

# Assessment report to Sydney Central City Planning Panel

Panel reference: PPSSCC-412

## Development application

<b>DA number</b>	SPP-22-00010	<b>Date of lodgement</b>	8 December 2022
<b>Applicant</b>	Urbis on behalf of Blacktown City Council		
<b>Owner</b>	Blacktown City Council		
<b>Proposed development</b>	Alterations and additions to the existing indoor recreation facility to provide an additional 2 indoor basketball courts, amenities, lobby connection to existing stadium, car parking and associated landscaping and civil works.		
<b>Street address</b>	1 Mount Street/Ralph Place, Mount Druitt		
<b>Notification period</b>	9 to 24 January 2023	<b>Number of submissions</b>	nil

## Assessment

<b>Panel criteria</b> Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021	<ul style="list-style-type: none"> <li>Council development valued over \$5 million (CIV \$11,603,711)</li> </ul>
<b>Relevant section 4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act 1979</li> <li>Biodiversity Conservation Act 2016</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>Blacktown Local Environmental Plan 2015</li> <li>Blacktown Development Control Plan 2015</li> <li>Blacktown Local Strategic Planning Statement 2020</li> <li>Central City District Plan 2018</li> </ul>
<b>Report prepared by</b>	Ian Arnott (Arnott Planning) - Consultant Planner
<b>Report date</b>	15 May 2023
<b>Recommendation</b>	Approval, subject to conditions listed in attachment 7.

## Attachments

- 1 Location map
- 2 Aerial image
- 3 Zoning extract
- 4 Detailed information about proposal and DA submission material
- 5 Development application plans
- 6 Assessment against planning controls
- 7 Draft conditions of consent

## Checklist

### Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the Assessment report? Yes

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the Assessment report? Yes

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the Assessment report? Not applicable

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)? No

### Conditions

Have draft conditions been provided to the applicant for comment? Yes

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# 1 Executive summary

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1.1 The key issues that need to be considered by the Panel in respect of this application are:

- the potential impact on land identified on the NSW Biodiversity Values Map (Biodiversity Conservation Act, 2016) as having Critically Endangered Cumberland Plain Ecological Community affectation.

A *Streamlined Biodiversity Development Assessment Report* submitted with the application determined that areas of highest value will be retained and minimal impacts will result from the proposed development. Subject to conditions of consent, including conditions requiring 7 offset ecosystem credits and 2 offset species credits, the proposed development is considered acceptable under the provisions of the Biodiversity Conservation Act, 2016 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.

- whether the proposed development is justified having regard to the extent of tree removal required.

The proposed development requires the removal of 63 trees, including 1 dead tree, out of the existing 100 trees identified on the site. The siting of the development has sought to minimise tree loss and impact on habitat. Subject to implementation of tree protection and management conditions, and tree replacement at a ratio of 2:1, the tree removal is justified having regard to the benefit of the expanded recreational facility to the community.

- whether the site is contaminated and if so, whether adequate remediation can occur to render the site suitable for the proposed development.

Investigation undertaken by GeoEnviro Consultancy Pty Ltd concluded that the site has contamination issues relating to uncontrolled fill and hydrocarbons. A Remediation Action Plan (RAP) was submitted with the application demonstrating the site can be adequately remediated. The site is therefore considered suitable for the proposed development, subject to conditions to implement the recommended strategies in the plan, including the provision of a Validation Report that the site has been remediated in line with the State Environmental Planning Policy (Resilience and Hazards) 2021 and the National Environment Protection Measures 2013 Guidelines.

- whether the development provides adequate accessibility for people with a disability particularly having regard to the proposed use by Wheelchair Sports NSW/ACT.

Whilst further detail is required at Construction Certificate stage, our assessment has concluded that the development can potentially satisfy all accessibility requirements through Deemed to Satisfy or Performance Based solutions.

- whether adequate parking will be provided for the proposed development.

