



PLANNING PROPOSAL

PROSPECT SOUTH | FUTURE INDUSTRIAL
AREA

23 MARCH 2018
SA6939
FINAL
PREPARED FOR NSW OFFICE OF STRATEGIC LANDS



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EXECUTIVE SUMMARY

This Planning Proposal has been prepared on behalf of the Office of Strategic Lands (OLS) to initiate an amendment to the Blacktown Local Environmental Plan 2015 to rezone land in Prospect South to facilitate future general industrial development. The planning proposal has been prepared in accordance with the Department of Planning and Environment's *Guidelines for the Preparation of Planning Proposals*.

The land is located between the M4 Motorway and the Greystanes Release of the Western Sydney Employment Area. The rezoning of the currently underutilised rural residential land is supported by the *Greater Sydney Region Plan* and the *Central District Plan, Our Blacktown 2036* and accords with previous Department of Planning and Environment (DPE) strategic directions to facilitate employment generating development and economic activities near major transport corridors.

The proposal offers significant public benefits and opportunities, including:

- Facilitating the renewal of an isolated, underutilised Government asset.
- Providing an opportunity to support the growth and colocation of employment and urban services land in Blacktown LGA; and
- Rezoning a site proximate to key freight routes, capitalising on its position.

The land is predominantly owned by the Minister for Planning, three additional private landholdings also included and minor RMS land ownership.

A multidisciplinary project team has prepared a range of technical investigations to inform this planning proposal.

- **Concept Design/Architecture** – DEM Group.
- **Traffic** – PTC.
- **Civil and Services** – Arcadis.
- **Biodiversity** – WSP.
- **Aboriginal Heritage** – MDCA.
- **European Heritage** – MDCA.
- **Site Investigation (Contamination and Salinity)** – Arcadis.
- **Survey** – Cardno.

Both the suitability and capability of the subject site to be rezoned for future industrial purposes has been demonstrated. It is therefore intended that this Planning Proposal is initiated by Blacktown City Council and advanced for a 'Gateway Determination' by the Department of Planning and Environment.

1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis and the broader project team, on behalf of Office of Strategic Lands (the Proponent within the Department of Planning and Environment). It is intended to initiate an amendment to the Blacktown Local Environmental Plan 2015 with respect to the land at Prospect South (the site). The intended outcome of this Planning Proposal is to rezone land to facilitate industrial uses.

The subject site is primarily owned by the Minister for Planning (approximately 11ha), with additional private landholdings owned by three private owners and RMS. The land is adjacent to the M4 Motorway and with a southern boundary being defined by the Greystanes Release Area of the State Environmental Planning Policy 2009 – Western Sydney Employment Lands, and a regional detention basin owned by Blacktown Council. The Planning Proposal seeks to:

- Rezone most the area from the RU4 (Primary Production Small Lots) Zone to the IN1 (General Industrial) Zone.
- Rezone a land parcel owned by the RMS from the RU4 (Primary Production Small Lots) Zone to the SP2 (Infrastructure) Zone.

1.2. REPORT STRUCTURE

The Planning Proposal has been prepared in accordance with Section 3.35 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Environment (DPE) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It includes the following:

- Description of the subject site and its context.
- An overview of the strategic context of the site.
- A summary of the local planning controls.
- An overview of the key elements of the Planning Proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provision of the proposal.
- Justification for the proposal.
- Mapping to accompany the proposal.
- Description of the community consultation process expected to occur regarding the proposal; and
- An approximate project timeline.

The Planning Proposal is accompanied by a range of plans and reports to provide a comprehensive analysis of the site opportunities and constraints. These include:

Appendix A – Urban Design Study prepared by DEM.

Appendix B – Traffic and Parking Assessment prepared by PTC Consultants.

Appendix C – Civil, Services and Water Cycling prepared by Arcadis.

Appendix D – Biodiversity Constraints Assessment Report prepared by WSP.

Appendix E – Aboriginal Heritage prepared by MCDA.

Appendix F – European Heritage Assessment prepared by MCDA.

Appendix G – Preliminary Site Investigation Report prepared by Arcadis.

Appendix H – Site Survey by Cardno.

2. SITE AND SURROUNDING CONTEXT

2.1. SITE LOCATION

The subject site has an area of 12.24ha and comprises an irregular shape which contains various allotments (see legal description in Table 1). The subject site is located at the intersection of Blacktown and Cumberland Local Government Areas (LGAs), however the extent of land being formally rezoned is contained within the Blacktown LGA.

The land is located adjoining the M4 Motorway, between the extension of the Prospect Highway to the west and runs along the M4. The land is accessed directly from the Motorway via the Blacktown turn-off, Prospect Highway and Reservoir Road. The site includes:

- Land primarily owned by the Minister for Planning (approx. 11 ha).
- Additional private landholdings owned by three owners.
- Local roads owned by Blacktown City Council (Reservoir Road and Thornley Road).
- One parcel of RMS-owned land.

Figure 1 – Aerial Photo



Table 1 – Legal Description of the Site

Lot	Deposited Plan	Area ¹	Owner
Lot 3	DP 1192514	64991 sqm	Minister EPA Act
Lot 10	DP 448744 (AC15479-242)	3959 sqm	Minister EPA Act

¹ The areas shown by calculation have best defined the cadastral boundary from the available information from Cardno.

Lot	Deposited Plan	Area ¹	Owner
Lot 11	DP 448744 (AC15479-242)	3981 sqm	Minister EPA Act
Lot 10	DP 374325	683.5 sqm	Reservoir Developments P/L
Lot 10	DP 801209	3264 sqm	Siddique, Zafar
Lot 11	DP 801209	7433 sqm	Siddique, Zafar
Lot 12	DP 448744	4053 sqm	Minister EPA Act
Lot 15	DP 448744	2433 sqm	Minister EPA Act
Lot 18	DP 802753	6526 sqm (*portion of land extends into Cumberland LGA)	Minister EPA Act
Lot 24	DP 801210	7773 sqm	Minister EPA Act
Lot 25	DP 801210	1383 sqm	RMS – transferring to Minister EPA Act
Lot 26	DP 801210	14327 sqm	Minister EPA Act
Lot A	DP 374323	525.2 sqm	Evenden, Evenden
Lot C	DP 374323 (AC 6407-132)	864.6 sqm	Evenden, Evenden
Lot D	DP 374324 (AC 6407-132)	316.2 sqm	Evenden, Evenden

Table 1 above has described the site area, in accordance with the latest survey information prepared by Cardno in late 2017. The exact extent of land being rezoned under this planning proposal is at slight variance to the surveyed area, instead being prepared to accord with:

- The established State Government's dataset for zoning boundaries, including the extent to which land is already included in the SP2 Infrastructure Zone.
- The identified local government boundaries – the existing cadastral boundaries slightly extend into Cumberland Local Government Area however the rezoning of land is limited to the Blacktown City Council Local Government Area.

A small portion of land in the South of the subject site extends into the Cumberland Local Government Area and is not included within the subject site boundary. This does not represent an impediment to the progress of this planning proposal.

Moreover, Blacktown City Council has advised of an intention to rezone the adjoining regional detention basin to SP2 (Infrastructure) – which is outside the subject area. This rezoning may happen in parallel to the subject proposal.

2.2. SITE CHARACTERISTICS AND CONTEXT

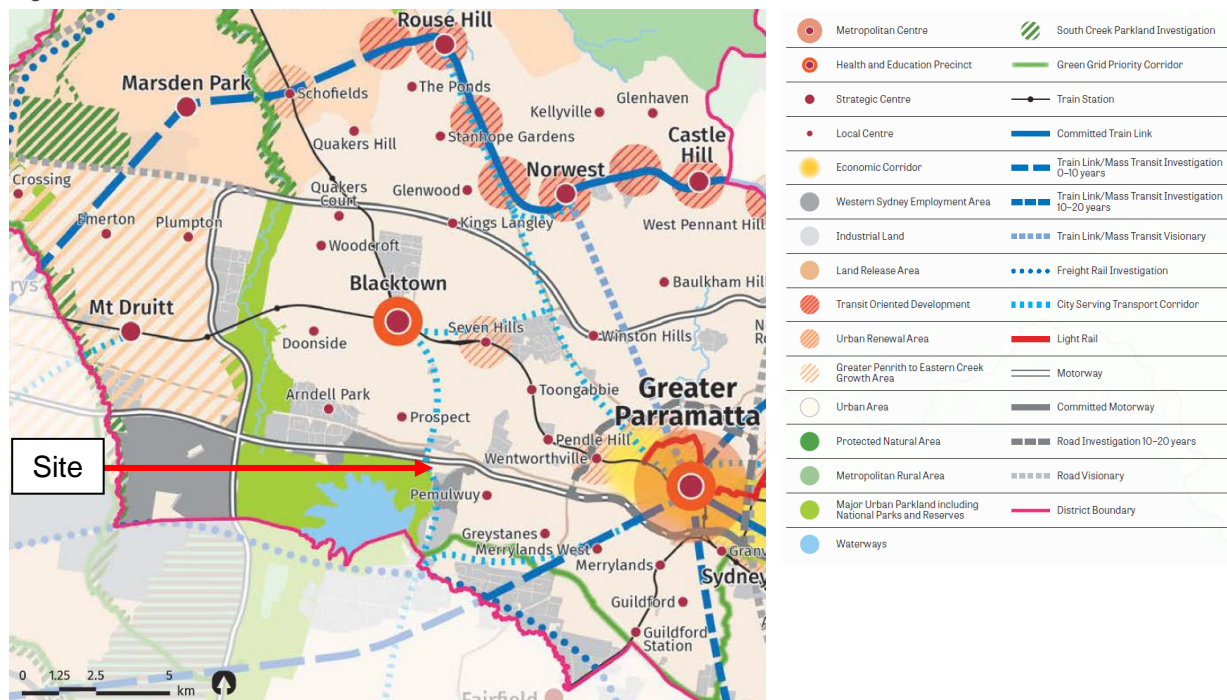
The site is located between the Western Motorway to the North and the Prospect Highway to the West. Vehicle access to the site is via the existing roundabout located at the intersection of Prospect Highway and Reservoir Road. The existing roads of Reservoir Road and Thornley Road currently provide access to the site. Existing industrial lots (IN1 and IN2) are located to the south and east.

