

# **SYDNEY WEST JOINT REGIONAL PLANNING PANEL**

## **STATEMENT OF REASONS**

### **for decision under the *Environmental Planning and Assessment Act 1979 (NSW)***

The Sydney West Joint Planning Panel (JRPP) provides the following Statement of Reasons for its decision under section 80 of the (NSW) *Environmental Planning and Assessment Act 1979* (the Act) to:

Grant consent to the Blacktown development application subject to conditions

Extension of Blacktown Leisure Centre, Stanhope Gardens for two additional indoor courts and tennis centre, 1 Sentry Drive, Stanhope Gardens.

Council Reference: DA 13-2289, JRPP Reference: (2013SYW111)

Applicant/Owner: Blacktown City Council

The proposed development is classified as regional development as it has a Capital Investment Value of more than \$5 million (\$10.3 million) with Council Interest as per Clause 4 of Schedule 4A of the act.

#### **A. Background**

##### ***1. JRPP meeting***

Sydney West Joint Planning Panel meeting was held on 24 July 2014 at Blacktown Council, 11.30 am.

#### **Panel Members present:**

Mary-Lynne Taylor  
Paul Mitchell  
Bruce McDonald

#### **Council staff in attendance:**

Judith Portelli – Manager, Development Services  
Melissa Parnis – Assistant Team Leader, Planning  
Nadeem Shaikh – Co-ordinator, Traffic Management  
Tenille Lawrence-Heskew – Environmental Health Officer  
Christopher Wahbe – Senior Engineer

**Apologies:** None made

**Declarations of Interest:** None

## ***2. JRPP as consent authority***

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Blacktown City Council area, was constituted by the Minister.

The functions of the Panel include any of a council's functions as a consent authority as are conferred upon it by an environmental planning instrument [s 23G(2)(a) of the Act], which in this case is the *State Environment Planning Policy (State and Regional Development) 2011*.

Schedule 4A of the Act sets out development for which joint regional planning panels may be authorised to exercise consent authority functions of councils.

## ***3. Procedural background***

The development application was lodged with Council on 26 November 2013.

A **site visit** was undertaken by panel with Judith Portelli from Council on 24 July 2014.

A **final briefing meeting** was held on 24 July 2014.

## **B. Evidence or other material on which findings are based**

In making the decision, the Panel considered the following:

s79C (1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument

- **State Environmental Planning Policy (State and Regional Development) 2011**
- **State Environmental Planning Policy (Infrastructure) 2007**
- **State Environmental Planning Policy No. 55 – Remediation of Land**
- **Blacktown Local Environmental Plan 1988**
- **Draft Blacktown Local Environmental Plan 2013**
- **Blacktown Development Control Plan 2006**

(ii) any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

- **Draft Blacktown Local Environmental Plan 2013**

(iii) any relevant development control plan

- **Blacktown Development Control Plan 2006**

(iiia) any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F:

**There is none**

(a) (iv) Relevant Regulations:

- **Environmental Planning & Assessment Regulation 2000.**

There were 5 submissions made in accordance with the Act or the regulations for this application. In making the decision, the Panel considered the submissions.

In making the decision, the Panel considered the following material:

1. Assessment report to JRPP on 11 July May 2014 by Melissa Parnis.
2. Development Application Plans.
3. Proposed Conditions of Consent.
4. Location of Objectors.

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 24 July 2014:

**Submissions made against the development application:**

1. Frank Greenaway

**Submissions made in favour of the development application:**

1. Rudi Svac – Manager, Transport & City Projects
2. Larry Adams – Architect
3. Alex Lee – Acoustic Engineer, Day Design

The Panel has carefully considered the material referred to in Section B.

**C. Relevant documents and assessment in accordance with the terms of the documents**

**(a) Environmental planning instruments.** The Panel has considered each of the environmental planning instruments referred to in Section B.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the environmental planning instruments referred to in Section B.

***(b) Development control plan.*** The Panel has considered the Blacktown Development Control Plan 2006 referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Reports in relation to the Development Control Plan.

***(c) Likely environmental impacts on the natural environment.*** In relation to the likely environmental impacts of the development on the **natural** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **natural** environment in Council's Assessment Reports.

***(d) Likely environmental impacts of the development on the built environment.*** In relation to the likely environmental impacts of the development on the **built** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **built** environment in Council's Assessment Reports.

***(e) Likely social and economic impacts.*** In relation to the likely social and economic impacts of the development in the locality, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely social and economic impacts of the development in Council's Assessment Reports.

***(f) Suitability of site.*** Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that the site is suitable for the proposed development.

***(g) Public Interest.*** Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that granting consent to the development application is in the public interest. In particular, the Panel is of the view that the following

matters lead to the conclusion that granting consent to the development application is in the public interest.

#### **D. Why the decision was made**

The Panel concludes that:

- The proposed development is consistent with the planned use of the site for community uses and a recreation centre as reflected in the current zoning under BLEP 1988 and the proposed zoning under Draft BLEP 2013.
- The proposed use will add to the range of district scale facilities available to the population of the currently developing North West Metropolitan Centre consistent with the role of the Stanhope Gardens Centre and will provide a centre for selected tennis events contributing to social amenity of the region.
- The proposed development subject to the conditions to be applied, particularly those addressing acoustic control and management, lighting control and management, traffic control and management of major events is considered to be an appropriate use of the site and unlikely to result in negative impacts on the surrounding residential environment.
- The development will have no negative impact on the natural environment.

Having regard to these conclusions the Panel considers the proposed development to be an appropriate use of the land and in the public interest.



JRPP member (chair)  
Mary-Lynne Taylor



JRPP member  
Bruce McDonald



JRPP member  
Paul Mitchell