

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |                 |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------|
| Proposal Title :   | <b>Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct (Part West Schofields Precinct Release)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |                 |
| Proposal Summary : | The planning proposal seeks to rezone land within the Townson Road Precinct through amending the SEPP (Sydney Region Growth Centres) 2006 to rezone part of the West Schofields Precinct Release Area. The draft LEP wil allow urban development to occur in the manner envisaged by the North West Growth Centre Structure Plan, including the establishment of residential, environmental conservation, recreational and infrastructure land use zones. The rezoning will provide a minimum of 336 lots with a population of at least 974 people, 2.158ha of passive open space, 7.4ha E2 Environmental conservation zoned riparian land and 1.574ha for drainage infrastructure. |               |                 |
| PP Number :        | <b>PP_2014_BLACK_002_00</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Dop File No : | <b>14/07893</b> |

**Proposal Details**

|                                   |                           |                      |                               |
|-----------------------------------|---------------------------|----------------------|-------------------------------|
| Date Planning Proposal Received : | <b>05-May-2014</b>        | LGA covered :        | <b>Blacktown</b>              |
| Region :                          | <b>Sydney Region West</b> | RPA :                | <b>Blacktown City Council</b> |
| State Electorate :                | <b>BLACKTOWN</b>          | Section of the Act : | <b>55 - Planning Proposal</b> |
| LEP Type :                        | <b>Spot Rezoning</b>      |                      |                               |

**Location Details**

|               |                                                                         |        |            |
|---------------|-------------------------------------------------------------------------|--------|------------|
| Street :      |                                                                         |        |            |
| Suburb :      |                                                                         | City : | Postcode : |
| Land Parcel : | <b>Part Lot 1 DP 88530</b>                                              |        |            |
| Street :      |                                                                         |        |            |
| Suburb :      |                                                                         | City : | Postcode : |
| Land Parcel : | <b>Lots 5, 6, 7, 8 and 9 DP 27536</b>                                   |        |            |
| Street :      |                                                                         |        |            |
| Suburb :      |                                                                         | City : | Postcode : |
| Land Parcel : | <b>Part Lot 44, Part Lot 45, Part Lot 46 and Part Lot 47 DP 1175138</b> |        |            |

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

**DoP Planning Officer Contact Details**

Contact Name : Tessa Parmeter  
Contact Number : 0298601555  
Contact Email : tessa.parmeter@planning.nsw.gov.au

**RPA Contact Details**

Contact Name : Zara Tai  
Contact Number : 0298396237  
Contact Email : zara.tai@blacktown.nsw.gov.au

**DoP Project Manager Contact Details**

Contact Name : ChoCho Myint  
Contact Number : 0298601167  
Contact Email : chocho.myint@planning.nsw.gov.au

**Land Release Data**

|                                       |                            |                                                            |             |
|---------------------------------------|----------------------------|------------------------------------------------------------|-------------|
| Growth Centre :                       | Sydney North West          | Release Area Name :                                        | Other       |
| Regional / Sub<br>Regional Strategy : | Metro North West subregion | Consistent with Strategy :                                 | Yes         |
| MDP Number :                          |                            | Date of Release :                                          |             |
| Area of Release<br>(Ha) :             | 32.00                      | Type of Release (eg<br>Residential /<br>Employment land) : | Residential |
| No. of Lots :                         | 0                          | No. of Dwellings<br>(where relevant) :                     | 336         |
| Gross Floor Area :                    | 0                          | No of Jobs Created :                                       | 0           |

The NSW Government Yes  
Lobbyists Code of  
Conduct has been  
complied with :

If No, comment : To the best of the Regional Team's knowledge, there have been no meetings or communications with registered lobbyists.

Have there been  
meetings or  
communications with  
registered lobbyists? :

No

If Yes, comment : The Department of Planning and Environment's Lobbyist Contact Register was checked on 12 May 2014. No meetings or communications with registered lobbyists are listed in regard to the draft LEP.

