

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED PUB AND ASSOCIATED
CAR PARKING

LOT 3989 LAKESIDE PARADE
JORDAN SPRINGS



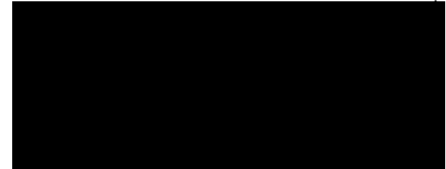
STATEMENT OF ENVIRONMENTAL EFFECTS

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Client and Land Details

Client: FDC Construction (NSW) Pty Ltd
Subject Site: Lot 3989 DP 1190132, Lakeside Parade, Jordan Springs
Proposal: Proposed Pub and Associated Car Parking



Warwick Stimson RPIA
Director



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Version	Date	Comment
1.0	30/7/20	Preliminary Draft for client review
2.0	7/8/20	Final Draft for client review
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1 INTRODUCTION

1.1 PROJECT OVERVIEW

Stimson Urban & Regional Planning has been engaged by FDC Construction (NSW) Pty Ltd to prepare a Statement of Environmental Effects in relation to the property known as Lot 3989 Lakeside Parade, Jordan Springs.

The proposal includes the construction of a single storey building that will comprise a pub as well as at grade car parking. The pub will include a main bar and dining room, external beer garden, gaming room, and associated back of house areas.

The site is zoned *Urban Zone* under *Sydney Regional Environmental Plan No 30 – St Marys*, with the proposal being permissible with consent.

The proposal is defined as *development* in Section 4 of the Act. The Act stipulates that the development must not be carried out on the subject site until consent has been obtained. The proposal is also considered to be 'integrated development' with approval being required from the Natural Resources Access Regulator (NRAR) prior to the determination of the application. Council will not be able to determine this application until General Terms of Approval have been received from the NRAR.

This report describes the proposed development and subject site in detail and undertakes an assessment of the proposal against the relevant aims, objectives and development provisions of the SREP, associated controls, and Section 4.15 of the Act.

1.2 REPORT STRUCTURE

This Statement of Environmental Effects is structured as follows:

- Section 1: Introduction – provides an overview of the proposal, planning history for the site and background to the application.
- Section 2: The Site and Surrounds – provides an analysis of the subject site, development within the locality and a consideration of the local and regional context.
- Section 3: Project Description – provides a detailed description of the proposed development and its characteristics.
- Section 4: Statutory Considerations – provides for an assessment of the proposal against the specific planning instruments and policies that are applicable.
- Section 5: Key Planning Issues – provides an assessment of the key issues identified in the preparation of the application.
- Section 6: Section 4.15 Assessment – provides an assessment against section 4.15 of the EPA Act.
- Section 7: Conclusion and Recommendation – summarises the report and presents a recommendation.

1.3 HISTORY OF THE APPLICATION

1.3.1 *Urban Design Review Panel Meeting*

Meeting held 19 June 2020

Key Issue	Consideration
Key Matters for Consideration and Address	
<p>The site is subject to the provisions of Sydney Regional Environmental Plan (SREP) No. 30 – St Marys, the Western Precinct Plan, Western Precinct Development Control Strategy (DCS) and the Jordan Springs Village Centre Concept Plan. While the SREP permits the proposed development within urban zoned land, the application of the adopted Concept Plan by virtue of the Precinct Plan and DCS is relevant to the suitability of this site for the proposed use. This site was established through the DCS and Concept Plan for residential development and not specifically a tavern. Scope for mixed use development potential is established through the Concept Plan but this development is not mixed use. In saying that, the use has the potential to be complimentary to the town centre and could suitably integrate as part of a broader mixed use 'precinct'. This is subject to a suitable spatial arrangement of the development on the site, which is currently not considered to be suitable or supportable in its current form.</p>	<p>The relevant instruments have been considered later in this report, as has the Jordan Springs Village Centre Concept Plan.</p> <p>The configuration of the site as submitted is considered to be the most appropriate and has been determined as a result of the UDRP meeting.</p> <p>The use is considered suitable, noting the development will provide a significant contribution to the mix of uses in the village centre.</p>
<p>The first key consideration is to establish permissibility and site suitability for the development, which will require an analysis against the Jordan Springs Village Centre Concept Plan to demonstrate compliance and contextual appropriateness of the proposed development within this location. This is challenging given the irregular shape and dimensions of the allotment, the approved and currently proposed seniors living and aged care developments to the immediate west (sensitive land use interface), residential apartment units directly opposite the site, and the regional park immediately to the south.</p>	<p>The use is permissible with consent in the zone. The layout of the proposed built form has been determined as a result of the UDRP meeting.</p> <p>Potential impacts with adjoining land uses have been considered in all accompanying consultant reports.</p>
<p>Following demonstration of site suitability, the spatial arrangement of the development needs to be informed by the location of approved / constructed works and access arrangements on adjoining developments. Principally the location of an access driveway which cannot be located off the emergency services access driveway at the bend of Lakeside Parade. Council's Traffic Engineers do not support this location, nor is a parking area at the termination of the view corridor south appropriate. As such, the driveway access arrangements should be relocated towards the eastern end of the allotment (where the allotment dimensions are highly constrained). The exact location will need to consider the location of approved (and under construction) driveway locations for the residential units opposite the site. The setback of the driveway from the intersection east of the site will also need to be considered by way of a detailed traffic impact assessment report.</p>	<p>The final layout and configuration of the site has been determined as a result of the UDRP meeting.</p> <p>A detailed traffic impact assessment accompanies this application.</p>

Key Issue	Consideration
<p>As outlined above, the location of the car park is not suitable. Lakeside Parade as the main street through the precinct centre provides view corridors to the lake and to the regional park which must be maintained. The separating landscape strip between the car park and western boundary as proposed does not maintain and enhance this vista. Further the car park and resulting abundance of hard stand area does not provide a suitable termination presentation at the southern end the town centre. If justification for the site suitability and concept plan requirements is that this site can form the southern leg of the town centre, then the built form must present as part of the town centre and be designed to complement and not detract from this aspect. The built form should be relocated to the west, as a sight line termination / marker at the southern end of the town centre, with a suitable landscaped setback to the western boundary that provides for and maintains direct views from the town centre to the rear regional park. This setback could still include an external and landscaped beer garden but cannot be occupied by hard stand line marked car parking.</p>	<p>The design layout of the development has been progressed since receiving these comments. Most of these principles have been adopted within this submission.</p>
<p>The adjacent seniors living development (Stage 2) to the west, provides a basement access driveway located adjacent to the communal boundary which provides for ground separation of uses. While upper floor residential / seniors living apartments are proposed above, the orientation of external seating areas and the landscaping arrangement adjacent to the western boundary could still be arranged and designed to mitigate potential adverse amenity impacts for these future residents. This will remove the beer garden from the front setback zone to Lakeside Parade which is positive as the current location is not considered to be suitable and will contribute to noise and amenity impacts for the future residential apartment's opposite.</p>	<p>The proposed development is not intended to be significant in scale- it is a local pub of a scale that is appropriate to its locality. The potential impacts are therefore not considered to be fatal to any adjoining land use or the development itself.</p> <p>A detailed acoustic impact assessment accompanies the application and a Plan of Management has also been included to demonstrate how the venue will be managed. This includes complaints management.</p>
<p>It is considered necessary for a site in this location and the dimensional constraints that apply to the site, that underground or under-croft parking be pursued rather than full reliance on at grade parking. The undergrounding of parking will significantly improve streetscape presentation, will internalise and mitigate noise generation from activity in the car park, and could capitalise on the topographic fall of the site which seems to fall to the rear. While a full basement may not be feasible, the contours may be able to support under-croft parking with balcony and function floor space projecting over with views to the regional park. The eastern part of the site could then act as a driveway with descending ramp to the parking in or basement or partially underneath the built form.</p>	<p>As was discussed in the UDRP meeting, the provision of basement car parking would not be economically viable. At grade parking is proposed.</p>

Key Issue	Consideration
<p>The architectural design of the building requires further consideration and refinement noting the redesign recommendations above. The design of the building needs to have regard to the residential character of Jordan Springs. The design at present is reflecting that of an industrial building form, noting specifically the inactivated edge treatments to the west (which is visually prominent) and the south. Developments to the west of the site (seniors living stage 2 development) include a pedestrian connection / thoroughfare along the southern interface with the regional park and its continuation and potential activation of the drainage channel is something that could be explored and encouraged in the future. As such, the presentation of the proposed built form should activate the southern interface to the regional park that is not a blank wall. Views to the regional park should be encouraged and capitalised through the building design and external presentation through materiality and form. The first floor / mezzanine currently provides plant and back of house facilities along the southern edge (providing a dead edge treatment). Opportunity for views to the lake and regional park may be achieved through the relocation of the built form, and rearrangement of the ground and first floor arrangements which may be able to include ancillary function space (if permitted through the SREP).</p>	<p>We submit that the design is in fact high in quality and that it will complement the locality.</p> <p>The site layout and configuration has evolved since the UDRP meeting, responding to most of the issues raised.</p>
<p>Noting licencing requirements, the visual prominence of the gaming area and opportunities for light penetration into this space should be further explored. Given the comments above, relocation of the gaming area to the eastern end of the development may be more appropriate.</p>	<p>The gaming area has been designed and located as per the relevant regulations and is in a functional location, consistent with other pub designs by this client.</p>
<p>A high-quality landscape treatment is sought across the site with a combination of tree canopy and under croft planting. The landscaping should enhance the built form and have regard to surrounding context being on the edge of the regional park and in proximity to the main lake and village centre.</p>	<p>Noted. A Landscape Plan accompanies this application.</p>
<p>Clause 59 of SREP 30 states that consent cannot be granted for the proposal unless the land is identified as being suitable for the purpose of a retail centre by a precinct plan and the total floor area of all commercial buildings in the precinct does not exceed 7500 square metres.</p>	<p>See accompanying statement from the developer of Jordan Springs estate.</p>
<p>It is noted that there may be flexibility in additional gross floor area, where it can be demonstrated that it is required to reasonably service the local residential community and workforce. This should be supported by an economic impact assessment if an increase to the gross floor area is sought.</p>	<p>Noted. Not required for this application.</p>
<p>The site is mapped as being within a designated bush fire prone area. The application is Integrated Development as the development, being a hotel, is defined as special fire protection purpose. The application will require advertising and referral to the Rural Fire Service for concurrence in accordance with the requirements of Section 4.8 of the Environmental Planning and Assessment Act 1979.</p>	<p>Noted. A bushfire impact assessment accompanies the application.</p>