The site is currently zoned RU4 Rural small lot holdings and is bound by the M4 to the north and the Prospect Highway to the west. The land to the east of the site and bounded by Girraween Creek is zoned RU4 Rural Small Holding. Land adjacent to the site southern boundary is within the Cumberland Council area and zoned IN2 Light Industrial.

There is generally moderately steep to gentle falls across the site from highpoints located along the northern, southern and western boundaries of the site to an overland drainage line. The site falls by about 13-15m to the east and may create some challenges to large lot industrial estates.

The overland drainage line flows from a retention basin located between the M4 and the off ramp to Prospect Highway to Girraween Creek. Land to the west of Prospect Highway is located within the Western Sydney Parklands a major urban parkland reserve.

Figure 2 – Site Context



Source: Greater Sydney Commission Central District Plan

2.3. EXISTING ACCESS AND PUBLIC TRANSPORT

The site is located adjoining the M4 –Western Motorway, between the extension of the Prospect Highway to the west and runs along the M4. The land is accessed directly from the Motorway via the Blacktown turn-off, Prospect Highway and Reservoir Road.

2.3.1. Proposed Vehicle Access

Existing Access

The access arrangement will retain the existing access via Thorney Road, and allow circulation of vehicles in a ring-road configuration along the perimeter of each building. It is noted that the Prospect Masterplan does not yet illustrate the proposed signalised intersection layout for Prospect Highway/Reservoir Road.

Potential Intersection Upgrades

Although not directly linked to the proposal, there are already approved plans to upgrade the intersection of Prospect Hwy / M4 Interchange (see Figure 3). In addition to this, widening of the Prospect Hwy (southbound) up to the intersection Prospect Hwy/M4 Interchange by one additional lane has been approved. Furthermore, the existing roundabout configuration of Prospect Hwy/Reservoir Rd will be converted into a four-arm signalised intersection with additional lanes provided in each approach. The Traffic Signal Control Plans detailing the existing and proposed intersection configurations can be found in the Traffic and Parking Assessment prepared by PTC and provided in Appendix B.

Figure 3 – Existing Access



Source: PTC/RMS

Two local roads, Thornley and Reservoir Roads currently service the site – being within the control of Blacktown City Council. Both roads are constructed without kerb and gutters and have informal turning areas to accommodate large truck manoeuvres.

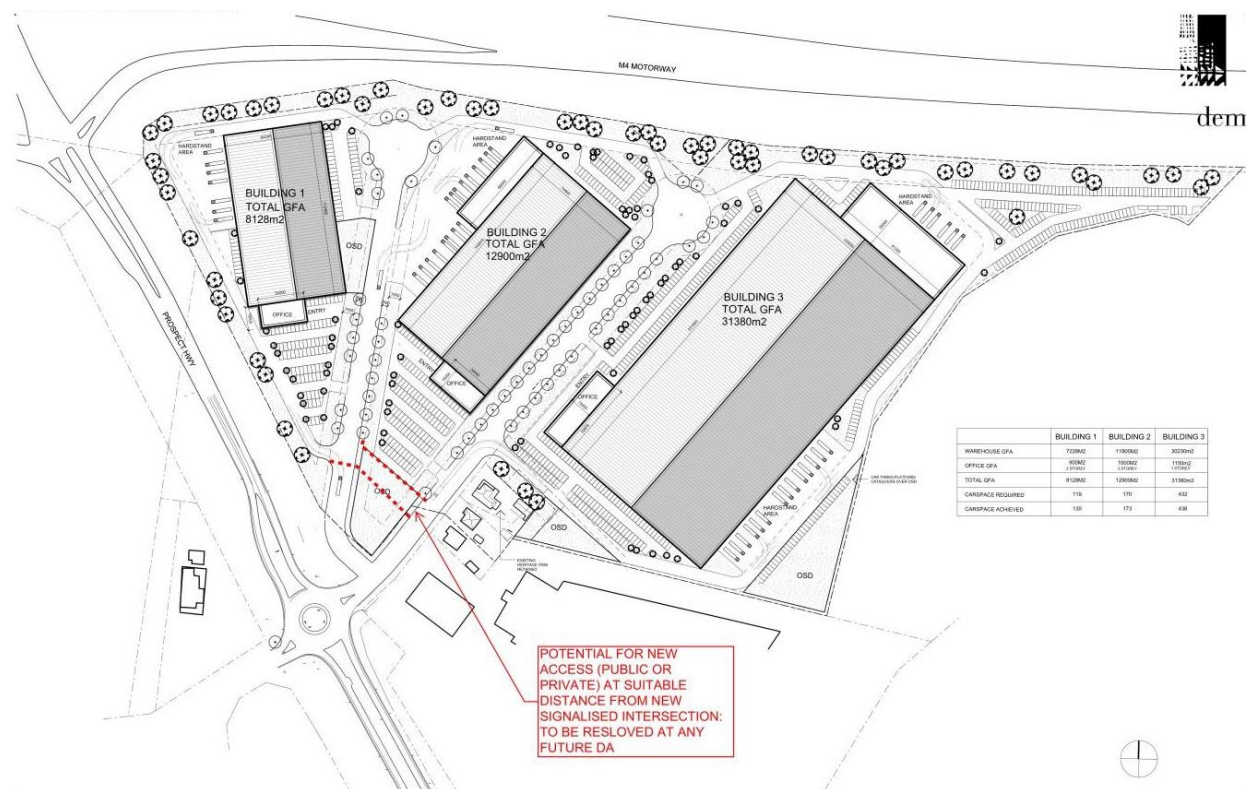
Potential Future Access Arrangements

The potential for Thornley Road to be closed in the future remains a possibility as part of the overall industrial development of the area. Preliminary scoping investigations have been completed for the project area, identifying some services along the current alignment including major assets for Sydney Water. The advancement of this planning proposal, including the transfer of the area in the IN1 – General Industrial Zone is considered neither dependent upon nor prejudicial to such opportunities for road closure being advanced in the future.

Given the proximity of Thornley Road to the intersection of Prospect Highway/Reservoir Road, vehicles exiting the site via Thornley Road will need to cross the right turn lane to enter the kerbside lane on Reservoir Road. Therefore, vehicles intending to travel south along Prospect Highway or continue west along Reservoir Road will need to wait for a sufficient gap in the right-turn lane to merge with the left or through-lane traffic.

To mitigate the potential for queuing along Thornley Road, an alternative access option involving the closure or partial closure of Thornley Road could be considered in due course, subject to discussion with RMS. This option may involve the construction of a new access (public or private) to be provided at a suitable distance from the new signalised intersection (see Figure 4), to be resolved after rezoning at any future DA submission.

Figure 4 – Alternative Access Option



Source: PTC / DEM

The alignment of Reservoir Road has local heritage significance as the original Western Highway alignment – refer to Section 2.5. It is expected that Reservoir Road will remain open and be upgraded into the future.

2.3.2. Public Transport

A review of the local cycling network identifies several dedicated on-road and off-road shared cycle paths within the vicinity of the site. Particularly the link to the north towards Blacktown is well established, offering an off-road shared path. The path along Prospect Road, southbound of the subject site provides a link to the southern residential area A regional cycle way is located along the western edge of Prospect Highway connecting to Blacktown and the Western Sydney Parklands Reserve.

A review of the bus services operating within the immediate vicinity of the site has been undertaken. Currently, the closest bus stop is located within a 10-minute walk (750m) on Prospect Highway. Another three bus stops are located approximately 500m to 800m away from the subject site; however, currently

there is no footpath to connect these with the development area. Further detail regarding the intended movement network into the future can be found in Section 4.2.2.

