

## Planning Services

### Gateway Determination Report

<b>LGA</b>	Blacktown
<b>PPA</b>	Blacktown City Council
<b>NAME</b>	Amendment to Growth Centres SEPP
<b>NUMBER</b>	PP_2019_BLACK_003_00
<b>INSTRUMENT TO BE AMENDED</b>	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)
<b>ADDRESS</b>	Veron Road, Schofields
<b>DESCRIPTION</b>	Lot 998, DP 1232920
<b>RECEIVED</b>	7 January 2019
<b>FILE NO.</b>	IRF19/1579
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required.
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal.

## INTRODUCTION

### Description of planning proposal

The planning proposal seeks to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) where it applies to 135.6 hectares of land within the Schofields Precinct. The amendments seek to rearrange the location and size of land uses, local roads, open space and drainage channels to improve urban design outcomes and stormwater management for the site.

The proposal would:

- Reconfigure and expand the largest open space area to allow for a regional scale netball facility (from 11.9ha to 12.8ha);
- Reduce the school site from 4.4ha to 2ha in accordance with the Department of Education's requirements and relocate the school site to allow sharing of joint facilities;
- Consolidate community and civic uses in a centralised area; with medium and higher density residential to be focused around the local centre;
- Refine the road hierarchy and reconfigure local roads; and
- Realign drainage channels and accommodate additional drainage basins to improve stormwater management.

The proposal would result in an additional 6.3ha of residential zoned land. However, due to changes to the proposed density, the proposal would only result in an additional 23 dwellings. There would be no loss of open space.

The corresponding amendments to Land Zoning (LZN), Height of Buildings (HOB), Residential Dwelling Density (RDN), Land Reservation Acquisition (LRA) and Floor Space Ratio (FSR) maps are also proposed as outlined in the planning proposal (**Attachment A**). Site specific amendments to the Growth Centres Development Control Plan (DCP) are also proposed to support the amendments.

### Surrounding area

The site is located in the southern part of the Schofields Precinct (**Figure 1**). The Schofields Precinct was rezoned in May 2012 and new planning controls were introduced to enable urban development for up to 2,950 new dwellings with supporting neighbourhood centres, open space and recreational facilities, road and public transport upgrades. The site is located approximately 13km north west of the Blacktown city centre and 45km from Sydney CBD.



Figure 1: Surrounding context with the site marked in red (source: Nearmaps)

Richmond Rail Line runs along the eastern boundary of the site, with Quakers Hill situated beyond the rail line further to the east. Eastern Creek runs along the western boundary of the site. Land beyond Eastern Creek is part of the West Schofields Precinct and is currently the subject of precinct planning.

The northern boundary adjoins the alignment of Burdekin Road extension, as shown on the Schofields Precinct Indicative Layout Plan (ILP). Land to the north beyond



Burdekin Road is currently being developed for residential purposes as part of the Stockland's Altrove development.

South of the site is mostly formed by Nirimba Education Precinct including TAFE NSW, Western Sydney University campus, UWS College and Wyndham College.

### Site description

The proposal relates to the southern half of the Schofields Precinct of the North West Growth Area. It is a single allotment on Veron Road, Schofields known as Defence Housing Australia (DHA) Landholding. The subject site (**Figure 1**) has an area of approximately 135.6 ha and is currently vacant and is undergoing bulk earthworks to enable its future subdivision and subsequent housing construction.



Figure 2: The site and immediate surrounds (source: Nearmaps)

### Existing and proposed planning controls

The existing and proposed planning controls under the Growth Centres SEPP applicable to the subject land are summarised in Table 1.

	Land use zoning	Maximum building height	Maximum residential density	Floor space ratio
Existing	B2 - Local Centre E2 – Environmental Conservation E4 – Environmental Living R2 – Low Density Residential RE1 – Public Recreation SP2 – Infrastructure.	9 metres and 14 metres	15 dwellings per hectare and 30 dwellings per hectare	1:1 (applicable to B2 Local Centre zone)
Proposed	No change (zones to be relocated)	No change (heights to be relocated)	15 dwellings per hectare (relocated); and 25 dwellings per hectare	Deletion of floor space ratio for B2 Local Centre zone

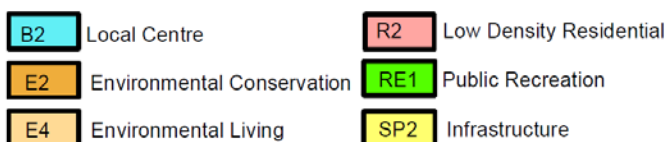
**Table 1:** Existing and proposed planning controls

The following map extracts from the Growth Centres SEPP illustrate the current and proposed controls for the site (**Figures 3-7**).

