

Report to Sydney West Joint Regional Planning Panel

JRPP No.	Item (2013SYW111)
DA No:	JRPP-13-2289
Proposed Development:	Extension to the Blacktown Leisure Centre
Development Type:	"Council related development" – Capital Investment Value > \$5 million
Lodgement Date:	26 November 2013
Land/Address:	Lot 5 DP 1111764, No. 1 Sentry Drive, Stanhope Gardens
Land Zoning:	5(a) Special Uses (Community Uses) and 6(a) Public Recreation pursuant to Blacktown Local Environmental Plan 1988
Value Of Development:	\$10.3 million
Applicant:	Blacktown City Council
Report Author:	Melissa Parnis, Assistant Team Leader Planning (North)
Instructing Officers:	Judith Portelli, Manager Development Services and Administration Glennys James, Director City Strategy and Development
Date Submitted to JRPP:	11 July 2014
Date Considered by JRPP:	24 July 2014

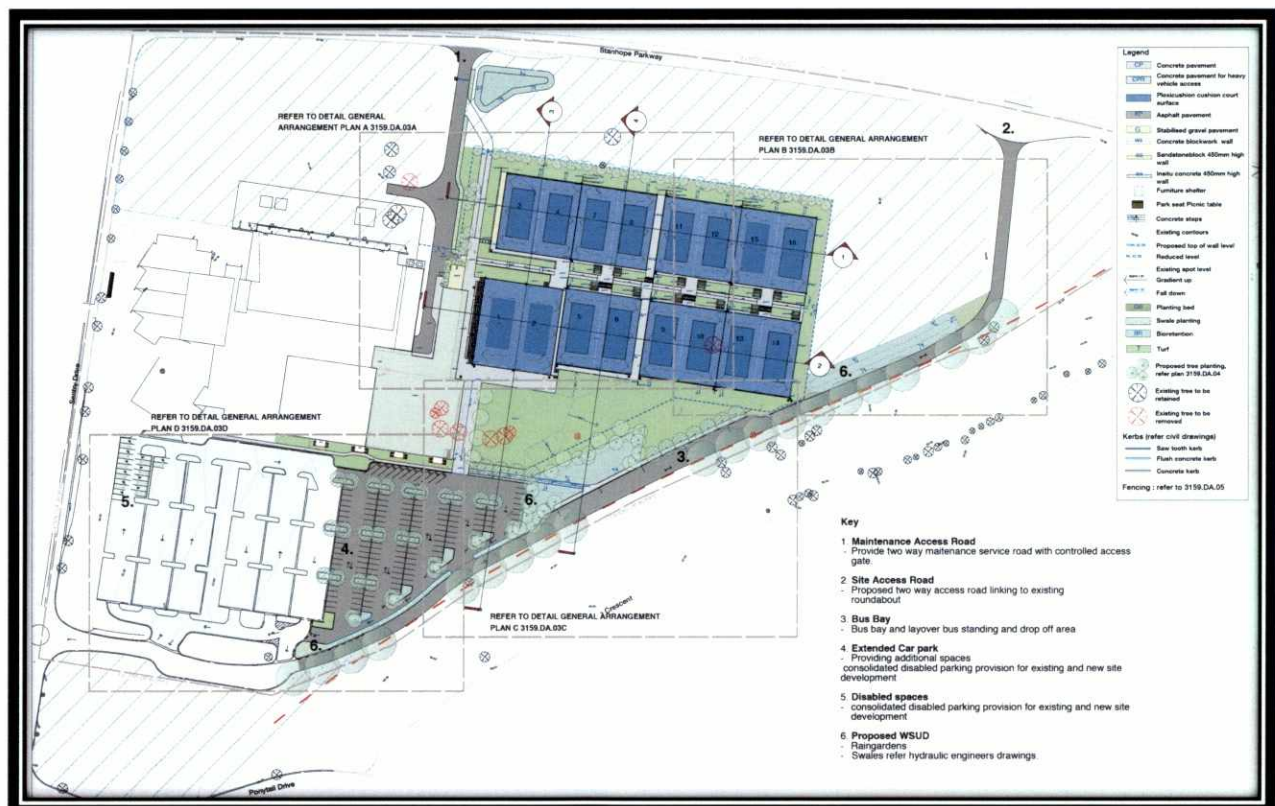


Figure 1: Site/Landscape Plan (Source: AJ+C, 2013)

ASSESSMENT REPORT

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Attachment 1 – Development Application plans

Attachment 2 – Proposed conditions of Consent

Attachment 3 – Location of objectors

Attachment 4 – Masterplan

1 Executive Summary

- 1.1 Blacktown City Council's Development Services Unit has received a Development Application (DA) from Blacktown City Council's City Projects Section for an extension to the Blacktown Leisure Centre Stanhope and the construction of a Tennis Centre at 1 Sentry Drive, Stanhope Gardens.
- 1.2 The proposal seeks approval for a building extension for an additional 2 indoor multi-purpose courts, tennis administration building and a tennis court complex comprising 16 tennis courts.
- 1.3 The development will provide an additional 152 permanent car parking spaces as well as an overflow car parking area. In addition, the development proposes ancillary works including pedestrian access, lighting, a service road and bus bay providing access to the site from Stanhope Parkway.
- 1.4 The proposed hours of operation are 7am to 9pm Monday to Friday and 8am to 7pm Saturday and Sunday. In addition, the Application seeks flexible operating hours for special events.
- 1.5 The proposed development constitutes 'Regional Development' requiring referral to a Joint Regional Planning Panel (JRPP) for determination in accordance with Schedule 4A of the Environmental Planning and Assessment Act 1979 as the proposed development is Council related development with a Capital Investment Value of more than \$5 million. While Council is responsible for the assessment of the DA, determination of the Application will be made by the Sydney West JRPP.
- 1.6 The subject site is zoned 5(a) Special Uses – Community Uses and 6(a) Public Recreation pursuant to *Blacktown Local Environmental Plan 1988*. 'Recreation areas' are permissible within the zone with Development Consent.
- 1.7 The subject Development Application was notified to property owners and occupants within a 500m radius of the site from 22 January to 12 February 2014. In response to the public exhibition, 5 individual submissions were received.
- 1.8 The objections raised are mainly in relation to future expansion of the site, noise impacts, the proposed access road, crime prevention and safety, hours of operation, car parking and traffic impacts, as well as access to open space in the vicinity. It is considered that the grounds for objection are insufficient to warrant refusal of the Application. While the objections raise important issues, it is considered that appropriate conditions can be imposed to address these concerns.
- 1.9 The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, including suitability of the site and the public interest, and is considered satisfactory. The proposed development is considered satisfactory with regard to key issues such as built form, access, stormwater drainage, and social and economic impacts, subject to the imposition of suitable conditions of consent to satisfactorily control the development.
- 1.10 It is recommended that the Sydney West Joint Regional Planning Panel approve the DA subject to the imposition of suitable conditions of consent.

