

BLACKTOWN CITY COUNCIL

PLANNING PROPOSAL

**LEP Amendment to Blacktown Local Environmental Plan 2015
Blacktown and Mount Druitt CBDs**

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PART 1 – Objectives or intended outcomes

At its Ordinary Meeting on 21 October 2015, Council resolved to support the creation of the Blacktown and Mount Druitt CBDs as strong mixed use centres, that are activated by their own substantial residential populations.

Bates Smart and Jones Lang LaSalle (JLL) were engaged to prepare reports that reviewed our existing land use zones, height of building and floor space ratio controls in the two CBDs, to ensure they align with current market expectations and support opportunities for growth.

The review of existing land use zones determined that the B3 Commercial Core zone was no longer an appropriate land use zone for the Mount Druitt CBD as the report did not identify any opportunity for investment grade office development. As there is no opportunity for investment grade office development in the Mount Druitt CBD, this Planning Proposal seeks to replace the B3 Commercial Core zone with the B4 Mixed Use zone. The B4 Mixed Use zone is considered the most appropriate zone to be applied to achieve Council's vision for the Mount Druitt CBD.

The review also determined that the current extent of the B3 Commercial Core zone in the Blacktown CBD, which was established to ensure that Blacktown could be elevated to 'Regional City' status, does not reflect the forecasted demand for investment grade office development and therefore represents a significant oversupply of land zoned for that purpose. As the current extent of the B3 Commercial Core zone does not reflect forecasted demand, this Planning Proposal seeks to reduce the extent of this zone in the Blacktown CBD and replace it with the B4 Mixed Use zone. This is the most appropriate zone to be applied to achieve Council's vision for the Blacktown CBD to be a vibrant centre activated by a substantial high density residential component. To ensure there is land available for future investment grade office development within the Blacktown CBD, approximately 4.5 hectares of land will remain zoned B3 Commercial Core.

The Planning Proposal also seeks to:

- increase building heights in both CBDs to make developments more viable
- introduce incentive building heights for key and gateway sites in both CBDs, if additional community infrastructure is provided and an architectural design competition has been undertaken
- remove FSR controls that apply in both CBDs. The removal of the FSR controls will alleviate the conflict that arises between the FSR and Height of Building controls, when an applicant cannot achieve the maximum FSR, due to the Height of Building control.

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and guidelines for preparing Planning Proposals published by the Department of Planning and Environment (DP & E).

This Planning Proposal relates only to matters to be amended in the Blacktown LEP 2015.

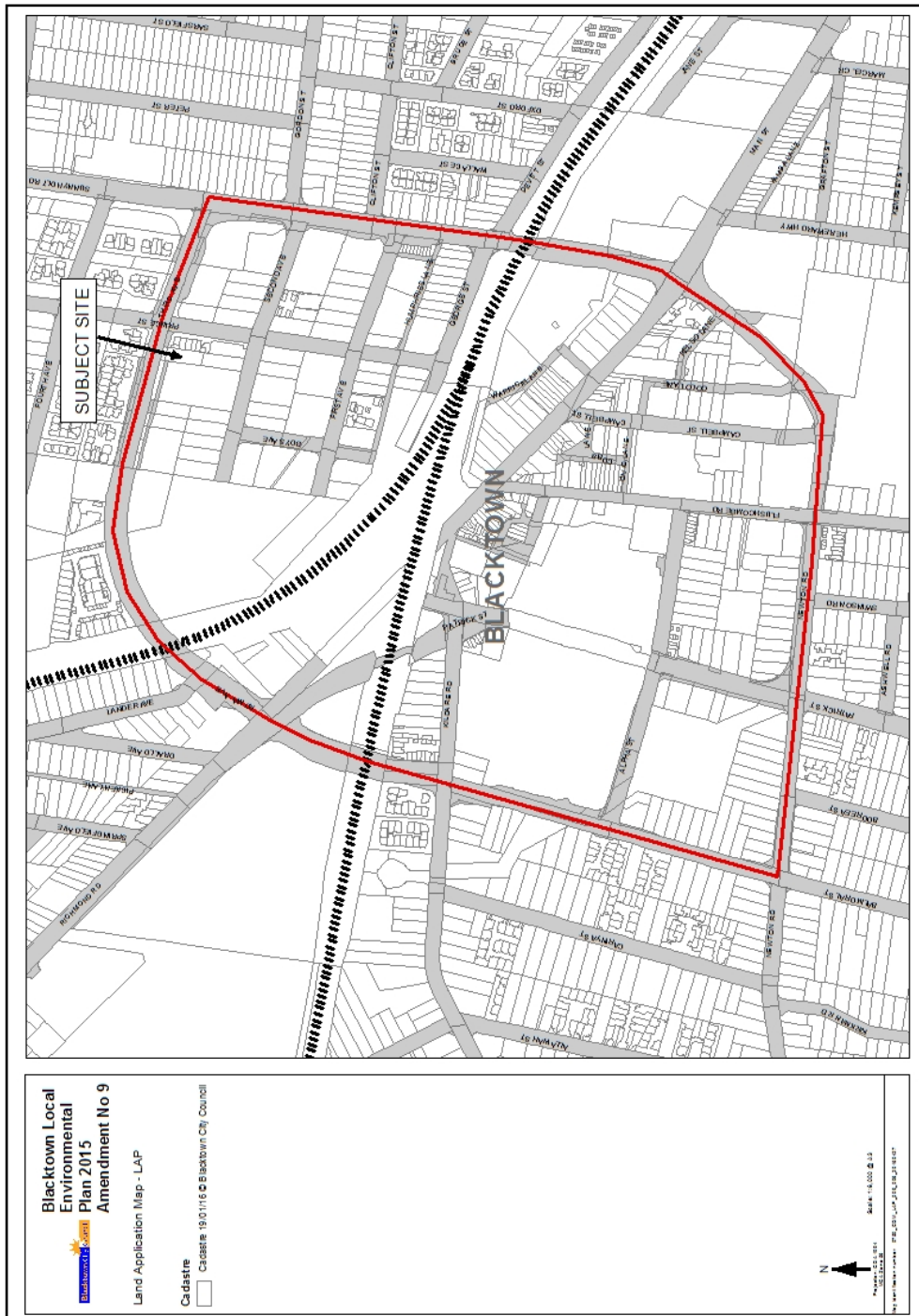
1.1 Applicable land

The Planning Proposal applies to land known as the Blacktown CBD (refer to Figure 1) and the Mount Druiitt CBD (refer to Figure 2).

a. Blacktown CBD

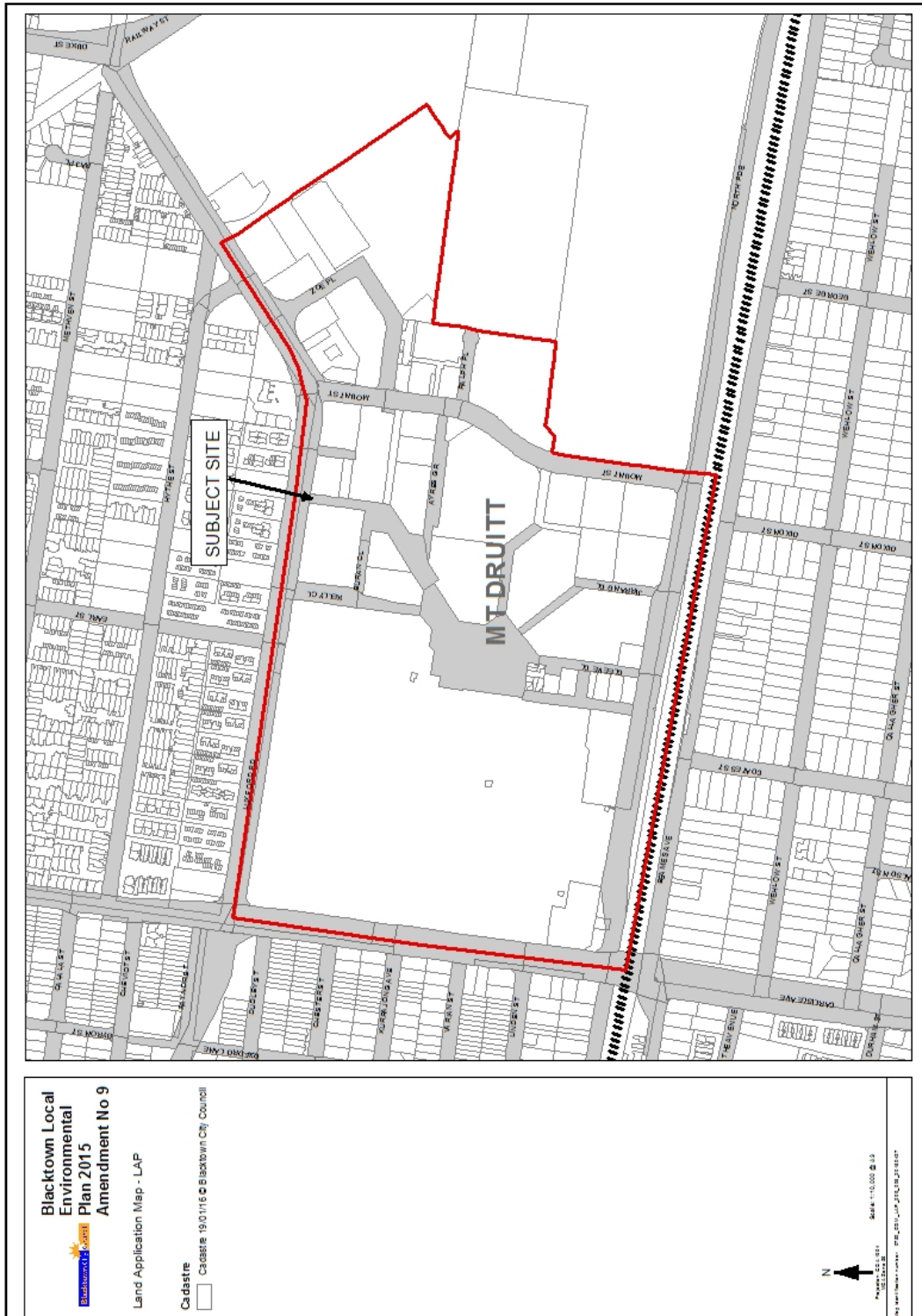
The Blacktown CBD is defined by a ring road formed by Third Avenue, Sunnyholt Road, Newton Road and Balmoral Street as shown below.

