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Penrith City Council
601 High Street
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Attention: Gavin Cherry

JOR-0003-SECTION 96 (1A) Dog Park
15/07/2015

To Gavin

SECTION 96(1A) – VILLAGE OVAL_DOG PARK

The attached Section 96(1A) application is in responses to Lend Lease's understanding and community research that Jordan Springs Development would benefit through the introduction of a Community Dog Park. This has been discussed with Penrith Council and agreed that it would be a great inclusion into the proposed Jordan Springs Village Oval.

Australia has one of the highest rates of dog ownership in the world with 36% of households owning a dog, but as back yards have become smaller and leash laws enforced in many areas, it has become more difficult to exercise dogs safely off the leash while still keeping them under effective control.

Dogs that are well socialised and exercised are likely to be healthier, happier and less aggressive. The parks also benefit the dog-owners. People have social contact while their dogs are playing and some groups of dog park users have established Facebook sites.

It's been observed that people get a lot out of using the parks too, not so much with their own exercise but just through the opportunity to meet other people with dogs.

DESCRIPTION OF ORIGINAL APPROVAL

Construction and embellishment of a Village Oval with associated multi-functional Outdoor Playing Surface, Amenities Block, Landscape Works, Earthworks, Lighting, Car Parking and Recreational Equipment and Facilities.

DA NUMBER AND DATE OF APPROVAL

DA14/0209
14th August 2015



Environmental Planning and Assessment Act 1979 No 203

Section 79C Evaluation

(1) Matters for consideration - General

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

A. *the provisions of:*

(i) *Any environmental planning instrument, and*

Sydney Regional Environmental Plan No 30 – St Marys.

The park is permissible under Clause 40 and sets the zone as Urban. The Park complies with Clause 27 Open Space and Recreation. The Dog Park provides active recreation and accessibility of the Park allows for maximum use by the community. The Dog Park has been located and designed to maximise conservation of the cultural and natural environmental values.

(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 (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

N/A

(iii) *Any development control plan, and*

St Marys Western Precinct Plans. The Dog Park sits within and complies with the approved Jordan Springs Precinct Plans.

(iiia) *Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*

The planning agreement in place between Lend Lease and Penrith City Council for the St Marys Site includes the provision of a 5.5 hectare neighbourhood park/village oval for the Western Precinct (Jordan Springs). The approved Village Oval DA fulfils this planning agreement obligation. The subject Section 96 application involves the provision of additional works/embellishment to the Village Oval to accommodate a 'dog park'. This additional recreation facility and offering to residents is to considered to be "over and above" Lend Lease's obligations under the planning agreement.

(iv) *The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

N/A

(v) *Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

N/A



B. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The site currently has no existing vegetation. The bulk earthworks have been completed with the grading of the surface gently sloping down towards the proposed Riparian Corridor.

The Dog Park proposes to establish trees and planting to the area providing shade and helping to seamlessly transition the Riparian Corridor into the Village Oval. This will help create habitats and encourage fauna to permanently establish within the Village Oval.

The Southern Boundary is the only boundary that residential dwellings are present. These residential dwellings are set at 81 meters from the proposed Dog Park and planting has been used to screen the Dog Park from view. The Dog Park is also set at a lower level which will help control noise pollution (as well as the proposed planting).

The Dog Park will provide social benefits through outdoor exercise and bringing people together.

C. The suitability of the site for the development,

The Village Oval will provide the only fenced Dog friendly park within the Jordan Springs development. The location to site has no current vegetation and the bulk earthworks have just been completed. The current area therefore could be viewed a blank canvas.

The Dog Park is proposed to be located centrally on the Western Boundary of the Village Oval. This proposed site is buffered to the Jordan Springs Development by the Riparian corridor (West), Electrical Sub-Station (North), AFL field (East) and Cullen Avenue to the South.

The modified development of the proposed Dog Park is substantially the same as the original approved development.

D. Any submissions made in accordance with this Act or the regulations,

N/A

E. The public interest.

Taking your pet outdoors to a dog-friendly space is important, especially in the Jordan Springs area with high-density dwellings where dogs don't have much space to exercise.

Regular off-leash exercise in designated parks helps dogs relieve boredom and release pent-up energy. It may also reduce unwanted behavior such as excessive barking. Outdoor exercise also benefits owners with dog parks bringing people together.



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LANDSCAPE PLANNERS

For additional information or clarification in reviewing this request, please don't hesitate to contact me.

Yours faithfully
CLOUSTON Associates

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