

## Section 96(2) Modification Assessment Report to Sydney West Joint Regional Planning Panel

<b>JRPP No:</b>	Item (2014SYW069)
<b>DA No:</b>	S96-14-702 to modify Notice of Determination No. 09-3146
<b>Proposed Development:</b>	S96(2) for modification to the approved design of the Riverstone Police Station
<b>Development Type:</b>	"Crown Development" – Capital Investment Value > \$5 million
<b>Lodgement Date:</b>	1 May 2014
<b>Land/Address:</b>	Lots 1 and 2 DP 546708 4 Elizabeth Street, Riverstone
<b>Land Zoning:</b>	2(a) Residential and 5(a) Special Uses – Police pursuant to Blacktown Local Environmental Plan 1988
<b>Revised Capital Investment Value of Approved Development:</b>	\$14,857,000
<b>Applicant:</b>	Natalie Harris on behalf of NSW Police
<b>Report Author:</b>	Melissa Parnis, Assistant Team Leader, Planning (North)
<b>Instructing Officers:</b>	Judith Portelli, Manager Development Services and Administration and Glennys James, Director City Strategy and Development
<b>Date Submitted to JRPP:</b>	14 August 2014
<b>Date Considered by JRPP:</b>	28 August 2014



Figure 1: Photomontage (Source: Gardner Wetherill Associates, 2014)

## ASSESSMENT REPORT

### CONTENTS

1	Executive summary	Page 3
2	Background	Page 3
3	The proposal	Page 4
4	Planning controls	Page 5
5	Internal referrals	Page 6
6	Assessment	Page 7
7	Public comment	Page 8
8	Section 96 consideration	Page 11
9	General comments	Page 13
10	Recommendation	Page 13

Attachment 1 – Recommended modifications to conditions

Attachment 2 – Modified development plans

Attachment 3 – Location of site and submitter

Attachment 4 – Lighting plan

## 1 Executive summary

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- 1.1 On 17 July 2012 the Sydney West Joint Regional Planning Panel (JRPP) approved the refurbishment of the existing Riverstone Police Station and construction of a new 3 storey Police Station, basement carpark and associated landscaping at the subject site.
- 1.2 On 1 May 2014 the Applicant lodged a Section 96(2) Application for the following modifications:
- deletion of the basement car parking level
  - provision of 50 at-grade car parking spaces (previous approval provided for 58 car parking spaces – 25 within the basement level and 33 at-grade)
  - deletion of the previous Level 2 floor containing office space
  - deletion of the vehicle inspection workshop and associated administration staff area
  - relocation of the public entry to the south-west end of the building (Railway Terrace end)
  - access lift to public foyer to be replaced with a 1:14 grade access ramp
  - relocation of electrical substation to the south-east corner of the site.
- 1.3 In accordance with Clause 21 of State Environmental Planning Policy (SEPP) (State and Regional Development) 2011, the Joint Regional Planning Panel (JRPP) is the determining authority for a Section 96(2) modification to a previous JRPP Application. As such, while Council is responsible for the assessment of the Section 96 Application, determination of the Application will be made by the JRPP.
- 1.4 The subject site is zoned 5(a) Special Uses – Police Station and 2(a) Residential pursuant to Blacktown Local Environmental Plan 1988. Public buildings are permissible within the 5(a) Special Uses zone and only the carpark is permissible within the 2(a) Residential zone. The modifications continue to provide the carpark within the 2(a) zone, with all elements of the public building located within the 5(a) Special Uses zone.
- 1.5 The proposed modifications have been assessed against Section 96(2) of the *Environmental Planning and Assessment Act 1979* and are considered satisfactory.
- 1.6 The Application was notified in accordance with Blacktown Development Control Plan 2006, Part K – *Notification of Development Applications* for 14 days from 10 to 24 June 2014. In response to the public exhibition 2 submissions were received.
- 1.7 The submissions received raise concerns in relation to stormwater disposal, acoustic impacts and setbacks, as well as privacy concerns. The concerns raised in the submissions are important and the Applicant has amended the proposal where appropriate to address the concerns. In light of this, the issues raised within the submissions are not considered reasons for refusal.
- 1.8 Council Officers recommend that the JRPP approve the Section 96(2) Application subject to the modification of conditions of consent. Recommended modifications to conditions are provided at **Attachment 1**.