Figure 1 Blacktown CBD



The Mount Druitt CBD is defined by Luxford Road, the boundary of Mount Druitt Hospital, the western boundary of the town centre reserve, Mount Street, North Parade and Carlisle Avenue as shown below.

Figure 2 Mount Druitt CBD



1.2 Current planning controls

The Blacktown and Mount Druitt CBDs are currently zoned a combination of B3 Commercial Core, B4 Mixed Use, SP 2 Infrastructure and RE1 Public Recreation in the Blacktown Local Environmental Plan 2015. The current planning controls are shown in Figures 3, 4, 5, 6, 7 and 8. The complete planning controls are available at www.legislation.nsw.gov.au.

Figure 3 Existing land zonings in the Blacktown CBD

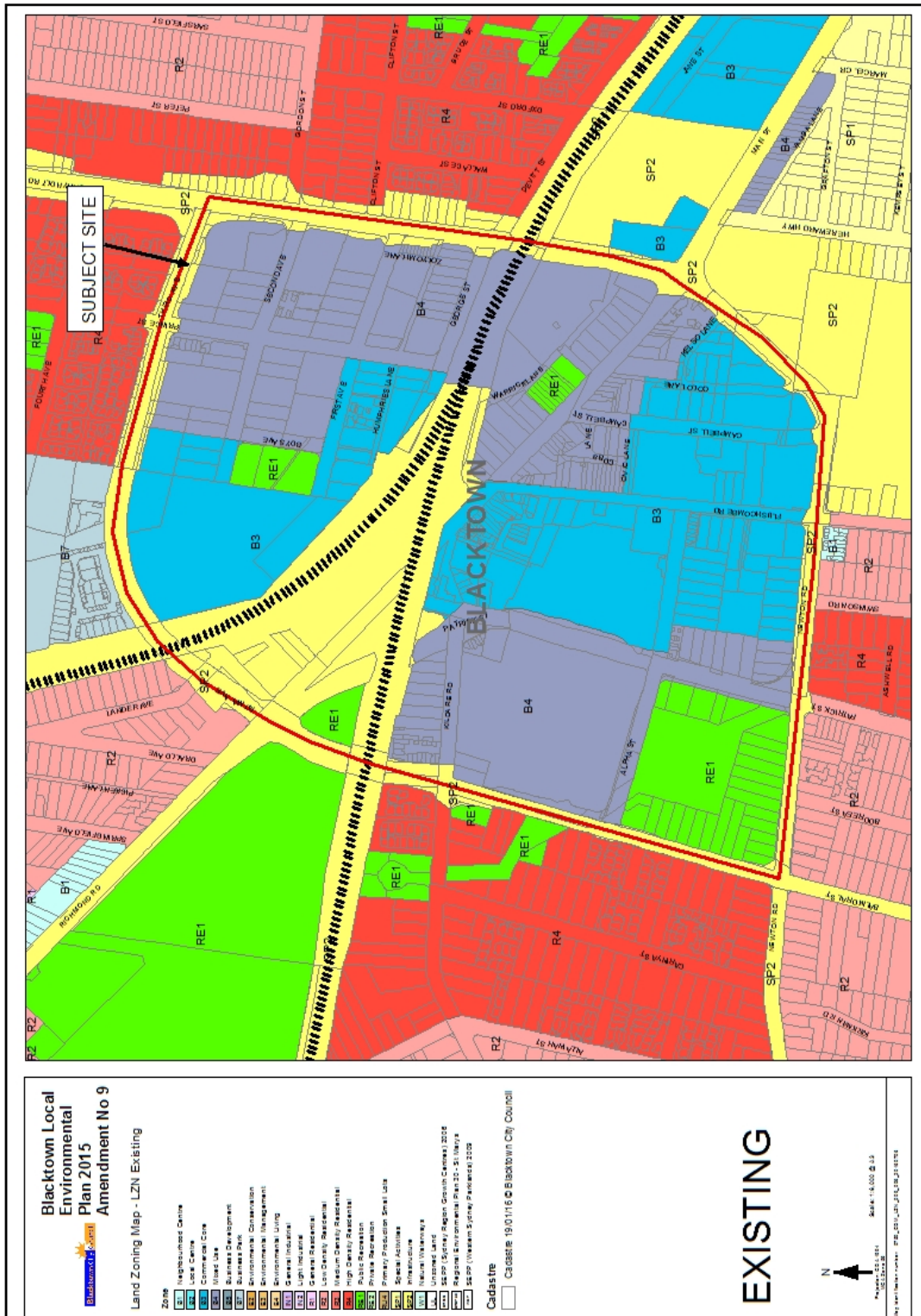


Figure 4 Existing Height of Building controls in the Blacktown CBD

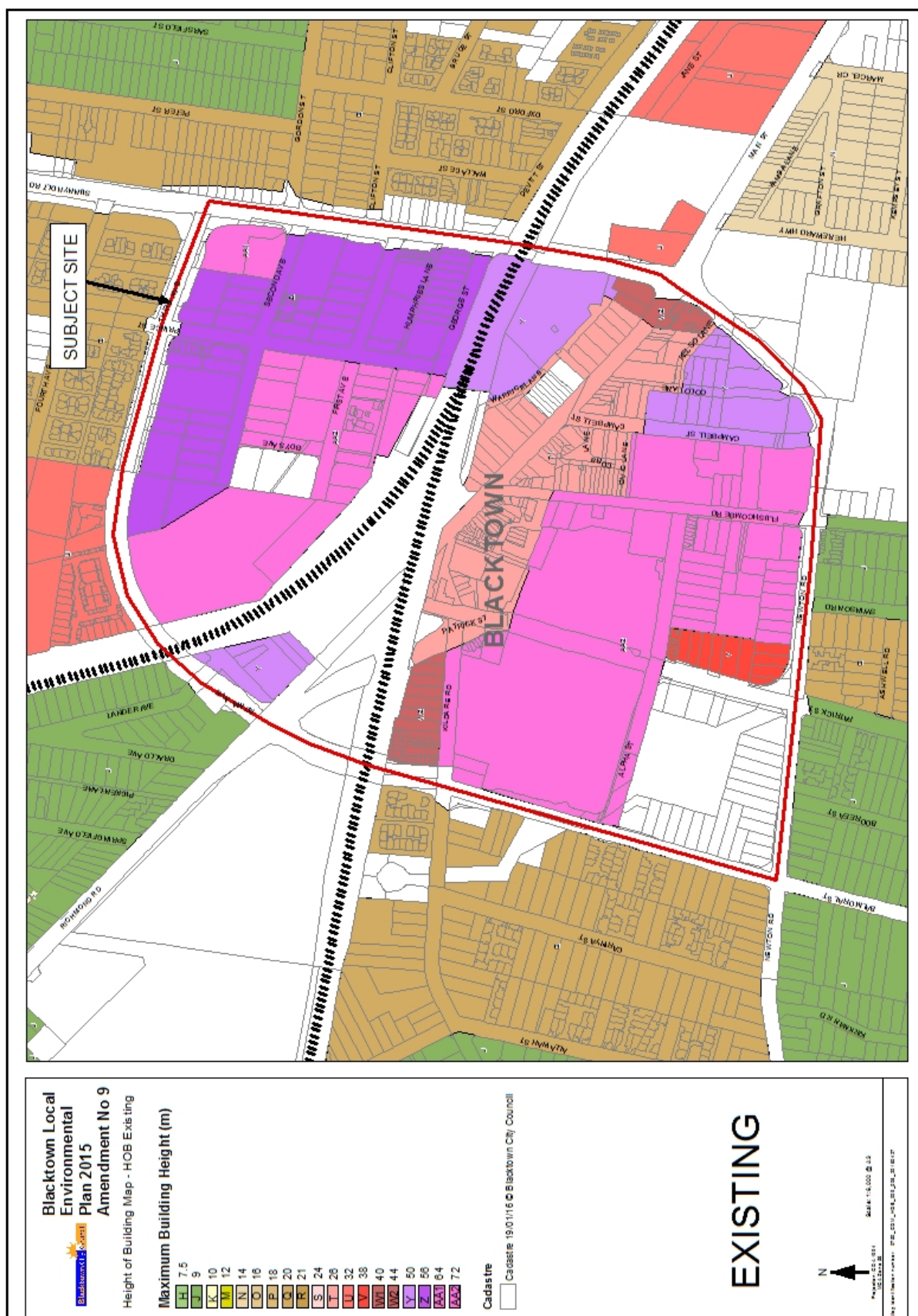


Figure 5 Existing Floor Space Ratio controls in the Blacktown CBD

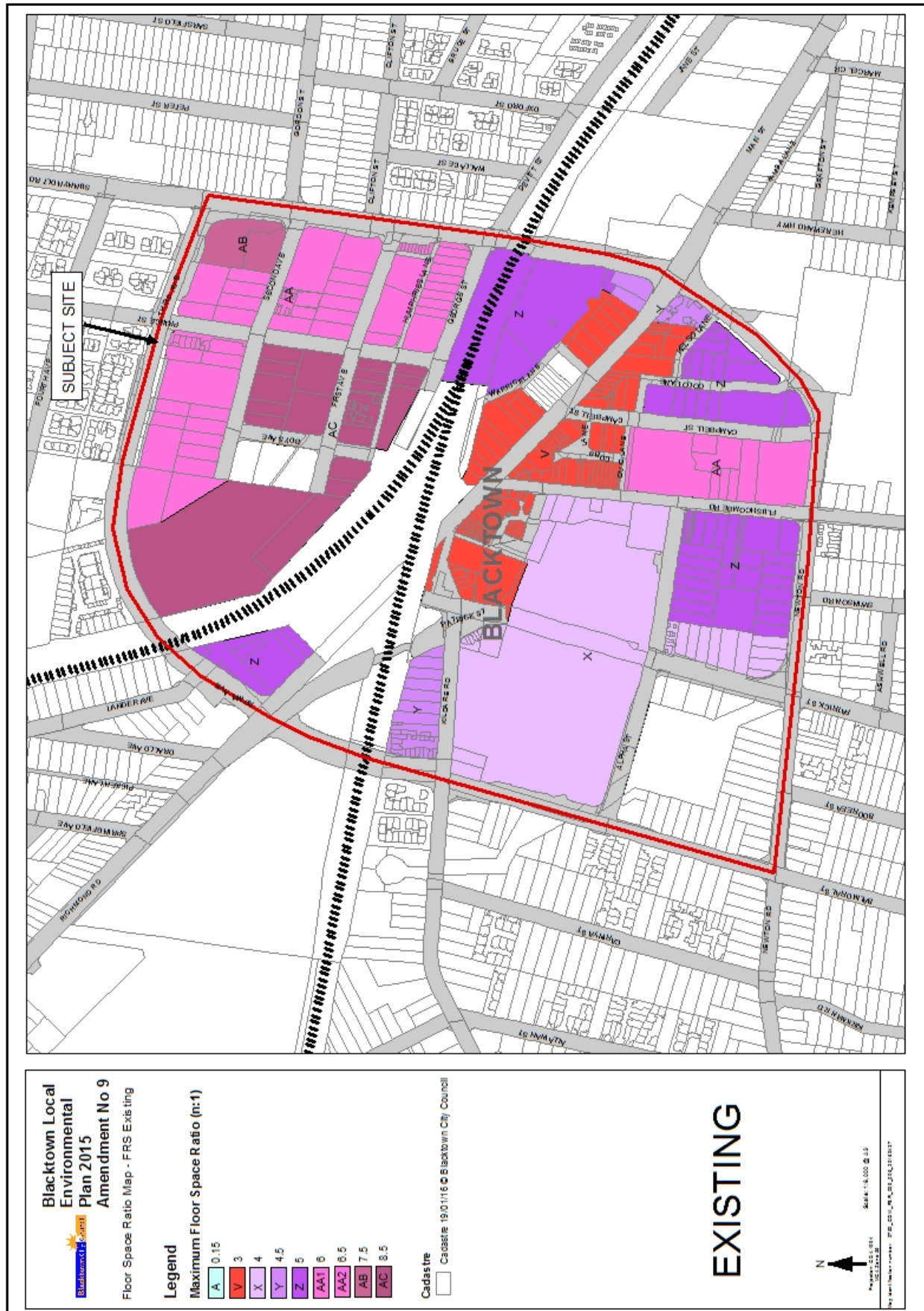


Figure 6 Existing land use zonings in the Mount Druitt CBD

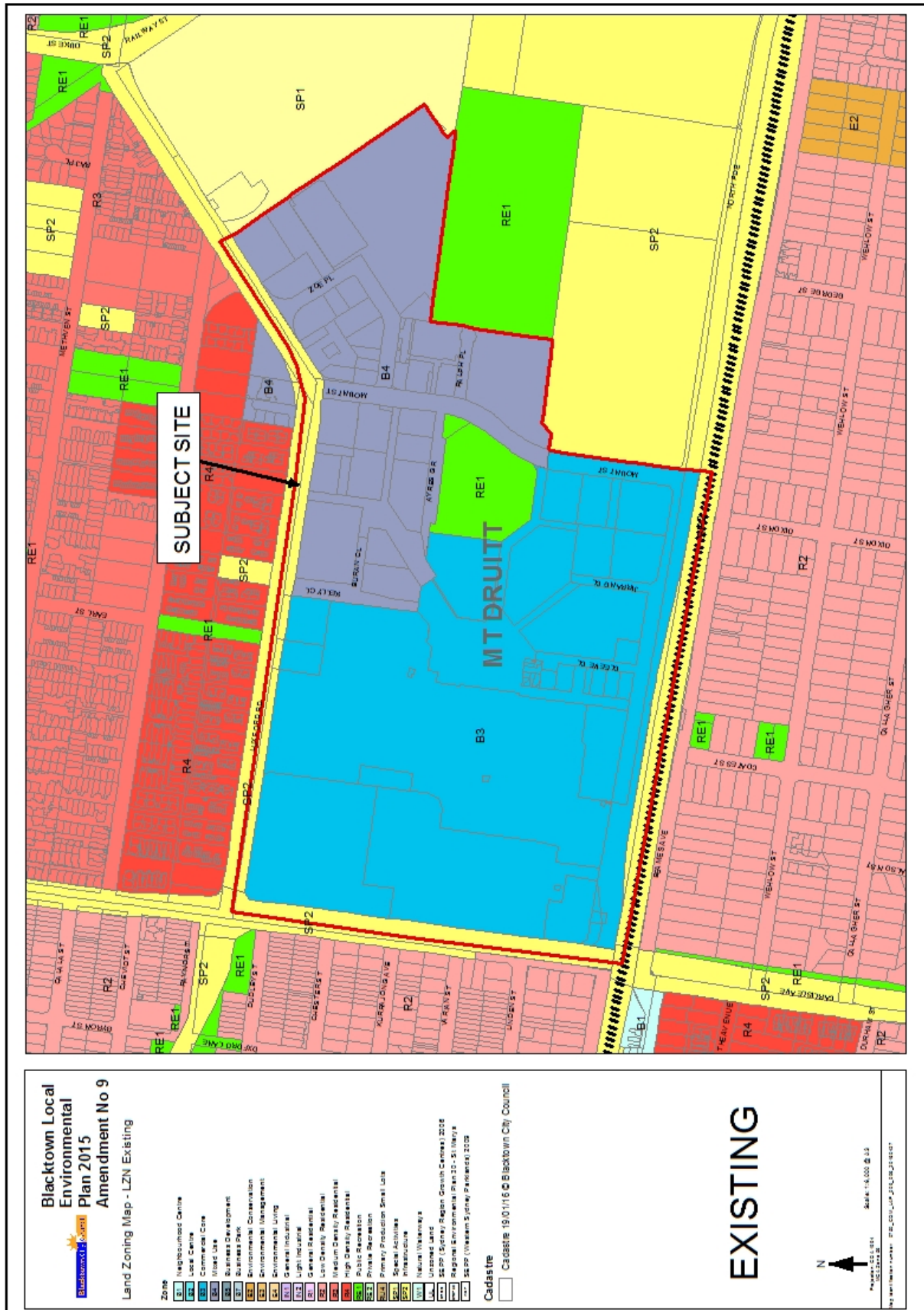


Figure 7 Existing Height of Building controls in the Mount Druitt CBD

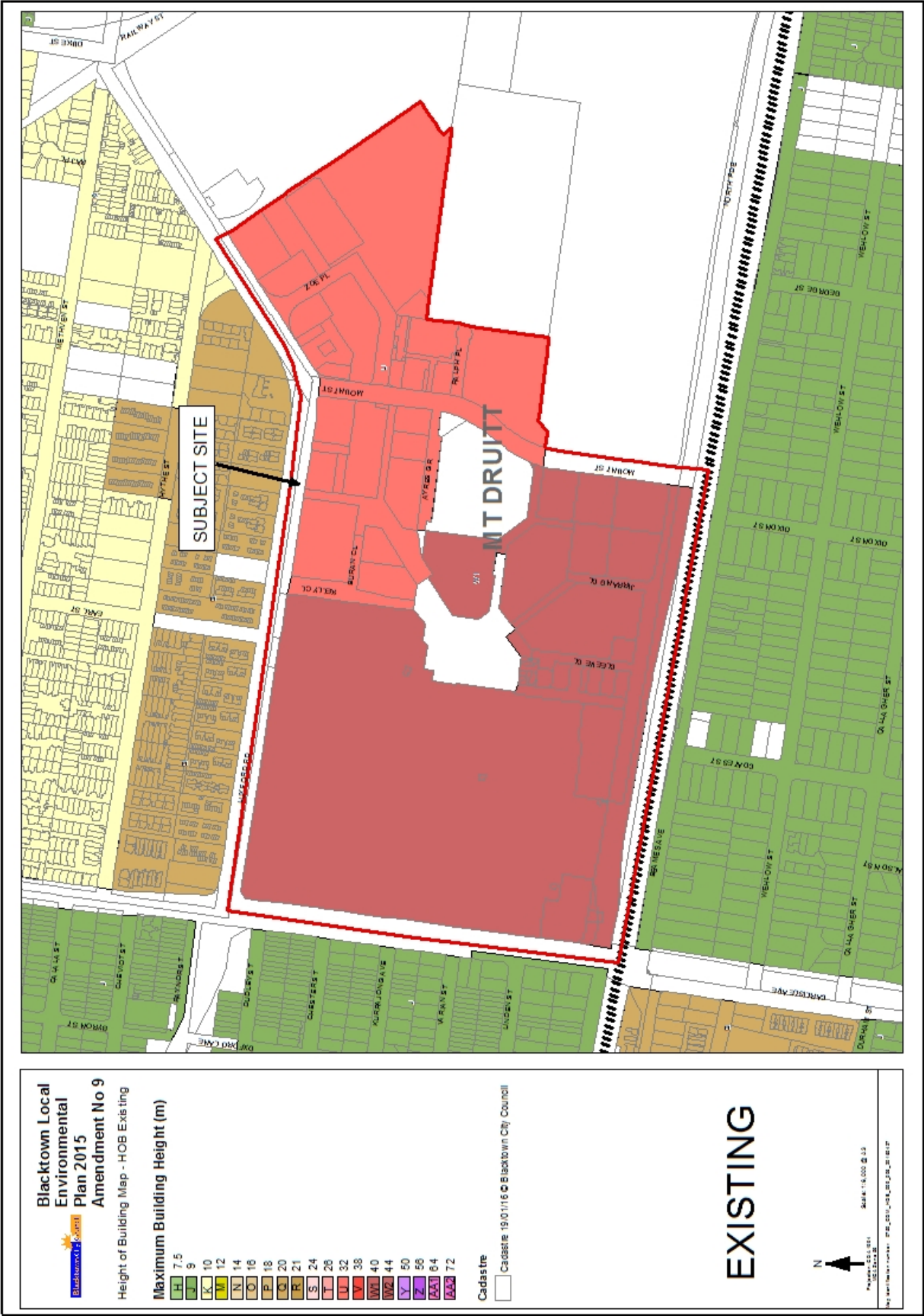
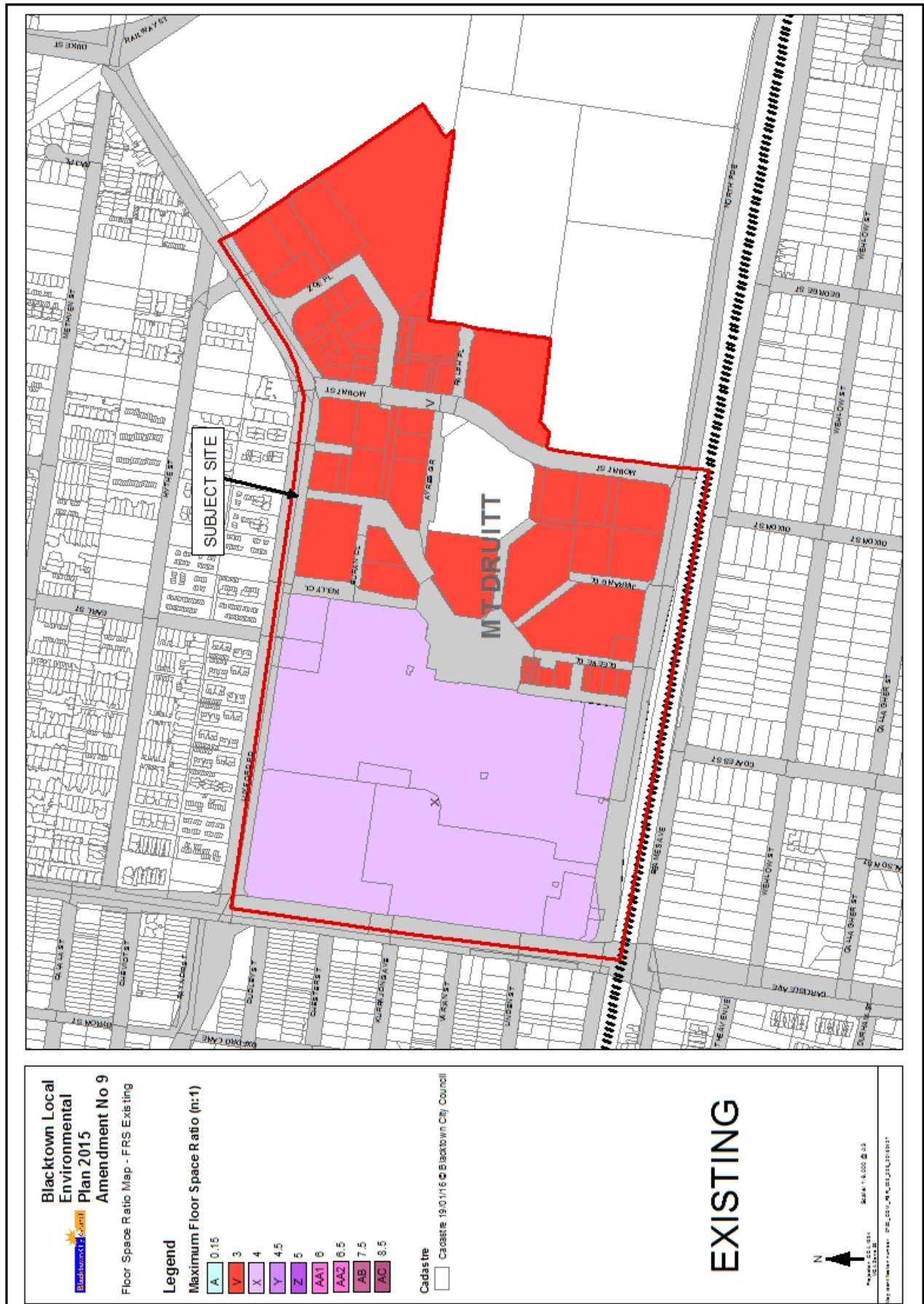