1.3.2 Pre-Lodgement Meeting

The proposal was discussed at a pre-lodgement meeting held with the relevant officers at Penrith City Council on 19 June 2020 where a range of issues were discussed.

Key Issue	Requirement for Consideration
Part 7 – Development Controls of SREP 30 – St Mary’s will need to be addressed. Clause 59 outlines maximum floor space / gross floor area restrictions for shops and commercial premises having regard to the land uses outlined within Schedule 4. A hotel is included in the list of land uses as is a restaurant. As such a calculation of all existing approved retail and commercial floor space within the western precinct will be required, to demonstrate compliance as a consequence of this development. Where an exceedance is identified, an economic impact statement that addresses the population of the precinct with respect to the resulting floor space will be required for consideration.	Noted and addressed later in this report.
Clause 44 of the SREP 30 – St Mary’s requires engagement with NPWS where land adjoins the regional park.	Noted and addressed later in this report.
Car parking should be suitably screened from the public domain by landscaping or basement / undercroft construction. Any remaining at grade parking should include provision for minim 2.0m wide landscape beds between every 10 parking spaces to ameliorate the hard stand presentation of the car park. These planting beds should include provision of shade trees and understorey planting.	A formal landscaped solution is proposed within the accompanying Landscape Plan.
Any fencing sought should be detailed on the landscape plans submitted with indications of material, colours and dimensions.	Noted.
Any signage sought should be detailed on the architectural plans with dimensions, colours and advertising detail. This includes building signage and any way finding signage.	Noted.
Hours of operation will be a key consideration given the location of the development adjacent to sensitive land uses.	Noted.
Environmental Management Considerations	
<p>(i) Contamination (SEPP 55)</p> <p>The application is to address all relevant requirements under State Environmental Planning Policy 55 Remediation of Land (SEPP 55), specifically Clause 7. Council cannot consent to any development unless these requirements have been satisfied.</p>	A report into the potential contamination of the site accompanies the application.
<p>(ii) Noise Impacts</p> <p>An acoustic assessment is required to be submitted as a part of the application to demonstrate that the proposed development will not have any impact on nearby receivers (both built and under construction/yet to be constructed).</p>	A detailed Acoustic Impact Assessment accompanies the application.

(iii) Food Handling and Storage	
<ul style="list-style-type: none"> General fit-out plans are required for the bar, kitchen, and food area components of the proposed development. Fit out plans should refer to AS4674-2004 Design, Construction and Fit out of Food Premises and Food Safety Standard 3.2.3 of the Australian and New Zealand Foods Standard Code, and provide general details of construction of walls, floor, ceiling, and indicative layout of equipment, fridges, cool room, freezer, storeroom, preparation areas, sinks and wash hand basins 	Noted.
<ul style="list-style-type: none"> Details of proposed kitchen exhaust system(s) with consideration of Clause F4.12 of the Building Code of Australia and Australian Standard AS1668 Parts 1&2 	Noted.
(iv) Waste Management	
<p>A Waste Management Plan is to be provided addressing waste produced during both the construction and operational phase of the development. It should address waste quantities, storage locations and removal. Vehicular access for collection also needs to be addressed.</p>	A Waste Management Plan accompanies the application.
(v) General Environmental Health Impacts	
<p>The environmental impacts associated with the construction of the development will also need to be addressed, such as water quality, noise, dust and air quality, and sediment and erosion control. This can be included in the Statement of Environmental Effects.</p> <p>Any areas provided for waste/bin storage and washing are to be connected to sewer with provision of hot and cold water as well as drained to a floor waste.</p>	Noted. Can comply.
WSUD Considerations	
<p>In relation to Council's WSUD Policy and DCP, the following will need to be submitted in support of a development application:</p>	
<ul style="list-style-type: none"> A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the development. The strategy shall address water conservation, water quality, water quantity, and include details of operation and maintenance requirements. It is recommended that a vegetated solution to treat and manage stormwater be incorporated into the design, as it is in-keeping with the intent Council's WSUD Policy and Cooling the City Strategy. 	Noted & provided.
<ul style="list-style-type: none"> A stormwater concept plan shall be prepared in accordance with Council's WSUD Policy and supporting Technical Guidelines. 	Noted & provided.
<ul style="list-style-type: none"> The application shall also include MUSIC modelling (*.sqz file) demonstrating compliance with Council's adopted Water Sensitive Urban Design Policy and Technical Guidelines. 	Noted & provided.

<p>Council's WSUD Technical Guidelines are available on Council's Website and were prepared to outline how to comply with the requirements of Council's WSUD policy and outline Council's requirements in relation to the contents of a WSUD Strategy and detail required for concept designs to be lodged with the development application. The guidelines refer to resources which guide the development of suitable plans for submission with a development application.</p>	<p>Noted & provided.</p>
<p>Engineering and Stormwater Management Considerations</p>	
<p>(ii) Stormwater Management Considerations</p>	
<ul style="list-style-type: none"> • Stormwater drainage for the site must be in accordance with the following: <ul style="list-style-type: none"> o Council's Development Control Plan, o Stormwater Drainage Specification for Building Developments policy, and o Water Sensitive Urban Design Policy and Technical Guidelines. 	<p>Noted.</p>
<ul style="list-style-type: none"> • A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application. 	<p>Noted & provided.</p>
<ul style="list-style-type: none"> • The concept stormwater plan shall be accompanied by a completed 'Checklist for Stormwater Concept Plans' as per Appendix A of Council's Stormwater Drainage Specification for Building Developments policy. 	<p>Noted & provided.</p>
<p>(iii) Stormwater Channel along Rear of Property</p>	
<ul style="list-style-type: none"> • Consideration is to be given to the stormwater channel running along the rear of the property. An unsealed access track runs along the top of the northern bank. A suitable fence / barrier is to be provided to the access track in consultation with Council. 	<p>An appropriate response can be negotiated as part of a condition of consent.</p>
<ul style="list-style-type: none"> • Information upon the design and construction of the channel is available from Council Development Application DA15/0943 and Construction Certificate application No CCX16/0016. 	<p>Noted.</p>
<ul style="list-style-type: none"> • Finished surface levels of the lot shall be in accordance with the report 'Upstream Extended East/West Open Channel Report' by SKM, reference EN02754, dated 23 April 2013. 	<p>Noted.</p>
<p>(vi) Traffic Management Considerations:</p>	
<ul style="list-style-type: none"> • The application shall be supported by a traffic report prepared by a suitably qualified person addressing, but not limited to, traffic generation, access, car parking, and manoeuvring. 	<p>Noted & provided.</p>
<ul style="list-style-type: none"> • Site access – vehicular access to the site may be limited to a left-in and left-out type arrangement due to the proximity to the west of the 90-degree bend in Lakeside Parade and any existing approved vehicular access points. The safety of motorists wishing to turn right into the facility is to be considered from the possible rear end collisions of vehicles travelling eastbound on Lakeside Parade. Consideration is also to be given to any approved access that services No 39 Jordan Springs Boulevard (Lot 1 DP 1248137 – proposed retirement village) and No 55 Jordan Springs Boulevard (Lot 2 DP 1248137 - proposed aged care facility). Fully dimensioned plans are to be submitted showing access arrangements. 	<p>The design layout of the proposal has evolved since the Pre DA meeting.</p>

<ul style="list-style-type: none"> The application must demonstrate that access, car parking, and manoeuvring details comply with AS2890 Parts 1, 2 & 6 and Council's Development Control Plan. This shall include separation of any waste vehicle / delivery vehicle / service vehicle reversing manoeuvring from the car park and pedestrian activity areas. 	Noted & provided.
<ul style="list-style-type: none"> The application shall be supported by turning paths for the largest delivery vehicle expected to service the site. The turn paths shall be in accordance with AS2890 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road. 	Noted.