## 2 Background

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- 3.1 The initial DA (JRPP-09-3146) was lodged on 17 December 2009. The proposed development constituted “Regional Development” requiring referral to the JRPP as the development was on behalf of the Crown and had a capital investment value of more than \$5 million. As such, while Council Officers were responsible for the assessment of the DA, the Sydney West JRPP determined the Application.

- 3.2 The Sydney West JRPP resolved to refuse the DA at the Panel meeting held on 27 January 2011 due to flooding concerns, the suitability of the site, scale and character of the development and that the development would not be in the public interest. As a Crown DA, the Panel was required to refer the matter to the then Minister for Planning and Infrastructure for his consent to refuse the Application (in accordance with Section 89(1)(a) of the Environmental Planning and Assessment Act 1979) (the Act).
- 3.3 After a review by the then Department of Planning and Infrastructure and additional information being obtained on flooding, the Minister issued a direction (dated 5 July 2012) under Section 89A(1) of the Act for the JRPP to approve the DA, subject to specified conditions of consent.
- 3.4 On 11 July 2012 the JRPP Secretariat circulated the direction issued by the Minister and the Department of Planning and Infrastructure's assessment report to the JRPP Panel members.
- 3.5 The JRPP reviewed the documentation and voted on 17 July 2012 to approve the DA subject to the conditions of consent as directed by the Minister. Notice of Determination No. 09-3146 was subsequently issued on 23 July 2012 and submitters were notified accordingly.
- 3.9 On 15 November 2012 a Section 96(1A) Application to make minor modifications to the development consent was lodged with Council. The modifications included correction of minor anomalies and minor design modifications to the approved floor plans. Council subsequently approved the Section 96(1A) on 28 February 2013.

### 3 The proposal

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- 3.1 This proposal seeks approval for the modifications to the approved design of the Riverstone Police Station. The building design has been modified to now provide a 2 storey building, instead of the 3 storey building with basement car parking previously approved by the JRPP. The overall building height will now be reduced by 3.6m.
- 3.2 The Application seeks to modify the approved car parking on site. The previous approval provided for 58 car parking spaces, including 25 spaces within the basement level and 33 spaces at-grade. The proposed revised parking provision includes:

- 50 at-grade spaces in areas to the east and north of the building
- 9 spaces in enclosed garages
- trailer bay, van dock and wash bay
- 6 indented spaces (emergency response) along the frontage of the site to Elizabeth Street

Vehicle access will continue to be from the existing combined ingress/egress driveway on Elizabeth Street and a new approved combined ingress/egress driveway on Railway Terrace.

- 3.3 Other modifications that form part of the Section 96(2) include:
- deletion of the vehicle inspection workshop and associated administration staff area
  - relocation of public pedestrian entry to the south-west end of the building (Railway Terrace end)
  - access lift to public foyer to be replaced with a 1:14 grade access ramp
  - proposed electricity substation relocated to the south-east corner of the site.
- 3.4 A copy of the revised development plans are held at **Attachment 2**.
- 3.5 NSW Police seek the modifications as part of a value management exercise to ensure that the project remains within the allocated budget. This provided the capacity to reduce the overall facility size, including removal of an expensive basement carpark. The Applicant has advised that local policing services to the community will not be affected by these changes.

- 3.6 The Applicant has submitted a design statement prepared by Gardner Wetherill Associates supporting the proposed modifications to the building design. The design statement concludes that the Riverstone Police Station, as a public building, should provide a well-designed, high quality facility that positively contributes to the urban fabric, and responds to the social needs of the community. The planning assessment of the proposed building form is provided in Section 6 of this report.
- 3.7 An assessment of traffic and parking implications dated April 2014 prepared by Transport and Traffic Planning Associates has been prepared for the proposed modifications. The assessment investigates:
- the adequacy of the proposed parking provision
  - the potential traffic implications
  - the suitability of the proposed vehicle access, internal circulation and servicing arrangements of the proposal.

The assessment identifies that, as the “staff occupied area” of the development has decreased to 1,627sq.m, Blacktown Development Control Plan 2006 (BDCP) now requires the provision of 41 car spaces. The proposed development now provides for 50 spaces on site and therefore complies with Council’s development controls.

