



Ms Glennys James
Director Design and Development
Blacktown City Council
62 Flushcombe Road
Blacktown NSW 2148

Dear Ms James

Planning Proposal [PP_2018_BLACK_001_00] to amend Blacktown Local Environmental Plan – Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the Planning Proposal to relocate a local park in accordance with an approved subdivision and layout plan at 9-11 DP 802880, Grange Avenue, Marsden Park and make corresponding changes to zoning and development controls on the site.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Directions 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance.

I have also determined not to issue an authorisation to exercise delegation to finalise the plan as the planning proposal is to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2016.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Cho Cho Myint of Sydney Region West office of the Department to assist you. Ms Myint can be contacted on (02) 98601507.

Yours sincerely



16/02/18

Catherine Van Laeren
Director
Sydney Region West
Planning Services
Department of Planning and Environment

Encl: Gateway Determination

Gateway Determination

Planning Proposal (Department Ref: PP_2018_BLACK_002_00): to relocate a local park in accordance with an approved subdivision and layout plan at 9-11 DP 802880, 210 Grange Avenue, Marsden Park.

I, the Director, Sydney Region West, Planning Services, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Blacktown Local Environmental Plan (LEP) to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to relocate a local park in accordance with an approved subdivision and layout plan at 9-11 DP 802880, 210 Grange Avenue, Marsden Park should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Sydney Water; and
 - relevant electricity providers.

Each public authority/organisation is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(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).

4. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 16th day of February 2018.



Catherine Van Laeren
Director
Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Planning Services

Gateway Determination Report

LGA	Blacktown
RPA	Blacktown Council
NAME	Planning Proposal - Blacktown LEP – Draft Amendment to SEPP (Sydney Region Growth Centres) 2006 – Relocation of RE1 zoned land, Grange Avenue, Marsden Park (6 dwellings 0 jobs)
NUMBER	PP_2018_BLACK_002_00
LEP TO BE AMENDED	Blacktown LEP – Amendment to State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006
ADDRESS	Lot 9-11 DP 802880, 210 Grange Avenue, Marsden Park
DESCRIPTION	Lot 9 -11, DP 802882
RECEIVED	31 January 2018
FILE NO.	EF18/1685
INREACH NUMBER	IR18/392
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of Planning Proposal

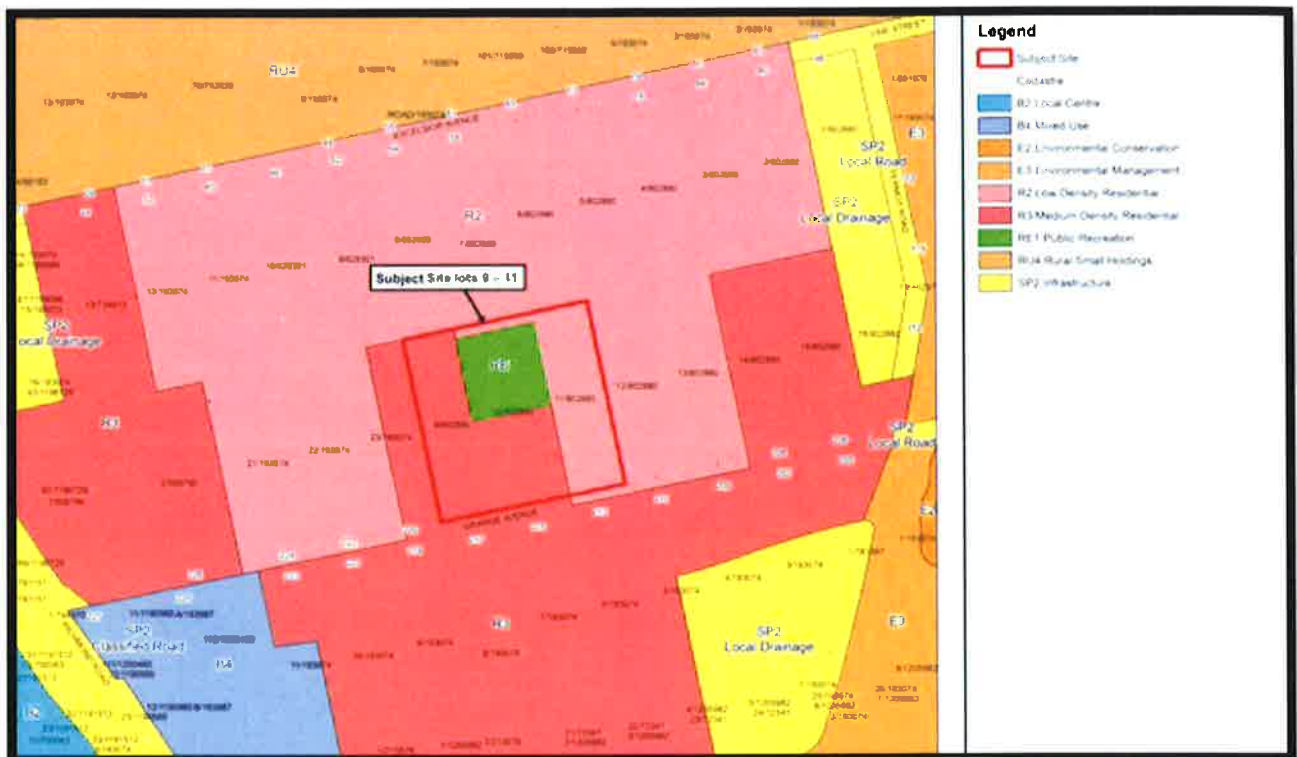
The planning proposal is to relocate a local park in accordance with an approved subdivision and layout plan for DA-15-2309 at 9-11 DP 802880, 210 Grange Avenue, Marsden Park. The proposal will rezone and reconfigure three land parcels and apply associated development controls to the zones (RE1 Public Recreation, R3 Medium Density residential and R2 Low Density Residential zones) consistent with the adjoining zones. The proposal will have potential to create 6 dwellings.

