

# PENRITH LOCAL PLANNING PANEL

## DETERMINATION AND STATEMENT OF REASONS

<b>APPLICATION NUMBER</b>	DA20/0509  Lot 3989 Lakeside Parade Jordan Springs NSW 2747
<b>DATE OF DETERMINATION</b>	24 March 2021
<b>PANEL MEMBERS</b>	John Brunton (Chair)  Mary-Lynne Taylor (Expert)  Christopher Hallam (Expert)  Geoff Martin (Community Representative)
<b>DECLARATIONS OF INTEREST</b>	No conflicts of interest were declared
<b>LISTED SPEAKERS</b>	Residents - Aiman Jajo, Patrick Attard, Calla Hilse & Andrew Woodrup, Sara Kozman, Helio Milani Filho, Garry Masman, David Bentham, Mark Jenkins.  On behalf of the applicant/owner – Warwick Simson (Stimson Urban & Regional Planning), Craig Laundry (Owner), Jane Dumbleton (Landscape Consultant), Steve Wellman (Traffic Consultant), Tom Aubusson (Acoustic Consultant), Jonathan Parker & Zack Ashby (Architects), Michael Badaoui (Project Manager, Construction), Peter Stait (Senior Project Manager (Construction), Shahab Shoaee (Engineering Consultant) John Mullane (Consultant Town Planner)

Public Meeting held via video conference on Wednesday 24 March 2021, commencing at 2:00pm.

### **Matter Determined pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979**

Development Application DA20/0509, Lot 3989 DP 1190132, Lot 3989 Lakeside Parade JORDAN SPRINGS NSW 2747- Construction of a Single Storey Building for a Pub and Associated Car Parking Spaces, Stormwater Management and Landscaping Works.

## Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, a supplementary memorandum dated 23 March 2021 prepared by Council officers, submissions received, and the following plans;

- Sydney Regional Environmental Plan No. 30 – St Marys and western Precinct Plan
- Development Control Plan 2014
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River

In terms of considering community views, the Panel noted there were 75 submissions received of these 45 were objecting to the proposal and 32 submissions were in support stemming from the public notification of the Development Application.

## Panel Decision

DA20/0509, Lot 3989 DP 1190132, Lot 3989 Lakeside Parade JORDAN SPRINGS NSW 2747- Construction of a Single Storey Building for a Pub and Associated Car Parking Spaces, Stormwater Management and Landscaping Works be deferred to enable preparation of an amended proposal that responds to the following issues;

- Further assessment is required of the vehicular access off Lakeside Parade. The applicant should provide recommendations for a safe and efficient access for future traffic conditions.
- The carparking provision should comply with the requirements of DCP 2014. As an alternative, a merits assessment can be provided that proves the adequacy of the proposed on-site parking supply, taking into account all proposed public areas, internal and external seating, and the external beer garden.
- A certificate shall be provided in relation to the design of the building for bushfire hazard construction in accordance with Section 4.14 of the Environmental Planning and Assessment Act 1979.
- The building design must comply with the requirements of the acoustic report.
- The Panel presently favours the restricted hours proposed in the Council report. The applicant shall consult with National Parks and Wildlife Service in relation to its concerns about the hours of operation.

## Reasons for the Decision

The Panel considered the assessment contained in the Council's Assessment Report and outlined the following reasons for the decision:-

- The use is permissible in the 'urban' zone pursuant to Sydney Regional Environmental Plan No. 20 – St Marys. While the Jordan Springs Village Centre Concept Plan identifies the subject site for 'possible residential development', the Concept Plan and Development Control Strategy for the Western Precinct do not preclude a commercial

premises or pub from being proposed as the land is located within the identified village centre catchment.

- While the potential benefits of a pub for the Jordan Springs community are recognised, there are unresolved safety issues. In particular, the safe and efficient operation of the local road network must not be compromised, and the development must cater for anticipated car parking demand so that car parking does not overflow onto the adjacent road network or into the Village centre parking areas.
- At present the Panel favours the amended hours of operation recommended in the Council officer's report. These hours are more likely to be appropriate for a family oriented venue surrounded by residential developments.
- Public submissions indicate that the site of the proposed development is a sensitive location. Residential amenity must be respected as existing developments and approved projects have established the residential character of this section of the Jordan Springs Village Centre. The ecological value of the adjacent Regional Park must be recognised.

In terms of considering community views the Panel had regard to both written submissions and verbal presentations made.

#### Votes

The decision was unanimous.

John Brunton – Chair 	Christopher Hallam – Expert 
Mary-Lynne Taylor – Expert 	Geoff Martin – Community Representative 