1.4 SUPPORTING DOCUMENTATION

The proposed is accompanied by the following documentation:

Documentation	Prepared by
Architectural Drawings & Design Statement	Team2 Architects
Acoustic Assessment	Acoustic Logic Consultancy Pty Ltd
Access Capability Statement & Access Design Assessment	Design Confidence (Sydney) Pty Ltd
BCA Assessment Report	Blackett Maguire + Goldsmith
Bushfire Assessment Report	Travers Bushfire & Ecology
Erosion and Sediment Control Plan	EWWF Consulting Engineers
Fire Engineering Concept Report	Minerva Management Group Pty Ltd.
Hydraulic Report/Stormwater Plans	EWWF Consulting Engineers
Landscape Plan	Site Image Landscape Architects
Plan of Management- Operations & Security	GJ Consulting
Preliminary Site Investigation	Geotechnique Pty Ltd
Section J Report	Northrop Consulting Engineers Pty Ltd
Social Impact Assessment	Barr Property & Planning
Sustainability Report	Northrop Consulting Engineers Pty Ltd
Survey	RPS Australia East Pty Ltd
Traffic Impact Assessment	PTC Consultants
Waste Management Plan	Stimson Urban & Regional Planning

1.5 LEGISLATION, ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES TO BE CONSIDERED

- Biodiversity Conservation Act 2016
- Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007

- State Environmental Planning Policy No 64 – Advertising & Signage
- Sydney Regional Environmental Plan No 30—St Marys
- Western Precinct - Precinct Plan and Development Control Strategy
- Jordan Springs Village Centre Concept Plan

1.6 CONSENT AUTHORITY

Council has indicated that the Penrith Local Planning Panel will determine this application.

2 THE SITE AND SURROUNDS

The subject site and its surrounds have the following characteristics.

Site Address	Lot 3989 Lakeside Parade, Jordan Springs
Lot/DP	Lot 3989 DP 1190132
Site Area	5190sqm (approx.)
Local Government Area	Penrith City Council
Zoning	Urban Zone
Current Land Use	Vacant
Proposed Land Use	Pub and associated car parking.
Surrounding Land Uses	Residential to the north & west, bushland to the east & south.
Topography	Generally Flat (0.5m downward slope rear to front)
Terrestrial Biodiversity	Not mapped
Bushfire	Site is mapped



Figure 1 Subject Site - Aerial

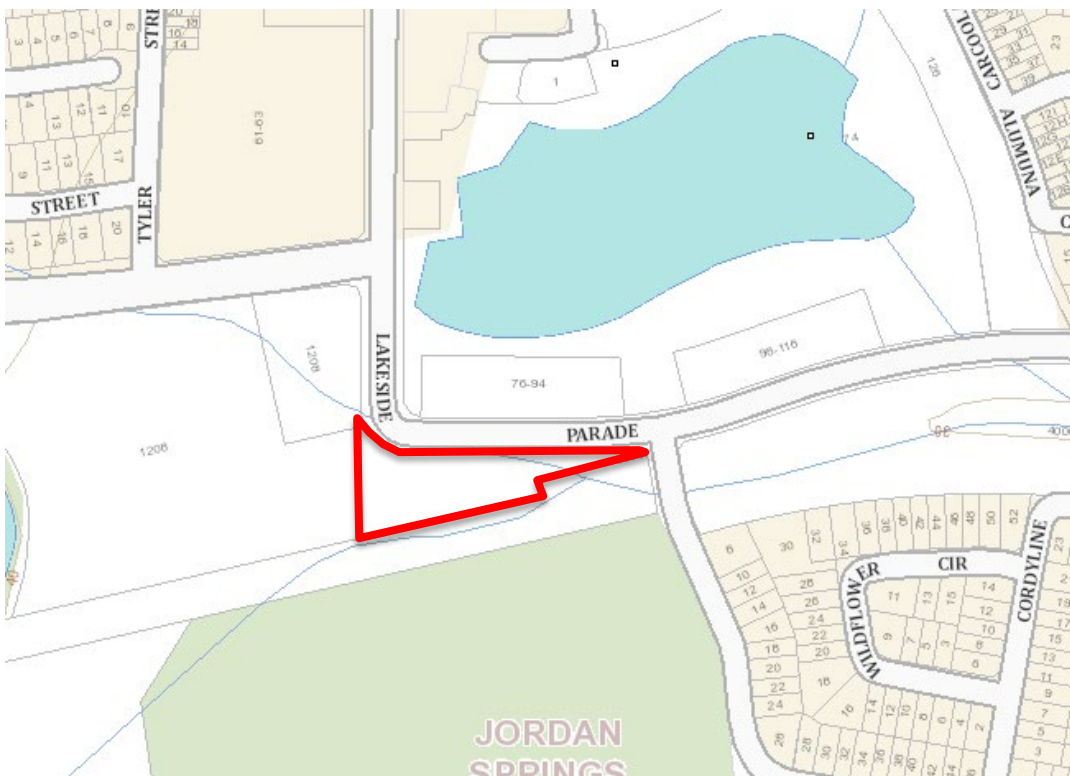


Figure 2 Subject Site - Cadastre

2.1 SURROUNDING CONTEXT

The subject site is located within close proximity to the Jordan Springs local centre. Residential development (under construction) is located to the north and west (seniors housing) of the site. The Wianamata Regional Parkland is located to the south of the site. The architect's design statement summarises the surrounding context as follows:

As of the end of 2019 the surrounding area boasts a newly constructed shopping centre and multiple residential apartments which also include facilities dedicated to Age Care and related ailments scattered around the site. This in turn is further surrounded by newly developed residential in the form of standalone houses.

The site itself is 5026m² in area and includes a significant corner portion to the east that is affected by an acute angle making development in that zone very difficult. To the south of the site is a council maintained drainage corridor with RFS access road. On the opposite side of the drainage corridor lies the Wianamatta Regional Parkland.

The following photos highlight the site and its surrounds.



Figure 3 Subject site looking south-west



Figure 4 Subject site looking west



Figure 5 Subject Site looking south from Town Centre

2.2 TRANSPORT NETWORK

The subject site is located on Lakeside Parade in Jordan Springs. The site is primarily serviced by The Northern Road, a State road located west of the site. The Highway provides a north-south link through the Penrith LGA.

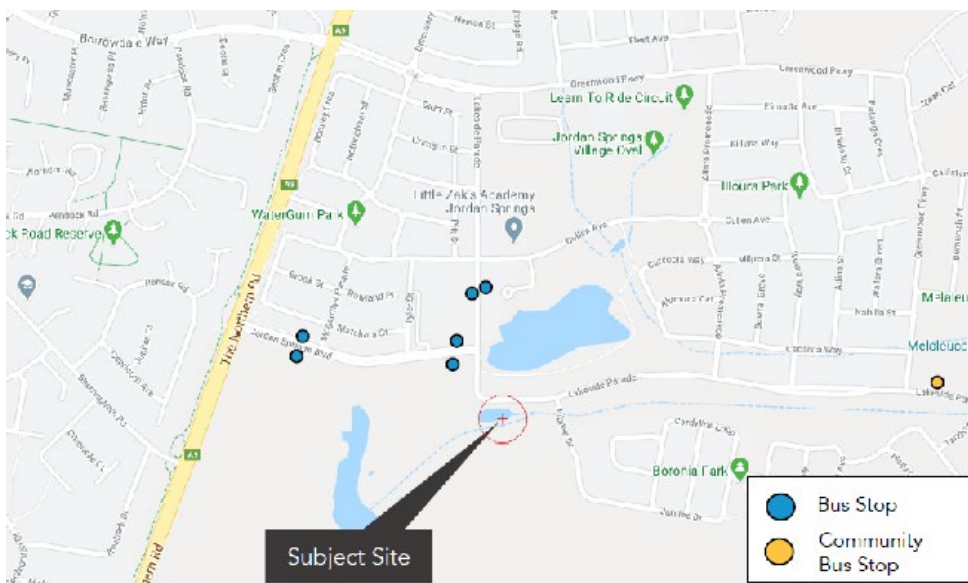


Figure 6 Location of public transport

The local area is serviced by buses running along Jordan Springs Boulevard and Lakeside Parade. There is also a community bus which provides a free transportation service from Jordan Springs to Werrington Train Station. Figure 6 shows the locations of public transport services in respect to the subject site.

The closest bus is approximately 150m away from the site, along Jordan Springs Boulevard. There is also a community shuttle bus stop located 800m (10 minute walk) west along Lakeside Parade. The community bus also provides a link to the nearest train station, Werrington Train Station.

3 PROJECT DESCRIPTION

3.1 DETAILS OF THE PROPOSAL

The proposed development is for a single storey pub and associated car parking. In detail, the development comprises:

- Main entry lobby fronting Lakeside Parade, with minor secondary entry on the eastern side of the building.
- Main bar and dining area of some 293sqm.
- Gaming area of some 153sqm accommodating 25 Gaming machines.
- Beer garden and kids playground within the front building setback (Lakeside Parade).
- Toilets and parents amenities.
- Back of house including cold and dry storage, kitchen and refuse room.
- Exterior seating along the northern elevation, overlooking the proposed beer garden.
- Car parking for some 48 vehicles, inclusive of one accessible space and drop-off zone.
- Bicycle parking.

3.2 BUILT FORM

The Architectural Design Statement for the proposal summarises the design approach as follows:

Remaining sensitive to the residential surroundings a barn style architecture was chosen. The design includes a single storey space on ground floor with generously vaulted internal spaces that make use of 3 dormer constructions to capture northern light. A shaded pergola area on the northern façade creates the transition space between the inside of the tavern and the generous garden space with kids play area.

