

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	31 August 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Ken McBryde and Chris Quilkey
APOLOGIES	Gabrielle Morrish and Kathie Collins
DECLARATIONS OF INTEREST	David Ryan advised that City Plan group have been involved with this site in the past and potentially with the preparation of this development application.

Papers circulated electronically between 24 August 2020 and 31 August 2020.

MATTER DETERMINED

2019CCIO34 - SPP-19-00003 – Blacktown City Council - Lot 4 DP 10956008, Ropes Crossing Village Centre, 8 Central Place, Ropes Crossing, Concept Development Application (DA) submitted under clause 4.22 of the Environmental Planning and Assessment Act 1979 for the redevelopment of part of the shopping centre and the existing at-grade car park area to accommodate a new mixed use development including 3 Residential Flat Buildings (RFBs) above Retail Commercial Space. The application also comprises a Stage 1 detailed DA for the construction and occupation of a new commercial tenancy above the existing commercial space (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 at item 8 in Schedule 1.

Development application

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

The decision was **unanimous**.

REASONS FOR THE DECISION

- The site is considered suitable for the proposed development.
- The concept application demonstrates the potential to deliver a well-designed outcome suitable for the context.
- The proposed development will assist in realising a Local Centre Outcome that is beneficial for this locality.
- The proposal is in the public interest.

CONDITIONS

The development application was approved subject to conditions listed in Council assessment report Attachment 11 with administrative amendments to Condition 2.4.19, Condition 2.4.20, Condition 2.4.21 and Condition 2.4.22 as below:

Condition 2.4.19 - Any stage 2 development application shall give due consideration to locating the ground floor residential entry lobbies to more prominent locations adjacent to active ground level uses and in locations offering access to natural light, visual surveillance and no conflict with vehicles. Lobbies are to be clearly identifiable and generous in proportion.

Condition 2.4.20 - Any stage 2 development application shall ensure that all pedestrian footpaths around the perimeters of the buildings are at least 3.5m wide and incorporate tree planting in order to increase pedestrian safety and comfort and amenity.

Condition 2.4.21 - Any stage 2 development applications shall demonstrate that suitable separation between pedestrians and vehicles will occur throughout the development and that street level activation by retail or commercial uses (including adjacent to on grade car parking and internal driveways) is maximised. In this regard, a Street (internal and external) Level Activation Plan shall be submitted with any Stage 2 development application that:

- Indicates the extent and locations where street level activation has been provided
- Provides strong and robust justification for those areas where street level activation cannot be achieved
- Provide innovative mitigation measures that demonstrate a real public benefit where necessary to address any inactive building facades.

Condition 2.4.22 - Any stage 2 development applications where ground level carparking/undercroft is proposed to be exposed, located immediately beneath residential apartments shall include a detailed building design and visual assessment to ensure an appropriate design of the building and public domain and visual environment is provided.




CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern included:

- unoccupied apartments and shops, and reduced/low rents
- the school being at capacity
- fear of increased crime
- potential adverse impacts on the children in the child-care centre
- potential privacy impacts due to overlooking of residents' backyards
- excessive mass and density
- traffic congestion.

The Panel notes two submissions were received in support of the proposal. The reasons for support being that the proposal will enable the provision of more affordable homes.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report. The Panel notes that in addressing these issues, appropriate conditions have been imposed.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Ken McBryde
 Chris Quilkey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019CCI034 - SPP-19-00003 – Blacktown City Council
2	PROPOSED DEVELOPMENT	Concept Development Application (DA) submitted under clause 4.22 of the Environmental Planning and Assessment Act 1979 for the redevelopment of part of the shopping centre and the existing at-grade car park area to accommodate a new mixed-use development including 3 Residential Flat Buildings (RFBs) above Retail Commercial Space. The application also comprises a Stage 1 detailed DA for the construction and occupation of a new commercial tenancy above the existing commercial space
3	STREET ADDRESS	Lot 4 DP 10956008, Ropes Crossing Village Centre, 8 Central Place, Ropes Crossing
4	APPLICANT/OWNER	Ropes Crossing Village Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Regional Environmental Plan No. 20 – Hawkesbury-Nepean River Sydney Regional Environmental Plan No. 30 - St Marys State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 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: Draft Environment SEPP Development control plans: <ul style="list-style-type: none"> St Marys Precinct Plan and Development Control Strategy for the Ropes Creek Precinct Blacktown Development Control Plan 2015 Central District Plan 2018 Blacktown Local Strategic Planning Statement 2020 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: June 2020 Written submissions during public exhibition: 7
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Panel Briefing – 27 June 2019 Briefing to discuss council's recommendation, 31 August 2020, 10.00am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), Ken McBryde, and Chris Quilkey <u>Council assessment staff</u>: Judith Portelli, Allan Middlemiss and Matthew Sales

		<ul style="list-style-type: none"> • <u>Points discussed were –</u> <ul style="list-style-type: none"> ○ Suitability of additional height in this location ○ The form of the development and concept design ○ Potential impacts on the child-care centre ○ Draft revised conditions ○ Potential for passive surveillance to be improved due to additional activity in the location and greater surveillance from surrounding development. • Papers were circulated electronically between 24 August 2020 and 31 August 2020. • Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. • Clr Quilkey conducted a site inspection on 26 August 2020.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Subject to the conditions listed in attachment 11.