

## DEVELOPMENT APPLICATION – NOTICE OF DETERMINATION

Issued under the Environmental Planning and Assessment Act 1979

Sections 4.16, 4.17 & 4.19

### Applicant

Dual Property Group  
c/o The Planning Hub  
Suite 3.09, Level 3, 100 Collins Street,  
ALEXANDRIA NSW 2015

Development Application No-24-  
00483

PAN-433172

**Property Description: Lot 11 DP 633090 No. 86 Rouse Road ROUSE HILL**

### Description

Integrated housing development consisting of demolition of buildings and existing site improvements, Torrens title subdivision of land into 64 residential lots and 1 residue lot, community title subdivision to create 2 internal roads replacing 2 public roads as a variation to the Indicative Layout Plan, construction of 54 dwelling houses, 10 attached dwellings and 2 secondary dwellings, removal of trees, earthworks and associated site works

### Determination:

*Refusal under delegated authority provided by the Sydney Central Planning Panel on 15 January 2024 (D25/29681), for the reasons below.*

### Determination Date:

**23 January 2025**

### 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.

Kerry Robinson  
**CHIEF EXECUTIVE OFFICER**

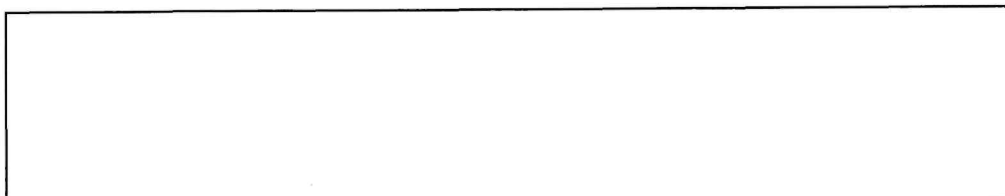
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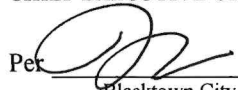
**23 January 2025**

**Refuse DA-24-00483 for the following reasons:**

- (1) The proposed development does not conform with the Indicative Layout Plan (ILP) under Figure 2-1 of Schedule 4 - Cudgegong Road (Area 20) Precinct of the BCC Growth Centre DCP 2010. The proposed ILP variation is contrary to Aims (a) and (g) of the Precinct Plan under Schedule 8 of SEPP (Precincts – Central River City) 2021 and the objectives under Part 3.4.1 (Street layout and design) of BCC Growth Centre DCP. [Section 4.15 (1)(a)(i) and (ii) of the Environmental Planning and Assessment Act 1979]
- (2) The proposed development does not comply with the residential design controls under Parts 3 and Part 4 of the Blacktown City Council Growth Centre precincts DCP 2010 with regard to garage width and dominance, reduced on-street parking, streetscape, setbacks and site coverage. [Section 4.15 (1)(a)(ii) and (b) of the Environmental Planning and Assessment Act 1979]
- (3) The proposed development will unreasonably impact the amenity of the adjoining educational establishment with significant variation to the ILP road pattern and issues relating to visual and acoustic privacy. [Section 4.15 (1)(a)(ii) and (b) of the Environmental Planning and Assessment Act 1979]
- (4) The proposed development will not deliver sufficient variety in dwelling typology or presentation, nor facilitate the desired future character for the Precinct and is inconsistent with:-
  - Aim (a) of Part 1.2 of Appendix 8 Area 20 Precinct Plan under SEPP (Central River City) which seeks (a) *to make development controls for land in the Area 20 Precinct within the North West Growth Centre that will ensure the creation of quality environments and good design outcomes.*
  - Objectives (b) and (c) under Part 3.1.1.1 of the BCC Growth Centre DCP, which seek (b) *to provide guidance to applicants on the appropriate mix of housing types and appropriate locations for certain housing types;* and (c) *to establish and maintain the desired character of the residential areas.*
  - Table 3-1 under Part 3.1.1.1 of the BCC Growth Centre DCP for the 25-30 dwelling per hectare density as Point 2 requires typical characteristics to consist of *“predominantly small lot housing form with some multi-dwelling, manor homes and residential flat buildings....”*.
  - Objectives (e) and (g) under Part 3.1.2.1 of the BCC Growth Centre DCP, which seek (e) *to encourage variety in dwelling size, type and design to promote housing choice and creative attractive streetscapes with distinctive characters;* and (g) *to establish minimum lot dimensions for different residential dwelling types.*

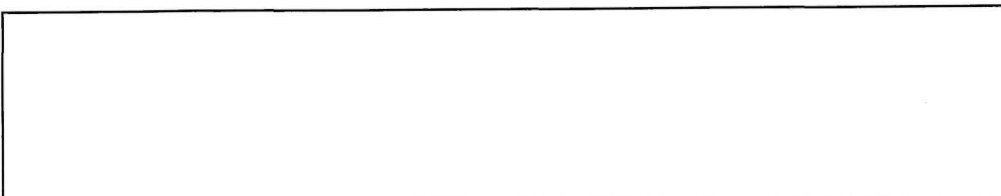
[Section 4.15 (1)(a)(i)(ii) and (b) of Environmental Planning and Assessment Act 1979]
- (5) Insufficient information has been submitted as required under Clause 36 of the Environmental Planning and Assessment Regulation 2021, as the applicant has failed to provide the relevant information required with the application and that




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 Per   
 Blacktown City Council  
 25 January 2025

requested in Council's requests for information dated 5 July 2024, 20 August 2024 and 12 September 2024 [Section 4.15 (1)(a)(iv) of Environmental Planning and Assessment Act 1979]

- (6) The proposed development is not considered to be in the public interest and is therefore inconsistent with Clause 4.15(1)(e) of the EPA&A Act.



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25 January 2025