**Supporting notes**

Internal Supporting  
Notes :

External Supporting  
Notes :

**Adequacy Assessment**

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

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

Is a statement of the objectives provided? Yes

Comment : The key overall objective of the planning proposal is to rezone land within the Townson Road Precinct to allow urban development to occur in the manner envisaged by the North West Growth Centre Structure Plan, including the establishment of residential, environmental conservation, recreational and infrastructure land use zones.

The intended outcome of the proposed rezoning is to achieve the following:

- a minimum of 336 residential lots;
- 2.158 hectares of passive open space;
- 7.4 hectares of riparian land zoned E2 Environmental conservation; and
- 1.574 hectares of drainage infrastructure.

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to amend Appendix 12 - Blacktown Growth Centres Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) including the maps to which this appendix and the overall SEPP applies. The planning proposal intends to amend the SEPP supporting maps to:

- include the Townson Road Precinct in the Growth Centres SEPP, under the provisions of Appendix 12 - Blacktown Growth Centres Precinct Plan.

This is to be achieved by identifying the site as "F" land to which Blacktown Growth Centres Precinct Plan 2013 applies (appendix 12, clause 1.3) on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Land Application map (sheet 005).

- rezone the land to part R2 Low density residential, E2 Environmental Conservation, RE1 Public Recreation and SP2 Local Drainage.

These proposed zones would be shown on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning map (Sheet 005).

It is not proposed to change the land use table in the SEPP.

- Insert Height of Building provisions and include a maximum height of 9 metres for the land proposed to be zoned R2 Low Density Residential.

This is proposed to be achieved by identifying land proposed to be zoned R2 Low Density Residential in this amendment (eastern side of the subject land) as "J" (9 metres maximum building height) on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Height of Buildings map (Sheet 005).

No change is proposed to the height of building provisions in the instrument.

- Insert minimum lot size provisions of 225 sqm for land proposed to be zoned R2 Low Density Residential and 4000 sqm for land proposed to be zoned E2 Environmental Conservation.

This is proposed to be achieved by identifying land proposed to be zoned R2 Low Density Residential in this amendment (eastern side of the subject land) as "B1" (225 sqm minimum lot size) and identify the land proposed to be zoned E2 Environmental Conservation as "W" (4000 sqm) on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Minimum Lot Size map (Sheet 005).

It is not proposed to amend the provisions of clause 4.1 Minimum subdivision lot size or 4.1A Minimum lot sizes for residential development under Appendix 12 of the Growth Centres SEPP in relation to this land.

**Note:**

The proposed minimum lot size of 4000 sqm for land zoned E2 Environmental conservation, appears to be inconsistent with the Growth Centres SEPP, which does not identify a minimum lot size for other land zoned E2 Environmental Conservation on the same map sheet (Sheet 005).

- Apply residential density controls of 15 dwellings per hectare to land proposed to be zoned R2 Low density residential on the subject site.

This is proposed to be achieved by identifying land proposed to be zoned R2 Low Density Residential in this amendment (eastern side of the subject land) as "O" (15 dwellings per hectare) on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Density map (Sheet 005).

No change is proposed to clause 4.1B Residential density under Appendix 12 of the Growth Centres SEPP in relation to this land.

- Apply flooding controls to the site

This to be achieved by identifying the flood prone land on the subject site on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Development Control map (Sheet 005).

Clause 19 of the Growth Centres SEPP would apply to land identified as flood prone.

- Apply Vegetation protection provisions to the site

This is to be achieved by identifying the relevant land on the subject site as the protected vegetation (existing native vegetation area and native vegetation retention area) on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Vegetation Protection map (Sheet 005).

Clauses 6.3 Development controls — native vegetation retention areas and 6.4 Development controls — existing native vegetation in Appendix 12 under the Growth Centres SEPP would continue to apply to the subject land and are not proposed to be amended.

- Apply Riparian protection provisions to the site

This to be achieved by identifying the relevant land as riparian protection area on the subject site on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Riparian Protection Area map (Sheet 005).

Clauses 6.3 and 6.4 in Appendix 12 under the Growth Centres SEPP would apply to the subject land and are not proposed to be amended.

