

## **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:

Construction and operation of a depot (Endeavour Energy Field Support Centre) 87-91 Railway Road North Mulgrave, Lot 201 and 202 DP 1067862.

JRPP reference: 2013SYW068 - Council reference: DA0377/13

Applicant:

Endeavour Energy

Type of regional development:

The proposal is Crown development has a Capital Investment Value of over \$5 million.

#### **A. Background**

##### ***JRPP meeting***

The 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  
Paul Mitchell  
Bruce McDonald  
Peter Jackson  
Matt Owen

Declarations of Interest: None

##### ***JRPP as consent authority***

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

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 28 March 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 between 31 March and 15 April 2014.

### **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,

- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20) (Deemed SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 33 – Offensive and Hazardous Industry (SEPP No. 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP No.64)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)

(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

- Hawkesbury Development Control Plan 2002 (HDCP 2002)

(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:

- Not applicable

No submissions were received on the proposal.

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

1. Council's Assessment Report on the application dated 17 March 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 each of the environmental planning instruments referred to in Section B.

**(b) Development control plan.** The Panel has considered the Hawkesbury Development Control Plan 2002 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 on pages 7 and 8 of 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 on pages 7 and 8 of 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 on pages 7 and 8 of Council's Assessment Report.

**(f) Suitability of site.** Based on a consideration of all 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.

**(g) Public Interest.** Based on a consideration of all of 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 unanimously decided to grant consent to the development application, subject to the conditions recommended by Council in its Assessment Report.
- The Panel considers the proposed development is permissible and is compatible with the industrial character of the locality.

JRPP member (chair)



JRPP member



JRPP member



JRPP member



JRPP member