The development proposes the current 36 car parking spaces be replaced with 59 spaces including 10 disabled spaces. In addition, an existing unformed car park at the western end of the playing fields that accommodates up to 42 vehicles is proposed to be upgraded. The total parking to be provided is therefore 101 spaces. It is noted that the submitted Traffic Report incorrectly refers to 61 new spaces giving a total of 103 spaces.

Based on a comparison of parking demand for similar facilities and historical usage of the existing parking, the proposed provision of a total of 101 spaces is considered adequate to meet parking demand for the facility.

- whether adequate safety and security measures will be provided in the proposed development.

Comments received from NSW Police noted a high occurrence of anti-social activities in the area. The application proposes certain measures including CCTV, lighting and use of graffiti resistant materials to improve safety and security in and around the site. Police also raised specific concern with the potential for driving related offences associated with the long access road and circular car park form. It is recommended that speed humps or other traffic calming measures be provided to reduce the likelihood of such activity occurring. See conditions 4.1.8 and 13.1.1 at attachment 7.

whether the proposed development satisfactorily addresses the design excellence provisions contained in clause 7.7 of Blacktown Local Environmental Plan 2015. Having regard to the constraints of the proposed use, the development satisfactorily achieves the requirements of design excellence as outlined in clause 7.7 of Blacktown Local Environmental Plan 2015. A detailed assessment of the principles outlined in clause 7.7 is contained in Attachment 6.

- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel approve the application, subject to the recommended conditions listed in attachment 7.

## **2 Location**

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- 2.1 The site is located at Ralph Place, Mount Druitt. It is known as the Mount Druitt Town Centre Reserve, which incorporates playing fields and the Kevin Betts Stadium, an indoor multi-use sports complex.
- 2.2 The proposed development will be primarily located at the eastern end of the reserve, adjacent to and incorporating the existing Stadium. Changes to parking and driveway access north of the existing playing fields is also proposed.
- 2.3 The Mount Druitt commercial and retail area, zoned B4 - Mixed Use adjoins the site to the north and west with Mount Druitt Hospital (SP1 (Special Activities - Health Services Facility)) to the north-east. Mount Druitt TAFE (SP2 (Infrastructure)) surrounds the site to the east and south.
- 2.4 The location of the site is shown at attachment 1.

## **3 Site description**

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- 3.1 The site is legally described as Lot 10 in Deposited Plan 775622. It is rectangular in shape and 52,810m<sup>2</sup> in area. The site is in the Mount Druitt CBD area.
- 3.2 There is an existing vehicular access from Mount Street along Ralph Place to driveway access to a currently unmarked parking area and the playing fields at the western end of the site, as shown at attachment 2. This access driveway continues along the northern side of the playing fields and up an embankment to a formal (line-marked) parking area and the existing Kevin Betts Stadium at the eastern end of the site.
- 3.3 There is also a separate existing pedestrian access path from Ralph Place to the site, on the northern side of the vehicular access and as shown at attachment 2.
- 3.4 Areas of vegetation are located along the northern boundary and south-eastern corner of the site with a scattering of trees adjacent to the southern and western boundaries. A large portion of the south-eastern corner of the site is identified on the Biodiversity Values Map (Biodiversity Conservation Act 2016).

- 3.5 An aerial image of the site and surrounding area is at attachment 2.

