



Planning Proposal

Goshawk Avenue, Marsden Park

To amend by rezoning land under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – Lots 215-220, 231-235 and 279 in DP1250840, Goshawk Avenue, Marsden Park

September 2020

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Attachments

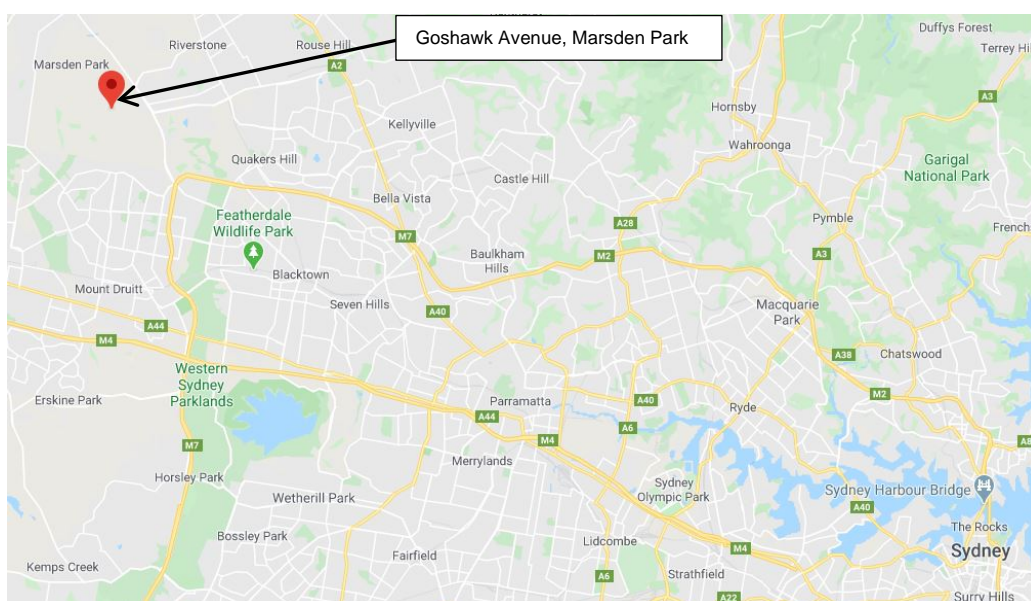
- Attachment 1: Consistency with Greater Sydney Region Plan, Central City Plan, Blacktown Community Strategic Plan and Blacktown LSPS
- Attachment 2: Consistency with Applicable SEPPs and REPs
- Attachment 3: Consistency with Relevant Section 9.1 Directions by the Minister

Part 1 – Objectives or intended outcomes

1.1 Introduction

Blacktown City Council has received a request from GLN Planning on behalf of Fort Myers Trust c/o RPS to amend the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). It applies to Lots 215-220, Lots 231-235 and Lot 279 in DP1250840, Goshawk Avenue, Marsden Park.

Figure 1: Regional context map



The subject site is located in the North West Growth Area (NWGA) within the Marsden Park Precinct. The Marsden Park Precinct is located approximately 40km from the Sydney CBD, 10km from Blacktown and 9.21km from Rouse Hill Town Centre. The Marsden Park Indicative Layout Plan is shown in Figure 2, with the subject site outlined in red.

The subject site which is known as the 'Horizon Estate', is located south of the proposed Garfield Road West extension and north of the existing Marsden Park Industrial Precinct, as shown in Figure 3.

On the eastern side of the site, an anomaly occurred as part of an approved subdivision (DA-16-03800), resulting in the 12 lots to be zoned part R2 Low Density Residential and part RE1 Public Recreation under the Growth Centres SEPP.