- Apply land reservation acquisition provisions

This to be achieved by identifying the relevant land on the subject site as land reservation acquisition on the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre Land Reservation Acquisition map (Sheet 005).

Clause 5.1 Relevant acquisition authority in Appendix 12 under the Growth Centres SEPP would apply to the subject land and are not proposed to be amended.

The map does not identify all the land to which this clause would apply. The land proposed to be zoned RE1 Public Recreation and SP2 Local Drainage has not been identified on the land acquisition maps. This should occur prior to exhibition in accordance with clause 5.1.

#### THE SEPP (INSTRUMENT) PROVISIONS

It is intended that all the relevant provisions of the Growth Centres SEPP, in particular Appendix 12 would apply to the subject land.

The planning proposal provides a review of the provisions in Appendix 12 of the Growth Centres SEPP and has identified proposed changes to the provisions as follows:

##### 1.2 Aims of the Plan

It is proposed to amend the aims of the plan to remove specific reference to a particular precinct so that they will apply equally and consistently to all land where the Precinct Plan applies.

The Land Release Team has been consulted which has advised that the proposed amendment to the aims of the Plan are not supported.

##### Land Use Tables

The planning proposal intends to utilise the existing R2 Low Density Residential zone, SP2 Infrastructure zone, RE1 Public Recreation zone, E2 Environmental Conservation zone.

No changes are proposed to the land use permissibility.

##### 4.1 Minimum subdivision lot size

No change is proposed to the clause.

As noted above in the mapping comments, the planning proposal includes a proposed minimum lot size of 225sqm for land proposed to be zoned R2 Low Density Residential. The existing minimum Lot Size map (LSZ\_005) identifies that nearby R2 Low Density Residential zoned land does not have a minimum lot size identified on the map.

The planning proposal also includes a proposed minimum lot size of 4000 sqm for land proposed to be zoned E2 Environmental Conservation. The existing minimum Lot Size map (LSZ\_005) identifies that nearby E2 Environmental Conservation zoned land does not have a minimum lot size identified on the map.

Confirmation will need to be received from the Land Release Team that these proposed minimum lot sizes are appropriate.

##### Clause 4.1B - Residential Density

No change is proposed to the clause.

As noted above in the mapping comments, the planning proposal includes a proposed residential density of 15 dwellings per hectare for land proposed to be zoned R2 Low density Residential. The existing Residential Density map (RDN\_005) identifies that nearby R2 Low Density Residential zoned land has a residential density of 15 dwellings per hectare, so this proposal appears to be consistent with existing provisions in the SEPP.

Confirmation will need to be received from the Land Release Team that the proposed residential density is appropriate.

##### Clause 4.3 - Height of buildings

No change is proposed to the clause.

As noted above in the mapping comments, the planning proposal includes a proposed

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

height of buildings of 9 metres for land proposed to be zoned R2 Low Density Residential. The existing Height of Buildings map (HOB\_005) identifies that nearby R2 Low Density Residential zoned land has a maximum height of building of 9 metres, so this proposal appears to be consistent with the existing provisions in the SEPP.

Confirmation will need to be received from the Land Release Team that the proposed height of buildings is appropriate.

**Clause 4.4 - Floor Space Ratio**

No change is proposed to the clause.

The planning proposal does not include a proposed floor space ratio for any of the land. The existing Floor Space Ratio map (FSR\_005) identifies that nearby R2 Low Density Residential zoned land does not have a floor space ratio, so this proposal appears consistent with existing provisions in the SEPP.

Confirmation will need to be received from the Land Release Team proposing no floor space ratio is appropriate.

**5.1 Relevant acquisition authority**

The clause is not proposed to be amended and the clause identifies the corresponding acquisition authorities for the proposed RE1 Public Open Space, SP2 Local Drainage and SP2 Classified Road.

As discussed above, the acquisition map should be amended to identify the land proposed to be zoned SP2 Local Drainage and RE1 Public Recreation and agreed to by the Land Release Team.