The main roof construction is a fully folded extrusion with gabled ends. Three dormers on the northern façade are spaced to face the main view corridor approaching from Lakeside Parade. The height of the building ensures the backdrop of the Wianamatta Regional Parkland remains visible from the intended view corridor.

Low height walls mimicking existing precedents in the area along with local planting create a physical barrier to the site while the views into the development remain. More mature trees and planting with acoustic treatments are proposed for the western boundary to provide both shade and further buffer to the neighbouring developments.

The parking area is lowered from the road height and finished ground floor height to create the opportunity for the raised planting and landscaping to conceal vehicular activity from the street and provide clearer site lines onto the reserve behind the site.



Figure 7 Perspective presenting Lakeside Parade

3.3 VEHICULAR ELEMENTS

The development includes the provision of 48 at grade car parks and a loading bay accommodating Medium Rigid Vehicles (MRV's). The manoeuvring of vehicles into and out of the loading bay was raised as an item of interest by Council and this has been demonstrated in the application documentation.



Figure 8 Turning Template Analysis through the site

We are advised by our client that deliveries to the venue will take place no earlier than 7.30am, through to early afternoon only, and that these times are 'off peak' times for activity within the venue. The client also notes that based on their experience of operating similar venues across New South Wales, the commercial operations of the proposed development, as well as waste collection, will only require an MRV to service the site.

3.4 LANDSCAPING AND OPEN SPACE

A Landscape Concept accompanies the application. The Plan focuses on the external beer garden on the northern part of the site. This area comprises a number of 'zones', including:

- Buffer planting to car park.
- Entry signage.
- Beer garden lawn with seating.
- Pier and open panel fencing.
- Front presentation planting
- Playground with fencing.
- Playground supervision seating.

The high-quality materials and finishes proposed in these areas will create a unique landscape response on the site, complementing its setting within the Jordan Springs Village Centre.

3.5 HOURS OF OPERATION AND EMPLOYEE NUMBERS

The following hours of operation are proposed as part of this application:

Monday to Saturday	10am to 3am
Sunday	10am to 12am

The following exceptions apply:

Good Friday	Midday to 10pm
Christmas Day	Midday to 10pm

It is expected that in excess of 150 construction related jobs will be created by the development, and that ongoing permanent and casual staff will be of a similar number.

3.6 SIGNAGE

No advertising signage is proposed for the development. A building identification sign is proposed naming the building 'Jordan Springs Tavern'. The perspectives show indicative business identification signage only. Business identification signage will comprise illuminated façade signage, as well as some landscape signage on a plinth. Some small scaled way finding signs will be required to assist people walking between

the car park and the pub, the details of which could be provided as part of any Construction Certificate.



Figure 9 Northern elevation showing indicative identification signage

3.7 STORMWATER DRAINAGE

A stormwater drainage concept plan accompanies the application and demonstrates compliance with Council's controls.

Further information is appended to this report in regards to the stormwater management on the site, including a response to Council's WSUD principles.

3.8 UTILITIES

The site will be appropriately serviced to accommodate the proposed use. Some utility upgrades are likely to be required and will be confirmed with the relevant service authority.

3.9 CIVIL WORKS

Some minor civil engineering works are required to level the site to prepare for construction and these are detailed in the accompanying plans.

3.10 WASTE MANAGEMENT STRATEGY

A dedicated waste storage room is proposed within proximity of the loading bay. Waste will be collected by commercial contractors as arranged. Arrangements relating to waste management and collection have been proposed as per the specific

requirements of the venue. Waste collection will be managed with a commercial contractor.

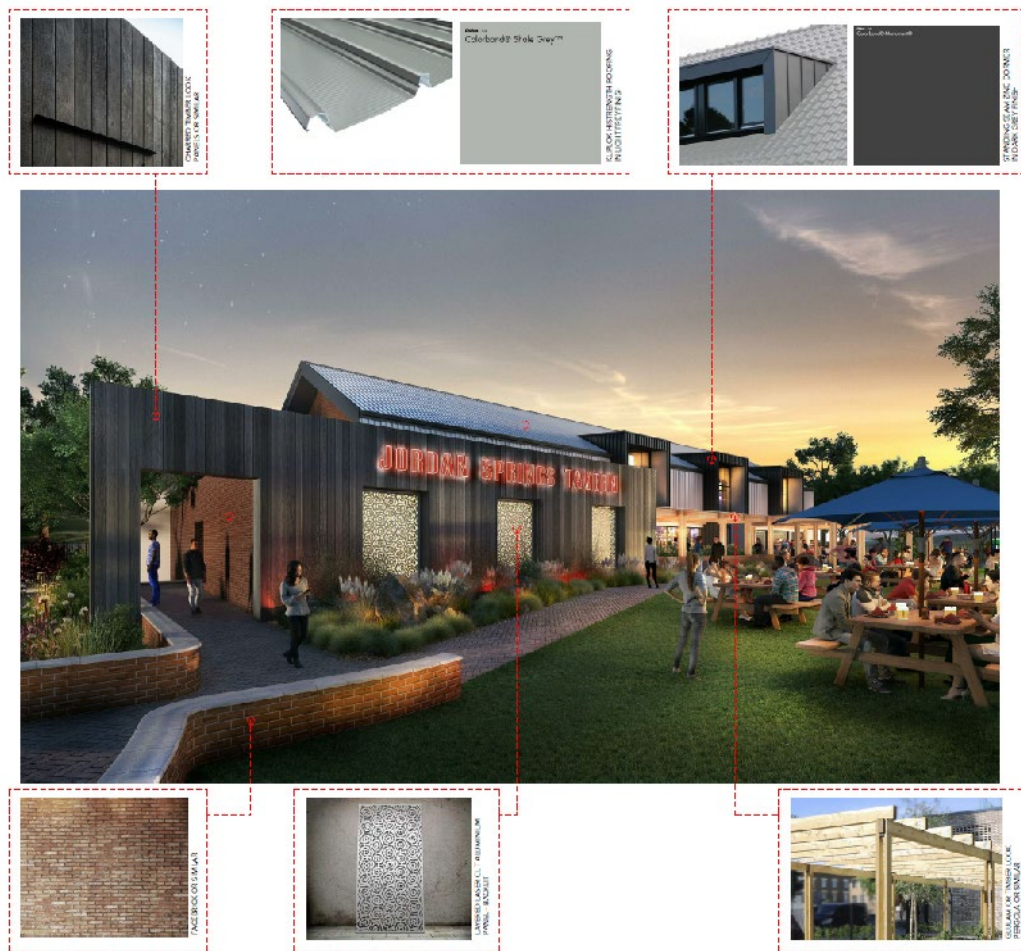


Figure 10 Finishes and materials proposed

3.11 NATIONAL CONSTRUCTION CODE COMPLIANCE

All works will be carried and comply with the National Construction Code (now incorporating the BCA). A Construction Certificate will be required in relation to the proposal and it is expected that Council will require matters relating to NCC compliance.

4 STATUTORY CONSIDERATIONS

The applicable statutory planning instruments and relevant guidelines have been considered below.

4.1 BIODIVERSITY CONSERVATION ACT 2016

The NSW *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017. The Act applies to all of NSW.

The Biodiversity Offsets Scheme (BOS) applies to local developments assessed under Part 4 of the EPA Act that trigger the BOS threshold or is likely to have a significant effect on threatened species based on the 'test of significance' at s7.3 of the BC Act.

Amongst other changes, the Act introduced new mandatory requirements for biodiversity assessment and reporting and requires proponents to offset biodiversity impacts by retiring biodiversity credits through the BOS. This is a significant change to the previous legislation where non-significant impacts did not require offsets.

As part of the biodiversity reforms, the State Government established the Biodiversity Assessment Method (BAM) which replaces previous assessment methodologies such as the BioBanking Assessment Methodology. The BAM is an evolution of these previous methodologies and determines the number and type of credits required at a development site, and the number and type of credits created at a Biodiversity Stewardship Site (offset site).

The key principle of BAM is 'no net loss', where impacts of development are offset by improving the condition of vegetation or habitat at a Biodiversity Stewardship Site. Importantly, developments cannot proceed simply by securing the required offsets, they are required to firstly demonstrate avoidance, minimisation and mitigation of impacts through reasonable measures prior to offsets being used.

For Local Development (i.e. Part 4 Development Applications under the EP&A Act) the BC Act and BAM apply. There are three ways in which detailed assessment through BAM and the Biodiversity Offset Scheme are triggered:

1. Proposed clearing for your project exceeds the thresholds for minimum lot size in the relevant Local Environmental Plan (LEP)
2. Sensitive Biodiversity Values have been mapped within your project area (as mapped by the State Government); or
3. Impacts on threatened species, populations or communities are likely to be 'significant' as determined through the new 'five part test'.

For this proposal, no clearing is proposed, however the site is mapped on the Sensitive Biodiversity Values Map.

We have received advice from Cumberland Ecology, detailing consideration of this matter in the context of the site conditions and the approvals history. That advice accompanies this application.

Importantly, clearing of the site is already approved under previous development consents and since those approvals are still valid, no further assessment under the former TSC Act, or the BC Act is required.

