

Planning Services

Gateway Determination Report

LGA	Blacktown
RPA	Blacktown
NAME	Rezoning of Lot 1442 DP 543306 Torres Crescent, Whalan from R2 Low Density Residential to B1 Neighbourhood Centre (4 dwellings/ X jobs)
NUMBER	PP 2018 BLACK 001 00
LEP TO BE AMENDED	Blacktown LEP 2015
ADDRESS	Lot 1442 DP 543306 Torres Crescent, Whalan
DESCRIPTION	Lot 1442 DP 543306
RECEIVED	11 January 2018
FILE NO.	IRF18/66
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of Planning Proposal

To amend Blacktown Local Environmental Plan (LEP) 2015 to rezone land at Lot 1442 DP 543306 Torres Avenue, Whalan from R2 Low Density Residential to B1 Neighbourhood Centre and amend height of buildings and lot size controls consistent with adjoining business zoned land.

Site Description

The land is 114sqm in area and is used as car park. It is zoned R2 Low Density Residential and is privately owned by the adjoining commercial zoned (B1 Neighbourhood Centre) landowner.

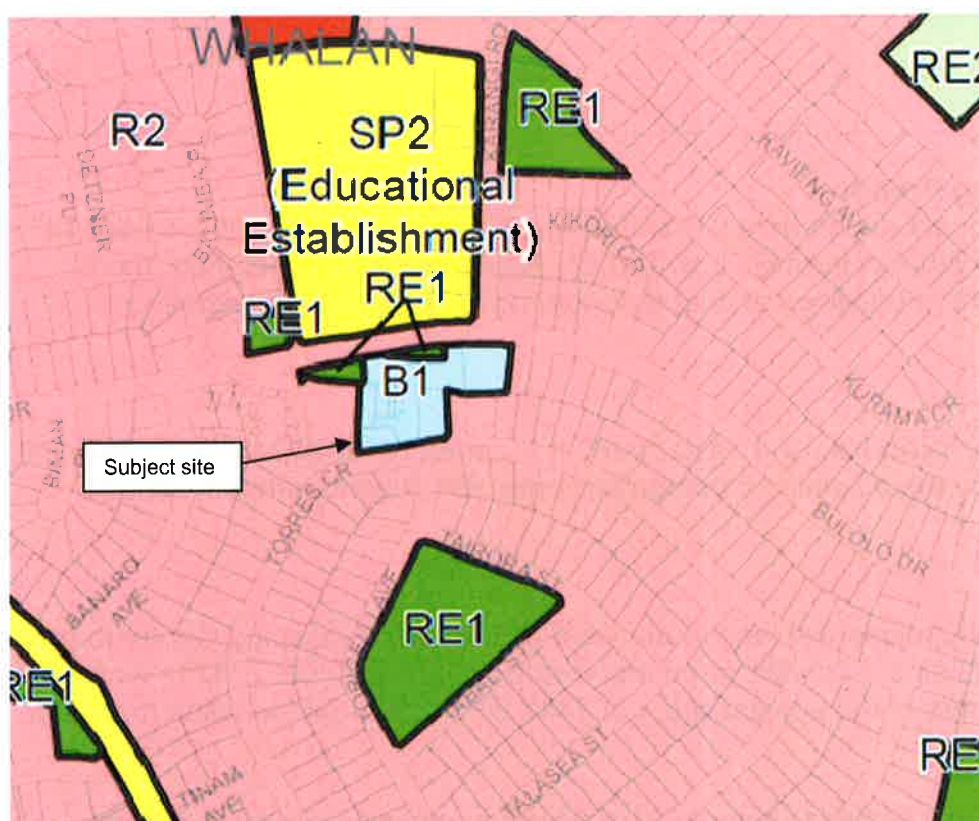
Surrounding Area

The land is surrounded by residential land to the west and Whalan Shopping Centre to the east. The land directly adjoins a derelict commercial strip on Lot 1350 DP 234241 which is owned by the same owners of the subject site, Lot 1442 DP543306. Site location map is at **Attachment F**.

There is a current DA (DA 17-00941) before Council for the adjoining site for a 2 storey mixed use development comprising 3 ground floor commercial units and 4 x 2 bedroom residential flats on the first floor replacing the derelict commercial strip. The DA proposes to have a car park on the subject site associated with the commercial development. The existing lot size of 450 sqm and R2 zoning of the subject land restricts the land to be amalgamated with the adjoining commercial land and to be used for associated car parking for the proposed commercial development. The residential zone does not allow for a standalone car parking or shop top housing on the land.



Whalan Shopping Centre



Zoning map

Council report

Council on 22 November 2017 resolved to prepare a planning proposal to rezone the subject land at Whalan from R2 Low Density Residential to B1 Neighbourhood Centre and amend height of buildings and lot size controls applying to the site. The proposal is to

facilitate a mixed use development on the site together with the adjoining site and to assist in promoting redevelopment of a neighbourhood retail centre.