## **4 Background**

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- 4.1 Blacktown Local Environmental Plan (Amendment 10) applicable to the Mount Druitt CBD was gazetted on 5 May 2020. It involved rezoning land within the CBD from B3 - Commercial Core to B4 - Mixed Use, with increases in height enabling development up to 64 metres.
- 4.2 The site is zoned RE1 Public Recreation under Blacktown Local Environmental Plan 2015. The proposed development of an indoor recreation facility is permissible with consent in the zone and complements the existing facilities on site. It is identified as Community Land and is subject to the Plan of Management for Community Land - Sportsgrounds.
- 4.3 There is no height or development restriction, but it should be noted that the adjoining surrounding development has 64 m building height restriction.
- 4.4 Council prepared a concept master plan in 2011 for the Mount Druitt Town Centre which forms an extension of Blacktown Local Environmental Plan 2015. The master plan aims to reinforce the existing community use, including the existing Kevin Betts Stadium to provide 6 basketball courts, 3 half courts, seating, new road access, children's playground and amenities.
- 4.5 Council is currently in the process of finalising the draft Development Control Plan - Part O for the Mount Druitt CBD area. This draft Development Control Plan contains specific design controls for developments in the CBD area. Most of the built form controls have been developed for new commercial and residential development in the town centre which permits heights of up to 64m. Notwithstanding assessment against these controls has been considered in Attachment 6 to this report. Section 2.6 of the draft Development Control Plan seeks to maximise connectivity in and around the centre and includes the provision of a new road and pedestrian connections through the site (addressed later in this report).
- 4.6 A pre-lodgement meeting was held on 20 June 2022 between the project team representing Council (made up by Council/internal project officers and external consultants) and Council's assessing officers.
- 4.7 The zoning plan for the site and surrounds is at attachment 3.

## **5 The proposal**

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- 5.1 The development application was lodged by Urbis on behalf of Blacktown City Council and involves a Council-owned facility on Council land. For this reason, the application has been assessed independently (by external planner) for determination by the Panel.
- 5.2 The applicant proposes alterations and additions to the existing indoor recreation facility to provide an additional 2 basketball/multi-use courts and a new reception/lobby connecting the existing and new buildings.
- 5.3 An additional 1,960 m<sup>2</sup> of floor space is proposed, bringing the total floor space of the facility to 3,785 m<sup>2</sup>.
- 5.4 The new additions will be located to the south-east of the existing building with a proposed maximum height of 11.05 m.
- 5.5 Alterations to parking are proposed to provide a total of 59 formal car parking spaces including 10 accessible spaces.
- 5.6 A new pedestrian path is proposed along the southern of the access driveway supplementing the existing pedestrian path along the north of the access driveway. Both

paths will connect to the entry to the stadium building and continue on to the existing pedestrian access to the Mount Druitt Hospital Precinct.

- 5.7 There are 63 trees proposed for removal (1 of which is dead, and 16 are trees forming part of the Shale Plains Woodland) to provide for the new development works with new landscaping and tree planting to be undertaken.
- 5.8 Additional ancillary works include installation of an underground rainwater tank, removal of pergola and site fencing, and internal renovation of the existing stadium facility.
- 5.9 Other details about the proposal are at attachment 4, and a copy of the development plans is at attachment 5.

## **6 Assessment against planning controls**

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- 6.1 A full assessment of the development application against relevant planning controls is provided at attachment 6, including:
  - Environmental Planning and Assessment Act 1979
  - Biodiversity Conservation Act 2016
  - State Environmental Planning Policy (Biodiversity and Conservation) 2021
  - State Environmental Planning Policy (Planning Systems) 2021
  - State Environmental Planning Policy (Resilience and Hazards) 2021
  - State Environmental Planning Policy (Sustainable Buildings) 2022
  - Blacktown Local Environmental Plan 2015
  - Blacktown Development Control Plan 2015
  - Blacktown Local Strategic Planning Statement 2020
  - Central City District Plan 2018.

## **7 Issues raised by the public**

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- 7.1 The proposed development was notified to the owners and occupiers of 17 nearby properties between 9 and 24 January 2023. The development application was also advertised in the local newspapers and a sign was erected on the site.
- 7.2 No submissions were received.

## **8 Key issues**

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### **8.1 Biodiversity**

- 8.1.1 The subject property (as shown below) is identified on the NSW Biodiversity Values Map (Biodiversity Conservation Act, 2016) as having Critically Endangered Cumberland Plain Ecological Community affectation. Whilst the majority of the mapped Biodiversity Values area is not impacted by the proposed development, a small portion of the western part of the mapped area (0.303 ha) will be impacted, including 27 Eucalyptus trees, 16 of which are proposed to be removed.