Figure 8 Existing Floor Space Ratio controls in the Mount Druitt CBD



PART 2 – Explanation of provisions

2.1 Amendments to the Land Use Zoning, Height of Building and FSR maps in Blacktown LEP 2015

This Planning Proposal seeks the following amendments to maps in Blacktown LEP 2015:

- remove the B3 Commercial Core zone that applies to land within the Mount Druitt CBD and rezone that land to B4 Mixed Use
- reduce the area of land zoned B3 Commercial Core in the Blacktown CBD to the area shown on the proposed Land Zoning Map and apply the B4 Mixed Use zone
- rezone the northern side of Kildare Road, between Patrick Street, Balmoral Street and the Western Railway Line, in the Blacktown CBD from B4 Mixed Use to B3 Commercial Core
- increase the building heights in both CBDs as shown on the proposed Height of Building Maps in Figures 10 and 15 and as detailed in Table 1
- remove the FSR controls for the Blacktown and Mount Druitt CBDs.

2.2 Addition of incentive Height of Building maps to Blacktown LEP 2015 for the Blacktown and Mount Druitt CBDs

This Planning Proposal also seeks to add incentive height of buildings maps to Blacktown LEP 2015. The objectives of these maps are to:

- nominate Key Sites and Gateway Sites in the Blacktown CBD, where additional heights of 20m will be considered where design excellence is achieved through an Architectural Design Competition
- nominate Key Sites and Gateway Sites in the Mount Druitt CBD, where additional heights of 16m will be considered where design excellence is achieved through an Architectural Design Competition.

2.3 Insertion of Clause 7.15 incentive heights for Key Sites and Gateway Sites in the Blacktown and Mount Druitt CBDs into BLEP 2015

This Planning Proposal seeks to insert the following new clause into Part 7 of Blacktown LEP 2015 to achieve Council's vision for Key Sites and Gateway Sites.

Clause 7.15 Incentive heights for Key Sites and Gateway Sites in the Blacktown and Mount Druitt Central Business Districts

- (1) This clause applies to land identified on the Blacktown Incentive Height of Buildings Map and the Mount Druitt Incentive Height of Buildings Map.
- (2) The objective of this clause is to encourage additional commercial and/or residential development in the Blacktown and Mount Druitt Central Business Districts that achieves design excellence through an architectural design competition.
- (3) The consent authority may approve development that achieves the maximum height of buildings nominated on the Blacktown Incentive Height of Buildings Map and the Mount Druitt Incentive Height of Buildings Map, if an architectural design competition has been held to the satisfaction of Council in relation to the proposed development

Note. Council will prepare a Development Guideline to provide details on the architectural design competition requirements.

2.4 Detailed mapping amendments

Table 1 Description of map amendments

Blacktown Local Environmental Plan 2015		Proposed Amendment
Land Zoning	LZN 008	Remove B3 zone from map and replace with B4 zone
	LZN 013	- Remove B3 zone from map replace with B4 zone for the area north of the Western Railway line - Replace B4 zone with B3 zone for the area bounded by Balmoral Street, Kildare Road, Patrick Street and the Western Railway Line.
	LZN 014	- Replace B3 zone with B4 zone for the site bounded by Flushcombe Road, Newton Road, Patrick Street and Alpha Street. - Replace B3 zone with B4 zone for the block bounded by Flushcombe Road, Civic Lane, Campbell Street and Newton Road. - Replace B3 zone with B4 zone for the block bounded by Campbell Street, Newton Road and Colo Lane including lots. - Replace B3 zone with B4 zone for the block bounded by Kelso Lane, Newton Road and Colo Lane
Floor Space Ratio Map	FSR 008	FSR controls deleted
	FSR 013	FSR controls deleted
	FSR 014	FSR controls deleted
Height of Building Map	HOB 008	See Figure 14 (page 34) for details
	HOB 013	- For sites where height control AA2 applies, it is proposed that the height control be increased from 72 metres to 80 metres - For the site where height control AA1 64 metres applies, height control AA2 80 metres is proposed - For sites on Kildare Road where height control Z 56 metres applies, height control AA2 80 metres is proposed - For the site where height control Y 50 metres applies, height control AA2 80 metres is proposed - For the site where height control W2 44 metres applies, height control AA2 80 metres is proposed - For sites on the southern side of Main Street where height control T26 metres applies, height control Y 50 metres is proposed
	HOB-014	For sites where height control AA2 applies, it

Blacktown Local Environmental Plan 2015		Proposed Amendment
		is proposed for this height control be increased from 72 metres to 80 metres • For sites on the southern side of Main Street where height control T26 metres applies, height control Y 50 metres is proposed • For the sites on Campbell Street, Colo Lane, Kelso Lane and Newton Road where a height control Y 50 metres applies, height control AA1 64 metres is proposed. • For parts of the Warrick Lane Car Park where a height control Y 50 metres applies, height control AA2 80 metres is proposed. • For the site on the southern corner of Main Street and Newton Road where height control W2 44 metres applies, the height of building control Y 50 metres is proposed • For the site on the northern corner of Main Street and Sunnyholt Road where height control W2 44 metres applies, the height of building control AA2 80 metres is proposed
Incentive Height of Buildings Map	IHOB-008	• Add a 40m x 40m parcel on Lot 100 DP 1036517, that is located on the corner of Carlisle Avenue and Luxford Road, as a Gateway Site • Add Lot 3 DP 631037 as a Gateway Site • Add Lot 3 DP 719982 as a Gateway Site • Add Lot 13 DP 775622 as a Key Site
	IHOB-013	• Add Lot 1 DP 1132726 on the corner of Sunnyholt Road and Third Avenue as a Gateway Site • Add a 40m x 40m parcel on Lot 2022 DP 864788, that is part of the Blacktown RSL site and is directly adjacent to the Richmond Railway Line on Third Avenue, as a Gateway Site • Add a site that is bounded by the Richmond Railway Line, Third Avenue and Richmond Road as a Gateway Site.
	IHOB-014	• Add Lot 100 DP 740238 as a Gateway Site • Add site on the northern corner of Main Street and Sunnyholt Road as a Gateway Site • Add site bounded by Warrick Lane, Sunnyholt Road and the Western Railway Line as a Key Site • Add site bounded by Flushcombe Road, Newton Road, Patrick Street and Alpha Street as a Key Site

PART 3 – Justification

3.1 Section A – Need for the Planning Proposal

Is the Planning Proposal a result of any strategic study or report?

Council commissioned Jones Lang LaSalle to analyse the current and future demand for and supply of residential and commercial development in both the Blacktown and Mount Druitt CBDs. In summary, the Jones Lang LaSalle report, titled *Appraisal and Economic Feasibility of Blacktown and Mount Druitt CBDs*, identified the following:

- there is very little opportunity for investment grade office development in the Mount Druitt CBD, and limited opportunity in the Blacktown CBD
- that population growth will increase the demand for support office development, which services the local population
- mixed use development could stimulate redevelopment
- a portion of the commercial core in the Blacktown CBD should be retained to provide for longer term commercial opportunities
- the forecast for dwelling uptake to 2031 is 216 dwellings per annum for the Blacktown CBD
- the forecast for investment grade office development in the Blacktown CBD to 2031 is 500 sqm per annum
- the forecast for retail growth for Blacktown is a GLAR (Gross Lettable Area Retail) of 3,178 sqm per annum. There are significant medium to long term retail opportunities, driven by population growth
- the forecast for GLAR in Mount Druitt is 1,760 sqm per annum. This demand will increase as population increases in Mount Druitt.