2 Location

- 2.1 The subject site is located approximately 5km to the north of the Blacktown CBD.
- 2.2 The site is bounded by Stanhope Parkway to the north, Sentry Drive to the west and Ponytail Drive and Candice Crescent to the south.
- 2.3 The site is located opposite the Stanhope Gardens Shopping Centre to the west. Further, low density residential development is located opposite the site to the north, south and south-east.

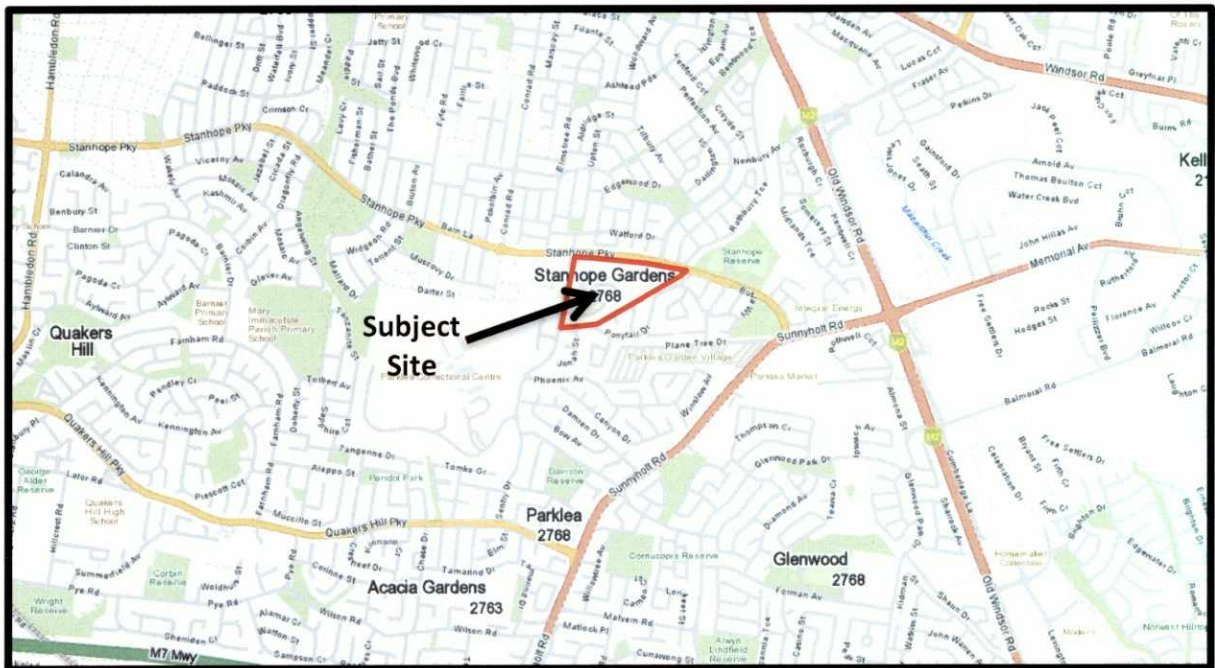


Figure 2. Location Context (Source: Whereis, 2014)

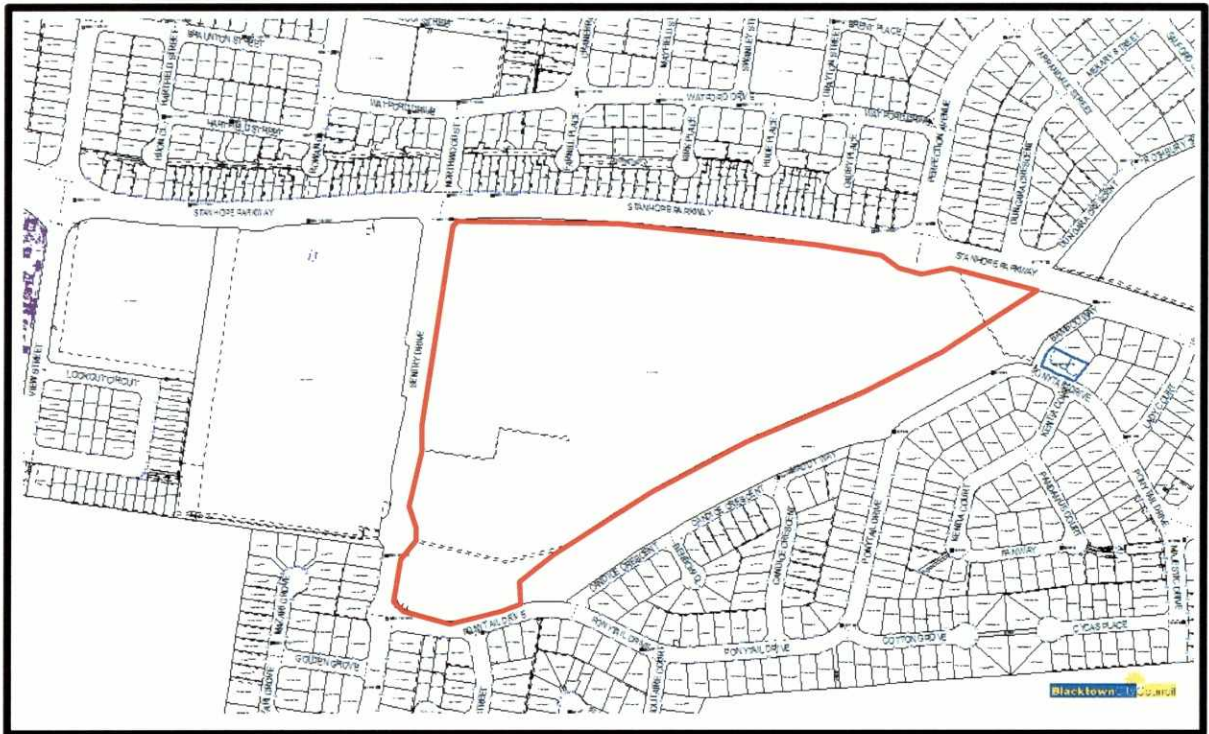


Figure 3. Location Plan (Source: Blacktown City Council, 2014)