Figure 1: Subject land relative to Biodiversity Values Mapped Land (Source: Narla Environmental - Streamlined Biodiversity Development Assessment Report)

- 8.1.2 The affected area has not been declared by the Minister under Part 3 of the Biodiversity Conservation Act 2016 to be an area of outstanding biodiversity value. As such, under the Biodiversity Conservation Act and accompanying Regulation the application was only required to be accompanied by a *Streamlined Biodiversity Development Assessment Report*.
- 8.1.3 The *Streamlined Biodiversity Development Assessment Report* prepared by Narla Environmental dated November 2022 submitted with the application concluded that:
- owing to the requirements to expand the facility to meet community needs, complete avoidance of impacts was not possible
  - areas of highest value have been retained and minimal impacts will result from the proposed development.
- 8.1.4 Further discussion of tree removal is contained in Section 8.2 (Landscaping and tree removal) below.
- 8.1.5 The Streamlined Biodiversity Development Assessment report also notes that the site contains:
- an area identified as important habitat for the Swift Parrot, being a threatened species, and as such it is assumed present at the site
  - a pergola, proposed to be demolished, which a number of threatened microbat species may utilise for roosting and breeding (removal of a man-made structures is considered a prescribed impact under the Biodiversity Assessment Method so is a required assessment as part of this report. The pergola should be assessed for bats prior to its removal).
- 8.1.6 The Biodiversity Management Plan that is required to be submitted prior to the construction certificate will require a microbat survey prior to any demolition of the pergola (see conditions 7.3(e) and 8.5.4(a). In the event of a finding, procedures



will need to be implemented (see conditions 7.3(f) and 8.5.4(c) to deal with capture and release.

- 8.1.7 To address the impacts of the proposed development the Biodiversity Assessment Report recommends various mitigation measures including conditions requiring provision of a Construction Environmental Management Plan, tree protection and replacement, installation of nesting boxes for fauna habitats and engaging a project ecologist to undertake pre-construction surveys and to supervise during clearing. Pre-construction surveys would determine the actual presence of fauna habitat and supervise appropriate relocation.
- 8.1.8 In addition, 7 offset ecosystem credits and 2 offset species credits are required as a result of the likely impacts from the vegetation clearing.
- 8.1.9 Council's Senior Biodiversity Officer assessed the documentation submitted with the application and determined that the proposed development is acceptable, subject to the suggested conditions with the exception that nesting boxes be provided at the ratio of 3:1 not 1:1 as the report suggested. Further conditions were also recommended including a revised landscape plan and provision of a Biodiversity Management Plan prior to issue of a Construction Certificate.

## **8.2 Landscaping and tree removal**

- 8.2.1 The Arboricultural Assessment Report submitted with the application recommends removal of 63 trees, 1 of which is dead and with no visible habitat. Other than the dead tree, all trees proposed to be removed would be impacted by the proposed construction and required earthworks.
- 8.2.2 The report notes that 9 of the trees proposed for removal are in fair or poor condition. Four trees, 2 of which were recommended for retention and 2 for removal, were identified as being at risk of failure. The trees to be removed are mostly Eucalyptus trees with a few Casuarina, red gum and myrtle trees. Whilst the report recommends a risk assessment be undertaken if the trees are to be retained, Council's Landscape Officer did not see the necessity for such assessment at this stage, nor did they raise concern with the removal of the trees as recommended.
- 8.2.3 Council's Landscape Officer recommended protection measures to be implemented for trees to be retained and a project arborist engaged to ensure adequate protection is provided throughout construction with a report outlining on-going recommendations provided at completion. It is noted in the arborist report that 16 out of the 63 trees proposed to be removed are within the Shale Plains Woodland, and they are all Eucalyptus trees. The Streamlined Biodiversity Assessment Report has confirmed that they are not native nor significant vegetation to be retained, and recommended tree replacement at a ratio of 1:1. A condition is recommended that replacement planting occur at a ratio of 2:1 consistent with Council policy, to add to the landscape plan that is proposing 11 water gum trees and 20 Eucalyptus trees (grey box and red iron bark).
- 8.2.4 Eleven Eucalyptus trees within the Shale Plains Woodland are also proposed to be retained as recommended by the arborist report. Council's Biodiversity Officer has raised no outstanding issue with this proposal subject to the relevant tree protection requirements in the arborist report.