2.4. VEGETATION

The land use within the area is mainly agricultural use being low intensity grazing. Due to historic and ongoing agricultural use, residential dwellings and surrounding industrial use, the biodiversity values of the study area have been heavily impacted and degraded. Majority of remnant native vegetation is in a highly disturbed condition. Two Plant Community Types (PCTs) and two non-native miscellaneous ecosystems were recorded within the study area – refer to Figure 5. These PCTs correspond to vegetation types previously identified as occurring within the study area by the broad scale vegetation mapping and previous ecological investigations

An area of remnant Cumberland Plain Woodland vegetation is located at the intersection of Reservoir and Thornley Roads. An area of remnant River Flat Eucalypt Forest on coastal flood plains is located towards the northern end of Reservoir Road. Both vegetation communities noted in the Biodiversity Constraints assessment are small, isolated and highly disturbed patches of vegetation. Biodiversity offsets have been proposed for these vegetation communities.

An overland drainage extends from the retention basin located between the M4 and the Prospect Highway and Girraween Creek is heavily vegetated and weed infested. A vegetated buffer to the M4 is located adjacent to the northern boundary of the site. A copy of the full biodiversity assessment completed by WSP can be found at Appendix D.

Figure 5 – Vegetation on Site



Source: WSP

Further detail regarding the intended management of biodiversity values into the future, as part of the future development of the area can be founded in Section 4.2.4.

2.5. HERITAGE VALUES

The area comprises land that was cleared and developed for grazing and agriculture and accessed via one of the Colony's earliest and most important roadways (the Great Western Road) from as early as the late eighteenth century. From the late-nineteenth century until the mid-twentieth century, the bulk of the study area was a notable and award-winning dairy farm operated by the Hicks family (one of several in the broader Prospect area). As such, the study area has a cultural history that is reflective of important aspects of the

evolution of Western Sydney: namely the establishment of effective road networks and locales of primary production. The study area is considered significant under this criterion at a local level.

The study area contains two statutorily listed heritage items. These are the former Hick's Dairy homestead of Bridestowe and a remnant of the former Great Western Road (Reservoir Road). Both are listed as items of local heritage significance within the environmental heritage schedule of the Blacktown LEP 2015 (and by default on the NSW State Heritage Inventory/SHI). The roadway is also listed as an item of State-level heritage significance on the NSW State Heritage Register/SHR.

Bridestowe House

Bridestowe is a single storey, late Victorian weatherboard house. It features a pyramidal, hipped, galvanised iron roof with a gabled section facing the road frontage. A separately roofed verandah on the northern and southern sides of the house is supported on turned timber posts with decorative brackets. The house is in relatively good condition, but the verandah boards are warped and require replacement or repair. Bridestowe House heritage item is of local significance and is recommended for retention retained.

Reservoir Road

Reservoir Road passes through the study area, a stub of roadway dislocated from the original Great Western Road alignment. Its northern end has been further truncated by the construction and upgrade of the M4 Motorway in the 1980s/1990s. The southern end further effected by road widening and resurfacing (2013) and the construction of a new roundabout linking it to Reconciliation Road-Prospect Highway, which links the M4 to Blacktown (2015).

Planning for a Western Expressway began in 1947, with first section of the M4 Western Motorway - between Prospect and Penrith - completed by the Department of Main Roads during the 1960s/1970s. The roadway was converted to a toll road and upgraded variously in the 1980s and 1990s. The proximity of Prospect to the motorway and its major connections and the redundancy of much of the quarry site, have been part of the reason why the locale has morphed from a semi-rural enclave to a bustling industrial area over the course of the last decade. Reservoir road alignment is of local significance and warrants merit to be retained as part of the future development of the area. A full European Heritage Assessment has been completed by MDCA and can be found at Appendix F.

Aboriginal Heritage

An assessment of Aboriginal heritage values has been prepared by MDCA to inform the preparation of this planning proposal. A copy of the full assessment can be found at Appendix E. From the investigations completed, there is no known evidence however to suggest that the specific area of the subject land was used as a major historical campsite, ceremonial area, mission or reserve or has more recent historical Aboriginal associations per extensive Aboriginal community consultation undertaken by MDCA in relation to the 2013 Blacktown City Wide Aboriginal Heritage Study. There is currently no specific documented evidence known relating to the historical use of the subject land by Aboriginal people, though it may have been traversed by people accessing St Bartholomew's Church.

The assessment by MDCA concludes that the subject land has been found to contain no evidence of past Aboriginal use, and very low likelihood for surviving deposits of Aboriginal stone artefacts. Based on information provided in this report addressing BCC requirements for Aboriginal heritage, we therefore conclude that the subject site is suitable for further development.

3. EXISTING PLANNING FRAMEWORK

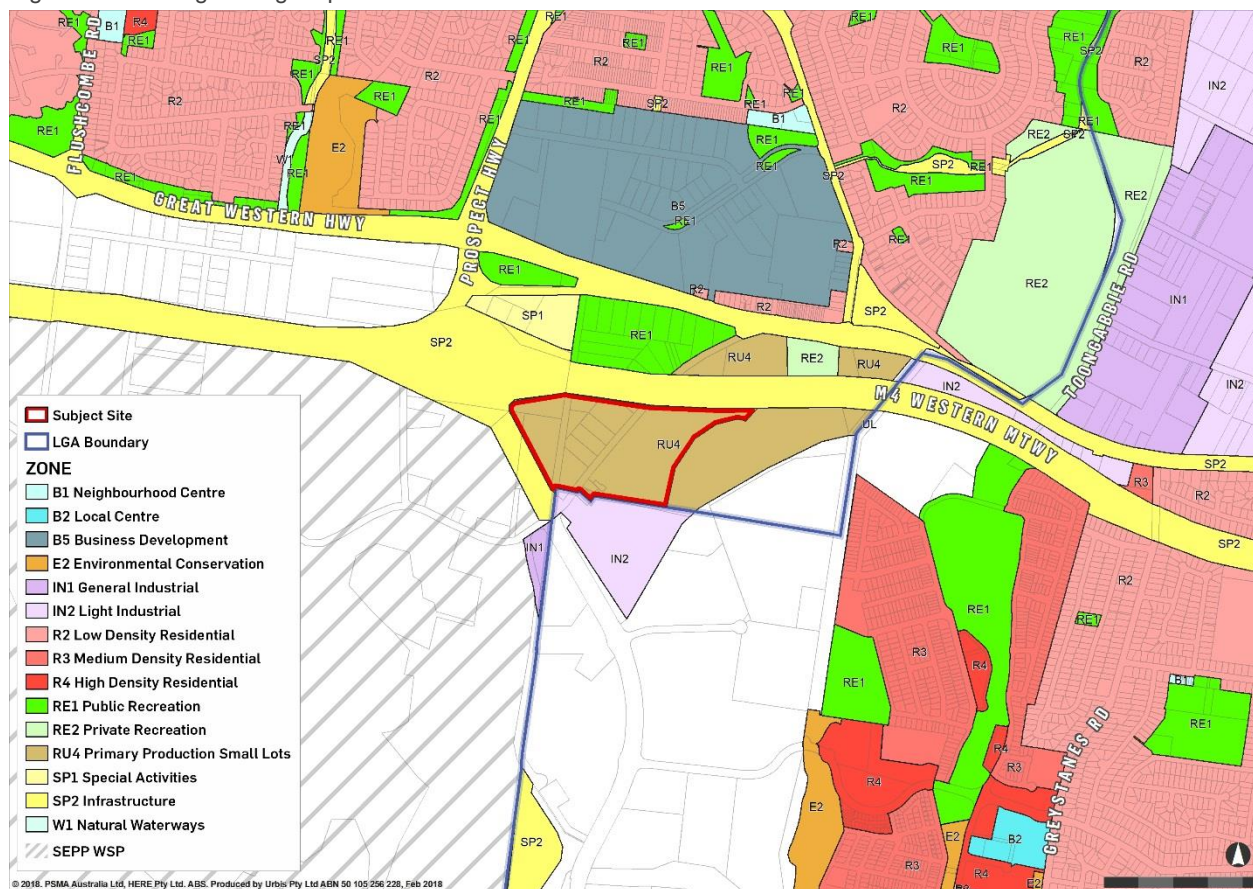
3.1. BLACKTOWN LOCAL ENVIRONMENTAL PLAN 2015

The principal statutory planning instrument applying to the site is the *Blacktown Local Environmental Plan 2015* (BLEP 2015). A small portion of land in the South of the subject site extends into the Cumberland Local Government Area – this is however not included in this planning proposal.

3.1.1. Zoning and Permissibility

The subject site is predominantly zoned RU4 (Primary Production Small Lots) under the BLEP 2015. As illustrated in Figure 6 below, the surrounding area is zoned primarily for industrial uses. The area shown in the white/‘unzoned’ area to the west of the site is part of the Western Sydney Parkland area.

Figure 6 – Existing Zoning Map



The existing zoning controls applying to the site are summarised in Table 2 below:

Table 2 – Summary of Existing Zoning Controls

Control	RU4 Primary Production Small Lots
Zone Objectives	<ul style="list-style-type: none"> To enable sustainable primary industry and other compatible land uses. To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature. To minimise conflict between land uses within this zone and land uses within adjoining zones.