Figure 2: Marsden Park Precinct Indicative Layout Plan

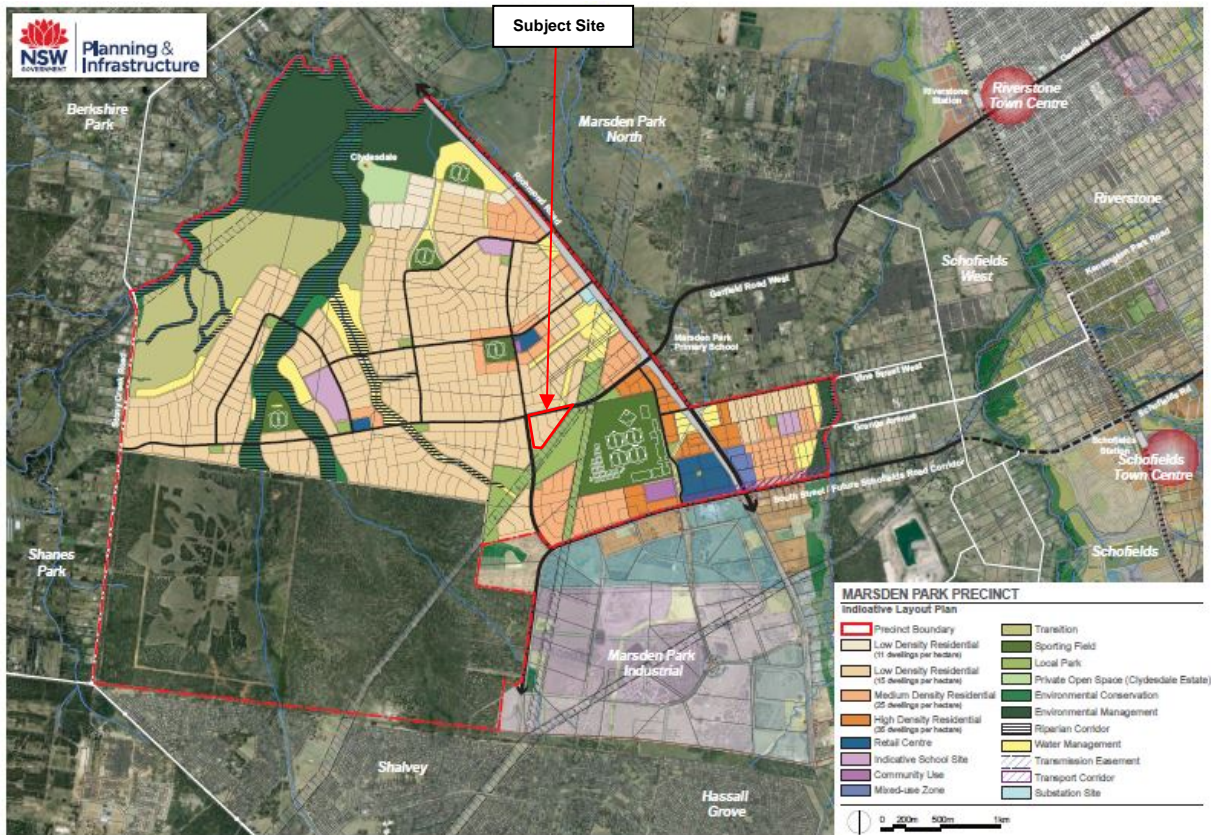


Figure 3: Horizon Estate



The objective of this Planning Proposal is to facilitate the amendment of the Growth Centres SEPP with the aim to align the RE1 Public Recreation and R2 Low Density Residential boundary zones with the registered lot boundaries. This RE1 Public Recreation area proposed to be rezoned is outlined in red as shown in Figure 4.

The proposal will necessitate amendments to the Land Zoning, Height of Buildings, Residential Density and Land Reservation Acquisition Maps (Sheet 005) under the Growth Centres SEPP.

The intended outcomes of the Planning Proposal are:

- To achieve consistency of boundary zones to reflect the registered boundary lots in the approved subdivision plan and what is anticipated under the Marsden Park Indicative Layout Plan (ILP).
- For the relevant mapping in the Growth SEPP to reflect a more practical and appropriate distinction of public recreation and residential uses on the site, as R2 Low Density Residential provisions are not allowed under RE1 Public Recreation zoning.
- To resolve any potential confusion in the development process and provide certainty to both land owners and council.
- To enable land unaffected by the transmission easement to be developed to align with existing residential dwellings.
- To promote improved linear passive connection between the RE1 Public Recreation zone, R2 Low Density Residential zone and the transmission easement.

Figure 4: Area proposed to be amended

1.2 Applicable land

The Planning Proposal applies to land in the Marsden Park Precinct in the North West Growth Area. The vision for the site and surroundings are shown in the ILP within the Blacktown City Council Growth Centres Precincts Development Control Plan Schedule 6 (Marsden Park Precinct).

The applicable land subject to the Planning Proposal is shown in Figure 4 and outlined in Table 1 below.

