

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 *Environmental Planning and Assessment Act 1979 (NSW)* (the Act) to:

Grant consent to the development application subject to conditions

Demolition of existing structures; consolidation of 6 lots into 1 lot; construction of a 9 storey mixed commercial/residential development over 2 levels of basement parking and a 2 storey commercial building, accommodating (8) commercial suites with a total gross lease able floor area of 2229sqm, 146 dwellings, 246 parking spaces and strata subdivision into 154 lots.

Lot 8 Sec 1 DP 752, Lot 1A DP 315369, Lot 2A DP 315369, Lot 3A DP 315369, Lot 42 DP 1005784 and Lot 41 DP 1005784, 1 Addlestone Road, 272 Merrylands Road, 274 Merrylands Road, 276 Merrylands Road, 280 Merrylands Road and 282-284 Merrylands Road, Merrylands

Council Reference: DA 2013/450/1 - JRPP Reference: (2013SYW102)

Applicant: NR Complex Pty Ltd (Applicant)

The proposed development is classified as regional development as it has a Capital Investment Value of more than \$20 million.

A. Background

1. JRPP meeting

Sydney West Joint Planning Panel meeting was held on 17 July 2014 at Holroyd City Council, 11.00 am.

Panel Members present:

Mary-Lynne Taylor
Bruce McDonald
Bruce Clarke
Allan Ezzy
John Perry

Council staff in attendance:

Mark Stephenson
Aleks Milinkovic

Apologies: None

Declarations of Interest: Nil

2. JRPP as consent authority

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

A **briefing meeting** was held with council on 8 May 2014.

A **site visit** was undertaken by panel on 17 July 2014.

A **final briefing meeting** was held with council on 17 July 2014.

B. Evidence or other material on which findings are based

In making the decision, the Panel considered the following:

79C (1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument,

- State Environmental Planning Policy (Building and sustainability Index: BASIX) 2004
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
- State Environmental Planning Policy (Infrastructure) 2007
- Holroyd Local Environmental Plan 2013

(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 to this application

(iii) any relevant development control plan

- Holroyd Development Control Plan 2013

(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:

- Section 94 Contributions Plan 2013

The Panel was provided with 3 submissions in accordance with the Act or the regulations, objecting to the proposal. In making the decision, the Panel considered the submissions.

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

1. Council's Assessment Report on the application received 9 July 2014.
2. Site Locality Plan.
3. Architectural Plans.
4. Statement of Environmental Effects.
5. Design Verification Statement.
6. Traffic Report.
7. Acoustic Report.
8. Draft Conditions of Consent.

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 17 July 2014:

1. Adam Byrnes – Think Planners on behalf of Applicant

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.

(b) Development control plan. The Panel has considered the Holroyd Development Control Plan 2013 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

1. The proposed development is considered to provide adequate compliance with the relevant statutory planning instruments and design guidelines, including Holroyd Development Control Plan 2013 and the Residential Flat Design Code.
2. The proposed development is consistent with the objectives of the B4 zoning of the site under Holroyd LEP 2013, is consistent with the scale and form of development planned for the locality and will contribute to the social and economic role of Merrylands Town Centre.
3. The proposed development will make a positive contribution to the public domain by providing significant building of sound architectural design at the western entry to Merrylands Town Centre and the proposed treatment of Merrylands Road, Addleston Road and Burford Street frontages will better activate this element of Town Centre in which the site is placed
4. The development will add to the choice and availability of Housing within the Central Western Metropolitan subregion, and the Municipality of Holroyd in a location with ready access to public transport and the amenities and services provided within the Town Centre.
5. The proposed development subject to the conditions to be imposed will not have a negative impact on the existing built or natural environments

Accordingly the Panel considers that the proposed development constitutes a suitable use of the site and it's approval is in the public interest.



JRPP member (chair)
Mary-Lynne Taylor



JRPP member
Bruce McDonald



JRPP member
Bruce Clarke



JRPP member
Allan Ezzy



JRPP member
John Perry

