



DATE OF DETERMINATION	17 December 2020
DELEGATED DECISION MAKER	Judith Portelli (Manager Development Assessment)

Decision made on 17 December 2020

MATTER DETERMINED

PPS-2017SWC086 – Blacktown – SPP-17-00017 at 50 Tallawong Road, Rouse Hill – Integrated development: subdivision into 3 Torrens title superlots, 3 public roads, demolition of existing structures, construction of 7 x 5 storey residential flat buildings containing 315 apartments over the 3 lots, with basement car parking and associated works (as described in Schedule 1).

This decision was made under the delegation of the **SYDNEY CENTRAL CITY PLANNING PANEL** made on 15 December 2020.

CONSIDERATION AND DECISION

The decision maker considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of Appendix 12 of the Blacktown Local Environment Plan 2015 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 (Height of buildings) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

the panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 (Height of Buildings) of the LEP and the objectives for development in the R3 zone; and
- c) the concurrence of the Secretary has been assumed.

Development application

It was determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

REASONS FOR THE DECISION

It was determined to uphold the Clause 4.6 variation to building height and approve the application for the reasons outlined in the council assessment report.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL DELEGATE



Judith Portelli (Manager Development Assessment)

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPS-2017SWC086 – Blacktown City Council – SPP-17-00017
2	PROPOSED DEVELOPMENT	Integrated development: subdivision into 3 Torrens title superlots, 3 public roads, demolition of existing structures, construction of 7 x 5 storey residential flat buildings containing 315 apartments over the 3 lots, with basement car parking and associated works
3	STREET ADDRESS	50 Tallawong Road, Tallawong
4	APPLICANT/OWNER	HBL Developments Pty Ltd / Mr Will Lin and Ms Yi Li
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ Environmental Planning and Assessment Act 1979 ○ State Environmental Planning Policy (Sydney Region Growth Centres) 2006 ○ State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development) and Apartment Design Guide ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 19 – Bushland in Urban Areas ○ Rural Fires Act 1997 ○ Blacktown Local Strategic Planning Statement 2020 • Draft environmental planning instruments: Nil • Development control plans: ○ Blacktown City Council Growth Centre Precincts Development Control Plan 2010 ○ Central City District Plan 2018 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> • 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	• Council assessment report: 25 November 2020 • Clause 4.6 variation request to vary clause 4.3 height of buildings development standard • Written submissions during public exhibition: 1 • Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	N/A

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report