Table 1: Description of lots subject to planning proposal (Subject Site)

| Lot | DP | Address |
|-----|-----------|------------------------------|
| 215 | DP1250840 | Goshawk Avenue, Marsden Park |
| 216 | DP1250840 | Goshawk Avenue, Marsden Park |
| 217 | DP1250840 | Goshawk Avenue, Marsden Park |
| 218 | DP1250840 | Goshawk Avenue, Marsden Park |
| 219 | DP1250840 | Goshawk Avenue, Marsden Park |
| 220 | DP1250840 | Goshawk Avenue, Marsden Park |
| 231 | DP1250840 | Goshawk Avenue, Marsden Park |
| 232 | DP1250840 | Goshawk Avenue, Marsden Park |
| 233 | DP1250840 | Goshawk Avenue, Marsden Park |
| 234 | DP1250840 | Goshawk Avenue, Marsden Park |
| 235 | DP1250840 | Goshawk Avenue, Marsden Park |
| 279 | DP1250840 | Goshawk Avenue, Marsden Park |

1.3 Current planning controls

Under the Growth Centres SEPP, the lots are currently zoned partly R2 Low Density Residential and RE1 Public Recreation (Figure 5).

On the land zoned R2 Low Density Residential, the following provisions are relevant to this Planning Proposal:

- Height of Buildings. Under this clause, the R2 Low Density Residential portion of the site is identified as having a maximum building height of 9m (Figure 6)
- Residential Density. This clause applies a minimum residential density of 15 dwellings per hectare over the area of the site which is zoned R2 Low Density Residential (Figure 7)
- Land Reservation Acquisition. The area of the site zoned RE1 Public Recreation has been identified for future acquisition on the Land Reservation Acquisition Map (Figure 8)

