



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

Decision made on 17 December 2020

MATTER DETERMINED

PPSSCC-104 – Blacktown – SPP-20-00003 at 1 Zoe Place, Mount Druitt – Additional 2 floors above an approved 10-storey mixed use development (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 the Blacktown Local Environmental Plan 2015 (LEP), that has demonstrated that:

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

the panel is satisfied that:

- the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- the development is in the public interest because it is consistent with the objectives of cl. 4.3 (Building Height) of the LEP and the objectives for development in the B4 zone; and
- 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.	PPSSCC-104 – Blacktown City Council – SPP-20-00003
2	PROPOSED DEVELOPMENT	Construction of 2 additional floor levels (levels 11 - 12) to a mixed use development approved under JRPP-14-02628 (and as subsequently modified), including amendments to approved levels 9 and 10 and increasing the number of apartments from 266 to 362
3	STREET ADDRESS	1 Zoe Place, Mount Druitt
4	APPLICANT/OWNER	Mecone Pty Ltd/Ausunion First Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ◦ State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development ◦ Sydney Regional Environmental Plan (State and Regional Development) 2011 ◦ State Environmental Planning Policy (BASIX) 2004 ◦ State Regional Environmental Plan No. 20 – Hawkesbury-Nepean River ◦ Blacktown Local Environmental Plan 2015 ◦ Blacktown Local Strategic Planning Statement 2020 • Draft environmental planning instruments: Nil • Development control plans: ◦ Blacktown Development Control Plan 2015 ◦ Central 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: 3 December 2020 • Clause 4.6 variation request for Clause 4.3 (Building Height) under Blacktown Local Environmental Plan 2015 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	N/A
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report