

Planning Services

Plan Finalisation Report

Local Government Area: Blacktown

1. NAME OF DRAFT LEP

Blacktown Local Environmental Plan 2015 - Amendment 21

2. SITE DESCRIPTION

The planning proposal applies to land at 81-97 Main Street, Blacktown (Lot 25 and 3-5A DP 11349 and Lots 1-3 DP 202276) (the site).

The proposal at **Attachment A** shows the subject site. The subject site is zoned RE1 – Public Recreation and is surrounded by a B4 – Mixed Use zone (**Attachment C**). The site is within the Blacktown CBD. See below Figures 1 and 2 for location and zoning of the site. The site contains various established ground floor retail uses.



Figure 1: Site location (Lot 25 and 3-5A DP 11349 and Lots 1-3 DP 202276, Main Street, Blacktown)



Figure 2: Existing Zoning – RE1 – Public Recreation under Blacktown Local Environmental Plan 2015.

3. PURPOSE OF PLAN

The draft LEP seeks to:

- Add 'car park' as an additional permitted use to Lots 25 and 3-5A DP 11349 and Lots 1-3 DP 202276, 81-97 Main Street, Blacktown.

The additional permitted use is intended to facilitate the future redevelopment of Warwick Lane in the Blacktown CBD by relocating the existing at-grade car park into a basement car park beneath a future public recreation area on the RE1 zoned land on 81-97 Main Street.

The planning proposal does not seek to amend the zoning and development controls applying to the land.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Blacktown Electorate. Mr Stephen Bali MP is the State Member for Blacktown.

Ms Michelle Rowland MP is the Federal Member for Greenway.

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

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

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

5. GATEWAY DETERMINATION AND ALTERATIONS

The CBDs (Blacktown and Mount Druitt) Planning Proposal was amended to add 'car park' as an additional permitted use to Schedule 1 of Draft Blacktown Local Environmental Plan 2015 (Amendment 10) for the site at 81-97 Main Street, Blacktown (**Attachment B2**).

The additional permitted use component of the Planning Proposal (CBD Planning Proposal) is being progressed separately from the remaining components that relate to building height amendments, zoning changes and the introduction of a design competition.

6. PUBLIC EXHIBITION

The planning proposal for the additional permitted use was exhibited for community consultation for 28 days from 11 July to 8 August 2018. No submissions were received.

7. ADVICE FROM PUBLIC AUTHORITIES

One submission was received by Endeavour Energy, however there was no objection raised to the proposal. The submission was for matters to be addressed as part of a future development application for the site, pertaining to underground cables that are not protected by an easement. It is agreed that this can be dealt with through the development application process.

8. POST-EXHIBITION CHANGES

No amendments were made to the planning proposal following public exhibition.

9. ASSESSMENT

The additional permitted use, being a car park, will allow the relocation of the Warwick Lane car park in the basement of the site. This forms part of a precinct-wide transformation, which involves the site being developed for public recreation purposes.

At present, car parks are prohibited on the site due to the RE1 zoning. Council has identified that the site is the first stage of the transformation project (Outlined in 'Our Blacktown 2036'). Among other things, the site and surrounding sites are to be re-developed into a University Campus, health precinct and Council offices. This site is intended to comprise an underground car park, and a local park above.

There are no inconsistencies with section 9.1 Ministerial Directions. The planning proposal gives effect to the Central City District Plan through the optimisation of social infrastructure and improved urban design outcomes achieved through undergrounding the existing carpark.

10. MAPPING

As the planning proposal is to add a 'car park' as an additional permitted use for the site, no mapping changes are required.

11. CONSULTATION WITH COUNCIL

Council was consulted on the terms of the draft instrument under clause 3.36(1) of the *Environmental Planning and Assessment Act 1979*. Council confirmed on 27 February 2019 that the plan could be made (**Attachment D**).

12. PARLIAMENTARY COUNSEL OPINION

On 27 February 2019 Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

13. RECOMMENDATION

It is recommended that the Minister for Planning's delegate as the local plan-making authority determine to make the Plan because:

- the proposal will add an additional use on the site, as the first stage of a precinct-wide transformation project, in line with Council's own strategic framework;
- The proposal will result in a community benefit, as the car park will service a growing CBD population, particularly as the surrounding area is redeveloped;
- the proposal will optimise the use of social infrastructure by co-locating the underground carpark with public recreation on one site; and
- the proposal is not inconsistent with the Central City District Plan.



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