

Blacktown Local Environmental Plan 1988 (Amendment No 233) - Planning Proposal to adjust zonings of land at Riverbank Drive and The Ponds Boulevard, The Ponds.

Proposal Title : Blacktown Local Environmental Plan 1988 (Amendment No 233) - Planning Proposal to adjust zonings of land at Riverbank Drive and The Ponds Boulevard, The Ponds.

Proposal Summary : The Planning Proposal seeks to:

- Rezone Lot 1071 DP 1119679 from 3(a) General Business to 5(a) Special Uses;
- Rezone Lot 1074 DP 1119679 from 5(a) Special Uses to 3(a) General Business;
- Rezone Part of Lot 1075 DP 1119679 from 2(a) Residential to 3(a) General Business; and
- Delete Clause 20(c)(3) under the Blacktown LEP 1988.

PP Number : PP_2011_BLACK_007_00 **Dop File No :** 11/21234

Proposal Details

Date Planning Proposal Received :	17-Nov-2011	LGA covered :	Blacktown
Region :	Sydney Region West	RPA :	Blacktown City Council
State Electorate :	RIVERSTONE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street : Riverbank Drive

Suburb : The Ponds **City :** Blacktown **Postcode :** 2769

Land Parcel : Lot 1071 DP 1119679, Lot 1074 DP 1119679 and Part of Lot 1075 DP 1119679

DoP Planning Officer Contact Details

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Contact Number :

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro North West subregion	Consistent with Strategy :	Yes
MDP Number :	0	Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **No**

If No, comment : **LOBBYIST STATEMENT**

At this point of time, to the best of the Regional team's knowledge, this planning proposal is compliant with the Department of Planning's Code of Practice in relation to communication and meeting with lobbyists.

Have there been meetings or communications with registered lobbyists? :

No

If Yes, comment :

Supporting notes

Internal Supporting Notes : **POLITICAL DONATIONS DISCLOSURE STATEMENT**

Political donation disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations of 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 application."

Planning Circular PS08-009 specifies that a person who makes a public submission to the Minister or Director General is required to disclose all reportable political donations (if any).

The Department did not receive any disclosure statement for this Planning Proposal.

ADDITIONAL INFORMATION

Additional information was requested on 23 November 2011 relating to the classification of land to be rezoned from 2(a) Residential to 3(a) General Business, mapping and proponent's report. The Department reviewed the information and has an outstanding concern with regard to the mapping (as outlined in this report).

REFERRALS

A late referral has been sent to the Strategies and Land Release team on 2 December

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2012, after an assessment discovered that Clause 20D of Blacktown Local Environmental Plan applies to the subject site. The clause triggers the need for State/ regional Infrastructure upon the subdivision application stage for land within the Ponds Release Area. While the planning proposal does not seek to amend this clause, a referral has been made to ensure there are no implications for the proposed rezoning on the existing arrangements for State/ regional infrastructure.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : The application clearly identifies the objectives of the Planning Proposal are to:

- Rezone Lot 1071 DP 1119679 from 3(a) General Business to 5(a) Special Uses;
- Rezone Lot 1074 DP 1119679 from 5(a) Special Uses to 3(a) General Business;
- Rezone Part of Lot 1075 DP 1119679 from 2(a) Residential to 3(a) General Business; and
- Delete Clause 20(c)(3) under the Blacktown LEP 1988.

Lot 1071 DP 1119679 comprises a single storey commercial building which is currently being used as a sales and display office for Landcom. It is intended that the building will be modified and used by Council as a community resource hub, in the future.

The area proposed to be rezoned in part Lot 1075 DP 1119679 from 2(a) Residential to 3(a) General Business is approximately 4,013m². Approximately 2,560m² is identified as an "access road" under Section M of the Blacktown DCP 2006 while the remaining 1,597m² is residue residential land.

Lot 1074 and part of Lot 1075 is proposed to be rezoned to 3(a) General Business to facilitate a commercial/retail development.

However, the objectives do not clearly indicate the likely retail outcome or floor space that would be achieved from the rezoning. This report recommends that Planning Proposal be amended to include this.

Further, Figure 2 of the Planning Proposal does not clearly identify what land is subject to the rezoning.

