

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

Use of Units 7 and 8 of the Greenway Supacentra Complex for the purpose of a Health Services Facility including a medical centre and a private hospital. Lot 1, DP 1136689, 1183-1187 The Horsley Drive, Wetherill Park.

Council Reference: DA398.1.1/2013 - JRPP Reference: (2013SYW112)

Made by: Gaintak Investments Pty Ltd

The proposed development is classified as regional development as it is for private infrastructure and has a Capital Investment Value of more than \$5 million.

A. Background

1. JRPP meeting

Sydney West Joint Planning Panel meeting was held on 24 April 2014 at Fairfield City Council, 10.30am.

Panel Members present:

Mary-Lynne Taylor – Chair
Paul Mitchell
Bruce McDonald
Councillor Ninos Khoshaba
Rhonda Tyne

Council staff in attendance:

Nelson Mu

Apologies: None

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 Fairfield 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 **briefing meeting** was held with council on 6 February 2014.

A **site visit** was undertaken by all panel members on 24 April 2014.

A **final briefing meeting** was held with council on 24 April 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 (Infrastructure) 2007***
- ***Fairfield 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

(iii) any relevant development control plan

- ***Fairfield City Wide Development Control Plan 2013***

The Panel was provided with two submissions made in accordance with the Act or the regulations, one of which objected 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 on 15 April 2014.
2. Statement of Environmental Effects prepared by AE design partnership.
3. Site and architectural plans prepared by POC+P Architects.
4. Traffic report prepared by Terraffic Pty Ltd.

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

1. Submissions addressing the Panel in favour the application:

Clinton Ostwald - economic consultant engaged by Gaintak Investment Pty Ltd (the Applicant)

Rohan Dickson, (Planning Consultant) - on behalf of the applicant

2. There were no submissions made against the application:

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 each of the environmental planning instruments referred to in Section B.

(b) Development control plan. The Panel has considered the Fairfield City Wide 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 on page 24 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 page 24 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 page 24 of 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. 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

1. Having considered the legal advice supplied and the assessment made of that the Panel concluded the proposal is permitted by the zoning of the site.
2. The Panel concluded the public interest is served by the provision of additional supply of medical services to those living in this locality and the City generally.
3. The Panel concluded this is a suitable use of the site given its current role as a focal point of destination for services by those living in this sector of Fairfield.



JRPP member (chair)
Mary-Lynne Taylor



JRPP member
Paul Mitchell



JRPP member
Bruce McDonald



JRPP member
Ninos Khoshaba



JRPP member
Rhonda Tyne