Accordingly, we submit that no further consideration of this Act is required.

4.2 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER

The aim of SREP 20 is to protect the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Appropriate conditions of consent would normally be applied to any approval to ensure the health of the river system is not compromised by way of sediment or erosion from the works or use.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Under Clause 7(1)(A) the consent authority must not consent to a development application unless consideration has been given to whether the land is contaminated. A Preliminary Site Investigation accompanies the application and concludes:

The findings of this PSI of the soil are summarised as follows:

- *All the laboratory test results satisfied the criteria for stating that the analytes selected are either not present or present in the soils at concentrations that do not pose a risk of harm to human health of the environment, under a commercial/industrial use.*
- *No remediation/management of the site are [sic] required.*

A Stage 2 Detailed Contamination assessment is therefore not required, and the site is suitable in this regard.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Subdivision 2 of the SEPP will require Council to refer the application to the relevant electricity supply authority. We are happy to provide a response to any comments that Council may receive.

4.5 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

This SEPP applies to signage that can be displayed with or without development consent and is visible from any public place or public reserve, except as provided for by the SEPP.

The signage for which consent is required includes the ‘Jordan Springs Tavern’ signage located on the entry elevation. Under the SEPP that signage is considered to be defined as follows:

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services

The signage is not considered to be *advertising* as defined in the SEPP.

Clause 8 of the SEPP provides:

8 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

The objectives of the SEPP include the following:

- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements, and
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage satisfies the objectives in that it:

- Provides visual cues for the proposed building.
- Integrates into the design of the building.
- Is constructed of high-quality finishes and materials.
- Is not excessively sized given its proximity to the adjoining road corridor; and
- Is broadly consistent with signage you would expect in a village centre locality.

An assessment of the proposed signage against the assessment criteria in Schedule 1 follows.

Schedule 1 Assessment criteria	
1 Character of the area	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The proposed signage is not considered to be offensive, or of a scale that is unacceptable.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The signage has been designed to be integrated into the building design, consistent with its architectural theme.
2 Special areas	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The signage is not offensive or of a scale that is unacceptable. It is subtle in its appearance, but functional, providing the necessary visual cues for visitors to the site.
3 Views and vistas	
<i>Does the proposal obscure or compromise important views?</i>	No.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Not applicable.
4 Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes – the signage is integrated into the elevations of the building and will not present as an overbearing visual element.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes – the signage provides the necessary function of identifying the building.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes – the signage is simple and functional and will not present as an overbearing element.
<i>Does the proposal screen unsightliness?</i>	Not applicable.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No.
<i>Does the proposal require ongoing vegetation management?</i>	No.
5 Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes – the signage integrates into the building elevation design.
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes – the signage does not present as an overbearing visual element but provides the necessary function for its purpose.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Not applicable.

6 Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	No. Not applicable.
7 Illumination	
<i>Would illumination result in unacceptable glare?</i>	No.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Yes, if necessary.
<i>Is the illumination subject to a curfew?</i>	No, but it is intended to operate at night during opening hours.
8 Safety	
<i>Would the proposal reduce the safety for any public road?</i>	No.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No.

It is submitted that the proposed signage satisfies the provisions of the SEPP.

4.6 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 30 – ST MARYS

The SREP is the main environmental planning instrument that applies to land use controls on the site. The aims of the Plan are

- (a) support the St Marys Environmental Planning Strategy, 2000 of the Department of Urban Affairs and Planning by providing a framework for the sustainable development and management of the land to which this plan applies, and
- (b) rezone certain land for urban and employment-generating development, and
- (c) rezone land for conservation purposes and conserve the significant heritage values of the land to which this plan applies, and
- (d) ensure that urban development on the land achieves desirable environmental, social and economic outcomes, and
- (e) provide opportunities for recreation facilities that meet the needs of the regional and local community, and
- (f) ensure that development of the land to which this plan applies is integrated with established surrounding areas.

Part 5 contains performance objectives against which development proposals need to be considered.

Part 5 Performance objectives

Provision	Comment
<p>21 Required outcomes for any development</p> <p>The performance objectives set out in this Part describe the desired environmental, social and economic outcomes for development on the land.</p>	Noted.
<p>22 Ecologically sustainable development</p> <p>Development on the land to which this plan applies is to be planned and carried out so that it supports the goal of ecologically sustainable development within the region declared under the Act and known as the Sydney Region.</p>	Noted. The application is accompanied by a Sustainability Report that supports the development by detailing initiatives that will deliver a development that meets the needs of its owners and the wider community in Penrith. These include committing to sustainability outcomes, and energy, water and stormwater management measures.
<p>23 Air quality</p> <p>(1) Adverse impact on the air quality of the Blacktown City and Penrith City local government areas is to be minimised through the implementation of appropriate measures as part of any development.</p> <p>(2) Development on the land to which this plan applies should contribute to improved regional air quality by containing growth in vehicle kilometres travelled, by achieving higher than normal public transport use, encouraging walking and cycling, and promoting energy-efficient businesses and homes.</p>	<p>Not applicable</p> <p>Initiatives such as on-site bicycle parking will contribute to satisfying this objective.</p>
<p>24 Conservation</p>	Not applicable to the subject development.
<p>25 Heritage</p> <p>(1) Regard for, and education and understanding of, the identified items of environmental heritage on the land to which this plan applies are to be promoted.</p> <p>(2) Development is not to adversely affect the heritage significance of items of environmental heritage and their settings.</p> <p>(3) The Aboriginal community is to be given the opportunity to comment regarding any potential impacts of development on, and proposals for mechanisms for the management of, items of Aboriginal heritage significance.</p>	<p>There are no matters of heritage relating to the site or the proposed development.</p> <p>Not applicable.</p>
<p>26 Community services</p>	Not applicable to this application.
<p>27 Open space and recreation</p>	Not applicable to this application.
<p>28 Watercycle</p> <p>(1) During and following construction, impacts upon water quality are to be minimised, through the utilisation of effective erosion and sediment control measures in accordance with industry standards.</p> <p>(2) The use of the land to which this plan applies is to incorporate stormwater management measures that ensure there is no net adverse impact upon the water quality (nutrients and suspended solids) in South Creek and Hawkesbury-Nepean catchments.</p> <p>(3) Water usage on and the importation of potable water on to the land to which this plan applies are to be minimised.</p> <p>(4) Development is to be designed and carried out so as to ensure that there is no significant increase in the water table level and that adverse salinity impacts will not result.</p>	These objectives have been considered in the proposed design.

- (5) There is to be only minimal impact upon flood levels upstream or downstream of the land to which this plan applies as a consequence of its development.
- (6) Drainage lines are to be constructed and vegetated so that they approximate as natural a state as possible. Where it is necessary to modify existing drainage lines to accommodate increased stormwater runoff from urban areas, this should be done in a manner which maximises the conservation of indigenous flora in and around the drainage lines.
- (7) Development is to be carried out in a manner that minimises flood risk to both people and property.
- (8) Changes in local flow regimes due to development are to be minimised for rainfall events up to the 50% AEP rainfall event.
- (9) Gross pollutants are to be collected at, or as close as possible to, their source or at all stormwater outlets, or at both of those places, so that there is no increase in sediment/litter entering the creeks as a result of development.

29 Soils

Development is to have regard to soil constraints to ensure that the risk of adverse environmental and economic impacts is minimised.

Not applicable to this application.

30 Transport

- (1) Development should support creation of effective public transport and bicycle links to the dominant centres and major transport nodes in the Blacktown City and Penrith City local government areas.
- (2) Public transport is to be provided early in the development of the land to which this plan applies to establish use patterns.
- (3) Development of the land to which this plan applies is to maximise accessibility to services and facilities for people who do not have access to a private car.
- (4) Development of the land to which this plan applies is to effectively link that land into the surrounding road network and traffic generated by the development is to be catered for at a satisfactory level of service.
- (5) Provision of transport infrastructure and services is to be coordinated with the staging of development on the land.
- (6) Urban form is to maximise the potential for public transport, walking and cycling to replace car travel, with an overall net neighbourhood density target of at least 15 dwellings per hectare.
- (7) High trip-generating uses such as employment development, retailing and multi-unit housing are to be concentrated adjacent to major public transport routes and nodes.
- (8) The overall development of land to which this plan applies is to include a range of land uses sufficient to minimise demand for travel outside the land to which this plan applies.

These objectives have been considered in the proposed design.

- (9) Public transport infrastructure and services are to be provided to a level sufficient to achieve a significantly higher use of public transport compared to other similar development in the Blacktown City and Penrith City local government areas.

31 Urban form

- (1) Development of the land to which this plan applies is to result in an attractive and safe built environment which satisfies a diverse range of community needs.
- (2) Development is to integrate the new community with existing adjoining communities.
- (3) Development on the land to which this plan applies is to include—
- (a) a diverse range of building types and designs, and
 - (b) residences in close proximity (that is, a comfortable walking distance) to public transport, human services and retail, community and recreation facilities, and
 - (c) clearly distinguished public and private spaces, and
 - (d) a legible street layout.
- (4) The overall development of the land to which this plan applies is to incorporate urban design measures to discourage crime and facilitate safety and access for disabled persons.

The proposal has been the subject consideration by Penrith's Urban Design Review Panel.

The proposal represents a high quality architecturally designed building that will create a venue that will contribute to the Jordan Springs community. The scale of the building is considered appropriate in this location, within close proximity to the Village Centre.