Site Description/Surrounding Area

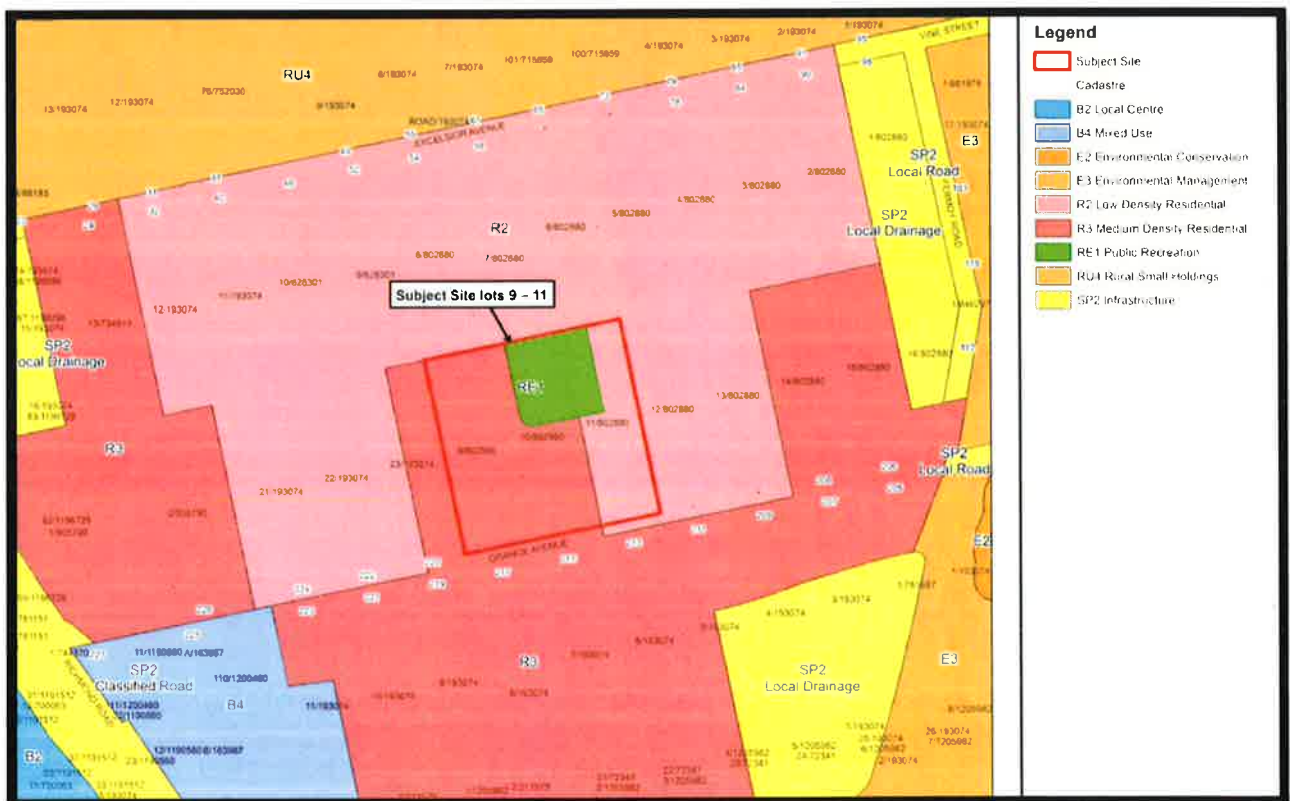
The site is to the east of Richmond Road, north of Grange Avenue, Marsden Park. The site has an area of 3.24ha within the North West Priority Growth Area of the SEPP (Sydney Region Growth Centres) 2006 and is currently zoned part RE1 Public Recreation, part R2 Low Density Residential and part R3 Medium Density Residential. The site is close to Marsden Park Town Centre. The Marsden Park Precinct is generally going through subdivision and development in accordance with the Marsden Park Indicative Layout Plan (ILP).

