



BLACKTOWN CITY COUNCIL

PLANNING PROPOSAL

**to amend floor space ratio and height of building controls
in the Marsden Park Industrial Precinct**

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Blacktown Local Planning Panel

The request for a Planning Proposal was reported to the Blacktown Local Planning Panel meeting of 7 June 2019 for advice in accordance with the Local Planning Panel's Direction – Planning Proposals, issued by the Minister for Planning on 23 February 2018, under Section 9.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Panel's advice is at **Appendix 1**.

Outlined below is supporting advice received from the Panel:

- i. Prior to exhibition, further evidence based analysis should occur to identify examples of why the height of and floor space ratio controls on the land are "not working".
- ii. Review and ensure the controls in the Development Control Plan applicable to the land will be sufficient to allow for satisfactory car parking and landscaping provision.
- iii. Consider investigation of the local contributions applicable to the land due to the increased density as a consequence of the Planning Proposal.
- iv. Consider undertaking a comprehensive review of the whole of the Marsden Park Industrial Precinct with the local neighbourhood centre to the north and future rail corridor.

The Panel supported the proposal being forwarded to the Department of Planning and Environment (DPE) for a Gateway Determination.

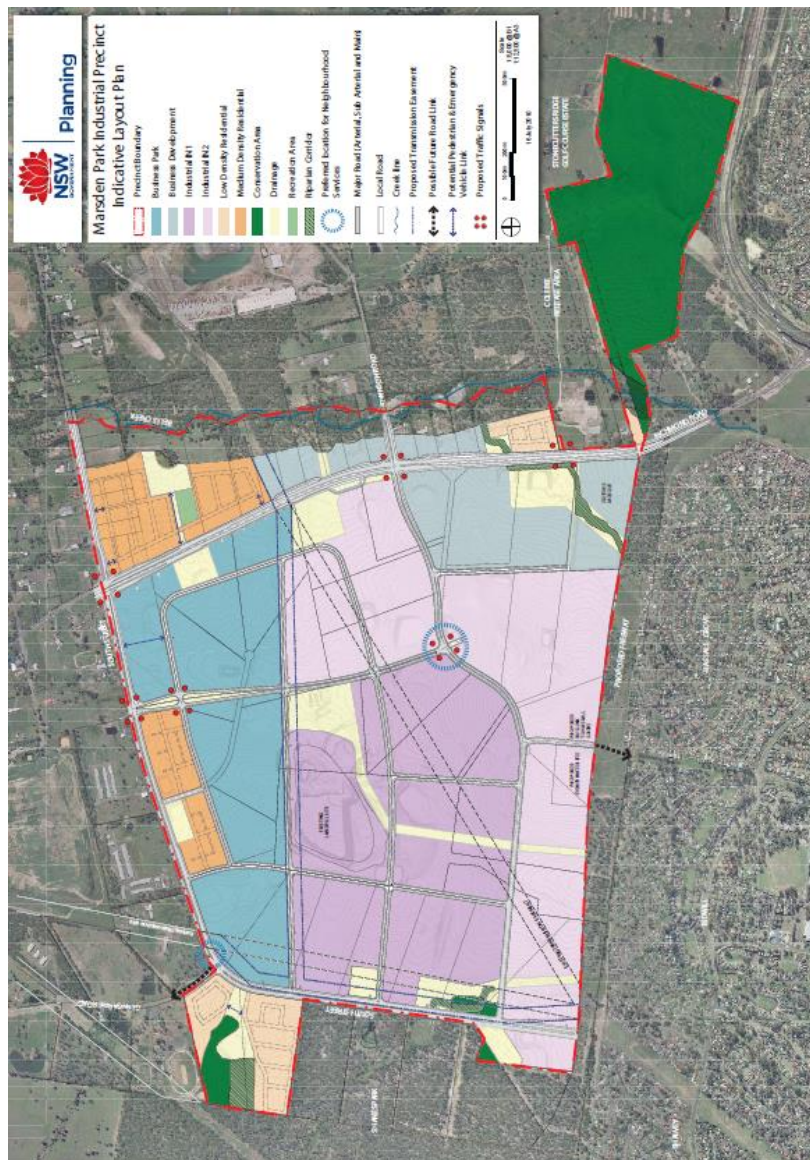
THE PLANNING PROPOSAL

Part 1 – Objectives or Intended Outcomes

The planning proposal aims to amend the floor space ratio and height of building controls in the Marsden Park Industrial Precinct under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP).

1.1 Applicable land

The Planning Proposal applies to land in the Marsden Park Industrial Precinct



1.2 Current planning controls

The Precinct is composed of various industrial, business and residential land use zones under *State Environmental Planning Policy (Sydney Region Growth Centre) 2006*.

The existing floor space ratio controls across all zones in the Marsden Park Industrial Precinct are 1:1 or less. The existing height of building controls across all zones range between 8.5m and 24m.

These controls under the Growth Centres SEPP are restrictive and inhibit appropriate development and impose constraints on built form which do not facilitate the Central City District Plan Planning Priority C11 of 'Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land'. The proposed amendments to FSR and height of building controls will allow for greater flexibility in built form to enable development which reflects the needs of business and is responsive to emerging technologies.

A detailed description of existing and proposed planning controls is provided at Attachment 1

Part 2 – Explanation of provisions

2.1 Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP).

Our intended Planning Proposal seeks to remove the floor space ratio controls within the Marsden Park Industrial Precinct and to remove height of building controls from land zoned IN1 General Industrial, IN2 Light Industrial and B5 Business Development.

The proposal involves an amendment to the Height of Buildings Map and Floor Space Ratio Map of Appendix 5 – Marsden Park Industrial Precinct of the Growth Centres SEPP.

2.2 Detailed mapping amendments

Table 1 Description of map amendments

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP).		Proposed Amendment
Map title	Map sheet	Description
Height of Building Map	SEPP_SRGC_NW_HOB_005_020_20181018	Remove the height of buildings control from land in the Marsden Park Industrial Precinct for land zoned IN1 General Industrial, IN2 Light Industrial and B5 Business Development
Floor Space Ratio Map	SEPP_SRGC_NW_FSR_005_020_20181018	Remove the floor space ratio control from all land in the Marsden Park Industrial Precinct

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

No. This planning proposal is Council initiated. It seeks to align the planning controls in the Growth Centres SEPP with those in Blacktown LEP 2015.

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

Yes. An amendment to the Growth Centres SEPP is required to remove the floor space ratio controls from all zones and also the height controls from all zones except the B7, R2 and R3 zones floor in the Marsden Park Industrial Precinct.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or district plan or strategy (including the Greater Sydney Region Plan)?

The Planning Proposal supports the objectives and priorities of the Greater Sydney Region Plan and the Central City District Plan, in particular District Plan Planning Priority C11 of 'Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land'. The amendment is intended to facilitate development commensurate with the strategic significance of the Precinct.

A detailed assessment is appended at Attachment 2.