An architectural and urban design study was also undertaken by Bates Smart Architects, collaborating with Planning Lab, titled *Blacktown & Mount Druitt CBD Studies*. The study identifies particular areas within the two CBDs as Key Sites and Gateway Sites. Key Sites refer to areas of the CBD which are the focal point of pedestrian crosslinks, whereas Gateway Sites identify sites which should have a high level of architectural excellence.

For the Blacktown CBD, Bates Smart recommended:

- the reduction in the extent of the B3 zone to the area south of Main Street, bounded by Patrick Street, Flushcombe Road and Alpha Street
- the removal of FSR controls
- the nomination of the Kmart block located to the south of Alpha Street, bounded by Patrick Street, Newton Road and Flushcombe Road, as a Key Site where an 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.

Council, at its Ordinary Meeting held on 6 July 2016, resolved to 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 to the Council report and apply the B4 Mixed Use zone to land that will not remain zoned B3
- 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
- increases building heights in the Blacktown and Mount Druitt CBDs as delineated on the proposed height of building maps at attachment 3 to the Council report (Figures 10 and 15 of this Planning Proposal)
- removes FSR controls for the Blacktown and Mount Druitt CBDs
- nominates Key Sites and Gateway Sites on the maps at attachment 3 to the Council report (Figures 12 and 17 of this Planning Proposal), 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.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal which seeks to rezone parts of the Blacktown and Mount Druitt CBDs from B3 Commercial Core to B4 Mixed Use is the best means to achieve Council's vision to support the creation of the Blacktown and Mount Druitt CBDs as strong mixed use centres that are activated by their own residential populations, as:

- the reduction or removal of the B3 Commercial Core zone, to be replaced by the B4 Mixed Use zone, will provide greater opportunity for residential development to occur
- increased building heights in both CBDs aim to make new developments more viable
- the introduction of incentive building heights for Key and Gateway Sites in both CBDs will allow for additional community infrastructure to be provided to support increased density
- the removal of FSR controls will alleviate the conflict that arises between FSR and Height of Building controls, when an applicant cannot achieve the maximum FSR due to the Height of Building control.

3.2 Section B – Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Strategy

A Plan for Growing Sydney is the NSW Government's metropolitan strategy for Sydney, published in December 2014. Relevant directions from *A Plan for Growing Sydney* are noted at Table 2 below.

A Plan for Growing Sydney Strategic Directions and Policy Settings	Consistency / Response
Goal 1: A competitive economy with world-class services and transport	
Direction 1.4 Transform the productivity of Western Sydney through growth and investment - Growth targeted towards strategic centres - New jobs close to centres; access to knowledge jobs in centres	Yes Although the Planning Proposal calls for the reduction in the extent of the B3 zone in the Blacktown CBD and the removal of the B3 zone from the Mount Druitt CBD, Council's economic analysis provides evidence that there will be sufficient land available in both centres to support the limited employment growth that is predicted to occur in the future.
Direction 1.7 Grow strategic centres – providing more jobs closer to home - Focus growth in strategic centres and transport corridors - Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity	Yes The Planning Proposal seeks to rezone most of the B3 Commercial Core zoned land in the Blacktown CBD and all of the B3 zoned land in Mount Druitt to B4 Mixed Use. This will facilitate mixed use development, allowing for a larger resident population in both CBDs, with sufficient land available to ensure employment growth meets future demand. Growth is focussed around both CBDs which are serviced by high frequency public transport.
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles	
Direction 2.1: Accelerate housing supply across Sydney - An additional 664,000 dwellings required across Sydney over the next 20 years - Action 2.1.1 Accelerate housing supply in and around strategic centres	Yes The rezoning will release an additional 24 hectares of land within the Mount Druitt Town Centre and an additional 12 hectares in the Blacktown CBD for mixed use development which will permit the construction of shop top housing.
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs - The government will support Council-led urban infill and local efforts to lift housing production around centres - New housing for centres that have public transport able to carry large numbers	Yes The rezoning will release an additional 24 hectares of land within the Mount Druitt Town Centre and an additional 12 hectares in the Blacktown CBD for mixed use development which will permit the construction of shop top

A Plan for Growing Sydney Strategic Directions and Policy Settings	Consistency / Response
New housing in strategic centres	housing.
Direction 2.3: Improve housing choice to suit different needs and lifestyles	Yes
Research indicates a shortage of apartments in outer Sydney	The rezoning will release land for mixed use development which will permit the development of shop top housing in a range of different forms.
Provisions for the West Central Sub Region	Consistency / Response
<i>Accelerate housing supply, choice and affordability and build great places to live</i>	
Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line, Sydney Rapid Transit and bus T-Ways	Yes Both the Blacktown and Mount Druitt CBDs are located on major transport corridors. The rezoning will permit the construction of shop top housing which will increase residential development in key centres. Local supply and demand are matched as there is sufficient space available for employment growth, which will be activated by the demands of the increased population.
PRIORITIES FOR STRATEGIC CENTRES – BLACKTOWN	
Work with council to retain a commercial core in Blacktown as required, for long term employment growth	Over 5 hectares of land will remain zoned B3 Commercial Core, with a Height of Building control of 80 metres to provide sufficient capacity for long term employment growth.
Work with council to provide capacity for additional mixed use development in Blacktown including offices, retail, services and housing	The rezoning will release an additional 24 hectares of land within the Mount Druitt Town Centre and an additional 12 hectares in the Blacktown CBD for mixed use development, which will permit the construction of shop top housing.

Draft District Plan

The Draft West Central District Plan is the district strategy that applies to the Blacktown LGA. It was released in November 2016. Relevant priorities from the Draft District Plan that relate to this Planning Proposal are noted at Table 3 below.

Draft West Central District Plan Directions and Policy Settings	Consistency / Response
Relevant priorities for 'A Productive City'	
Productivity Priority 3 Manage growth and change in strategic and district centres and, as relevant local centres.	The Planning Proposal is consistent with this Priority. The Planning Proposal zones land in the Blacktown CBD B3 Commercial Core zone to support the operation and viability of non-

Draft West Central District Plan Directions and Policy Settings	Consistency / Response
	residential uses including local office markets. The Planning Proposal provides the capacity to achieve the job targets set for the Blacktown CBD by zoning land in the Blacktown CBD either B3 or B4 and applying generous height of building controls. These planning controls ensure there is sufficient floor space available to meet the future demand for retail services, health and medical services, support office accommodation, as well as, investment grade office development. Whilst the Planning Proposal removes the B3 Commercial Core zone from Mount Druitt, the job target set for Mount Druitt can still be achieved within the B4 Mixed Use zone, as it is forecasted that most of the jobs growth in Mount Druitt will occur in retail services or support office services.
Productivity Priority 6: Grow economic activities in Blacktown Strategic Centre	The Planning Proposal is consistent with this Priority. Whilst the Planning Proposal proposes to reduce the amount of land zoned B3 in the Blacktown CBD, over 5 hectares of land will remain zoned B3 Commercial Core. A Height of Building control of 80 metres provides sufficient capacity for long term employment growth. The B4 Mixed Use Zone will provide sufficient capacity to grow economic activities in the Blacktown CBD by providing capacity for growth in retail floor space, support office development and residential development. It is important to note that Council is a key landowner in the Blacktown CBD. Council can grow economic activities within the Blacktown CBD and respond to any target set for either employment or housing through the redevelopment of its own land holdings.

Draft West Central District Plan Directions and Policy Settings	Consistency / Response
Productivity Priority 8: Prioritise the provision of retail floor space in centres	The Planning Proposal is consistent with this Priority. There is a forecasted retail growth of 3,178sqm per annum Gross Lettable Area Retail for the Blacktown CBD. The planning proposal ensures that there will be over 40 hectares of land zoned where retail floor space is permissible. There is a forecasted demand for is 1,760sqm per annum of Gross Lettable Area Retail in Mount Druitt. The planning proposal ensures that there will be over 38 hectares of land zoned where retail floor space is permissible. This quantum of land, combined with generous height of building controls should ensure there is sufficient land available to cater for the predicted growth in retail floor space in the Blacktown and Mount Druitt CBDs.
Relevant priorities for 'A Liveable City'	
Livability Priority 1: Deliver West Central District's five-year housing supply target	The Planning Proposal is consistent with this Priority. The Planning proposal increases the capacity of residential development in the Blacktown and Mount Druitt CBDs by increasing the area of land where shoptop housing is permissible and by increasing the Height of building controls in each centre.
Livability Priority 2: Deliver housing diversity	The Planning Proposal is consistent with this Priority. Providing increased capacity for residential development in the Blacktown and Mount Druitt CBDs should promote greater housing diversity through the provision of an increased supply of apartments. Higher Height of Building controls should also promote greater housing diversity through a more diverse supply of apartment type as developers are more likely to supply 3 and 4 bedroom dwellings in taller apartment buildings due to the views offered by these taller

Draft West Central District Plan Directions and Policy Settings	Consistency / Response
	buildings.
Livability Priority 3: Implement the Affordable Rental Housing Target	There is no current local or District housing strategy that has identified current or future need for affordable rental housing in the Blacktown or Mount Druitt CBDs. There are also no guidelines developed by the Greater Sydney Commission or Department of Planning on how the affordable rental housing target will be implemented at the rezoning stage.

Is the Planning Proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

Blacktown City 2030 – City of Excellence is Council's Community Strategic Plan. It establishes a framework to enable Council to manage the future growth of the City. This Plan was released in 2013, before Council's decision to not pursue Regional City Status for Blacktown.

The relevant Strategic Directions and trigger projects are responded to in the Table below.

Blacktown City 2030 – City of Excellence Strategic Directions	Consistency/Response
A vibrant and inclusive City Ensure that our local communities continue to be welcoming, vibrant and inclusive, individuals and groups achieve their potential and the City prospers as a centre of culture, art and learning	This Planning Proposal will facilitate mixed use development, including shop top housing. The intention is to create a vibrant city with an active night-time economy. A mix of residential and employment uses activating the CBD will serve and benefit the whole City.
A growing city supported by infrastructure Provide well-planned and liveable neighbourhoods with housing that meets the diverse needs for our growing community and is supported by transport and infrastructure that serves our current and future needs	This Planning Proposal will increase the numbers of dwellings created in the two CBDs. Regard for the public domain will provide an attractive and liveable urban environment.

