

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	22 December 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Gabrielle Morrish, Noni Ruker, Kathie Collins and Moninder Singh
APOLOGIES	David Ryan
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 4 December 2020.

MATTER DETERMINED

PPSSCC-53 – Blacktown – SPP-19-00011, 1270 Richmond Road, Marsden Park (proposed Lot 1 in a subdivision of Lot 2 DP 1257829) Integrated development application for 2 x 4 storey residential flat buildings on proposed Lot 1 for 202 apartments, basement car parking and associated works (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

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 *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* that has demonstrated that:

- compliance with cl. 4.3(2) for the maximum height of buildings development standard contained in Appendix 12 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* 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(1) Appendix 12 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* and the zone objectives for development in the R3 Medium Density Residential pursuant to Cl 2.3 of Appendix 12 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*; and
- the concurrence of the Secretary has been assumed.

PANEL DECISION

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

The decision was **unanimous**.

CONDITIONS

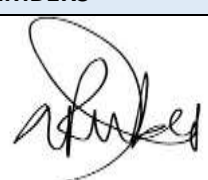
The development application was approved subject to the conditions listed in Council Assessment Report Attachment 10.

CONSIDERATION OF COMMUNITY VIEWS

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

- Objection to any residential development of Clydesdale, being a State listed heritage item

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Noni Ruker
 Moninder Singh	 Kathie Collins
 Gabrielle Morrish	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-53 – Blacktown – SPP-19-00011
2	PROPOSED DEVELOPMENT	Integrated development application for 2 x 4 storey residential flat buildings on proposed Lot 1 for 202 apartments, basement car parking and associated works
3	STREET ADDRESS	1270 Richmond Road, Marsden Park (proposed Lot 1 in a subdivision of Lot 2 DP 1257829)
4	APPLICANT/OWNER	Cyan Stone Clydesdale Holding Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and Apartment Design Guide (ADG) • State Environmental Planning Policy No. 55 – Remediation of Land • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • State Environmental Planning Policy (Sydney Region Growth Centres)

		2006 • Blacktown Local Strategic Planning Statement 2020 • Central City District Plan 2018; • Draft environmental planning instruments: Nil • Development control plans: ○ Blacktown City Council Growth Centre Precincts Development Control Plan 2010 • Planning agreements: existing planning agreement executed between the Council and the applicant for the State Heritage item on the site • 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: November 2020 • Applicant's clause 4.6 request and Council's Assessment of Clause 4.6 request. • Written submissions during public exhibition: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspection individually. • Papers circulated electronically on 4 December 2020.
9	COUNCIL RECOMMENDATION	Approval subject to conditions listed in attachment 10.
10	DRAFT CONDITIONS	Listed in attachment 10.