Summary of Recommendation

The planning proposal will enable a car park associated with a commercial and residential development on the adjoining land that is vacant and contains a dilapidated commercial building within the Whelan Shopping centre. It will facilitate a new mixed use development with 4 residential units and associated retail/commercial uses and contribute to a more vibrant and viable local centre. The planning proposal is of a minor nature and is recommended that the planning proposal proceed with conditions and Council is to exercise Greater Sydney Commissions' delegation to finalise the plan.

PROPOSAL

Objectives or Intended Outcomes

The objectives of the planning proposal are to facilitate a mixed use development for a commercial and residential development which will help revitalise a small existing neighbourhood retail centre to service the surrounding residential area.

Explanation of Provisions

The planning proposal will amend:

- Blacktown Local Environmental Plan (LEP) 2015 to rezone land at Lot 1442 DP 543306 Torres Avenue, Whelan from R2 Low Density Residential to B1 Neighbourhood Centre; and
- height of buildings and lot size controls consistent with adjoining business land.

Mapping

The amendment to Blacktown Local Environmental Plan (LEP) 2015 will involve amendments to zoning, height of buildings and lot size control maps.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is not the result of a strategic study. The intended outcomes and the proposed changes to the zoning and corresponding changes to development controls can only be achieved via an amendment to Blacktown LEP 2015.

STRATEGIC ASSESSMENT

State

The planning proposal is consistent with Goal 2 A city of housing choice, with homes that need our needs and lifestyles and 3 Sydney's great places to live of A Plan for Growing Sydney. The proposal will facilitate a new mixed use development with 4 shop top dwellings and associated retail/commercial uses on a delapidated commercial building site and revitalise the existing neighbourhood retail centre to service the surrounding residential community.

Regional/District

Blacktown LGA is located within the draft Central City District Plan area. The Planning Proposal is consistent with the Liveability objectives outlined for the draft Central City District in that it will support provision of housing choice and affordability, and services as well as renew a local centre.

Local

Council advises the Planning Proposal is not the result of a strategic study or report due to the minor nature of the proposal, however, the proposal will assist in promoting redevelopment options for a wider range of commercial and residential uses to the needs of the community. Council considers the proposal is of public interest as the adjoining site is considerably run-down and contains a vacant and dilapidated commercial building. The proposal is not inconsistent with the Blacktown Community Strategic Plan 2030.

Section 117(2) Ministerial Directions

1.1 Business and Industrial Zones

The planning proposal will increase business zoned land and is consistent with the direction.

3.1 Residential Zones

The planning proposal is inconsistent with the direction as it will reduce 114sqm of residential zoned land. However, rezoning the land from R2 Low Density Residential to B1 Neighbourhood Business zone will enable the use of the site for car parking associated with the proposed commercial development (DA 17-00941) which is before Council. In return, the rezoning will allow development options which has potential to produce 4 shop top housing and commercial development on a delapidated site, and revitalise the neighbourhood shopping centre.

The inconsistency with the direction is, therefore considered to be of minor significance.

3.4 Integrating Land Use and Transport

The planning proposal will support the revitalisation of a neighbourhood shopping centre and will potentially reduce car use for local shopping trips by the surrounding residential development and, therefore is consistent with the direction.

State Environmental Planning Policies

The planning proposal is not inconsistent with any applicable SEPPs.

SITE SPECIFIC ASSESSMENT

Social/Economic

The planning proposal will enable a new mixed use development and have potential to revitalise the Whalan Neighbourhood Shopping Centre, and will have a positive social and economic impact for the area.

Environmental

The site is clear and is used for an informal car park. It is not known to be affected by flood, contamination or bushfire. No adverse environmental effects are envisaged because of the planning proposal.

CONSULTATION

Community

The planning proposal is of a low impact in nature and community consultation is proposed by Council for 14 days, which is appropriate.

Agencies

Agency consultation with major servicing authorities such as Integral Energy, AGL and Sydney Water are proposed.

TIMEFRAME

The timeframe for finalisation of the planning proposal is recommended for 9 months.

DELEGATION

Council has not requested the use of plan making delegations. The proposal is of a minor nature and will not have significance impact on the surrounding environment. Evaluation criteria for delegation of plan making functions is at **Attachment G**. It is recommended Council be given delegation to finalise the proposal. All relevant documents authorising Council to exercise delegation of plan making functions are at **Attachment D**.

CONCLUSION

The planning proposal is supported to proceed with conditions because it is of a minor nature and will facilitate a mixed use commercial development which before Council on the adjoining site and contribute to a more vibrant and viable local centre.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. Agree any inconsistency with Section 117 Directions 3.1 Residential Zones is minor.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 14 days.
2. Consultation is required with the following public authorities:
 - Sydney Water; and
 - Relevant gas and electricity providers in the area.
3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be authorised to exercise delegation to make this plan.

19/1/18

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