3 Site Description and Locality

- 3.1 The area of the subject site is approximately 11.08 hectares and is relatively flat with a gentle slope from west to east and north to south.
- 3.2 The Blacktown Leisure Centre Stanhope (BLCS), Dennis Johnson Library, associated car parking and access road already exist on the site. The Leisure Centre comprises an indoor aquatic centre, gymnasium, crèche, a stadium with 2 indoor basketball courts and ancillary reception, retail, circulation and service areas. The remainder of the site is undeveloped open space.
- 3.3 The site is cleared of vegetation, with the exception of 12 scattered eucalypt trees. The areas outside the Leisure Centre are grassed.
- 3.4 The area surrounding the site is a new urban area, which is developed for a retail centre as well as low density residential housing in the form of single storey and 2 storey dwellings.
- 3.5 The subject site is zoned 5(a) Special Uses (Community Uses) and 6(a) Public Recreation pursuant to *Blacktown Local Environmental Plan 1988* as shown in Figure 4 below.

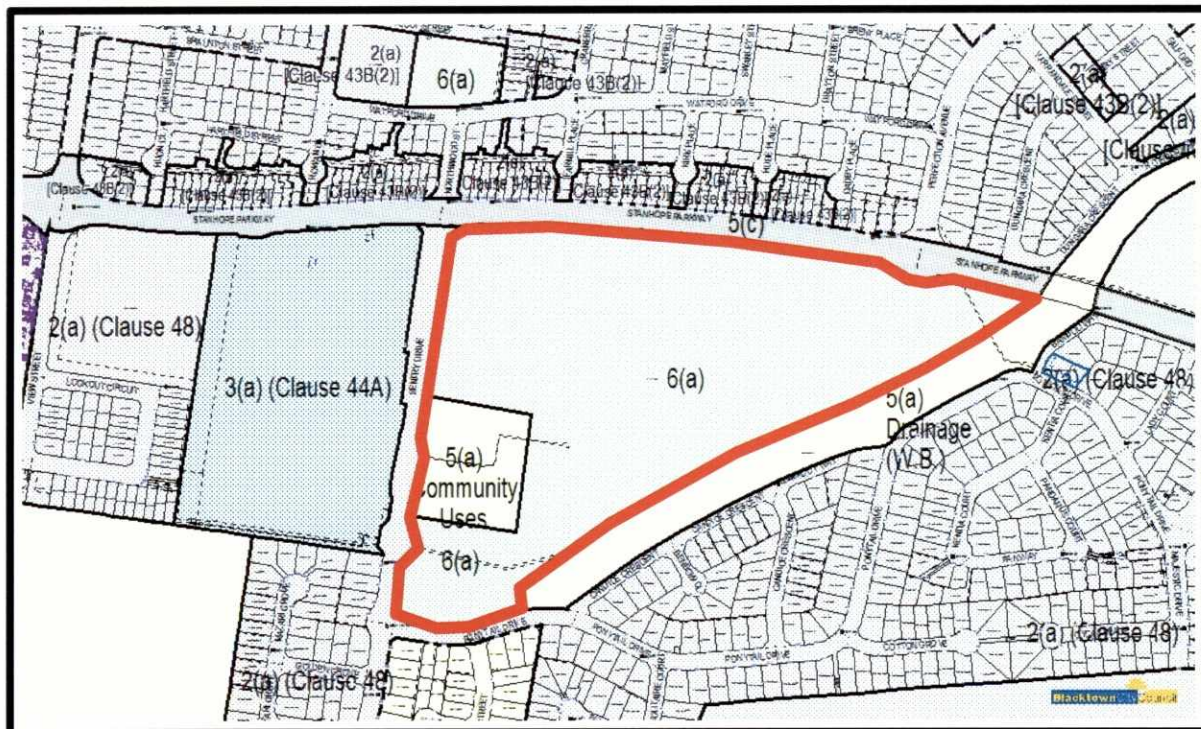


Figure 4. Zoning Plan (Source: Blacktown City Council, 2014)



Figure 5. Aerial Photo of Site and Surrounds captured 19 September 2013 (Source: Nearmap, 2014)

4 History and Current Use of the Site

- 4.1. The subject site has been subject to a number of Development Applications and subsequent Section 96 Applications with respect to the subdivision of the land and the construction of the existing Blacktown Leisure Centre and other uses on the site.
- 4.2. On 2 November 2000, Council approved DA-00-1833 for the Leisure Centre, including a 2 stage masterplan and approval to construct Stage 1 including 3 indoor swimming pools, fitness and health areas, amenities, indoor sports courts, administration areas, staff area, café, ancillary retail area, ancillary child minding facilities, neighbourhood meeting room, plant room, 240 car parking spaces and bus parking. All these works have been completed.
- 4.3. On 9 May 2008, Council approved an extension to the Blacktown Leisure Centre including the construction of a library and additional car parking under DA-07-3402. These works have also been completed.
- 4.4. Further, under Section 96-09-2300 to Notice of Determination No. 00-1833, the following extended hours of operation were approved for the site. These hours have been operational since July 2010:
 - 5.30am to 9pm Monday to Friday
 - 8am to 7pm Saturday and Sunday
 - 5.30 to 11pm Monday to Friday for team sports events and competitions
 - until 12 midnight Saturday for special events pre-booked and with a fixed number of patrons
 - until 11pm Sunday for special events pre-booked and with a fixed number of patrons.

5 The Proposal

- 5.1 The proposal seeks approval for the following works:
 - building extension to the east of the 2 existing indoor courts to incorporate an additional 2 indoor courts (total of 4 courts)
 - tennis administration building
 - tennis court complex comprising 16 tennis courts
 - new road and carpark extensions to provide for an additional 149 car parking spaces
 - overflow carpark for 610 car spaces
 - ancillary works including pedestrian access, lighting and service road.
- 5.2 The proposed indoor court extension seeks to extend the 2 existing indoor courts to the east to create 2 additional courts of the same size. The increased area of the stadium is proposed to be 1,740sq.m in total, with 1,000sq.m for use as a reception centre in line with the current use of the existing courts. The current spectator seating capacity of 230 in the stadium will increase to approximately 790 with 8 mobile seating stands. There will be standing room only on the mezzanine level of the stadium. The capacity of the stadium as a reception centre (functions seated at tables) will increase nominally by 1,000sqm (excluding mezzanine, storage and circulation space as these will not be used for seating). In reception mode the capacity of the stadium will increase from 500 to 1,000 people. However, the proposal identifies that there may be events that could attract a capacity crowd in the stadium of up to 2,400 people. This will be managed through a Traffic Management Plan to be initially approved by the Local Traffic Committee (LTC) to be applied to these events. A **condition** will be imposed requiring the Applicant to prepare a Traffic Management Plan and have this approved by the LTC prior to the

issue of an Occupation Certificate (**condition 12.10**). The Applicant has identified that special events at the indoor stadium are likely to occur approximately 20 times a year.