Part of the site was identified for a new school in the Marsden Park ILP but was proposed to be relocated from this site when the DCP was adopted in 2016. As a result, the approved subdivision and layout plan for DA-15-2309 included minor adjustments of the ILP road layout around the site. These changes include removal of the road to the north of the

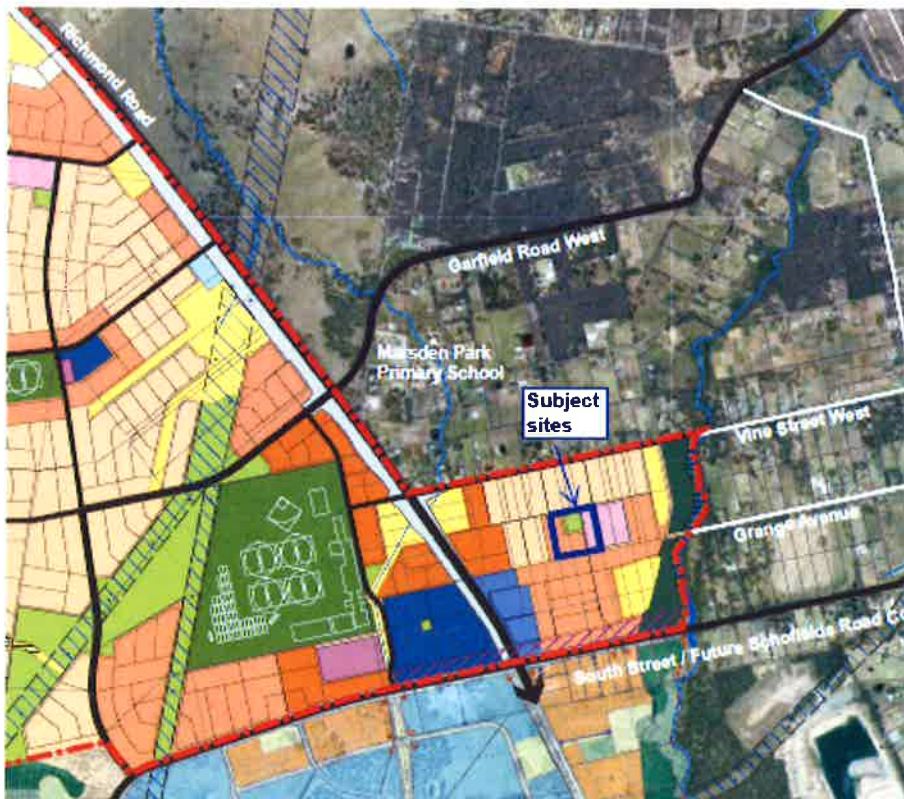
existing RE1 Public Recreation zoned land and the RE1 land to be moved 9m towards the northern boundary and 27m towards the eastern boundary of the site. The existing zones will be adjusted accordingly and relevant development controls will apply consistent with the adjoining zones. Location map of the site and Marsden Park Indicative Layout Plan is at **Attachment E**.



Current zoning of the site



Proposed zoning of the site



Marsden Park Indicative Layout Plan

Consultation with Land Release Team

The Department's Land Release Team was consulted on the planning proposal. The Land Release team has no objection to the planning proposal (**Attachment F**). The Land Release Team also verbally advised that it will not be making changes to the ILP to reflect the planning proposal due to resourcing issues.

