

JRPP No.	Item (2010SYW082)
DA No:	JRPP-10-2502
Proposed Development:	Stage 1 Redevelopment of Blacktown Showground and Francis Park for a new recreation precinct
Location:	Lot 2, DP 518730, Lot 2, DP 161045, Lot 332 DP 135757 and Lot 1, DP 853089, H/N 46 Richmond Road, Blacktown
Lodgment Date:	12 November 2010
Land Zoning:	The subject site is zoned 6(a) Open Space – Public Recreation pursuant to the provisions of Blacktown Local Environmental Plan (BLEP) 1988. The proposed development, being for “community facilities” and “recreation areas”, is permissible in the zone with the development consent of the Sydney West Joint Regional Planning Panel.
Value Of Development:	\$12 million
Applicant:	Blacktown City Council
Report Author:	Sara Smith, Assistant Team Leader
Instructing Officers:	Judith Portelli, Manager Development Services & Administration and Glennys James, Director City Strategy & Development
Date Submitted to JRPP:	7 July 2011

Assessment Report and Recommendation



Aerial perspective of the proposed development – all 3 stages of Masterplan

ASSESSMENT REPORT

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Attachment 1 - Draft Conditions of Consent

Attachment 2 - Development Application Plans

Attachment 3 - Copy of Masterplan for the Precinct

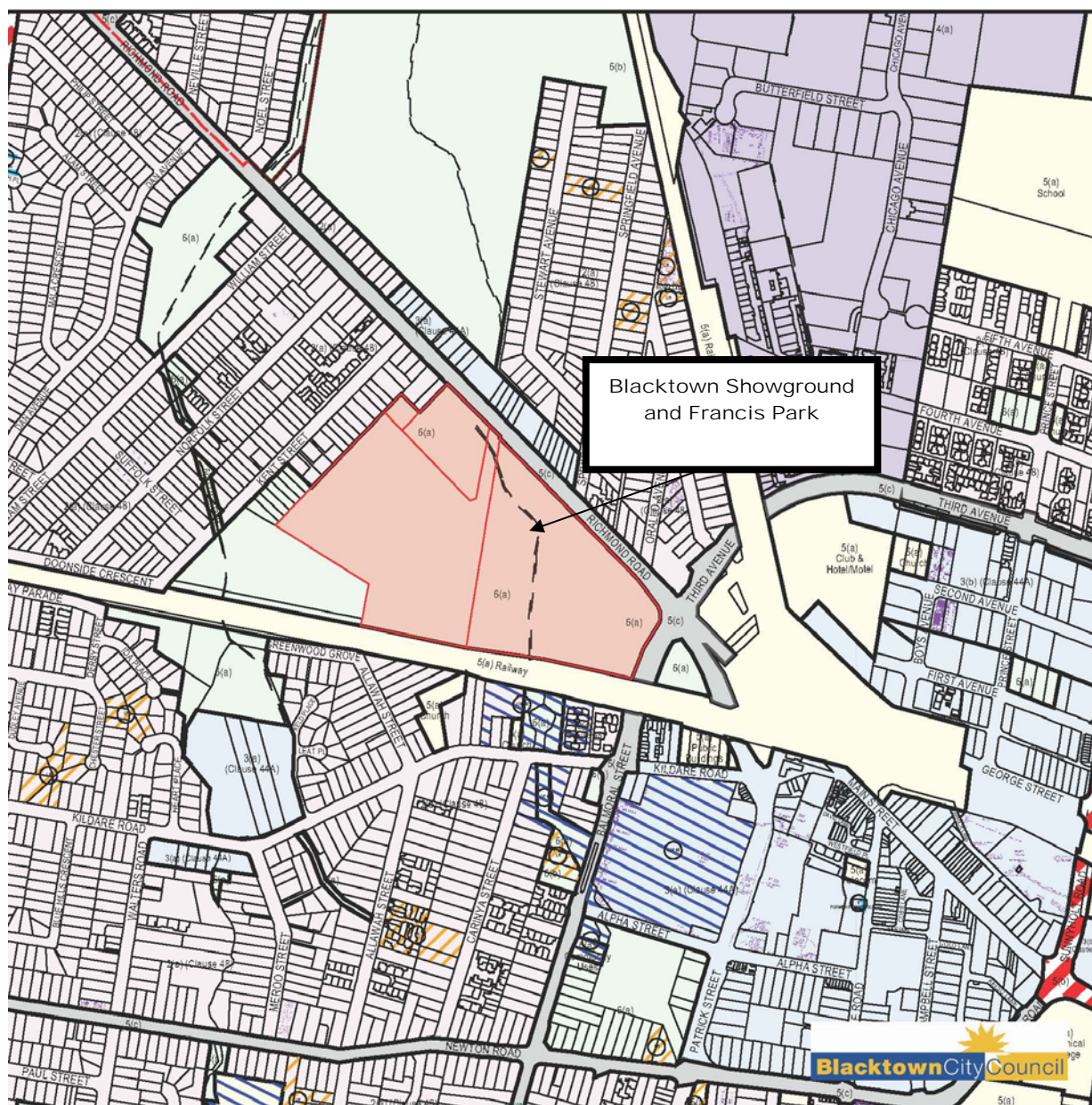
Attachment 4 - Copy of the Land and Property Management Authority Letter

