

PO1066A - DD360042 - CONFIDENTIAL - Section 10A(2)(d) – Review of planning controls for the Blacktown and Mount Druitt CBDs F15/2580

MOTION (Bleasdale/Benjamin)

1. This report be made public following the Council resolution, in the interest of Council being open and transparent, but noting that there is no guarantee that the proposed amendments will eventually be adopted and become law.
 2. Prepare a Planning Proposal that:
 - a. Removes the B3 Commercial Core zone that applies to land within the Mount Druitt CBD and rezones that land B4 Mixed Use.
 - b. Reduces the area of land zoned B3 Commercial Core in the Blacktown CBD to the area shown on the proposed land zoning map at attachment 3 and apply the B4 Mixed Use zone to land that will not remain zoned B3.
 - c. Rezones the northern side of Kildare Road, between Patrick Street, Balmoral Street and the Western Railway Line, from B4 Mixed Use to B3 Commercial Core.
 - d. Rezones the northern part of Alpha Park as shown on the proposed land zoning map at attachment 3 from RE1 Public Recreation to B4 Mixed Use and assign a 26 m building height control.
 - e. Increases building heights in the Blacktown and Mount Druitt CBDs as delineated on the proposed height of building maps at attachment 3.
 - f. Removes FSR controls for the Blacktown and Mount Druitt CBDs.
 - g. Nominates Key Sites and Gateway Sites on the maps at attachment 3, where additional heights of 20 m in the Blacktown CBD and 16 m in the Mount Druitt CBD will be considered if key within site public domain improvements and linkages, design excellence and/or additional contributions to off-site public domain improvements are provided through redevelopment.
 2. Notify the applicant of the Planning Proposal for 4 Mount Street, Mount Druitt that Council is not willing to proceed with the proposal as a standalone Planning Proposal as we are preparing a Planning Proposal for the Mount Druitt CBD that includes this site.
- was, on being put to the meeting, declared **CARRIED** unanimously and became a recommendation to Council.

COUNCIL DIVISION:

- Supported: Crs Dickens, Smith, Diaz, Robinson, Siljeg, White, Pendleton, Kelly, Benjamin, Bleasdale, Lowles, Donaldson and Bali.
- Absent: Crs Atalla and Holmes.

REFERRED TO:	A/DDD	FOR:	Attention	DATE:
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BLACKTOWN CITY COUNCIL

CONFIDENTIAL
POLICY & STRATEGY COMMITTEE 29 JUNE 2016
ORDINARY MEETING 6 JULY 2016

PO1066A

DD360042 - CONFIDENTIAL - Section 10A(2)(d) – Review of planning controls for the Blacktown and Mount Druitt CBDs F15/2580

It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act 1993, as amended, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

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a. Removes the B3 Commercial Core zone that applies to land within the Mount Druitt CBD and rezones that land B4 Mixed Use.

b. Reduces the area of land zoned B3 Commercial Core in the Blacktown CBD to the area shown on the proposed land zoning map at attachment 3 and apply the B4 Mixed Use zone to land that will not remain zoned B3.

c. Rezones the northern side of Kildare Road, between Patrick Street, Balmoral Street and the Western Railway Line, from B4 Mixed Use to B3 Commercial Core.

d. Rezones the northern part of Alpha Park as shown on the proposed land zoning map at attachment 3 from RE1 Public Recreation to B4 Mixed Use and assign a 26 m building height control.

e. Increases building heights in the Blacktown and Mount Druitt CBDs as delineated on the proposed height of building maps at attachment 3.

f. Removes FSR controls for the Blacktown and Mount Druitt CBDs.

g. Nominates Key Sites and Gateway Sites on the maps at attachment 3, where additional heights of 20 m in the Blacktown CBD and 16 m in the Mount Druitt CBD will be considered if key within site public domain improvements and linkages, design excellence and/or additional contributions to off-site public domain improvements are provided through redevelopment.

2. Notify the applicant of the Planning Proposal for 4 Mount Street, Mount Druitt that Council is not willing to proceed with the proposal as a standalone Planning Proposal as we are preparing a Planning Proposal for the Mount Druitt CBD that includes this site.