Control	RU4 Primary Production Small Lots
	<ul style="list-style-type: none"> To ensure that development does not prejudice the orderly and economic development of future urban land. To ensure that development is sympathetic to the ecological attributes of the area.
Permitted without consent	Home occupations
Permitted with consent	Agricultural produce industries; Bed and breakfast accommodation; Cemeteries; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Heliports; Home businesses; Home industries; Intensive plant agriculture; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation facilities (outdoor); Roads; Roadside stalls; Veterinary hospitals; Water reticulation systems
Prohibited	Agriculture; Any other development not specified above.

3.1.2. Building Heights and Floorspace

The Blacktown LEP 2015 does not prescribe building heights nor maximum floorspace ratios for the subject area, as illustrated in the Figure 7 and Figure 8 below – this is consistent with the approach taken with industrial areas in the surrounds. Development proposals are required to be considered on their merits, having regard to the matters set out in Section 4.15 of the *Environmental Planning and Assessment Act*, including for example the objectives of the zone, the suitability of the site for development and any potential impacts on either the natural or build environment.

Figure 7 – Existing Height of Buildings Map

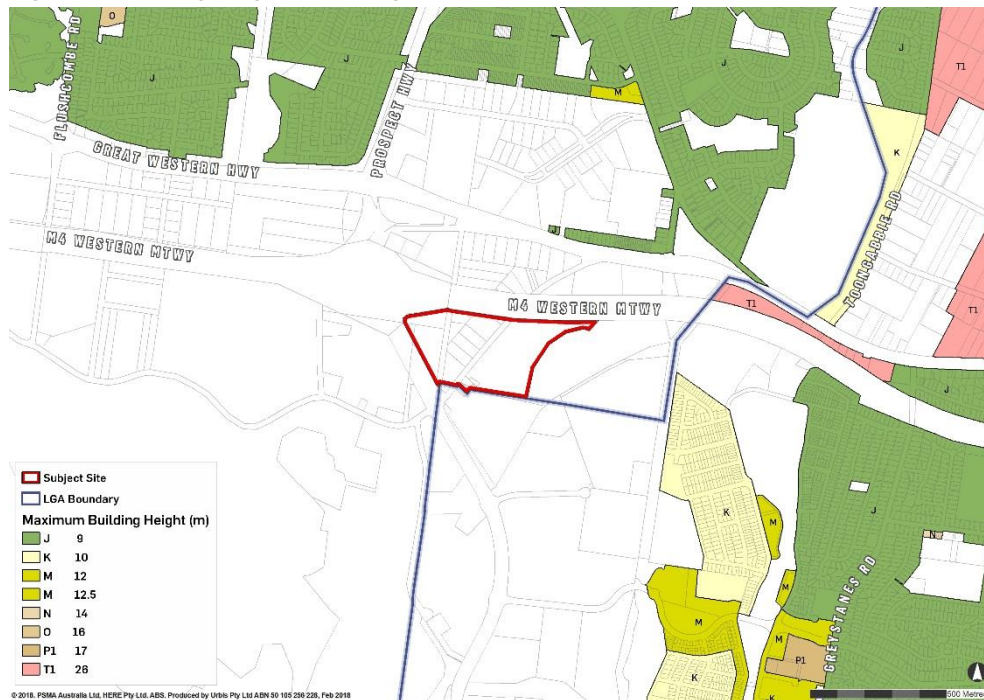
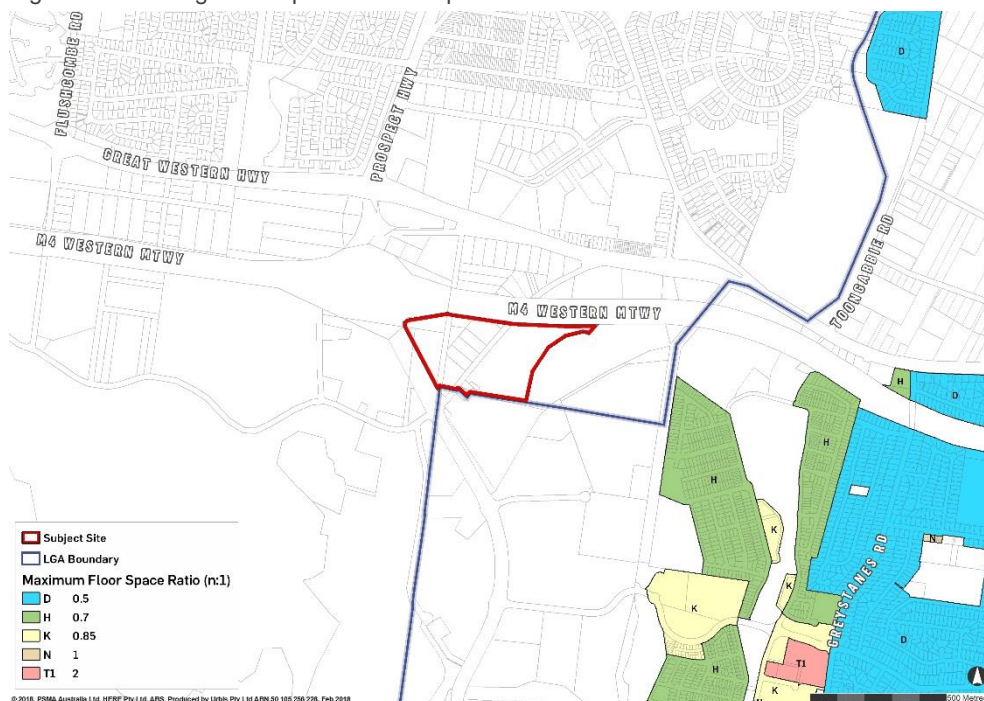


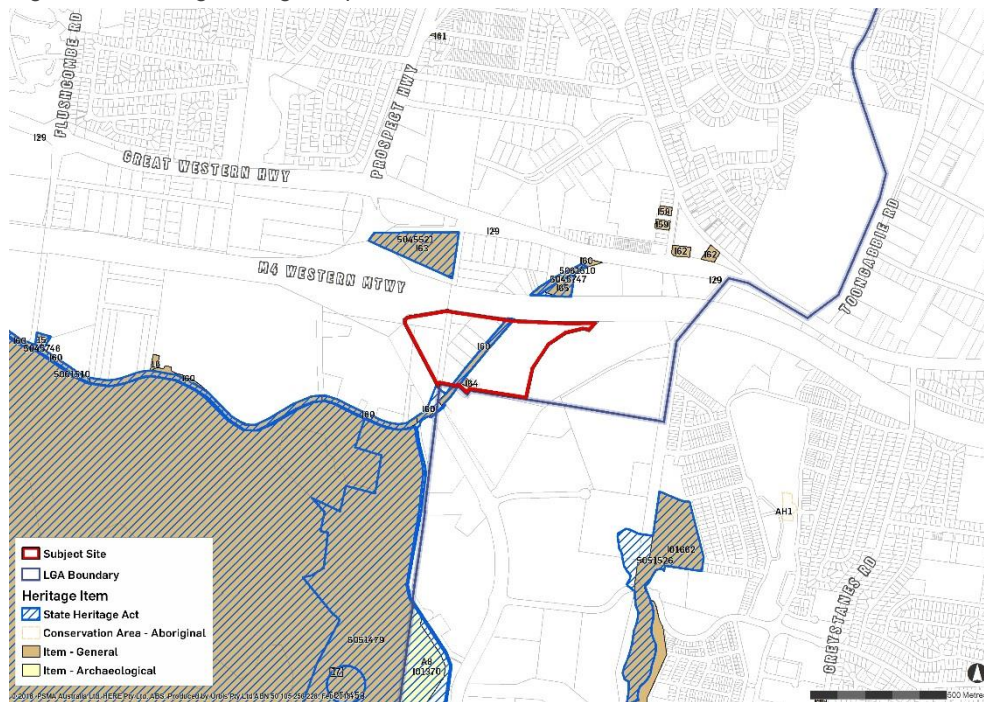
Figure 8 – Existing Floor Space Ratio Map



3.1.3. Heritage

As outlined in Section 2.5 of this report, there are two main items of heritage value identified within the study area, being Reservoir Road and Bridestowe House. The mapping of heritage values identified in the Blacktown LEP 2015 reflects these two items, as illustrated in Figure 9 below.

