

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

STATEMENT OF REASONS

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

The Sydney West Joint Regional Planning Panel (JRPP) 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:

Demolition of existing structure and construction of a master home improvement store with bulky goods tenancy, Lot 1 DP 657013 – 21-23 Victoria Avenue, Castle Hill

JRPP Reference number: 2013SYW067 – Council Reference number: DA 1/2014/JP

Applicant:

Hydrox Nominees Pty Ltd

Type of regional development:

Development that has a capital investment value of more than \$20 million.

A. Background

1. JRPP meeting

Sydney West Joint Regional Planning Panel considered the following application via electronic means and this is the record of the process and decision.

Panel Members:

Mary-Lynne Taylor – Chair
Paul Mitchell – Panel Member
Bruce McDonald – Panel Member
Michael Edgar – Panel Member
Dave Walker – Panel Member

Apologies:

None

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 Hills Shire 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

This matter was considered appropriate for electronic determination as there were no submissions made by members of the public, the report recommended approval of the Development Application, and both council and the applicant agreed to electronic determination and to the conditions of consent.

On 7 July 2014 the Regional Panels Secretariat circulated the Council's assessment report and recommended conditions of consent to the panel for consideration.

Panel members confirmed their decision via emails 7 July 2014 and 16 July 2014.

B. Evidence or other material on which findings are based

Environmental Planning and Assessment Act 1979

s.79C (1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument,

- The Hills Local Environmental Plan 2012
- State Environmental Planning Policy (State and Regional Development) 2011

(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

- Not applicable

(iii) any relevant development control plan

- DCP 2012 Part B, Section 7 – Industrial
- DCP 2012 Part C, Section 1 – Parking

- DCP 2012 Part C, Section 3 – Landscaping

(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

- Not applicable

(v) any coastal zone management plan

- Not applicable

(iv) relevant regulations:

- Environmental Planning and Assessment Act Regulation 2000

No submissions were received on the proposal.

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

1. Council's Assessment Report on the application dated 7 July 2014.
2. Amended Conditions dated 16 July 2014.

C. Findings on material questions of fact

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

(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 Hills Development Control Plan 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.

(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 Report.

(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 Report.

(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 Report.

(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.

D. Why the decision was made

The panel unanimously accepts and approves the council's recommendation in its assessment and also the amended conditions dated 16 July 2014.



JRPP member (Chair)
Mary-Lynne Taylor



JRPP member
Paul Mitchell



JRPP member
Bruce McDonald



JRPP member
Dave Walker



JRPP member
Michael Edgar