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

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

Comment : The intent of the planning proposal is to change the existing 3(a) General Business Zone and 5(a) Community Uses Zone boundaries so that it:

- Reflects the intended future use of the three land parcels (total site area of 1.79ha) which comprise The Ponds Neighbourhood Centre; and
- Aligns with existing and proposed land use activities within the centre.

In addition, the planning proposal seeks the deletion of Clause 20(3)(c) of the Blacktown Local Environmental Plan 1988 which prohibits the erection of a building on land within Zone No 3(a), as shown on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No.202)", "unless the total of the gross floor areas of all shops and commercial premises on that land will not exceed 1,500 square metres". This will enable the development of a neighbourhood centre to cater for day to day shopping needs of the residents in the estate.

The Planning Proposal does not clearly explain the intended outcomes to be achieved by

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means of new controls on development. In particular, the statement of "realign of the existing 3(a) General Business Zone and 5(a) Community Uses Zone boundaries" and "align with existing and proposed land use activities within the Centre" does not reflect objectives of the Planning Proposal. Hence, a revised explanation of provisions is to be submitted as part of the revised Planning Proposal.

The boundaries are not being "realigned" rather, it is considered that the zones are changing. The Planning Proposal does not clearly explain what, if any controls on floor space ratio and building height will be either relied upon, or put back in place under this Planning Proposal.

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

1.1 Business and Industrial Zones

3.1 Residential Zones

3.2 Caravan Parks and Manufactured Home Estates

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Infrastructure) 2007

SREP No. 19 - Rouse Hill Development Area

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

S.117 DIRECTION - 1.1 BUSINESS AND INDUSTRIAL ZONES

The objective of the direction is to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.

The rezoning of the site would enable the development of a community resource centre and commercial development on site, which will generate approximately 250 –300 new jobs.

The Planning Proposal will also retain the areas and locations of existing business zones and not result in the reduction to the total potential floor space area for employment uses. Hence, the planning proposal is considered to be consistent with this direction.

S.117 DIRECTION - 2.1 ENVIRONMENTAL PROTECTION ZONES

The site is not identified as being "environmentally sensitive". Hence, the Planning Proposal is considered to be consistent with the Direction.

S.117 DIRECTION - 2.3 HERITAGE CONSERVATION

The site is not identified as being part of, containing any environmental heritage or ecologically significant items or areas. Hence, the Planning Proposal is considered to be consistent with the Direction.

S.117 DIRECTION - 3.1 RESIDENTIAL ZONES

The Planning Proposal is inconsistent with this Direction as the proposed rezoning will result in the loss of residential land on Part of Lot 1075 DP 1119679. The site has an area of approximately 4,032sqm of which 2,435sqm is identified as "access road" in Section M of the Blacktown Development Control Plan 2006. Hence, the net loss of previous planned residential zoned land is approximately 1,597sqm.

The subject site is located adjacent to John Palmer School to the south and 3(a) General Business zone to the north. The proposed rezoning is considered of minor significant as the land was intended to be used as a "planned road corridor".

S.117 DIRECTION - 3.2 CARAVAN PARKS AND MANUFACTURED HOME ESTATE

As outlined in Blacktown Local Environmental Plan 1988, caravan parks and manufactured home estates are not permissible in 2(a) Residential zone nor the proposed 3(a) General Business zone. Hence, the proposed rezoning is not inconsistent with Direction 3.2 – Caravan Parks and Manufactured Home Estate.

S.117 DIRECTION - 3.3 HOME OCCUPATIONS

Home occupation is permissible under the SEPP (Exempt and Complying Development Codes) 2008.

S.117 DIRECTION - 3.4 INTEGRATING LAND USE AND TRANSPORT

The site is located in close proximity to major transport (i.e. strategic bus corridor along Windsor Road and proposed North West Rail Link) and it is noted that a bus stop is located in front of John Palmer School, adjacent to the subject site, which provide access to Rouse Hill and Blacktown centres. By enabling the development of a "neighbourhood centre", it will reduce the needs of the Ponds resident to travel to other centres for food and convenience shopping. The Planning Proposal is generally consistent with this Direction.

S.117 DIRECTION - 4.3 FLOOD PRONE LAND

Council has advised that the subject site is not flood prone land and the Direction therefore does not apply.