Council report

Council report dated 11 December 2017 to prepare the planning proposal was signed by the Director, Design and Development as Council's delegate on 21 December 2017. The Council report (**Attachment A**) recommended Council to relocate the public park zoned RE1 from part of Lots 9 - 11 DP 802880 and to make corresponding changes to the Height of Building Map, Residential Density Map and Land Acquisition Map that reflect the proposed changes on the land.

Summary of Recommendation

The planning proposal will facilitate additional 6 dwellings and is consistent with the objectives of North West Priority Growth Area Land Use and Infrastructure Implementation Plan (LUIIP). The planning proposal will also contribute to A Plan for Growing Sydney and the Draft Central City District Plan in terms of increase housing opportunities.

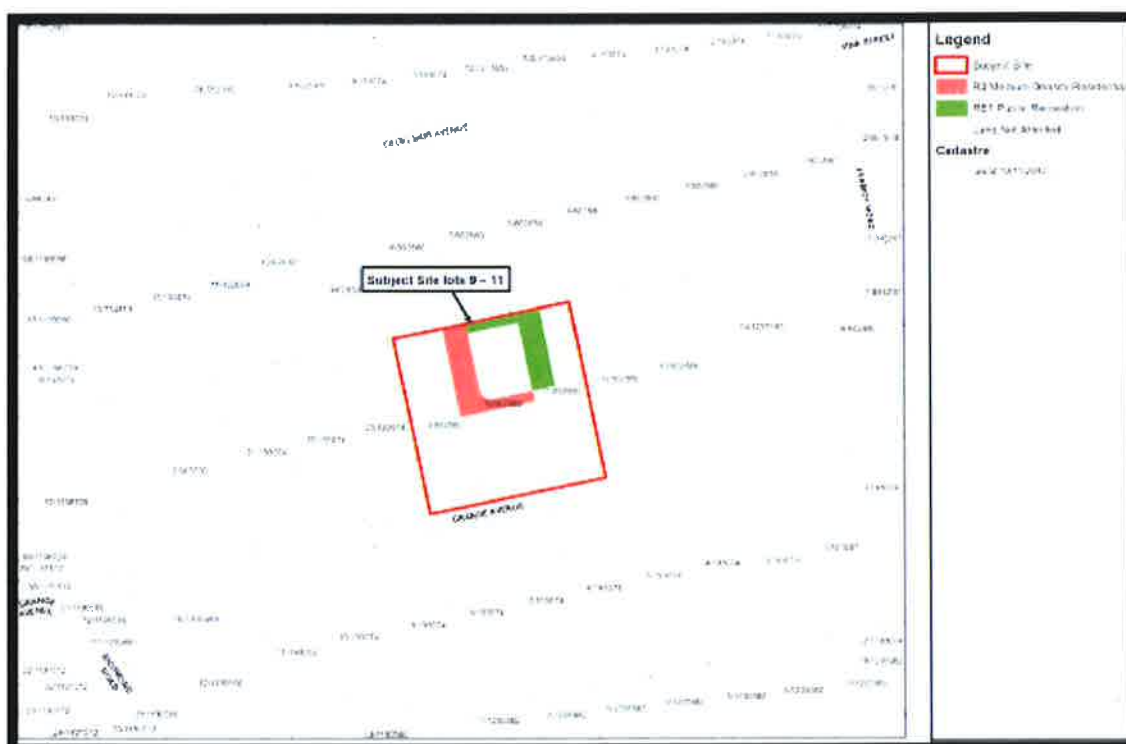
The planning proposal is a low impact proposal. It will ensure certainty and consistency between the approved development and the development controls in the SEPP. It is recommended that the proposal proceed with conditions.

PROPOSAL

Intended Outcomes

The purpose of this proposal is to facilitate the relocation of a local park and make corresponding amendments to the Growth Centres SEPP to rezone and reconfigure three

relevant land parcels, consistent with the approved development (DA-15-2309) and the development controls in the SEPP.



Proposed zone changes to the existing site

Explanation of Provisions

The proposal relates to three parcels of land on the subject site. The proposal will require changes to the zoning map as follows:

Lot	Area (sqm)	Zoning change
Part of Lots 9, 10, 11	2564	RE1 to R3
Part of Lots 10 and 11	2362	R2 to RE1
Part of Lots 9 and 10	241	R2 to R3

The proposal will amend all corresponding development controls applying to the land in terms of height, residential density and acquisition responsibilities.

