

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	25 April 2018
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Lindsay Fletcher, Peter Brennan and Chris Quilkey
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 18 April 2018 and 25 April 2018.

MATTER DETERMINED

2017SWC084 – Blacktown City Council – DA-17-00015 AT 17-19 Schofields Rd, Schofields (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to refuse the development application for the reasons set out in the recommendation of the Supplementary Council Assessment Report as described in Schedule 1 pursuant to section 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.





REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. Transport for New South Wales has not granted concurrence to the proposal.
2. The development application is contrary to clause 1.2 (h) 'Aims of Precinct Plan' of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 which seeks to provide transport infrastructure to meet the needs of the community.
3. The proposal does not address the flooding control requirements contained in Part 2.3.1 'Flooding and water cycle management' of Blacktown City Council Growth Centre Precincts Development Control Plan 2018.
4. The proposed development does not promote the orderly development of land in accordance with the objectives of the Environmental Planning & Assessment Act 1979.
5. The proposal is unacceptable under the provisions of Section 4.15 of the Environmental Planning & Assessment Act 1979 in that the proposed buildings are located entirely within a 'Transport Corridor Investigation Area' under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 which, if developed prematurely, would jeopardise transport services within a Growth Area, which is not in the public interest.

CONDITIONS

Not applicable

PANEL MEMBERS	
Mary-Lynne Taylor (Chair) 	Lindsay Fletcher 
Peter Brennan 	Chris Quilkey 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC084 – Blacktown City Council – SPP-17-00015
2	PROPOSED DEVELOPMENT	Construction of four residential flat buildings comprising 128 residential units and 169 car parking spaces in two basement levels
3	STREET ADDRESS	17-19 Schofields Road, Schofields
4	APPLICANT/OWNER	Clearstate Development Co. Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development with a Capital Investment Value over \$20 million and lodged prior to 1 March 2018 (\$41,328,730)
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Sydney Region Growth Centres) 2006 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (Deemed SEPP) State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Blacktown City Council Growth Centre Precincts Development Control Plan 2018 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 21 December 2017 Written submissions during public exhibition: nil Verbal submissions at the public meeting on 18 January 2018: <ul style="list-style-type: none"> On behalf of the applicant – Steve Barlow, Maurice Fitzpatrick, Nicole Dennis, Brad Delapierre and Robert Del Pizzo Supplementary Council Assessment Report: 10 April 2018 Email from applicant: 18 April 2018
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing meeting on 3 August 2017 Final briefing meeting and site visit on 18 January 2018
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report