- 5.3 The proposed tennis administration building is a 2 storey building proposed at the rear of the existing aquatic centre and is ancillary to the proposed tennis court complex. The building consists of reception area, offices, professional suites, meeting rooms, tennis club room, pro shop and ancillary areas including amenities. In addition, a balcony is proposed on the eastern façade, adjacent to the clubroom and overlooking the tennis courts.
- 5.4 The proposal seeks approval for a tennis court complex comprising of 16 tennis courts, being 8 sets of 2 courts. Courts 1 and 2 are larger than standard to provide potential for use as show courts. Each set of two courts will be fenced with a 3.6m high standard black plasticated cyclone wire fence and the whole of the tennis court complex will be fenced with 2.1m high palisade fencing. The tennis courts are proposed to be surfaced with a durable synthetic material that will require minimal maintenance.
- 5.5 Permanent seating will be provided along the western edge of Court 1 and will accommodate 366 people. For special events it is proposed that the court is capable of a maximum seating capacity of 2,400 people. These events would be held infrequently, twice per year.
- 5.6 The development proposes an internal road with a 7m wide carriageway, to connect the existing internal access road at Sentry Drive and Stanhope Road at the roundabout at Perfection Avenue. An extension of the outdoor carpark towards the east will provide an additional 149 car parking spaces and bus layback. The existing facility provides for 289 car parking spaces as well as 8 accessible spaces.
- 5.7 In addition, for larger events overflow parking will be provided on grass to the east of the tennis complex (on either side of the internal road) and to the south of the existing access road off Sentry Drive. Approximately 610 cars can be accommodated in the overflow parking areas.
- 5.8 Lighting will be provided to the tennis courts to allow for evening games and coaching. Each set of two courts will be lit either side to ensure an even spread of light over the courts. The lighting will be zoned so that each set of two courts can be lit independently. The carpark will be lit at night for safety with similar lighting.
- 5.9 Pedestrian entry will be via a controlled gate off the extended carpark, at the south-eastern corner of the stadium and also via a controlled gate in the perimeter fence at the eastern end of the central spine of the tennis complex.
- 5.10 The proposed hours of operation will be the same as that already approved in the Section 96 modification approval issued by Council in 2010, excluding the outdoor courts which commence at 7am Monday to Friday and pre-booked special events which will operate with a fixed number of patrons to midnight Saturdays and to 11pm Sunday nights.
- 5.11 The Applicant has submitted an Acoustic Assessment dated August 2013 prepared by Day Design Pty Ltd that investigates the environmental noise impact of the proposed extension to the Blacktown Leisure Centre. In May 2014 the Applicant submitted an amended Acoustic Assessment to Council in response to a request for additional information.
- 5.12 Ambient background noise testing at the nearest residential receptors was carried out to determine the acceptable noise criteria. Figure 6 below identifies the location of receptors

where testing was undertaken, with Table 1 below identifying the acceptable noise level at each receptor.



Figure 6. Noise Receptors (Day Design, 2013)

Time Period	Acceptable Noise Level Criteria (L_{eq} , 15-min)	
	Stanhope Parkway	Candice Crescent
Daytime (7 am – 6 pm)	55 dBA	46 dBA
Evening (6 pm – 10 pm)	54 dBA	46 dBA
Early Night (10 pm – midnight)	45 dBA	42 dBA

These criteria are to be assessed at the most affected point on or within the residential property boundary. For upper floors, the noise is assessed outside the nearest window.

The Sleep Disturbance Criteria (Section 4.5) of $L_1 = 55$ dBA at Stanhope Parkway and $L_1 = 52$ dBA at Candice Crescent is applicable after 10 pm.

The Commercial Receptor Noise Amenity Criterion (Section 4.4) of $L_{eq} = 65$ dBA is applicable at all times.

Table 1: Acceptable Noise Level Criteria (Day Design, 2013)

- 5.13 The Acoustic Assessment has taken into consideration the proposed hours of operation of the development as well as the acceptable noise levels in accordance with the NSW Industrial Noise Policy, including the Residential Receptor Noise Intrusiveness Criteria, Commercial Receptor Noise Amenity Criteria and Sleep Disturbance Criteria.
- 5.14 Further testing was undertaken based on particular scenarios within the open tennis court, including ball sports programs, use of all 16 courts with 4 players per court, as well as particular uses within the indoor courts such as trade fairs/shows, school formals, weddings, conferences, corporate functions and special media presentations.

The Acoustic Assessment identifies the following calculated noise levels for the development, specified based on each proposed use:

	Proposed hours of operation	Roof Vents Open/Closed	Number Patrons	Calculated Noise	
				120 Stanhope Parkway dB(A)	29 Candice Crescent dB(A)
Ball Sports	8am – 11pm	Open	770+ 80 = 850	43	50
Ball Sports	8am – 11pm	Closed	770+ 80 = 850	41	42
Ball Sports	8am – 11pm	Open	770+ 80 = 850	39	45
Trade Fair	8am – 5pm	Closed	1,200	38	39
School Formal	6pm - Midnight	Closed	1,000	38	40
Weddings	5pm – Midnight	Closed	2,400	40	42
Corporate Function	-	Closed	2,400	39	41
Conference	8am – 6pm	Closed	1,500	37	38
Media Presentation	5pm - Midnight	Closed	1,500	39	41
8 Buses idling along southern access road	-	N/A	-	-	47
Buses travelling along southern access road	-	N/A	-	-	22
Project Noise Criteria				45 dB(A) night time	42 dB(A) night time

Note: The tennis court noise, mechanical noise and carpark noise were included in each of the scenarios outlined above.

The project noise criteria (yellow highlight in table above) identifies the maximum dB(A) for the project, with numbers in bold highlighting where the maximum dB(A) is exceeded.

The Acoustic Assessment concludes that the measures and computation show that, provided the recommendations listed below are implemented, the level of noise emitted by the proposed expansion of the Blacktown Leisure Centre will meet the requirements of the NSW Industrial Noise Policy and is therefore considered acceptable. Further, that the sound emitted from the development will not cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997.