Figure 5: Existing Land Zoning Map

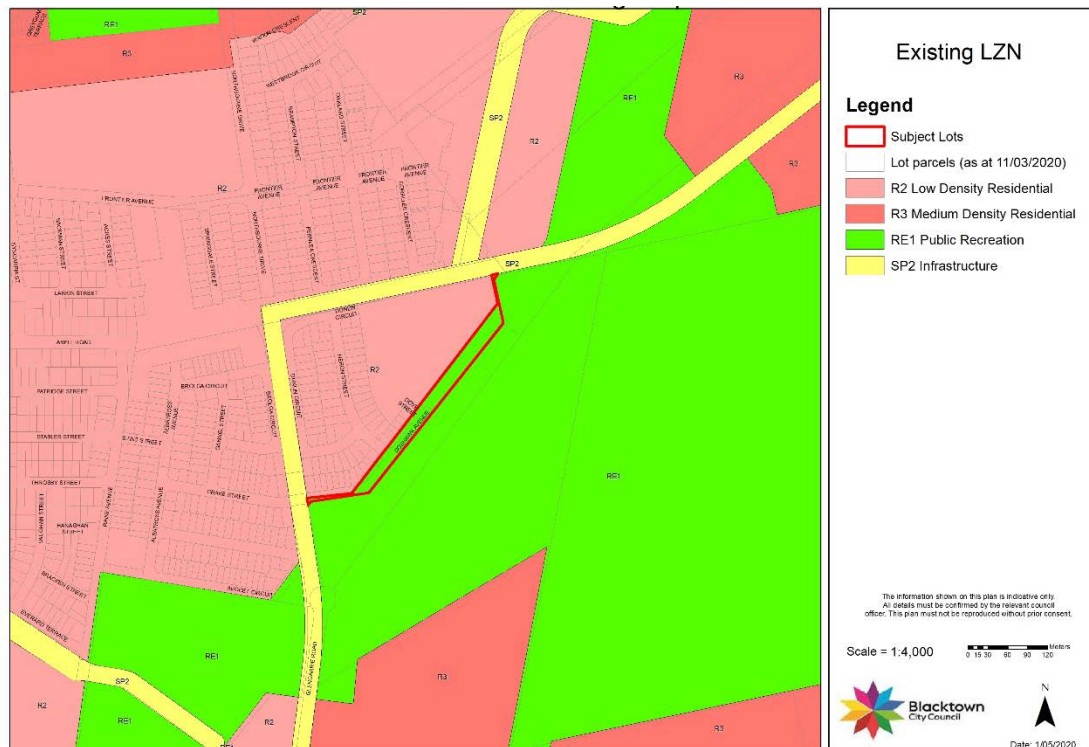


Figure 6: Existing Height of Buildings Map

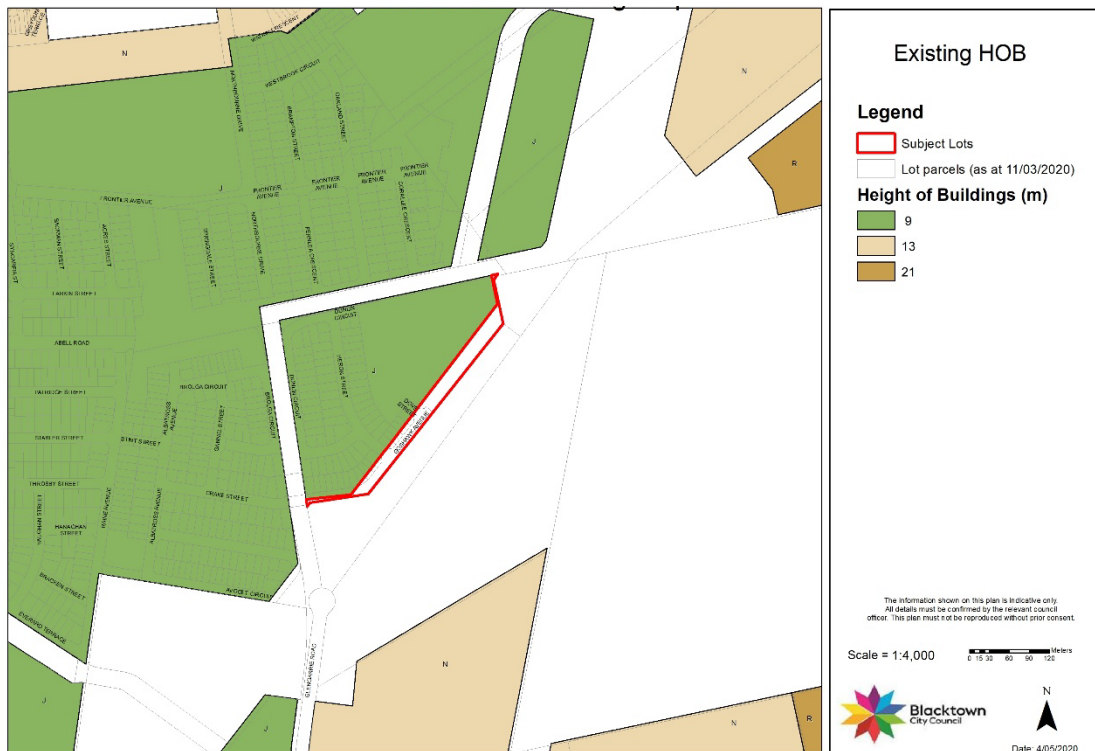
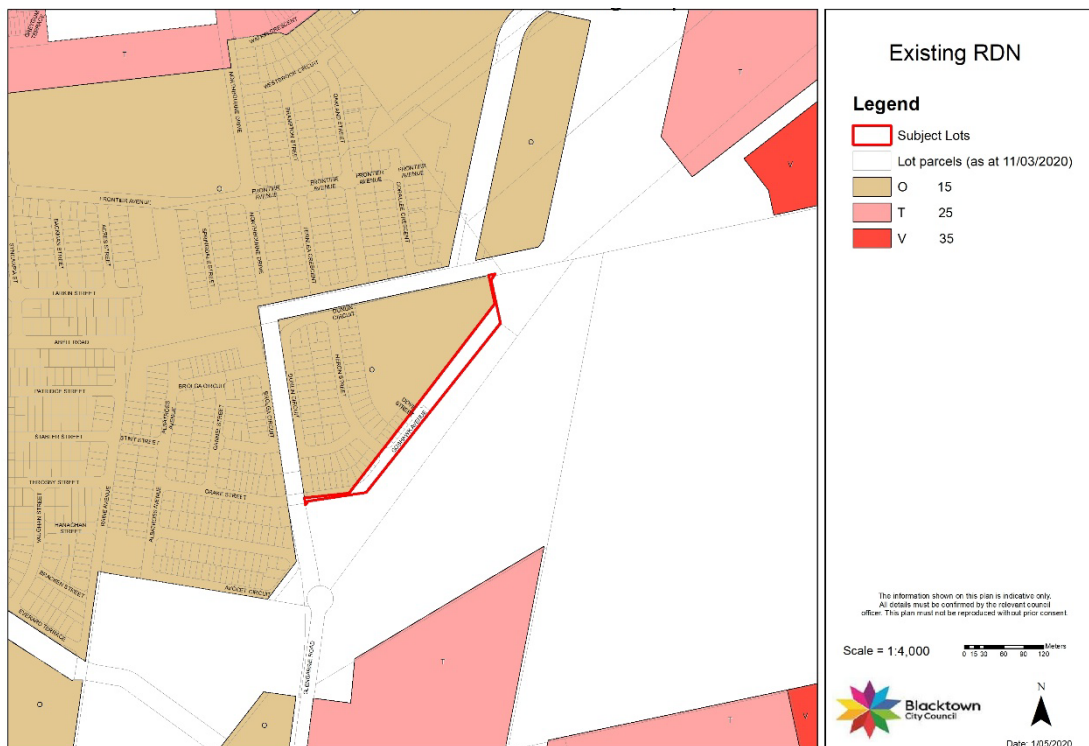


