588

Facsimile: (02) 6921 8388

Email: [admin@salvestroplanning.com.au](mailto:admin@salvestroplanning.com.au)Website: [www.salvestroplanning.com.au](http://www.salvestroplanning.com.au)**Disclaimer**

While every reasonable effort has been made to ensure that this document is correct at the time of printing, Salvestro Planning and its employees make no representation, undertake no duty and accept no responsibility to any third party who use or rely upon this document or the information contained in it.

© **Salvestro Planning 2020**