Blacktown City 2030 – City of Excellence TRIGGER PROJECTS	Consistency/Response
Blacktown City Centre To provide a mix of business, employment, recreation, health, cultural, entertainment and education uses that promote a vibrant City Centre	This Planning Proposal will permit an increase in the number of dwellings within the two CBDs, which will support businesses, and health, cultural, entertainment and education uses. The B4 Mixed Use zone will also create an active city, with ground floor commercial uses providing space for support offices, health services and hospitality.

Is the Planning Proposal consistent with the applicable state environmental planning policies?

State Environmental Planning Policy	Consistency/Response
SEPP 32 – Urban Consolidation (Redevelopment of Land)	Yes This Planning Proposal will promote the orderly and economic development of land by enabling mixed use development of existing commercially zoned land that has failed to be developed under existing planning controls.
SEPP 55 – Remediation of Land	Yes Clause 6 of SEPP 55 requires that, in preparing an environmental planning instrument, a planning authority is not to include in a zone any land that would permit a change of use to land that is: • in an investigation area; or • land in which a contaminating activity as identified in the contaminated land planning guidelines and is known to have been carried out; or • the proposed use includes residential use, unless there is no knowledge of prior contaminating use on the land, and on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge). There is no knowledge of prior contaminating uses on the land and the shop top housing uses are therefore in compliance with this SEPP.
SEPP 64 - Advertising and Signage	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.

Is this Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Number	Directions/Objectives	Consistency/Response
1 Employment and Resources		Consistent
1.1 Business and Industrial Zones		
	(4)(c) requires that a Planning Proposal that will affect land within an existing business zone must not reduce the total potential floor space area for employment uses and related services in business zones .	This Planning Proposal seeks to rezone a proportion of the B3 Commercial Core zoned land in the Blacktown CBD, and all the B3 Commercial Core zoned land in the Mount Druitt CBD, to B4 Mixed Use. Total potential floor space

Number	Directions/Objectives	Consistency/Response
(5)(b)	permits a Planning Proposal to be inconsistent with this direction where justified by a study (prepared in support of the Planning Proposal) which gives consideration to the objectives of this direction.	for employment uses has not been reduced. The increased B4 Mixed Use zone will allow for a larger resident population in the two CBDs, which will increase the demand for retail and support services. This will in turn spur increased commercial development in both CBDs. The economic study has shown that the demand for investment grade office development is minimal, if at all, in Mount Druitt and very limited in Blacktown. Commercial development is mainly support offices, servicing the residential community. The increased demand provided by an expanded residential population would therefore create more jobs in both CBDs.
2. Environment and Heritage 2.3 Heritage Conservation A Planning Proposal must contain provisions that facilitate the conservation of: (4)(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area. (5) A Planning Proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land .	Yes The Planning Proposal does not seek to change the existing Standard Instrument clause contained in Blacktown LEP 2015, Clause 5.10 Heritage Conservation and does not remove any listed heritage items in the two CBDs.	
3. Housing, Infrastructure and Urban Development 3.1 Residential Zones (4) A Planning Proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and	Yes The proposed B4 Mixed Use zone will substantially increase the supply of land for shop top housing.	

Number	Directions/Objectives	Consistency/Response
	locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A Planning Proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	
3.4 Integrating Land Use and Transport	The objectives of this direction are: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Yes This Planning Proposal is consistent with the objectives of this direction in that it will permit increased mixed use development in the Mount Druitt and Blacktown CBDs, which are highly central and well serviced city centres, close to essential services, amenities and on major public transport routes.
3.5 Development Near Licensed Aerodromes	(4) In the preparation of a Planning Proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, (c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome	Yes The Blacktown and Mount Druitt CBDs are not in the vicinity of a licensed aerodrome. Additionally, they are not in the OLS of Bankstown Aerodrome or the proposed OLS of the Western Sydney Airport.

Number	Directions/Objectives	Consistency/Response
	d) obtain permission from that Department of the Commonwealth, or their delegate, where a Planning Proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.	
4. Hazard and Risk		Yes
4.1 Acid Sulfate Soils		
	The direction requires that: (6) A relevant planning authority must not prepare a Planning Proposal that proposes an intensification of land uses on land identified as having a probability of containing Acid Sulfate Soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulphate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.	No part of the Mount Druitt or Blacktown CBDs are mapped as having Acid Sulfate Soils.
4.3 Flood Prone Land		Yes
	The objectives of this direction are: a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Blacktown CBD has a small area of flood prone land that is contained within one site. However this land has been zoned of a commercial or mixed use purpose since Blacktown LEP 1988. This does not apply to Mount Druitt CBD, as there is no flood prone land in the centre.
6. Local Plan Making		Yes
6.2 Reserving Land for Public Purposes		
	The objectives of this direction are: a) to facilitate the provision of public services and facilities by reserving land for public purposes, and b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	This planning proposal does not seek to reduce the amount of land zoned for open space in the Blacktown or Mount Druitt CBDs.
7 Metropolitan Planning		Yes
7.1 Implementation of <i>A Plan for Growing Sydney</i>		

Number	Directions/Objectives	Consistency/Response
	Planning Proposals shall be consistent with A <i>Plan for Growing Sydney</i>	Consistency with A <i>Plan for Growing Sydney</i> is demonstrated above.

3.3 Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations of ecological communities, or other habitats, will be adversely affected as a result of the proposal?

No impacts. The subject sites are located in the built-up areas of the Blacktown and Mount Druitt centres.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

This Planning Proposal seeks to facilitate Mixed Use development in the Mount Druitt and Blacktown CBDs. It has been prepared according to the vision for those two CBDs as developed by Blacktown Council and not to facilitate any particular development. The environmental impacts of any specific development facilitated by this Planning Proposal would be considered pursuant to a development application.

Has the Planning Proposal adequately addressed any social and economic effects?

The rezoning of the B3 Commercial Core zone to B4 Mixed Use will facilitate an increase in the residential population in both CBDs. This will in turn increase the demand for retail and support office development, offering jobs. The demand for investment grade commercial development, which is suited to B3 Commercial Core zoned land, is minimal. The demand for residential development is strong. The expert report provides the economic rationale for this Planning Proposal and it is attached to this document at **Attachment 1**

An architectural and urban design study was undertaken by Bates Smart Architects to ensure that the impacts of increased building heights would be minimised. Bates Smart recommended locations where building height controls may increase, with consideration to through site linkages. The urban design study is attached to this document at **Attachment 2**.

3.4 Section D – State and Commonwealth interests

Is there adequate public infrastructure for the Planning Proposal?

Blacktown CBD is serviced by the Richmond Railway Line and the Main Western Railway Line and the NorthWest transitway. A local bus interchange is located adjoining the Blacktown Station. Mount Druitt lies on the Main Western Railway Line and a local bus interchange is located adjoining the Mount Druitt train station.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

Relevant State and Commonwealth Public Authorities will be consulted in accordance with any Gateway Determination that may be issued by the Department of Planning and Environment.

Is there a net community benefit?

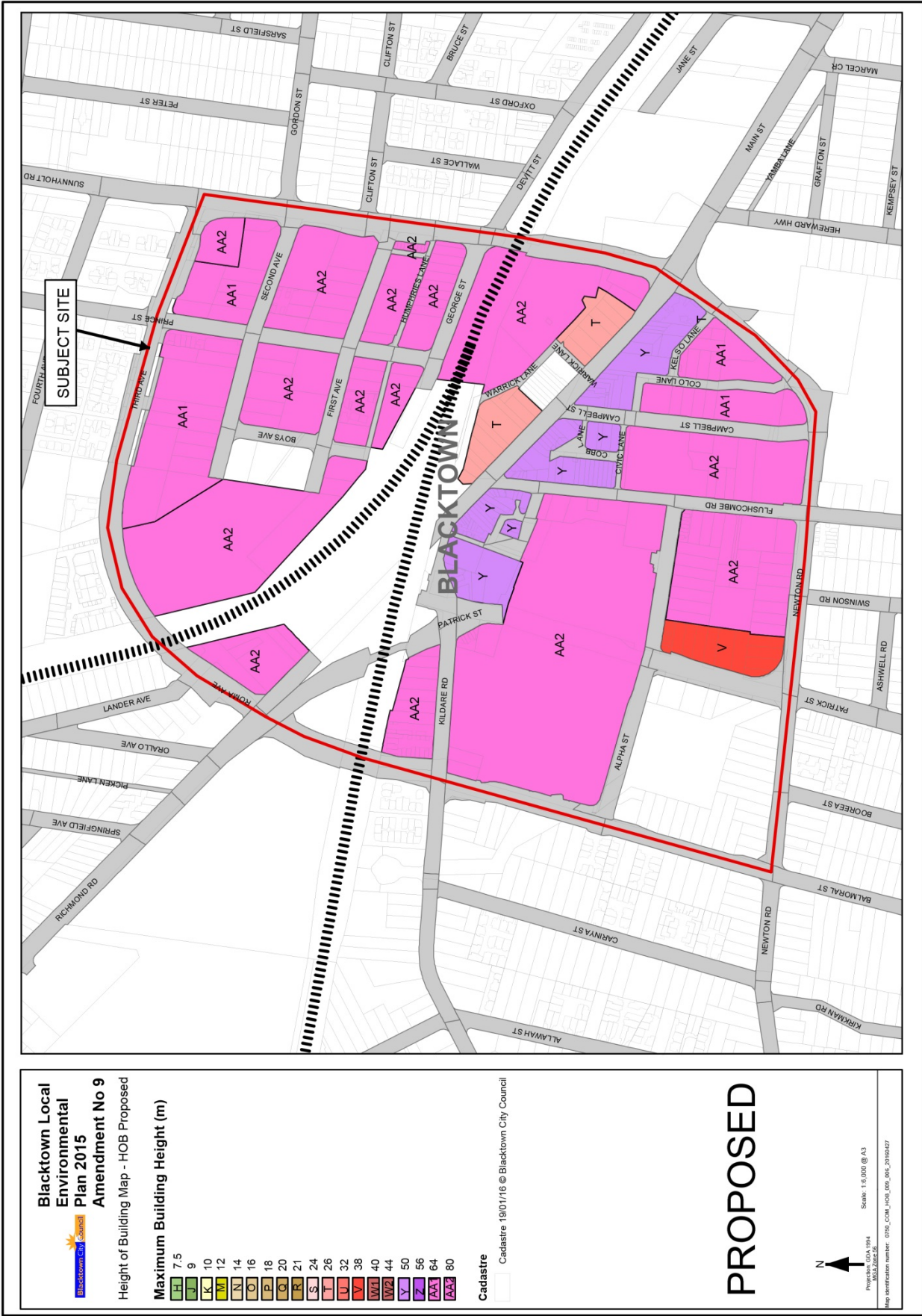
The Planning Proposal will result in a net community benefit as it will encourage mixed use development, servicing the growing population with residential accommodation and retail and support office development, needed by the local population.