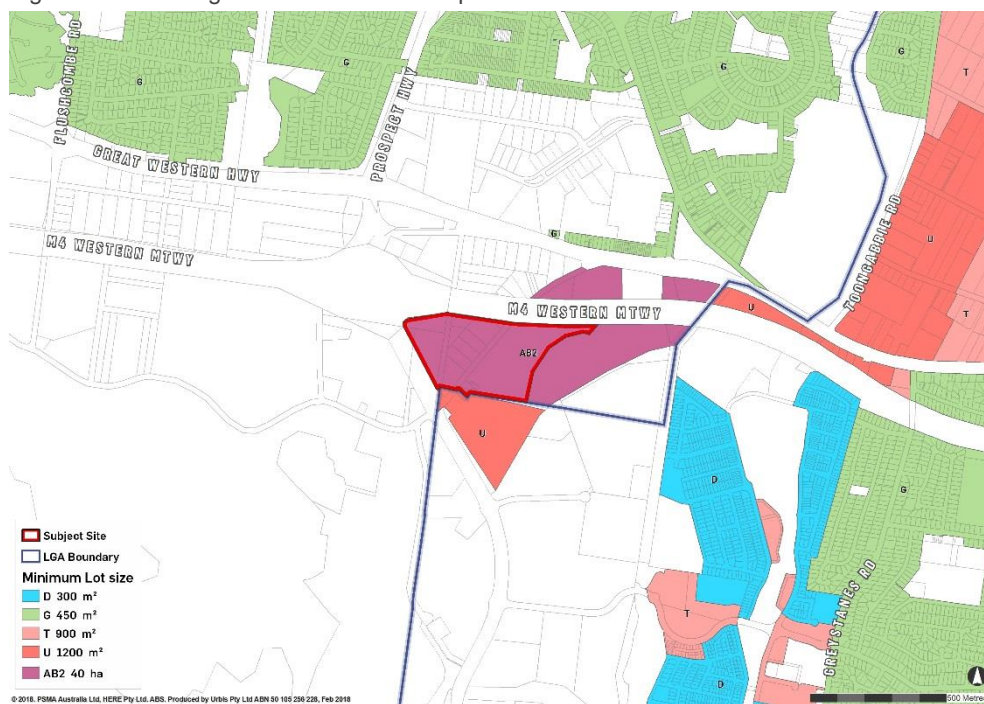
Figure 9 – Existing Heritage Map



3.1.4. Minimum Lot Size

Presently, a minimum lot size control of 40ha applies to the subject site (see Figure 10 below). This is reflective of the existing Rural Residential zoning. This proposal seeks to amend (remove) this minimum lot size map to facilitate the intended development outcome.

Figure 10 – Existing Minimum Lot Size Map



3.2. BLACKTOWN DEVELOPMENT CONTROL PLAN 2015

Blacktown Development Control Plan (DCP) 2015 was prepared under Section 3.43 of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*. The Plan was adopted by Council on 15 July 2015 and came into effect on 29 July 2015. When assessing Development Applications (DAs), Council must consider the relevant provisions of Blacktown DCP 2015. This is a requirement under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Of relevance to the subject site and future development for industrial purposes, the development control plan provides guidance on matters including:

Part A – General

- Submitting of Development Applications – Section 2.
- Environmental protection – Section 4 (including Section 4.4 – Heritage).
- Roads - Section 5.
- Carparking - Section 6.
- Services – Section 7.
- Development on flood prone land – Section 9.

Part E – Industrial Zones

- Subdivision – Section 3.
- Building setbacks, site coverage and floor space requirements – Section 4.1.
- Landscaping – Section 4.2.
- Vehicular access and circulation – Section 4.7.
- Car parking – Section 4.8.
- Services – Section 7.1.
- Pollution Control – Section 7.2.

The controls contained within the DCP provide an effective framework for development assessment, including future industrial development on the subject site.

It is not considered necessary nor appropriate to establish site specific provisions for the subject site now, instead maintaining flexibility for future DA proposals to be properly considered on their merits, having regard for site conditions and the needs of the market/potential businesses.

4. INTENDED DEVELOPMENT OUTCOME

4.1. INDICATIVE MASTER PLAN

The Planning Proposal seeks to facilitate general industrial development. Based on the various technical investigations progressed to inform this planning proposal, a masterplan has been prepared by architects DEM - as set out below, based on the following design principles.

- To allow for a style of industrial development that is typical of the locality and that is likely to occur in the future.
- To ensure adequate opportunity for perimeter planting, landscape design and attractive buildings to be located around entrances and visible areas.
- To allow for a range of allotment sizes that caters for a diversity of land uses and employment opportunities.
- To ensure allotments are oriented to ensure buildings appropriately address the street and public realm areas.
- Lots are to be relatively regular in shape.
- Avoid or minimise Irregular shaped allotments with narrow street frontages.
- Lots should be orientated and towards the streets to increase the opportunity for good passive surveillance and to avoid streetscapes with loading docks and blank facades visible from the street.
- Entries to sites and buildings should be visible from the street.

Figure 11 – Master Plan Scheme



Source: DEM Group

4.2. RELEVANT CONSIDERATIONS

4.2.1. Future Use of the Land

It is proposed to rezone the subject site to the IN1 zone, allowing for a range of permissible uses.

The IN1 (General Industrial) zone objectives are:

- To provide a wide range of industrial and warehouse land uses.

- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To minimise adverse impacts on the natural environment.

The following land uses are permitted with development consent:

Aquaculture; Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Heliports; Industrial training facilities; Kiosks; Light industries; Neighbourhood shops; Places of public worship; Roads; Warehouse or distribution centres; Vehicle sales or hire premises.

The merits of future applications for development approval would need to be considered in the above context.

4.2.2. Road Layout and Access

An indicative road layout has been illustrated with the master plan. Of note:

- The design seeks to reflect the planned upgrades to Prospect Highway, including future widening and intersection treatments.
- Reservoir Road is proposed to be retained and upgraded, with design at the subdivision/upgraded needing to have regard to the identified values and the recommendations contained in MDCA heritage assessment report.
- Thornely Road is retained, however there remains the potential for future road closure should this wish to be pursued having regard to matters including the alignment of services.
 - The proximity of the current Thornley Road entry from Reservoir may have to relocate to suit the new intersection of Reservoir and Reconciliation Drive. This might be done by a future landowner to suit new development.
 - An alternative access option has been identified to mitigate potential for queuing along Thornley Road due to the proximity of the Thornley Road access from the intersection of Prospect Highway/Reservoir Road. It is acknowledged that the potential for a new access (public or private) at a suitable distance from the future signalised intersection of Prospect Highway/Reservoir Road is to be resolved at any future Development Application.

Road upgrades will need to be advanced in accordance with BCC engineering standards, as relevant at the time. Applications for development approval would need to be submitted with a traffic impact assessment, in accordance with the requirements set out in the Blacktown City Council Development Control Plan 2015, as relevant at the time.

4.2.3. Built Form

Indicative building layouts have been shown on the master plan, demonstrating how the land could be developed for industrial purposes into the future.

- Building heights, setbacks will continue to be guided by the BCC DCP.
- It is demonstrated that compliant car parking rates can be achieved.
- Landscaping to be provided in accordance with BCC DCP.

4.2.4. Vegetation

As outlined in Section 2.4, no threatened flora or fauna species, listed under either the BC Act or EPBC Act, have been recorded within the study area. Notwithstanding, the likelihood of occurrence assessment has concluded there is a moderate or high likelihood for one threatened flora species and 15 threatened fauna species to be located on site.

WSP have prepared a Biodiversity Constraints Assessment (BCA) to address biodiversity legislative matters. Two threatened ecological communities were recorded within the study area, as follows:

- Cumberland Plain Woodland in the Sydney Basin Bioregion – Critically Endangered Ecological Community (BC Act). The preferred option will impact on approximately 0.7 hectares of this community.
- River-flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions – Endangered Ecological Community (BC Act). The preferred option will impact on approximately 1.4 hectares of this community.

It should be noted that Cumberland Plain Woodland is listed as a Serious and Irreversible Impact (SII) entity under Appendix 3 of 'Guidance to assist a decision-maker to determine a serious and irreversible impact' (Office of Environment and Heritage, 2017).

Based on the potential impacts associated with the proposed rezoning there are two main approval pathways for addressing impacts on biodiversity matters. These are:

- Biodiversity Certification under Part 8 of the BC Act; or
- Development approval under Part 4 of the EP&A Act.

The assessment completed by WSP has demonstrated options available, allowing for the planning proposal to proceed to gateway determination.

Biodiversity Certification under Part 8 of the BC Act

Recent legislative changes under the BC Act now enable land to be subject to biodiversity certification. Biodiversity certification is a biodiversity assessment process that is particularly suitable to be used where strategic land use planning is proposed or underway.

The current planning proposal for Prospect South would be considered as a 'standard type' biodiversity certification. The process for biodiversity certification under the BC Act is summarised below:

- Step 1 – Plan and design project (pre-application).
- Step 2 – Apply the BAM, prepare and submit application.
- Step 3 – Undertake required consultation and public notification steps.
- Step 4 – Minister for the Environment considers and determines application.
- Step 5 – Ongoing review and compliance for biodiversity certifications.

It should be noted that biodiversity certification application can occur at any stage of the planning proposal phase or at post planning approval. At the time of writing, OEH has indicated that timing of the biodiversity certification review could be between 6 to 12 months and that there is a current backlog of existing biodiversity certification applications that were lodged under the former planning controls.

Development Approval Under Part 4 Of the EP&A Act

Under Part 4 of the EP&A Act, BC Act matters will be subject to the Biodiversity Assessment Method 2017 (BAM) and as such will require biodiversity offsets to compensate for the loss of biodiversity associated with the clearing of 2.1 ha of threatened ecological community vegetation.

