

## Planning Services

### Plan Finalisation Report

**Local Government Area:** Blacktown

**File Number:** 17/11551

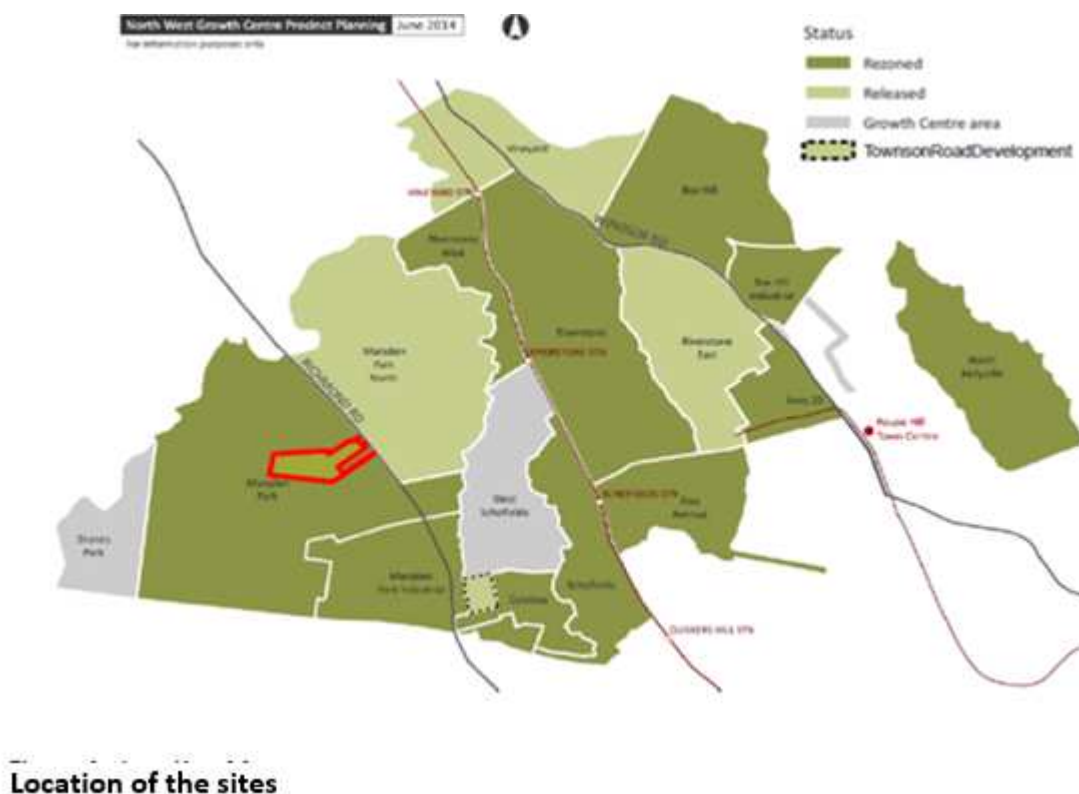
#### 1. NAME OF DRAFT LEP

Blacktown Local Environmental Plan Amendment (Sydney Region Growth Centres – Marsden Park) (draft LEP).

#### 2. SITE DESCRIPTION

The six small sites subject to the proposal are on the western side of Richmond Road, north of the intersection with Garfield Road West. A location map is at **Attachment D**.