S.117 DIRECTION - 4.4 PLANNING FOR BUSHFIRE PROTECTION

The subject site is not identified as being bushfire prone land on Council's map. Therefore, this Direction does not apply.

S.117 DIRECTION - 6.1 APPROVAL AND REFERRAL REQUIREMENTS

The Planning Proposal does not seek to introduce further approval and referral requirement into an Local Environmental Plan. Therefore, the Planning Proposal is not inconsistent with the Direction.

S.117 DIRECTION - 6.3 SITE SPECIFIC PROVISIONS

The proposed amendment is consistent as it will simplify the planning controls on the

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subject site by removing Clause 20(c)(3) from Blacktown Local Environmental Plan 1988. The clause restricts the total of the gross floor areas of all shops and commercial premises on Zone No.3(a) land to a maximum of 1,500 square metres.

It is noted that the Planning Proposal does not seek to introduce further controls, which would be warranted in under the Standard Instrument Order such as maximum floor space ratio or height control. In this regard, the floor space ratio and building height controls are contained within Section 7 of the Blacktown Development Control Plan. The Development Control Plan indicates that a "large neighbourhood centre" should have a gross floor area of 5,000sqm - 15,000sqm with a maximum building height of 2 storeys.

S.117 DIRECTION - 7 METROPOLITAN PLANNING

The Planning Proposal does not introduce new provisions to the site and therefore it is not inconsistent with the Direction.

STATE ENVIRONMENTAL PLANNING POLICY (COMPETITION) 2010

The intent of the SEPP is to encourage economic growth and competition and to remove anti-competitive barriers in planning. Whilst the specific provisions of the SEPP do not apply directly, the Planning Proposal is consistent with aims of the SEPP by providing convenient retail facilities to meet daily needs of the residents of the Ponds.

STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND

Clause 6 of State Environmental Planning Policy No.55 – Remediation of Land requires the consent authority to consider whether land is contaminated prior to rezoning land.

Lot 1071 DP 1119679 contains a single storey commercial building which is currently used as a sales and display office for Landcom. Lots 1074 and 1075 DP 119679 are currently vacant and zoned for urban purposes (i.e. 2(a) Residential and 3(a) General Business). The site adjoins a school to the south and detached dwellings to the north and east. Hence, it is unlikely that the site will be contaminated.

Furthermore, this matter can be further assessed at the development application stages.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 is not applicable to the Planning Proposal as it does not facilitate the effective delivery of infrastructure across the State.

SYDNEY REGIONAL ENVIRONMENTAL POLICY NO.19 – ROUSE HILL DEVELOPMENT AREA (DEEMED SEPP)

The subject site is located within the Rouse Hill Development Area, thus SREP 19 applies. The intent of the SREP is to seek to coordinate planning and decision-making for long term growth, identifying land that is suitable for urban purposes and providing for its orderly and economic development, by providing controls to be placed in LEP's that apply to that land.

As identified in the map for Sydney Regional Environmental Policy No. 19 - Rouse Hill Development Area, the subject site is located within "Living Area" and the applicable objectives of the "Living Area" are:

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(a) to facilitate and promote development for residential purposes, including development for the purposes of providing facilities and services to support residential development (such as neighbourhood and district centres, shops, schools and recreation areas); and

(d) to promote within each release area achievement of an average residential density of at least 10 dwellings for each hectare of land shown on the map as Living Area.

The Planning Proposal is consistent with the Objectives A of the "Living Area" as the proposed rezoning will consolidate the Zone 3(a) General Business to the west of the site and enables the development of a "neighbourhood centre". This will provide facilities and services to support the adjoining residential development.

Part of Lot 1075 DP 1119679 is zoned as 2(a) Residential, however, the land was not intended to be used for residential purposes as a planned road is shown over this land (i.e. Section M of the Blacktown Development Control Plan). Therefore, it was not anticipated for the site to contribute the residential density requirement as identified in Objective D.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain : As discussed above, the Planning Proposal is inconsistent with Direction 3.1 -Residential Zones, as the proposed rezoning will result in the loss of residential land on Part of Lot 1075 DP 1119679. However, the inconsistency is of a minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **ZONING MAP**

A zoning map has been submitted as part of the Planning Proposal and is considered satisfactory for consultation. The map clearly indicates the proposed zoning.