4. Is the planning proposal consistent with Council's local strategy or other local strategic plan?

Blacktown Planning Strategy 2036

The Blacktown Planning Strategy is Council's key strategic land use planning document that will facilitate and manage future growth and development within the City of Blacktown to 2036. A key direction under the strategy is to promote employment growth in centres and employment areas.

The Planning Proposal is consistent with this direction and supports the role of the Precinct as an employment area.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal will not contradict or hinder the application of the applicable SEPPs. These and the relevant REPs are detailed at Attachment 3.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The consistency of the Planning Proposal to relevant Section 117 Directions is detailed in Attachment 4.

Section C – Environmental, Social and Economic Impact

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

No. Ecological considerations were addressed during the precinct planning for the Marsden Park Industrial Precinct. There is no need for further ecological assessment to be undertaken as part of this Planning Proposal.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. Should a development application be lodged, a full assessment of environmental impacts will be undertaken with respect to that particular development site.

9. How has the Planning Proposal adequately addressed any social and economic effects?

The proposed amendment to the Growth Centres SEPP has been prepared to avoid negative economic impacts due to unnecessary planning controls. The removal of FSR and height will enable greater social and economics benefits through improved building design.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

The planning proposal relates to land located in the Marsden Park Industrial Precinct under the Growth Centres SEPP. The public infrastructure services were planned for when the precinct planning work was undertaken.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with relevant State and Commonwealth authorities can be undertaken in conjunction with the exhibition of the planning proposal following the Gateway Determination.

Part 4 – Mapping

The proposed map amendments to the Growth Centres SEPP are included as Attachments 5 and 6. The mapping changes relate to the Land Use Floor Space Ratio and Height of Buildings maps.

Part 5 – Community Consultation

It is intended to advertise the proposed amendment to the Growth Centres SEPP in local newspapers and on Council's website. The exhibition material will be on display at Councils' Administration Building and also on the website.

The Planning Proposal is considered to be of low impact.

Part 6 – Time Line

The following project timeline provides an estimated timeframe for each stage of the planning proposal.

Stage	Estimated Date
Commencement date	July 2019
Pre-exhibition government agency consultation (where required by the Gateway Determination)	September 2019
Commencement of public exhibition	October 2019
Completion of public exhibition period	November 2019
Consideration of submissions	November/December 2019
Consideration of planning proposal post exhibition – report to Council	December 2019
Forward planning proposal to Department of Planning and Environment for the Minister to make the plan	January 2020

ATTACHMENT 1 – CURRENT AND PROPOSED PLANNING CONTROLS

Zone	Existing FSR	Proposed FSR	Existing height	Proposed height
IN1 General Industrial	0.7:1	No FSR	18m	No height control
IN2 Light Industrial	0.7:1	No FSR	16m	No height control
B5 Business Development	1:1 west of Richmond Road 0.75:1 east of Richmond Road	No FSR	16m west of Richmond Road 12m east of Richmond Road	No height control
B7 Business Park	1:1	No FSR	16m and 24m	Unchanged
R2 Low Density Residential	0.5:1	No FSR	8.5m	Unchanged
R3 Medium Density Residential	1:1	No FSR	16m	Unchanged

ATTACHMENT 2 - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Greater Sydney Region Plan – A Metropolis of Three Cities

Direction	Objective	Does this objective apply to the Planning Proposal	How does this planning proposal implement the Direction and Objective?
A city supported by infrastructure	Objective 1: Infrastructure supports the three cities	No	Not applicable
	Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact	No	Not applicable
	Objective 3: Infrastructure adapts to meet future needs	No	Not applicable
	Objective 4: Infrastructure use is optimised	Yes	This planning proposal will assist in ensuring infrastructure use is optimised by removing restrictive planning controls in an area provided with planned infrastructure
A collaborative city	Objective 5: Benefits of growth realised by collaboration of governments, community and business	No	Not applicable
A city for people	Objective 6: Services and infrastructure to meet communities' changing needs	No	Not applicable
	Objective 7: Communities are healthy, resilient and socially connected	No	Not applicable
	Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	No	Not applicable.
	Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation	No	Not applicable

Housing the city	Objective 10: Greater housing supply	Yes	This Planning proposal will remove a restrictive floor space ration control thereby facilitating the supply of housing in the Precinct.
	Objective 11: Housing is more diverse and affordable	Yes	This Planning proposal will remove a restrictive floor space ration control thereby facilitating the supply of housing in the Precinct. applicable
A city of great places	Objective 12: Great places that bring people together	No	Not applicable
	Objective 13 : Environmental heritage is identified, conserved and enhanced	No	Not applicable
A well-connected city	Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30- minute cities	No	Not applicable
	Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	No	Not applicable
	Objective 16: Freight and logistics network is competitive and efficient	No	Not applicable
	Objective 17: Regional connectivity is enhanced	No	Not applicable
Jobs and skills for the city	Objective 18: Harbour CBD is stronger and more competitive	No	Not applicable
	Objective 19: Greater Parramatta is stronger and better connected	No	Not applicable
	Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	No	Not applicable
	Objective 21: Internationally competitive health, education, research and innovation precincts	No	Not applicable
	Objective 22: Investment and business activity in centres	No	Not applicable

	Objective 23: Industrial and urban services land is planned, retained and managed	Yes	The Planning Proposal applies to land already zoned for industrial and business purposes
	Objective 24: Economic sectors are targeted for success	No	Not applicable
A city in its landscape	Objective 25: The coast and waterways are protected and healthier	No	Not applicable
	Objective 26: A cool and green parkland city in the South Creek corridor	No	Not applicable
	Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	No	Not applicable
	Objective 28: Scenic and cultural landscapes are protected	No	Not applicable
	Objective 29: Environmental, social and economic values in rural areas are protected and enhanced	No	Not applicable
	Objective 30: Urban tree canopy cover is increased	No	Not applicable
	Objective 31: Public open space is accessible, protected and enhanced	No	Not applicable
	Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	No	Not applicable
	Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	No	Not applicable
An efficient city	Objective 34: Energy and water flows are captured, used and re-used	No	Not applicable
	Objective 35: More waste is re-used and recycled to support the development of a circular economy	No	Not applicable
A resilient city	Objective 36: People and places adapt to climate change and future shocks and stresses	No	Not applicable
	Objective 37: Exposure to natural and urban hazards is reduced	No	Not applicable
	Objective 38: Heatwaves and extreme heat are managed	No	Not applicable

Central City District Plan

Planning Priorities	Relevant Action	How does this Planning Proposal implement the Planning Priority and Action
C 1: Planning for a city supported by Infrastructure	Action 4: Sequence infrastructure provision using a placed based approach.	The Planning Proposal is consistent with this Action.
C 2: Working through collaboration		Not applicable
C 3: Providing services and social infrastructure to meet people's changing needs	Action 8: Deliver social infrastructure that reflects the needs of the community now and in the future.	Not applicable
C 4: Fostering healthy, creative, culturally rich and socially connected communities		Not applicable
C 5: Providing housing supply, choice and affordability, with access to jobs, services and public transport		Not applicable
C 6: Creating and renewing great places and local centres, and respecting heritage the District's heritage		Not applicable
C 8: Delivering a more connected and competitive GPOP Economic Corridor		Not applicable
C 9: Delivering integrated land use and transport planning a 30-minute city		Not applicable
C 10: Growing investment, business opportunities and jobs in strategic centres		This Planning Proposal applies to land adjacent to the Marsden Park Strategic Centre and proposes to remove restrictive controls that inhibit appropriate development and impose constraints on built form.