32 Employment and business development

- (1) The total number of jobs generated by development on land to which this plan applies (including jobs generated on the surrounding land) is to approximate the number of workers who will be resident on the land to which this plan applies after the development has been carried out.
- (2) Retail and commercial development on the land to which this plan applies is not to undermine the regional and district retail and commercial centre hierarchy.
- (3) Local retail services are to be provided in the early stages of the development of each precinct.
- (4) Noise conflict between employment or business-related development and nearby residential development is to be minimised.

The proposed development will create ongoing employment opportunities, as will the construction of the development.

33 Housing

Not applicable.

34 Energy efficiency

Development on the land to which this plan applies is to incorporate best practice energy management and implement energy efficient principles wherever possible.

Noted and incorporated into the proposed development.

35 Waste management

- | | |
|--|---|
| (1) Buildings are to be designed and constructed in a way that minimises the production of unnecessary waste. | Noted and incorporated into the proposed development. |
| (2) Development is to facilitate appropriately designed and scaled local activities which reuse, recycle and reprocess wastes. | |

Part 6 Zoning

Provision	Comment
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40 Urban zone

- | | |
|---|--|
| (1) The objectives of the Urban zone are— | |
| (a) to ensure that buildings and works within the zone are primarily used for residential purposes and associated facilities, and | The proposal is for non-residential development. |
| (b) to limit the range and scale of non-residential uses to ensure that they are compatible with residential amenity and primarily serve local residents, and | The proposed use is permissible in the zone. The potential amenity impacts have been considered in the design and mitigation measures recommended accordingly. |
| (c) to provide for local retailing and related services, including supermarkets, which will complement established centres in the Blacktown City and Penrith City local government areas and not have a significant adverse effect on the viability of established retail centres, and | The proposed use will complement existing uses within the Jordan Springs centre, by establishing a community orientated venue that will promote social activation for local residents within close proximity to where they live. |
| (d) to provide for medium density residential development in locations which provide optimum access to employment, public transport and services, while ensuring residential amenity, and | Not applicable. |
| (e) to promote home based industries where such activities are unlikely to adversely affect the living environment of neighbours, and | Not applicable. |
| (f) to ensure that development adjacent to the Regional Park zone does not have a negative impact on biodiversity or conservation within that zone. | The proposed development will not create any unacceptable biodiversity impacts in the locality. |
| <hr/> | |
| (2) In the Urban zone— | |
| (a) development for the purpose of the following is allowed with the consent of the consent authority—
advertisements, amusement centres, backpackers' hostels, bed and breakfast establishments, boarding houses, bush fire hazard reduction, centre-based child care facilities, clubs, community facilities, drains, educational establishments, essential community services, exhibition homes, exhibition villages, fast food take-away restaurants, flood mitigation works, general stores, guesthouses, home activities, home businesses, hospitals, hotels, housing, local retail or commercial premises, medical centres, motels, nursing homes, parks, places of assembly, places of worship, professional consulting rooms, public buildings, recreation establishments, recreation facilities, regeneration activities, restaurants, retail plant nurseries, roads, service stations, shops. | The proposed use is permissible with consent in the zone. |
| (b) any other development (except that identified by this plan as exempt or complying) is prohibited. | Not applicable. |

Part 7 Development controls

Provision	Comment
44 Consultation with National Parks and Wildlife Service	
(1) This clause applies to the following—	Noted. Council will notify NPWS of this application.
(a) development of land adjoining land within the Regional Park zone, and	
(b) development for the purpose of a road or public utility undertaking on land zoned Regional Park that is subject to an existing easement, where the application is lodged prior to the land being reserved or dedicated under the National Parks and Wildlife Act 1974 .	
(2) The consent authority must not grant development consent for development unless it has referred a copy of the development application to the Director-General of National Parks and Wildlife.	Noted.
(3) Where a copy of a development application has been forwarded to the Director-General of National Parks and Wildlife pursuant to this clause, the consent authority must not grant consent to the application until—	Noted.
(a) it has received and considered advice with respect to the application from that Director-General, or	
(b) the consent authority has been notified that that Director-General does not wish to submit any advice with respect to the application, or	
(c) 28 days have elapsed after the date on which the application was referred to the Director-General,	
whichever occurs first.	
45 Subdivision	Not applicable.
46 Development near zone boundaries	Not applicable.
47 Demolition	Not applicable.
48 Interim uses	Not applicable.
49 Land below the PMF level	Not applicable.
50 Filling of land	Not applicable.
51 Salinity and highly erodible soils	Matters relating to soil assessments would have been considered as part of the original masterplan application for the Estate. Notwithstanding, any concerns can be conditioned accordingly.
52 Tree preservation	
(1) A person must not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed by any action (including the addition of soil or drainage works around the base of the tree), except with the consent of the consent authority.	Noted. No significant vegetation existing on the site. We also note previous development consents have permitted the clearing of this site.

- (2) Despite subclause (1), consent is not required where—
- (a) the tree is dead, or
 - (b) the tree is declared a noxious weed under the [Noxious Weeds Act 1993](#), or
 - (c) the tree is assessed as dying, in poor condition or potentially dangerous by a qualified arborist, or
 - (d) the action to the tree is taken for the purpose of bush fire hazard reduction in accordance with an approved local bush fire management plan referred to in section 52 of the [Rural Fires Act 1997](#), or
 - (e) the tree is less than five metres from a building or work for which consent has been granted or which has been approved by the consent authority, or
 - (f) the action to the tree is taken in accordance with a permit issued by the consent authority.
- (3) before granting a consent or permit referred to in this clause, the consent authority must make an assessment of the importance of the tree or trees concerned in relation to the following—
- (a) soil stability and prevention of land degradation,
 - (b) preservation of scenic and environmental amenity,
 - (c) maintenance of vegetation systems and natural wildlife habitats and corridors,
 - (d) prevention of soil salinity and a rising water table.
- (4) This clause does not apply to the lopping of trees in accordance with Part 9 of the [Electricity Supply \(General\) Regulation 1996](#) or section 48 of the [Electricity Supply Act 1995](#), or to any trees under the control of the National Parks and Wildlife Service.

Noted – refer above.

Noted.

53	Items of environmental heritage	Not applicable.
54	General heritage considerations	Not applicable.
55	Conservation of items of environmental heritage	Not applicable.
56	Demolition of items of environmental heritage	Not applicable.
57	Access	Not applicable.
58	Certain development prohibited	Not applicable.

<p>59 Retail and commercial development restricted</p> <p>(1) The consent authority must not grant consent to development described in Schedule 4 on land zoned Urban unless—</p> <p>(a) the proposed development is located on land identified as suitable for use for the purpose of a retail centre by a precinct plan, and</p> <p>(b) the consent authority is satisfied that, if the proposed development is carried out, the total gross floor area of all buildings on land to which this plan applies that may be used for the purpose of shops will not exceed 13,000 square metres approximately divided as follows—</p> <p>(i) Western Precinct—7,500 square metres,</p> <p>(ii) Central, Dunheved North and Dunheved South Precincts (combined)—2,500 square metres,</p> <p>(iii) Eastern and Ropes Creek Precincts (combined)—3,000 square metres.</p> <p>(2) However, subclause (1) (b) does not apply if the consent authority is satisfied that, after the proposed development is carried out, the total gross floor area (including the gross floor area of all other buildings used for retailing in the locality) will not be greater than the total required to reasonably service the local residential community and workforce.</p> <p>(3) Subclause (1) does not apply to the granting of consent for general stores.</p>	<p>The accompanying statement from Lend Lease, the developer of the Jordan Springs estate, confirms the development is within this GFA limit.</p> <p>Not applicable.</p> <p>Not applicable.</p>
<p>60 Services</p> <p>Development must not be carried out on any land to which this plan applies until arrangements have been made for the supply of water, sewerage, drainage and underground power that are satisfactory to the consent authority.</p>	<p>The site is appropriately serviced to accommodate the development.</p>
<p>61 Subdivision without consent.</p>	<p>Not applicable.</p>
<p>62 Bush fire hazard reduction works</p>	<p>Not applicable.</p>
<p>62A Temporary use of land</p>	<p>Not applicable.</p>
<p>62B Conversion of fire alarms</p>	<p>Noted.</p>

The proposed development satisfies the provisions of the SREP.

4.7 WESTERN PRECINCT – PRECINCT PLAN AND DEVELOPMENT CONTROL STRATEGY

The following relevant clauses have also been considered in respect of this development proposal.

5C Non Residential Built Form

5.8 Non Residential Buildings (Village Centre)

Mix of Uses

A range of uses including office, community, educational, residential and recreational uses may be considered within a mixed use building. Mixed uses can be arranged horizontally, vertically or in a combination. Horizontal mixed use development in the Village Centre will locate retail and commercial uses along street frontages with residential use to the rear or along secondary streets and accessways. Vertical mixed-use development will locate retail and commercial uses at street level, so as to maximise street activation, with commercial and residential uses located on upper levels.

Conflict between uses will be minimised through appropriate siting or via the application of appropriate building materials to eliminate noise transmission and other conflicts. Loading bays, site storage and access points for waste collection will be located away from public spaces, streets and residential areas to minimise amenity issues associated with cooking exhausts, waste, plant rooms and service vehicles.

