

|                                 |   |
|---------------------------------|---|
| <b>DATE OF PANEL DECISION</b>   | 15 January 2025   |
| <b>PANEL MEMBERS</b>            | Steve Murray (Acting Chair), David Ryan, Moninder Singh   |
| <b>APOLOGIES</b>                | None  |
| <b>DECLARATIONS OF INTEREST</b> | Abigail Goldberg declared a conflict due to circumstances experienced with the applicant of one of the applications on a previous matter. |

**DELEGATION REQUEST – DETERMINATION OF DEVELOPMENT APPLICATIONS, PPSSCC-534, PPSSCC-535, PPSSCC-567 and PPSSCC-594**

**Development Applications**

**PPSSCC-534– Blacktown – DA-24-00129** - 6 Fourth Avenue Blacktown 2148 - demolition, tree removal and construction of 6-storey mixed-use building consisting of 3 levels of basement car parking, ground floor cafe, child care centre over ground floor and level 1 and medical centre/health consulting rooms on levels 2 to 5

**PPSSCC-535– Blacktown – DA-24-00024** - 30-32 & 52 Advance Street, Schofields. - Torrens title subdivision with community title to establish 132 residential lots, 2 residue lots and new roads. The proposal includes the construction of 122 x 2 storey dwellings, with the remaining lots to be burdened by building envelope plans.

**PPSSCC-567– Blacktown – DA-24-00483** - 86 Rouse Road, Rouse Hill - Integrated housing development consisting of demolition of existing buildings and site improvements, Torrens title subdivision into 64 residential lots and 1 residue lot for child care centre in future, Community title subdivision to create 2 internal roads replacing 2 public roads as a variation to Indicative Layout Plan, construction of 54 dwelling houses, 10 attached dwellings and 2 secondary dwellings, removal of trees, earthworks and associated site works.

**PPSSCC-594– Blacktown – DA-24-00513** - 151 Bridge Street, Schofields - demolition of existing structures and construction of a two-storey childcare centre facility to accommodate 135 children, basement car parking for 42 vehicles, associated site works and landscaping

**BACKGROUND**

The Minister for Planning and Public Spaces provided approval under section 2.16(6) of the Environmental Planning and Assessment Act 1979 (EP&A Act) for any Sydney district or regional planning panel to delegate any of its functions under the EP&A Act or any other Act (other than the power of delegation) to the general manager or other staff of a council, for any area or part of any area for which the Sydney district or regional planning panel is constituted.

With respect to PPSSCC-534 (DA-24-00129), PPSSCC-535 (DA-24-00024), PPSSCC-567 (DA-24-00483) and PPSSCC-594 (DA-24-00513), Blacktown City Council have made a request of the Sydney Central City

Planning Panel that delegation to determine PPSSCC-534, PPSSCC-535, PPSSCC-567 and PPSSCC-594 be granted. The panel have been advised by Council:

*PPSSCC-534 (DA-24-00129)*

- *A Class 1 Appeal against the deemed refusal of the application was filed by the applicant with the Land and Environment Court on 22 May 2024.*
- *Council is defending the refusal on the basis that the proposal is unsatisfactory and a SOFAC listing all the issues and non-compliances was filed with the Land and Environment Court.*
- *A refusal of the DA on the same grounds specified in the SOFAC can be done under delegated authority from the Panel to support the continued defence of this appeal by Council on behalf of the Panel.*
- *Legal comments:*
  - *Post s34 material was to be provided 22 November 2024. Amended material provided 12 days late on 3 December 2024 causing slippage in the timetable immediately prior to Christmas.*
  - *Material was circulated to officers on 3 December, and we had the Court grant Council an extension to 10 December 2024 to allow our experts reasonable time to review the material – the amendments were not satisfactory.*
  - *The amended package has resolved some issues however, numerous SOFAC contentions still remain, therefore, the parties do not have an agreement in principle.*

*PPSSCC-535 (DA-24-00024)*

- *A Class 1 Appeal against the deemed refusal was filed with the Land and Environment Court on 7 June 2024.*
- *Council is defending the refusal on the basis that the proposal is unsatisfactory and a SOFAC listing all the issues and non-compliances was filed with the Land and Environment Court.*
- *A refusal of the DA on the same grounds specified in the SOFAC can be done under delegated authority from the Panel to support the continued defence of this appeal by Council on behalf of the Panel.*
- *Legal comments: This matter has been listed for a Hearing 7-9 May 2025. Amended material has not addressed issues with road levels meeting and agreement prior to hearing is still uncertain at this time.*

*PPSSCC-567 (DA-24-00483)*

- *A Class 1 Appeal against the deemed refusal of the application was filed with the Land and Environment Court on 22 October 2024.*
- *Council is defending the refusal on the basis that the proposal is unsatisfactory and a SOFAC listing all the issues and non-compliances was filed with the Land and Environment Court.*
- *A refusal of the DA on the same grounds specified in the SOFAC can be done under delegated authority from the Panel to support the continued defence of this appeal by Council on behalf of the Panel.*
- *Legal comments: Mediation to take place in March 2025; serious concern with proposed road widths and the matter is likely to proceed to full hearing.*

*PPSSCC-594 (DA-24-00513)*

- *A Class 1 Appeal against the deemed refusal of the application was filed by the applicant with the Land and Environment Court on 10 September 2024.*
- *Council is defending the refusal on the basis that the proposal is unsatisfactory and a SOFAC listing all the issues and non-compliances was filed with the Land and Environment Court. Memo: Requests for delegation Page 5 of 6*
- *A refusal of the DA on the same grounds specified in the SOFAC can be done under delegated authority from the Panel to support the continued defence of this appeal by Council on behalf of the Panel.*
- *Legal comments: Matter was not capable of resolution prior to Christmas.*

## PANEL RESOLUTION

This is a resolution of the Panel made on 15 January 2025 in accordance with Schedule 2 Part 5 of the EP&A Act.




That pursuant to section 2.16(6)(c) of the EP&A Act 1979 the Panel resolves to delegate to Blacktown City Council the power to make a determination as consent authority under section 4.16 of the EP&A Act on:

**PPSSCC-534– Blacktown – DA-24-00129** - 6 Fourth Avenue Blacktown 2148 - demolition, tree removal and construction of 6-storey mixed-use building consisting of 3 levels of basement car parking, ground floor cafe, child care centre over ground floor and level 1 and medical centre/health consulting rooms on levels 2 to 5

**PPSSCC-535– Blacktown – DA-24-00024** - 30-32 & 52 Advance Street, Schofields. - Torrens title subdivision with community title to establish 132 residential lots, 2 residue lots and new roads. The proposal includes the construction of 122 x 2 storey dwellings, with the remaining lots to be burdened by building envelope plans.

**PPSSCC-567– Blacktown – DA-24-00483** - 86 Rouse Road, Rouse Hill - Integrated housing development consisting of demolition of existing buildings and site improvements, Torrens title subdivision into 64 residential lots and 1 residue lot for child care centre in future, Community title subdivision to create 2 internal roads replacing 2 public roads as a variation to Indicative Layout Plan, construction of 54 dwelling houses, 10 attached dwellings and 2 secondary dwellings, removal of trees, earthworks and associated site works.

**PPSSCC-594– Blacktown – DA-24-00513** - 151 Bridge Street, Schofields - demolition of existing structures and construction of a two-storey childcare centre facility to accommodate 135 children, basement car parking for 42 vehicles, associated site works and landscaping

| PANEL MEMBERS  |  |
|--|--|
| <br>Steve Murray (Acting Chair) | <br>David Ryan |
| <br>Moninder Singh              |  |