Figure 7: Existing Residential Density Map



Existing LRA

Legend

- Subject Lots
- Lot parcels (as at 11/03/2020)
- Land Reservation Acquisition

The information shown on this plan is indicative only. All claims must be confirmed by the relevant council office. This plan must not be reproduced without prior consent.

Scale = 1:4,000

0 15 30 60 90 120 Meters

Blacktown City Council

Date: 1/05/2020

Part 2 – Explanation of provisions

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

This Planning Proposal seeks to amend the land zoning, height of buildings, residential density and acquisition standards which apply to the site, located within the NWGA in the Marsden Park Precinct. To achieve the objectives and intended outcomes of the Planning Proposal, such amendments to the Growth Centres SEPP are required to reflect the ILP and registered lots.

The objectives and intended outcomes can be achieved by making amendments to the above NWGA Maps under the Growth Centres SEPP as follows:

- i. Amend the Land Zoning Map
 - Amend the Land Zoning Map (Sheet LNZ_005) to rezone the RE1 Public Recreation to R2 Low Density Residential. The proposed rezoning to R2 Low Density Residential is consistent with the adjacent land.
- ii. Amend the Height of Buildings Map
 - Amend the Height of Buildings Map (Sheet HOB_005) to apply a maximum height of buildings control of 9 meters over the rezoned portion of each lot. The proposed height of buildings control is consistent with the height control which applies to the land which it adjoins.
- iii. Amend the Land Reservation Acquisition Map
 - Amend the Land Reservation Acquisition Map (LRA_005) to remove council as the acquisition authority over the rezoned portion of each lot. The proposed land reservation acquisition control is consistent with that which applies to the land which it adjoins.
- iv. Amend the Residential Density Map
 - Amend the Dwelling Density Map (RDN_005) to apply a residential density control of 15 dwellings per hectare for the rezoned portion of each lot. The proposed residential density control is consistent with that which applies to the land which it adjoins.

2.2 Mapping amendments

Maps showing the existing and proposed changes to Land Zoning, Height of Buildings, Residential Density and Land Reservation Acquisition maps are shown in Figures 9-12.