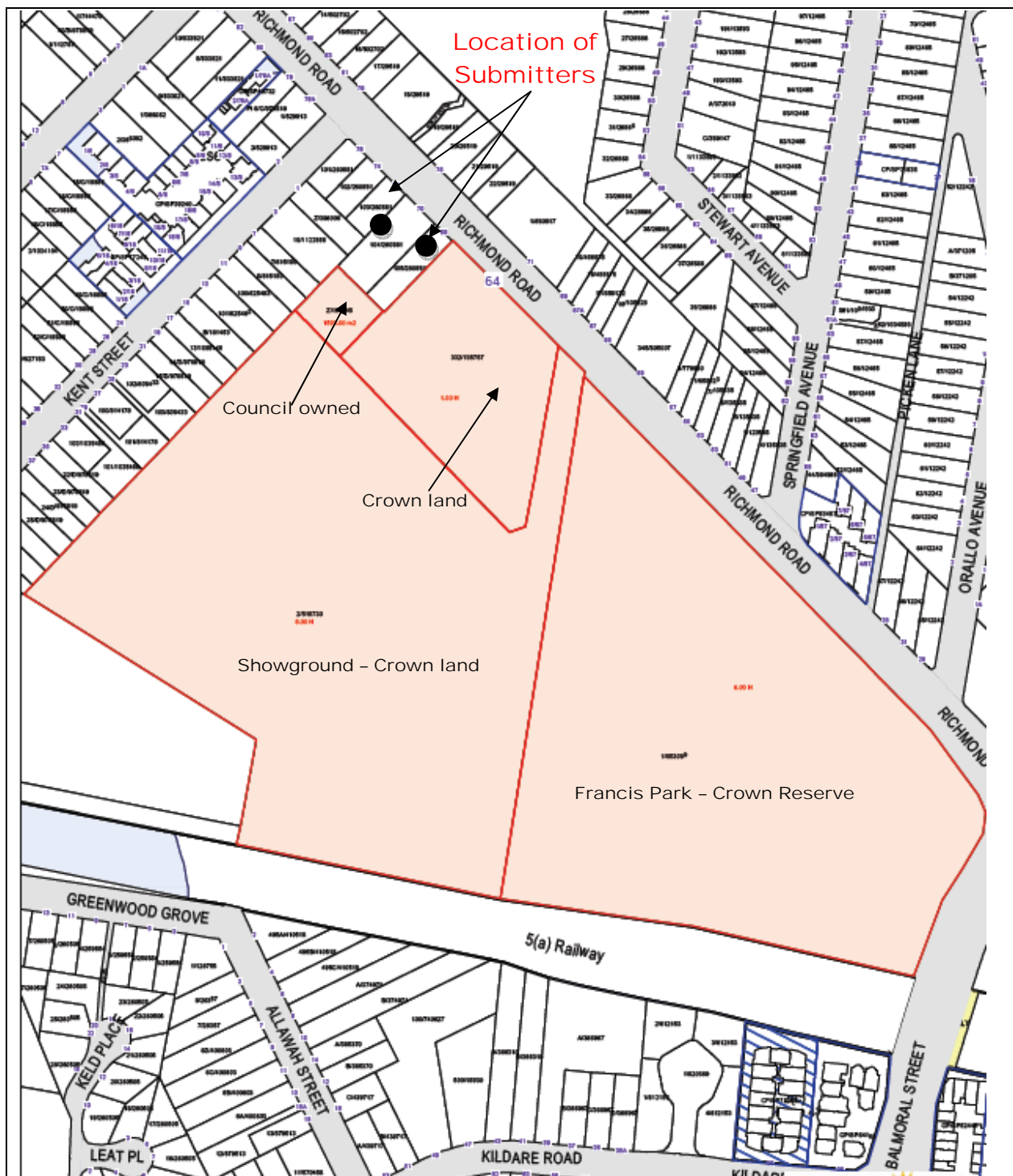
1 Executive Summary

- 1.1 Council is in receipt of Development Application JRPP-10-2502 from Blacktown City Council for land at 46 Richmond Road, Blacktown, being the existing Blacktown Showground and Francis Park recreation area.
- 1.2 The proposed development is for Stage 1 of the redevelopment project in accordance with the approved master plan and funding strategy endorsed by Council. The Stage 1 development will generally occupy the area of Francis Park Ovals No. 1 and No. 2 and the entrance and carpark areas of the Showground. The facilities proposed in this stage consist of:
 - (a) Outdoor play areas, picnic facilities and recreation areas
 - (b) Wetland features and embellishment of the existing creek line
 - (c) Water play features
 - (d) New signalised access, internal roads and pathways, carparks and a bus drop off area
 - (e) Central paved plaza and paved pedestrian esplanade
 - (f) Replacement stables
 - (g) Landscaping
 - (h) Community garden
 - (i) Lighting, fencing and signage
 - (j) Cafe in the central plaza
- 1.3 Stage 1 involves the demolition of the amenity buildings located at Francis Park Ovals No. 1 and No. 2. All other buildings will remain. The proposal does not include the redevelopment of the showground arena or buildings on the site known as the Showroom, the Studio and the Workshop; these will be subject to future Development Applications.
- 1.4 The subject site is zoned 6(a) Open Space – Public Recreation pursuant to Blacktown Local Environmental Plan 1988. “Community facilities” and “recreation areas” are permissible forms of development with consent within the 6(a) Open Space – Public Recreation Zone. The redevelopment of Blacktown Showground and Francis Park is permissible with the consent of the Sydney West Joint Regional Planning Panel.
- 1.5 The proposed development was notified for a period of 21 days between 24 November 2010 and 21 December 2010. During this period 3 submissions were received. The issues raised in the submissions are addressed in detail in Section 9 of this report.
- 1.6 The Application was referred to relevant external bodies for comment, including NSW Office of Water, NSW Police Service, Roads and Traffic Authority, RailCorp, Land and Property Management Authority and the Local Heritage Groups. No objections were raised to the proposal from the external bodies subject to the imposition of conditions of consent.
- 1.7 The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979 and is considered satisfactory. Accordingly, approval is recommended and draft conditions of consent are provided at Attachment 1.

2 Location

2.1 The site is shown on the location plans below, with the relevant ownership arrangements annotated on the second plan.





- 2.2 The site is located within an established residential area of Blacktown with direct street frontage to Richmond Road and Balmoral Street. The site is surrounded by residential dwellings to the north and east, with commercial uses on the opposite side of Richmond Road and adjoins the western railway line to the south. The Blacktown Bus/Rail Interchange is located approximately 320m from this recreation precinct.
- 2.3 The site enjoys vehicular access to Richmond Road with access to the regional road network of the Great Western Highway, M4 and M7 Motorways via Third Avenue/Balmoral Street through the Blacktown CBD.

3 Site Description and Locality

- 3.1 The subject site is known as Blacktown Showground and Francis Park, Richmond Road, Blacktown and includes Lot 2, DP 518730, Lot Z, DP 161045, Lot 332 DP 135757 and Lot 1 DP 853089.