The recommended noise attenuation measures include:

- closing of the stadium louvers after 10pm (with the exception of the louvers in the northern elevation)
- closing of the ventilation louvers when amplified music is played inside the stadium
- an electronic limiter installed to limit the music to a level of $Leq,10\text{-sec} = 90\text{dBA}$ when measured inside the stadium
- prohibit the use of the public announcement system after 10 pm

- continue the current management strategy for the carpark that restricts the use of the eastern car spaces after 10 pm
- erection of signage directing bus drivers to turn off their engines whilst waiting
- after 10pm, no more than 2 buses should be idling in the proposed bus bay.

These measures will all be included in **conditions** on any consent granted (**conditions 12.6.7 and 14.3.1 – 14.3.5**).

- 5.15 A Traffic and Parking Report dated August 2013 prepared by Taylor Thomson Whitting has been submitted for the proposal. The report has undertaken an assessment of the proposal in terms of access, traffic and parking on the basis of relevant guidelines and standards, including the Roads and Maritime Services (RMS) Guide to Traffic Generating Developments, Standards Australia and relevant Blacktown City Council documents.
- 5.16 The submitted report has undertaken an assessment of the impact the development will have on the existing road network and identified that the additional traffic generation from the development during the AM and PM peak periods would be in the order of 94 vehicle trips for arrival and departure to the site for typical operational activities. Stanhope Parkway is a designated spine road with 2 travel lanes in each direction and Sentry Drive is a designated collector road with one lane in each direction. The estimated traffic generation of 94 vehicle trips per hour for the proposal translates to less than 2 cars per minute, which would have a minimal impact on the road network.
- 5.17 The anticipated peak generation from the site will occur outside the standard peak times of the surrounding road network. It is therefore anticipated that the road network will continue to operate at a similar level of service to the existing situation.
- 5.18 The report concludes that in traffic and transport engineering terms the proposed extension of the BLCS is acceptable and will have no adverse impact on the road system and parking conditions for general operational activities on the site.
- 5.19 Refer to **Attachment 1** for the development plans.

6 Planning Controls

- 6.1 The planning controls that relate to the proposed development are as follows:

(a) State Environmental Planning Policy (State and Regional Development) 2011

The State and Regional Development SEPP confers 'Regional Development' as listed in Schedule 4A of the Environmental Planning and Assessment Act 1979 to the Joint Regional Planning Panel (JRPP) for determination. The proposed development constitutes 'Regional Development' requiring referral to the JRPP as it is a Council related development with a Capital Investment Value of more than \$5M.

(b) State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to ensure that the Roads and Maritime Services (RMS) is made aware of and allowed to comment on types of development nominated as 'traffic generating development' listed in Schedule 3 of the SEPP. Schedule 3 identifies recreational facilities with the capacity of 200 or more vehicles as requiring referral to the

Sydney Regional Development Advisory Committee (SRDAC). The DA was referred to the RMS/SRDAC for comment and it was subsequently advised to Council that the development does not require RMS referral, and therefore no RMS response was given.

(c) State Environmental Planning Policy No. 55 – Remediation of Land

SEPP No. 55 relates to the remediation of contaminated lands. This policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If land is considered to be unsuitable, remediation must take place before the land is developed. As part of previous Development Applications for the site, the entire site has been validated as suitable for the intended purpose. Notwithstanding this, a **condition** will be imposed on any consent issued that work must stop immediately should any unexpected find be revealed and remediation of the site is to occur prior to re-commencement of works, with final validation to be submitted to Council (**condition 9.7.1**).

(d) Blacktown Local Environmental Plan 1988

The land is zoned 5(a) Special Uses – Community Uses and 6(a) Public Recreation pursuant to Blacktown Local Environmental Plan 1988 (BLEP). The proposed use is defined in the BLEP as ‘Recreation area’, which is permissible within the zones with consent.

(e) Draft Blacktown Local Environmental Plan 2013

Draft Blacktown Local Environmental Plan 2013 (DBLEP 2013) was placed on public exhibition between 23 January 2013 and 19 April 2013. It proposes to rezone the subject site to RE1 Public Recreation. In accordance with DBLEP 2013, the proposed development will be defined as a ‘Recreation area (indoor)’ and ‘Recreation area (outdoor)’ and will still be permissible within the new RE1 Zone with development consent.

7 External Referrals

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

Section	Comments
Roads and Maritime Services (RMS)	The RMS advised that the development does not require RMS referral and no comments were provided.
Sydney Water	Sydney Water was notified of the proposal as an adjoining landowner. Sydney Water raised no objections to the proposal subject to no encroachment onto their trunk drainage land, with only the proposed connection pipe being allowed to lie within the trunk drainage corridor. Further, Sydney Water requires the engagement of a Water Servicing Coordinator for any stormwater connection and a bond to be lodged with Sydney Water, which would be refunded upon satisfactory completion of the connection and restoration work. Suitable conditions will be imposed on any consent issued requiring compliance with the Sydney Water requirements (conditions 3.4.1, 3.4.2 and 3.4.3).

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	Council's Engineering Section raises no objections subject to conditions to be imposed imposed on any consent issued.
Building	Council's Building Section raises no objections subject to conditions to be imposed on any consent issued.
Traffic	<p>Council's Traffic Section has reviewed the DA and the submitted Traffic Report and has provided the following comments:</p> <p><u>Traffic Generation:</u></p> <p>Additional traffic generated by the development during the AM and PM peak traffic periods is estimated at 94 trips in the Traffic Report, which is considered adequate for the proposed development.</p> <p>It is noted that peak traffic generation from the facility will be outside normal AM and PM peak traffic periods and therefore the traffic impact of this facility is not expected to be significant during normal peak traffic periods.</p> <p><u>Parking:</u></p> <p>It is noted that an additional 152 parking spaces (including 3 accessible spaces) will be provided as part of the development. These additional parking spaces are considered adequate for the day-to-day activities of the development. When a tournament event occurs (i.e. events with a capacity of 2,400 people) existing and proposed parking spaces will not be sufficient to meet the demand. To address this issue 2 areas between the tennis courts and Stanhope Parkway are identified in the Traffic Report for overflow parking for 610 cars. These 2 overflow parking areas are to be provided for these events, reflected in the consent by way of a suitable condition (condition 13.3.8).</p> <p><u>Access Road:</u></p> <p>It is noted that as part of this proposal the existing 7.0m wide access road serving the existing Leisure Centre will be extended through to Stanhope Parkway and connect at the roundabout at Perfection Avenue. The proposed extension of the existing road is supported.</p> <p>Given that the width of the road is 7.0m, it is suggested that "No Parking" restrictions be included on both sides of the road, with the exception of bus parking in the proposed 110m long bus bay towards the development side.</p> <p>Traffic calming measures will be conditioned to make the alternative route between Sentry Drive and Stanhope Parkway a discouragement for general traffic use (condition 6.8.1.1).</p> <p>Traffic calming devices, parking restrictions and overflow car parking will be included as a condition on any consent granted (condition 6.8.1.1).</p>
Environmental Health	Council's Environmental Health Section has reviewed the development proposal in regard to Food Standards and acoustic matters and raises no objections subject to

	conditions on any development consent issued (conditions 7, 12.9 and 14). This includes the requirement for a Noise Management Plan to be submitted and approved by Council prior to the issue of an Occupation Certificate. The Noise Management Plan will be required to address all events exceeding 1,000 patrons and identify crowd and traffic management measures to mitigate any potential noise impact (conditions 12.11.1 and 14.3.6).
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9 Assessment