**6.10 - Development of land within or adjacent to public transport corridor.**

No change is proposed to this clause, and the planning proposal advises that this clause will not apply to the site at this time.

Confirmation will need to be received from the Land Release Team, and Transport for NSW that this clause does not apply to the site at this time.

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

1.2 Rural Zones

2.1 Environment Protection Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Infrastructure) 2007

SEPP (Sydney Region Growth Centres) 2006

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

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

The Land Release Team advises the following matters need to be considered when assessing this planning proposal:

- Infrastructure commitments by the proponent to deliver any required infrastructure at no additional cost to Government, and if necessary a binding commitment to deliver this infrastructure through a State VPA if necessary. This particularly relates to any infrastructure covered by the Special Infrastructure Contribution, water, sewer and electricity infrastructure.
- Consistency with the Growth Centres Biodiversity Certification particularly the relevant biodiversity measures under schedule 7 to the Threatened Species Conservation Act.
- Consistency with the Blacktown Growth Centre Precinct Plan (Appendix 12 of the Growth Centres SEPP)
- Consistency with the Blacktown Growth Centre Precinct Development Control Plan (DCP).
- Adequacy of technical studies prepared to support the proposed rezoning.

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

If No, explain :

The assessment of Section 117 Directions should be further addressed and be amended to advise whether the planning proposal is consistent or inconsistent with a number of Section 117 Directions. In particular the following Section 117 Directions:

**1.2 - Rural Zones**

This direction should be further considered, and identify if the planning proposal is inconsistent with this direction. If an inconsistency with the direction is identified, this inconsistency should be justified as minor significance with supporting information.

**1.5 - Rural Lands**

The discussion of this direction should be amended as it is not applicable to the Blacktown LGA.

**2.1 - Environmental Protection Zones**

This direction should be further considered in relation to the existing vegetation on site, whether any vegetation is being removed and whether the planning proposal is consistent with the Growth Centres Biodiversity Certification particularly the relevant biodiversity measures under Schedule 7 to the Threatened Species Conservation Act.

**2.3 - Heritage conservation**

The planning proposal identifies the proposed road layout, as shown in the Indicative Layout Plan(ILP), will affect known archaeological sites. Consideration of this direction should be further considered following consultation with the Local Aboriginal Land Council (LALC) and Office of Environment and Heritage.

**3.1 - Residential zones**

Council is satisfied that the planning proposal is consistent with direction. The planning proposal should be revised to confirm its consistency with the direction.

**3.4 - Integrated Land use and transport**

This direction should be further considered to clearly identify the planning proposal's consistency or inconsistency with this direction, and adequately justify the inconsistency, if required.

**4.1 - Acid sulphate soils and 4.2 Mine subsidence and unstable land**

The planning proposal should be amended to clearly identify if these directions are applicable, and if applicable, whether the planning proposal is consistent with these directions or not.

**4.3 - Flood prone land**

The planning proposal should be amended to clearly identify if any of the land proposed to be zoned residential is flood prone. It appears, following a general review of the proposed zoning maps and flood maps, that the proposed residential zoned land is not identified as flood prone on the North West growth Centre Development Control Map (DVC\_005). This should be confirmed by Council.

Council is satisfied that the planning proposal is consistent with clause 6(b) of this direction as the planning proposal will not "permit development that will result in significant flood impacts to other properties".

**4.4 - Planning for Bushfire protection**

The planning proposal should be amended to identify that consultation with the Commissioner of the Rural Fire Service is to occur prior to the exhibition process. The consistency of the planning proposal with this direction should be reviewed, and revised if necessary, following consultation with Rural Fire Service.

**5.1 - Implementation of regional strategies**

The planning proposal should be amended to revise the consideration of this direction. This Section 117 Direction is not applicable to this proposal.

**6.1 - Approval and Referrals requirements**

The planning proposal should be amended to revise the consideration of this direction. Consultation with the Rural Fire Service for consideration of Section 117 4.4 Planning for Bushfire Protection is not an applicable consideration of this direction.

