

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Wednesday 4 November 2015 at 1.30 pm**

Panel Members: Mary-Lynne Taylor (Chair), Stuart McDonald, Bruce McDonald, Michael Smart and David White

**Apologies:** None

**Declarations of Interest:** None

## Determination and Statement of Reasons

**2015SYW142 – Hornsby Shire Council, DA/849/2015**, Demolition of existing tennis court complex and construction of a new indoor recreation facility with basement car parking, Lots 300 and 301 DP 832745 Nos. 20X Waitara Avenue, Waitara (Waitara Oval) and 1 Park Lane, Waitara (Waitara Park – Tennis Courts).

**Date of determination:** 4 November 2015

### Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

### Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.






### Reasons for the panel decision:

1. The proposed development will expand the provision of recreation, social and cultural facilities available to youth and others within the Hornsby Town Centre.
2. The proposed development adequately satisfies the relevant State Environmental Planning instruments including SEPP 55 Remediation of Land.
3. The proposal adequately satisfies the provisions and objectives Hornsby LEP 2013 and Hornsby DCP 2013.
4. The proposed development is consistent with the plan of management recently adopted by Council to guide the development and management of Waitara Park.
5. The proposed development is consistent with existing and future character of Waitara Park and its surrounding residential context noting that the precinct is undergoing growth and change to accommodate planned high density housing.
6. The proposed development will have no more significant adverse impacts on the natural or built environments including impacts on the operation of the local road network. In this regard the Panel notes that the improvements to local transport facilities being undertaken by Council in Waitara.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

**Conditions:** The development application was approved subject to the amended conditions provided at the meeting with amended to Condition 5, 6, 7 to include recommendations contained within the Heritage Impact Assessment Report prepared by Warwick Mayne-Wilson and Condition 18 to be amended to include requirements for noise attenuation, rock sawing and requirements with the Interim Construction Noise Guidelines – 2009 published by DECCW.

**Note:** The Panel notes that the applicant may wish to consider an approach to the Council to review the Section 94A contributions applicable to the development having regard to the community infrastructure proposed.

### Panel members:

		
<b>Mary-Lynne Taylor</b>	<b>Stuart McDonald</b>	<b>Bruce McDonald</b>
		
<b>David White</b>	<b>Michael Smart</b>	

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## SCHEDULE 1

1	<b>JRPP Reference – 2015SYW142, LGA – Hornsby Shire Council, DA/849/2015</b>
2	<b>Proposed development:</b> Demolition of existing tennis court complex and construction of a new indoor recreation facility with basement car parking.
3	<b>Street address:</b> Lots 300 and 301 DP 832745 Nos. 20X Waitara Avenue, Waitara (Waitara Oval) and 1 Park Lane, Waitara (Waitara Park – Tennis Courts).
4	<b>Applicant and Owner:</b> Facility Design Group Pty Ltd
5	<b>Type of Regional development:</b> Capital Investment Value > \$5M, the reserve is owned by Council and Council is a party to the development.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ State Environmental Planning Policy (State and Regional Development)</li> <li>◦ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>◦ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River</li> <li>◦ Hornsby Shire Local Environmental Plan 2013</li> <li>◦ Waitara Park – Plan of Management</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Hornsby Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>◦ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Supplementary report, Original Council Assessment Report with conditions, Locality plan, Architectural plans, Landscape plan, Shadow diagrams and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• None</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 4 November 2015 – Site Inspection and Final Briefing Meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report