

PENRITH LOCAL PLANNING PANEL

DETERMINATION AND STATEMENT OF REASONS

APPLICATION NUMBER	DA22/0522 – 16 River Road, EMU PLAINS NSW 2750
DATE OF DETERMINATION	28 September 2022
PANEL MEMBERS	David Ryan (Chair) Christopher Hallam (Expert) Mary-Lynne Taylor (Expert) Geoff Martin (Community Representative)
DECLARATIONS OF INTEREST	No conflicts of interest were declared
LISTED SPEAKERS	Nil

Public Meeting held on Wednesday 28 September 2022, starting at 11:30am.

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

Development Application DA22/0522, Lot A & B DP 190049, 16 River Road, EMU PLAINS NSW 2750 - Fit-Out & Use as Cafe in Regatta Park Pavilion.

Panel Consideration

The Panel had regard to the assessment report prepared by Council Officers, submissions received, and the following plans;

- Penrith Local Environmental Plan 2010 (Amendment 4)
- Penrith Development Control Plan 2014
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

In terms of considering community views, the Panel noted there were no submissions received from the public notification of the Development Application.

Panel Decision

DA22/0522, Lot A & B DP 190049, 16 River Road, EMU PLAINS NSW 2750 - Fit-Out & Use as Cafe in Regatta Park Pavilion be approved subject to the conditions of consent accompanying the assessment report with the amendment of Condition 23 to include the following additional terms:

Alternatively, a Section 73 Certificate or Servicing Plan endorsed by an appropriately qualified Water Services Coordinator can be relied upon if that

certificate/plan sufficiently demonstrates that the broader pavilion development has servicing capacity to cater for the approved café/restaurant.


Reasons for the Decision

The Panel agreed with the assessment contained with Council Officer's Assessment Report and supported the recommendation for approval for the following reasons:-

- The proposal is consistent with the zone objectives for RE1 – Public Recreation which seeks to ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space. The proposal provides for food and beverage offerings within the Regatta Park Precinct which is a complimentary and appropriate land use consistent with the master planning for this river front precinct.
- The proposal is consistent with the Draft Regatta Park Plan of Management which specifically identifies a dining precinct in this location and establishes the intentions for a pavilion building and uses that activate the precinct.
- The proposal has a sufficient setback, separated from sensitive receivers, and minimising the potential for adverse impact, noting that the use is located within a broader park context.
- The proposal will provide enhanced experiences for park users and improved opportunities for community gatherings.
- The proposal will not have any significant adverse impacts on the locality or the natural or built environments. As such the proposal is in the public interest.

Votes

The decision was unanimous.

David Ryan – Chair 	Christopher Hallam – Expert 
Mary-Lynne Taylor – Expert 	Geoff Martin – Community Representative 