Whilst being identified as part of the Village Centre, the subject site is located at its periphery, adjoining the Regional Park to the south. The site is within walking distance to the retail/mixed use area, with the proposed pub being readily viewed from that area.

The subject site is considered ideal for the proposed use, creating a destination venue for locals. Its location will assist in activating the Village Centre and provides passive surveillance in this location.

Potential impacts have been considered within this application and along with the implementation of the accompanying Plan of Management, can be satisfactorily mitigated. Potential conflicts are therefore considered to be minimal.

Street Frontages/Entrances

Non-residential uses will be located on the street with ground floor uses and upper floor windows facing the street to activate these edges and provide passive surveillance. Primary entrances will generally be provided off the main street. Access points will be compatible with the overall façade of the building but will be clearly defined and identifiable for vehicles and pedestrians.

The design of the pub will provide significant street activation and passive surveillance of the public domain in this locality.

Building Form

Buildings will be designed to face the street with particular attention paid to the rear of the building and its relationship to accessways and adjacent buildings. Built form should relate to the public domain and its form and scale. Façade treatment should avoid the use of blank walls and should break up excessive bulk and scale. The façade of large buildings will be articulated in terms of volume and surface treatments, to reflect the existing scale of the street and adjacent development.

The proposed design successfully responds to these requirements with a contemporary design, high quality materials and finishes, and an appropriately scaled built form.

Building Depth

Building depth should be adequate in order to maximise natural light, ventilation and circulation unless specific building use requires otherwise. This depth will allow optimum circulation and room layout while minimising artificial lighting at the building core.

Provided for in the design.

5 KEY PLANNING ISSUES

The following impacts have been considered in the preparation of this development proposal.

5.1 COMPATIBILITY IN LOCALITY

The development of the Jordan Springs Village Centre has largely been guided by the Jordan Springs Village Centre Concept Plan - a non-statutory document communicating the vision of the Centre. The Concept Plan sets out an indicative development plan but promotes a flexible approach that responds to market conditions. The principles outlined in the Concept Plan allow freedom for the detailed design of each site, providing a guide to assist in the assessment of applications relating to non-residential development in the centre.

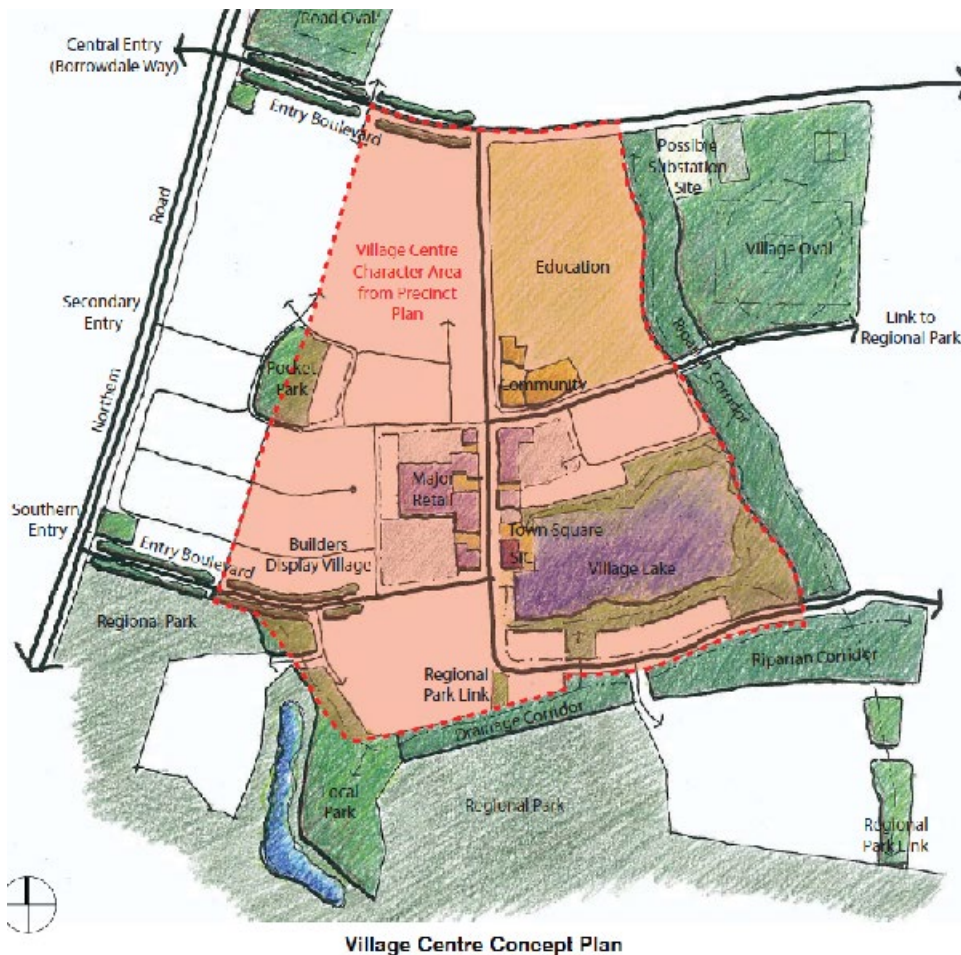


Figure 11 Village Centre Concept Plan

The vision of the Centre calls for activation through both day and night by a mix of uses, allowing for people to move easily and safely between destinations. The proposed development satisfies the Village Centre Principles as follows:

- The development 'book ends' the southern end of the Centres north-south axis
- The development is not excessive in scale and bulk so as to unacceptably dominate its immediate locality.
- Clear paths of travel and wayfinding are available to residents to travel within the village centre and the subject site.
- The development does not remove the focal point of the Town Square.
- The development represents a high-quality example of 'casual dining' and entertainment that is dispersed throughout the Village Centre.
- The development represents a 'commercial opportunity for the Village Centre promoting connectivity to the Regional Park'

The Concept Plan also identifies the subject site as a potential 'residential density' site, with the Plan suggesting interface sites consider visual amenity, noise and acoustic attenuation, hours of operation and privacy as part of any application.

The subject site is considered more appropriate for a commercial use, primarily because of its unique shape and configuration. The proposed development is a permissible land use in the zone, and is preferably located on the subject site to take advantage of its limited number of neighbours, but also to take advantage of its link between the Village Centre and the Regional Park. Potential impacts of adjoining land uses can be mitigated through a range of measures that are recommended in the accompanying consultant reports.

In summary, the proposed development represents a permissible land use in the zone that can sit comfortably amongst the surrounding land uses within the Village Centre. The site contributes to the Village Centre at the southern end of its north south axis, with a community facility that demonstrates a high degree of architectural design.

The proposed development is consistent with the strategic visions of Councils' relevant planning documents and studies and therefore it is considered to be compatible in the locality.

5.2 STORMWATER AND FLOODING

A stormwater concept plan has been submitted with the development application demonstrating compliance with Council's requirements in this regard and is consistent with the discussions held at the pre-lodgement meeting.

5.3 EROSION AND SEDIMENT CONTROL

It is expected that Council would impose appropriate conditions of consent to ensure that erosion and sediment control measures were installed on the site prior to construction commencing.

5.4 TRAFFIC GENERATION AND PARKING

A Traffic Impact Assessment accompanies the application, that provides detailed consideration of the potential traffic generation and parking demand of the proposed development. The assessment confirmed the following:

- The proposed development generates a parking space requirement of 111 spaces when considered against the DCP.
- Considering the location of the proposal within the Jordan Springs estate, it is likely there will be a high percent of patrons that would walk, therefore lowering the potential demand.
- Given the modern behaviour of patrons attending pubs, it is reasonable to assume an occupancy rate of 2.5 persons per vehicle be applied to this development, on which basis, the parking requirement would reduce to 45 spaces.
- Traffic studies undertaken at comparable facilities suggest that the likely range of parking requirement for this facility will be between 10 and 15 spaces.
- Accordingly, the 48 spaces proposed is considered to be a suitable for this development within this locality.

We note accessible and bicycle parking has also been provided for in the development.

In terms of traffic generation, Covid-19 restrictions have not allowed traffic surveys to be undertaken at this time since surveys may not be representative of typical traffic volumes. Accordingly, the traffic impact assessment prepared by WSP dated November 2017 as part of the 'Jordan Springs East – Internal Road and Intersection Assessment with Rezoning' has been used and extrapolated for the purposes of this assessment. This is considered a reasonable approach given the circumstances.

It has been determined that the development traffic generation of 48 vehicles in the PM peak hour would have minimal effect on the intersection's operation, and therefore the development is considered acceptable in terms of a traffic consideration.

The Traffic Impact Assessment also confirms that a medium rigid vehicle can be accommodated on the site for deliveries in a safe manner.

5.5 NOISE IMPACTS

An acoustic assessment was undertaken on the site considering the proposed hours of operation and the surrounding locality. The assessment considered existing residential dwellings within the catchment of the proposal. It also noted that the proposed operation of the venue situates the majority of noise sources to internal areas, and along Lakeside Parade. The assessment concludes with the following recommendations:

- Limitations on capacity of various components of the venue at various times of the day.

- Limitations on the timing and output of amplified music.
- Limitations on waste collection times and other operational aspects.

