

Planning Services

Gateway Determination Report

LGA	Blacktown
RPA	Blacktown City Council
NAME	Blacktown Local Environmental Plan 2015 - Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – Precinct 3 - Elara Estate, Richmond Road, Marsden Park
NUMBER	PP_2017_BLACK_005_00
LEP TO BE AMENDED	Blacktown LEP 2015
ADDRESS	Precinct 3, Elara Estate, Richmond Road, Marsden Park
DESCRIPTION	Part of Lot 111 DP 1190510
RECEIVED	Date 25 September 2017
FILE NO.	17/13145-1
QA NUMBER	qA419355
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of Planning Proposal

The proposal seeks to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 for rezoning and reconfiguring of two land parcels (future playing fields and a proposed local park) within Stockland's Precinct 3 Elara Estate within Marsden Park Release Area, North West Priority Growth Area.

Site Description

The proposal is for rezoning and reconfiguration of two sites, 32 (Site 1 - Local Park) 31 (Site 2 - Playing Field) located 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 at.

Attachment F shows the two subject sites.

The subject sites are zoned RE1 Public Recreation, R2 Low Density Residential and SP2 Local Drainage under the Growth Centres SEPP and are surrounded by R2 Low Density Residential zoning (**Attachment E**).

Surrounding Area

The subject sites are within Precinct 3 of Elara Estate located in Marsden Park Priority Area of North West Priority Growth Area under State Environmental Planning Policy (Sydney Region Growth Centres) 2006. Precinct 3 of Elara Estate at Lot 111, DP 1190510 has a total area of approximately 40.05ha, and is currently undergoing construction works to

enable its subdivision. The precinct will undergo further boundary adjustments for residential use.



Location of sites

Summary of Recommendation

It is recommended that the proposal proceed with conditions given that:

- the planning proposal will result in only negligible changes and seeks to rationalise zone boundaries to ensure consistency with existing/approved subdivision patterns;
- the proposal is of public benefit and will increase levelled playing field for future residents;
- the proposal is not inconsistent with the objectives of A Plan for Growing Sydney and the Draft West Central District Plan; and
- no significant environmental, social or economic impacts are anticipated.

PROPOSAL

Objectives or Intended Outcomes

The purpose of this proposal is to facilitate the amendment of the Growth Centres SEPP to rezone and reconfigure two land parcels (future playing fields and a proposed local park) zoned RE1 Public Recreation, R2 Low Density Residential and SP2 Local Drainage to RE1 and R2 Low Density Residential in accordance with the new subdivision and drainage reconfiguration. The planning proposal will also rationalise the SEPP to better reflect existing/proposed subdivision patterns, and will assist in providing clarity to stakeholders.

Explanation of Provisions

The proposal relates to two parcels of land owned by Stockland within Elara Precinct 3 of Stockland's Elara Estate. The subject sites are zoned RE1 Public Recreation, R2 Low

Density Residential and SP2 Local Drainage under the Growth Centres SEPP and are surrounded by R2 Low Density Residential land

Site 1 - Local Park:

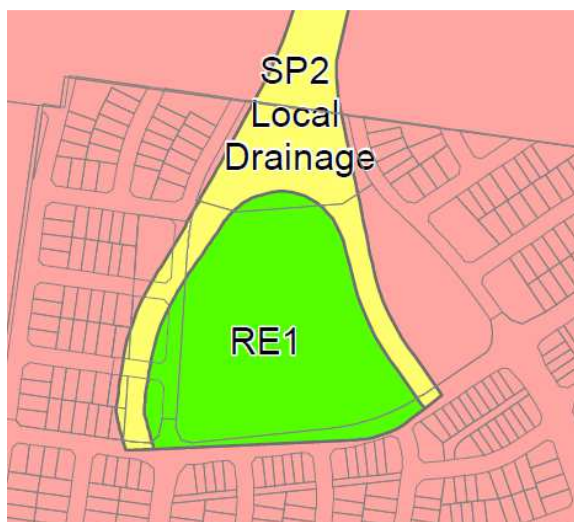
Minor changes are also sought to the location of a proposed local park (4765sqm), zoned RE1 Public Recreation to ensure the zone boundaries match new lot boundaries as a result of subdivision. The planning proposal is to amend the Growth Centres SEPP to realign the boundary of the land between RE1 Public Recreation and R2 Low Density Residential. The net increase of RE1 land is 53sqm.



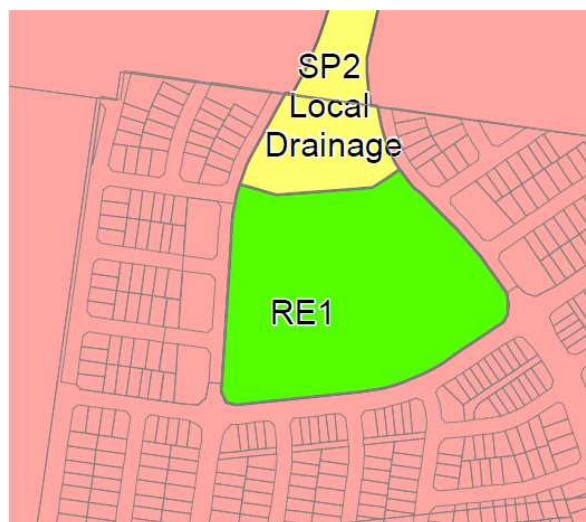
Existing Local Park



Proposed Local Park



Existing Playing Fields



Proposed Playing Fields

Site 2 - Playing Fields:

The proposal seeks to vary the location of future playing fields and facilitate a modified drainage design to improve connectivity and provide level access for residents walking to the 2 fields.