C 11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	This Planning Proposal proposes to remove restrictive controls that inhibit appropriate development and impose constraints on built form which do not facilitate this Action.
C 12: Supporting growth of targeted industry sectors	Not applicable
C 13: Protecting and improving the health and enjoyment of the District's waterways	Not applicable
C 14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	Not applicable
C 15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	Not applicable
C 16: Increasing urban tree canopy cover and delivering Green Grid connections	Not applicable
C 17: Delivering high quality open space	Not applicable
C 18: Better managing rural Areas	Not applicable
C 19: Reducing carbon emissions and managing energy, water and waste efficiently	Not applicable
C 20: Adapting to the impacts of urban and natural hazards and climate change	Not applicable
C 21: Preparing local strategic planning statements informed by local strategic planning	Not applicable
C 22: Monitoring and reporting on the delivery of the plan	Not applicable

ATTACHMENT 3 - CONSISTENCY WITH APPLICABLE SEPPs and REPs

State Environmental Planning Policy	Consistency
SEPP No 1-Development Standards	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 19- Bushland in Urban Areas	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 21 Caravan Parks	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 33- Hazardous and Offensive Development	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 36- Manufactured Home Estates	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 50-Canal Estate Development	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 55-Remediation of Land	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 54-Advertising and Signage	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP No 65-Design Quality of Residential Apartment Development	Yes This Planning Proposal will not contradict or hinder the application of this SEPP

SEPP No 70-Affordable Housing (Revised Schemes)	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Affordable Rental Housing) 2009	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 (Coastal Management) 2018	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Concurrences) 2018	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Educational Establishments and Child Care Facilities) 2017	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 (Housing for Seniors or People with a Disability) 2004	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
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes This Planning Proposal will not contradict or hinder the application of this SEPP

SEPP (Miscellaneous Consent Provisions) 2007	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Primary Production and Rural Development) 2019	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (State and Regional Development) 2011	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (State Significant Precincts) 2005	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Sydney Drinking Water Catchment) 2011	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Sydney Region Growth Centres) 2006	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Urban Renewal) 2010	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Vegetation in Non-Rural Areas) 2017	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Western Sydney Employment Area) 2009	Yes This Planning Proposal will not contradict or hinder the application of this SEPP
SEPP (Western Sydney Parklands) 2009	Yes This Planning Proposal will not contradict or hinder the application of this SEPP

Sydney Regional Environmental Plans	Consistency
Sydney REP No 9-Extractive Industry (No 2-1995)	<p>Yes</p> <p>This Planning Proposal will not contradict or hinder the application of this REP</p>
Sydney REP No 20:-Hawkesbury-Nepean River (No 2-1997)	<p>Yes</p> <p>This Planning Proposal will not contradict or hinder the application of this REP</p>
Sydney REP No 30-St Marys	<p>Yes</p> <p>This Planning Proposal will not contradict or hinder the application of this REP</p>
Sydney REP (Sydney Harbour Catchment) 2005	<p>Yes</p> <p>This Planning Proposal will not contradict or hinder the application of this REP</p>

ATTACHMENT 4- CONSISTENCY WITH RELEVANT SECTION 117 DIRECTIONS.

Direction	Consistency of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	The planning proposal retains the areas and locations of existing business and industrial zones and removes the floor space ratio control from all zones and the height control from the IN1, IN2 and B5 zones. Both the floor space ratio and height control in those zones are unnecessarily restrictive .It does not reduce the total potential floor space area for industrial uses in industrial zones.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not applicable
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable

3.4 Integrating Land Use and Transport	The Marsden Park Industrial Precinct is well serviced by public transport including bus and future rail services.
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	The site is not known to be affected by acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	The site is not known to be affected by unstable land.
4.3 Flood Prone Land	The land is not identified on Council's on-line mapping as flood prone.
4.4 Planning for Bushfire Protection	Any development that may occur in the Marsden Park Industrial Precinct would be subject to the requirements of the NSW Rural Fire Act 1997 and Planning for Bushfire Protection.
5. Regional Planning	
5.1 Implementation of Regional Strategies	There are no Regional Strategies that apply.
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway ; North Coast	Not applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable
5.9 North West rail Link Corridor	The proposal is consistent with this Direction
5.10 implementation of Regional Plans	Not applicable

6. Local Plan Making

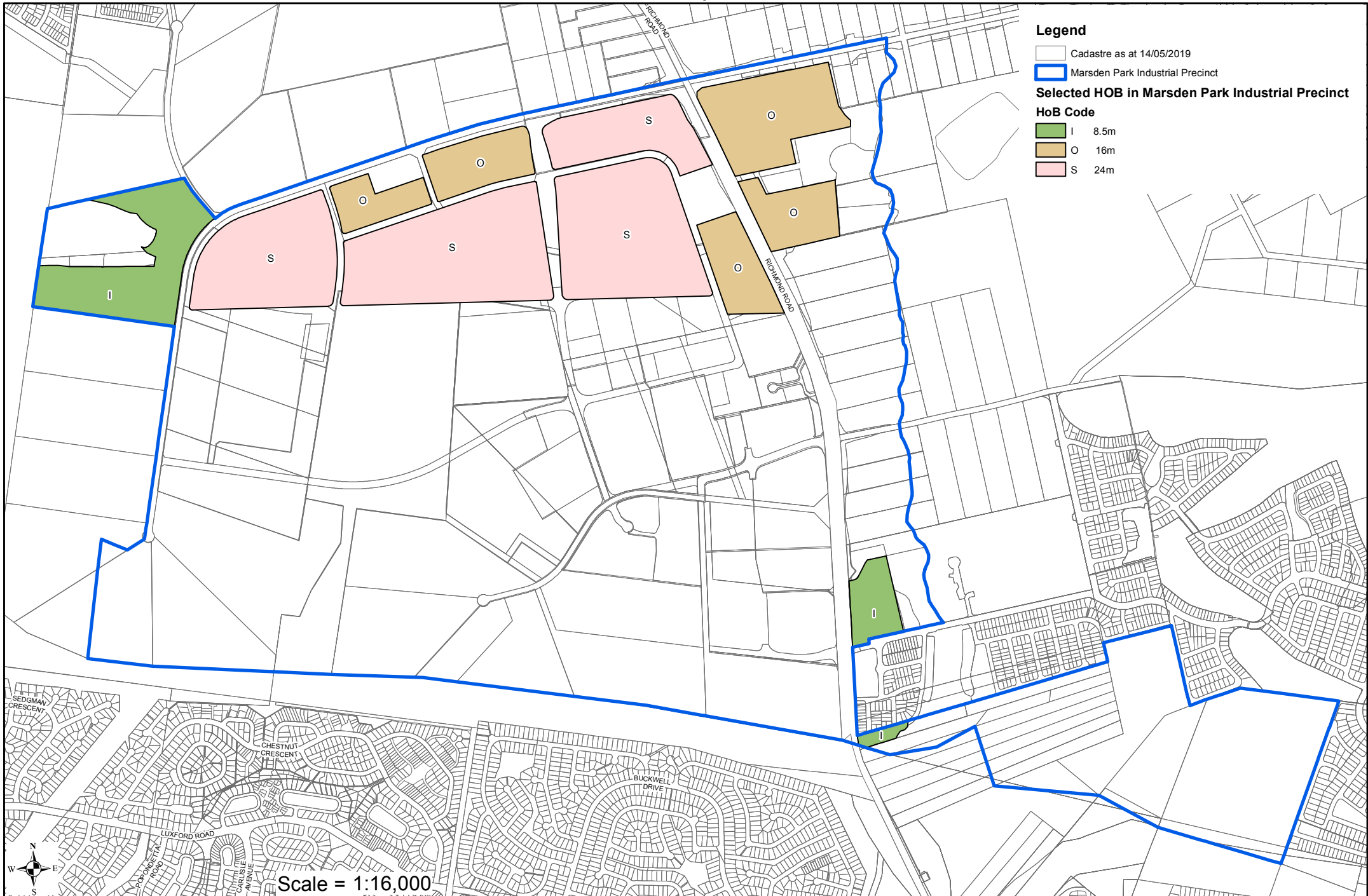
6.1 Approval and Referral Requirements	The planning proposal is consistent with this Direction as it does not identify any development as designated development.
6.2 Reserving Land for Public Purposes	Not applicable
6.3 Site Specific Provisions	The proposal is consistent with this Direction