MAP CONTAIN IN PLANNING PROPOSAL (FIGURE 2)

Council was requested to provide an amended map (Figure 2) as the map within the Planning Proposal does not clearly indicate what land is subject to the Planning Proposal. In addition, the property descriptions are illegible, nor do they clearly nominate the lots to which the Planning Proposal applies. It is recommended that the Planning Proposal be amended to include a better map for Figure 2.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Blacktown City Council considered that the planning proposal as "low impact" for the following reasons and proposed community consultation period of 14 days:**

- The proposal is consistent with the surrounding with surrounding land uses. The proposed rezoning is within the Ponds Precinct being an existing residential release area. The surrounding land uses being residential.
- The proposal is consistent with the strategic planning framework, in particular, the NSW Government's Metropolitan Strategy and the North West Draft Sub regional Strategy through the provision of extra housing near the North West Growth Centre.
- The planning proposal presents no significant issues with regard to infrastructure servicing.
- The proposal is not a principal LEP. It amends BLEP 1988.
- The proposal does not involve the reclassification of public land.

The reasoning and proposed community consultation period recommended by the Blacktown City Council is considered satisfactory. Hence, a community consultation

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period of 14 days is recommended.

Additional Director General's requirements

Are there any additional Director General's requirements? Yes

If Yes, reasons : As discussed previously, the Planning Proposal is inconsistent with Direction 3.1 - Residential Zone, as the rezoning will result in the loss of 1,453 sqm of residential land. This inconsistency is considered of a minor significance requires the Director-General's approval.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment : The Planning Proposal meets the adequacy criteria. However, the following changes need to be incorporated in a revised Planning Proposal:

1. A revised explanation of provisions which
 - reflect the objective of the planning proposal (including the increase in retail floor space area);
 - replace the terminology of 'realign' with 'changing'.
2. Outline the increase in retail area as a result of the rezoning and amend the terminology from "adjust" to "change".
3. An amended map (Figure 2) clearly identifying the sites with legible property description.
4. Adequately address the provisions of Sydney Regional Environmental Plan No. 19 - Rouse Hill Development Area.

Proposal Assessment

Principal LEP:

Due Date : July 2012

Comments in relation to Principal LEP : Blacktown Council recently received funding under the Local Environmental Plan Priority Program to assist in finalising its Principal Local Environmental Plan.

The Principal Local Environmental Plan will now proceed in two (2) stages.

(Stage 1) - A Planning Proposal for the Blacktown CBD has been submitted separately and received a Gateway Determination on 2 November 2011. The Planning Proposal was issued with a 9 month timeframe for completion. Consultation is expected to commence in the first week of December 2011.

(Stage 2) - Remainder of the LGA. It is scheduled that a s64 submission will be submitted in early February 2012, and s68 submitted by mid 2012, to the Department.

Assessment Criteria

Need for planning proposal : STRATEGIC STUDY OR REPORT?

The Planning Proposal is not the subject of any strategic report or study. As stated in the Council's submission, the Blacktown Centres Study 1999 suggests that "Small Neighbourhood" centre be permitted to accommodate a range of floor spaces up to 5,000m2. However, it is noted that the study is currently under review by Council.

NET COMMUNITY BENEFIT?

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The proponent has undertaken a net community benefit and community needs assessment.

The Planning Proposal is compatible with agreed State and regional strategic direction for development in the area as it is consistent with the intent of the Metropolitan Plan for Sydney 2036, draft North West Subregional Strategy and the intent of the draft Centres Policy Planning for Retail and Commercial Development.

The RPA has considered the draft planning documents for the Area 20 Precinct within the North West Growth Centre and reports that the proposed floor space will be commensurate with the expected population of Area 20 upon completion.

Due to surrounding land uses and road network, it is unlikely that the centre can expand beyond the scale envisaged in this planning proposal.

It is forecasted that the proposed rezoning has the potential to create approximately 250-300 new jobs at the site whilst having a minimal impact on the supply of residential land.

The proponent anticipated that the proposed "neighbourhood centre" will decrease the number of trips made by the residents. If the resident of The Ponds made one less supermarket trip to nearby Rouse Hill weekly, this would result in reduction of 574 tonnes of CO2 omitted annually.