EXCEPTION

WITHOUT CHANGE

REFERRED TO: A/DDD

FOR TO: Attention

DATE: 12/7/16

COMMITTEE RECOMMENDATION
ADOPTED
ORDINARY MEETING

- 6 JUL 2016

CONFIDENTIAL - Section 10A(2)(d) - Review of planning controls for the Blacktown and Mount Druitt CBDs

Item: PO1066A Report: DD360042 File: F15/2580

CONFIDENTIAL

Committee Meeting on 29 June 2016

Division is required

Topic	We propose to submit a Planning Proposal to the NSW Department of Planning and Environment in order to exhibit amended planning controls for the Blacktown and Mount Druitt Central Business Districts (CBDs).
Analysis	The review of planning controls for the Blacktown and Mount Druitt CBDs has determined that amendments to Council's existing planning controls would be required to achieve Council's new vision of transforming these centres into strong mixed use centres that are activated by their own population. The review recommends removing the B3 zone and replacing it with the B4 zone in the Mount Druitt CBD, the reduction of the B3 zone in the Blacktown CBD to be replaced with the B4 zone, and the removal of floor space ratio (FSR) controls in both centres. The review also recommends increasing building heights to facilitate new development and to provide additional capacity for dwellings in these centres. Councillors endorsed increases to building heights, the removal of FSR controls and amendments to land use zones at a Councillor workshop held on 6 June 2016. Attachments: Attachment 1 - Jones Lang LaSalle report Attachment 2 - Bates Smart and Planning Lab report (separately bound) Attachment 3 - Proposed amendments to BLEP 2015
Report Recommendation	1. This report be made public following the Council resolution, in the interest of Council being open and transparent, but noting that there is no guarantee that the proposed amendments will eventually be adopted and become law. 2. Prepare a Planning Proposal that: - Removes the B3 Commercial Core zone that applies to land within the Mount Druitt CBD and rezones that land B4 Mixed Use. - Reduces the area of land zoned B3 Commercial Core in the Blacktown CBD to the area shown on the proposed land zoning map

at attachment 3 and apply the B4 Mixed Use zone to land that will not remain zoned B3.

c. Rezones the northern side of Kildare Road, between Patrick Street, Balmoral Street and the Western Railway Line, from B4 Mixed Use to B3 Commercial Core.

d. Rezones the northern part of Alpha Park as shown on the proposed land zoning map at attachment 3 from RE1 Public Recreation to B4 Mixed Use and assign a 26 m building height control.

e. Increases building heights in the Blacktown and Mount Druitt CBDs as delineated on the proposed height of building maps at attachment 3.

f. Removes FSR controls for the Blacktown and Mount Druitt CBDs.

g. Nominates Key Sites and Gateway Sites on the maps at attachment 3, where additional heights of 20 m in the Blacktown CBD and 16 m in the Mount Druitt CBD will be considered if key within site public domain improvements and linkages, design excellence and/or additional contributions to off-site public domain improvements are provided through redevelopment.

2. Notify the applicant of the Planning Proposal for 4 Mount Street, Mount Druitt that Council is not willing to proceed with the proposal as a standalone Planning Proposal as we are preparing a Planning Proposal for the Mount Druitt CBD that includes this site.