9.1 An assessment of the key issues relating to the proposed development is presented below.

9.2 Blacktown Development Control Plan 2006

The following table outlines that the Application is compliant with the relevant provisions of the Blacktown DCP.

Section	Comment	Complies
Part A		
Tree Preservation	The subject site proposes to clear 12 existing trees on site. The proposed trees are not significant and are proposed to be replaced with larger and denser landscaping.	Yes
Pollution Control	A Waste Management Plan prepared in accordance with the requirements of the DCP has been submitted. A condition will be imposed requiring expansion of the existing commercial garbage bins for the site (condition 13.6.1).	Yes
Noise Reduction	An Acoustic Assessment has been submitted with the Application. The proposed development is considered satisfactory subject to conditions requiring compliance with the recommendations of the submitted Acoustic Assessment (conditions 12.6.7 and 14.3.1 – 14.3.5).	Yes
Car Parking	The proposal provides for an additional 149 car parking spaces and 610 overflow car parking spaces. The development complies with Council's car parking requirements under the DCP.	Yes
Solar Access	The proposed development does not generate any adverse solar access impact on adjoining properties or internally within the site.	Yes
Traffic Generating Development	The Applicant has submitted a Traffic Impact Assessment identifying the implications of the proposed development on the surrounding street network. The traffic impacts are discussed in Section 8 above.	Yes
Crime Prevention through Environmental Design	The siting and design of the proposed development has taken into consideration CPTED measures, including natural surveillance, design of fencing to secure the site, landscaping and proposed lighting within the development. In addition, a condition will be imposed on any consent issued requiring a Plan of Management to	Yes

	manage security on-site (condition 12.6.8).	
Part J – Stanhope Gardens		
3.1.1 Neighbourhood and Community Uses	The development of the site for recreational purposes is in line with the Urban Structure Plan as identified in Figure 4 of BDCP Part J. Further, the DCP identifies the Leisure Centre within Section 4.0 <i>Creating Special Places</i> . Whilst the DCP does provide recommendations for the development of the site, it is acknowledged within the DCP that the site is owned by Blacktown City Council and subject to further masterplanning. The proposed development is consistent with the Blacktown City Council Masterplan for the site. (Attachment 4)	Yes
Part O		
Waste Management Plan	A Waste Management Statement prepared in accordance with the requirements of the DCP has been submitted with the Development Application.	Yes
Part R		
Water Sensitive Urban Design and Integrated Water Cycle Management	Council's Engineers have undertaken an assessment of the proposal's drainage and water quality measures in accordance with the requirements of BDCP Part R - Water Sensitive Urban Design and Integrated Water Cycle Management. An appropriate Engineering condition has been included and sufficient information has been provided to satisfy the requirements of Part R (condition 6.8.1.2).	Yes

9.3 Context and Scale

The site falls within an area characterised by new low density housing development, with a drainage corridor and roads buffering the site. There are no residential dwellings that have a common boundary with the site. The desired future character of the area is largely determined by the planning controls applying under the provisions of Blacktown Local Environmental Plan 1988 and Blacktown Development Control Plan 2006 – Part J Stanhope Gardens. The proposed development has been designed to cater for the future recreational demands of the locality and at a larger regional scale.

The proposal complies with the development standards established within the Blacktown Development Control Plan as detailed above. A number of supporting technical studies have been submitted with the Application, including an Acoustic Assessment and Transport Assessment, to identify the implications that the proposed development may have on the amenity of the surrounding uses. Overall, the development as an expansion of the existing Blacktown Leisure Centre is considered suitable within the surrounding context and the size of the subject site and aims to minimise potential conflicts with adjoining properties through landscaping, fencing and operational management of the extended facilities.

9.4 Landscaping

The Applicant has submitted a detailed Landscape Plan and supporting landscape statement. The submitted landscape plan provides for the extensive embellishment of the site through predominant use of native species. The landscape treatment proposed will provide screening to adjoining development, and embellish the car parking area and access road to buffer adjoining residential properties. A **condition** will be imposed requiring the development to be consistent with the submitted Landscape Plan (**condition 12.6.1**).

9.5 Heritage

The site is vacant and not identified as containing any Aboriginal Archaeological potential in accordance with Blacktown Development Control Plan 2006 – Part A. An appropriate **condition** will be included that, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the National Parks and Wildlife Service and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted (**condition 1.6.1**).

9.6 External Building Material and Colours

A suitable variety of external materials, consistent with the scale and character of development in the locality, has been selected for the proposed development. These are considered to be satisfactory. A **condition** will be imposed in any consent issued requiring the development to comply with the submitted details (**condition 4.1.3**).

9.7 Impacts during Construction

A **condition** of consent will be imposed to mitigate against any potential impacts on the amenity of surrounding development, including any offensive noise generating development works being limited to 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays (**condition 9.4.2**).

9.8 BCA Compliance

A **condition** of consent will require that the proposed development complies with the applicable requirements of the Building Code of Australia, including accessibility requirements (**conditions 9.2 and 5.1**).

9.9 Soil Management

The proposed development is not expected to have an adverse impact in regarding the soil erosion or sedimentation. A **condition** of consent will require the applicant to ensure that the proposal is carried out in compliance with erosion and sedimentation controls (**conditions 9.1.4 and 9.1.5**).

10 Public Comment

- 10.1 The Development Application was notified in accordance with Blacktown Development Control Plan 2006, Part K – Notification of Development Applications to property owners and occupants within a 500m radius of the site for a period of 21 days from 22 January to 12 February 2014. An advertisement was also placed within the local newspaper and a sign was erected on the development site advising of the public notification.