7. Metropolitan Planning

7.1 Implementation of A Plan for Growing Sydney	The planning proposal is consistent with this Direction.
7.4 Implementation of North West Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The planning proposal is consistent with this Direction.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	The planning proposal is consistent with this Direction.

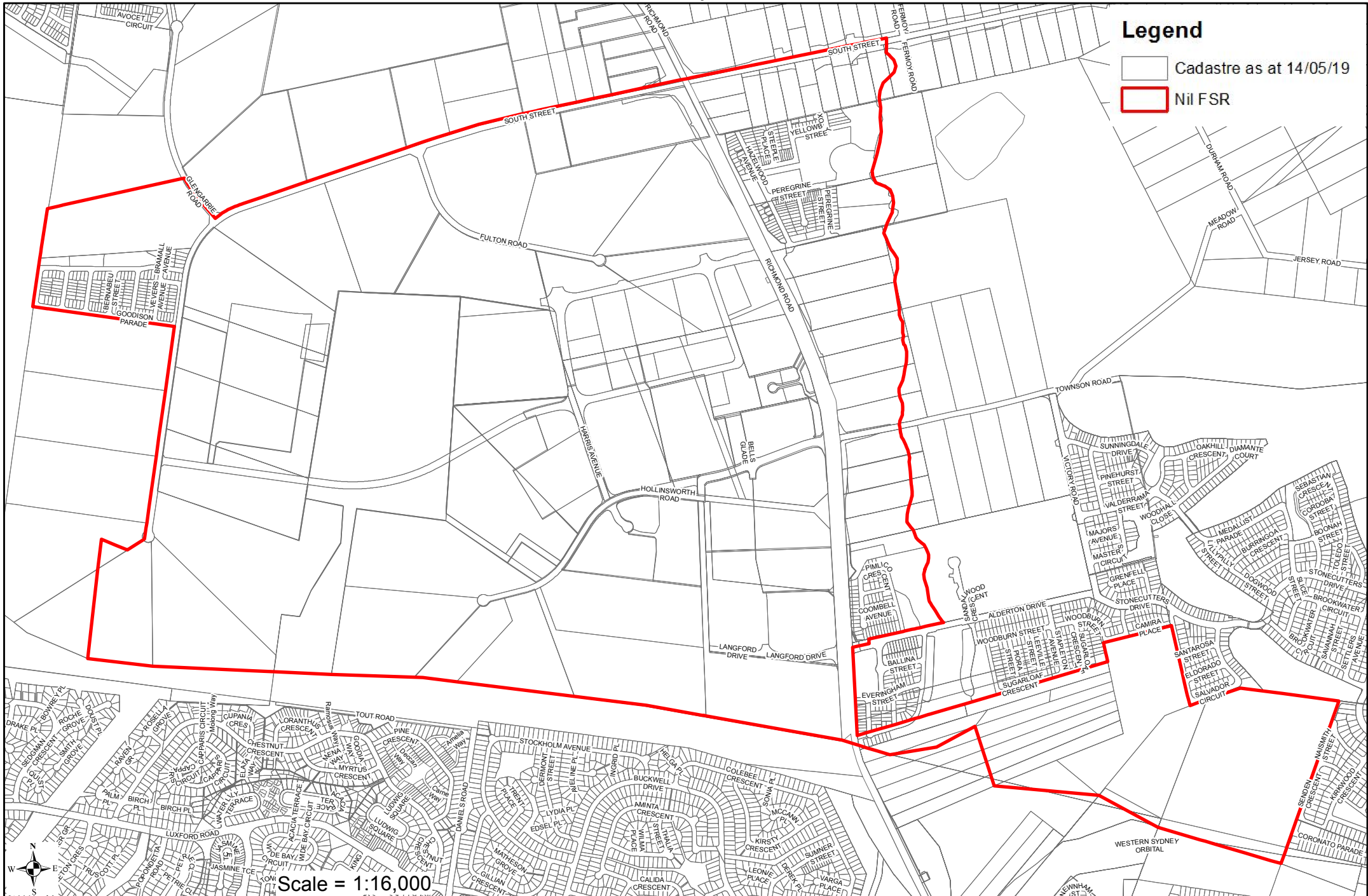
Marsden Park Industrial Precinct

HOB - Proposed



Marsden Park Industrial Precinct

FSR - Proposed



Appendix 1

Blacktown Local Planning Panel Advice Meeting of 7 June 2019



Blacktown Local Planning Panel

PLANNING PROPOSAL ADVICE

DATE	7 June 2019
PANEL MEMBERS	Sue Francis, Chair Jenny Rudolph, Expert Milan Marecic, Expert Jacqueline Donaldson, Community Representative
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Confidential Panel consideration held at Blacktown City Council, Committee Room 2 on 7 June 2019, opened at 9.30 am and closed at 10.00 am.