Figure 9: Land Zoning Map



Figure 10: Height of Buildings Map



Figure 11: Residential Density Map

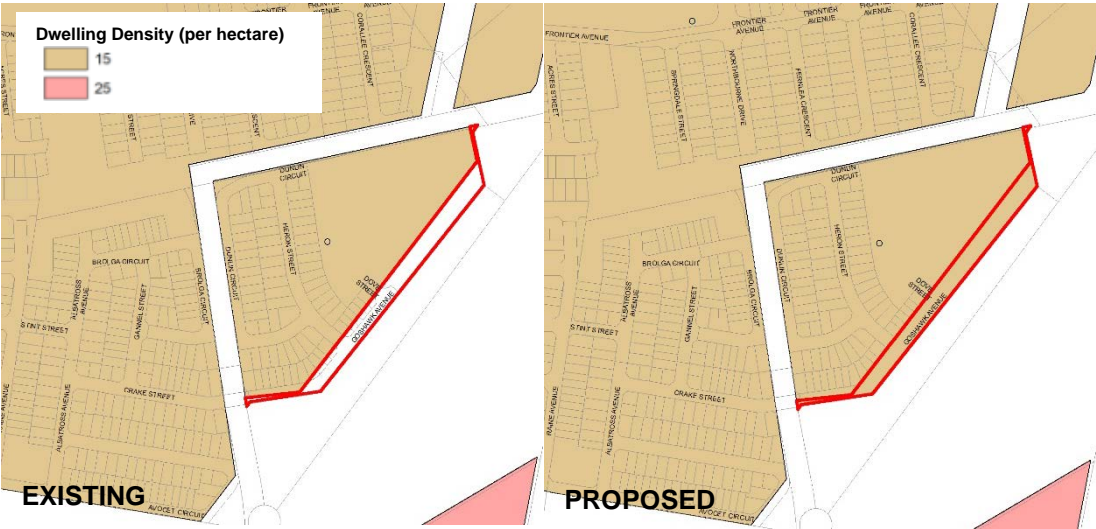


Figure 12: Land Reservation Acquisition Map



Part 3 – Justification

3.1 Section A – Need for the Planning Proposal

3.1.1 Is the Planning Proposal a result of any strategic study or report?

Strategic Planning work was undertaken during the preparation of the Marsden Park Precinct Plan. This body of work (amongst other things) created the ILP and the SEPP Maps. Strategic planning by the Greater Sydney Commission has also provided the opportunity for more recent review of sites across the city. This local strategic planning supports initiatives derived from the Greater Sydney Region Plan and the Central City District Plan within the Blacktown Local Government Area.

This Planning Proposal was initiated as a result of an anomaly of land use zoning boundaries which was identified from the approved subdivision plan DA-16-03800, as outlined in the table below. As affected lots are not wholly zoned, the proposal seeks to align the RE1 Public Recreation and R2 Low Density Residential so that they are consistent with the registered lots and Marsden Park ILP. Consistency with the strategic planning framework is established in Section B of this Planning Proposal.

Development Application (DA) History

Since the rezoning of the Marsden Park Precinct in October 2013, Blacktown City Council have had ongoing involvement in DAs on the site.

This Planning Proposal was initiated as a result of an anomaly which occurred as part of an approved subdivision (DA-16-03800) that created lots zoned part R2 Low Density Residential and part RE1 Public Recreation.

A further application to subdivide land (DA-19-00364) is under assessment and will result in further lots being partly zoned R2 Low Density Residential and partly RE1 Public Recreation.

This Planning Proposal seeks to align the boundary zones with the recently registered lot boundaries by rezoning the land from RE1 Public Recreation to R2 Low Density Residential.

Table 2 below outlines the past and current DAs on the subject site:

Table 2: Past and current Development Applications on the site

| Development Application No. | Development Description | Date |
|-----------------------------|--------------------------------|-------------------|
| Past | | |
| DA-16-03102 | Demolition and Bulk earthworks | 13 September 2016 |

| | | |
|-------------------------|---|------------------|
| DA-16-03318 | Precinct 1 Subdivision to create 91 residential lots, 2 residue lots and associated works (Stages 1A, 1B, and 1C) | 24 March 2016 |
| DA-16-04936 | Precinct 3 subdivision to create 76 residential lot and associated works (Stage 3A and 3B) | 20 November 2017 |
| DA-16-03800 | Precinct 2 subdivision to create 78 residential lots and associated works | 12 December 2018 |
| DA-17-02543 | Precinct 5 subdivision to create 29 residential lots, 1 residue lot and associated works. | 29 June 2018 |
| DA-18-01689 | Precinct 4 Subdivision to create 16 residential lots, 1 residue lot | 28 June 2019 |
| Under Assessment | | |
| DA-19-00364 | Precinct 4 Stages 4B – 4D to create 56 residential lots | - |
| DA-20-0026 | Precinct 5 – Stage 5d and 5E – Subdivision to create 16 residential lots and 1 residue lot | - |
| DA-20-00227 | Precinct 5 – Stage 5C – Subdivision to create 6 residential lots and 2 residue lots | - |

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

Yes. This Planning Proposal is the best means of achieving the objectives. Amendments to the Growth Centres SEPP Maps can only be achieved via the LEP Planning Proposal process.

Amendment to the Land Zoning Map to rezone the RE1 Public Recreation land to R2 Low Density Residential is the best means to achieve the objective of realigning boundary zones impacting portions of various lots.

Amendment to the Height of Buildings and Residential Density Maps to apply building controls to the subject sites which are consistent with those on the adjoining land is the best way to ensure that future development on the rezoned land is appropriate in the context of surrounding development.

Amendment to remove the acquisition authority on the subject site is the best means to create certainty in the planning process.

