

Planning Services

Plan Finalisation Report

1. NAME OF DRAFT LEP

Blacktown Local Environmental Plan - Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (draft LEP) (PP_2017_BLACK_005_00).

2. SITE DESCRIPTION

The planning proposal applies to land at Lot 111, DP 1190510, Richmond Road, Marsden Park (the site) within Precinct 3 of Stockland's 'Elara' Estate, to the west of Richmond Road in Marsden Park North of the North-West Priority Growth Area of the Sydney Region Growth Centres SEPP (Figure 1).

The proposal at **Attachment B** shows the two subject sites. The subject sites are zoned RE1 Public Recreation, R2 Low Density Residential and SP2 Local Drainage under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) and are surrounded by R2 Low Density Residential zoning (**Attachment D**). The site has a total area of approximately 40.05ha, and is currently undergoing construction works to enable its subdivision. It is surrounded by R2 Low Density Residential land which is undergoing further boundary adjustments.



Figure 1 Site location



Figure 2 Existing zoning

3. PURPOSE OF PLAN

The draft LEP seeks to:

- Rezone and reconfigure Site 1 – Proposed Lot 32 (Local Park), zoned RE1 Public Recreation to ensure the zone boundaries match new lot boundaries between RE1 Public Recreation and R2 Low Density Residential zones. The net increase of RE1 land is 53sqm.
- Rezone and reconfigure Site 2 – Proposed Lot 31 (Playing Fields) zoned part RE1 Public Recreation and SP2 Local Drainage to part RE1 Public Recreation, R2 Low Density Residential and SP2 Local Drainage to facilitate a modified drainage design to improve connectivity and provide level access for residents walking to the fields. The playing field will increase its area from 4.265sqm to 5.2105sqm, a net increase of 0.946ha. Council advises the net loss of R2 land is 0.0246ha.

The draft LEP will not create any additional dwellings.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Riverstone Electorate. Mr Kevin Conolly MP is the State Member for Riverstone.

The Hon Ed Husic MP is the Federal Member for Chifley.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct: There have been no meetings or communications with registered lobbyists with respect to this proposal.

NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required

5. GATEWAY DETERMINATION

The Gateway determination issued on 5 October 2017 (**Attachment C**) determined that the proposal should proceed subject to conditions. The draft LEP is due for finalisation by 12 July 2018. The delay was due to map sequencing and drafting issues. At the time, the Department's Land Release Team was consulted and did not raise any objection to the proposal.

6. PUBLIC EXHIBITION

In accordance with the Gateway determination, the proposal was publicly exhibited by Council from 31 October 2017 to 28 November 2017. No submissions were received during the community consultation period.

7. ADVICE FROM PUBLIC AUTHORITIES

Council consulted Sydney Water in accordance with the Gateway determination. No objections were raised by Sydney Water.

8. POST-EXHIBITION CHANGES

There was no change to the planning proposal following public exhibition.

9. ASSESSMENT

The proposal is the result of an integrated piped drainage solution which will result in a more functional design and better amenity for the community with additional active usable open space with no net reduction to residential land because of the rezoning. There will be no significant environmental effects anticipated because of the zone boundary and map adjustments.

Section 9.1 Directions

There are no unresolved section 9.1 Directions.

State environmental planning policies

The draft LEP is consistent with all relevant SEPPs or deemed SEPPs.

State, regional and district plans

The Planning Proposal is consistent with the objectives outlined in the Central City District Plan, in that it will support to accelerate housing supply, choice and affordability and build great places to live.

10. MAPPING

The amending maps to the Growth Centres SEPP Land Zoning, Dwelling Density, Height of Buildings and Land Reservation Acquisition Maps (Sheets 002 and 005) have been checked by the Department's ePlanning Team and were sent to Parliamentary Counsel.

11. CONSULTATION WITH COUNCIL

Council was consulted on the terms of the draft instrument under clause 3.36(1) of the *Environmental Planning and Assessment Act 1979*. Council confirmed on 5 October 2018 that the plan should be made (**Attachment E**).

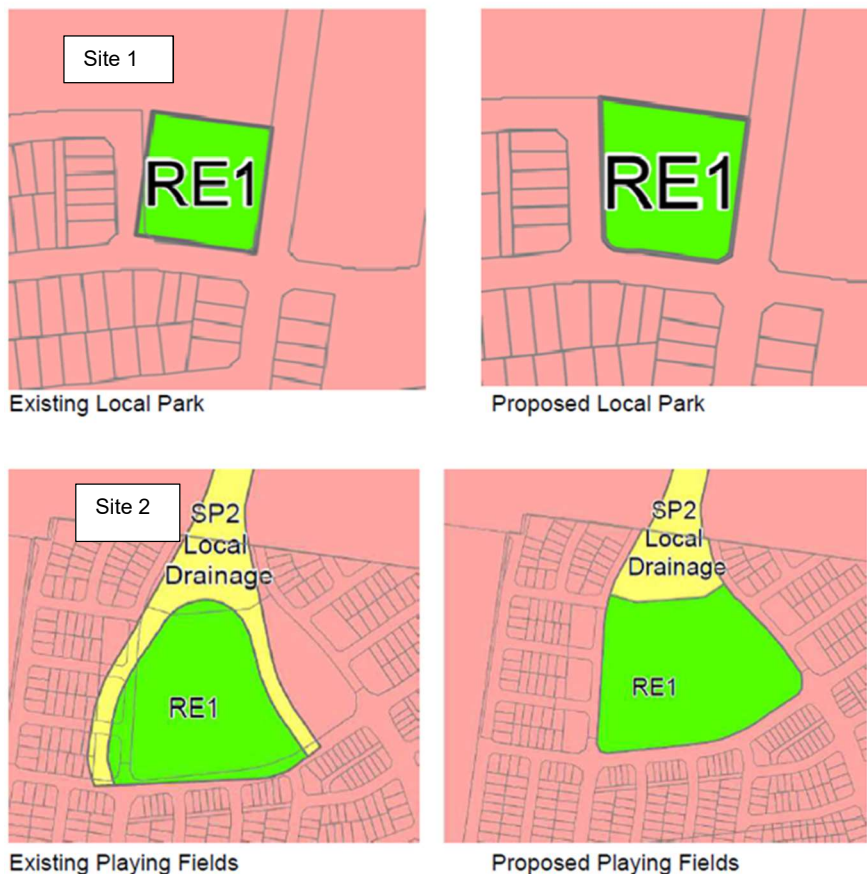


Figure 3 – Comparison of existing and proposed zoning

11. PARLIAMENTARY COUNSEL OPINION

On 26 September 2018 Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

12. RECOMMENDATION

It is recommended that the Greater Sydney Commission's delegate as the local plan-making authority determine to make the draft LEP under clause 3.36(2)(a) of the Act because:

- all relevant environmental impacts have been assessed as part of previously approved bulk earthworks and subdivision applications over the site;
- there are no significant environmental, social or economic impacts anticipated as a result of the amendments sought; and
- the piping of drainage channels and boundary adjustments will allow 0.946ha additional land for a more functional and better designed playing field for the community, and additional 53sqm land area for public park.

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19/10/2018