

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Penrith City Council on Thursday 5 May 2016 at 1.30 pm

Panel Members: Bruce McDonald (Acting Chair), Lindsay Fletcher, Paul Mitchell, Glenn McCarthy

Apologies: Mary-Lynne Taylor, Ross Fowler Declarations of Interest: None

Determination and Statement of Reasons

2016SYW060 – Penrith – DA16/0215 [2-6 Cullen Avenue, Jordan Springs] as described in Schedule 1.

Date of determination: 5 May 2016

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The Panel unanimously agreed to approve the application, subject to the conditions imposed, for the following reasons:

1. The proposed development will provide a central social meeting place and associated services and facilities catering to the needs of the rapidly developing and growing Jordan Springs residential precinct in which it is placed and the wider locality.
2. The proposed development, subject to the conditions imposed, adequately satisfies the relevant State Environmental Planning Instruments including Sydney Regional Environmental Plan No.30 – St. Marys and SEPP 55 - Remediation of Land.
3. Subject to the conditions imposed, the proposed development will have no unacceptable impacts on the built or natural environments including the amenity of nearby residential premises and adjoining uses, and the performance of the local road network.
4. In consideration of conclusions 1-3 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions:

The Panel unanimously approved the application, subject to the conditions in the Assessment Report and as amended below:

- Deferred Commencement condition deleted.
- Condition 1.

The development must be implemented substantially in accordance with the plans listed below stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan / Document	Prepared by	Dated
Cover Page	Davenport Campbell	26/2/16 Issue B
Site Plan	Davenport Campbell	26/2/16 Issue B
Proposed Plan	Davenport Campbell	26/2/16 Issue C
Proposed Roof Plan	Davenport Campbell	26/2/16 Issue C

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

External Elevations	Davenport Campbell	26/2/16 Issue C
Sectional Views	Davenport Campbell	26/2/16 Issue B
External Finishes Sample Board	Davenport Campbell	26/2/16 Issue A
Site Analysis Plan	Davenport Campbell	26/2/16 Issue B
Landscape Plan	Clouston Associates	23/2/16 Issue B
Irrigation Plan	Clouston Associates	23/2/16 Issue B
Sign Posting & Line Marking Plan	J Wyndam Prince	26/2/16 Issue A
Vehicle Turning Paths	J Wyndam Prince	26/2/16 Issue A
Soil & Water Management Plan	J Wyndam Prince	26/2/16 Issue A
Village Centre Plan	Lend Lease	24/2/16 Issue C
DA Package (7 sheets)	Clouston Associates	23/2/16
Proposed Car Park & Drainage Works	J Wyndam Prince	26/2/16 Issue A
Truck Swept Path with landscape amendments - by email		1/5/16

- Condition 4.

The operating hours are restricted to the following for a 12 month trial period from the date of the issue of the Occupation Certificate:-

- Sunday to Thursday: 7.00am - 10.00pm; and
- Friday to Saturday: 7.00am - 1.00am

Upon cessation of the trial period or upon receipt of substantiated noise complaints by Council and written advice to the applicant, the following restricted hours of operation are imposed:-

- 8:00am - 10:00pm (Monday to Sunday)

- Condition 23.

Noise levels from the premises shall not exceed the relevant noise criteria detailed in the report prepared by PKA Acoustic Consulting, dated May 2016 Rev 3.

The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application.

A certificate is to be obtained from a qualified acoustic consultant certifying that the development (including mechanical plant) has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority prior to

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

the issue of an Occupation Certificate.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

- Conditions 24.



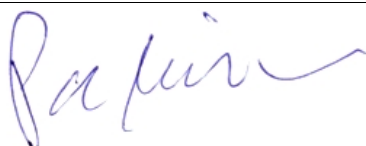

A Noise Management Plan (NMP) is to be prepared and submitted to Penrith City Council for consideration and approval prior to the issue of an Occupation Certificate. If Council is not the certifying authority, a copy of Council's approval is to be provided to the Principal Certifying Authority.

The NMP shall be prepared by suitably qualified person, and may need to be amended to include any comments provided by Council. The NMP is to:

- address all noise related aspects of the development's operational phases, including how outdoor activities will be managed.
- address the relevant conditions of this consent; and
- recommend any systems/controls to be implemented to minimise the potential for any adverse noise impact(s);
- indicate that windows and doors are to be closed after 10pm and at other times based on the activity;
- identify high risk activities (e.g. 18th birthday party) and appropriate responses in terms of noise; and
- incorporate a program for ongoing monitoring and review to ensure that the NMP remains contemporary with relevant environmental standards.

The approved Noise Management Plan is to be implemented and complied with at all times.

Panel members:

		
Bruce McDonald (Acting Chair)	Lindsay Fletcher	Paul Mitchell
		
Glenn McCarthy		

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2016SYW060 – Penrith – DA16/0215
2	Proposed development: Construction of a Community Facility with a Community Hall, Meeting Rooms, Multi Purpose Spaces & Associated Parking & Landscaping Works
3	Street address: 2-6 Cullen Avenue, Jordan Springs
4	Applicant: Lend Lease Building Pty Ltd Owner: St Marys Land Ltd
5	Type of Regional development: Capital Investment >\$20 Million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • State Environmental Planning Policy No 55 – Remediation of Land • Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River • Sydney Regional Environmental Plan No.30 – St Marys • Western Precinct Plan • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 22 April 2016 Written submissions during public exhibition: 0 Verbal submissions at the panel meeting: Support - none; Against - none; On behalf of the applicant - none
8	Meetings and site inspections by the panel: Site Inspection 5 May 2016 Briefing Meeting 5 May 2016
9	Council recommendation: Approval
10	Draft conditions: As per Assessment Report