Cumberland Plain Woodland is currently listed as a SII entity and NSW OEH are yet to publish clearing thresholds to determine if a project will have an SII. In the absence of a clearing threshold, any impact is potentially considered as a SII – and therefore cannot currently be approved under Part 4 of the EP&A Act. However, it is expected when NSW OEH release the SII clearing thresholds – small scale proposals (like the subject proposal), will be able to be determined under the Part 4 of the EP&A Act.

Biodiversity Offsetting

Under either biodiversity certification pathway, biodiversity offsets will be required to compensate for the loss of biodiversity associated with the potential impact associated with the proposal assessment using BAM 2017. Biodiversity offsets have been calculated applying BAM 2017 for the proposal impacts and will require the following ecosystems credits:

- Approximately 19 ecosystem credits for the loss of 0.7 hectares of the PCT 849 Narrow-leaved Ironbark – Broad-leaved Ironbark – Grey Gum open forest of the edges of the Cumberland Plain, Sydney Basin Bioregion
- Approximately 21 ecosystem credits for the loss of 1.4 hectares of the PCT 835 - Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion.

Under the new *Biodiversity Conservation Act 2016* and associated Biodiversity Offsets Scheme, offset obligations can be met by paying into the Biodiversity Conservation Fund. This is an alternative to retiring credits. By doing this, the responsibility of finding an offset is transferred to the Biodiversity Conservation Trust.

Suggested Path Forward

For the purposes of advancing the planning proposal to gateway determination, the relevant biodiversity values have been addressed in the WSP Biodiversity Constraints Assessment. This document sets out the approval pathway options and outlines a comprehensive inventory of biodiversity matters associated with the site. These documents will enable OEH to provide adequacy review of the planning proposal. In the interim it is recommended that a decision on the proposed approval pathway be deferred until OEH releases SAIL thresholds to confirm if the project will have a SAIL.

Pending the release by OEH of SAIL thresholds for Cumberland Plain Woodland, a decision can be made in consultation with Department of Planning & Environment, OEH and Blacktown Council on proceeding with the biodiversity certification process or deferring the matter to the Part 4 development application process.

The investigations and reporting completed to date for the subject site have demonstrated that suitable environmental outcomes are capable of being achieved through the future industrial development of the of the subject land and that such matters do not represent an impediment to the rezoning of the land through this planning proposal.

4.2.5. Water Cycle Management

Arcadis have prepared a Services and Stormwater Management Report (Appendix C) which considers conceptual means of water cycle management including stormwater drainage, flooding, water quality and on-site detention. Regarding stormwater management, the report considers the following:

- Defines internal and external catchments.
- Assesses flood extents for 100-year ARI.
- Identifies major trunk drainage routes and location of easements, both existing and proposed.
- Addresses water quality issues and OSD requirements.

Internal Catchments

The site drains to Girraween Creek Tributary, which runs along the south-eastern side of the site and ultimately exits the site via twin culverts crossing under the Western Motorway. There are several culverts crossing Thornley Road and Reservoir Road which allow the passage of water along the natural depressions towards Girraween Creek Tributary. The existing detention basin is currently owned and maintained by Blacktown City Council.

External Catchments

Draining through the site are a series of external catchments:

- The Western Motorway runoff drains to the site via a series of swales, detention basins and water quality treatment measures located adjacent the Motorway to the north of the site.
- Another catchment crosses Prospect Highway from the west through a series of culverts discharging into the site.

- The Northern Employment Lands of the adjoining Greystanes Estate drain to the existing detention basin located on Girraween Creek Tributary located at southeast of the site.

Feasibility of Future Development

The conceptual Development Area plan SKC-00-012 within the Services and Water Cycle Management Report (Appendix C) nominally shows possible drainage easements within the site to convey external catchment across the site through to Girraween Creek to the east. The external catchment flow can be conveyed through the site either via open channels or within a pipe and pipe network.

Stormwater Management

Arcadis have recommend that WSUD principles be to be used to mitigate the potential impacts of urban development in this site. A summary of such measures is provided below:

- Attenuate flows to a maximum of the pre-development or rural flow rates, whichever is the lesser.
- Meet pollutant reduction rates (per Blacktown City Council's DCP (2015), Part J)
- Provide flood control storage based on the Upper Parramatta River Catchment OSD policy
 - Taking the current site area (12.25ha), the required total storage volume is approximately 5,800m³.
- The development of this site should not result in increase in flood peak flows, and velocities from the existing detention basin.

The report also outlines the relevant considerations and controls which would form part of a future development application, noting that Blacktown City Council should be approached for specific details on their requirements at that time.

Flooding

The latest flood mapping provided by Blacktown City Council identify areas of low, medium and high flood risk (see Figure 12):

Figure 12 – Blacktown City Council Flood Risk Map



Source: Blacktown City Council and Arcadis

A very minor portion of the site is affected by 'minor local flooding' and the 100-year ARI storm event. Therefore, a future DA will be subject to the conditions outlined in Section 9.0 of Blacktown City Council Development Control Plan (Part A). This includes the requirement for industrial and commercial buildings to have a floor level of (at minimum) 300mm above the designated flood level.

4.2.6. Services

Arcadis liaised with various service providers to understand the utility availability at the site (for full details of correspondence refer to Appendix C), this included:

- Gas – Jemena
- Broadband Network – NBN Co.
- Telecommunications – Telstra
- Electrical – Endeavor Energy
- Sewer – Sydney Water
- Water – Sydney Water

Investigations indicate that all utilities including telecoms, electrical, sewer and water utilities are readily available at the site except gas, which would require lead-in works. Arcadis also confirmed that there are no access issues regarding service locations.

The applicant will continue to engage with the relevant agencies/providers through the formal exhibition process, following gateway determination.

4.2.7. Contamination and Salinity

Arcadis were commissioned to prepare a preliminary site investigation and limited soil sampling report. The conclusions are copied below:

Contamination

- Based on the site walkover and review of site history, the potential for gross or widespread contamination at the site is low.
- Fly-tipping was observed on the road verges within the site. Materials disposed of at the roadside included asbestos sheeting.

Salinity

- The topsoil was generally non-saline, whilst the silty clays were slightly to moderately saline in nature.
- The Department of Land and Water Conservation (DLWC) Draft Salinity Hazard Mapping for Western Sydney shows parts of the site to be high risk salinity potential.
 - To address this salinity risk and prevent damage to buildings and infrastructure Arcadis provide a series of nine recommendations (see Section 8 of their report at Appendix G), which are consistent with the Pemulwuy Industrial Controls – Holroyd Development Control Plan 2013.
 - These recommendations (which relate to building, landscape and stormwater design) can be implemented at DA stage and Arcadis conclude: *“based on the observations made during the site walkover and sampling, the site history and analytical results, Arcadis considers the site may be considered suitable for commercial/industrial land use”*.

4.2.8. Heritage

Notwithstanding the requirements of the Blacktown LEP 2015 (clause 5.10) and Blacktown DCP 2015 (Part A, Section 4.4), the applicant has commissioned studies of historic (European) and Aboriginal Heritage matters to determine whether the site is suitable for future industrial development. The results of these reports are outlined below:

Historic (European)

As above, the site area contains two listed heritage items.

1. House – Bridestowe

2. Great Western Highway (former alignment)

MDCA comment that the site is generally unremarkable and heavily impacted by cumulative site uses, however, some distinct elements have historical significance and cultural heritage value and require consideration in advance of rezoning and ahead of any redevelopment. Accordingly, MDCA advise of the following requirements which can be carried out at, or in advance of, the DA stage:

House – Bridestowe

- The Bridestowe farm house should be subject to a Conservation Management Study by a suitably qualified heritage architect. Refer to Historic (European) Heritage Assessment, p. 42 at Appendix F for further details.

Great Western Highway (former alignment)

- A Statement of Heritage Impact (SoHI) should be prepared that addresses the potential impacts of any works (upgrades or otherwise) on the heritage values of this section of the State-listed Great Western Road. This process should receive input with both Council and RMS heritage staff, informing the detailed design for the upgrading of this road.

Aboriginal

MDCA prepared an Aboriginal Heritage Assessment Report (Appendix E) which involved consideration of the environmental, historical and archaeological context of the subject land to determine whether any further Aboriginal heritage investigations are warranted in relation to the current proposed rezoning.

The report concludes that the subject site contains no evidence of past Aboriginal use, and very low likelihood for surviving deposits of Aboriginal stone artefacts. Based on information provided, MDCA conclude the subject site is suitable for new industrial development.

4.3. PUBLIC BENEFIT

The Planning Proposal will deliver significant public benefit, including:

- Significant new employment opportunities, with an overall increase in industrial and urban services floorspace in line with strategic directions.
- In the order of 100-200 jobs, depending on the future use of each site.
- An activation and renewal of the site, which is currently underutilised, especially when considering the colocation opportunities with neighbouring industrial land and position relative to Sydney's freight network.
- An appropriate biodiversity outcome which will improve environmental outcomes both on and off site.
- Improved safety outcomes, as the existing site condition lends itself to dumping of potentially dangerous materials and waste.