PLANNING PROPOSAL

1. F19/1113 Planning Proposal to amend to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to floor space ratio and height of building controls in the Marsden Park Industrial Precinct

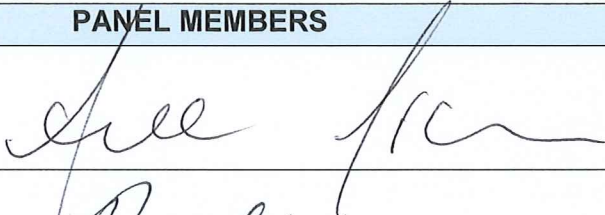
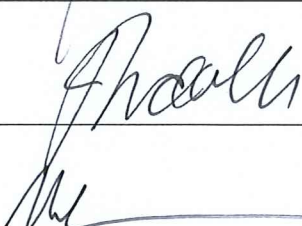


PANEL ADVICE

The Panel considered the assessment report on the matter and the material presented at the Panel meeting and supports the recommendation to progress the Planning Proposal for Gateway Determination on the grounds that the Council officers advised that the current Development Control Plan is sufficient to guide and control development.

The Panel provided the following advice for the Planning Proposal described above:

- The proposal has strategic merit in regards to the natural environment, existing uses and likely future uses on and surrounding the site, and existing and required services and infrastructure.
- The proposal is responding to changing circumstance not recognised by current controls such as new infrastructure and changing demographic.
- Prior to exhibition, further evidence based analysis should occur to identify examples of why the height and floor space ratio controls on the land are “not working”.

- Review and ensure the control in the Development Control Plan applicable to the land will be sufficient to allow for satisfactory car parking and landscaping provision.
- Consider investigation of the local contributions applicable to the land due to the increased density as a consequence of the Planning Proposal.
- Consider undertaking a comprehensive review of the whole of the Marsden Park Industrial Precinct with the local neighbourhood centre to the north and future rail corridor.

PANEL MEMBERS	
Sue Francis, Chair	
Jenny Rudolph, Expert	
Milan Marecic, Expert	
Jacqueline Donaldson, Community Representative	

Appendix 2

To Director Planning and Development through Manager Strategic Planning

From Lilyan Abosh - Student Planner, Strategic Planning

Date 13 June 2019

Subject Resolution to prepare a Planning Proposal to amend Floor Space Ratio and Height of Building controls in the Marsden Park Industrial Precinct

File no F19/1113

Topic: A Planning Proposal to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* in relation to floor space ratio and height of building controls in the Marsden Park Industrial Precinct.

Analysis: The Planning Proposal seeks to remove the floor space ratio controls within the Marsden Park Industrial Precinct and to remove height of building controls from land zoned IN1 General Industrial, IN2 Light Industrial and B5 Business Development within the Precinct.

Amendment of these controls will facilitate development commensurate with the strategic significance of the Precinct and will align the planning controls in this Precinct with controls applying to industrial and business development zones under *Blacktown Local Environmental Plan 2015*.

Recommendation:

1. Prepare and forward a Planning Proposal to the Department of Planning and Environment requesting a Gateway Determination to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) in relation to floor space ratio and height of building controls in the Marsden Park Industrial Precinct.

Key Reasons

1. **The existing floor space ratio and height of building controls under the Growth Centres SEPP are restrictive and inhibit appropriate development**
 - a. The existing floor space ratio (FSR) controls across all zones in the Marsden Park Industrial Precinct are 1:1 or less. This is unnecessarily restrictive in the context of an industrial precinct which is suitably buffered from more sensitive land uses.
 - b. The existing controls impose constraints on built form which do not facilitate the Central City District Plan Planning Priority C11 of 'Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land'. The proposed amendments to FSR and height of building controls will allow for greater flexibility in built form to enable development which reflects the needs of business and is responsive to emerging technologies.
 - c. See **Attachment 1** for a detailed description of existing and proposed planning controls.

2. The proposed amendment to planning controls will not have an adverse impact on development outcomes

- a. Existing requirements under the Growth Centres Development Control Plan, State controls for complying or other development and national construction codes are sufficient to regulate the bulk and scale of future development that is suitable in the context of an industrial precinct.
- b. The height of building control for land within the Marsden Park Industrial Precinct zoned R2 Low Density Residential, R3 Medium Density Residential and B7 Business Park will remain unchanged. Existing planning controls within the Growth Centres SEPP, Growth Centres Development Control Plan and applicable State policies are sufficient to regulate a development outcome that is suitable within the Precinct.

3. Better reflect the strategic value of the Marsden Park Industrial Precinct

- a. To date, the role of the Marsden Park Industrial Precinct within the wider context of Marsden Park has been strategically undervalued. Initial projections for 10,000 new jobs have been outstripped by rates of growth, with a similar scenario occurring in the residential areas of the precinct. The Planning Proposal will support development to better reflect the potential of the precinct and its strategic value.

4. Ensure consistency with *Blacktown Local Environmental Plan 2015*

- a. The proposed amendments are consistent with planning controls under *Blacktown Local Environmental Plan 2015*. *Blacktown Local Environmental Plan 2015* does not apply floor space ratio controls outside of the Blacktown and Mount Druitt urban renewal precincts, which is the subject of a Planning Proposal that removes the FSR control.
- b. *Blacktown Local Environmental Plan 2015* does not impose height controls on land zoned B5 Business Development. Height controls are applied to some but not all land zoned for industrial use. No height controls are imposed in older industrial areas (Glendenning, Mount Druitt, Arndell Park, Seven Hills, Kings Park) or areas which are suitably buffered from more sensitive land uses (Huntingwood). A height of 32 m is applied to IN1 General Industrial zoned land in North Blacktown, however this is considered to be an anomaly. This land was proposed to be zoned as B7 Business Park in the draft Blacktown LEP, but reverted back to an industrial zoning prior to gazettal of Blacktown LEP 2015. However, the building height controls remained as exhibited for the B7 zone. There is strategic merit in applying a consistent approach to planning controls in the IN1, IN2 and B5 zones across the LGA.

5. Marsden Park Town Centre is not within the scope of this Planning Proposal

- a. The Marsden Park Town Centre is identified as a Strategic Centre in the Central City District Plan and the site of a future metro station on the North South rail link. The strategic significance of the Town Centre places it outside the scope of this Planning Proposal. It is appropriate for the planning controls applying to the site of the future Marsden Park Town Centre to be considered holistically as part of a whole-of-government project.

Blacktown Local Planning Panel's advice

- a. This matter was considered at the Blacktown Local Planning Panel on 7 June 2019. At that meeting the BLPP supported the recommendation to progress a Planning Proposal for Gateway Determination on the grounds that the current DCP is sufficient to guide

and control development. A copy of the Panel's advice is enclosed.