**6.2 Reserving Land for Public Purpose**

The planning proposal is currently inconsistent with this direction as Council has not identified on the land reservation acquisition map, land proposed to be zoned RE1 Public recreation and SP2 Local Drainage, which are identified under clause 5.1 as land to be acquired with Council as the acquisition authority.

Council should revise the land acquisition reservation maps prior to exhibition, and readdress this direction.

The Director General's consideration and potential agreement of any inconsistencies should be deferred until after exhibition and once the planning proposal has been amended and additional information received to the satisfaction of the Land Release Team and Metro Delivery (Parramatta).

The planning proposal should not be exhibited until the outstanding matters are resolved or further considered.

**Mapping Provided - s55(2)(d)**

Is mapping provided? Yes

Comment : Council has provided draft exhibition maps based on the existing growth centre SEPP maps. The draft maps provided are:

- land application map;
- land zoning map;
- lot size map;
- residential density map;
- height of buildings map;
- development control map (map includes flood prone land information);
- land reservation acquisition map;
- native vegetation map; and
- riparian protection map.

The land reservation acquisition map does not identify most of land that needs to be

## Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct (Part West Schofields Precinct Release)

acquired in this amendment, especially, as part of the site is proposed to be zoned part RE1 Public recreation and part SP2 Local drainage.

Council will need to identify the acquisition authority, in accordance with clause 5.1 Relevant acquisition authority in Appendix 12 of the Growth Centres SEPP. Prior to exhibition, Council should amend the land reservation acquisition map to identify the land that needs to be acquired in this amendment.

Prior to exhibition, Council is to obtain agreement of the Land Release Team that the maps are suitable for exhibition.

### Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : It has been proposed to exhibit the planning proposal for 28 days. This minimum exhibition period is supported.

### Additional Director General's requirements

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

If Yes, reasons :

### Overall adequacy of the proposal

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

If No, comment : With amendment, there is adequate information to assess the planning proposal.

## Proposal Assessment

### Principal LEP:

Due Date : **November 2014**

Comments in relation to Principal LEP : Blacktown LEP 2014 is likely to be finalised in late 2014.

However, this planning proposal is to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

### Assessment Criteria

Need for planning proposal : In May 2013, this land was released by the Minister for Planning as a partial release of the West Schofields Release Area. The out of sequence release of this land was supported at that time as the land owners agreed to provide the necessary service infrastructure to the site at "no cost to government", and that it was possibly to commence the construction of dwellings on the site within 18 months of being rezoned.

It was agreed by the Minister when the land was released that any future rezoning of the site could be submitted to the Department as a planning proposal.

The planning proposal has the potential to provide approximately 400 dwellings, which will assist in meeting the housing targets in Blacktown and the larger Metropolitan context.

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

Consistency with  
strategic planning  
framework :

**METROPOLITAN PLAN**

The Metropolitan Plan for Sydney 2036 identifies the Growth Centres in the North West and South West of Sydney. The Schofields West Precinct is located in the North West Growth Centre. A Structure Plan has been approved for each Growth Centre to guide planning and development.

Council has advised that the proposed residential zoned boundary amendment on the site is consistent with the Metropolitan Plan for Sydney 2036 as it will assist in locating and accommodating new housing. This will contribute to the Growth Centres targets which aim to accommodate up to 500,000 people over the next 30 years.

**DRAFT NORTH WEST SUBREGIONAL STRATEGY**

The Planning Proposal is considered to be generally consistent with the provisions of the draft North West Subregional Strategy.

**STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES)  
2006**

The Planning Proposal seeks to amend the above State Environmental Planning Policy. The Planning Proposal is consistent with the intent of Appendix 12 – Blacktown Growth Centres Precinct Plan of the State Environmental Planning Policy.

It appears that most of the provisions are consistent with the SEPP. Prior to exhibition, Council be required to seek the Land Release Team's agreement to the planning proposal and proposed changes are consistent with the SEPP.

**GROWTH CENTRES BIODIVERSITY CERTIFICATION**

The part of this site is included in the growth centres biodiversity certification area. An assessment of the planning proposal with the relevant biodiversity certification order has been included with the planning proposal. Prior to exhibition, Council must receive the agreement from the Land Release Team that this assessment is satisfactory and there are no outstanding matters with the Biodiversity certification order.