Key reasons

1. There is too much B3 Commercial Core zone in both CBDs

- a. The B3 Commercial Core zone is no longer the most appropriate land use zone for the Mount Druitt CBD, as the Jones Lang LaSalle (JLL) Market Appraisal and Economic Feasibility report did not identify any opportunity for investment grade office development within the Mount Druitt CBD. As there is no demand for investment grade office development, there is no need to protect over 24 hectares of that CBD to ensure land is available for investment grade office development.
- b. The current extent of the B3 Commercial Core zone in the Blacktown CBD, which was established to ensure the Blacktown CBD could be elevated to Regional City status, does not reflect the forecasted demand for investment grade office development within the Blacktown CBD. The JLL report forecasts, over the next 15 years, that demand for investment grade office development will be around 500 sqm per annum or 7,500 sqm in total. Therefore, the 17 hectares of land at present zoned B3 Commercial Core represents a significant oversupply of land zoned for this purpose.
- c. The oversupply of commercial core zoned land reduces the potential for both CBDs to be transformed into successful and vibrant mixed use centres, as large portions of each CBD cannot be redeveloped for mixed use development under the current planning regime.
- d. The B4 Mixed Use zone would be a more appropriate land use zone for the whole of the Mount Druitt CBD, as well as a large portion of the Blacktown CBD as:
 - i. This will facilitate urban renewal, activation and rejuvenation of the town centres through high density residential development, encouraging a more vibrant and diverse mixed-use environment, rather than a sterile commercial

core which only operates during business hours

- ii. Provides capacity for an expansion of retail use and support office businesses, as it is predicted that demand for these uses will increase over the next 15 years due to population increase.
- e. The change from the B4 zone to the B3 zone for the northern side of Main Street, between Patrick Street, Balmoral Street and the Western Railway Line, is considered appropriate as this area currently houses the Blacktown Police Station and Courthouse, as well as other commercial offices, and it is unlikely that there will be demand for this precinct to be redeveloped for mixed use residential development.
- f. The approximately 4.5 hectares of land that will remain zoned B3 in the Blacktown CBD provides enough capacity to meet future demand for investment grade office development. This area also contains a number of sites that could be attractive to a key government department or key commercial office tenant.

2. Alpha Park activation will enable better use of the open space

- a. The urban design analysis undertaken by Bates Smart discussed the potential that additional land uses could be located on a small portion of Alpha Park to screen the WestPoint carpark and provide additional activation of the park. At the Councillor workshop held on 6 June 2016, Councillors endorsed Bates Smart's concept to rezone the northern part of Alpha Park to B4 and to assign a 26 m building height control to promote activation of Alpha Park through ground floor community or retail/commercial uses, with residential development providing passive surveillance after hours.

3. Increases in building heights are recommended

- a. Increases in building heights for the Blacktown CBD recommended by Bates Smart are considered appropriate and are supported by the JLL report that predicts that there will be demand for approximately 216 extra dwellings per annum. The current capacity for the Blacktown CBD is approximately 1,800 dwellings. If development occurs as predicted, the capacity of the CBD would be reached over the next 8 years. Therefore an increase in building heights would provide additional capacity for the supply of residential dwellings within the Blacktown CBD.
- b. Increases in building heights recommended by Bates Smart in the Mount Druitt CBD are also considered appropriate, as they may provide the market with the incentive to consider investing in the Mount Druitt CBD due to the greater return and improved feasibility offered by higher building heights.

4. The Floor Space Ratio control is not required

- a. The removal of Floor Space Ratio controls from the Blacktown and Mount Druitt CBDs is considered appropriate, as the quantum of allowable floor space will be determined by the allowable building heights, and other building design controls contained in DCP controls and the NSW Apartment Design Guide (notably street wall heights, setbacks and floor plate controls).

5. We propose bonus heights in key locations

- a. There are a number of sites in the Blacktown and Mount Druitt CBDs where important through site links to key parcels of open space or destinations could be created through redevelopment. Offering a height bonus will provide the incentive to the developer to create these links. The most effective way to achieve these improvements to the public domain is to nominate these sites on the Key Sites Map and include a clause in the LEP that sets out the provisions required to achieve the height bonus. Key Sites include:

- i. 4 Mount Street, Mount Druitt
 - ii. The K-mart site in the Blacktown CBD
 - iii. The Warrick Lane carpark site in the Blacktown CBD.
- b. The Bates Smart report also identifies a number of 'Gateway Sites' in the Blacktown CBD where additional heights should be considered if certain design criteria are met and/or where contributions are made to off-site works and facilities. At the Councillor workshop held on 6 June 2016, Council endorsed the principle that a 100 m height limit be considered if certain design criteria are met and additional contributions are paid for off-site public domain improvements in Blacktown, for both the Key Sites and Gateway Sites.
- c. The Bates Smart Report also identifies a number of Gateway Sites in the Mount Druitt CBD where additional heights should be considered if certain design criteria are met. At the workshop held for Councillors on 6 June 2016, Councillors endorsed the principle that a 80 m height limit be considered if certain design criteria are met and additional contributions are paid for off-site improvements in Mount Druitt.
- d. As Council is proposing to assign a 64 m height limit to the Good Luck Plaza site at 4 Mount St, Mount Druitt, with a bonus height provision of up to 80 m, there is no benefit to the applicant to be progressing a standalone Planning Proposal for this site. The bonus height provision of up to 80 m is consistent with the applicant's request for a building height control of 77.5 m.

Supporting analysis

1. Jones Lang LaSalle has advised us of the economic feasibility of development types

- a. The Jones Lang LaSalle report in summary identified the following:
 - i. There is little opportunity for investment grade office development in the Mount Druitt CBD, and limited opportunity in the Blacktown CBD.
 - ii. That population growth will increase the demand for support office development, which services the local population.
 - iii. That retail opportunity is akin to support office development, and population growth will increase demand.
 - iv. Mixed use could stimulate redevelopment.
 - v. A portion of the commercial core in the Blacktown CBD should be retained to provide for the longer term opportunity.
 - vi. The forecast for dwelling uptake to 2031: 216 dwellings per annum for the Blacktown CBD.
 - vii. The forecast for investment grade office development in the Blacktown CBD to 2031: 500 sqm per annum.
 - viii. The forecast for retail growth for Blacktown: GLAR (Gross Lettable Area Retail) of 3,178 sqm per annum. Significant medium to long term opportunity, driven by population growth in the CBD.
 - ix. Forecast for Mount Druitt GLAR of 1,760 sqm per annum and demand will increase due to population increase in the CBD.

2. Councillors gave us initial feedback at a workshop held in March 2016

- a. A workshop was held with Councillors on 17 March 2016 where our consultants presented their initial findings. The feedback from Councillors at this workshop has been incorporated into the final report and includes the:
 - i. Removal of the FSR control from both the Blacktown and Mount Druitt CBDs, as the form of residential flat buildings is now controlled by the Apartment Design Guide.
 - ii. Consideration of height increases to Main Street.
 - iii. Investigation of increased building height to take advantage of views back to the Sydney CBD from eastern edge of the Blacktown CBD.
 - iv. Consideration of height increases around the existing central public open space spine in Mount Druitt, to encourage residential development to help transform use of the open space.
 - v. Consideration of the connection of dead-end streets and a fragmented street network to facilitate access and address for future buildings in the Mount Druitt CBD.
 - vi. Consideration of increased heights to enable ground level through-site links through the 4 Mount Street site to connect disparate pieces of the existing open space network.

3. Bates Smart recommended changes to controls following the first workshop

- a. Bates Smart incorporated feedback from the Councillor workshop and made the following summary recommendations. These are shown in the document at attachment 2.
 - i. For the Blacktown CBD:
 - The reduction in the extent of the B3 zone to only the area south of Main Street, bounded by Patrick Street, Flushcombe Road and Alpha Street.
 - The removal of FSR controls.
 - The nomination of the K-mart block as a Key Site where additional height may be considered if a through site link and civic plaza are provided as part of the redevelopment.
 - Increasing building height controls on the southern side of Main Street.
 - Increasing building height controls on the eastern edge of the CBD along Newton Road and Sunnyholt Road.
 - Increasing the building height control on the northern edge along Third Avenue through to Second Avenue.
 - Assigning a 72 m height of building control to Gateway Sites.
 - Bates Smart did not recommend any change to the existing building height controls for the precinct bounded by the Richmond Railway Line, Second Avenue, Prince Street and the Western Railway Line.
 - ii. For the Mount Druitt CBD:
 - The removal of the B3 zone to be replaced by the B4 Mixed Use zone.
 - The removal of FSR controls.
 - The existing 32 m and 40 m building height controls that apply to

development adjacent to the Town Square, Mount Druitt Swimming Pool and the Town Reserve be increased to 50 m.