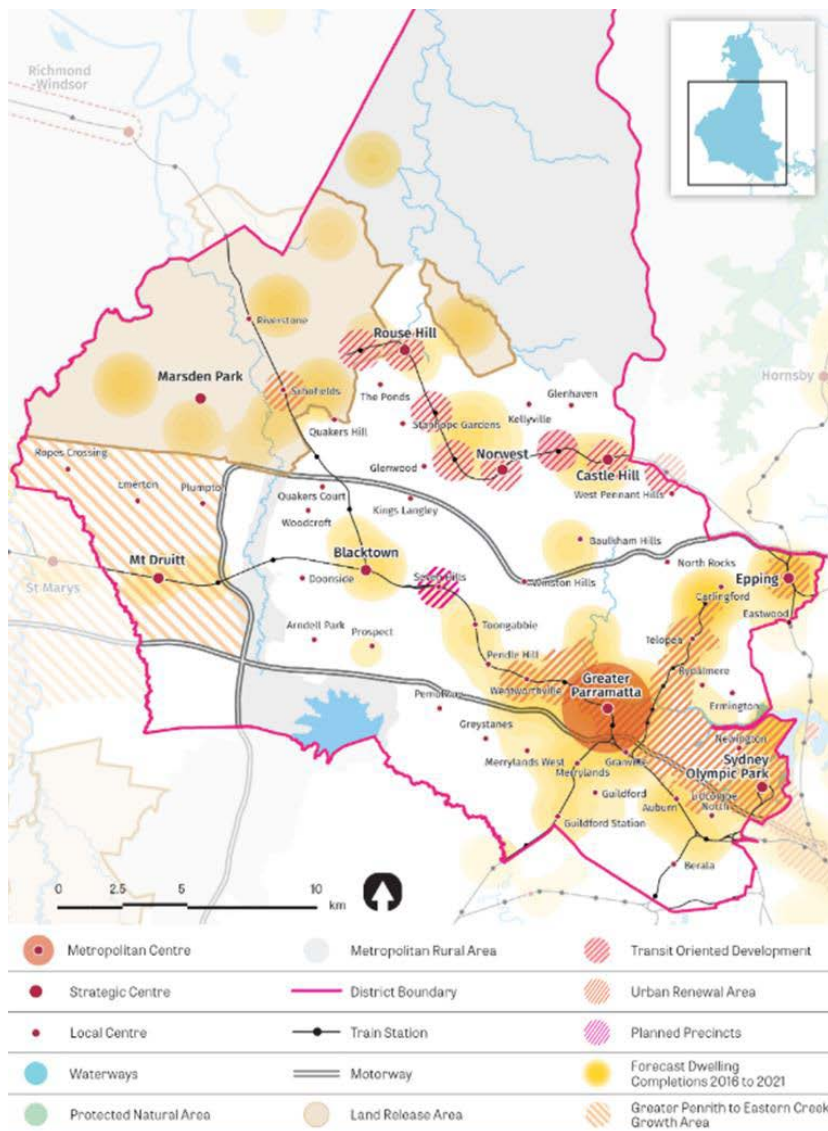
3.2 Section B – Relationship to strategic planning framework

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

a) Greater Sydney Region Plan

The Planning Proposal is consistent with the aims and actions contained within *The Greater Sydney Region Plan, A Metropolis of three Cities* (Region Plan). The Region Plan recognises the strategic importance of the Marsden Park Precinct and its role in the supply of housing as it is identified as a Strategic Centre within the NWGA (Figure 13). Attachment 1 describes how the proposal is consistent with the objectives of the Region Plan.

Figure 13: Metropolitan and Strategic Centres



b) Central City District Plan

District Plans align with the Region Plan and provide a 20-year framework to manage growth and achieve the plans long term vision, while enhancing Greater Sydney's livability, productivity and sustainability into the future. They are a guide for implementing the Region Plan at a district level and a bridge between regional and local planning. The Marsden Park Precinct, which includes the subject site, is located within the Central City District.

Consistency with the themes, priorities and actions of the Central City District Plan are discussed in Attachment 1. This analysis shows that the Planning Proposal is generally consistent with relevant priorities and actions of the Central City District Plan.

c) Marsden Park Precinct Plan

The Marsden Park Precinct Plan was published on October 2013. Along with planning provisions within the Growth Centres SEPP, detailed controls for the precinct are found within the Blacktown Growth Centres Precincts DCP. Held in the DCP is the Indicative Layout plan which sets the broad parameters and overarching vision for Precinct. Specifically, new development within the precinct needs to be generally in accordance with the indicative location and hierarchy of roads, housing densities, infrastructure, open space and community facilities and services, as shown on the ILP.

The Planning Proposal is considered to achieve what was anticipated under the Marsden Pak ILP which was to align the RE1 Public Recreation zone and R2 Low Density Residential zone. These proposed amendments to land use, height, density and acquisition will create consistency and practicality to align the zones.

