

Planning Proposal to amend SEPP (Sydney Region Growth Centres) 2006 - To rezone the southernmost part of the Nirimba Education Precinct for residential purposes

Proposal Title : **Planning Proposal to amend SEPP (Sydney Region Growth Centres) 2006 - To rezone the southernmost part of the Nirimba Education Precinct for residential purposes**

Proposal Summary : **The planning proposal is to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to rezone the southernmost portion of the Nirimba Education Precinct, Quakers Road, Quakers Hill from SP2 Infrastructure (Education Establishment) to R2 Low Density Residential.**

PP Number : **PP_2016_BLACK_004_00** Dop File No : **16/11146**

Proposal Details

Date Planning Proposal Received : **11-Aug-2016** LGA covered : **Blacktown**

Region : **Metro(Parra)** RPA : **Blacktown City Council**

State Electorate : **RIVERSTONE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Quakers Road**

Suburb : **Quakers Hill** City : **Blacktown** Postcode : **2763**

Land Parcel : **Lot 2 DP 853847**

DoP Planning Officer Contact Details

Contact Name : **James Sellwood**

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RPA Contact Details

Contact Name : **Wint KhinZa**

Contact Number : **0298396424**

Contact Email : **wint.khinzaw@blacktown.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Adrian Hohenzollern**

Contact Number : **0298601505**

Contact Email : **adrian.hohenzollern@planning.nsw.gov.au**

Land Release Data

Growth Centre : **Sydney North West** Release Area Name : **Other**

Regional / Sub Regional Strategy : **Metro North West subregion** Consistent with Strategy : **Yes**

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MDP Number :		Date of Release :	
Area of Release (Ha) :	1.73	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	15
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government **Yes**

Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **To the best of Sydney Region West's knowledge, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with.**

Sydney Region West has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.

Supporting notes

Internal Supporting Notes :

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Secretary to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning proposal.

External Supporting Notes :

The rezoning of the site for residential uses will enable Western Sydney University to sell the existing dwellings or develop the land. This will generate revenue to facilitate growth and spending on new facilities and programs.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The objective of the planning proposal is to facilitate an amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) as it relates Lot 2 DP 853847 Quakers Road, Quakers Hill to enable the

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redevelopment or sale of the existing dwellings on the site by Western Sydney University.

The proposal intends to rezone the subject land from SP2 Infrastructure (Educational Establishment) to permit residential uses facilitating the University's income generation from the subdivision and sale of this surplus land which will in turn facilitate the ongoing operation and growth of the University in accordance with its current strategic plan and the Nirimba Education Precinct Structure Plan.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal intends to amend Blacktown Local Environmental Plan 2015 to facilitate an amendment to the Growth Centres SEPP as it applies to the subject site as follows:**

- amend the zoning to R2 Low Density Residential;
- introduce a height of buildings of 9 metres; and
- introduce a dwelling density of 15 dwellings per hectare.

Amendments would be required to the following Growth Centres SEPP maps:

- Land Zoning Map;
- Height of Buildings Map; and
- Residential Density Map.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP (Sydney Region Growth Centres) 2006**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **SECTION 117 MINISTERIAL DIRECTIONS**

The planning proposal is consistent with all Section 117 Ministerial Directions.

STATE ENVIRONMENTAL PLANNING POLICIES

The planning proposal does not contain provisions which would contradict or hinder the application of any State Environmental Planning Policies.

The proposal site falls within the boundaries of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)

The consistency of the planning proposal with the Schofields Precinct Plan under Appendix 7 of the Growth Centres SEPP is addressed below:

- **The proposal is consistent with the Schofields Precinct Plan as it adopts the same zoning and density of development permitted under the plan for the land on the**

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opposite side of Quakers Road.

- The proposal will increase the supply and choice of housing in the precinct in a location that is close to public transport, services, education and jobs.
- The site is identified as being part of the NEP in the Precinct Plan. Notwithstanding this the dwellings are surplus to Council's needs and are currently occupied as private dwellings. The planning proposal seeks to amend the Precinct Plan to provide future guidance for the development of the site.
- The proposal is not located on land that is identified as a riparian corridor or area of significant vegetation. There is existing native vegetation on the site however this is not considered to form a constraint to the rezoning or redevelopment of the site.
- The proposal is not a heritage item nor is it located in a heritage area. Additionally the proposed rezoning is not anticipated to have any adverse impacts on the setting or scale of the Water Reservoir tower, a heritage item in the vicinity of the site.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council has provided the following maps:

- Location Map
- Land Zoning Map;
- Height of Buildings Map;
- Residential Density Map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal suggests that a public exhibition period of 28 days. This is considered to be appropriate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : This is not relevant, as the planning proposal is for an amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

Assessment Criteria

Need for planning proposal : Amending the Growth Centres SEPP via Blacktown LEP 2015 is considered to be the best mechanism to achieve the objectives of the planning proposal.

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Consistency with strategic planning framework :

This planning proposal is a result of the University developing a different model for student accommodation from that originally on site, this has resulted in the existing dwellings on the campus surplus to the University's current and future requirements.

A PLAN FOR GROWING SYDNEY

The proposal is consistent with 'A Plan for Growing Sydney' as it provides for additional housing in an appropriate location. It also allows for the growth of Western Sydney University by allowing it to generate funding through the sale of surplus land.

NSW STATE PLAN 2021

The proposal is consistent with the State Plan as it will allow the provision of new housing in an area which has a high level of access to public transport and social services.

NSW LONG TERM TRANSPORT MASTER PLAN 2012

The proposal will serve the objectives of the NSW Long Term Transport Master Plan by locating residential uses within close proximity to an existing train station (Quakers Hill) and a number of local bus services. This will promote the use of public transport and reduce reliance on private motor vehicles.