Mapping

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

NEED FOR THE PLANNING PROPOSAL

The proposed changes to the zoning and development controls can only be achieved via amendments to the Growth Centres SEPP Maps.

STRATEGIC ASSESSMENT

State

A Plan for Growing Sydney identifies new land release areas as an important component of Sydney's overall housing supply. The proposal will facilitate additional 6 dwellings on a site within Marsden Park – North West Priority Growth Area and is consistent with A Plan for Growing Sydney.

Regional/District

Marsden Park is located within the draft Central City District Plan area. The Planning Proposal is consistent with the Liveability direction outlined for the draft Central City District in that it will support to accelerate housing supply, choice and affordability and build great places to live. The planning proposal is also consistent with the Liveability direction as it will retain and provide local open space to support the future neighbourhood.

The planning proposal is consistent with Action 1 of the Land Use Infrastructure and Implementation Plan (LUIIP) which is to provide more land supply for new homes.

Local

Council advises the Planning Proposal is consistent with Blacktown Council's Community and Strategic Plan 2025. The proposal will ensure there is sufficient zoned land to meet the increased demand in open space.

Section 117(2) Ministerial Directions

3.1 Residential Zones

The planning proposal is considered consistent with the Direction. The planning proposal seeks to increase residential zoned land to accommodate approximately 6 additional dwellings within the North West Priority Growth Area.

4.3 Flood Prone Land

The site is not within flood prone land area map in the SEPP. However, Council has advised that parts of the subject land were identified as low risk flood prone land in Council's flood maps. However, Council further advised that as part of the approved development application (DA-15-2309), the proposed bulk earthworks will be carried out which will reshape the subject land to make it suitable for residential use (**Attachment E**).

The planning proposal's inconsistency with the direction is of minor significance. The approval of the Secretary's delegate is required.

6.2 Reserving Land for Public Purposes

The planning proposal seeks to relocate the open space land and accordingly amend the corresponding Land Acquisition Map to reserve the relocated open space. As a result, approximately 202sqm of RE1 open space land will be reduced but overall, the proposal is not considered to have a major impact on the provision of public open space for the future residential development.

It is considered the proposal is justifiably consistent with the direction, as the reduction of 202sqm open space is of minor significance. The approval of the Secretary's delegate is required.

7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

The planning proposal is consistent with the direction. It is consistent with Action 1 of the Land Use Infrastructure and Implementation Plan (LUIIP) to provide more land supply for new homes.

State Environmental Planning Policies

The planning proposal is consistent with all applicable SEPPs or deemed SEPPs, however seeks to amend SEPP (Sydney Region Growth Centres) 2006.

SEPP 55 (Remediation of Land)

The planning proposal is consistent with the SEPP 55 (Remediation of Land). Council has advised that the Land Capability, Salinity and Contamination Assessment Reports for Marsden Park Precinct stated that there is minor potential for elevated metals and/or pesticide concentration in surface soils in the area. A further contamination assessment for the approved DA-15-02309 found that the subject site does not have any signs of potential contamination.

SITE SPECIFIC ASSESSMENT

Social

The proposed amendment is not considered to have any adverse social effects.

Environmental

There are no likely significant environmental effects anticipated because of the relocation of open space.

Economic

There will be positive economic benefit because of the planning proposal. The rezoning will increase housing supply in the North West Priority Growth Area.

CONSULTATION

Community

The planning proposal is of a minor nature. Community consultation is proposed for 28 days, consistent with other SEPP amendments.

Agencies

Consultation with Sydney Water and relevant electricity providers are proposed.

TIMEFRAME

The timeframe to finalise the planning proposal is recommended for 12 months

DELEGATION

Council has not asked for delegation. The planning proposal is to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. It is recommended that Council not be issued plan making delegation.

CONCLUSION

The planning proposal is supported to proceed with conditions.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. Agree with Section 117 Directions 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - (a) Sydney Water; and
 - (b) Relevant electricity providers.

Each authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of 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 local environmental plans* (Department of Planning and Environment 2016).
3. A public hearing is not required to be held into the matter by any person or body under section 56(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).
4. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.
5. Given the nature of the planning proposal, Council should not be authorised to exercise delegation to make this plan.

12/2/18

Adrian Hohenzollern
Team Leader
Sydney Region West
Planning Services

Contact Officer: Cho Cho Myint
Sydney Region West
Phone: 98601507