3.2.1 Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

a) Blacktown Local Strategic Planning Statement 2020 (LSPS)

On 25 March 2020, Council adopted The Blacktown Local Strategic Planning Statement 2020 (LSPS) which establishes how future growth and change will be managed throughout the City. Specifically, the LSPS:

- sets a 20-year land use vision and structure plan for the entire local government area;
- identifies the characteristics that make the Blacktown City community unique;
- directs how future growth and change will be managed across the local government area;
- informs changes to the Blacktown Local Environmental Plan 2015 and Development Control Plan 2015 and to other plans that affect our City; and
- identifies where further detailed strategic planning may be needed

To achieve the above objectives, the LSPS includes priorities and actions to support the vision for our City and to guide development, balancing the need for housing, jobs and services with the natural environment. The Planning Proposal ensures that the site will be developed in line with the LSPS which is consistent with housing supply within the NWGA. Consistency of the Planning Proposal with the LSPS is detailed in Attachment 1.

b) Our Blacktown 2036 - Community Strategic Plan (CSP)

Our Blacktown 2036 identifies the main priorities of the local community for the city to 2036. Its directions and objectives are based on principles of sustainability and social equity and include transformational projects to ensure the vision is delivered. The Planning Proposal remains consistent with the strategic directions of Our Blacktown 2036.

The Consistency of the Planning Proposal with the Community Strategic Plan is detailed in Attachment 1.

c) Land Use Infrastructure Implementation Plan (LUIIP)

The proposed amendment to the Growth Centres SEPP will amend the Land Use Zoning Map by rezoning the subject land from RE1 Public Recreation to R2 Low Density Residential within the Marsden Park Precinct of the NWGA. The height of buildings, residential density and land reservation acquisition maps are proposed to be consistent with the adjoining land.

The Planning Proposal does not propose to change any other requirement of the Growth Centres SEPP and is seeking to create consistency of land use zones with the approved subdivision plan. It therefore remains consistent with the principles of the LUIIP.

3.2.2 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the applicable SEPPs. A review of the proposals consistency with the relevant SEPPs is detailed in Attachment 1.

3.2.3 Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 Directions by the Minister)?

The Planning Proposal is consistent with the applicable Ministerial Directions as shown in Attachment 3.

3.3 Section C – Environmental, Social and Economic Impacts

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

No. There will be no impact on critical habitats, threatened species, population, ecological communities or their habitats.

3.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No. The Planning Proposal is not expected to have any adverse environmental impacts. The removal of RE1 Public Recreation is considered to be a minor amendment as

- There is a larger supply of open space directly after the transmission easement which would be more practical for use;
- The open space of the subject site is in close proximity to the transmission easement and;
- The subject area will be more consistent with surrounding and anticipated ILP if zoned R2 Low Density Residential.

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

The Planning Proposal relates to land located in the Marsden Park Precinct under the Growth Centres SEPP. The amendments will enable consistency and avoid any negative economic impacts or confusion that would result from impractical zoning boundaries. Rezoning from RE1 Public Recreation to R2 Low Density Residential.

3.3 Section D – State and Commonwealth interests

3.4.1 Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal will result in a reduction of 0.347 ha of RE1 Public Recreation zoned land. This proposed reduction will ensure that the land use zones are consistent with the ILP and approved subdivision plan. This will allow for practical land use zones, better design of future development and generally, a more logical approach to planning.

However, given the shortage of open space in the NWGA, it is requested for the applicant to demonstrate how they can offset this loss elsewhere or provide contributions to provide open space within the NWGA.

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

Consultation with relevant Commonwealth and State public authorities will be undertaken as directed by the Gateway Determination.

Part 4 – Mapping

The Planning Proposal is accompanied by the following SEPP Maps at Attachment 1:

- i. Existing Land Zoning Map
- ii. Proposed Land Zoning Map
- iii. Existing Height of Buildings Maps
- iv. Proposed Height of Buildings Map
- v. Existing Residential Density Map
- vi. Proposed Residential Density Map
- vii. Existing Land Reservation Acquisition Map
- viii. Proposed Land Reservation Acquisition Map

Part 5 – Community consultation

The Gateway Determination will stipulate the nature and extent of required community consultation in accordance with the document 'A guide to preparing local environmental plans'.

Public consultation will take place in accordance with the Gateway Determination made by the Greater Sydney Commission in accordance with section 56 and 57 of the Environmental Planning & Assessment Act 1979.

Part 6 – Timeline

| Stage | Estimated Date |
|---|----------------|
| Resolution to prepare | May 2020 |
| Gateway Determination | October 2020 |
| Public exhibition | November 2020 |
| Consider submissions | December 2020 |
| Forward Planning Proposal to Department of Planning, Industry and Environment for the Minister to make the plan | March 2021 |