#### Current Zoning



#### Proposed Zoning



**Figure 3:** Existing and proposed zoning

**Current height controls**

**Proposed height controls**

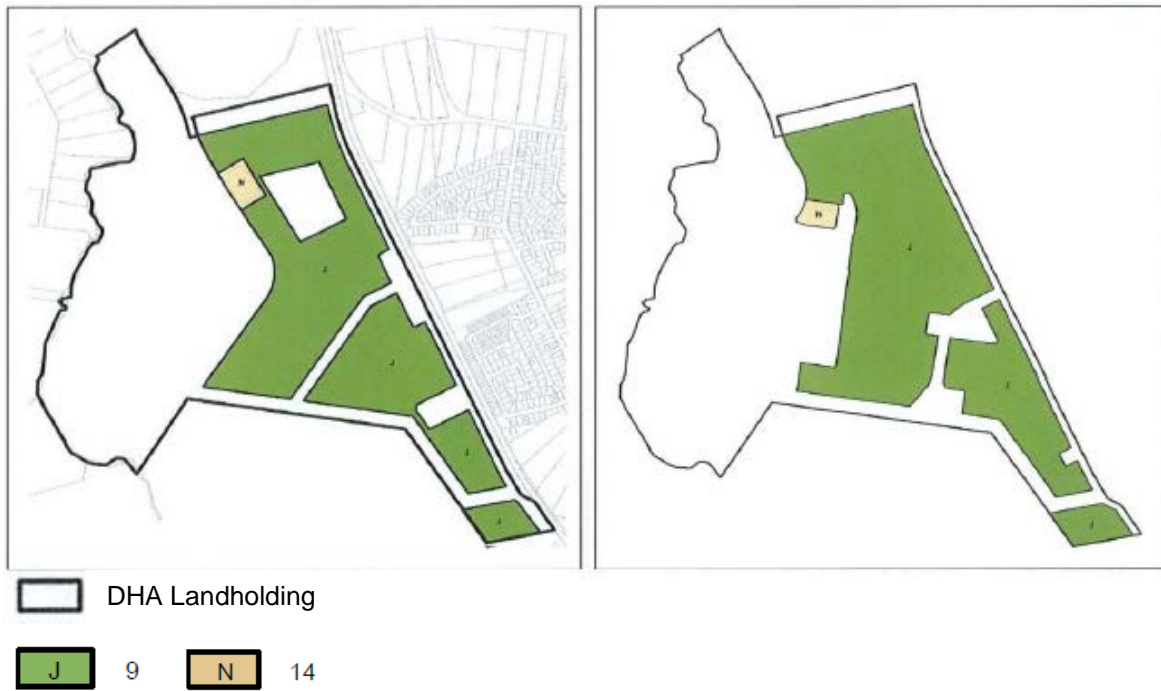


Figure 4: Existing and proposed maximum building height

**Current residential densities**

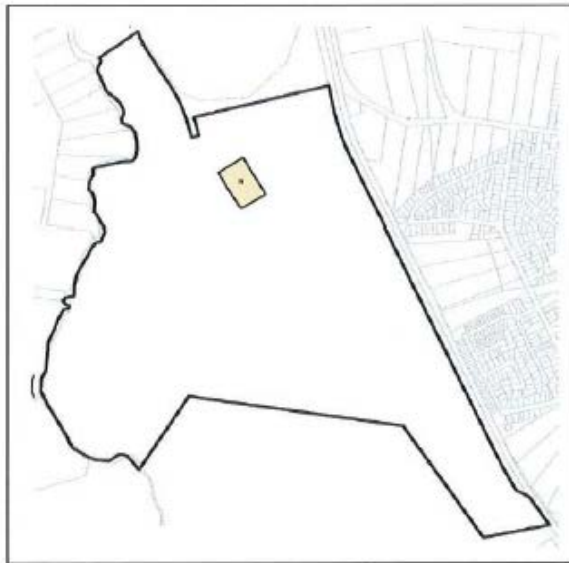
**Proposed residential densities**



Figure 5: Existing and proposed residential density



**Current FSR map**



DHA Landholding
  N 1

**Proposed FSR map**

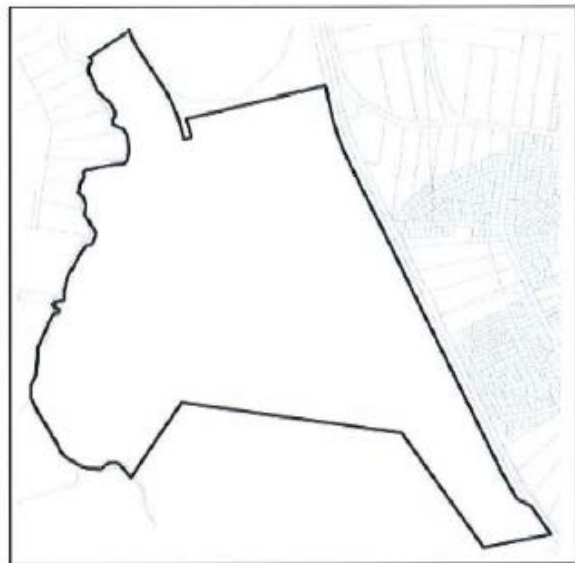
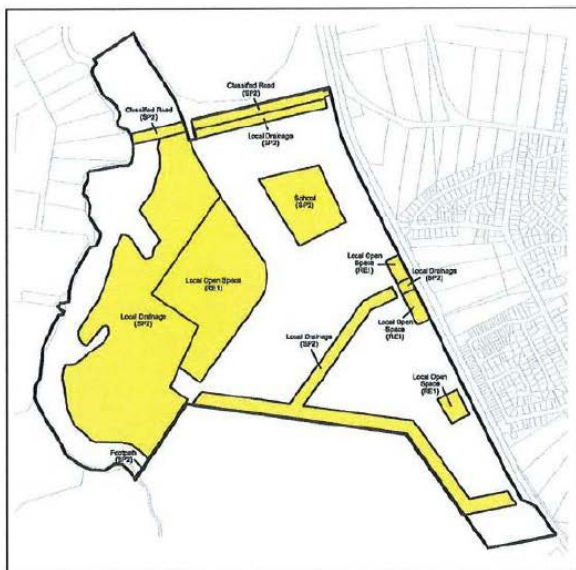


Figure 6: Existing and proposed floor space ratio

**Current land acquisition map**



DHA Landholding  
 Classified Road (SP2)  
 Footpath (SP2)  
 Local Drainage (SP2)  
 Local Open Space (RE1)  
 Local Road (SP2)  
 School (SP2)

