

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	9 December 2025
DATE OF PANEL DECISION	5 December 2025
DATE OF PUBLIC MEETING	27 November 2025
PANEL MEMBERS	Steve Murray (Chair), David Ryan, Natasha Harras, Moninder Singh
APOLOGIES	None
DECLARATIONS OF INTEREST	Abigail Goldberg declared a conflict of interest

Public meeting held videoconference on 27 November 2025, opened at 10:30am and closed at 11:50am.

MATTER DETERMINED

PPSSCC-596 – Blacktown – DA-24-00789 – 63 Townson Road, Schofields - Demolition, tree removal and construction of a new school with capacity for 870 students including car parking, internal roads and associated civil and landscaping works.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters listed at item 8 in Schedule 1.

The panel noted that the applicant was not aware of the scheduled public meeting and, to provide procedural fairness, a further briefing with council and the applicant was held to give the applicant the opportunity to respond to the recommendations contained in the council's assessment report and any matters raised during the public meeting.

Development application

The panel determined to refuse 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 refuse the application for the reasons outlined in the council assessment report, with the following amendments:

- Deletion of reason 'g' relating to failure to nominate as nominated Integrated Development
- Addition of new reason 'g' as follows:

The proposal is inconsistent with exhibited draft State Environmental Planning Policy (Precincts - Central River City) Amendment, as described in 'Explanation of Intended Effect: West Schofields' and therefore as currently proposed, may compromise the strategic development of the locality, including delivery of roads, open space and infrastructure.

The panel observations included that:

- The panel acknowledges that there is a need for schools in the locality to support current population growth, and in principle, the panel is supportive of development for the purpose of a school on the site.
- However, the proposal is not supported in its current form. Key unresolved issues are outlined Council's assessment report, and the panel generally concurs with Council's conclusions, with a key

issue considered by the panel to be the location of a proposed asset protection zone (APZ) outside the property boundary and opposed by the relevant landowner.

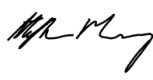
- In addition to the matters set out in Council's report, a further issue relates to the consistency of the proposal with draft State Environmental Planning Policy (Precincts - Central River City). In this regard, it is noted:
 - The West Schofields Explanation of Intended Effect (EIE) is currently on exhibition. As exhibition commenced on 17 November 2025, it was unable to be considered in Council's assessment report. However, the Panel have reviewed and considered the EIE, noting the advice on the Department's website that it intends to make the relevant instruments in 2026.
 - Whilst acknowledging the lack of certainty as to the final form of these instruments, the panel notes the development as proposed would be inconsistent with the draft instruments in terms of delivery of open space, delivery of roads, access, and infrastructure arrangements.
- The panel notes concerns raised by Council in relation to the applicant failing to nominate the application as integrated development, and the decisions of the Land and Environment Court in relation to this issue. However, while the decision in 'Maule v Liporoni' is currently binding, the decision in 'Artmade Architectural v Central Coast' is not, and therefore the applicant may elect not to nominate the application as integrated development. As such this reason is deleted from the reasons for refusal.
- Overall, the panel considers material amendments would need to be made to the site layout to resolve the APZ and to ensure the development considers the intentions of the draft SEPP. The panel considers the extent of the necessary amendments are likely to be significant and warrant a new application.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- site not being suitable for the proposal
- traffic congestion in relation to Richmond Road and Townson Road
- flooding impact
- tree removal impact
- questioning the cost of works
- need for public school infrastructure as opposed to a private school (and a need for schools generally), need for other government infrastructure including hospitals and libraries
- design quality
- the site's proximity to an operating brickworks plant
- social impacts
- safety of students and pedestrians
- streetscape outcomes and compatibility with West Schofields Precinct
- lack of owners' consent for a proposed bushfire asset protection zone on the adjoining property
- issues with receipt of notification of the application

The panel considers that concerns raised by the community have been adequately addressed in the assessment report or within the meeting.

PANEL MEMBERS	
Steve Murray (Chair) 	David Ryan 
Natasha Harras 	Moninder Singh 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-596 – Blacktown – DA-24-00789
2	PROPOSED DEVELOPMENT	Demolition, tree removal and construction of a new school with capacity for 870 students including car parking, internal roads and associated civil and landscaping works.
3	STREET ADDRESS	63 Townson Road, Schofields
4	APPLICANT/OWNER	Applicant: ADS Associates Owner: Al Faisal College Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Environmental Planning and Assessment Act 1979 - Biodiversity Conservation Act 2016 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Precincts—Central River City) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Industry and Employment) 2021 - Blacktown Local Strategic Planning Statement 2020 - Central City District Plan 2018 - Blacktown Local Environmental Plan 2015 - Draft environmental planning instruments: Explanation of Intended Effect: West Schofields (November 2025), including amendments to: - State Environmental Planning Policy (Precincts—Central River City) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Blacktown Local Environmental Plan 2015 - Development control plans: - Blacktown Development Control Plan 2015 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - 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: 13 November 2025 - Written submissions during public exhibition: 50 - Verbal submissions at the public meeting:

		○ Charlie Galea, Cathy Galea, Yuva Raj, Breellen Warry, Hishaam Abdukaziz ○ Council assessment officer - Olivia Betts, Judith Portelli, Nadeem Shaikh. • Verbal response to recommendation by applicant at further briefing on 4 December 2025 • Total number of unique submissions received by way of objection: 50
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 13 March 2025 ○ <u>Panel members</u>: Steve Murray (Acting Chair), David Ryan, Natasha Harras, Moninder Singh ○ <u>Council assessment staff</u>: Olivia Betts, Shakeeb Mushtaq ○ <u>Applicant representatives</u>: Schandel Fortu, Mara Conde, Mohamed El-Dardeiry, Subreena Sultana • Final briefing to discuss council's recommendation: 27 November 2025 ○ <u>Panel members</u>: Steve Murray (Acting Chair), David Ryan, Natasha Harras, Moninder Singh ○ <u>Council assessment staff</u>: Olivia Betts, Shakeeb Mushtaq, Judith Portelli • Applicant and Council briefing – applicant response to council's recommendation: 4 December 2025 ○ <u>Panel members</u>: Steve Murray (Acting Chair), David Ryan, Natasha Harras, Moninder Singh ○ <u>Council assessment staff</u>: Olivia Betts, Judith Portelli ○ <u>Applicant representatives</u>: Mohamed El-Dardeiry
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not Applicable