## **8.3 Site contamination**

- 8.3.1 State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Clause 4.6 states:

A consent authority must not consent to the carrying out of any development on land unless —

- (i) it has considered whether the land is contaminated, and
- (ii) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (iii) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

- 8.3.2 A Preliminary Site Investigation Assessment and Detailed Site Investigation Report were provided with the application, which concluded that the site has contamination issues relating to uncontrolled fill and hydrocarbons. The report recommended a Remediation Action Plan (RAP) be prepared outlining a remediation strategy to render the site suitable for the proposed development.
- 8.3.3 A Remediation Action Plan was also submitted with the application and recommended off-site disposal of the impacted soil, having regard to the type of contamination and the nature of the proposed development.
- 8.3.4 The Remediation Action Plan requires a Validation Strategy and Site Management Plan be implemented and a Validation Report be provided demonstrating that the site has been appropriately remediated to render the land is suitable for its intended use.
- 8.3.5 Council's Environmental Health Officer concurs with the findings and recommendations of the Remediation Action Plan and has provided conditions to ensure the site is remediated and validated in line with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 and the National Environment Protection Measures 2013 Guidelines.

## **8.4 Accessibility**

- 8.4.1 An Accessibility Report, submitted with the application, raised a number of matters to be addressed prior to the issue of a Construction Certificate. In all instances the report indicated that these matters could be addressed by either Deemed to Satisfy or Performance Based solutions. Matters raised or requiring further attention through recommended conditions will include:
  - increased door circulation space for the accessible toilet adjacent to the accessible shower room
  - documentation demonstrating that the pedestrian pathway from the Ralph Place frontage to the building entry complies with AS1428.1-2009. It is recommended that this requirement be extended to include the path of travel from all accessible car spaces to the entry to the building as well. There is nothing to suggest that compliance with the standard cannot be achieved
  - a requirement for further design documentation in regard to spatial planning at Construction Certificate stage. Documentation submitted only demonstrates the building satisfies D3.3 of the Building Code of Australia for DA stage
  - a requirement for further design documentation demonstrating compliance of the car parking with all other aspects of AS2890.6-2009 at Construction Certificate stage. Despite initial concern raised in the Accessibility Report regarding accessible parking, confirmation has now been provided that the accessible car parking spaces comply with the requirements of AS2890.6-2009
  - the report notes that seating is provided in the form of bleachers which do not constitute fixed seats under the BCA and as such the requirement for wheelchair seating spaces is not triggered. Notwithstanding, having regard to

the proposed use of the facility by Wheelchair Sports NSW/ACT, adequate provision of wheelchair accessible spectator spaces is considered appropriate. Architectural plans submitted with the application indicate 33 accessible spaces to be provided which adequately provides for future users.

- end cubicles within the male and female toilet facilities have been identified on plan as ambulant accessible but do not satisfy the relevant requirements. Notwithstanding, the ability exists to provide minor modifications at Construction Certificate stage to provide an ambulant accessible toilet in both the male and female facilities. A condition is recommended in this respect.