**Proposed land acquisition map**

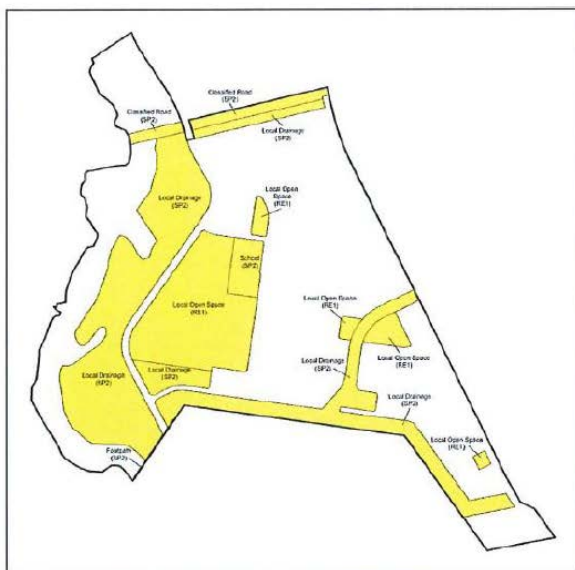


Figure 7: Existing and proposed land acquisition maps

### Current ILP



### Proposed ILP



Figure 8: Existing and proposed ILP

### Summary of recommendation

The planning proposal should proceed subject to conditions as it has strategic merit with the reconfiguration of land uses providing for better urban design outcomes which reflect the broader strategic aims of the Growth Centres SEPP.

## PROPOSAL

### Objectives or intended outcomes

The objective of the planning proposal is to reconfigure existing land use zones and associated provisions to achieve an enhanced urban design outcome through the provision of enlarged and better connected public open spaces, a centralised local centre, reconfigured road networks and a more efficient residential structure.