10.2 In response **5 individual submissions** were received. The concerns have been summarised below, together with Town Planning comments thereon:

10.3 Future Expansion of the Site

- Concern is raised in regard to the future expansion of the subject site.
- It is noted that in January 2013 Blacktown City Council, as owner of the land, exhibited a masterplan for the subject site. This included notification in the local paper and advertisement of the masterplan (**Attachment 4**) between 21 January and 22 February 2013. Copies of the masterplan were available on Council's website and at Council's Civic Centre, libraries and leisure centres. The current DA under consideration forms part of this masterplan.

The second stage of the Tennis Complex, as provided for in the masterplan, consists of:

- 16 additional courts
 - Administration Centre catering for elite tennis athletes
 - additional parking and support facilities.
- Any future expansion of the subject site would be subject to separate development approval and include notification to adjoining properties. The masterplan does not provide any guarantees of approval for any future stages.

10.4 Traffic Noise

- A number of submissions raised concerns in relation to the existing traffic noise of Stanhope Parkway and the impact of the proposed expansion in further increasing the existing problem. Suggestions include the provision of a noise barrier along the extent of the proposed access road.
- The submitted Acoustic Assessment has identified that Stanhope Parkway is a major road with over 17,000 vehicles travelling along it per day. As such, the increase in the number of vehicles from the carpark and chartered buses is negligible and will not have any significant impact on road traffic noise from the Parkway.
- Where major events are proposed, extending vehicle exit to after 10pm at night and a special events traffic management plan and noise management plan will be required. These plans will include measures to reduce noise impact and will include the appointment of traffic control marshals to direct the flow of cars leaving all the parking areas, including the overflow car parking area.

10.5 Safety

- Residents are concerned that the proposed access road will become a racing circuit for undesirables, particularly at night. Furthermore, residents have raised concerns in relation to current anti-social behaviour occurring within the carpark of the Leisure Centre, which the expansion will only increase. Residents have requested the installation of CCTV to address security issues.
- Traffic calming devices will be installed on the proposed access road to discourage its use as an alternative route to the public road network. Furthermore, gates are to be installed to the access road to restrict out of operational hours access. The operation of the gates is

to be controlled by the Leisure Centre. This will be imposed as a **condition** on any consent granted (**condition 6.8.1**).

- The Applicant has advised that CCTV is not feasible for the site, given the existing landscaping throughout the existing carpark. However, the Applicant has agreed to the installation of gates to the entrance of the carpark at Sentry Drive in addition to those proposed at Stanhope Parkway. Further, a **condition** will be imposed requiring a Plan of Management in respect of security for operations beyond 10pm and installation of appropriate signage with contact details should after hours security issues occur (**condition 12.6.8**).

10.6 Hours of Operation

- Residents have raised objections in relation to the proposed hours of operation for the outdoor tennis centre, the noise impact of such hours, and have suggested that the courts closest to residential properties have reduced hours of operation.
- The tennis courts' standard hours of operation will be 7am to 9pm Monday to Friday and 8am to 7pm Saturday to Sunday. Hours will extend to 11pm Monday to Friday for team sport events and competitions within the Stadium in line with the current approved hours of operation of the BLCS. In addition, the development seeks approval for special events which may extend to 11pm on Sunday and midnight on Saturdays.
- One objector has raised concern in relation to the noise monitor being measured at a time when no special events were occurring on site. It should be noted that the noise monitoring was measuring the ambient background noise level. The quieter the background noise measured, the lower the noise level for disturbance will be. Therefore, it is appropriate for background noise monitoring to occur when no special event is being undertaken.
- The Applicant has submitted an Acoustic Assessment prepared by a qualified Acoustic Engineer. The findings of the Acoustic Assessment are summarised in Section 5. The Acoustic Assessment has concluded that, subject to the imposition of the recommendations within the report, the sound emitted from the development will not cause "offensive noise" as defined by the Protection of the Environment Operations Act 1997. Council's Environmental Health Section is satisfied that no single event sustained for a duration of 1 minute will be loud enough to breach the sleep disturbance criteria provided that the recommendations put forward by the Acoustic Consultant to minimise noise disturbance to residential receivers are implemented. Further, it requires a post operation acoustic verification report to be prepared for the development within 6 months of operation, to ensure that acoustic levels are satisfactory. Both the recommendations of the Acoustic Report and the submission of the post operation acoustic report will be included as **conditions** in any consent granted (**conditions 11.1.1 and 13.7.1**).
- In relation to proposed special events, a Noise Management Plan will be required to be submitted and approved by Council 3 months in advance of the event. In addition a Noise Management Plan will be required to be submitted prior to the Occupation Certificate for more regular events of up to 2,400 persons. The Noise Management Plan will be required to identify details of the event, and proposed crowd and traffic management to mitigate noise impact. The requirement for a Noise Management Plan will also be imposed as **conditions** on the consent (**conditions 12.11.1 and 14.3.6**).

10.7 Car Parking

- Objectors are concerned that there is insufficient car parking proposed for the development. Further, the existing carpark is being utilised by commuters and not patrons of the Leisure Centre.
- In this regard the development seeks to provide an additional 149 permanent car parking spaces on the site, as well as a bus bay that can cater for up to 4 standard buses. The development generates a demand for 148 car parking spaces in accordance with Council's car parking policy. During special events it has been identified that up to 2,400 people may visit the site. As identified in Figure 7 below, the site is capable of providing approximately 600 overflow car parking spaces. It should also be noted that any special event of this size would require separate approval through the Local Traffic Committee and require a Special Events Traffic Management Plan. As such, the proposed car parking provision is considered to be satisfactory.

