

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	26 October 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Noni Ruker, Kathie Collins and Chris Quilkey
<b>APOLOGIES</b>	Gabrielle Morrish
<b>DECLARATIONS OF INTEREST</b>	Nil

Papers circulated electronically on 14 October 2020.

**MATTER DETERMINED**

2018SWC087 – Blacktown - SPP-17-00026 – Lots 3, 4, 5 DP 26987, H/Ns 249, 259, 271 Railway Terrace, Schofields, Demolition of existing dwellings and structures, dam dewatering, tree removal, subdivision of 3 lots into 6 residential superlots, 1 residue lot for drainage and public roads; with the construction of 20 residential flat buildings, basement car parking, street tree planting, landscaping, and stormwater drainage works (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 8 in Schedule 1.

The Panel notes that the application has been under assessment for a prolonged period without the applicant adequately responding to and resolving key issues of concern raised by Council. It is appropriate in these circumstances for the application to now be determined.

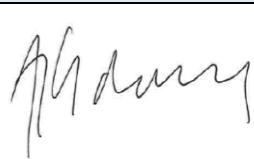



The Panel also notes Council advice that it did not agree to the amended development application lodged on 21 August 2020, as required by Clause 55(1) of the Environmental Planning and Assessment Regulation 2000, and as such, this determination relates to the application as lodged prior to that date.

The Panel determined to refuse the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 for the reasons given in the Council Assessment Report.

The decision was **unanimous**.

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel notes that the application was not publicly notified as Council considered the application was not in an acceptable form.

<b>PANEL MEMBERS</b>	
 Abigail Goldberg (Chair)	 Noni Ruker
 David Ryan	 Kathie Collins



Chris Quilkey

### SCHEDULE 1

SCHEDULE 1		
1	<b>PANEL REF – LGA – DA NO.</b>	2018SWC087 – Blacktown - SPP-17-00026
2	<b>PROPOSED DEVELOPMENT</b>	Demolition of existing dwellings and structures, dam dewatering, tree removal, subdivision of 3 lots into 6 residential superlots, 1 residue lot for drainage and public roads; with the construction of 20 residential flat buildings, basement car parking, street tree planting, landscaping, and stormwater drainage works
3	<b>STREET ADDRESS</b>	Lots 3, 4, 5 DP 26987, H/Ns 249, 259, 271 Railway Terrace, Schofields
4	<b>APPLICANT/OWNER</b>	JS Architects Pty Ltd / Provincial Investments (NSW) Pty Ltd
5	<b>TYPE OF REGIONAL DEVELOPMENT</b>	Capital investment value (CIV) over \$20 million (DA lodged prior to 1 March 2018. The DA has a CIV of \$268,216,171 excluding GST.)
6	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"><li>• Environmental planning instruments:<ul style="list-style-type: none"><li>• Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River</li><li>• State Environmental Planning Policy (State and Regional Development 2011)</li><li>• State Environmental Planning Policy (Infrastructure) 2007</li><li>• State Environmental Planning Policy No. 55 - Remediation of Land</li><li>• State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development</li><li>• State Environmental Planning Policy (Building Sustainability Index: BASIX)</li><li>• State Environmental Planning Policy (Sydney Regional Growth Centres) 2006 (GC SEPP)</li></ul></li><li>• Draft environmental planning instruments: Nil</li><li>• Development control plans:<ul style="list-style-type: none"><li>• Blacktown City Council Growth Centre Precincts Development Control Plan 2018</li><li>• Blacktown Development Control Plan 2015, Part J and Engineering Guide for Development</li></ul></li><li>• Planning agreements: Nil</li><li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></li><li>• Coastal zone management plan: [Nil]</li><li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li><li>• The suitability of the site for the development</li><li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li></ul>

		<ul style="list-style-type: none"> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Council assessment report: 5 October 2020</li> <li>Applicant's clause 4.6 submission</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspections individually, Chris Quilkey declaring that he conducted site inspection on 21 October 2020.</li> <li>Final briefing to discuss council's recommendation, 21 October 2020, 11.30am (teleconference) Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, Kathie Collins and Chris Quilkey</li> <li><u>Council assessment staff</u>: Ruth Bennett and Judith Portelli</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Refusal
10	<b>DRAFT CONDITIONS</b>	N/A