- The 4 Mount Street site be identified as a Key Site and apply a 50 m building height control to it, with consideration of a bonus height control of 64 m to achieve a significant through site link from the Town Reserve to Mount Street.
- 3 Gateway Sites were nominated, however no additional height was applied.

4. We held a second Councillor workshop in June 2016

a. At a second Councillor workshop on 6 June 2016, Councillors endorsed the following amendments to Bates Smart's recommendations:

i. For the Blacktown CBD:

- An increase in the 72 m building height control to 80 m.
- The nomination of the Warrick Lane site as a Key Site.
- The nomination of Gateway Sites and the consideration of a 100 m building height control for Gateway Sites and Key Sites if certain design criteria are met and additional contributions are paid for public domain improvements in the CBD.

ii. For the Mount Druitt CBD:

- An increase to the 50 m building height control to 64 m, except for land directly to the north of the Town Square and Mount Druitt Swimming Pool.
- The application of a 64 m building height control for Gateway Sites, with consideration of an 80 m building height control for Key Sites and Gateway Sites if certain design criteria are met and additional contributions are paid for public domain improvements in the CBD.

Context

1. Council decided in October 2015 to support the creation of the Blacktown and Mount Druitt CBDs as strong mixed use centres that are activated by their own residential population.
2. Bates Smart, with Planning Lab and JLL, were engaged to prepare reports that review the existing land use zones, height of building and floor space ratio controls, to ensure they align with current market expectations and support opportunities for growth.
3. A Planning Proposal for 4 Mount Street, Mount Druitt was submitted to Council in December 2015. The Planning Proposal sought to:
 - a. Increase the maximum building height from 32 m to 77.5 m, and 70 m at the southern portion of the site
 - b. Decrease the maximum building height from 32 m to 20 m at the northern portion of the site
 - c. Increase the FSR from 3:1 to 4:1 across the site
 - d. The proposed massing provides for 2 low rise podiums of 4 storeys along the street frontage and 2 slender towers above. The breakdown of the proposed height controls ensures the towers are positioned on the southern side of the site to provide for an open plaza to the north and to maximise solar access

- e. The applicant believes that a better outcome for the redevelopment of the site could be achieved by adjusting the maximum FSR and height, as the current controls will result in an inward orientated development and the changes would result in a more activated and open development that responds better to the surrounding public domain
- f. As 4 Mount Street is located in the study area for the Mount Druitt CBD, we believed it was premature to be reporting a Planning Proposal to Council before the outcomes of the review were known. The applicant has been notified that Council will not be reporting their Planning Proposal until the outcomes of the review are known and were offered a full refund of fees paid.

Approval

Name and position	
→ Report author	Brejzek A., Strategic Planner
→ Endorsed by	Shannon C., Manager Strategic Planning
→ Director approval	Glennys James, Director Design & Development
	Signature:
→ General Manager approval	Kerry Robinson, General Manager
	Signature:

Attachments

Ref	Description	Files
1		
2		
3		 DD360042A3.pdf

Confidentiality

Reason for Confidentiality It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act 1993, as amended, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

Recommendations

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Blacktown CBD – **land use zones**