Aerial photo of Blacktown Showground Site

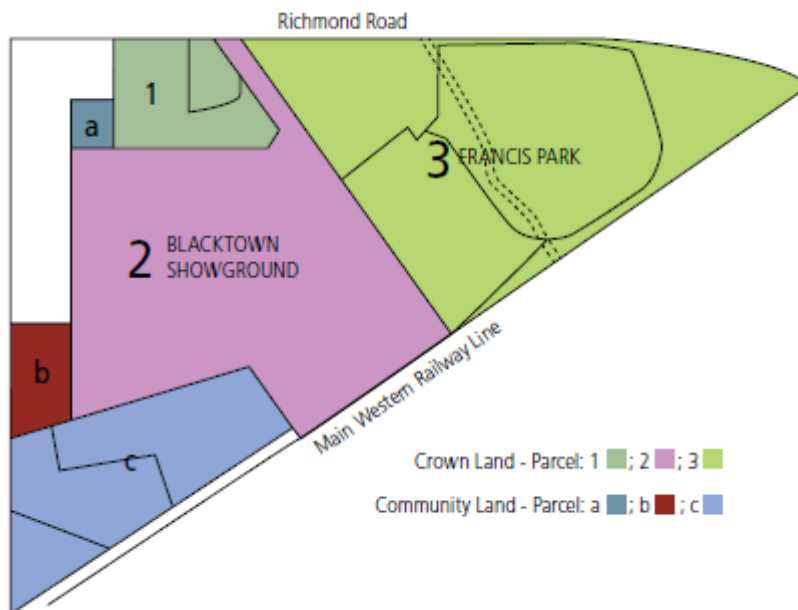
- 3.2 The site has an area of 14.4 hectares, a frontage to Richmond Road of 480 metres and to Balmoral Street of 120 metres.
- 3.3 The site is currently utilised as the Blacktown Showground and Francis Park, where the site currently includes the provision of ovals, trotting tracks, soccer fields, car parking and stables.

3.4 The site is not nominated as a heritage item within Blacktown Local Environmental Plan 1988.

4 Background and Current Use of the Site

4.1 The site has an extensive history of DAs which, over the years, have improved the facilities provided on the site including the provision of clubhouses, soccer fields and lighting.

4.2 The Blacktown Showground and the adjoining Francis Park covers an area of 17.64 hectares bounded by Richmond Road, the Great Western Railway Line, Kent Street and Balmoral Street. The site adjoins the Blacktown Central Business District and comprises 3 parcels of Crown Land and 3 parcels of Community Land. The figure below details the ownership of the site.



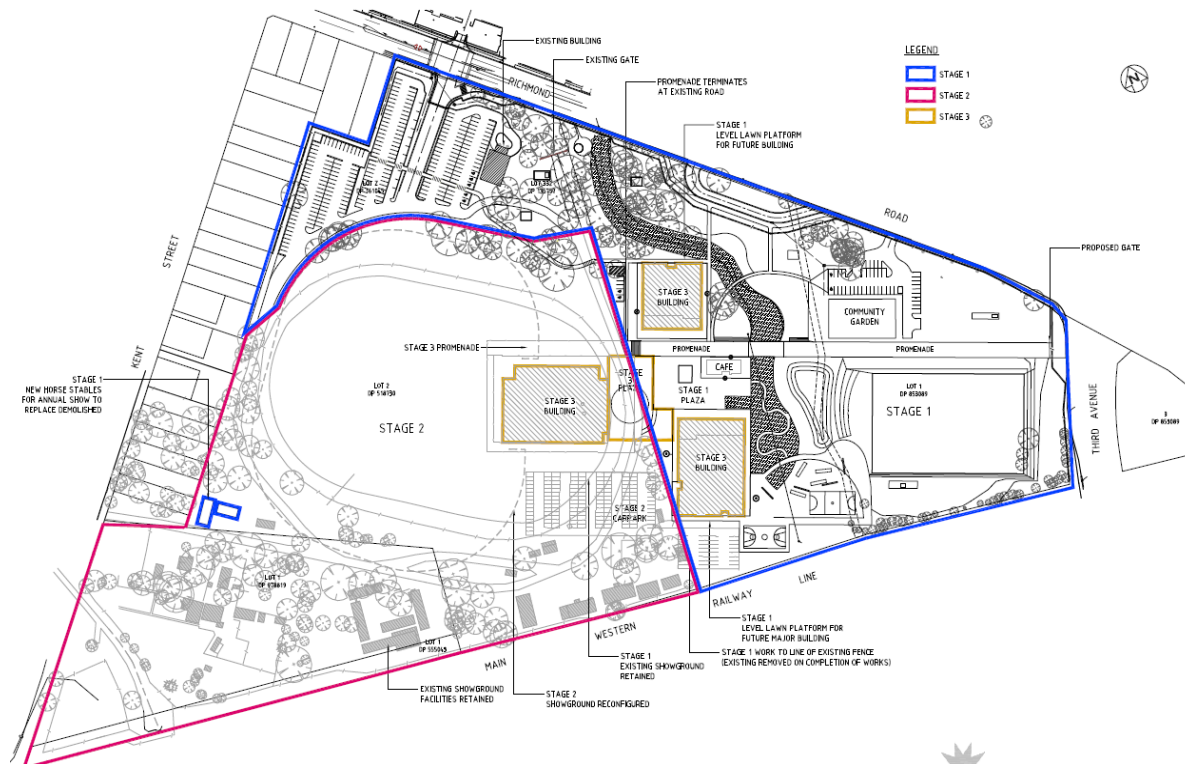
4.3 The title history of each of the parcels is outlined as follows:

- (a) **Parcel 1 – Lot 332 in DP 752051:** This portion of land was passed into the care and control of Blacktown Council by way of Crown Grant on 6 January 1931. The grant was upon the trust for the use of land and the right states. “the site for showground (addition) and for no other use, trust, or purpose whatsoever”. This land has an area of 1.257 hectares. It is managed by the Blacktown Showground Reserve Trust which is controlled by Blacktown Council.
- (b) **Parcel 2 – Blacktown Showground – Lot 2 in DP 518730:** This area is commonly referred to as the “Blacktown Showground” and was dedicated as the showground of Blacktown on 16 December 1927. A grant was made to the trustees of the Blacktown and District Agricultural Society, by way of trust, to use the land as a “showground for the use and general purposes of the Blacktown and District Agricultural Society”. This land has an area of 6.834 hectares. It is managed by the Blacktown Showground Reserve Trust which is controlled by Blacktown Council.
- (c) **Parcel 3 – Francis Park – Lot 1 in DP 853089:** This land is a Crown Reserve for public recreation which is managed by the Francis Park Trust which is controlled by Blacktown Council. The land has an area of 6.154 hectares.