Environmental social  
economic impacts :

**ENVIRONMENTAL**

The Townson Road Precinct contains a mix of certified and non-certified land under the NSW Threatened Species Act 1995 (TSC Act). To support the planning proposal Council has provided a Growth Centres Biodiversity Certification Assessment for the areas that are certified under the SEPP. This assessment will need to be agreed to by Land Release Team prior to exhibition.

The site also contains threatened fauna species under the Threatened Species Act and/or Environmental Planning and Biodiversity Conservation Act 1999. Council has advised that no part of the residential development, drainage basins, open space, asset protection zones, roads and sewer pumping station are located within the non-certified areas. As such, no threatened species or vegetation within the non-certified areas will be affected by the development of the site.

Council has included a biodiversity, riparian and bushfire assessment study to support the planning proposal. This study and the proposed environmental outcomes should be reviewed by the Office of Environment and Heritage.

**ABORIGINAL HERITAGE**

As previously advised, the site contains known Aboriginal archaeological sites that may be affected by this planning proposal. Council should consult with the Office of Environment and Heritage and the Local Aboriginal Land Council. It is proposed to obtain an Aboriginal Heritage Impact Permit prior to commencing any development.

**FLOODING**

The planning proposal is unclear with regards to flooding on the subject site, the potential impacts of stormwater run-off and flooding on land adjoining the site and downstream. The existing Growth centres flooding map identifies that some of the site is flood affected,

## Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct (Part West Schofields Precinct Release)

but it appears that the land proposed to be zoned for residential purpose is located outside the mapped flood areas. Council should revise the planning proposal to address potential flooding both on site and off site.

A flood and storm water study was provided to support the planning proposal.

### LAND CONTAMINATION

A preliminary site investigation found evidence of asbestos on the site. Work was undertaken to remove the asbestos from the land and Council is satisfied that, in accordance with SEPP55, the site can be developed for its intended use.

### SOCIAL TRAFFIC

A traffic impact assessment was provided with the planning proposal. Council is satisfied that the existing road infrastructure has the capacity to manage the impact of any future development on site. Roads and Maritime Services should be consulted with regards to the traffic study.

Transport for NSW should also be consulted with regards to the need for road improvement and any necessary State infrastructure contributions.

### NOISE

The planning proposal identifies that a number of future dwellings will be affected by traffic noise exceeding the infrastructure SEPP criteria. It is proposed to manage these impacts through the associated development control plan. Environment Protection Agency (EPA) should be consulted on this matter.

### INFRASTRUCTURE AND SERVICES

The planning proposal notes that the site is currently not serviced by reticulated sewer, water, gas, electricity or telecommunication. The planning proposal is supported by a proposed utilities investigation.

Council is satisfied that the site can be connected to all the necessary infrastructure services. The Land Release Team has advised that this would need to occur at "no cost to government".

Consultation needs to occur with all the relevant infrastructure providers to commence discussions and potentially prepare a planning agreement to secure the necessary infrastructure for the site. This should occur during the planning proposal process to ensure that the infrastructure can be provided at no cost to Government.

### STATE INFRASTRUCTURE CONTRIBUTIONS/ SPECIAL INFRASTRUCTURE CONTRIBUTIONS

Council will need to consult with the relevant state agencies with regards to state infrastructure contributions attributable to the proposed development. This can occur during the planning proposal process.