5. PARTS OF THE PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A with consideration of DPE's *A guide to preparing Planning Proposals* (August 2016).

Accordingly, the proposal is discussed in the following parts:

- **Part 1** – A statement of the objectives and intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification for the planning proposal and the process for the implementation.
- **Part 4** – Mapping.
- **Part 5** – Details of community consultation that is to be undertaken for the planning proposal.
- **Part 6** – Project timeline.

Discussion for each of the above parts is outlined in the following chapters.

6. OBJECTIVES AND INTENDED OUTCOMES

This section identifies the objectives and intended outcomes of the Planning Proposal.

6.1. OBJECTIVES

The primary objective of the planning proposal is to facilitate the general industrial development of the site, reflective of the strategic intent for the locality. This is appropriate given the site's proximity to other industrial areas, ease of access to Sydney's main freight network and the strategic direction to consolidate and collocate urban services uses in the Central City/Blacktown LGA.

6.2. INTENDED OUTCOMES

The intended outcomes of the Planning Proposal are to:

- Enable a range of general industrial development in an area of high accessibility and strategically located (i.e. proximity to the Greater Parramatta area and access to transport and freight routes).
- Facilitate an extension of existing industrial activities in the locality.
- Delivery opportunities for employment growth to support the overall growth of the Central City District, including the achievement of identified job targets
- Unlock currently underutilised land, to deliver on the Central City's required industrial land supply.
- Deliver opportunities for industrial development, responsive of developing trends.
- Allow for an appropriate environmental outcome through a biodiversity offset arrangement.

7. EXPLANATION OF THE PROVISIONS

To achieve the intended outcomes, this Planning Proposal seeks to:

- Rezone most the subject site to the IN1 – General Industrial Zone.
- Rezone a lot to the SP2 (Infrastructure) Zone.
- Remove the existing minimum lot size control from the site.

No changes are proposed to the text of the *Blacktown Local Environmental Plan 2015*.

8. JUSTIFICATION

8.1. NEED FOR THE PLANNING PROPOSAL

8.1.1. Q1 - Is the planning proposal a result of any strategic study or report?

The planning proposal is not the direct result of a strategic study or report per se, rather it responds to OSL's desire to divest of the existing landholding to create an extension of the existing industrial-zoned land to the south of the site.

The opportunity to convert underutilised RU4 land to industrial is strongly aligned with state and regional strategic documents that set out goals seeking to protect, increase and enhance industrial and urban services land in the 'Central City'. These documents include the following:

- Greater Sydney Regional Plan; and
- Central City District Plan.

Further detail in respect of the alignment with these documents is set out in Section 8.2.

8.1.2. Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the only means of achieving the objectives and intended outcomes for the site as the proposed industrial uses are prohibited within the existing RU4 zone. The existing RU4 zone is an isolated parcel of land that generates little employment and does not capitalise on the colocation opportunities that exist.

Without an amendment to the planning controls, the opportunity to redevelop this site for its highest and best use would be lost. The proposal is in-line with strategic objectives relating to the location of industry clusters in cost-effective locations, and strengthening the Central City's role in providing for industrial/manufacturing industries. Overall, the site is a logical and appropriate place to concentrate future industrial growth within the Blacktown LGA.

8.2. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

DPE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

8.2.1. Q3 - Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

a) Does the proposal have strategic merit?

The strengthened strategic merit test criteria require that a planning proposal demonstrate strategic merit against (at least one of) the following three criteria:

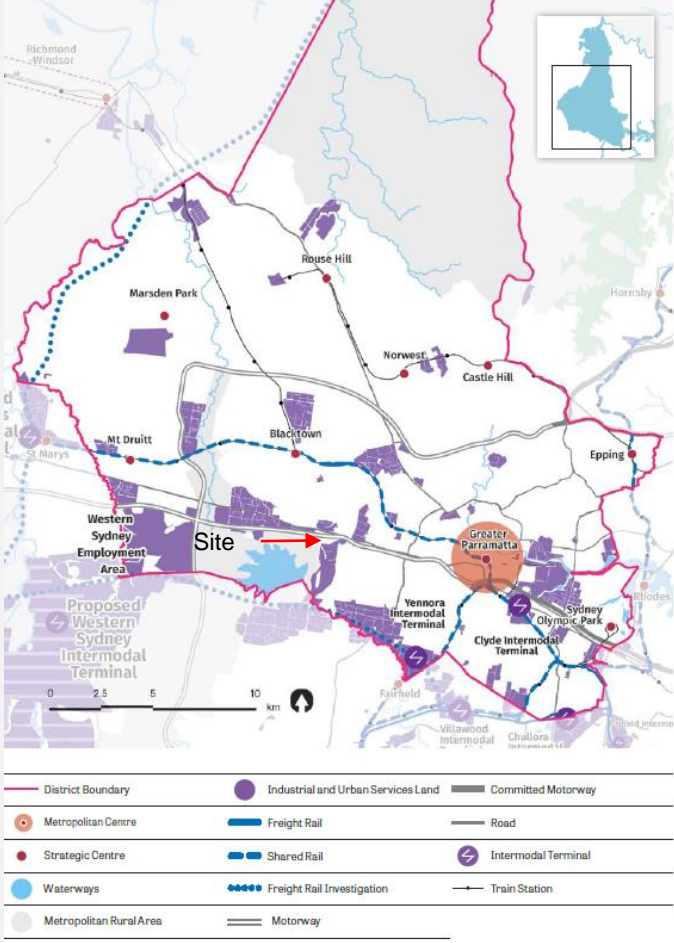
1. *Consistent with the relevant district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment*
2. *Consistent with a relevant local council strategy that has been endorsed by the Department.*
3. *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

The Planning Proposal demonstrates strategic merit in relation to Criteria 1 above as set out below.

Table 3 – Strategic Plan Merit Test

Criteria	Planning Proposal Response	
<i>Consistent with the relevant district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.</i>	<p>The intended outcome of the Planning Proposal is to facilitate the redevelopment of the site to accommodate industrial zoned land, tying into the existing industrial precincts in the locality. In doing so, the proposal will respond to the key priorities and directions which underpin the following strategic planning documents:</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan. • Central City District Plan. <p>The key Priorities of relevance to the Planning Proposal are outlined below:</p>	
	Priorities	Planning Proposal
	Greater Sydney Region Plan (2018)	
	<i>Objective 23 Industrial and urban services land is planned, protected and managed</i>	<p>The Central District Plan calculates 1,244 hectares of undeveloped industrial land supply in the Central City. Importantly, not all this land is serviced with water and lead-in sewer infrastructure, which creates a risk in delivering and maintaining a competitive industrial market.</p> <p>The GSC notes (GSRP, p. 129):</p> <p><i>“the servicing of existing and new land zoned for industrial and urban services is therefore a priority to support the continued growth of the economy and local jobs”.</i></p>

Criteria	Planning Proposal Response	
		<p>The Planning Proposal will therefore provide much needed serviced industrial land supply to reinforce the Central City's role in providing this space.</p> <p>The GSC also notes the following issues with industrial and urban services land supply, which is addressed by the concept design and proposal:</p> <ul style="list-style-type: none"> <i>The adaptation of buildings to accommodate high-bay automation requires building heights greater than existing buildings and current planning limits. Increased building heights are needed for the evolution of buildings in areas such as the Central River City, that have logistics functions linked to freight infrastructure networks.</i> <i>Manufacturing techniques are changing rapidly in response to technological and digital improvements creating new business models and advanced manufacturing. These changes may require a review of planning regulations which may be placing unnecessary barriers to the growth of advanced manufacturing.</i> <p>Noting the two dot points above, the built form controls are proposed to be flexible and open, allowing scope for advanced manufacturing techniques to be accommodated as part of a future development outcome.</p> <p>Overall, this Planning Proposal facilitates the protection, increase and enhancement of industrial and urban services areas.</p>
	<p><i>Objective 24 Economic sectors are targeted for success</i></p>	<p>All three levels of government in Australia are working together to create a highly skilled workforce that has access to high quality local jobs.</p> <p>The NSW Department of Industry is leading the development and coordination of sector-specific industry development strategies to grow and globally position key sectors of the economy.</p> <p>Strategies to be delivered in the short term include advanced manufacturing. This Planning Proposal enables advanced manufacturing uses on land already adequately serviced, and therefore meets this objective.</p>
	<p><i>Objective 27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i></p>	<p>The biodiversity values of the subject land have been investigated and documented, demonstrating options available for the future development of the area – including Biocertification and the establishment of offsetting arrangements. The suitability for the land for future development has been demonstrated.</p>

Criteria	Planning Proposal Response	
	Priorities	Planning Proposal
	Central City District Plan	
	<p><i>Planning Priority C11 Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</i></p>	<p>This planning priority corresponds to objective 23 of the GSRP. The Central City District Plan notes “<i>In Blacktown Local Government Area, a major industry cluster of transport and logistics, storage, warehousing and distribution is developing. This cluster, together with more established industrial precincts, will capitalise on the growth of the Western Parkland and Central River cities.</i>” (p. 86). The subject site is located proximate to this cluster, see Figure 13 below:</p> <p>Figure 13 – Central City District industrial and urban services land and freight assets</p>  <p>As discussed above, the Planning Proposal will attract advanced manufacturing and innovation within an area already established for urban services land usage.</p> <p>It also serves to protect existing industrial land from the encroachment of commercial, residential and other non-compatible uses by reinforcing the locality’s industrial character, in accordance with the actions (#51 and #52b) of the Central City District Plan.</p>

