

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 (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:

Industrial development in 2 stages, Stage 1: Concept Masterplan for the industrial estate, Stage 2: Construction of industrial warehouse building, car parking, landscaping, driveway and road at Lot 21 DP 1180366 & Lot 204 DP 1090110 Beech Road, Casula.

Council Ref: DA-594/2013 – JRPP Ref: 2013SYW114

Applicant:

AMP Capital 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 13 February 2014 at Liverpool City Council at 6.00pm.

Panel Members present:

Mary-Lynne Taylor – Chair
Paul Mitchell – Panel Member
Bruce McDonald – Panel Member
Mazhar Hadid – Panel Member
Tony Hadchiti – Panel Member

Council staff in attendance:

Lina Kakish
Peter Flynn
Zeaoul Haque
Murray Wilson
Shannon Rickersey

Apologies:

Nil

Declarations of Interest:

Nil

JRPP as consent authority

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Liverpool City Council's 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 site visit was undertaken by Mary-Lynne Taylor, Paul Mitchell, Bruce McDonald, Mazhar Hadid and Tony Hadchiti on 13 February 2014. The matters observed at the site meeting included:

- Traffic access;
- Area for car parking and manoeuvring on site

A final briefing meeting was held with council on 13 February 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 (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 — Remediation of Land
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (Deemed SEPP)

- Liverpool Local Environmental Plan 2008
- (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
- Liverpool Development Control Plan 2008
- (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

The Panel was provided with the one submission which was made in accordance with the Act and regulation. In making the decision, the Panel considered the submission.

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

1. Council's Assessment Report on the application received 3 February 2014.
2. Architectural Plans and Landscape plans prepared by MBMO.
3. Civil engineering drawings prepared by AECOM.
4. Statement of Environmental Effects, dated June 2013, prepared by Urbis.
5. Report on Phase 2 Contamination Assessment, dated 13 May 2013, prepared by Douglas Partners.
6. Traffic report, dated May 2013, prepared by Colston Budd Hunt & Kafes Pty Ltd.
7. Civil, Waste and Acoustics report, dated 31 May 2013, prepared by AECOM Australia Pty Ltd.

8. BCA Compliance and Building Services, dated 31 May 2013, prepared by AECOM Australia Pty Ltd.
9. Flora and Fauna assessment, dated 13 September 2012, prepared by LesryK Environmental Consultants.
10. The Panel was provided with one written submission made in accordance with the Act or the regulations, which objected to the proposal. In making the decision, the Panel considered the submission.

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 13 February 2014:

1. Submission addressing the Panel against the application: Mr Allan Wood.
2. Submissions addressing the Panel in favour the application: Nil

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.

(b) Development control plan. The Panel has considered the Liverpool Development Control Plan 2008 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 section 5.5 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 in section 5.5 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 in section 5.5 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.

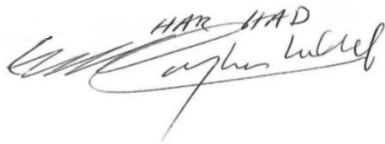
D. Why the decision was made

- In light of the Panel's findings in Section C, the Panel unanimously decided to approve the application subject to General Terms of Approval (GTAs) from the government bodies (Office of Water, Transgrid, and Roads and Maritime Services), the conditions proposed by the Council assessment report as amended by the panel and as agreed by the applicant's representative. The Panel agreed with the manner of assessment in the council report and agreed with the conclusions that the application should be approved.
- The following Conditions, 9, 23, 26, 36, 38, 42, 46, 63, 73, 79, 82, 89, 92, 93, and 99 have been amended by the Panel as set out in Appendix A.
- The following Conditions, 18, 19, 20, 22, 25, 37, 55, 75, 117 and 118 have been deleted by the Panel as being inappropriate or unsuitable for the development.

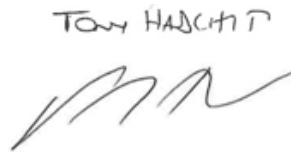
JRPP member (chair)

JRPP member

JRPP member

HAB HAD


JRPP member

TON HASCHIT


JRPP member

Appendix A

[set out any conditions that the consent is subject to]