## Assessment Process

|                                             |                                                                                                                                                                                        |                                 |         |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------|
| Proposal type :                             | Precinct                                                                                                                                                                               | Community Consultation Period : | 28 Days |
| Timeframe to make LEP :                     | 12 months                                                                                                                                                                              | Delegation :                    | DG      |
| Public Authority Consultation - 56(2) (d) : | Essential Energy<br>NSW Aboriginal Land Council<br>Hawkesbury - Nepean Catchment Management Authority<br>Department of Education and Communities<br>Office of Environment and Heritage |                                 |         |

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

Integral Energy  
Transport for NSW  
Fire and Rescue NSW  
Department of Health  
NSW Police Force  
NSW Rural Fire Service  
Transport for NSW  
Transport for NSW - Roads and Maritime Services  
State Emergency Service  
Sydney Water  
Telstra  
Transgrid  
Other

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

**Other - provide details below**

If Other, provide reasons :

**Any additional studies as required by the land release team.**

Identify any internal consultations, if required :

**Residential Land Release (MDP)**

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **Land Release Team has advised that this planning proposal should only proceed with**  

- Infrastructure commitments by the proponent to deliver any required infrastructure at no additional cost to Government, and if necessary a binding commitment to deliver this infrastructure through a State VPA. This particularly relates to any infrastructure covered by the Special Infrastructure Contribution, water, sewer and electricity infrastructure.**

**A proposed utilities investigation was provided to support the planning proposal.**

**Documents**

| Document File Name                                                               | DocumentType Name        | Is Public |
|----------------------------------------------------------------------------------|--------------------------|-----------|
| Townson Road Planning Proposal (April 2014).pdf                                  | Proposal                 | Yes       |
| Townson Road Planning Proposal Explanation of Intended Effect (April 2014) 2.pdf | Proposal                 | Yes       |
| Blacktown Council_Cover Letter_Townson Road Planning proposal.pdf                | Proposal Covering Letter | Yes       |
| Draft Land Application Map.pdf                                                   | Map                      | Yes       |
| Draft Land Zoning Map.pdf                                                        | Map                      | Yes       |
| Draft Lot Size Map.pdf                                                           | Map                      | Yes       |
| Draft Land reservation acquisition map.pdf                                       | Map                      | Yes       |
| draft Height of Buildings Map.pdf                                                | Map                      | Yes       |
| Draft Development Control - Flooding map.pdf                                     | Map                      | Yes       |
| Draft Residential Density Map.pdf                                                | Map                      | Yes       |
| Draft Native Vegetation Protection Map.pdf                                       | Map                      | Yes       |
| Draft Riparian Protection Map.pdf                                                | Map                      | Yes       |
| Attachment 5 European Heritage and Statement of Heritage Impact.pdf              | Study                    | Yes       |

## Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct (Part West Schofields Precinct Release)

|                                                                                                     |          |     |
|-----------------------------------------------------------------------------------------------------|----------|-----|
| Attachment 6 Townson Road Aboriginal Heritage Assessment.pdf                                        | Study    | Yes |
| Attachment 7 Traffic Impact Assessment.pdf                                                          | Study    | Yes |
| Attachment 8B Water Quality Modelling and WSUD Assessment .pdf                                      | Study    | Yes |
| Attachment 9 Biodiversity Riparian and Bushfire Final v2.pdf                                        | Study    | Yes |
| Attachment 10 Townson Road Consistency Report .pdf                                                  | Proposal | Yes |
| Attachment 11 Townson Road Strategic Assessment Consistency Report.pdf                              | Proposal | Yes |
| Attachment 12 Environmental Noise Impact Assessment.pdf                                             | Study    | Yes |
| Attachment 13A Land Contamination Report DL3164_S000962_Townson Road Precinct_Stage 1_R02 (2).pdf   | Study    | Yes |
| Attachment 13B Asbestos Clearance_ Certification.pdf                                                | Study    | Yes |
| Attachment 14 Townson Road Precinct Demographic, Open Space and Community Facilities Assessment.pdf | Study    | Yes |
| Attachment 15 Proposed Utilities Investigation.pdf                                                  | Study    | Yes |
| Attachment 8A Townson Road Precinct - flood study and detention assessment 140307.pdf               | Study    | Yes |

### Planning Team Recommendation

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

S.117 directions:

- 1.2 Rural Zones
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

It is recommended that this planning proposal proceed through all stages only with agreement from the Land Release Team. As this is a precinct release under the Growth Centres SEPP, this proposal should proceed in accordance with relevant land release procedures to ensure consistency with other precinct releases.