- 3.8 Regarding traffic generation, the traffic report identifies that the peak vehicle activity will occur at shift change times and that total movement at shift change times will be 40 vehicle trips per hour. It is concluded that traffic generation of this small magnitude will not have any adverse traffic implications, particularly in view of:
- the multiple arrival and departure routes
  - the time of occurrence, as shift change times are generally not in the on-street peak traffic periods.
- 3.9 It further concludes that the Police Station will have emergency response vehicles, parked in Elizabeth Street, which will be required to depart urgently at times. However, the traffic flows on Elizabeth Street are minor and the roadway is straight and level, providing excellent sight distances. Similarly, the sight distance provision at the intersections along Elizabeth Street and the circumstances for emergency response will be safe and appropriate.

## 4 Planning controls

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

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

In accordance with Clause 21 of the SEPP, the JRPP is the determining authority for a Section 96(2) to a previous JRPP Application.

**(b) State Environmental Planning Policy (SEPP) (Infrastructure) 2007**

The proposed development is permitted with consent on Lot 2 DP 546708 as it is zoned specifically for Police Station purposes under Blacktown Local Environmental Plan (BLEP) 1988.

However, the 2(a) Residential zone under BLEP does not permit the proposed use.

Notwithstanding this, Clause 20(1) of the SEPP permits car parking carried out by or on behalf of a public authority as exempt development on residential zoned land. Lot 1 DP 546708 (being 2(a) zoned land) only contains part of the carpark associated with the

proposal and is on behalf of a public authority, the NSW Police. Therefore, the car parking element is permissible on the 2(a) zoned land in accordance with the SEPP.

**(c) Blacktown Local Environmental Plan 1988 (BLEP)**

Pursuant to the BLEP the subject site consists of 2 different land use zonings. As noted above, the subject site is zoned both 5(a) Special Uses – Police and 2(a) Residential. Within BLEP, a Police Station is defined as a public building.

In respect to the land zoned 5(a) Special Uses – Police (Lot 2 DP 546708), the development is permissible on the site as the development is for the “*particular purpose indicated by black lettering on the map*”. In regard to Lot 1 DP 546708 that is zoned 2(a) Residential, Schedule 1 of the BLEP lists a “*public building*” as a prohibited land use. Notwithstanding this, as outlined above, the Infrastructure SEPP permits car parking on behalf of a public authority as exempt development on the subject lot.

**(d) Draft Blacktown Local Environmental Plan 2013 (DBLEP)**

The DBLEP was placed on public exhibition between 23 January 2013 and 19 April 2013. The DBLEP proposes to rezone the subject site to R2 Low Density Residential. In accordance with DBLEP 2013, the proposed development would be defined as a “*public administration building*”, which is permissible within the R2 Low Density Residential zone with development consent.

## 5 Internal referrals

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

Section	Comments
<b>Engineering</b>	<p>Council’s Engineers required the submission of a stormwater concept plan showing the on-site drainage system and appropriate water quality measures in accordance with Blacktown Development Control Plan 2006, Part R – <i>Water Sensitive Urban Design and Integrated Water Cycle Management</i>.</p> <p>The Applicant subsequently submitted the requested additional information and Council’s Engineers now propose a modified condition to reflect the updated stormwater information submitted.</p>
<b>Building</b>	<p>Council’s Building Surveyors have reviewed the proposed modifications, including the submitted Building Code of Australia Design Compliance Assessment. No objections are raised to the modifications and the existing conditions remain unaltered.</p>
<b>Traffic Management Section</b>	<p>Council’s Traffic Management Section (TMS) has reviewed the proposed modifications and submitted assessment of traffic and parking implications prepared by Transport and Traffic Planning Associates, addressing the proposed modifications.</p> <p>TMS reviewed the modifications and raised no objections to the proposal from a traffic management perspective.</p>

Section	Comments
Heritage	<p>The proposed modifications were referred to Council's Heritage Advisor as the Police Station site contains a heritage item listed under Schedule 2 of the BLEP.</p> <p>The Heritage Advisor has identified that the amendments impact on the historic Police Station by reducing the size of the current space between the building, however the replacement of garages with office area/store rooms provides a more appropriate rear area interface with the former Police Station building. As such, the amendments are considered to have a positive impact from a heritage perspective. The modifications to reduce the size and scope of the Police Station and amendments to the areas immediately to the rear of the former Police Station will have a negligible additional impact on the heritage item.</p>