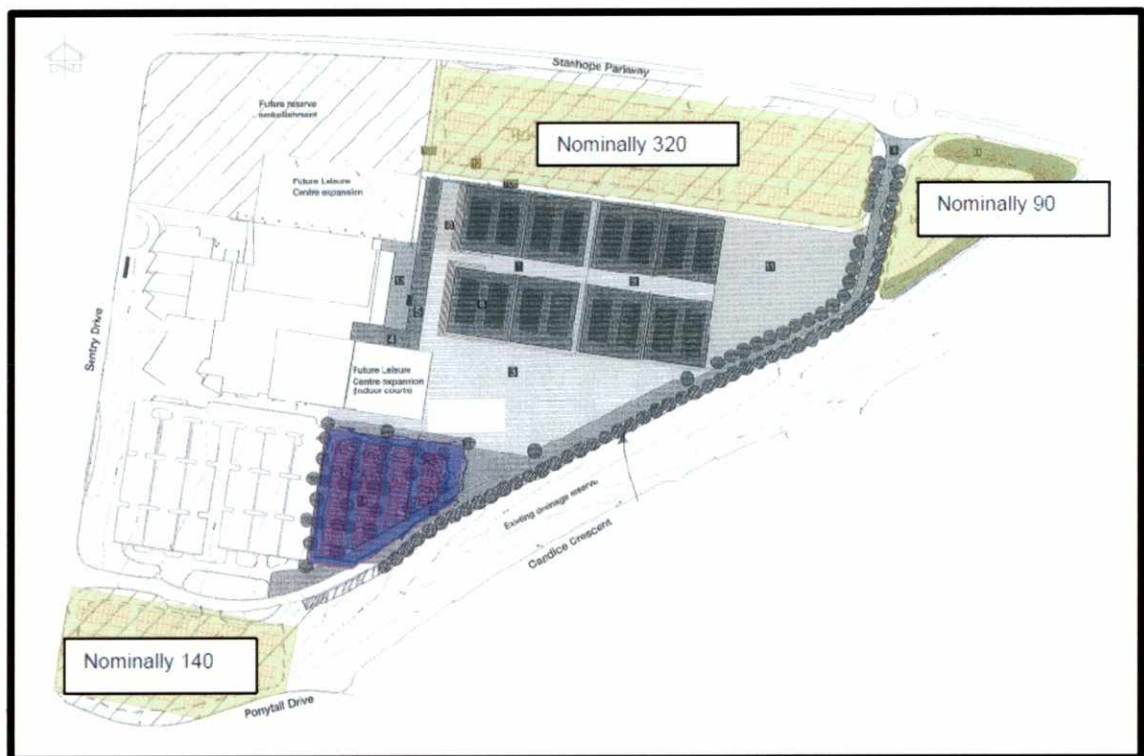


Figure 7: Overflow car parking location (AJ+C, 2013)

10.8 Traffic Impact

- Residents are concerned regarding the traffic impact the proposed development will have on the road network.
- As identified in Section 5 above, the submitted Traffic Report has identified that the existing road network is capable of catering for the demand generated by the proposal and that the estimated traffic generation of 94 vehicle trips per hour means that the development will have a minimal impact on the road network. The Traffic Report has been reviewed by Council's Traffic Management Section which is satisfied with the conclusions of the submitted Traffic Report.

- In addition, as identified above, large events on the site would be required to be approved by the Local Traffic Committee, to address any potential impact on the road network from those larger events.

10.9 Availability of Open Space

- A resident has raised concerns in regard to the availability of open space in the area and the existing use of the site being for passive recreation purposes.
- It is noted that the proposed development is permissible within the zone and the development does not propose to utilise the entire site. In addition, there are a number of other passive recreation parks within easy walking distance (400m) of the existing park.
- Further, whilst the development does provide for overflow car parking (non-sealed parking), the overflow areas will only be used approximately 25 times a year. It therefore may be possible for the overflow areas to be utilised as open space at all other times.

10.10 None of the matters raised in the submissions are considered to warrant refusal of the proposal and **conditions** can be imposed to address any potential impacts.

11 Section 79C Consideration

11.1 Consideration of the matters prescribed by Section 79C of the Environmental Planning and Assessment Act is summarised below:

Head of Consideration	Comment	Complies
<i>a. the provisions of:</i>		Yes
<i>i. any environmental planning instrument (EPI)</i>	<ul style="list-style-type: none"> • The provisions of the relevant EPIs relating to the proposed development are summarised in Section 6 of this report. 	Yes
<i>(ii) draft EPI</i>	<ul style="list-style-type: none"> • The proposal is permissible within the 5(a) Special Uses and 6(a) Public Recreation zones and satisfies the zone objectives outlined under Blacktown Local Environmental Plan 1988. 	Yes
<i>(iii) any development control plan</i>	<ul style="list-style-type: none"> • The subject site is proposed to be rezoned under Draft Blacktown Local Environmental Plan 2013 to RE1 Public Recreation. The proposal will be defined as a Recreation Facility (Indoor) and Recreation Facility (Outdoor), which are both permissible within the RE1 zone with development consent. 	Yes
<i>(iii) any planning agreement</i>	<ul style="list-style-type: none"> • The Blacktown Development Control Plan applies to the subject site. 	Yes
<i>(iv) the regulations</i>	<ul style="list-style-type: none"> • The proposed development is consistent with the desired future character of the area. 	Yes
	<ul style="list-style-type: none"> • A detailed assessment of the Application is provided in Section 9 of this Report. 	Yes

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>	<ul style="list-style-type: none"> An assessment of the key issues is provided in Section 9 of this Report and it is considered that the likely impacts of the development have been satisfactorily addressed. 	Yes
c. <i>the suitability of the site for the development</i>	<ul style="list-style-type: none"> The subject site is currently used as a recreational area, which the proposal intends to expand upon to cater for the recreational needs of the locality. The proposal has been designed taking into consideration the site's constraints and locality. The site is therefore considered suitable for the proposed development. 	Yes
d. <i>any submissions made in accordance with this Act or the regulations</i>	<ul style="list-style-type: none"> As noted in Section 10 of this Report, the Application was placed on public notification for a period of 21 days, during which time 5 submissions were received. None of the matters raised in the submissions are considered to warrant refusal of the proposal. 	Yes
e. <i>the public interest</i>	<ul style="list-style-type: none"> The proposal seeks to provide for a recreational area of an urban context to cater for the demands within the existing and future population. The new facilities are desirable in meeting the recreational needs of the area and are considered to be in the public interest, subject to acoustic and traffic management measures being implemented through conditions of consent. 	Yes

12 Concluding Comments

- 12.1 The proposed development has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning & Assessment Act 1979 and is considered to be satisfactory. In this regard it is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. Further, the subject site is considered suitable for the proposed development.
- 12.2 The proposal is consistent with the objectives of Blacktown Local Environmental Plan 1988 and the 5(a) Special Uses and 6(a) Public Recreation zones and is permissible in these zones with development consent. The proposal also complies with the provisions set out the Blacktown Development Control Plan 2006, and is considered satisfactory with regard to relevant matters such as built form, traffic, access, stormwater and drainage impacts and the like subject to the imposition of suitable conditions of consent to satisfactorily control the development.

13 Recommendation

- 13.1 The Development Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at Attachment 2.
- 13.2 The Applicant and Objectors be advised of the Sydney West Joint Regional Planning Panel's decision.



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