EXISTING



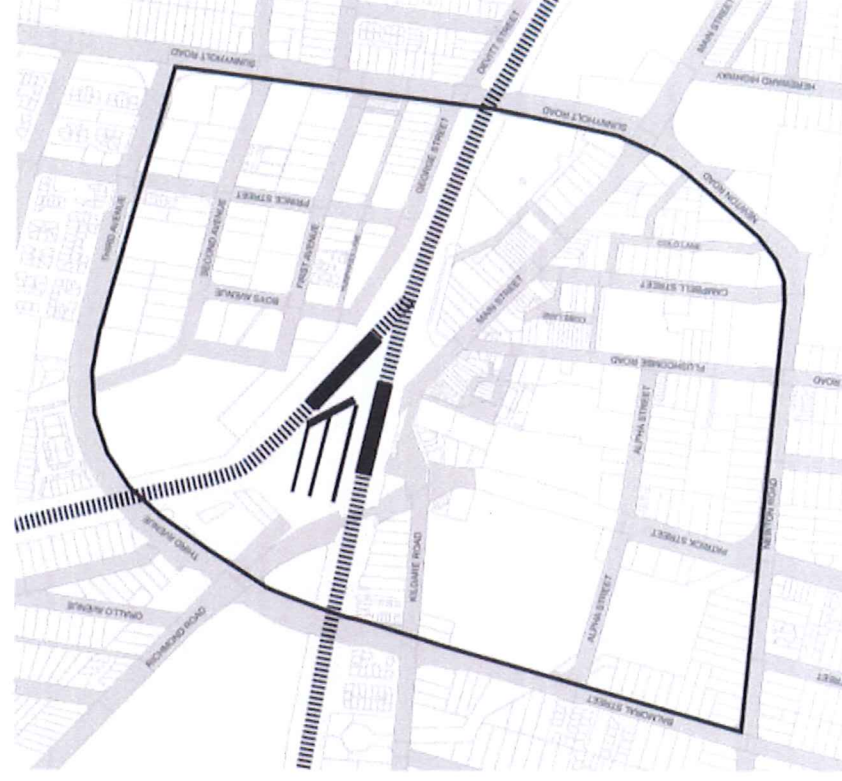
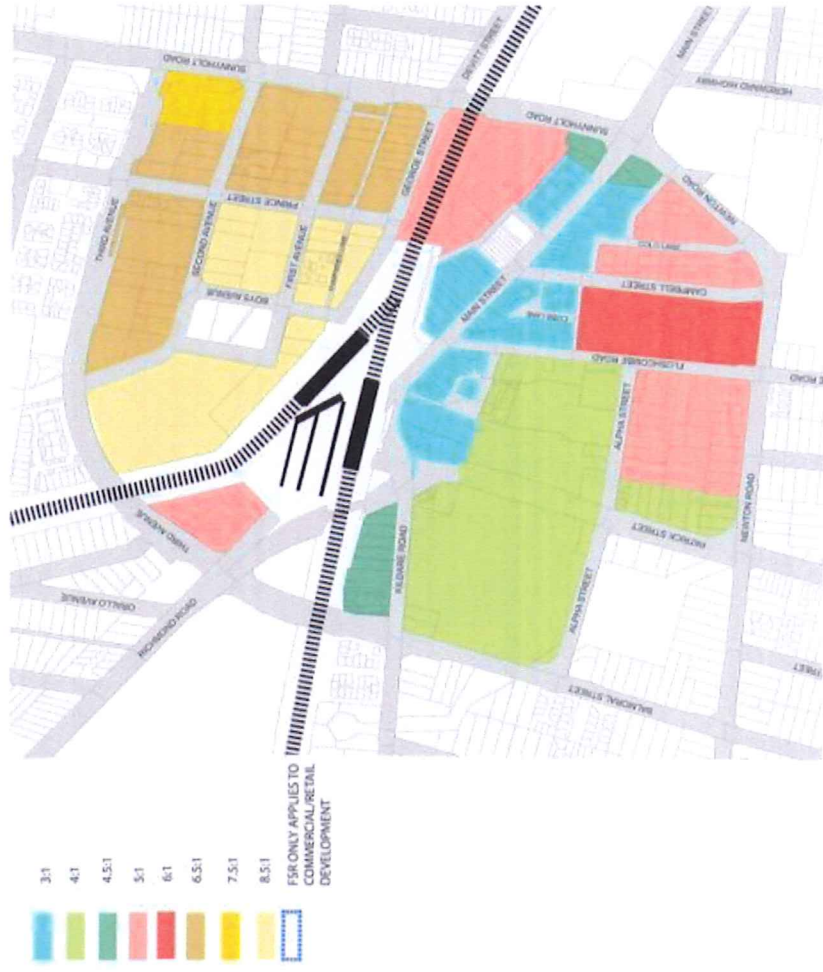
PROPOSED



