

DEVELOPMENT APPLICATION – NOTICE OF DETERMINATION

Issued under the Environmental Planning and Assessment Act 1979

Sections 4.16, 4.17 & 4.19

Applicant

Ziad Chanine
2/60 Park Street
Sydney NSW 2000

Development Application No. 24-00129

PAN- 411116

Property Description: Lot 144 DP 12410, 6 Fourth Avenue BLACKTOWN

Description: Demolition, tree removal and construction of 6-storey mixed-use building consisting of 3 levels of basement car parking, ground floor neighbourhood shop, child care centre on ground floor and level 1 and medical centre on levels 2 to 5.

Determination: *Refused under delegated authority provided by Sydney Central Planning Panel on 15 January 2024 (D25/29681)*

Determination Date: *21 January 2024*

Right of appeal

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months of the date of this notification.

Division 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination.

Division 8.2 does not apply to complying development, designated development or a determination made by Council under Division 4.2 in respect of Crown applications. For further information please contact Olivia Betts.

Kerry Robinson
CHIEF EXECUTIVE OFFICER



Per

Date 21 January 2024

1 Refuse Development Application DA-24-00129 based on the following grounds:

- Insufficient information has been submitted as required under Clause 36 of the Environmental Planning and Assessment Regulations 2021, as the applicant has failed to provide the relevant information required with the application and that requested in Council's request for information dated 17 May 2024 [Section 4.15 (1)(a)(iv) of Environmental Planning and Assessment Act 1979].
- Council received 6 submissions as a result of the public notification of the application, which raised relevant matters such overshadowing and loss of sunlight, traffic, parking, economic impact, noise, privacy, infrastructure strain, incompatibility with character of the local area. The applicant has failed to adequately address the matters raised in these submissions [Section 4.15 (1)(d) of EP&A Act 1979].
- Based on the information submitted, the proposal will result in a negative impact on the natural, built, social and economic environments within the locality of the site due to the design quality, permissibility, site isolation, the Child Care Guidelines, car parking, traffic measures, outdoor play space, emergency and evacuation, air quality, waste management, tree removal, engineering and drainage matters [Section 4.15(b) of the Environmental Planning and Assessment Act 1979].
- Suitability of the site for development cannot be assessed as insufficient and inadequate information has been provided on the design quality, permissibility, site isolation, the Child Care Guidelines, car parking, traffic measures, outdoor play space, emergency and evacuation, air quality, waste management, tree removal, engineering and drainage matters has not been provided to determine suitability [Section 4.15(b) of the Environmental Planning and Assessment Act 1979].
- For the reasons outlined above, granting of consent to the development in its current form is not in the public interest [Section 4.15(1)(e) of the EP&A Act 1979].

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

Kerry Robinson
CHIEF EXECUTIVE OFFICER

Per 

Blacktown City Council
21 January 2024