

DATE OF DETERMINATION	1 August 2025
DATE OF PANEL DECISION	1 August 2025
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Steven Murray, Moninder Singh
APOLOGIES	Dorothy Del Villar
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 July 2025.

MATTER DETERMINED

PPSSCC-551 – Blacktown – DA-24-00133 at 95 Schofields Road Rouse Hill –

Residential development of the site in 3 stages. Stage 1 - Subdivision into 2 super lots, including demolition of the existing dwelling and structures, remediation, tree clearing, construction of roads, drainage and services infrastructure works. Stage 2 - Community Title subdivision of proposed Lot 2 (in Stage 1) into 1 Community Title lot and 27 residential lots. Stage 3 - Construction of 2 residential flat buildings containing 104 apartments over basement car parking on proposed Lot 1 (in Stage 1). The application also proposes to vary the road pattern under the Indicative Layout Plan.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 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 the Blacktown Local Environmental Plan 2015 (LEP), the Panel is satisfied that the applicant has demonstrated that:

- a) compliance with cl. 4.3 (Height of Buildings) is unreasonable or unnecessary in the circumstances.
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the Council Assessment Report which have been replicated below:

- a. *The Clause 4.6 variation is considered acceptable under Clause 4.6 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006. [Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979].*
- b. *The site is considered suitable for the proposed development under the provisions of [Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979].*
- c. *The proposal is in the public interest as it will assist to deliver higher density housing options to the area by introducing a range of apartment dwellings. [Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979]*

CONDITIONS

The Development Application was approved subject to the conditions received from Council via email on 31 July 2025.

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 MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Steve Murray	 Moninder Singh

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-551 – Blacktown – DA-24-00133
2	PROPOSED DEVELOPMENT	Residential development of the site in 3 stages. Stage 1 - Subdivision into 2 super lots, including demolition of the existing dwelling and structures, remediation, tree clearing, construction of roads, drainage and services infrastructure works. Stage 2 - Community Title subdivision of proposed Lot 2 (in Stage 1) into 1 Community Title lot and 27 residential lots. Stage 3 - Construction of 2 residential flat buildings containing 104 apartments over basement car parking on proposed Lot 1 (in Stage 1). The application also proposes to vary the road pattern under the Indicative Layout Plan.
3	STREET ADDRESS	95 Schofields Road Rouse Hill
4	APPLICANT/OWNER	Applicant/Owner: Anthony Mancone
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Housing) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Precincts – Central River City) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Blacktown Local Environmental Plan 2015 - Draft environmental planning instruments: Nil - Development control plans: - Blacktown Development Control Plan 2015 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 23 May 2025 - Attachment 9 Draft conditions received from Council via email on 31 July 2025. - Marsdens Law Group advice – Deferred Commencement Conditions for Construction of Roads and Stormwater Drainage Works dated 29 July 2025 received from Council via email on 31 July 2025. - List any clause 4.6 variation requests here: - Building height variation of up to 4.49m (37.4%) from 12m maximum limit to 16.49m - Written submissions during public exhibition: Zero (0) - Total number of unique submissions received by way of objection: Zero (0)

8	COUNCIL RECOMMENDATION	Approval subject to deferred commencement consent
9	DRAFT CONDITIONS	Attached to the email received from Council dated 31 July 2025