

SYDNEY WESTJOINT REGIONAL PLANNING PANEL

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

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

Grant consent to the development application subject to conditions

For:

Eight Storey Mixed Use Development - Three Levels of Basement Car Parking, Ten Ground Floor Commercial Tenancies & 97 Residential Apartments; 250 Great Western Highway, Kingswood

JRPP reference: 2013SYW064 - Council reference: DA13/0544

Applicant:

Morson Group Pty Ltd

Type of regional development:

The proposal has a Capital Investment Value of over \$20 million.

A. Background

JRPP meeting

Sydney West Joint Planning Panel was held on 10 April 2014 at Penrith City Council at 4.00pm.

Panel Members present:

Mary-Lynne Taylor
Bruce Clarke
Bruce McDonald
Ross Fowler
Barry Husking

Council staff in attendance:

Peter Wood
Karl Berzins
Paul Lemm

Apologies: None

Declarations of Interest: None made

JRPP as consent authority

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Penrith 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.

Procedural background

A **site visit** was undertaken by panel on 10 April 2014.

A **final briefing meeting** was held with council on 10 April 2014.

A **briefing meeting** was held with council on 21 November 2013.

B. Evidence or other material on which findings are based

In making the decision, the Panel considered the following:

Environmental Planning and Assessment Act, 1979

79C (1) Matters for consideration—general

(a) the provisions of:

- (i) any environmental planning instrument,
 - ***State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)***
 - ***Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River (Deemed SEPP)***
 - ***State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings***
 - ***State Environmental Planning Policy (Infrastructure) 2007***
 - ***State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004***
 - ***Interim Development Order No 9 – City of Penrith***

(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 SEPP 66 – Integration of Land Use and Transport***
- ***Draft Penrith Local Environmental Plan 2010***

(iii) any relevant development control plan

- ***Penrith Development Control Plan 2006***
- ***Penrith Section 94 Contributions Plan***

The Panel was provided with three submissions were made in accordance with the Act, which objected to the proposal. In making the decision, the Panel considered all of those submissions.

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

1. Council's Assessment Report on the application received on 28 March 2014.
2. Statement of Environmental Effects prepared by Stimson Consultant Services
3. Acoustic Impact Assessment prepared by Morson Group Pty Ltd.
4. Traffic Impact Statement prepared by Thompson Stanbury Associates.
5. Architectural Plans, Acoustic Fence Treatment, Landscape Plan, Shadow Diagrams, Perspectives and Photomontage prepared by MAD Architecture.
6. The Panel was provided with Three submission made in accordance with the Act, all of which objected to the proposal. In making the decision, the Panel considered the submission.

There were no submissions made at the meeting of the Panel on 10 April 2014.

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

C. Findings on material questions of fact

(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 above.

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

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

(e) 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 Report.

(f) 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 Report.

(g) 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 Report.

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

(i) Public Interest. Based on a consideration the material set out in Section B 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

In light of the Panel's findings in Section C, the Panel decided unanimously to grant consent to the development application, subject to the conditions specified in Appendix A as amended at the meeting.



JRPP member (chair)
Mary-Lynne Taylor



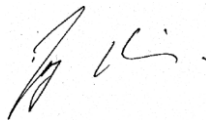
JRPP member
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