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Consistency with strategic planning framework :

METROPOLITAN PLAN FOR SYDNEY 2036 AND NORTH WEST SUBREGIONAL STRATEGY

The aim of the Metropolitan Plan for Sydney 2036 supports the location of commercial development in central part of existing or planned centres and identifies the need to plan for centres to grow and change over time.

In particular, Objective B1 of the Metropolitan Plan for Sydney 2036 aims to focus activity in accessible centres.

Similarly, the North West Subregional Strategy forecasts that the Blacktown LGA will require an additional 45,000 jobs by 2031. In particular, the following actions apply to the site:

- o Action B4.1 – Concentrate retail activity in centres, business development zones and enterprise corridors;
- o Action C2.1 – Focus residential development around town centres, villages and neighbourhood centres; and

The site is located in close proximity, approximately 200m, from the nearest bus stops at The Ponds Boulevard and adjacent to John Palmer School. A bus stop is located in front of John Palmer School, which provides access to retail and community services and facilities at Blacktown town centres and Rouse Hills major centre.

The site was identified and planned as a neighbourhood centre in The Ponds Masterplan; however, it was not identified by the draft North West Subregional Strategy. It is anticipated that the "centre" will generate approximately 250-300 new jobs.

Furthermore, it will provide shopping opportunities for residents of the Ponds estate and will reduce the need for local residents to travel to undertake their daily needs. It is noted the neighbourhood centre will be located approximately 1.6km from Stanhope Village (Town Centre) and Rouse Hills (Major Centre). The Community Need Assessment analysis (prepared by the proponent) concludes that "no centres will experience an initial impact greater than -7% which is considered a manageable impact".

Considering the above factors, it is considered that the planning proposal is not inconsistent with the Metropolitan Plan for Sydney 2036 nor the draft North West Subregional Strategy.

BLACKTOWN CITY 2025 STRATEGY

The planning proposal is not inconsistent with the visions and objectives of the Blacktown City 2025 Strategy.

Environmental social economic impacts :

ECONOMIC ASSESSMENT

The proponent envisaged for The Ponds neighbourhood centre to cater for day to day and weekly convenience shopping needs of residents within the Ponds estate.

CURRENTLY, the site (all lots) comprises a total (in land area) of:

- 9,973sqm of 3(a) General Business zone;
- 4,007sqm of 5(a) Community Uses zone; and
- 4,013sqm of 2(a) Residential zone.

The proposal will result in an **ADDITIONAL** (land area) of:

- 3,617sqm of 3(a) General Business zone
[a total of 13,590sqm of 3(a) General Business zone]; and
- 396sqm of 5(a) Community Uses zone

[a total of 4,403sqm of 5(a) Special Uses zone].

***Therefore, there will be an INCREASE in land area available for retail opportunity:

- from 9,973sqm (land area) with a maximum building height of 2 storeys; to
- 13,590sqm (land area) with a maximum building height of 2 storeys.

However, the Planning Proposal provides inconsistent numbers in terms of the total retail opportunity for the site (ie, 7,000sqm). Further it does not indicate nor consider the total retail floor space will be generated by the proposed rezoning. It is recommended that the total retail floor space be incorporated in the revised Planning Proposal, and a brief consideration which relates to the accompany net benefit analysis and community need assessment analysis.

The site is subject to the floor space area and building height controls contained in Section 7 of the Blacktown Development Control. The Development Control Plan indicates that a "small neighbourhood centre" should have a maximum gross floor area of 5,000sqm with a maximum building height of 2 storeys. Further, the likely impact of future developments will be considered during development application assessment.

A Community Need Assessment analysis has been undertaken by the proponent examining the impacts the proposed retails uses will have on nearby neighbouring centre. The analysis demonstrates that the proposed development would not adversely affect the vitality and viability of any of the existing centres within the "Main Trade Area". Taken into consideration the growth in spending the size and scale of the proposed development, it is anticipated that "no retail centre is forecast to experience an impact greater than -7.8%, this is considered to be a manageable level of impact".

Other than Stanhope Village and ALDI at Rouse Hill, "no other centre will trade with impact levels greater than 5%".

According to the analysis, a large retail centre will be more sustainable in the long term because it will meet the weekly shopping needs of local residents far better than a 1,500sqm centre which can only satisfy top up shopping. In addition, removing the floor space cap will enable a wider range of goods and services to be provided, thereby giving residents the opportunity to have access to greater choice and convenience.