### Explanation of provisions

The proposed amendments to the Growth Centres SEPP include the reconfiguration of land use zones. The reconfiguration of land use zones requires the adjustment of planning controls including maximum building height, residential density controls and land reservations for acquisition to align with the reconfigured land uses. The deletion of floor space ratio controls applying to the local centre within the site will allow height controls to dictate the future built form. There are no new land use zones proposed or deletion of any existing land use zones.

### Mapping

The planning proposal (**Attachment A**) includes Land Zoning), Height of Buildings (HOB), Residential Dwelling Density (RDN), Land Reservation Acquisition Map

(LSZ) and Floor Space Ratio (FSR) Maps that show the current and proposed controls and is suitable for community consultation, subject to the recommendations in this report.

## **NEED FOR THE PLANNING PROPOSAL**

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The planning proposal states that its need has arisen from a land owner led urban design study and recent policy changes since the Schofields Precinct was finalised. This includes the Department of Education's desire to provide smaller school sites that are co-located with active open space and plans by Council to include a regional netball facility on the RE1 - Public Recreation zoned land referred to as Reserve 980 in this report.

The proposal is the best means for achieving the intended outcomes for the site, being to reconfigure land uses within the site (primarily the school site, local centre and open space), local roads and residential layout, to improve allotment structure and solar orientation; realign drainage channels; and accommodate additional drainage basins to improve stormwater management.

## **STRATEGIC ASSESSMENT**

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### **District**

#### Greater Sydney Region Plan

The Greater Sydney Region Plan was prepared by the Greater Sydney Commission and provides a vision and plan for the delivery of 725,000 dwellings and an extra 817,000 jobs in the Greater Sydney region by 2036.

The plan provides four key concepts to drive and establish the three cities vision: infrastructure and collaboration, liveability, productivity and sustainability. These key concepts are informed by 10 key directions, which are supported by 40 objectives to ensure the delivery of the vision for Sydney to 2056.

The planning proposal is broadly consistent with the plan as it will improve liveability in the area.

Through amendments to the Growth Centres SEPP, the planning proposal will support and facilitate the directions of the Plan and is consistent with the following objectives:

- Objective 2: Infrastructure aligns with forecast growth;
- Objective 3: Infrastructure adapts to meet future needs;
- Objective 4: Infrastructure use is optimised;
- Objective 6: Services and infrastructure meet communities changing needs;
- Objective 7: Communities are healthy, resilient and socially connected;
- Objective 12: Great places that bring people together;
- Objective 22: Investment and business activity in centres;
- Objective 31: Public open space is accessible, protected and enhanced; and



- Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths.

### Central City District Plan

The Central City District Plan provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

The planning proposal is consistent with the liveability and sustainability focus of the plan, being:

- *Planning Priority C3 – Providing services and social infrastructure to meet peoples changing needs*, noting the proposal aims to achieve a better outcome for social infrastructure, local open space and the local centre.
- *Planning Priority C5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport*, noting the proposal seeks to improve residential connections to open space and local amenities within the Schofields Precinct.
- *Planning Priority C6 – Creating and renewing great places and Local Centres and respecting the Districts heritage*, noting the proposal's focus is to improve urban design outcomes on site which will facilitate improved connections between the public and private realm.

The Department is satisfied that the proposal gives effect to the District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979.

## **Local**

### Blacktown Planning Strategy

The planning proposal is considered to meet the strategic objectives identified in Council's strategic plan by improving the distribution of land uses resulting in improved residential connections to open space and local amenities within the precinct.

## **Section 9.1 Ministerial Directions**

### Direction 1.1 Business and Industrial Zones

The objectives of this direction are to encourage employment growth in suitable locations, protect employment growth in business and industrial zones, and support the viability of identified centres.

The proposal is inconsistent with this direction as the proposal seeks to reduce the B2 Local Centre from 1.46 hectares to 1.04 hectares, which will in turn reduce the potential floor space area for employment and related public services.

A Retail Analysis study submitted with the planning proposal, prepared by Macro Plan Dimasi (**Attachment D**) notes the reduction is minor due to the proximity of other existing and future retail areas such as the Schofields Town Centre. The Department is satisfied that any inconsistency is minor and justified in accordance with the direction.

