

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

STATEMENT OF REASONS

for decision under the *Environmental Planning and Assessment Act 1979 (NSW)*

The Sydney West Joint Planning Panel (JRPP) provides the following Statement of Reasons for its decision under section 80 of the (NSW) *Environmental Planning and Assessment Act 1979* (the Act) to:

Grant consent to the development application subject to conditions

Alterations and additions to an existing Educational Establishment at Lot 9, DP 2518, No. 69 Farm Road, Riverstone

Council Reference: DA 13-634, JRPP Reference: (2013SYW043)

Applicant/Owner: Lippmann Partnership Pty Ltd

The proposal is Private infrastructure and community facilities with a Capital Investment Value of more than \$5 million.

A. Background

1. JRPP meeting

Sydney West Joint Planning Panel meeting was held on 24 July 2014 at Blacktown Council, 11.30 am.

Panel Members present:

Mary-Lynne Taylor
Paul Mitchell
Bruce McDonald

Council staff in attendance:

Judith Portelli – Manager, Development Services
Melissa Parnis – Assistant Team Leader, Planning
Nadeem Shaikh – Co-ordinator, Traffic Management
Tenille Lawrence-Heskew – Environmental Health Officer
Christopher Wahbe – Senior Engineer

Apologies: None made

Declarations of Interest: None

2. JRPP as consent authority

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Blacktown City Council area, was constituted by the Minister.

The functions of the Panel include any of a council's functions as a consent authority as are conferred upon it by an environmental planning instrument [s 23G(2)(a) of the Act], which in this case is the *State Environment Planning Policy (State and Regional Development) 2011*.

Schedule 4A of the Act sets out development for which joint regional planning panels may be authorised to exercise consent authority functions of councils.

3. Procedural background

An assessment report was originally submitted for the consideration of the JRPP at its meeting of 13 February 2014. At that meeting, the Panel agreed to defer determining the application on the basis that the Applicant was to meet with Council to better understand Council's concern regarding acoustic and traffic matters, and to work with Council where possible to resolve outstanding conditions.

The development application was lodged with Council on 18 April 2013.

A **site visit** was undertaken by panel with Judith Portelli from Council on 13 February 2014.

A **final briefing meeting** was held on 24 July 2014.

B. Evidence or other material on which findings are based

In making the decision, the Panel considered the following:

s79C (1) Matters for consideration—general

(a) the provisions of:

- (i) any environmental planning instrument
 - **State Environmental Planning Policy (State and Regional Development) 2011**
 - **State Environmental Planning Policy (Infrastructure) 2007**
 - **State Environmental Planning Policy No. 55 – Remediation of Land**
 - **State Environmental Planning Policy (Sydney Region Growth Centres) 2006**
 - **Blacktown Local Environmental Plan 1988**
 - **Draft Blacktown Local Environmental Plan 2013**

- **Blacktown Development Control Plan 2006**

(ii) any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

- **Draft Blacktown Local Environmental Plan 2013**

(iii) any relevant development control plan

- ***Blacktown Development Control Plan 2006***

(iiia) any relevant 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:

There is none

(a) (iv) Relevant Regulations:

- ***Environmental Planning & Assessment Regulation 2000.***

There was 1 submission made in accordance with the Act or the regulations for this application. In making the decision, the Panel considered the submissions.

In making the decision, the Panel considered the following material:

1. Assessment report to JRPP on 3 July 2014 by Melissa Parnis.
2. Original Council Development Assessment Report considered by JRPP on 13 February 2014.
3. Revised conditions of consent.
4. Response to conditions.
5. Summary table of condition issues.
6. Additional information submitted by Applicant, including acoustic and traffic management information.

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 24 July 2014:

Submissions made in favour of the development application:

1. Ed Lippman – addressed the Panel on behalf of the applicant.
2. David Fyfe – addressed the Panel on behalf of the applicant.

Submissions made against the development application at the meeting:

- Nil

The Panel has carefully considered the material referred to in Section B.

C. Relevant documents and assessment in accordance with the terms of the documents

(a) Environmental planning instruments. The Panel has considered each of the environmental planning instruments referred to in Section B.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the environmental planning instruments referred to in Section B.

(b) Development control plan. The Panel has considered the Blacktown Development Control Plan 2006 referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Reports in relation to the Development Control Plan.

(c) Likely environmental impacts on the natural environment. In relation to the likely environmental impacts of the development on the **natural** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **natural** environment in Council's Assessment Reports.

(d) Likely environmental impacts of the development on the built environment. In relation to the likely environmental impacts of the development on the **built** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **built** environment in Council's Assessment Reports.

(e) Likely social and economic impacts. In relation to the likely social and economic impacts of the development in the locality, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely social and economic impacts of the development in Council's Assessment Reports.

(f) Suitability of site. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that the site is suitable for the proposed development.

(g) Public Interest. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that granting consent to the development application is in the public interest. In particular, the Panel is of the view that the following matters lead to the conclusion that granting consent to the development application is in the public interest.

D. Why the decision was made

- The panel considers the proposed development will add to the provision of education services within the developing North West Metropolitan Urban Growth Centre.
- The proposed development, subject to the conditions of consent to be imposed will not unreasonably impact on the amenity of adjoining or nearby premises.
- The required road works will provide for structured student set down and collection arrangements offering reasonable personal safety and traffic movement under both currently prevailing conditions and subsequent urban development of the locality.
- The required road works and building treatment will allow the subject development will allow the subject development to satisfactory physically integrate into the future urban context and function of the locality.



JRPP member (chair)
Mary-Lynne Taylor



JRPP member
Bruce McDonald



JRPP member
Paul Mitchell