VEGETATION

The subject site is currently vacant and located in an established urban area, adjoining a school to the south and residential development to the north and east.

It is unlikely to contain critical habitat or threatened species, populations or ecological communities.

TRAFFIC

No traffic impact assessment report has been submitted as part of the Planning Proposal. The Regional Team is unable to consider the potential traffic impact the neighbourhood centre would have on the area. Hence, it is recommended that the Road and Traffic Authority is consulted.

Council has indicated that a detail traffic impact assessment will be undertaken during the assessment of any future development applications.

INFRASTRUCTURE

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The site is subject to Clause 20D - Restriction on certain subdivisions at Schofields and Kellyville Ridge, Parklea Release Area as it is located within the map marked as "Blacktown Local Environmental Plan 1988 (Amendment No 202)". The objective of the clause is to "require assistance towards the provision of regional transport infrastructure and services to satisfy needs that will arise from development of land".

It is noted that the Planning Proposal does not involve the subdivision of any land. Therefore, as there is no increase in residential development, no additional regional transport infrastructure and services are required as part of this Planning Proposal and is not captured by the existing Clause.

NOISE

It is noted that the "neighbourhood centre" will be located adjacent to the John Palmer School to the south and the proposed "community centre" to the west. The adjoining residential areas will be separated by Riverbank Drive and Pebble Crescent.

It is unlikely the proposed development will have significant adverse noise impacts on the locality and neighbouring properties. Detail noise impact assessment will be undertaken by Council during the assessment of the development application.

HERITAGE

The subject site is not current Heritage listed in Blacktown LEP 1988, not on the State Heritage Register, are not identified on the Commonwealth/National Heritage Registers.

SOCIAL PUBLIC BENEFIT

A social public benefit has been conducted by the proponent and considered that the proposed rezoning will have the following community benefits:

- Establishing a community focal point which will create opportunities for social interaction in an environment which is active, vibrant and close to home;
- Decreased number of trips that residents within the trade area make to higher order centres;
- Increased retail choice and shopper convenience; and
- Enhanced employment opportunities within the centre.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	14 Days
Timeframe to make LEP :	9 Month	Delegation :	DDG
Public Authority Consultation - 56(2)(d) :	Department of Transport - Roadas and Traffic Authority		

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

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

If no, provide reasons :

Resubmission - s56(2)(b) : **Yes**

If Yes, reasons : **A revised Planning Proposal incorporating the recommended changes should be submitted to the Department's regional team prior to community consultation.**

Identify any additional studies, if required. :

If Other, provide reasons :

No additional study is required.

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons : **Note: Refer to infrastructure section of this report for comment.**

Documents

Document File Name	DocumentType Name	Is Public
Letter from Council.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Council's Resolution.pdf	Study	Yes
Proposed Zoning Map.pdf	Map	Yes
Blacktown LEP 1989 (Amendment 202).pdf	Study	No
Blacktown LEP 1989 (Amendment 202) map.pdf	Map	No
Location Map.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Planning Proposal proceed with the following conditions**

CONDITIONS

- 1. The Director General determine that the inconsistency with Direction 3.1 - Residential Zone is of minor significance.**
- 2. A revised planning proposal is to be submitted to the Department's regional team prior to community consultation incorporating the following changes:**

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(a) A revised explanation of provisions which:

- reflect the objectives of the Planning Proposal; and
- replace the terminology of "realign" with "changing".

(b) Include an outline and description on the increase in retail area (both in net site area and available development opportunity) as a result of the rezoning.

(c) Amend map (Figure 2) clearly identifying the sites with legible property description.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

4. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act:

- Road and Transport Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

1. The rezoning will assist in achieving employment targets in the North West Subregion.
2. The rezoning of the site is consistent with both State and local strategic framework and is likely to have minimal environmental, social and economic on the locality.
3. The deletion of Clause 20(c)(3) of the Blacktown Local Environmental Plan is unlikely to jeopardise the viability of any existing centres.
4. The rezoning will provide shopping opportunities for residents of the Pond estate and will reduce the need for local residents to travel to undertake their daily needs.

Signature:



Printed Name:

STEPHEN GARDINER

Date:

2/12/2011