PART 4 – Mapping

Figure 9: Proposed amendments to LZN 013 and LZN 014



Figure 10: Proposed amendments to HOB 013 and HOB 014



Blacktown Local Environmental Plan 2015 Amendment No 9

Floor Space Ratio Map - FRS Proposed

Legend

Maximum Floor Space Ratio (n:1)

A	0.15
V	3
X	4
Y	4.5
Z	5
AA1	6
AA2	6.5
AB	7.5
AC	8.5

Cadastral

□ Cadastral 19/01/16 © Blacktown City Council

PROPOSED

Scale: 1:5,000 @ A3

North Arrow

PROPOSED

Figure 12: Proposed Incentive Height of Buildings Map IHOB 013 and IHOB 014

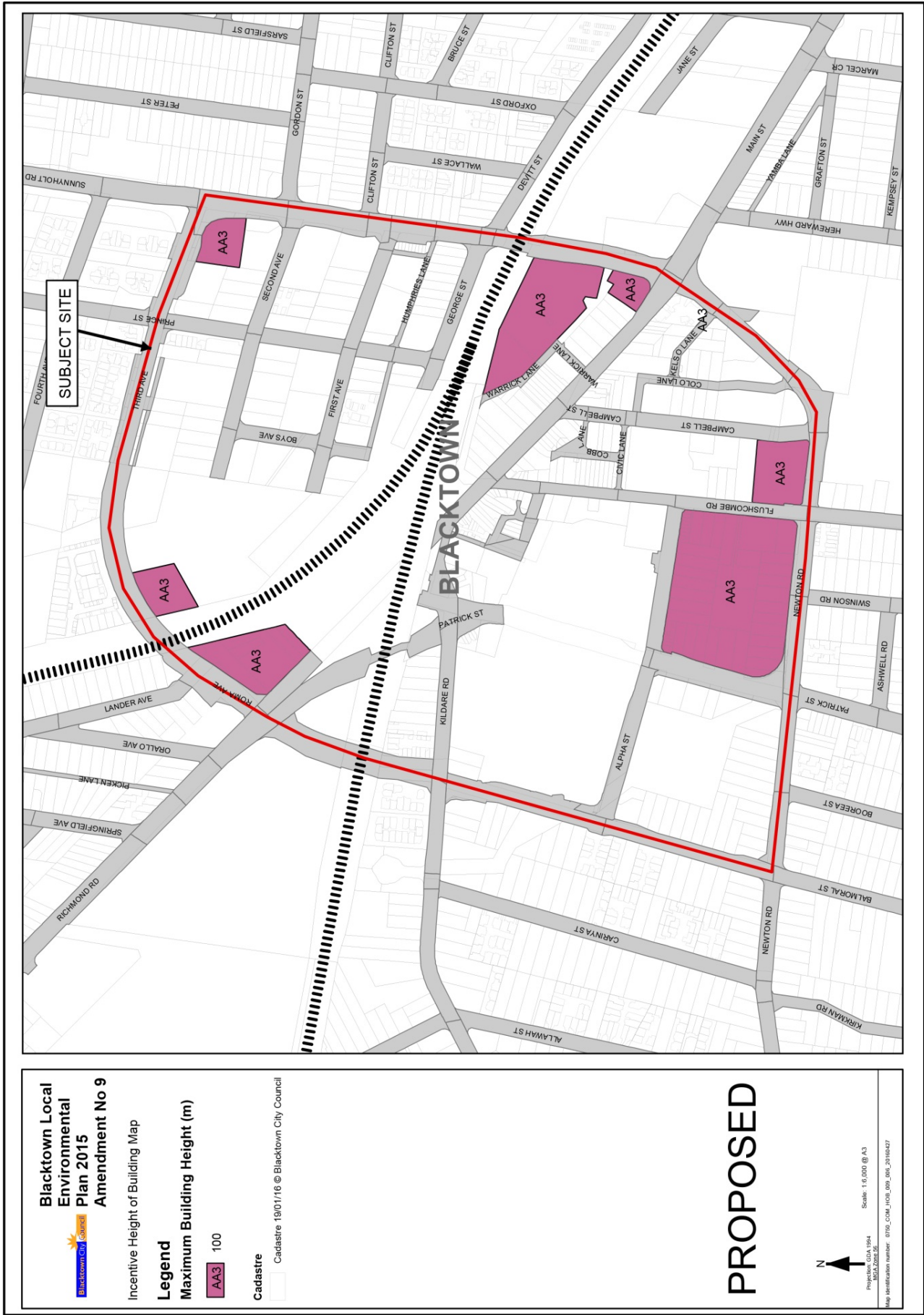


Figure 14: Proposed amendments to LZN 008 and LZN 009

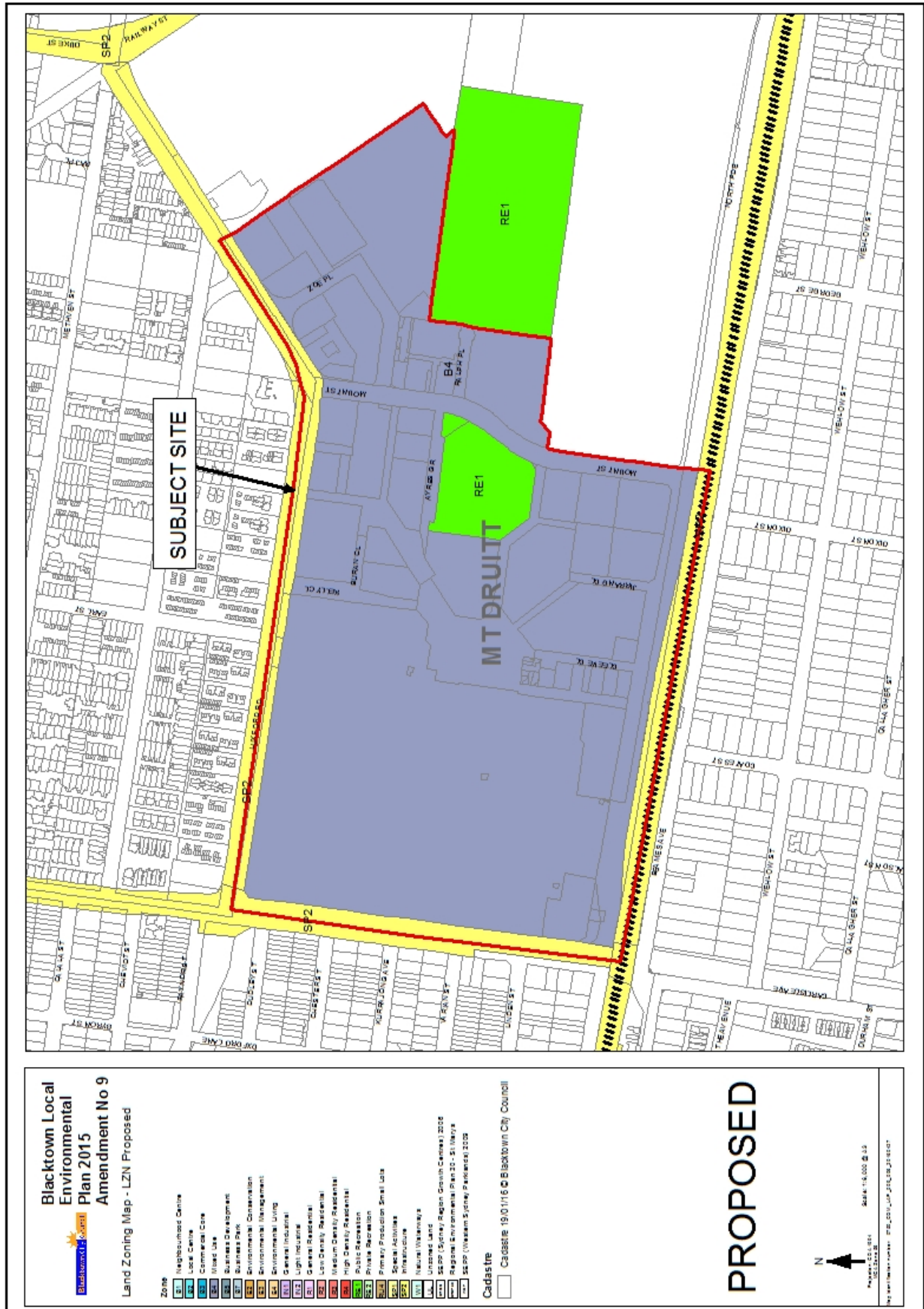


Figure 15: Proposed amendments to HOB 008 and HOB 009