Blacktown CBD – floor space ratios

EXISTING

PROPOSED



Blacktown CBD – height of buildings

EXISTING

Height in Metres

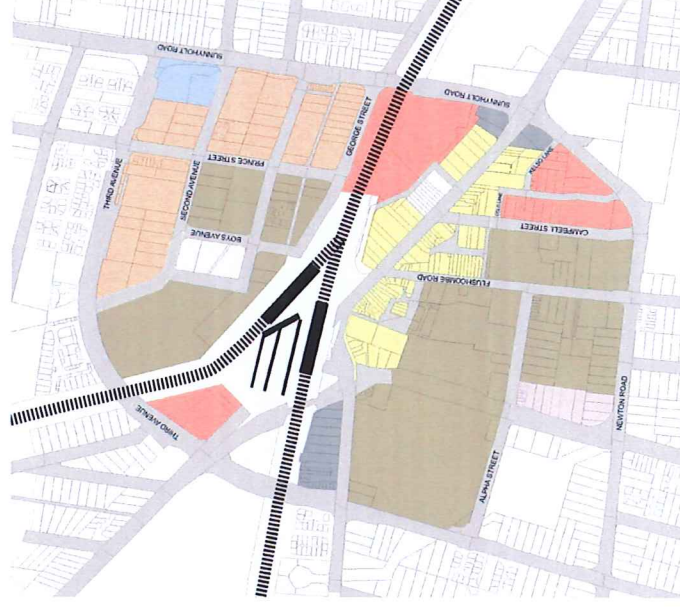
Maximum Number of Storeys

Commercial Use
(4 metres per storey)
Mixed Use Development
(3 metres per storey)

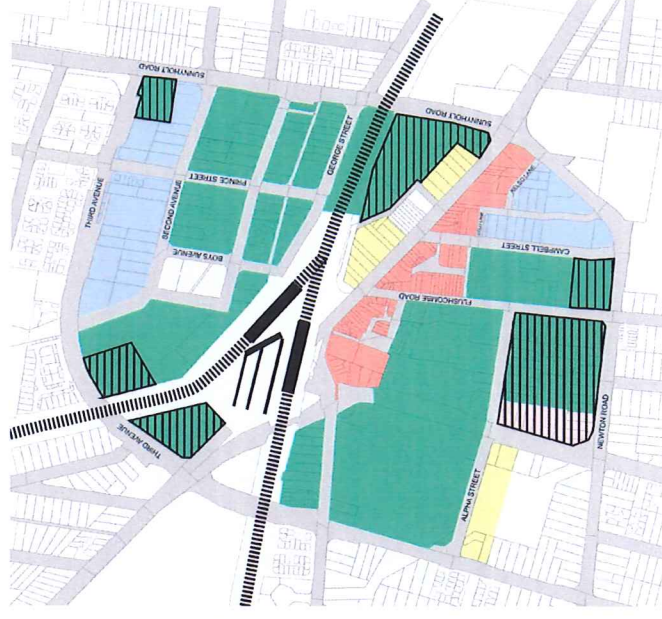
Height calculations for mixed use development contain
2 storeys of commercial use at 4 metres per storey

24 METRES	6	8
30 METRES	9	12
36 METRES	11	14
42 METRES	12	16
48 METRES	14	18
54 METRES	16	21
60 METRES	18	23

*Height calculation for mixed use development contain
1 storey of commercial use at 4 metres per storey