## 6 Assessment

6.1 An assessment of the key issues relating to the proposed development is provided below:

### (a) Blacktown Development Control Plan 2006 (BDCP)

The development complies with the requirements of the BDCP. Specific compliance with car parking and building design controls are outlined in further detail below. In addition, the stormwater concept plans have been modified to satisfy Council in relation to Part R – *Water Sensitive Urban Design and Integrated Water Cycle Management* and **conditions** are proposed to be modified to ensure compliance (**conditions 2.2.2.1**).

Flooding concerns are addressed as the building ground floor has been elevated to compensate for a 500mm freeboard above the 1:100 year flood level. Access to parking areas and secure garages has been generally maintained at the existing ground level, to alleviate surface drainage issues and the need to import fill.

### (b) Car parking

Table 1 provides a summary of the modifications sought in relation to car parking provision, based on the gross usable floor space and the BDCP car parking rate of 1 car space per 40sq.m of office space.

Element		Previously Approved	Proposed
Floor Space		1,884 sq.m	1,627 sq.m
Car Parking	Basement	25 spaces	Nil
	At-grade	33 spaces	50 spaces
	<b>TOTAL</b>	<b>58 spaces</b>	<b>50 spaces</b>
	REQUIRED (based on 1/40 sq.m)	48 spaces	41 spaces

The table above demonstrates that the development provides in excess of the required car parking spaces under the BDCP. In addition, the development will have a 9 car space secure holding yard for impounded vehicles and 6 "first response" vehicle spaces in a bay on the Elizabeth Street road frontage. The secure holding yard car parking numbers have decreased from the 31 car parking spaces as initially approved. The Applicant has identified that this is because the functions originally proposed at the Riverstone Police Station have changed. In addition, the number of first response vehicles has increased from 4 spaces to 6 spaces, through the redesign of the parking bay.

The proposed car parking provision is considered satisfactory.

**(c) Building height**

The modifications seek to amend the approved building design to delete the third level and basement car parking from the building design. The amendments have resulted in a decrease in overall building height by 3.6m from RL 28.9 to RL 25.3. The maximum building height is now 11m above ground level.

**(d) Setbacks**

The modified building design has seen the deletion of the third level and basement car parking from the building design. In addition, the Applicant has modified the floor space and layout. This includes deletion of the vehicle inspection workshop and associated administration staff area on the northern ground floor. This area has been partially replaced with additional office floor space. No modifications have occurred to the overall building setbacks. In addition, the overall site coverage has decreased.

**(e) Public access**

The public entry to the building has been relocated to the south-west end of the building, which provides the building entry closer to the corner of Railway Terrace and Elizabeth Street. This provides for an entry in a more dominant location within the building design and is supported through the provision of a 1:14 grade access ramp replacing the access lift to the public foyer, to comply with Australian Standards for access and mobility.

**(f) Colours and finishes**

The building is rectilinear in form, with a recessed terraced area to the south-east fronting Elizabeth Street. Substantial landscaping is proposed to the east and north and screen planting at the north end to provide a planting buffer to the adjoining residential boundary.

The development provides for a high standard of colours and finishes within the architecturally design public building. The Railway Terrace façade incorporates terracotta cladding and horizontal screening louvers. The façade treatment along Elizabeth Street is green tint and colour backed glazing. The masonry component is concrete blockwork, with the southern façade on the Railway Terrace elevation being terracotta horizontal cladding tiles with black detailed trim. Glazing to the south is screened with natural anodised aluminium louver battens.

## **7 Public comment**

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7.1 The subject Application was notified in accordance with Blacktown Development Control Plan 2006 Part K – *Notification of Development Applications* to all properties notified of the original Development Application, including any persons who made a submission on the original Development Application. The notification period was between 10 and 24 June 2014. An advertisement was also placed within the local newspaper and a sign was erected on the development site advising of the public notification.