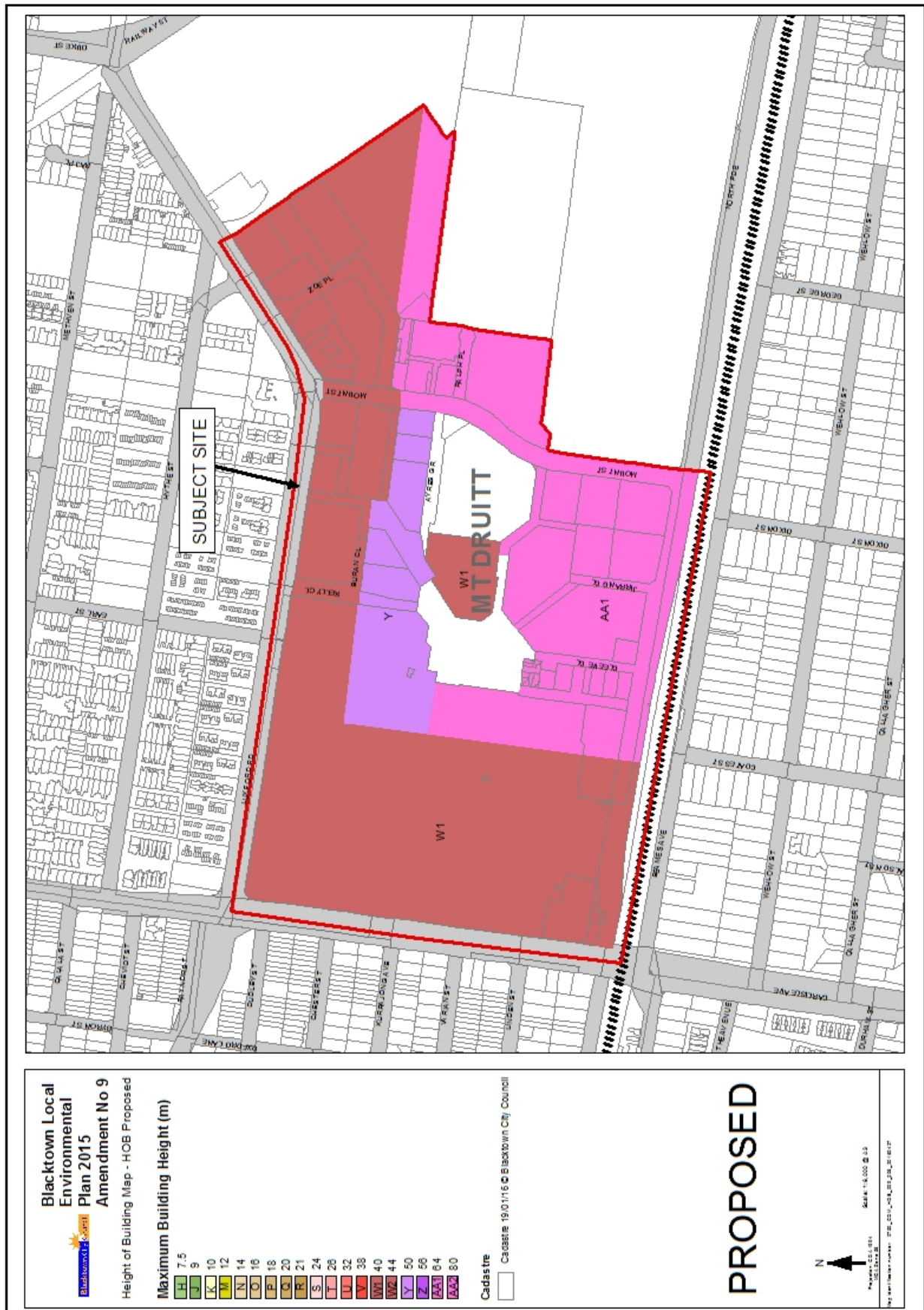


Figure 16: Proposed amendments to FSR 008 and FSR 009

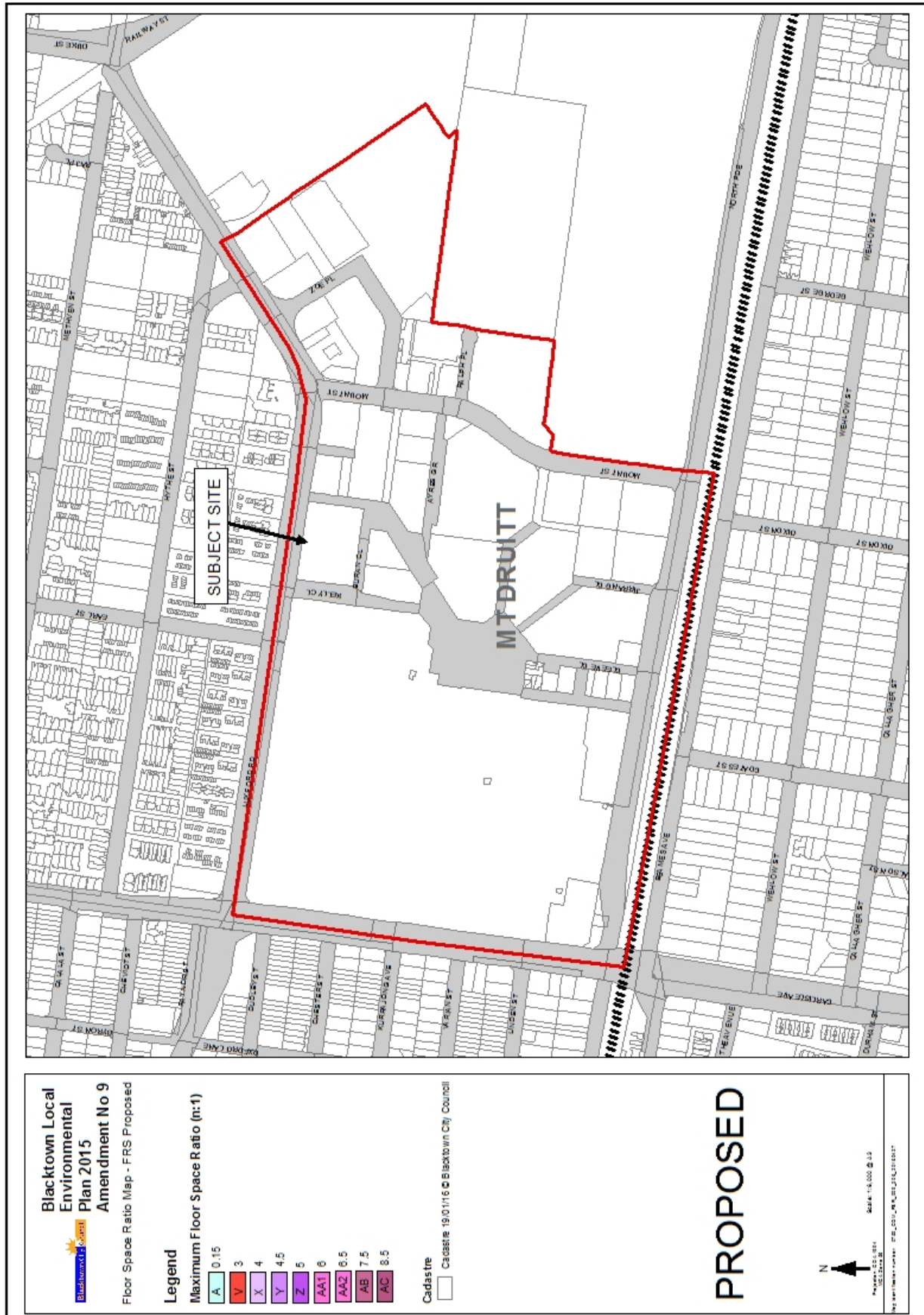
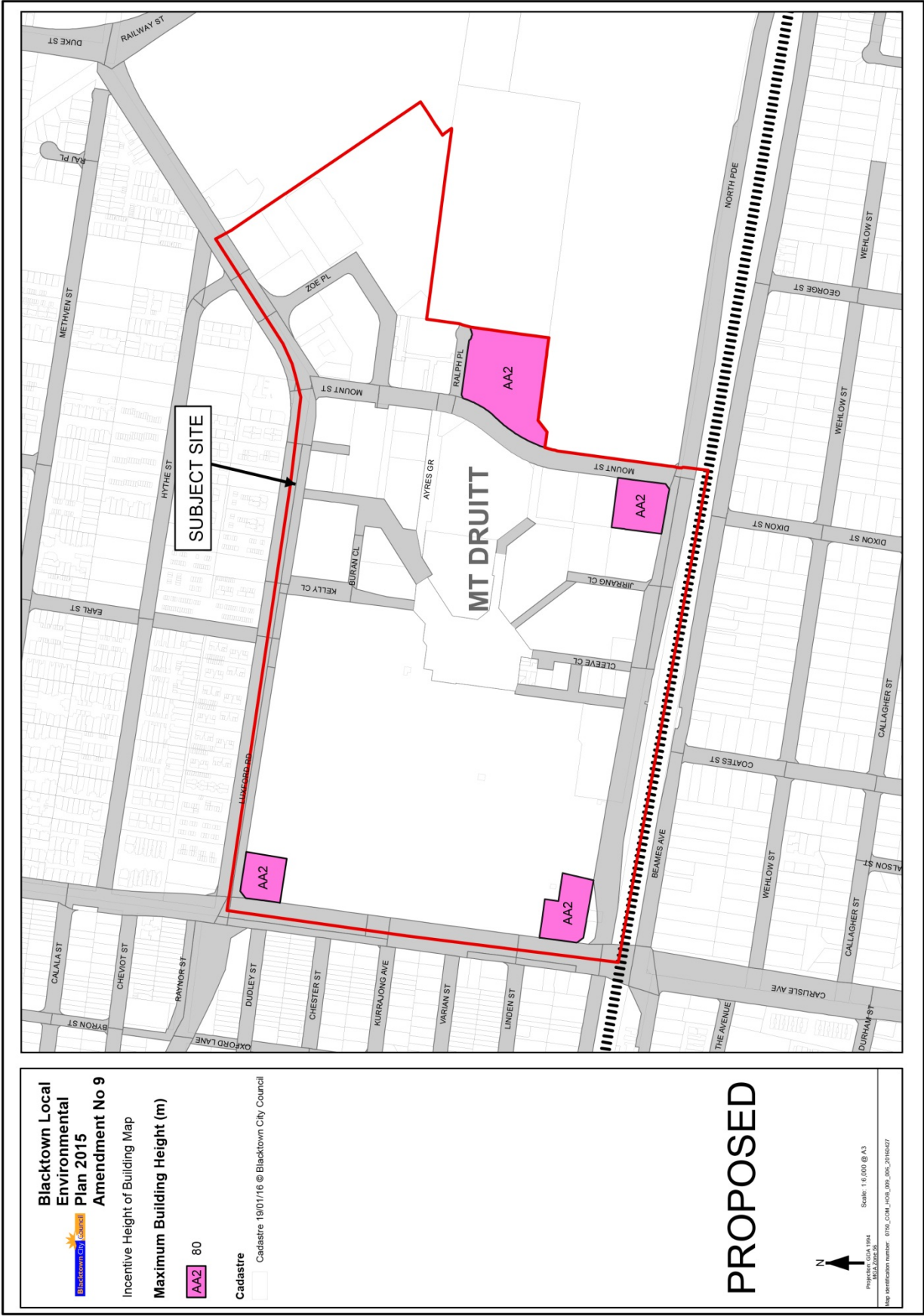


Figure 17: Proposed Incentive HOB 008 and HOB 009



PART 5 – Community consultation

Public consultation is to be consistent with Clause 57 of the Environmental Planning and Assessment Act 1979. The scope of public consultation required would be detailed in the Gateway Determination.

PART 6 – Project timeline

Tasks	Timeframe
Gateway Determination	March 2017
Public Authority Consultation	April 2017
Community Consultation	April 2017
Update Planning Proposal/report to Council	July 2017
Department review of final Planning Proposal	September 2017