

<b>DATE OF PANEL DECISION</b>	17 July 2024
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Steve Murray, Moninder Singh, Chris Quilkey
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

## **DELEGATION REQUEST – DETERMINATION OF S4.56 MODIFICATION APPLICATION PPSSCC-555**

### **Modification Application**

PPSSCC-555 – Blacktown – MOD-24-00233 – Isla Street, Schofields and Manchester Drive, Schofields - S4.56 modification to the approved 5 x 5 storey residential flat buildings under JRPP-16-03329 to revise the facade materiality and colour finishes, and provide weather protection awnings to the lift lobbies of the rooftop communal open spaces.

### **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-555 (MOD-24-00233), Blacktown City Council have made a request of the Sydney Central City Planning Panel that delegation to determine MOD-24-00233 be granted. The panel have been advised by Council:

### ***Reasons for request***

*We request the Sydney Central City Planning Panel Chair to grant Blacktown City Council its delegation to determine the Section 4.56 Modification application MOD-24-00233 under Section 2.16(6) of the Environmental Planning and Assessment Act 1979 for the following reasons:*

- 1. This modification application has been referred to Sydney Central City Planning Panel as the original application under JRPP-16-03329 would have been determined by the Panel if was not appealed to the Land and Environment Court.*
- 2. The JRPP approved a 8.1% - 15.6% variation to the maximum building height control of 16m (the approved building heights range from 16.7m to 18.5m) due to the lift overruns.*
- 3. A previous related MOD-22-00402 further approved increased building heights to allow Apartment Design Guide compliance to the minimum floor to ceiling heights, thereby approving an additional 0.9% - 4% variation to the maximum building height control of 16m, bringing the building height to between 17.45 and 19.14m.*
- 4. The proposed weather protection awnings under this current application (MOD-24-00233) will also exceed the maximum building height of 16m, but the exceedance will be within the approved building heights of 17.45m and 19.14m, as the proposed awnings will be lower than the height of the approved lift overruns. The proposed extent of these awnings will also be limited to a small part of the roof areas, away from the streetscape/public domain.*
- 5. No submissions were received in relation to the previous application (MOD-22-00402).*

6. *This modification application was notified to surrounding properties and to the previous objectors of JRPP-16-03329 for a period of 14 days, between 28 June and 12 July 2024. No submissions were received.*

### **Background**

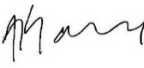



1. **JRPP-16-03329** was approved by the NSW Land and Environment Court on 9 September 2017 for the staged construction of 5 residential flat buildings containing 424 units and basement car parking including stormwater and landscaping works and the construction of a private road on approved Lots 15C, 16K, 16L & 16M in the subdivision of Lot 16 in DP 31797.
2. **MOD-22-00402** was lodged under Section 4.56 and approved on 23 May 2023 under delegated authority (prior to instruction to send s4.56 applications to the Panel for determination) to include façade changes, increase building heights, reduce the total units by 19, change the approved unit mix, reconfigure internal layouts and revise its landscape and stormwater designs.

### **PANEL RESOLUTION**

This is a resolution of the Panel made on 17 July 2024 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 the General Manager of Blacktown City Council the power to make a determination as consent authority under section 4.56 of the EP&A Act on:

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