7.2 In response to the public notification, 2 individual submissions were received, including 1 submission where the objector wishes their details to be confidential. The concerns have been summarised below, together with town planning comments thereon. It is noted that the concerns raised by the objector who has identified that their details are to remain confidential have been addressed in general terms within this report. **Attachment 3** identifies the location of the site and 1 of the submitters.

**7.3 Height and location of car wash facility**

- ☐ There is concern in relation to the location and distance of the relocated car wash facility in the north-eastern corner of the site and the impact on the amenity of adjoining landowners.

**Town Planning comment:**

- The Section 96 modification plans that were placed on public notification identified an enclosed trailer bay area, with a 4.1m high blockwork wall located on the common property boundary in the north-east corner of the site.
- The Applicant was subsequently requested to amend the location of the enclosed trailer bay area to have a 900mm setback consistent with the requirements for residential dwellings, and ensure that the amenity of adjoining land owners was not impacted.
- The Applicant has amended their plans, providing a 900mm setback to rear property boundaries and reducing the height of the blockwork on this boundary to 3.5m.
- With the proposed modifications, the location of the car wash bay enclosure is now considered satisfactory. It is noted that there are no setback requirements for development within a 5(a) Special Uses – Police zone and the interface complies with the setback requirements for a residential area.
- In addition, the car wash bay enclosure is considered satisfactory as with a height of 3.5m it is consistent with a single storey dwelling. Furthermore, the wall adjoining neighbours has no openings and adjoining properties are not affected by overshadowing given the scale and location of the structure. Notwithstanding this, a **condition** will be imposed requiring the wall to be made of **split face blockwork** to ensure that the wall is satisfactory from an aesthetic perspective.
- The Applicant has also submitted an elevation for the north-west property boundary, as there are multiple structures in close proximity to the common property boundaries. The elevation can be seen in the Development Application plans at **Attachment 2**. In this regard, carport structures and secured covered vehicle garages have been setback where possible to comply with a residential 900mm requirement. In other cases, the carport structures have been reduced in height. It is also noted that the Applicant is to provide a 2.4m high blockwork wall against neighbours' fences to address any visual or acoustic privacy concerns. The side setback of the carport structures is consistent with those previously approved as part of the original DA.

#### 7.4 Acoustic screen

- ☐ Council has received a request that an acoustic screen be provided along the northern common property boundary.

**Town Planning comment:**

- A similar request was received by Council as part of the Section 96(1A) Application submitted to Council in November 2012. In approving the Section 96(1A), the Applicant agreed to the imposition of a condition for an acoustic wall to be provided along the northern property boundary.

- The Applicant's amended site plan identifies the provision of a new 2.4m acoustic blockwork wall for the extent of the northern property boundary, to provide visual and acoustic privacy to adjoining properties.

## 7.5 Surveillance cameras and lighting

- The objector is concerned regarding the impact of surveillance cameras impacting on the privacy of their property. In addition, there is concern in relation to light spill impacts.

### Town Planning comment:

- Concerns regarding surveillance cameras were originally raised in consideration of the initial Development Application. The Applicant has advised that all external security cameras are fixed and there are no security cameras encroaching upon or placed in a direction to view the neighbours' properties. It is noted that a condition was imposed on the original consent requiring security cameras to be in a fixed (motionless) position to view activities within the holding yard and at-grade car parking areas within the subject site only.
- With regard to concerns about light spill, the Applicant has submitted lighting detail plans – refer to **Attachment 4**. The Applicant has confirmed that there is a 4.5m high pole light on the northern boundary which is near a neighbouring property, placed to address safety security concerns. Light fittings are also to be provided under the carport structures. All external lighting has glare shields with PE cells and time-clocks. In addition, a condition was imposed in the original consent requiring external lighting to be managed by time sequence clocks, while lighting to the parking areas are to be reduced at night, to ensure that the amenity of the adjoining residents is maintained at a satisfactory level.

## 7.6 Stormwater

- The adjoining landowner at H/N 6 Elizabeth Street is concerned that, when heavy rain occurs, high volumes of water run through the street. As the landowner and the Police Station are located downstream, the objector wants to ensure that the development has made provision for sufficient drains to catch the rainwater. The submitter has also raised concerns regarding the potential impact of the fencing on the common property boundary that may affect stormwater flows.

