

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-24452965 Eels Centre of Excellence & Community Sports Hub
<b>Applicant</b>	Parramatta National Rugby League Club Limited
<b>Consent Authority</b>	Minister for Planning

### Decision

The Director under delegation from the Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's assessment report is available [here](#).

### Date of decision

11.11.2022

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report;
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the department's assessment report.

The key reasons for granting consent to the development application are as follows:

- *Benefits* – the project would provide a range of benefits for the region and the State as a whole, including \$40,420,000 (excl. GST) total capital investment, 100 construction jobs and 114 operational jobs;
- *Consistent* with NSW Government Policy – the project is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan, Central City District Plan and the Hills Local Environmental Plan 2019;
- *Impacts can be managed* - the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. While the site/proposal is constrained for on-site car parking for major event days, the Department has recommended a suite of conditions to mitigate and manage car parking impacts, including limiting large scale events to five days per year, implementing Green Travel Initiatives to reduce spectator private car usage, and requiring safety audits to be conducted;
- *Community views considered* - the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines;
- *Public interest* – weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Applicant engaged with the community during the preparation of the Environmental Impact Statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the Department it was placed on exhibition from 4 May 2022 to 31 May 2022 (28 days). In response to the public exhibition, 14 submissions were received, comprising 5 comments from government agencies, a comment from Council and 8 public submissions, including 1 objection, 2 comments and 5 in support of the project.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include design excellence, built form and visual impacts, traffic, parking and access, tree removal and biodiversity and landscaping. Other issues are addressed in detail in the Department's Assessment Report.

<b>Issue</b>	<b>Consideration</b>
<p><i>Council Matter:</i></p> <ul style="list-style-type: none"> <li>Generally consistent Council's adopted Plan of Management and Masterplan for the site</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The proposed plan has rearranged the location of the community facility and high-performance sports centre within the site area. However, the Department considers the proposal to generally align with the Master Plan 2019.</li> <li>The Department considers the proposal to be generally consistent with the objectives of The Sportsgrounds – Generic Plan of Management 2014, as it would promote and facilitate recreational pursuits in the community for both organised and informal activities.</li> <li>The Department recommends conditions to minimise any potential impacts on nearby residents resulting from the construction and operation of the proposal.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>conditions to minimise any potential impacts on nearby residents resulting from the construction and operation including limiting large-scale events to 5 days per year, preparation of an Event Management Plan, an Operational Traffic Management Plan, Operational Noise and Vibration Management Plan, Travel Plan, and the implementation of Green Travel Initiatives.</li> </ul>
<p><i>Council Matter:</i></p> <ul style="list-style-type: none"> <li>Enables the ongoing use of community clubs.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>Noted</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>No conditions are recommended.</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>Loss of tennis courts</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Landscape Master Plan for Kellyville Park does not anticipate the retention of the tennis courts.</li> <li>While the tennis courts are to be removed, the site will remain as a sporting facility and retains its public recreation use.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>No conditions are recommended.</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>Insufficient car parking for the proposal and associated amenity and safety concerns</li> <li>Use of baseball carpark</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>A public submission raised concern potential amenity and safety resulting from insufficient car parking.</li> <li>The application included a TIA with a parking study, which determined there are 290 existing car parks within Kellyville Park with a further 30 parked vehicles capable of being accommodated on the eastern site frontage (western side of Stone Mason Drive) and 25 kerbside parks on the internal access road.</li> <li>An additional 40 car parks are proposed in an at-grade car park to the east of the CoE, resulting in a total provision of 385 on and off-site car parking spaces.</li> </ul>

	<ul style="list-style-type: none"> <li>• The TIA determined the typical weekday and weekend peak parking demands could be accommodated within this car park provision.</li> <li>• In determining the peak parking demands, the TIA considered the community use and community sports clubs in addition to the proposal. Overall, the typical weekday and weekend peak could be accommodated within this car park provision.</li> <li>• In addition to the day-to-day operations, the facility would occasionally accommodate events including the Parramatta Eels Elite Level Game Day, which based on a typical parking provision rate for events spaces would require 861 car parking spaces. However, as these events are predicted to occur a maximum of 5 days a year, the provision of parking to accommodate these peak events would be underutilised the remainder of the time.</li> <li>• To mitigate potential impacts resulting from car parking shortfall for peak events, the TIA includes initiatives such as a shuttle bus between Kellyville Station and Bella Vista Station, drop-off bays and additional temporary bike parking facilities.</li> <li>• TfNSW and RMS reviewed the proposal and recommended that an Operational Traffic Management Plan (OTMP) be prepared prior to occupancy.</li> <li>• The Department concludes the proposed car parking is adequate and would not result in adverse traffic generation impacts on the surrounding road network, subject to the implementation of conditions.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• Conditions are recommended requiring: <ul style="list-style-type: none"> <li>○ The provision of 40 car parking spaces, including 1 additional accessible spaces, 7 motorbike parking spaces and 53 bicycle parking spaces with end-of-trip facilities.</li> <li>○ preparation of an Event Management Plan, which includes a Traffic and Pedestrian Management Plan addressing traffic impacts associated with Major Event Days and a Shuttle Bus Plan that provides details into the shuttle bus service between Kellyville station and Bella Vista Station.</li> <li>○ preparation of an Operational Traffic Management Plan and a Travel Plan</li> <li>○ a shuttle bus service for spectators and visitors to the site must be provided, operated and funded by the Applicant to connect the site with Kellyville Station and Bella Vista Station on peak event days.</li> <li>○ Major event days limited to 5 days per year.</li> </ul> </li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• Baseball club facilities, including: <ul style="list-style-type: none"> <li>○ upgrades to baseball car park</li> <li>○ constant flooding on baseball fields</li> <li>○ use of baseball bathroom facilities</li> </ul> </li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The upgrading of the basement car park and existing flooding of fields is outside the scope of the proposal and is a Council matter.</li> <li>• The Applicant submitted a Flood Impact Assessment (FIA), which demonstrated the proposal would not result in adverse flood impacts to adjoining properties for the flood conditions up to and including the 0.2% AEP flood event.</li> <li>• The proposal incorporates additional amenities and bathroom facilities in both the CoE and CF, which would alleviate the use of the baseball club's facilities.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended,</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• Provides best practice facilities to continue developing NRLW and NRL</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended, application is recommended for approval.</li> </ul>

<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• Encourages community engagement, offers shared use of facilities and provides education and learning opportunities.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended, application is recommended for approval.</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• Ensures continued development of the NRLW and NRL pathways for emerging players.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended, application is recommended for approval.</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• Provides a venue for touch football, tag league and all ability rugby league, ensuring a broad cross section of the community benefit.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended, application is recommended for approval.</li> </ul>
<p><i>Public Matter:</i></p> <ul style="list-style-type: none"> <li>• As Kellyville/Rouse Hill area is a growth precinct, it would be great for the area to be recognised with its own major sporting facility</li> <li>• proposal meets the identified need</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended, application is recommended for approval.</li> </ul>