J. Wyndham Prince was engaged by Stockland to provide an investigation into the feasibility of piping the proposed trunk drainage channels known as MS 1.6 and MS 1.7 around the future playing fields. The investigation concluded that piping of these channels will allow approximately 0.917ha of additional land to be used as public open space for the precinct. The planning proposal is to amend the Growth Centres SEPP to rezone the land

from part RE1 Public Recreation, R2 Low Density Residential and SP2 Local Drainage to RE1 Public Recreation. 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. This does not reduce the housing numbers capable on the land.

Mapping

The amendments will necessitate corresponding amendments to the Land Zoning, Dwelling Density, Height of Buildings and Land Reservation Acquisition Maps (Sheets 002 and 005) under the Growth Centres SEPP.

NEED FOR THE PLANNING PROPOSAL

The proposed changes to the playing fields, in terms of its boundaries and associated drainage, as well as the regularisation of zone boundaries of subject sites can only be achieved via amendments to the Growth Centres SEPP Maps.

STRATEGIC ASSESSMENT

State

A Plan for Growing Sydney identifies new land release areas as an important component of Sydney's overall housing supply. The proposal will facilitate orderly development of the Marsden Park Precinct with improved design of the playing field, public open space and drainage infrastructure providing better accessibility for future residents living within the Precinct.

District

Marsden Park is located within the West Central District Plan area. The Planning Proposal is consistent with the objectives outlined for the draft West Central District in that it will support to accelerate housing supply, choice and affordability and build great places to live.

Local

Council advises the Planning Proposal is consistent with Blacktown Planning Strategy 2036. The proposal will provide clarity to the planning controls to enable the provision of housing within a key growth area, along with infrastructure to support the growth in population and infrastructure demand.

Section 117(2) Ministerial Directions

3.1 Residential Zones

The planning proposal seeks to adjust boundaries of a proposed local park and involves minor reduction to the area of residential land by a combined 0.0299ha. The proposal will contribute to provision of housing in an area of the North West Growth Centre identified for residential development.

The changes are considered negligible and will not reduce housing numbers capable on the residential zoned land. The proposal will align the playing fields with approved subdivision and enable levelled access to the surrounding future residents. As such, the planning proposal is considered consistent with this Direction.

3.4 Integrating Land Use and Transport

The Elara Estate is located immediately to the east of Richmond Road which is being upgraded to a four-lane road with provision for six lanes in the future. The upgraded road will service the expected traffic growth from housing and employment opportunities in the area.

The proposal is consistent with this direction.

4.3 Flood Prone Land

The planning proposal will result in the rezoning of 0.946ha area of land from SP2 Drainage and R2 Low Density Residential to RE1 Public Recreation to facilitate a modified drainage design (piped drainage channels) to improve connectivity and provide level access for residents walking to the future playing fields.

Council advises a small area of the site which contains flood prone land will be designed to sit within the future bio-retention and drainage basin within the SP2 Drainage land, and the future residential land around the playing fields will not be impacted by flood prone land.

It is considered that the proposal is consistent with this Direction.

6.2 Reserving Land for Public Purposes

The planning proposal seeks to remove the requirement for Council to acquire part of the subject land for drainage purposes, and will amend the land reservation acquisition map accordingly.

This Direction requires, among other things, that a planning proposal must not reduce reservations of land for public purposes without the approval of the relevant public authority and the Secretary (or Secretary's delegate) of the Department.

It is considered that, in balance, the decrease of drainage land to increase levelled playing field by 0.946ha for future residents is a positive public benefit. The proposal's inconsistency with the Direction is therefore considered minor. The Secretary's delegate approval is recommended.

State Environmental Planning Policies

The planning proposal is not inconsistent with any applicable SEPPs or deemed SEPPs.

SITE SPECIFIC ASSESSMENT

Social

The proposed amendment is not considered to have any adverse social effects.

Environmental

There are no significant environmental effects anticipated because of the zone boundary and map adjustments. All relevant environmental impacts have been assessed as part of the previously approved bulk earthworks and subdivision applications by Council over the site.

Stormwater management

The piping of drainage channels will allow approximately 0.946ha additional public open space for the community, and will result in a more functional design and better amenity for residents accessing this facility.

Open space

There are no additional dwellings because of zoning changes. The provision of open space has been increased with minor boundary changes to the Local Park, with an increase of 53sqm.

Economic

The changes to the playing field location include an integrated piped drainage solution which will result in a more functional design and better amenity for residents accessing this facility as well as provide Council and the community with additional active usable open space with no net reduction to residential land because of the rezoning. This is considered to provide a better outcome for the community and future nearby residents.

CONSULTATION

Community

The planning proposal is of a minor nature. Community consultation is proposed by Council for 28 days. This is considered appropriate.

Agencies

Consultation with Sydney Water is proposed.

TIMEFRAME

The timeframe to finalise the planning proposal is 9 months

DELEGATION

Council has not asked for delegation. The planning proposal is to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. It is recommended that Council not be issued plan making delegation.

CONCLUSION

The planning proposal is supported to proceed with conditions.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. Agree with Section 117 Directions 6.2 Reserving Land for Public Purpose that it is of minor significance.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of 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 *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - (a) Sydney Water.

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

3. 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 (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

4/10/17

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