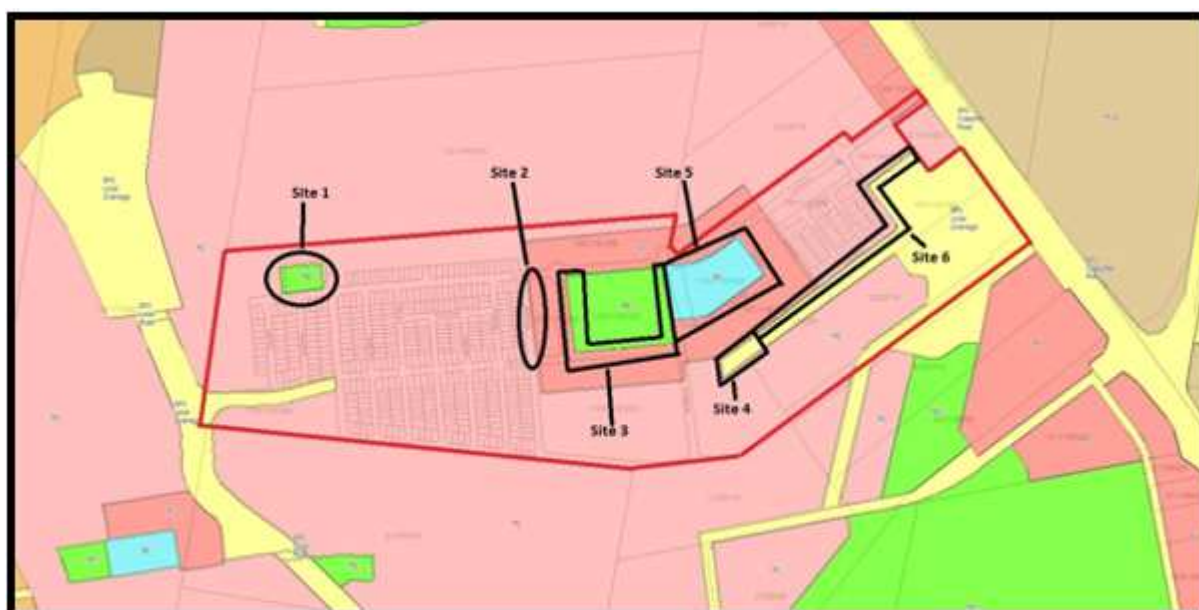
The site is within Marsden Park Precinct of the North-West Growth Centre Area under State Environmental Planning Policy (Sydney Region Growth Centres) 2006. Various development applications have been approved by Council within the Precinct 1 of Stockland's Elara Estate. These approved subdivision patterns do not exactly align with the zone boundaries.



### 3. PURPOSE OF PLAN

The proposal is to make minor adjustments to zone boundaries and other planning controls for height, Floor Space Ratio (FSR), density and acquisition requirements of the six sites to ensure consistency with the relevant zones to reflect approved subdivisions in Stockland's Precinct 1, Elara Estate at Marsden Park.

The draft LEP seeks to amend the Height of Buildings, FSR, Dwelling Density and Land Reservation Acquisition Maps for the North-West Growth Centre Precinct of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (**Attachment Maps**). There will be a net reduction of only one dwelling as a result of the rezoning and boundary adjustment.



#### Zoning anomalies

### 4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Londonderry Electorate. Ms Prudence Ann Carr MP is the State Member for Londonderry.

The Hon Ed Husic MP is the Federal Member for Chieflly.

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 Gateway determination issued on 18 August 2016, as altered (**Attachments C1 and C2**) determined that the proposal should proceed subject to conditions. The planning proposal is to be finalised by 25 October 2017.

## 6. PUBLIC CONSULTATION

In accordance with the Gateway determination, community consultation was undertaken by Council from 6 September 2016 to 20 September 2016. No submissions were received.

## 7. ADVICE FROM PUBLIC AUTHORITIES

Council was required to consult State Emergency Services and Sydney Water in accordance with the Gateway determination. Council consulted the two agencies during 30 August 2016 to 23 September 2016. Neither authorities made submissions.

## 8. POST EXHIBITION CHANGES

No post exhibition changes were made to the planning proposal.

## 9. ASSESSMENT

The planning proposal will result in only negligible changes to lot yields in residential and employment zones, and seeks solely to rationalise zone boundaries to ensure consistency with existing/approved subdivision patterns. As such, it is not inconsistent with any provisions of A Plan for Growing Sydney, draft North West District Plan or the Blacktown Community Strategic Plan.

Because the planning proposal seeks to reflect existing/approved subdivision patterns, and zone objectives, no significant environmental, social or economic impacts are anticipated. The planning proposal will also assist in providing clarity to stakeholders.

### Section 117 Directions

The consistency of the Planning Proposal with Section 117 Directions was addressed at Gateway Determination stage. No further approval is required.

### State Environmental Planning Policies

The draft LEP is consistent with relevant SEPPs or deemed SEPPs.

## 10. MAPPING

The draft plan proposes amendments to the Height of Buildings, Floor Space Ratio, Dwelling Density and Land Reservation Acquisition Maps under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (**Attachment Maps**). The maps have been checked by the ePlanning Team and sent to Parliamentary Counsel.

## 11. CONSULTATION WITH COUNCIL

Under s59(1) of the Act, Council was consulted on the terms of the draft instrument (**Attachment E** – Email from Department consulting on the Draft LEP). Council confirmed on 24 August, 2017 that the draft plan was correct and that the Plan can be made (**Attachment F** - Email from Council regarding the draft Plan).

## 12. PARLIAMENTARY COUNSEL OPINION

On 5 September 2017, 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 Greater Sydney Commission's delegate determine to make the draft LEP because the planning proposal will rationalise the SEPP to better reflect existing/proposed subdivision patterns, and will assist in providing clarity to stakeholders. It has no foreseeable negative impacts.

Endorsed:



15/09/17

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