- (d) **Parcel 'a' – Lot Z in DP 161045:** This parcel of land has an area of 1,593sq.m. It was purchased by Council as freehold on 17 June 1964. The sale was effected with the consent of the Minister of Agriculture by virtue of Section 7 of the Trustees of Showgrounds Enabling Act 1909.
 - (e) **Parcel 'b' – Lot D in DP 978819:** This parcel of land has an area of 4,417sq.m. Council obtained this land by way of a freehold conveyance on 17 June 1964. The transfer was a conveyance of the freehold to which the Minister's consent was obtained.
 - (f) **Parcel 'c' – Lot E in DP 978819:** This parcel of land has an area of 2.094 hectares. Council obtained this land at the same time as Lot D in the same deed of conveyance.
- 4.4 The properties in 'a', 'b', and 'c' were transferred in 'fee simple' to Council by virtue of Section 7 of the Trustees of Showgrounds Enabling Act 1909 whereby the land was sold in fee simple to Council on or about 29 July 1964. Furthermore, consent was given by the Minister of Agriculture at the time to the sale. All 3 parcels were classified as "Community Land" at the time the Local Government (Community Lands) Act 1993 was introduced.
- 4.4 The site is currently used for community events and largely active recreation purposes. The Showground site is utilised for monthly gymkhana meetings and the annual Blacktown Show, while the existing buildings are utilised by community groups. The Francis Park site currently comprises 2 active playing fields. The easternmost field was utilised for Rugby League and Little Athletics, however Blacktown Rugby League had been relocated to Bungarabee Creek Reserve in Blacktown 2 years ago and Little Athletics have completed their final season at Francis Park and will be relocated to a new venue at Cornucopia Reserve in Glenwood. The westernmost field is currently occupied by the Blacktown District Soccer Football Association, who after completing the current season in September 2011 will be relocated to a new facility under construction at Eastern Road, Doonside. Following consultation with all sporting bodies, Council resolved in November 2010 to formalise all relocations as part of the planning process for the Blacktown Showground redevelopment.

5 The Proposal

- 5.1 Approval is sought by Blacktown City Council for the Stage 1 redevelopment of the Blacktown Showground site.
- 5.2 The staging plan for the redevelopment of the site is shown on the plan below.



- 5.3 Details of the proposal are as follows:

- (a) The proposed development is for Stage 1 of the project in accordance with the approved master plan and funding strategy endorsed by Council. The Stage 1 development will generally occupy the area of Francis Park Ovals No. 1 and No. 2 and the entrance and carpark areas of the Showground.
- (b) The facilities proposed in Stage 1 consist of:
 - (i) Outdoor play areas, picnic facilities and recreation areas
 - (ii) Wetland features and embellishment of the existing creek line
 - (iii) Water play features
 - (iv) New signalised access, internal roads and pathways, carparks and a bus drop off area
 - (v) Central paved plaza and paved pedestrian esplanade
 - (vi) Replacement stables
 - (vii) Landscaping
 - (viii) Community garden
 - (ix) Lighting, fencing and signage
 - (x) Cafe in the central plaza

- 5.4 Stage 1 involves the demolition of the amenity buildings located at Francis Park Ovals No. 1 and No. 2. All other buildings will remain on the site.

- 5.5 The proposal does not include the redevelopment of the showground arena, trotting track or buildings on the site known as the Showroom, the Studio and the Workshop; these will be subject to future Development Applications.
- 5.6 The Development Application Plans are contained within **Attachment 2**.

6 Planning Controls

6.1 The planning controls that relate to the proposed development are provided within:

- (a) Blacktown Local Environmental Plan 1988
- (b) Blacktown Development Control Plan 2006

6.2 An assessment of the proposed development under the relevant planning controls is provided below:

(a) **Blacktown Local Environmental Plan 1988**

The land is zoned 6(a) Open Space – Public Recreation under the provisions of Blacktown Local Environmental Plan (BLEP) 1988.

The proposal is defined as “community facilities” and “recreation areas” which are permissible forms of development within the applicable zone subject to development consent.

Clause 9(3) of the LEP requires that development is to be *generally consistent with* one or more of the following objectives of the 6(a) Open Space zone:

- “(a) To ensure there is provision of adequate local open space areas to meet the needs of all residents and provide opportunities to enhance the total environmental quality of the City of Blacktown;*
- (b) To identify land which is now owned by the council or which will either be acquired by the council or dedicated as a condition of development consent or subdivision approval to the council for local open space and public recreation purposes; and*
- (c) To identify certain land which is owned by the Crown and under the care, control and management of the council as public open space.”*

The proposed redevelopment of the Blacktown Showground site is considered to be consistent with the objectives of the zone as the site will provide an enhanced area of open space for all residents of the City of Blacktown by providing a wide range of facilities including a community garden, basketball courts, a plaza area and BBQ facilities.

It is therefore considered that the development is consistent with the zone objectives and is therefore a permissible land use with the approval of the consent authority.

(b) **Blacktown Development Control Plan 2006**

The proposed development is subject to the requirements contained in Blacktown Development Control Plan (BDCP) 2006. In this regard the following part of the DCP is applicable to the assessment of the Application:

- Part A Introduction and General Guidelines

The proposal's compliance with the DCP is discussed in detail under Section 11 of this report. The proposal is fully compliant with the provisions of Blacktown Development Control Plan 2006 Part A.

(c) **Blacktown Showground Masterplan**

In 2004 a draft Plan of Management for the site established the elements for Council's long-term vision to improve the existing facilities and image of the Showground site. In 2005 Root Projects Australia Pty Ltd and Tonkin Zulaikha Greer Architects were commissioned to prepare an Urban Design Masterplan for the site to refine this vision and provide robust and achievable outcomes for its implementation in 3 stages over a number of years. A Masterplan Design Report was adopted by Council in 2008 which provided for the redevelopment of the site in 3 stages.

A Masterplan Design Report was adopted by Council in June 2010 to develop the Showground and Francis Park precinct into a regional recreation, events and cultural precinct. The first stage proposes to establish all the recreational elements and supporting services that will enable the remaining buildings identified in Stages 2 and 3 to proceed when funds become available. The Stage 1 Development Application is designed to provide a range of recreational facilities to serve various sections of the community. These include passive open space and a wetland, water play areas and playgrounds, hard court activity areas, walking, cycling and jogging tracks. A copy of the Masterplan is included at **Attachment 3**.

(d) **Aboriginal Land Claim**

The Land and Property Management Authority (LPMA) has informed Council of the existence of an Aboriginal Land Claim on the site lodged by the Deerubbin Local Aboriginal Land Council. Advice from the Land and Property Management Authority advises that the Development Application can proceed whilst the land claim is being resolved. In addition, Council has been advised that the Claim will be withdrawn, however written confirmation has not yet been received. A copy of the LPMA letter is included at **Attachment 4** to this report.