CONSULTATION WITH THE DEPARTMENT'S LAND RELEASE TEAM

As the proposal site falls within the boundaries of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) consultation was undertaken with the Department's Land Release team, which provided the following comments:

- The proposal appears reasonable subject to Council undertaking a merit assessment of, and being satisfied with, the traffic projections and revised drainage requirements as a result of the rezoning.
- Page 16 of the proposal refers to the subject site being in close proximity to the Eastern Creek Riparian Corridor for open space purposes. It should be noted that the Eastern Creek corridor is zoned E2 Environmental Conservation and is not identified for acquisition in State Environmental Planning Policy (Sydney Region Growth Centres) 2006, for use as a public open space corridor. It should not therefore be relied upon to support additional open space requirements for future residents. The assessment of open space demand as a result of the planning proposal should be reviewed to exclude the creek corridor if the creek corridor is not proposed to be provided for public open space purposes.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

The planning proposal will not result in any adverse effects on critical habitat, threatened species populations or ecological communities or their habitats, given the site's urban location with no creek, riparian or reserve area in the vicinity.

TRAFFIC IMPACTS

The planning proposal identifies an increase of approximately 15 dwellings in addition to the existing 12. With an additional population of approximately 43 people.

A Traffic Impact Assessment for the planning proposal was prepared by GTA Consultants to determine the appropriateness of the proposal from an access, traffic and parking perspective.

The results of the assessment indicate that the impacts of traffic generated by rezoning of

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the site to residential uses and an increase in the current residential density on the site created by the proposal are considered relatively minor with respect to the existing road network and proximity to public transport, both existing and proposed. It is also considered that the proposal will not compromise the safety or function of the road network.

STORMWATER MANAGEMENT

The proposed rezoning the site to low density residential is in line with the parameters used in the Schofields Precinct Water Catchment Management Plan and is not expected to have an adverse effect on the regional water quantity management scheme.

As such, On-Site Detention would not be required in a development of this type on the site. It is anticipated that an interim On-Site Detention be constructed within one of the proposed lots. Settlement of this lot would be delayed until such a point that the regional basins are operational and the interim detention can be removed.

OPEN SPACE PROVISION

The open space and public domain facilities in the proximity of the site are considered to be ample to serve the recreational and lifestyle needs of the residents created through the rezoning of the site.

The site is also in close proximity to identified public domain upgrades under the Schofields Precinct Plan under the Growth Centres SEPP.

HERITAGE IMPACTS

The site is located in the proximity of a heritage listed water reservoir. The item is identified as having heritage significance in the Schofields Precinct Development Control Plan (Schofields DCP) however is not identified as an item of heritage significance in the Growth Centres SEPP therefore has no statutory heritage listing.

The proposed low density residential zone, dwelling density and building height is commensurate with that of the future development in the Schofields Precinct and the existing residential development to the south of the site. Accordingly the site will form a similar context to the existing and future development and will not have a detrimental impact on the setting of the Water Tower.

The site is also identified in the Schofields DCP as having moderate Aboriginal Archaeological sensitivity. Notwithstanding this, the proposed rezoning of the site from SP2 to R2 is not anticipated to have any significant adverse impact on the setting or heritage significance of the item.

SOCIAL IMPACTS

The proposal will facilitate a small increase in residential development, which is much needed in the Western Sydney region. The proposal site is also in close proximity to public transport (both trains and local buses).

ECONOMIC IMPACTS

The planning proposal will facilitate the sale or redevelopment of a site that is surplus to the University's requirements. The sale would create additional revenue for the University to be invested in academic programs and development of the University's campuses.

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INFRASTRUCTURE SERVICES ASSESSMENT

Mott MacDonald undertook an infrastructure services assessment in support of the planning proposal which addressed the following:

- Potable Water
- Sewer
- Electrical
- Telecommunications
- Gas
- Separation of Services from Western Sydney University network
- Stormwater Management
- Water Quantity
- Water Quality

The report highlighted possible On-Site Detention and Water Quality measures for a low density residential subdivision on the site, in line with the proposed rezoning.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority : **Department of Education and Communities**
 Consultation - 56(2)(d) : **Transport for NSW - Roads and Maritime Services**
 : **Sydney Water**
 : **Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

Residential Land Release (MDP)

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1 - Cover Letter.pdf	Proposal Covering Letter	Yes

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2 - Council Report.pdf	Proposal	Yes
3 - Council Resolution.pdf	Proposal	Yes
4 - Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

Additional Information : 1. Prior to public exhibition, Council is to update the planning proposal to exclude the Eastern Creek Riparian Corridor from the calculation of open space available, as this land is not identified for acquisition for public open space purposes.

2. Community consultation is required under sections 56(2) and 57 of the Act as follows:
a) the planning proposal must be made publicly available for 28 days; and
b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of the Department's 'A Guide to Preparing Local Environmental Plans'.

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:

- Department of Education
- Transport for NSW – Roads and Maritime Services
- Sydney Water
- Endeavour Energy
- Jemena Ltd

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment.

If public authorities require any additional information, or specify any additional matters to be addressed, the planning proposal is to be updated to respond to any such submission, a copy of which is to be included with the updated planning proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

5. The timeframe for completion of the amending Local Environmental Plan is 12 months from the week following the date of the Gateway determination.

Supporting Reasons : The planning proposal intends to rezone surplus land at the University of Western Sydney's Nirimba Education Precinct from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.

The proposal has merit as it will permit residential uses facilitating the University's income generation from the subdivision and sale of this surplus land which will in turn facilitate the ongoing operation and growth of the University.

Signature:



Printed Name:

ADRIAN HOHENZOLLERN

Date:

26 Aug 16