



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

Decision made on 17 December 2020

**MATTER DETERMINED**

PPSSCC-110— Blacktown – SPP-20-00002 at 971 Richmond Road, Marsden Park – Demolition of existing structures, construction of a staged 8 storey mixed use development comprising 6 buildings containing retail floor space in multiple tenancies, a child care centre, a gym, and 234 residential units above, subdivision of 1 lot into 22 Torrens Title lots, basement carparking, new roads and civil/drainage 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.

**Development application**

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

**REASONS FOR THE DECISION**


It was determined to refuse the application for the reasons outlined in the council assessment report.

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to the decision written submissions made during the public exhibition were considered, including

- lack of infrastructure, including lack of public transport, traffic impacts and lack of services.

Concerns raised by the community have been adequately addressed in the assessment report.

PANEL DELEGATE
 Judith Portelli (Manager Development Assessment)

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-110 – Blacktown – SPP-20-00002
2	PROPOSED DEVELOPMENT	Subdivision into 22 Torrens title residential lots, including 1 superlot for mixed use development, 1 superlot for the R3 Torrens title lot intended for a stage 2 subdivision into 16 residential lots, 1 residue lot for SP2 zoned land, public roads, civil/drainage works and demolition of existing structures. On superlot 1 the construction of a staged 8 storey mixed use development comprising 6 buildings containing retail floor space in multiple tenancies, a child care centre, gym, 246 residential apartments, basement carpark and landscaping.
3	STREET ADDRESS	971 Richmond Road, Marsden Park
4	APPLICANT/OWNER	Nirmal Patel, Idream Property Limited/ Mr Jerry Xerri and Mrs Emanuela Xerri
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Environmental Planning and Assessment Act 1979</li> <li>○ Environmental Planning and Assessment Regulation 2000</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 (Building Sustainability Index: BASIX) 2004</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 (Sydney Region Growth Centres) 2006</li> <li>○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>○ Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River</li> <li>○ Blacktown Local Strategic Planning Statement 2020</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 2010</li> <li>○ Central City District Plan 2018</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> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 4 December 2020</li> <li>• Total number of unique submissions received by way of objection: 1</li> </ul>

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	N/A
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A