## **8.5 Car parking and access**

- 8.5.1 The existing stadium is serviced by an adjacent car park accommodating 36 at grade spaces of which 5 are accessible spaces. None of these spaces meet current Australian Standards. The car park is accessed via a driveway from Ralph Place extending along the northern side of the existing playing fields.
- 8.5.2 The proposal includes 38 new car parking spaces at the western end of the access driveway between the driveway and the playing fields. The eastern end of the driveway (where the currently non-compliant 36 car parking spaces are) is to be realigned and regraded culminating in a circular turning area, to create 21 car parking spaces. Of these, 10 spaces are designed to be accessible for people with a disability.
- 8.5.3 An existing unmarked parking area capable of accommodating 42 parked vehicles is located at the western end of the playing fields at the Ralph Place entry to the site. This would continue to be available for use by occupants of the playing fields and stadium facilities and it is recommended this western parking area be sealed. As such a total of 101 spaces (38 new + 21 realigned from existing + 42 existing) for the whole site. All of these car spaces shall be made compliant according to the relevant Australian Standards including sealing and line marking the existing unformed carpark.
- 8.5.4 The proposal also includes 8 bike parking spaces adjacent to the entry to the stadium with end of trip facilities provided internally.
- 8.5.5 As Blacktown Development Control Plan 2015 does not contain specific parking rates for basketball/multi-use courts or indoor recreation facilities, a traffic report was lodged with the application. Based on the submitted traffic report which made a comparison of parking demand for similar facilities and historical usage of the existing parking, the proposed provision is considered adequate to meet parking demand for the facility.
- 8.5.6 According to the submitted traffic report, a parking provision of 15 spaces per court satisfies anticipated demand. The provision of 59 new spaces, whilst 1 less than the 60 required for 4 courts, is considered adequate noting the additional 42 spaces provided at the western end of the playing fields.
- 8.5.7 Concerns with respect to driveway access and car parking layout have been raised by NSW Police suggesting it may encourage driving related offences. The Police has recommended the provision of speed humps or similar traffic calming devices to address this concern. See conditions 4.1.8 and 13.1.1 at attachment 7.
- 8.5.8 Traffic associated with the development is expected to have minimal adverse impact on the surrounding road network with SIDRA intersection modelling indicating a favourable level of service and operation both before and after the proposed development.
- 8.5.9 Servicing and loading are proposed within the circular car park with access to the eastern side of the building for maintenance. Loading access is provided for

garbage trucks to the waste storage facility off the south-eastern side of the turning area.

- 8.5.10 The proposed development with respect to traffic generation, parking provision, and car park and access design is considered acceptable.

## 8.6 Safety and security

- 8.6.1 The recreational facility is proposing to maintain the existing operation hours between the hours of 9 am to 11 pm Monday to Friday, 6 am to 11 pm Saturday and 6 am to 10 pm Sunday. The proximity to, and visibility of, the parking area from the entry/reception area provides good passive surveillance.
- 8.6.2 The application was referred to NSW Police for a Crime Prevention Through Environmental Design (CEPTD) assessment. Police noted there is a high occurrence of anti-social activities in the area largely due to its secluded nature and limited security measures. A range of conditions were recommended covering materials, CCTV, landscaping, parking and fire safety measures to provide a safe and secure environment.
- 8.6.3 Many of these measures have been proposed in the development including CCTV, lighting and landscaping to provide high visibility and sightlines and ensure areas of limited surveillance are well lit limiting opportunities for concealment. Flood lights are proposed for the car park areas and graffiti resistant materials for the buildings.
- 8.6.4 Police raised specific concern with the potential for driving related offences such as 'drag racing' and 'drifting' associated with the long access road and circular car park form. It is recommended that a condition require speed humps or similar traffic calming devices along the access driveway. The central landscaped island in the turning circle provides sufficient obstruction to limit 'drifting', or similar behaviour.

## 8.7 Design Excellence

8.7.1 Clause 7.7 of Blacktown Local Environmental Plan 2015 requires the consent authority to be satisfied that the development exhibits design excellence. The proposed alterations and additions provide a contemporary interpretation of the existing stadium building providing separation through a two-pavilion form whilst being of similar height and scale. Having regard to the constraints of the proposed use, the development has satisfactorily achieved the requirements of design excellence sitting comfortably in its context.

8.7.2 A detailed assessment of the development against the design principles outlined in clause 7.7 of Blacktown Local Environmental Plan 2015 is contained in Attachment 6.