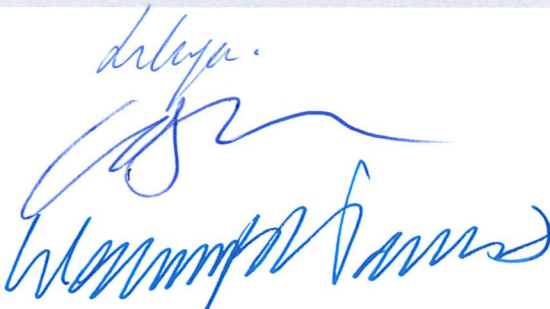
- b. Outlined below is supporting advice received from the Panel:
 - i. Prior to exhibition, further evidence based analysis should occur to identify examples of why the height and floor space ratio controls on the land are "not working".
 - ii. Review and ensure the controls in the Development Control Plan applicable to the land will be sufficient to allow for satisfactory car parking and landscaping provision.
 - iii. Consider investigation of the local contributions applicable to the land due to the increased density as a consequence of the Planning Proposal.
 - iv. Consider undertaking a comprehensive review of the whole of the Marsden Park Industrial Precinct with the local neighbourhood centre to the north and future rail corridor.
- c. This advice from the Panel is noted, but I do not believe that any further work is required to justify the Planning Proposal.

Additional Information

1. Context

- a. The Marsden Park Industrial Precinct is a major economic and employment centre servicing a growing community within the North West Growth Area and the wider region. It is well serviced by Richmond Road, with good linkages to the M7 Motorway and positioned to benefit from the future Castlereagh Freeway. It will also be serviced by the future north-south rail corridor between the Aerotropolis and Marsden Park.
- b. Within our Delegations Register, Delegation number 11.15 of Annexure 1 'Register of delegations from the CEO to Directors and Staff', the Director of Planning and Development has delegated powers and functions to prepare and exhibit Local Environmental Plans.

Approval

	Name and position	Signature
Prepared by	Lilyan Abosh Student Planner	
Checked by	Chris Shannon Manager Strategic Planning	
Authorised by	Glennys James Director Planning & Development	

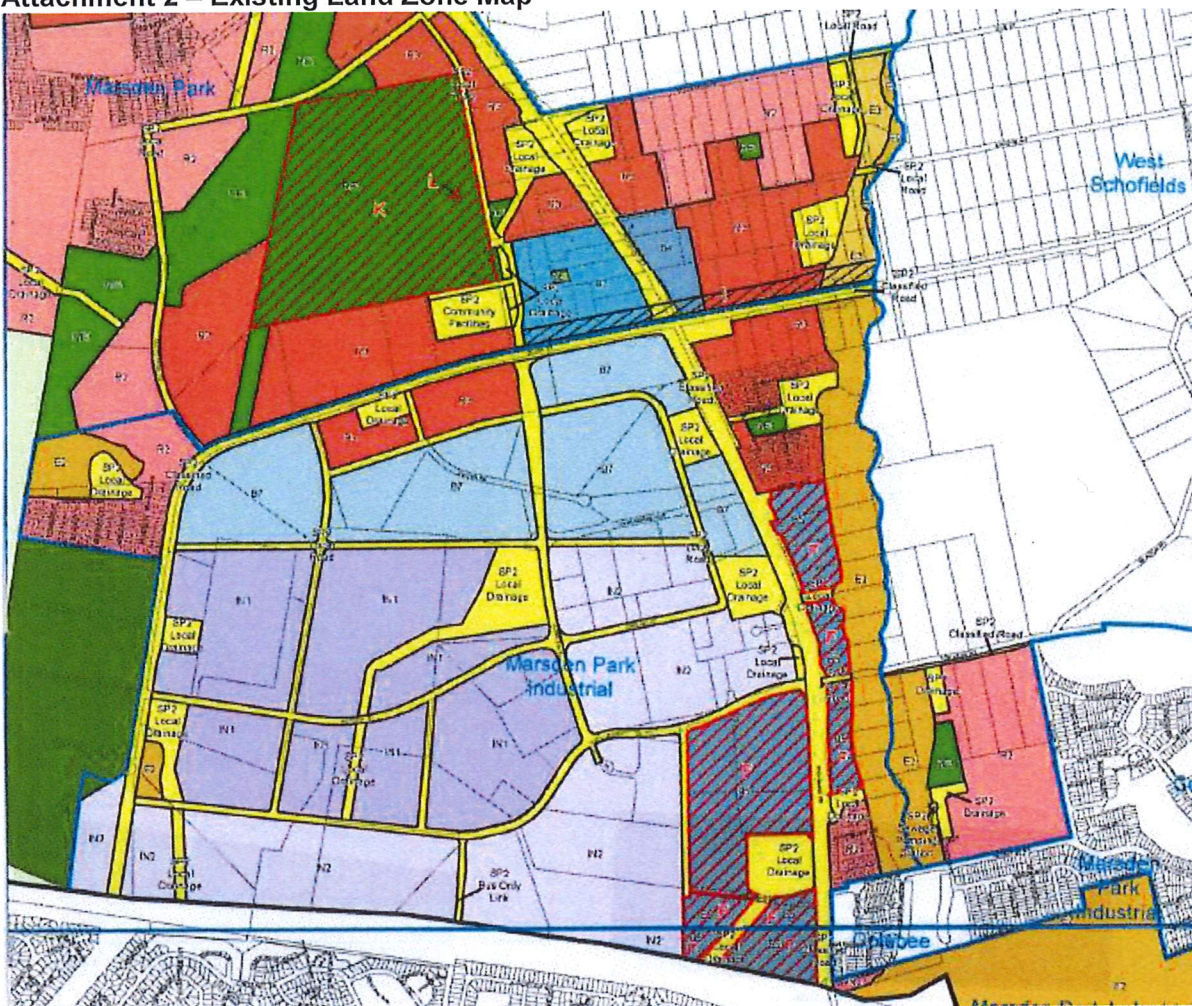
Attachments:

- Attachment 1 – Table of existing and proposed planning controls
- Attachment 2 – Existing Land Zone Map
- Attachment 3 – Existing Floor Space Ratio Map
- Attachment 4 – Existing Height of Building Map
- Attachment 5 – Extract from the Delegations Register
- Attachment 6 – Planning Proposal advice
- Attachment 7 – Planning Proposal

Attachment 1 – Table of current and proposed planning controls

Zone	Existing FSR	Proposed FSR	Existing height	Proposed height	Comment
IN1 General Industrial	0.7:1	No FSR	18m	No height control	B5 land east of Richmond Road has limited opportunity for unsuitable development. Bounded to the east by E2 zone to Bells Creek. Constrained by transmission easement. B5 land adjacent to R3 zone subject of an approved subdivision including internal road (constructed) which restricts bulk of future development.
IN2 Light Industrial	0.7:1	No FSR	16m	No height control	
B5 Business Development	1:1 west of Richmond Road 0.75:1 east of Richmond Road	No FSR	16m west of Richmond Road 12m east of Richmond Road	No height control	
B7 Business Park	1:1	No FSR	16m and 24m	Unchanged	Building controls to be considered holistically as part of review of Marsden Park Town Centre
R2 Low Density Residential	0.5:1	No FSR	8.5m	Unchanged	R2 zoned land on the western boundary of the Precinct and adjacent to Colebee is mostly already developed.
R3 Medium Density Residential	1:1	No FSR	16m	Unchanged	Building controls to be considered holistically as part of review of Marsden Park Town Centre