### Direction 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The subject site does not contain any heritage items or heritage conservation areas under the Blacktown Local Environment Plan 2015 (BLEP 2015).

However, the planning proposal is inconsistent with this direction as it potentially disturbs the Schofields Precinct which was subject to an Aboriginal Heritage Impact Permit (AHIP). A Heritage Impact Statement (HIS) was also prepared for the Precinct. Should there be any issues of heritage significance that arise, there are adequate provisions contained within Part 5.10 of BLEP 2015 to address this.

This inconsistency is considered to be of minor significance as the issue can be addressed at the development application stage, should any issue of aboriginal heritage arise.

### Direction 3.1 Residential Zones

The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands.

This direction applies as the proposal will alter the configuration of the existing residential zones on site. The reconfiguration of the residential zones is informed by an urban design review of the site with accompanying specialist studies undertaken by the land holder.

The proposal is consistent with this direction as the reconfiguration of the residential zones will make more efficient use of the land and infrastructure.

### Direction 3.4 Integrating Land Use and Transport

The objectives of this direction are to reduce travel demand by car, through improving access to housing, jobs and services by walking, cycling and public transport.

This direction applies as the proposal will alter a zone relating to urban land. The proposal is consistent with this direction as the reconfiguration of the residential zones were informed by a detailed urban design review of the site which gives consideration to the objectives of this direction, with the proposal expected to result in an urban structure that reduces travel demand and improves access to housing, jobs and services by walking, cycling and public transport.

### Direction 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

The proposal is consistent with this direction as comprehensive acid sulfate soil testing occurred during the precinct planning for the Schofields Precinct.

### Direction 4.3 Flood Prone Land

The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles

of the Floodplain Development Manual 2005 and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The site is identified as flood prone land on Blacktown's Flood mapping. The proposal is inconsistent with this direction as it proposes to rezone land within the flood plan area and seeks to increase the number of future residents on the site. The inconsistency of the proposal, including changes to the ILP, is of minor significance as a Flood Study (**Attachment D**) was prepared for the planning proposal in accordance with the Floodplain Development Manual 2005 which addresses impacts within the site and on adjoining lands associated with changes to the ILP. However, further investigation is required regarding the expected increase in future residents on site and flood evacuation. Therefore, this issue remains unresolved. A condition is imposed which requires the State Emergency Service (SES) be consulted.

#### Direction 6.2 Reserving Land for Public Purposes

The proposal is inconsistent with this direction as it alters existing zoning on site to reserve land for public purposes, being SP2 Drainage, RE1 Public Recreation, SP2 Education and SP2 Local Drainage. Under this direction approval is required from the Secretary to create, alter or reduce existing zonings for reservations of land for a public purpose.

This inconsistency is considered to be of minor significance as the rezoning maintains the items identified in the current land reservation map and does not introduce any new items. The reconfiguration of these areas has resulted from a detailed urban design review of the site with accompanying specialist studies.

#### **State environmental planning policies**

The planning proposal seeks to amend the Growth Centres SEPP. As noted in the planning proposal the reconfiguration of land uses in the Schofields Precinct will allow for better urban design outcomes.

The proposal is consistent with all applicable SEPPs.

### **SITE-SPECIFIC ASSESSMENT**

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#### **Social and Economic**

No adverse social or economic impacts are anticipated from the proposal as no new zones or land uses are proposed. The proposal is likely to result in positive social impacts due to the reconfigured land uses with improved interfaces between residential uses, the local centre, open space and social infrastructure. Further, the relocation and reduction of land zoned local centre will assist to ensure the economic viability and function of the centre is enhanced, given its proximity to the higher order Schofields Town Centre, better road frontages and proximity to civic uses (school and recreation).

#### **Environmental**

The site was largely cleared of vegetation as part of the Schofields Precinct, however the proposal's revised indicative layout plan passes through a small area of land which was not addressed in previous Flora and Fauna assessments. As such, a Flora and Fauna Review Letter, prepared by EcoLogical Australia, was submitted with the planning proposal (**Attachment D**). The review letter concludes that the loss



of vegetation in this area is not significant and therefore no offsets are required through the Biodiversity Offset Scheme.

The remaining areas of the site are unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

### Traffic

A Traffic Impact Assessment prepared by GTA Consultants (**Attachment D**) was lodged with the proposal. The assessment addresses the anticipated transport implications of the proposed modification to the indicative layout plan.