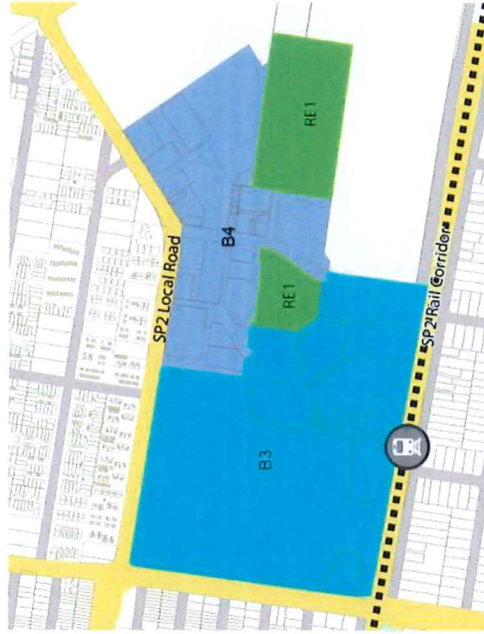
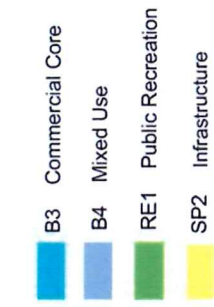


PROPOSED

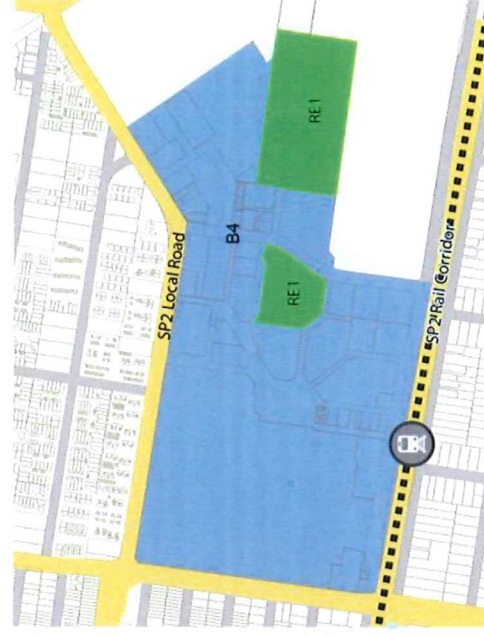
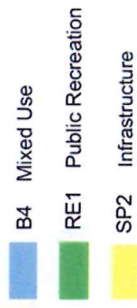


Mount Druitt CBD - land use zones

EXISTING



PROPOSED



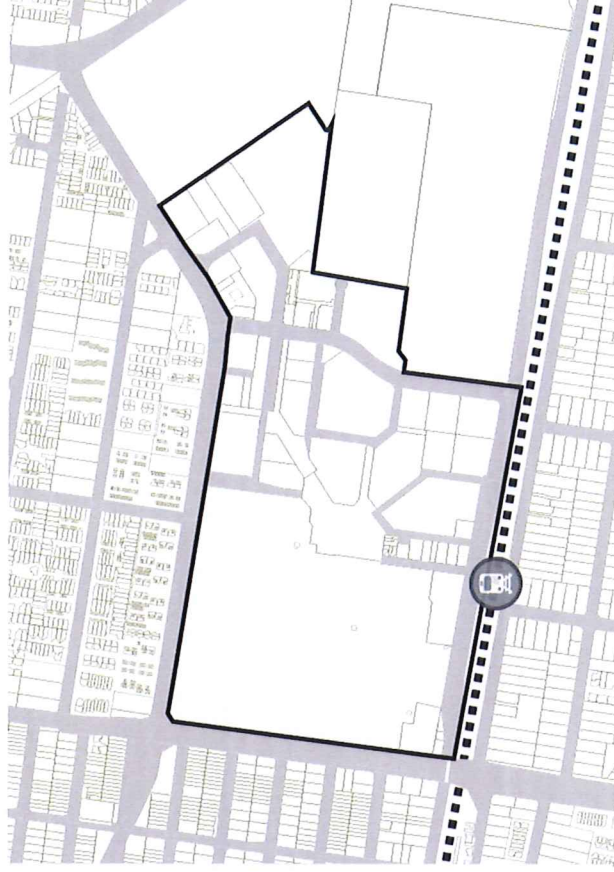
Mount Druitt CBD – floor space ratios

EXISTING



3:1
4:1

PROPOSED



Mount Druitt CBD – height of buildings

EXISTING



PROPOSED