7 External Referrals

7.1 The subject Development Application was referred to the following agencies as summarised in the table below:

Agency	Comments
Roads and Traffic Authority (RTA)	<p>The Application was referred to the RTA on 24 November 2010. In response the RTA has provided the following comments:</p> <p><i>"The Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of this Application at its meeting on 15 December 2010 and raise no objections to the proposal subject to the inclusion of conditions of consent including the construction of the proposed bus bay, and the provision of a signalised intersection at the entrance to the Showground."</i></p>

Agency	Comments
Blacktown Police Local Area Command (LAC)	<p>As part of the assessment process Council provided the Blacktown Police Local Area Command (LAC) Crime Prevention Officer an opportunity to view the Application, undertake a 'Safer by Design' Evaluation and provide comments on the proposal. In response the following comments were provided:</p> <p><i>"The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.</i></p> <p><i>After conducting this process the rating for this development has been identified as Low crime risk."</i></p> <p>NSW Police have recommended a number of conditions which will be included in the development consent, including lighting for the site to comply with relevant Australian Standards, use of CCTV to provide surveillance within the development site, secured fencing along the railway line and a recommendation that Council establish an Alcohol Free Zone for the site.</p> <p>Whilst the Police conditions for lighting and fencing are proposed to be conditioned in any Consent issued, the Police request for installation of CCTV within the precinct is not supported as Council is yet to adopt a CCTV policy for public places in the City. This is expected to be reported to Council in the foreseeable future by the Director of Sustainable Living. It is however questionable whether CCTV is required for what the Police have identified as a "Low Risk Crime" site. The project cost does not include CCTV installation, however the applicant is prepared to install conduits in the precinct to facilitate CCTV if this is later required by Council. This can be included as a condition of consent.</p> <p>With regard to the Police request for the implementation of an "alcohol prohibited area" over the precinct under the Local Government Act 1993, this will have to be separately investigated to determine if this is appropriate. It will also be necessary for the Police to provide evidence to support the need for an Alcohol Free Zone in a Low Risk Crime Area before any request can be determined. It is therefore recommended that the Police be separately informed of this requirement.</p> <p>Alcohol Free Zones may be established to include a public road, footpath or public place that is a carpark. In accordance with the current Ministerial Guidelines, Council is required to ascertain reasons for the area to be declared as an Alcohol Free Zone. Those reasons must reflect the following: -</p> <p><i>Irresponsible behavior arising from the consumption of alcohol is occurring on roads or footpaths and carparks. Must involve instances of obstruction, littering and the actual commission of, or police intervention to avoid the commission of, more serious offences under the Summary Offences Act 1988 or the Crimes Act 1900 such as malicious damage etc.</i></p> <p>Importantly, it should be noted that the Ministerial Guidelines also outline that:</p> <p><i>It is not appropriate to consider an AFZ for reasons that are unrelated to the irresponsible behavior of drinkers, e.g. the congregation of drinkers where irresponsible behavior does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens.</i></p>

Agency	Comments
	<p>In the absence of any supporting evidence to suggest that incidents or patterns of behavior in a particular area are alcohol-related, application of the Ministerial Guidelines would effectively preclude Council from recommending an area become an Alcohol Free Zone. Notwithstanding this, applications to extend and/or establish an Alcohol Free Zone (AFZ) in accordance with the Local Government Act 1993 can be submitted to Council for consideration. Applications need to be in writing giving the proposed location and the reasons, including any supporting evidence, for the Alcohol Free Zone.</p> <p>Recent changes to the Local Government Act now also permit areas other than public roads and footpaths (eg: parks and reserves) to be considered "Alcohol Prohibited Areas", however the requirements and burden of proof for establishing them are the same as for AFZs. Once an application is made, sufficient evidence to support the proposal must be provided, and consultation with the local Police Command and the Anti-Discrimination Board must be undertaken.</p>
NSW Transport - Railcorp	<p>The Application was referred to Railcorp. In response Railcorp has raised no objection to the proposal subject to the inclusion of conditions of consent including the submission of an accurate survey locating the development with respect to the rail boundary and a services search to RailCorp's satisfaction, the submission of an acoustic report to address noise and vibration, and the submission of an Electrolysis Risk Analysis to assess the impacts of stray currents from rail operations prior to the release of a Construction Certificate.</p>
Land and Property Management Authority	<p>The Application was referred to the Land and Property Management Authority who has provided the following comments, and a Council comment is provided in response where applicable:</p> <ol style="list-style-type: none"> 1. Issue: Owner's Consent LPMA has advised Council that the Application can proceed and owner's consent is no longer required as Council is nominated as a trust manager who is able to lodge a Development Application without the need for consent in writing from LMPA as owner of the land. 2. Issue: Proposed Uses in the Precinct The LPMA has advised that Council as trust manager will need additional purposes declared over the precinct under the Crown Lands Act 1989 to allow greater flexibility in terms of future uses allowable for the site beyond the current specification of showground and active sports uses (such being uses separately considered to the zoning and land use regime under the Environmental Planning and Assessment Act 1979). The Applicant has been advised of this issue and a written request has been made to the LPMA to amend the list of purposes for the site. Verbal advice from LPMA indicates that they are prepared to support additional uses including a café and, as such, a condition of consent should be imposed requiring the uses listing to be resolved prior to the release of the Construction Certificate. 3. Issue: Plan of Management A Plan of Management is not required for the Stage 1 Development Application process, however it is noted that a Plan of Management is to be prepared for the entire site, which will be forwarded to the LPMA upon completion.

Agency	Comments
	<p>4. Issue: Fencing of Community Garden The LPMA initially raised concern that the community garden was to be fenced. The community garden is not proposed to be fenced as the entire Showground site will be fenced and will be accessible to the community whilst the Showground is open. LPMA are satisfied with this requirement.</p> <p>5. Issue: Aboriginal Land Claim The LPMA has advised Council of an unresolved Aboriginal land claim by the Deerubbin Local Aboriginal Land Council. It was further advised by LPMA that the Development Application can proceed pending determination of the claim (refer to letter at Attachment 4). Council has been advised verbally by the Deerubbin Land Council that the claim has been withdrawn, however written confirmation has not yet been received.</p>
Office of Water	<p>The Application was referred to the NSW Office of Water. In response the Office of Water has provided the following comments:</p> <p><i>"The proposed works are exempt from the need to obtain a Controlled Activity Approval under Clause 39A of the Water Management Amendment (Controlled Activities) Regulation 2008."</i></p>
Mount Druitt Historical Society	<p>The Application was referred to the Mount Druitt Historical Society, who supports the proposal in principle. In response the Mount Druitt Historical Society has provided the following comments:</p> <ol style="list-style-type: none"> 1. The existing entrance gates (including the brickwork and plaque) should be preserved and left in situ as part of the redevelopment. 2. The historical metal notice on the existing stables should be removed and placed in a prominent position on the exterior of the new stables. 3. A plaque or display about the original stables, together with a short history of the trotting shows and events that took place, should be erected on the new stables. 4. Any artefacts that are discovered as part of the redevelopment of Stage 1 should be preserved and placed on display. <p>The applicant was advised of these issues and as a result the following further comments are provided:</p> <ol style="list-style-type: none"> 1. As part of the redevelopment of Blacktown Showground the existing entrance gates, including the brickwork and plaque, will be preserved and left in situ as a feature of the site to acknowledge the history of the site. 2. The applicant has confirmed that the existing historic metal notice of the existing stables will be removed and placed on the new stables as part of the redevelopment. 3. The applicant has confirmed that a plaque or display about the original stables will be placed on the new stables. In addition, it is noted that a separate Application has been lodged with Council for the construction of the stables. <p>A condition of consent will be imposed on the consent to ensure any artefacts which are discovered as part of the Stage 1 redevelopment are preserved and are placed on display within the site.</p>