1. Prior to exhibition, Council is to obtain the agreement of the Director of Greenfield Delivery of the Department of Planning and Environment that the following matters have been satisfactory addressed:

- Infrastructure commitments by the proponent to deliver any required infrastructure at no additional cost to Government, and if necessary, agreement to enter into a State VPA. This particularly relates to any infrastructure covered by the Special Infrastructure Contribution, water, sewer and electricity infrastructure.
- Consistency of the planning proposal with Growth Centres Biodiversity Certification, particularly the relevant biodiversity measures under schedule 7 to the TSC Act.
- Consistency of the planning proposal with the Blacktown Growth Centre Precinct Plan (Appendix 12 of the Growth Centres SEPP)
- The Consistency of the planning proposal with the Blacktown Growth Centre Precinct Development Control Plan (DCP).

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

- The adequacy of technical studies prepared are suitable to support the proposed rezoning.

**2. Prior to public exhibition:**

2.1 Council is to amend the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with S117 Direction 2.1 Environmental Protection Zones, in particular in relation to biodiversity certification and threatened species (flora and fauna) in the non-certified areas. Council is to consult with the Director of Greenfield Delivery of the Department of planning and Environment regarding the above matters, and if required, the Office of Environment and Heritage and Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

2.2 To sufficiently demonstrate consistency with S117 Direction 4.3 Flood Prone Land, Council is address whether the flood affected portion of the site is proposed to be zoned residential. Council should clarify the flood affectation on the site in the planning proposal both under the consideration of section 117 directions, and consideration of environmental impacts.

2.3 To sufficiently demonstrate consistency with S117 Direction 2.3 - Heritage conservation, Council is to consult with Office of Environment and Heritage and the Local Aboriginal Land Council regarding the potential impact on known Aboriginal archaeological items. Council is to re-address the consistency of the planning proposal with the direction following consultation and consideration of any matters raised in the submissions, if required.

2.4 To sufficiently demonstrate consistency with Section 117 Direction 4.4 - Planning for bushfire protection, Council is to consult with the Commissioner of the Rural Fire Service. Council is to further consider the consistency of the planning proposal with this direction following consultation with the Rural Fire Service.

2.5 Council is to amend the planning proposal to address the consistency with the following section 117 Directions, and if necessary justify any inconsistencies: Section 117 Direction 1.2 Rural Zones, Section 117 Direction 1.5 - Rural Lands, 2.3 - Heritage conservation, 3.1 - Residential zones, 3.4 Integrated Land use and transport objectives, 4.1 Acid sulphate soils, 4.2 mine subsidence and unstable land, 4.3 Flood prone land, 4.4 Planning for bushfire protection, 5.1 Implementation of regional strategies, 6.1 Approval and referral requirements and 6.2 Reserving land for public purposes.

2.6 Council is to amend the planning proposal and the exhibition draft land reservation acquisition map to identify all the land that is to be acquired for public purposes in this amendment, including RE1 Public recreation and SP2 Local drainage.

2.7 Council is to amend the planning proposal to clearly indicate the location of the site on all exhibition maps and to enhance the word "draft" on these maps.

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 updated planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- Environment Protection Agency (EPA)

**Blacktown Planning Proposal - To Amend Growth Centres SEPP - Townson Rd Precinct  
(Part West Schofields Precinct Release)**

- Office of Environment and Heritage - Heritage division
- Local Aboriginal Land Council
- NSW Rural Fire Service
- Transport for NSW – Roads and Maritime Services
- Transport for NSW
- Sydney Water
- Jemena
- Endeavour Energy (Integral Energy)
- Hawkesbury Nepean Catchment Management Authority
- Department of Education and Communities
- Department of Health
- NSW Fire and Rescue
- NSW Police
- State Emergency Services

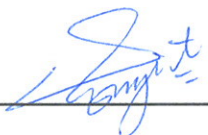
Each public authority is to be provided with a copy of the updated planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities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

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons : To provide housing in an appropriate location.

Signature:



Printed Name:

CHO CHO MCINT

Date:

26/5/14