Attachment 2 – Existing Land Zone Map



LEGEND

Zone

	Neighbourhood Centre		General Residential
	Local Centre		Low Density Residential
	Mixed Use		Medium Density Residential
	Business Development		High Density Residential
	Enterprise Corridor		Public Recreation
	Business Park		Private Recreation
	Environmental Conservation		Township
	Environmental Management		Infrastructure
	Environmental Living		
	General Industrial		
	Light Industrial		

Special Provisions

	Low Density Residential (multi-dwelling housing) - Appendix 4, Clause 2.5
	Riverstone Scheduled Lands - Appendix 4, Clause 5.8
	Green and Golden Bell Frog Habitat - Appendix 4, Clause 5.9
	Additional uses - Appendix 3, Clause 5.5
	Additional permitted uses (Clause 13)
	Take Away Food and Drink Premises permitted with consent - Appendix 5, (Schedule 1, Clause 1)
	Low Density Residential (multi-dwelling housing) - Appendix 7, Clause 2.5
	Transport Corridor Investigation Area - Appendix 7, Clause 5.10
	Transport Corridor - Appendix 12, Clause 6.10
	Food and drink premises - Appendix 12 (Schedule 1, Clause 1)
	Landfill works - Appendix 12 (Schedule 1, Clause 2)
	Gas processing system and associated plant and equipment - Appendix 12 (Schedule 1, Clause 3)
	Residential flat buildings - Appendix 4 (Schedule 1, Clause 2)
	Transport Investigation Area Corridor, Appendix 4, Clause 6.10
	Additional permitted use, Appendix 13, Schedule 1

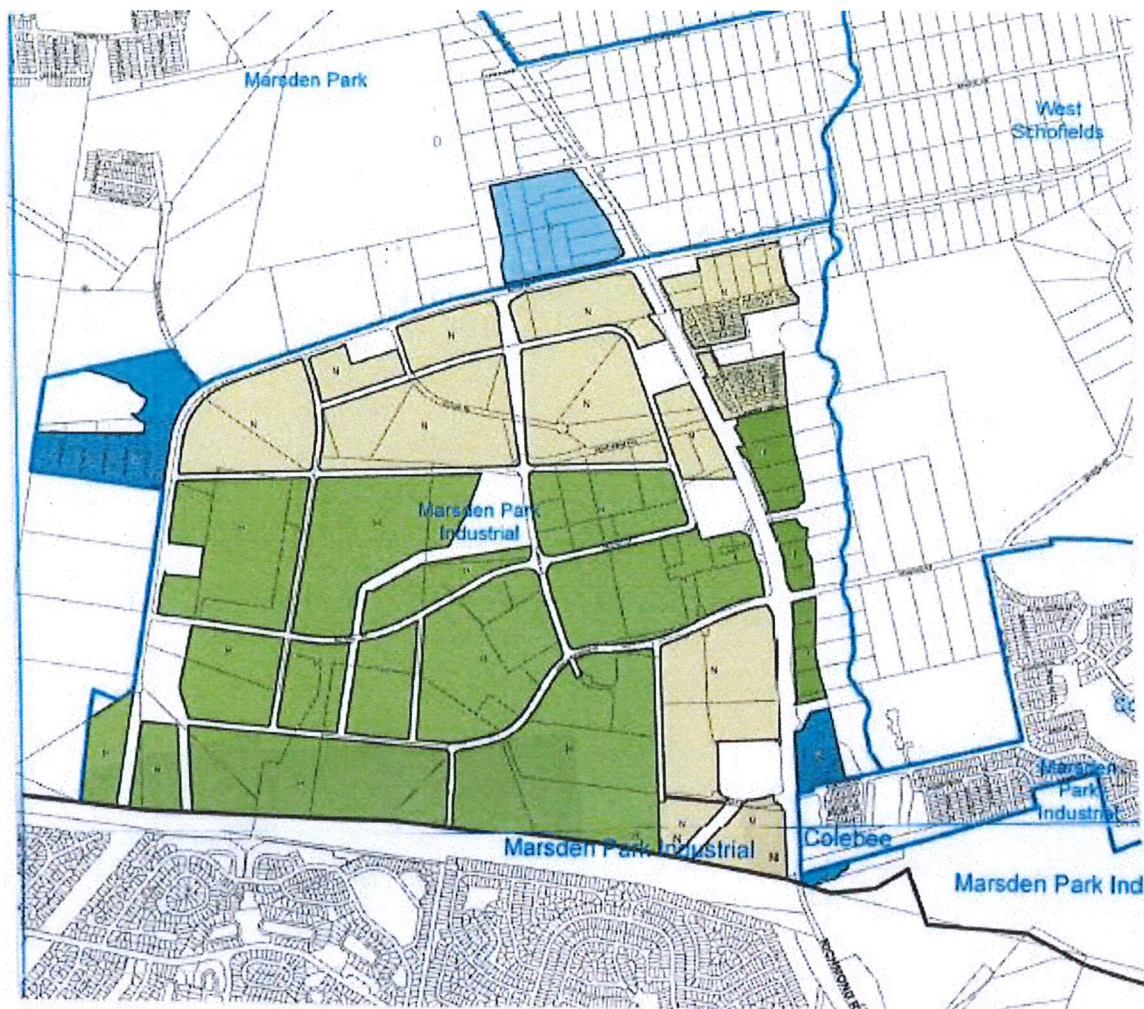
Growth Centre Boundaries

	North West Growth Centre Boundary
	North West Growth Centre Precinct Boundary

Original SEPP Zones

	Environmental Conservation
	Public Recreation - Local
	Public Recreation - Regional

Attachment 3 – Existing Floor Space Ratio Map



LEGEND

Maximum Floor Space Ratio (m:1)