Agency	Comments
The Prospect Heritage Trust Inc	<p>The Application was referred to the Prospect Heritage Trust which supports the proposal in principle. In response the Prospect Heritage Trust has provided the following comments:</p> <ol style="list-style-type: none"> 1. Reassurance required that the gateway to the Showground including the plaque are to remain. 2. The new stable block should have a memorial wall that tells the history and has a photograph of the old stables. 3. The Pope John Paul II memorial should remain in its present location. 4. Care should be taken during construction to ensure historical items are kept safe. <p>The applicant was advised of these issues and as a result the following further comments are provided:</p> <ol style="list-style-type: none"> 1. As part of the redevelopment of the Blacktown Showground, the existing entrance gates including the brickwork and plaque will be preserved and left in situ as a feature of the site to acknowledge the history of the site. 2. The applicant has confirmed that a plaque or display about the original stables will be placed on the new stables. In addition, it is noted that a separate Application has been lodged with Council for the construction of the stables. 3. The applicant has confirmed that the Pope John Paul II memorial will remain in its present location as part of the redevelopment. 4. The applicant has confirmed that care will be undertaken during construction works to ensure that any historical items on the site are kept safe.

8 Internal Referrals

8.1 The Development Application was referred to the following internal sections of Council as summarised in the table below:

Section	Comments
Engineering	No objections raised to the proposal subject to the implementation of conditions of consent.
Drainage	No objections raised to the proposal subject to the implementation of conditions of consent.
Building	No objections raised to the proposal subject to the implementation of conditions of consent.
Traffic	<p>No objection to the Application and the following comments were provided:</p> <ol style="list-style-type: none"> 1. <i>No objection in principle is raised with the Development Application from a traffic management point of view.</i> 2. <i>Adequate sight distance at the access driveways appears to be available.</i> 3. <i>Proposed parking in terms of adequacy and design appears to comply with the relevant planning requirements and standards."</i>
Landscape	No objections raised to the proposal subject to conditions to provide fencing around the basketball courts and to open up vegetation areas to provide rest points.
Strategic Planning	No objections raised to the proposal.

Section	Comments
Environmental Health	No objections raised to the proposal subject to the implementation of conditions to ensure the recommendations from the contamination report are included in the consent.
Parks and Recreation	Raised no objections to the proposal subject to conditions of consent.
Heritage	The Application was referred to Council's Heritage Advisor as the site at that time was located in close proximity to 2 potential heritage items, being Nos. 70 and 76 Richmond Road. It is noted that Council, at its meeting of 20 April 2011, approved a Development Application for the demolition of the existing single storey dwelling known as "Rosenallis" at 76 Richmond Road, Blacktown. Accordingly the proposal will not impact upon 76 Richmond Road; however consideration to a landscape buffer along the boundary to 70 Richmond Road should be given. The applicant is agreeable to an appropriate landscaped buffer being provided.
Civil Services	No objections raised to the proposal subject to conditions.
Community Development	No objections raised to the proposal.

9 Public Comment

9.1 The Development Application was notified in accordance with Blacktown Development Control Plan Part K – *Notification of Development Applications* to adjoining and nearby property owners and occupants and was advertised in the local newspapers for a period of 28 days from 24 November 2010 to 22 December 2010. As a result of the notification period a total of 3 submissions were received. The issues raised within the submissions are addressed below.

9.2 Submission 1 - Confidential submission

- (a) *Request that further consultation be held between Council and the future owners of the Ashlar Golf Course regarding location of a signalised intersection.*

Town Planning comment:

- The RTA has agreed to a signalised intersection at the entrance to the Showground involving the existing Carpet and Auto Stores located north of the site, subject to approval of the signal plan. It is considered that discussions regarding access for the Ashlar Golf Course site are external to the assessment and redevelopment of the Blacktown Showground, particularly given that Council has not yet received a concept plan or Planning Proposal for the rezoning of the site.

9.3 Submission 2 - Owner of 68 Richmond Road, Blacktown

- (a) *A sufficient buffer should be provided between the carpark and the adjoining residential properties. A minimum 2.5 metre buffer should be provided.*

Town Planning comment:

- A 3 metre landscaped buffer is proposed to be provided between the carpark and the adjoining residential properties. It is considered that this buffer is sufficient to ensure minimal disruption to residents.

- (b) *Privacy screen planting should be provided which achieve a height of 3 metres.*

Town Planning comment:

- The Application has been accompanied by a landscape plan, which indicates that a 3 metre wide buffer will be provided between the car parking and the residential properties, where screen planting will be provided. A condition of consent should be imposed requiring the screen planting to be of mature species capable of growing to a height of 3 metres.

- (c) *The existing fencing requires upgrading and the fencing should be of sufficient height to minimise privacy and improve safety.*

Town Planning comment:

- As part of the redevelopment the applicant proposes to replace the existing fencing with new lapped and capped timber fence with lattice screening to a height of 2.4 metres. It is considered that a height of 2.4 metres is sufficient to minimise any privacy impacts to adjoining residential properties and ensure safety to properties is maintained. A condition of consent should be imposed to ensure the fence is constructed and all costs associated with the new fence are borne by the applicant.

- (d) *The carpark should close at 9pm, instead of 10pm.*

Town Planning comment:

- The Showground currently operates until 10pm when events are held. It is considered that the use of the carpark should be consistent with the hours of operation for the Showground. It is not considered that an additional hour will adversely impact on the amenity of adjoining residential properties. A condition of consent should be imposed requiring signage to be provided within the carpark requesting users of the Showground site to exit the site in a quiet manner.

9.4 Submission 3 - Owner of 70 and 72 Richmond Road, Blacktown

- (a) *The location of the carpark will create noise and glare on adjoining properties.*

Town Planning comment:

- The area is presently used by vehicles with horse float and unloading of horses for track work and trots.
- It is not considered that the location of the carpark will adversely impact on the amenity of adjoining residential properties in terms of glare and noise. The provision of fencing and landscaping will assist to eliminate any issues which may currently arise from an un-formalised carpark on the site. In addition, it is proposed to replace the existing rough surface with a smooth sealed surface which will assist to reduce noise from tyres.