The management of acoustic issues is one that the proponent is very familiar with across their venue portfolio. Recommendations within the acoustic report, and the adoption of the accompanying Plan of Management, will ensure the site is managed in a way that is respectful and sympathetic of the surrounding land uses. The acoustic report outcomes have been reviewed by the proponent and are largely consistent with operational restrictions at other venues.

5.6 VISUAL IMPACT

Consideration has been given to the potential visual impacts of the proposal when viewed from the public domain. The two main views identified are from the north from the main Village area, and from the east down Lakeside Parade. The accompanying plans provide perspectives of those views, and importantly, include the massing from the adjoining development (DA19/0808).

The proposed building will be smaller in scale but will provide a visual ‘anchor’ when viewed from the north. When viewed from the east, the proposed development will provide a transition in scale up to the adjoining development.

As a result, any visual impacts created by the development will not be negative with the development contributing to the visual amenity of the locality.



Figure 12 View from the north



Figure 13 View from the east

5.7 SERVICES

The site is appropriately serviced to allow for the proposed development.

5.8 SOCIAL AND ECONOMIC

The accompanying Social Impact Assessment details positive social impacts arising from the development as including:

- Activation of the wider area,
- Increased opportunity for social relations and gatherings for members of the community due to the availability of a local venue and the decreased need to travel outside the suburb, and
- As a growing population in Jordan Springs, the provision of an entertainment venue is considered to have positive social interconnectedness and mental health outcomes.

On balance, the assessment also identified minor negative impacts as including:

- General consumption of alcohol and engagement in gambling activities,
- Resultant risky drinking and gambling behaviors'.

Importantly, the assessment identifies a number of recommendations that can be implemented, appropriately through the Plan of Management (attached to this submission), to control such risks. It should also be said that such risks are considered further and in more detail as the project moves through its licensing application with the Liquor and Gaming NSW and the NSW Police.

However, for the purposes of this planning application, it is considered that for a venue of this size, the potential risks can be monitored and controlled satisfactorily, and that the benefits that arise as a result of its development outweigh those risks.

There are no significant economic impacts that are expected to arise as a result of this application, and as such, the proposal is considered satisfactory from an economic and social impact perspective.

5.9 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The consideration of CPTED issues has been prepared having regard to various published CPTED literature and academic works, and specifically includes the *“Crime Prevention and Assessment of Development Application Guidelines under Section 4.15 of the Environmental Planning and Assessment Act 1979”* published by the former Department of Urban Affairs and Planning.

The advice is structured in accordance with Part B of the above guidelines – *Principles for Minimising Crime Risk*. In this regard, the advice considers the responsiveness of the proposed design to each of the adopted four principles for CPTED (surveillance; access control; territorial reinforcement and space management).

CPTED principles have been adopted by the NSW Police Force, based on recognition that the design of spaces plays a pivotal role in facilitating the safety and security of its users. The NSW Police Force has identified key principles of CPTED being:

- Establish opportunities for **good surveillance**, both casually and technically.
- Provide legible barriers for **access control** for spatial definition.
- Create a sense of ownership over spaces that are also clearly demarcated between public and private ownership for **territorial reinforcement**.
- Establish spaces that are utilised appropriately through **proper space management**, relating to litter and graffiti removal, and ensuring lighting fixtures are working.

When implemented, these measures are likely to reduce opportunities for crime by using design and place management principles.

Surveillance

The proposed development will provide numerous opportunities for surveillance. The following casual surveillance opportunities have been provided through the design of the project:

- Opportunities for visual observance through a high percent of transparent glazing along all frontages allow normal space users to see and be seen by others.
- Entries are located in highly visible locations.

- Active communal areas at the front and rear of the building are well positioned.
- Clear visual pathways within and around the development from public streets to private entrances.
- Areas of entrapment are limited due to multiple exit points from around the development.
- CCTV will be utilised on the site.

Access Control

Access control to public, semi public and private areas of the development is considered to be well managed and effective. Access control to the building can be effectively managed through lockable entry doors. With respect to fire escape points and building services rooms, the location of these access points, the use of lockable doors and other environmental cues will make it clear that these are not public entry points.

Overall access to the building will be managed by the on-site manager.

Territorial Reinforcement

Clear separation exists between public and private space in terms of the relationship between the proposal and the public domain. Appropriate signage, landscaping, site furnishings and paving will provide good environmental cues about the transition or movement from public to private domain.

Space Management

Space management is increasingly carried out in a professional manner, often by third party specialist building management businesses. Therefore, the effectiveness of management systems such as materials and fittings replacement, removing graffiti, and fixing broken site furnishings will influence the perceived level of care of the project. In this case, the on-site manager will ensure that processes are established to respond to and fix services and structures and under whose responsibilities these services are assigned.

Site cleanliness is also a factor that influences the perceived and actual level of care of an area. Cleanliness of the project will be managed by on-site management on a daily basis.

5.10 OPERATIONS

A Plan of Management accompanies this application, establishing the way in which the venue is to be managed. This extends to the management of patrons, security, maintenance, and noise and amenity. The Plan can be regularly reviewed if required.

6 SECTION 4.15 ASSESSMENT

An assessment of the proposal has been undertaken in accordance with the statutory requirements of the EPA Act. The following assessment against Section 4.15 of the EPA Act has been undertaken.

6.1 SECTION 4.15(1)(A)(I) – ANY ENVIRONMENTAL PLANNING INSTRUMENTS

The relevant environmental planning instruments have been considered earlier in this report. These include the following:

- Biodiversity Conservation Act 2016
- Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 64 – Advertising & Signage
- Sydney Regional Environmental Plan No 30—St Marys
- Western Precinct - Precinct Plan and Development Control Strategy

The proposal is permissible with consent and is considered satisfactory when assessed against the relevant controls.

6.2 SECTION 4.15(1)(A)(II) – ANY PROPOSED INSTRUMENT THAT IS OR HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION UNDER THIS ACT AND THAT HAS BEEN NOTIFIED TO THE CONSENT AUTHORITY

There are no known draft Environmental Planning Instruments specifically applicable to the subject site or the proposed development.

6.3 SECTION 4.15(1)(A)(III) – ANY DEVELOPMENT CONTROL PLAN

Compliance against the relevant DCP has been considered earlier in this report.

6.4 SECTION 4.15(1)(A)(IIIA) – ANY PLANNING AGREEMENT OR DRAFT PLANNING AGREEMENT ENTERED INTO UNDER SECTION 7.4

There are no known planning agreements that apply to the site or development.

6.5 SECTION 4.15(1)(A)(IV) – THE REGULATIONS

There are no sections of the regulations that are relevant to the proposal at this stage.

6.6 SECTION 4.15(1)(A)(V) – ANY COASTAL ZONE MANAGEMENT PLAN

Not relevant to the proposed development.

6.7 SECTION 4.15(1)(B) – THE LIKELY IMPACTS OF THAT DEVELOPMENT

6.7.1 *Natural Environment Impacts*

There are unlikely to be any natural environment impacts. There is no vegetation on site of any significance, and the proposed works to the site are consider minor in the context of the surrounding locality. The adjoining Regional Park will not be negatively impacted on, if anything, the proposal will strengthen the potential link between the Village Centre and the Park.

6.7.2 *Social and Economic Impacts*

The proposed development introduces a community facility to Jordan Springs. The accompanying consultant reports confirm that there will be positive social and economic impacts arising from the development. There will be minor impacts that can be appropriately managed through the implementation of the accompanying Plan of Management, which is a document common across other venues owned by the proponent.

6.7.3 *Built Environmental Impacts*

The proposed building is of a scale and bulk that is well within the development controls applicable to the site. The size is modest in the context of the site, and its relationship with the Village Centre.

6.8 SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposal is generally consistent with the planning controls that apply in this zone. Moreover, the objectives of the zone have been satisfied, ensuring that the proposed pub would not result in any unacceptable impact on any adjoining landowners or buildings.

The site is considered to be suitable for the development for the reasons outlined below:

- The proposal is permissible with consent in the Urban zone.
- The proposal represents an appropriate land use and built form located on an appropriately serviced site that is in an accessible location. In this context we submit the proposal is not inconsistent with the objectives of the Jordan Springs Village Centre Concept Plan.

- The proposal is compatible with surrounding land uses within the Village Centre, including higher density residential and seniors housing and various retail shops.

The accompanying consultant reports identify the way in which the proposed development will be received within the locality and in this regard, it is considered to be acceptable.

6.9 SECTION 4.15(1)(D) – ANY SUBMISSION MADE

Council will undertake a notification process in accordance with its controls and policies. We welcome the opportunity to provide additional information in response to any submission that might be received.

6.10 SECTION 4.15(1)(E) – THE PUBLIC INTEREST

Given the type of development, its general compliance with the planning controls, how the objectives are satisfied and the suitability of the site it is considered that the public interest would not be jeopardised as a result of this development.

We submit approval of the development is within the public interest given the way in which the strategic objectives of the relevant planning framework have been met.

7 CONCLUSION AND RECOMMENDATION

The proposed development has been assessed against the requirements of the SREP and is considered to represent a form of development that is acceptable.

The proposed pub would not result in any unacceptable impact on the locality.

The site is considered quite suitable for a use of this nature and is consistent with nearby and adjoining development.

An assessment against Section 4.15 of the EPA Act has not resulted in any significant issues arising.

Accordingly, it is recommended that the proposed development be approved.