In summary, the assessment demonstrates that the revised road hierarchy will improve connections to open space, civic uses, Schofields Station and Quakers Hill Station. The revised road network maintains a satisfactory level of operation and Aerodrome Drive is now better aligned to accommodate traffic movements associated with peak events within Reserve 980 (netball facility).

### **SP2 Zoned Road**

The planning proposal submitted to Council seeks to introduce three new collector roads into the site that improve connections to key land uses (Reserve 980, the school site and local centre).

The proposal also sought to replace the existing collector road located along the eastern boundary of the site with a local road. However, Blacktown City Council has retained the existing SP2 zone for a collector road running along the eastern boundary of the site in the proposal, despite the Blacktown Local Planning Panel recommending a review for the need of the SP2 zoned collector at its meeting on 26 October 2016.

Council has not provided a clear rationale for retaining the collector road other than the need to accommodate a replacement bus service during track work on the T1 Rail line. The proponent has advised the Department that bus routes can be provided via the new collector road network, Aerodrome Drive or within the local road proposed for the eastern boundary of the site. Further, the proponent's Traffic Impact Assessment notes that a collector road is not required along the eastern boundary and that a replacement bus service could be accommodated by a local road in this location.

The proponent has provided the Department with an indicative bus route map showing proposed alternative bus routes that could be adopted during track work (**Attachment E**).

Considering this, a condition is imposed to require Council, the proponent and RMS to liaise regarding the need for the SP2 zoned road as part of the proposal.

### **Infrastructure**

The site will benefit from the proposal with open space, community sporting facilities, a school, public transport and road networks reconfigured to provide better located infrastructure to service residents and visitors to the site. An Infrastructure Servicing Strategy (**Attachment D**) was lodged with the proposal which demonstrates that utility infrastructure can be delivered to the site under the revised layout plan.

## **CONSULTATION**

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### **Community**

The planning proposal outlines a community consultation process that is consistent with *A Guide to Preparing Local Environmental Plans (2016)*. Council has indicated a 28-day period to exhibit the proposal which is considered to be appropriate.

### **Agencies**

It is recommended the following agencies are consulted:

- NSW Department of Education;
- Roads and Maritime Services;
- Transport for NSW;
- State Emergency Services;
- Office of Environment and Heritage – Heritage Division; and
- Office of Environment and Heritage.

## **TIME FRAME**

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The time frame identified in the planning proposal is nine months. A time frame of 12 months is recommended given the scale and complexity of the project.

## **LOCAL PLAN-MAKING AUTHORITY**

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Council has not requested delegation of the plan making function be issued to it in relation to this planning proposal. Given that the planning proposal seeks to amend a State Policy, authorisation for Council to exercise the plan making delegation is not recommended.

## **CONCLUSION**

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It is recommended that the planning proposal proceed with conditions for the following reasons:

- the proposal has strategic merit with the reconfiguration of land uses providing for better urban design outcomes which reflect the broader strategic aims of the Growth Centres SEPP; and
- the proposal is broadly consistent with the strategic planning framework for Blacktown local government area.

## **RECOMMENDATION**

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It is recommended that the delegate of the Secretary:

1. agree that any inconsistency with section 9.1 Directions 1.1 Business and Industrial Zones, 2.3 Heritage Conservation and 6.2 Reserving Land for Public Purposes are of minor significance; and

2. note the inconsistency with section 9.1 Direction 4.3 Flood Prone Land remains unresolved and will require further consideration following consultation with relevant public authorities.

It is recommended that the delegate of the Minister for Planning and Public Spaces determine that the planning proposal should proceed subject to the following conditions:

1. Prior to finalisation Council is to amend the planning proposal to identify that the planning proposal is capable of complying with section 9.1 Direction 4.3 Flood Prone Land.
2. Prior to finalisation, Council, the proponent and Roads and Maritime Services must liaise regarding the SP2 zoned road on the eastern boundary of the site along the T1 Rail corridor.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the *Environmental Planning and Assessment Act 1979* as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the planning proposal 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).
4. Consultation is required with the following public authorities:
  - NSW Department of Education;
  - Roads and Maritime Services;
  - Transport for NSW;
  - State Emergency Services;
  - Office of Environment and Heritage – Heritage Division; and
  - Office of Environment and Heritage.
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.



7. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.



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23/04/2019

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