- (b) *The carpark should be relocated closer to the railway line and a park or garden located adjacent to residential properties.*

Town Planning comment:

- The area is already used as an informal car parking area and loading/unloading area for horses from floats.

- The proposal intends to have new boundary fencing 2.4m high to all residents abutting the carpark as outlined above, with dense landscaping to screen the carpark from neighbours.
- The carpark has been located to maximise vehicular access from the Richmond Road entry and to minimise vehicle movements within the site, which improves safety throughout the site as it limits the opportunities for pedestrian/vehicular conflicts. In addition, it is noted that vehicles currently park in this area which is unsealed and the current Application seeks to improve the carpark by formalising and sealing the spaces.

10 Section 79C Consideration

10.1 Consideration of the matters prescribed under Section 79C of the Environmental Planning and Assessment Act 1979 (as amended) is summarised below:

Heads of Consideration	Comment	Complies
<p>(a) <i>the provisions of:</i></p> <p>(i) <i>any environmental planning instrument (EPI)</i></p> <p>(ii) <i>any development control plan</i></p> <p>(iii) <i>the regulations</i></p>	<p>The relevant provisions relating to the proposed development are summarised under Section 6 of this report. The proposal is permissible within the 6(a) Open Space zone and satisfies the zone objectives outlined under Blacktown Local Environmental Plan 1988.</p> <p>Blacktown Development Control Plan Part A applies to the site. The proposed development is consistent with the desired future character of the area and is compliant with relevant provisions.</p> <p>A detailed assessment of the Application is provided in Section 11 of this Report.</p>	Yes
<p>(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i></p>	<p>An assessment of the key issues is provided in Section 11 of this Report and it is considered that the likely impacts of the development, including traffic, noise, parking and access and the like have been satisfactorily addressed.</p>	Yes
<p>(c) <i>the suitability of the site for the development</i></p>	<p>The subject site is zoned 6(a) Open Space and permits community facilities and recreation areas with consent.</p> <p>The proposal has been designed taking into consideration the site's constraints and access arrangements.</p> <p>The site is therefore considered suitable for the proposed development.</p>	Yes
<p>(d) <i>any submissions made in accordance with this Act or the regulations</i></p>	<p>As noted in Section 9 of this Report, a total of 3 submissions were received. It is considered that the issues raised do not warrant refusal of the Application and in the main can be addressed via suitable conditions of consent.</p>	Yes

(e) <i>the public interest</i>	<p>No adverse matters relating to the public interest arise from the proposal.</p> <p>The upgrade of the Showground is considered to benefit the Blacktown community by providing a cultural precinct which meets Council's City Vision for the locality.</p>	Yes
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11 Council Assessment

11.1 As assessment of the key issues relevant to the proposed development is presented below.

11.2 Compliance with BDCP 2006 – Part A – Introduction and General Guidelines

Blacktown Development Control Plan 2006 – Part A has no specific car parking requirements for community facilities or recreation areas. The site currently has no defined car parking layout and vehicles park throughout the site in an ad hoc manner.

The Masterplan for the redevelopment of the Blacktown Showground proposes to provide a total of 750 car parking spaces, including 500 formalised spaces with 250 spaces to be provided as overflow parking.

The current Application for Stage 1 seeks to formalise 3 areas of car parking accommodating a total of 255 car parking spaces. A total of 40 spaces will be provided adjacent to the community garden, 210 spaces will be provided adjacent to the main Showground entrance off Richmond Road and 5 spaces in close proximity to the promenade.

The remaining 495 spaces (245 formalised spaces and 250 overflow spaces) will be constructed as part of Stages 2 and 3 and will be subject to further and separate development approvals.

A traffic and parking review was undertaken by URaP – TTW Pty Ltd, which was submitted as part of the Application, where it was concluded:

“the redevelopment of the showground will not represent a significant increase in cars accessing the site and therefore will not contribute towards any congestion on Richmond Road or surrounding streets. This is also supported in that the uses of the site will have staggered hours of operation, the provision of shuttle buses to and from the site linking to Blacktown Railway Station, public promotion that public transport is available to the site and public promotion that on-site car parking is limited.”

It is considered that the provision of formalised on-site car parking will benefit the long term use of the site as a community facility and recreation area. In addition, it is considered that the provision of parking is sufficient to accommodate the intended uses of the site.

11.3 Site Analysis

The site is known as the Blacktown Showground and is currently utilised for a variety of community and recreation uses. These uses will continue and will be enhanced by the redevelopment of the site. The redevelopment of the site has been designed having regard to the adjoining residential properties along Richmond Road and Kent Street, to ensure minimal disruption during construction and on commencement of events on the site. This has been achieved through locating high public use areas away from the residential properties.

11.4 Privacy

The site is currently utilised as a community facility and recreation area. The changes to the sites layout are not considered to adversely impact on the privacy to adjoining property owners. The proposed car parking adjoins the rear yards of residential properties along Richmond Road and Kent Street. It is proposed that new 2.4m high fencing will be provided to replace the existing fencing as part of the approval, together with additional landscaping to ensure privacy to those properties is maintained.

11.5 Building Frontages and Entries

The site has street frontage to Richmond Road and Balmoral Road / Third Avenue. Two vehicular access entry points are proposed via Richmond Road, which will provide access to the carparks and throughout the site. The site is proposed to be fenced; however pedestrian access is available from Richmond Road to the site via the bus drop off and the carpark areas. It is not considered that the changes proposed to the Showground will adversely impact on the streetscape. Additional landscaping and retention of existing vegetation will enhance the appearance of the Showground as well as providing a buffer area.

11.6 Access, Traffic and Parking

The Stage 1 redevelopment of the site involves the provision of 2 vehicular access points from Richmond Road and a bus drop off zone. This includes a new access point and the upgrading of the existing vehicular access.

The Masterplan for the redevelopment of the Showground site proposes to provide a total of 750 car parking spaces, including 500 formalised spaces with 250 spaces to be provided as overflow parking.

The current Application for Stage 1 seeks to formalise 3 areas of car parking accommodating a total of 255 car parking spaces. A total of 40 spaces will be provided adjacent to the community garden, 210 spaces will be provided adjacent to the main Showground entrance off Richmond Road and 5 spaces in close proximity to the promenade.

The remaining 495 spaces (245 formalised spaces and 250 overflow spaces) will be constructed as part of Stages 2 and 3 and as a result will be subject to further development approvals.

The Application has been reviewed by the Roads and Traffic Authority who have raised no objections to the proposal subject to the implementation of conditions of consent, including the construction of the bus bay drop off area and the provision of a signalised intersection at the main entrance to the Showground.