## 9 External referrals

- 9.1 The development application was referred to the following external authorities for comment:

Authority	Comments
NSW Police	<p>Concern was raised in respect to the access road and parking area potentially encouraging driving related offences. A condition recommending speed humps or similar along the driveway is proposed to address this concern.</p> <p>Standard conditions recommended including CCTV, lighting and other measures to ensure safety and security in and around the facility are proposed.</p>

## 10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:

Section	Comments
Strategic Planning	No objection.
Heritage	No heritage issues or concerns. No objection subject to a condition addressing the unexpected event of discovery of relics or Aboriginal objects.
Natural Areas/ Biodiversity	No objection, subject to conditions including modifications to the landscape plan and provision of a Biodiversity Management Plan and Construction Environment Management Plan all to be provided prior to Construction Certificate being issued. Conditions requiring tree protection measures and provision of 7 ecosystem credits and 2 species credits were also recommended.
Environmental Health Officer	No objection, subject to conditions including further noise assessment prior to occupation, validation of remediation of the site and other standard conditions including in respect to noise, waste disposal and food premises design.
Building	No objection, subject to standard conditions.
Engineering	No objection, subject to standard conditions.
Traffic	No objection with respect to traffic generation, parking provision, car park and access design.
Drainage	Initial concerns were raised on stormwater modelling and documentation provided, but these were subsequently satisfactorily addressed and standard conditions applied.
Sport and Recreation	Comments provided throughout project development. No further comments.
Landscape Officer/Arborist	Trees to be retained and those that can be removed were specified and conditions recommended requiring tree protection measures, inspection fees and the appointment and oversight of a Project Consulting Arborist. A condition of consent will require tree replacement at a ratio of 2:1.
Waste	Identified relevant controls which, subject to conditions, the proposal complies with.
Social Planning	No objection, noting the development will provide positive impact for the Mount Druitt community and especially for people living with a disability. Crime prevention at the site will be improved and the plan of management adequately addresses the operation of the stadium. Conditions recommend hirers receive a copy of the plan of management and that it be reviewed every 2 years.
Property	No objection.

Section	Comments
Architect	No objection to the proposed development noting design input was provided throughout the development of the application.

## 11 Conclusion

- 11.1 The proposal is consistent with objectives of the zone by providing opportunity for a range of recreational activities.
- 11.2 It is also consistent with the concept master plan developed for the site, which proposes improving and expanding indoor facilities, with the introduction of more passive recreational uses for the current playing fields area.
- 11.3 The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

## 12 Disclosure of political donations and gifts

- 12.1 Under Section 10.4 of the Environmental Planning and Assessment Act 1979, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.
- 12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.
- 12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the Local Government Act 1993.
- 12.4 Disclosures:
- Political donations      Has a Disclosure statement been received in relation to this application?      No  
If yes, provide Disclosure statement register reference
  - Gifts      Have staff received a 'gift', that needs to be disclosed, from anyone involved with this application?      No

## 13 Recommendation

- 1 Approve Development Application SPP-22-00010 for the reasons listed below, and subject to the conditions listed in attachment 7.
- a The proposed development has a positive social impact providing for the needs for increased community recreational facilities in the area. (Section 4.15(b) of the Environmental Planning and Assessment Act 1979).
  - b The proposed development minimises impacts on the biodiversity values of the site and will not create adverse impacts on existing or future potential adjoining development with regard to traffic, visual bulk or amenity impacts. (Section 4.15(b) of the Environmental Planning and Assessment Act 1979).



- c The proposal is a suitable response to the site implementing stage 1 of a concept masterplan to upgrade the recreational precinct, appropriately relating to the scale and form of the existing stadium building, and minimising impacts on the surrounding natural and built environment. (Section 4.15(e) of the Environmental Planning and Assessment Act 1979).
- d The proposal improves community recreational facilities in the area and is in the public interest (Section 4.15(b) & 4.15(c) of the Environmental Planning and Assessment Act 1979)

2 Council officers notify the applicant of the Panel's decision.

## 14 Declaration and endorsement

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We, the undersigned, declare, to the best of our knowledge that we have no interest, pecuniary or otherwise, in this development application or persons associated with it; and we have provided an impartial assessment.



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Ian Arnott  
Consultant, Arnott Planning



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Shakeeb Mustaq  
Acting Manager Development Assessment



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Peter Conroy  
Director City Planning and Development