0.4
0.5
0.6
0.7
0.75
1
1.25
1.75
2
2.75
3
3.5

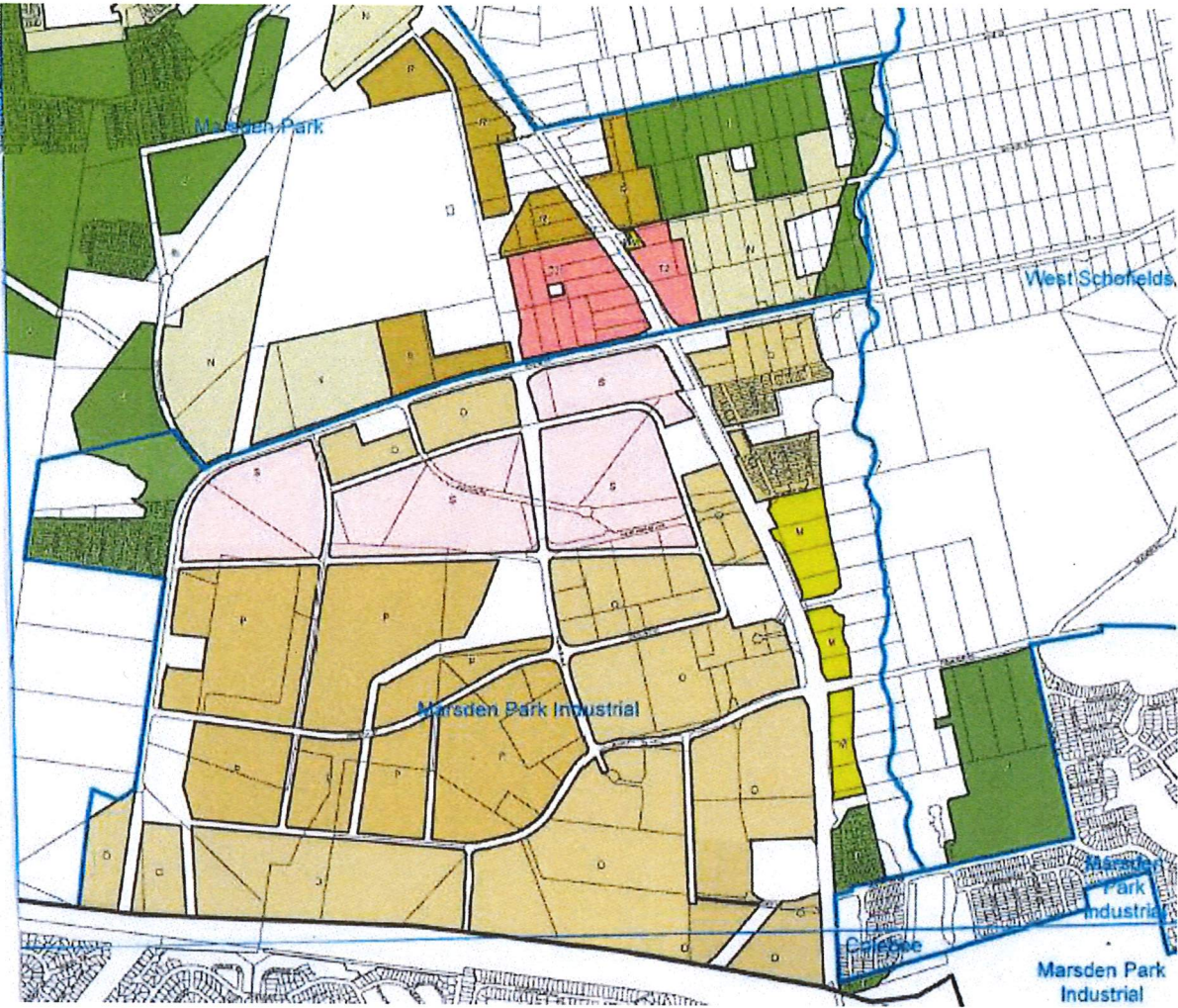
Growth Centre Boundaries

- North West Growth Centre Boundary
- North West Growth Centre Precinct Boundary

Cadastral

Cadastral © 18/10/2018 DFSI Spatial Services

Attachment 4 – Existing Height of Buildings Map



LEGEND

Maximum Building Height (m)

A	0
B	5
C	6.5
D	9
E	10
F	12
G	14
H	16
I	16
J	17
K	17.5
L	18.5
M	21
N	24
O	26
P	28

Delegation number	Delegated matter (Powers and Functions)	Delegated to (position title) (refer to Annexure 2 for key to acronyms)
11.14	Inspection authorisation To authorise officers of the council to carry out inspections in accordance with the Environmental Planning and Assessment Act 1979, the Regulations made under that Act and the provisions of any Environmental Planning Instrument.	DPD
11.15	Planning proposals (A) To prepare and exhibit Local Environmental Plans pursuant to section 54 or section 74 of the Environmental Planning and Assessment Act 1979. (B) To decide not to prepare Local Environmental Plans where the applicant withdraws the application.	DPD DPD
11.16	Draft development control plans & precinct plans (A) To prepare and exhibit draft development control plans and precinct plans and draft amendments to development control plans and precinct plans. (B) To approve minor variations to adopted development control plans and precinct plans.	DPD DPD
11.17	Local overland flooding (as distinct from mainstream creek flooding) To delete references to local overland flooding from the council's DCP maps and computerised land information data base when drainage engineering work under the council's works improvement program rectifies local overland flooding as it relates to any property.	DPD
11.18	Authority to issue Section 10.7 Certificates To issue certificates under section 10.7 of <i>Environmental Planning and Assessment Act 1979</i> (NSW).	CDA, TLPA, PUC, CCU
11.19	Authority to issue Section 121ZP Certificates To issue certificates under section 121ZP of <i>Environmental Planning and Assessment Act 1979</i> (NSW).	TLPA, PUC, CCU
11.20	Investigation Officer To authorise officers of council to exercise functions of an Investigation Officer in accordance with the provisions of the <i>Environmental Planning and Assessment Act 1979</i> (NSW).	BS, CEA, DCO, EBS, TLB, TLPA, TLRP



Blacktown Local Planning Panel

PLANNING PROPOSAL ADVICE

DATE	7 June 2019
PANEL MEMBERS	Sue Francis, Chair Jenny Rudolph, Expert Milan Marecic, Expert Jacqueline Donaldson, Community Representative
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Confidential Panel consideration held at Blacktown City Council, Committee Room 2 on 7 June 2019, opened at 9.30 am and closed at 10.00 am.

PLANNING PROPOSAL

1. F19/1113 Planning Proposal to amend to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to floor space ratio and height of building controls in the Marsden Park Industrial Precinct

PANEL ADVICE

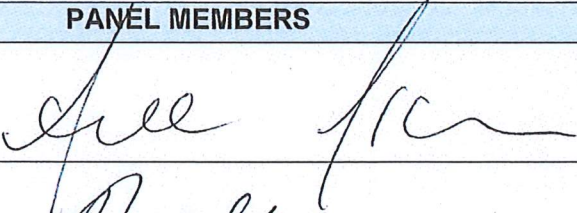


The Panel considered the assessment report on the matter and the material presented at the Panel meeting and supports the recommendation to progress the Planning Proposal for Gateway Determination on the grounds that the Council officers advised that the current Development Control Plan is sufficient to guide and control development.

The Panel provided the following advice for the Planning Proposal described above:

- The proposal has strategic merit in regards to the natural environment, existing uses and likely future uses on and surrounding the site, and existing and required services and infrastructure.
- The proposal is responding to changing circumstance not recognised by current controls such as new infrastructure and changing demographic.
- Prior to exhibition, further evidence based analysis should occur to identify examples of why the height and floor space ratio controls on the land are "not working".



- Review and ensure the control in the Development Control Plan applicable to the land will be sufficient to allow for satisfactory car parking and landscaping provision.
- Consider investigation of the local contributions applicable to the land due to the increased density as a consequence of the Planning Proposal.
- Consider undertaking a comprehensive review of the whole of the Marsden Park Industrial Precinct with the local neighbourhood centre to the north and future rail corridor.

PANEL MEMBERS	
Sue Francis, Chair	
Jenny Rudolph, Expert	
Milan Marecic, Expert	
Jacqueline Donaldson, Community Representative	