The Application has been reviewed by Council's Traffic Engineers who have raised no objections to the proposal.

The Application was submitted with a Traffic and Parking Review which was undertaken by URaP – TTW Pty Ltd.

11.7 Landscaping

A Tree Report prepared by About Trees was submitted supporting the Application, and which outlined the trees suitable for retention and those which require removal.

The site contains 296 remnant trees of Cumberland Plain Woodland. The understorey has been historically cleared and the site used as a showground and sports fields over the past 90 years. During this time little, if any, natural regeneration has occurred. The cumulative impacts of human activities have caused considerable soil compaction throughout the site. Soil compaction has a detrimental impact on the health of the trees as it reduces root growth and limits the uptake of moisture and nutrients.

The majority of trees on the site are in various stages of declining health and condition. The Tree Report recommends the removal of 228 trees on the site due to the trees' health. A total of 68 trees are proposed to be retained as part of the redevelopment. In conjunction with the retention of these trees and with new tree planting it is considered that the site will provide a satisfactory landscaped environment for visitors.

11.8 Utilities and Infrastructure

The proposed redevelopment of the Showground site is not considered to adversely impact on existing utilities or public infrastructure. The site is currently utilised as a showground for the purposes of community facilities and recreation which will continue into the future.

11.9 Fire Safety

The site is not designated as a bush fire prone property. A condition of consent should be imposed to ensure that fire resistant materials are used within the redevelopment of the site to limit the potential for vandalism.

11.10 Noise and Vibration

The site, due to the existing and continued use, will generate noise. However it is prudent to ensure that the redevelopment does not significantly increase the noise levels generated which may reduce amenity for nearby residential properties.

The major noise-generating facilities within the Showground site have been centrally located within the site away from residential properties or along the railway line or street frontages. The proximity of the carpark to residential properties is not considered to give rise to a high level of noise as sufficient landscaping and fencing is to be implemented to ensure minimal disturbance.

Stage 3 of the redevelopment of the Showground includes areas of high noise-generating uses and these will be subject to further acoustic assessment and review prior to any subsequent approval.

Overall, it is considered that the proposed redevelopment of Stage 1 will not generate unacceptable noise levels external to the site.

11.11 Safety by Design

A Safer by Design review has been undertaken by NSW Police who have identified the site as a Low Risk site. Security fencing, CCTV cameras and suitable lighting are proposed to be installed and graffiti proof materials will be utilised. It is considered that the measures in place are sufficient to ensure the safety of visitors to the site.

11.12 Impacts during Construction

Conditions of consent are recommended to mitigate any potential impacts on the amenity of the surrounding environment.

11.13 Social and Economic Impact

It is considered that the proposed redevelopment of the Showground will complement the locality and the wider local government area. The proposed redevelopment is not expected to have an adverse social or economic impact.

11.14 ESD and Cumulative Impact

The development satisfactorily responds to Ecologically Sustainable Development principles. The proposal is not expected to have any cumulative negative impacts and the proposal will not inhibit the ability for the redevelopment for Stages 2 and 3 or limit the future use of the site.

11.15 BCA Compliance

A condition of consent would require that the proposed development complies with the applicable requirements of the Building Code of Australia.

11.16 Heritage Impacts

The site is not listed as an item of heritage significance, however the site has operated as a Showground for the past 90 years and a number of historic artefacts relating to the history and use of the site are located on the site, including plaques, signs, gates and statues. All these artefacts are proposed to be retained and relocated as part of the redevelopment of the site. The redevelopment of the site encourages the adaptive reuse of historical items on the site which reflect the history of the site.

11.17 Water Management

The Application has been reviewed by Council's Drainage Engineer and Development Engineer who have raised no objections to the proposal subject to the implementation of conditions of consent.

11.18 Soil Management

The proposed development is not expected to have an adverse impact in regard to soil erosion or sedimentation. A condition of consent will require the Application to ensure the proposal is carried out in compliance with erosion and sedimentation measures.

11.19 Contamination

The site is not identified as a contaminated site. It is considered that the site is satisfactory for the proposed development.

11.20 Waste Minimisation and Management

The proposal is not expected to generate any significant amounts of waste. Waste facilities will be provided throughout the site to manage waste during use, and in addition Council will be responsible for the ongoing waste management for the site.

11.21 Section 94 Contributions

The redevelopment of the site is not subject to any Section 94 Contributions Plan.

12 General Comments

- 12.1 The Application has been comprehensively assessed against the matters for consideration listed under Section 79C of the Environmental Planning and Assessment Act 1979 and is considered to be satisfactory. Overall, it is considered that the proposed development is satisfactory and is unlikely to have any significant environmental, social or economic impacts on the surrounding locality.
- 12.2 The proposal is consistent with Blacktown Local Environmental Plan 1988 and the proposed redevelopment of the Blacktown Showground site is permissible within the 6(a) Open Space subject to development consent.
- 12.3 The Application has been assessed having regard to Blacktown Development Control Plan Part A with regard to car parking. The on-site car parking proposed is considered sufficient to accommodate any uses on the site and the site is located in close proximity to the Blacktown Railway Station and adequate public transport is available to the area. It is considered that the continued use of the site as a Showground will benefit the wider community and provide an area for both regional-level passive and active recreation.
- 12.4 The Application has been publicly notified for a period of 28 days, where 3 written submissions were received. The main areas of concern were the privacy and amenity issues to adjoining residential properties. The issues raised in the submissions have been addressed within Section 9 of this report and do not warrant refusal of the Application.
- 12.5 The redevelopment of the Blacktown Showground will see a much greater use of this precinct for higher order passive recreation purposes and it will serve the needs of Blacktown and the surrounding suburbs into the future.
- 12.6 It is **recommended** that the Stage 1 Redevelopment of the Blacktown Showground and Francis Park site be **approved** subject to appropriate conditions as documented at **Attachment 1** to this Report.

13 Recommendation

1. The subject Development Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at Attachment 1.
2. The applicant be advised of the Sydney West Joint Regional Planning Panel's decision.
3. The submitters be advised of the Sydney West Joint Regional Planning Panel's decision.
4. Council inform the NSW Police of the requirements relating to the implementation of an Alcohol Prohibited Area for the Precinct in accordance with the Local Government Act 1993 and current Ministerial Guidelines.

SARA SMITH
ASSISTANT TEAM LEADER

Attachment 1 - Draft Conditions of Consent

Attachment 2 - Development Application Plans

Attachment 3 - Copy of Masterplan for the Precinct

**Attachment 4 - Copy of the Land and Property Management
Authority Letter**