### Town Planning comment:

- The above concerns have been referred to Council's Engineers who have provided the following comments:
  - A stormwater drainage plan for the proposal identifies measures to collect stormwater and provides for an on-site stormwater detention (OSD) system. When implemented, the OSD system will control the stormwater discharge that enters Council's existing drainage system. The function of the OSD system is to reduce the 1:100 rainfall flow events from the development via the use of a controlled orifice arrangement. The detained stormwater is temporarily stored in an associated detention tank and released at a controlled rate so as to not adversely impact downstream rivers and creeks.
  - It is also noted that, as the site is located between 2 catchments, 2 separate OSD systems have been provided. In this regard, 1 OSD system discharges into Railway Terrace and the other discharges into Elizabeth Street.

- In regard to concerns about the impact of the fence on the common property boundary, the original consent conditions require that overland flows are intercepted at the property boundary and conveyed through the Police Station site. This avoids an adverse impact on adjoining properties. The condition requires the applicant to ensure that the design of the fence makes provision for the capture of any overland flow.

## 7.7 Relocation of substation

- The objector is concerned that the relocation of the electrical substation closer to their property will result in increased noise levels.

### Town Planning comment:

- The proposed modifications seek to relocate the existing electrical substation closer to the south-east property boundary.
- The electrical substation has been re-orientated and relocated 8m to the south-east. The substation is now 4m from the objector's property. The electrical substation is now located within a walled, unroofed structure. In addition, there is proposed shrub landscaping adjoining the neighbour's property, as well as a 2.4m high blockwork wall along the common property boundary. In light of this, whilst the electrical substation is typical of that within a residential environment, the acoustic measures on the common property boundary will ensure that the noise impact from the relocation of the substation is negligible.

- 7.8 The above comments demonstrate that the concerns raised have been adequately addressed through the Section 96 process and conditions of consent. In light of this, the submission issues do not warrant refusal of the Section 96 Application.

## 8 Section 96 consideration

- 8.1 Consideration of the matters prescribed by Section 96 of the *Environmental Planning and Assessment Act 1979* is provided below:

Head of Consideration	Comment	Complies
(a) <i>it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)</i>	<p>The development as modified is substantially the same development as that approved.</p> <p>The modifications are to the approved Police Station within the context of the existing site. Whilst there have been substantial modifications to the external elevations and building design, the context and character of the development is substantially the same.</p>	Yes
(b) <i>it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general</i>	<p>The concurrence of the Minister, public authority or approval body is not required for the development. Furthermore, "general terms of approval" do not apply to the development.</p>	N/A

Head of Consideration	Comment	Complies
<i>terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent</i>		
<p>(c) <i>it has notified the Application in accordance with:</i></p> <p>(i) <i>the regulations, if the regulations so require, or</i></p> <p>(ii) <i>a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of Applications for modification of a development consent</i></p>	The proposed Section 96 Application was notified in accordance with the provisions of the regulations.	Yes
<p>(d) <i>it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be</i></p>	During public notification, Council received 2 submissions. Issues have been considered in this report. The concerns raised within submissions do not warrant refusal of the Application.	Yes
<p>(e) <i>In determining an Application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 79C (1) as are of relevance to the development the subject of the Application</i></p>	<p>The modifications have been assessed against Section 79C(1) and are considered satisfactory as summarised below:</p> <ul style="list-style-type: none"> <li>▪ The development complies with the requirements of relevant environmental planning instruments.</li> <li>▪ The development is considered satisfactory with respect to the natural and built environment as well as social and economic impacts.</li> <li>▪ The subject site is suitable for the proposed use given that the use has already been approved and is providing a community use within an urban area.</li> <li>▪ 2 submissions were received as part of the public notification and have been taken into consideration in this report. The submission issues do not warrant refusal of the Application.</li> <li>▪ The development is in the public interest, providing a much-needed upgrade to an existing Police Station within the Riverstone area.</li> </ul>	Yes

## 9 General comments

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- 9.1 The proposed development has been assessed against the matters for consideration listed in Section 96 and Section 79C of the Environmental Planning and Assessment Act 1979 and is considered to be satisfactory.

## 10 Recommendation

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- 10.1 The Section 96(2) Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at Attachment 1.



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