Criteria	Planning Proposal Response		
	<table> <tr> <td data-bbox="485 228 718 385"><i>Planning Priority C12 Supporting growth of targeted industry sectors</i></td><td data-bbox="718 228 1441 385">As above, per Objective 24 of the GSRP, the Planning Proposal will enable the realisation and growth of internationally competitive industry sectors and responds to changing technologies.</td></tr> </table>	<i>Planning Priority C12 Supporting growth of targeted industry sectors</i>	As above, per Objective 24 of the GSRP, the Planning Proposal will enable the realisation and growth of internationally competitive industry sectors and responds to changing technologies.
<i>Planning Priority C12 Supporting growth of targeted industry sectors</i>	As above, per Objective 24 of the GSRP, the Planning Proposal will enable the realisation and growth of internationally competitive industry sectors and responds to changing technologies.		
<p><i>Consistent with a relevant local council strategy that has been endorsed by the Department.</i></p>	<p>Draft Employment and Innovation Lands Strategy & Land Use Planning Framework (2017) – Cumberland Council</p> <p>While not in the Blacktown LGA, Cumberland Council have commissioned an employment and innovation lands strategy for the LGA, which includes sites proximate to the subject site. Generally, the report concludes:</p> <ul style="list-style-type: none"> • The area's most competitive feature is its accessibility to various distribution catchments across metropolitan Sydney (via orbital and arterial road networks and central location between Sydney CBD and Parramatta). • The vision is to reinforce existing successful industries in the immediate term while outlining an aspirational vision for the longer term, involving more innovative and advanced employment. <p>In the Greystanes and Girraween areas (located close to the subject site), the report outlines the following target activities:</p> <ul style="list-style-type: none"> • Target food and beverage, advanced manufacturing and digital industries in both precincts. • Target some employment amenity services e.g. medical centres. <p>This vision accords with the Greater Sydney Regional Plan (2017) and can be met by this Planning Proposal which provides an opportunity to further diversify and expand the industrial (urban services land) offerings in the Central City.</p>		
<p><i>Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.</i></p>	<p>N/A</p>		

b) Does the proposal have site-specific merit?

In addition to meeting at least one of the strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit against the following criteria:

Table 4 – Site-Specific Merit Test

Criteria	Planning Proposal Response
<p>Does the planning proposal have site specific merit with regard to:</p> <p><i>the natural environment (including known significant environmental values, resources or hazards)?</i></p>	<p>The biodiversity values of the subject land have been investigated and documented, demonstrating options available for the future development of the area – including Biocertification and the establishment of offsetting arrangements.</p> <p>The rezoning of the land through the planning proposal does not seek to ‘lock-in’ a formal development/environmental outcome, nor impact of any relevant statutory biodiversity outcomes</p>
<p>Does the planning proposal have site specific merit with regard to:</p> <p><i>the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?</i></p>	<p>The planning proposal is consistent with this criterion because it proposed to convert an underutilised parcel of rural residential land to a general industrial use, which is consistent with the prevailing industrial character of the locality and the objectives of various strategic documents, as outlined above.</p>
<p>Does the planning proposal have site specific merit with regard to:</p> <p><i>the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?</i></p>	<p>As discussed in Section 4.2.6 above, Arcadis have undertaken a full review of available services infrastructure and conclude all utilities are available at the site, except gas which will require lead in works should a future owner require it. For further information refer to the Services and Water Cycle Management Review at Appendix C.</p>

8.2.2. Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?

On 28 June 2017, Blacktown City Council adopted 'Our Blacktown 2036' which is a strategic plan setting out a 20-year vision for the LGA. To achieve the vision, Council is focusing on six strategic directions, each reflecting a theme or aspect of the City and the life and wellbeing of the community. Of relevance to this planning proposal, Blacktown City Council are seeking to build a '*Smart and Prosperous Economy*'.

The focus areas of this priority are:

- Implement strategies that assist in creating local jobs.
- Attract major government and private investment to the City.
- Develop and promote our city centres.
- Facilitate the growth and prosperity of local business.
- Facilitate the development of targeted business sectors and growth industries.

As discussed in Section 8.2.1 above, the proposal will provide impetus for employment growth in industrial and urban services land, building on the major industry cluster of transport and logistics, storage, warehousing and distribution businesses in Blacktown LGA. This meets the broader strategic objectives set by the Greater Sydney Commission in the Western City District Plan.

8.2.3. Q5 - Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal's consistency with current State Environmental Planning Policies (SEPPs) is summarised in Table 5. The Planning Proposal's consistency with Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed SEPPs, is summarised in Table 5.

Table 5 – Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment / Consistency
SEPP (Educational Establishments and Child Care Facilities) 2017	Not applicable.
SEPP Amendment (Child Care) 2017	Not applicable.
SEPP (State and Regional Development) 2011	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Exempt and Complying Development Codes) 2008	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable.
SEPP (Infrastructure) 2007	Not applicable.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (State Significant Precincts) 2005	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
SEPP (Kurnell Peninsula) 1989	Not applicable.
SEPP No. 1 Development Standards	Not applicable.
SEPP No. 14 Coastal Wetlands	Not applicable.

State Environmental Planning Policy	Comment / Consistency
SEPP No. 19 Bushland in Urban Areas	Yes – see Section 4.2.4.
SEPP No. 21 Caravan Parks	Not applicable.
SEPP No. 26 Littoral Rainforests	Not applicable.
SEPP No. 30 Intensive Agriculture	Not applicable.
SEPP No. 33 Hazardous and Offensive Development	Not applicable.
SEPP No. 36 Manufactured Home Estates	Not applicable.
SEPP No. 44 Koala Habitat Protection	Not applicable.
SEPP No. 47 Moore Park Showgrounds	Not applicable.
SEPP No. 50 Canal Estate Development	Not applicable.
SEPP No. 52 Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No. 55 Remediation of Land	Yes – Arcadis have prepared a Preliminary Site Investigation which confirms the site is suitable for the proposed industrial land use subject to the recommendations of their report.
SEPP No. 62 Sustainable Aquaculture	Not applicable.
SEPP No. 64 Advertising and Signage	Not applicable.
SEPP No. 65 Design Quality of Residential Apartment Development	Not applicable.
SEPP No. 70 Affordable Housing (Revised Schemes)	Not applicable.
SEPP No. 71 Coastal Protection	Not applicable.

Table 6 – Consistency with Regional Environmental Plans

Regional Environmental Plan	Comment
Sydney REP No. 8 – Central Coast Plateau Areas	Not applicable.
Sydney REP No. 9 – Extractive Industry	Not applicable.
SREP No. 16 – Walsh Bay	Not applicable.
SREP No. 20 – Hawkesbury-Nepean River	Not applicable.
SREP No. 24 – Homebush Bay Area	Not applicable.
SREP No. 26 – City West	Not applicable.
SREP No. 30 - St Marys	Not applicable.

Regional Environmental Plan	Comment
SREP No. 33 – Cooks Cove	Not applicable.
Sydney (SREP) (Sydney Harbour Catchment) 2005	Not applicable.
Greater Metropolitan REP No. 2 – Georges River Catchment	Not applicable.
Willandra Lakes REP No. 1 – World Heritage Property	Not applicable.
Murray REP No. 2 – Riverine Land	Not applicable.

8.2.4. Q6 - Is the planning proposal consistent with applicable Ministerial Directions

The Planning Proposal's consistency with applicable section 117 Ministerial Directions is outlined in Table 7.

Table 7 – Section 117 Compliance Table

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	<p>The Proposal is consistent with the Direction as it will facilitate employment generating development and economic activities near major transport corridors.</p> <p>Further, the proposal will strengthen and enhance the existing cluster of urban services and industrial land within the Blacktown LGA.</p>
1.2 Rural Zones	<p>Ministerial 117 Direction 1.2 seeks to protect the agricultural production value of rural land. However, it permits the rezoning of rural land if the provisions of the planning proposal that are 'inconsistent' are <i>"in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning"</i>.</p> <p>As noted in Section 8.2.1, the proposal is consistent with various strategic planning documents, including:</p> <ul style="list-style-type: none"> • Greater Sydney Regional Plan; and • Central City District Plan.
1.3 Mining, Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
2. Environment and Heritage	
2.1 Environmental Protection Zones	N/A
2.2 Coastal Protection	N/A

Ministerial Direction	Comment
2.3 Heritage Conservation	Yes - MDCA have prepared both Historic (European) and Aboriginal Heritage Assessments and recommend that detailed heritage planning (i.e. CMPs and SoHI) are prepared at Development Application stage once a scheme has been prepared. The reports conclude that the proposed industrial land use is suitable from a heritage perspective.
2.4 Recreation Vehicle Areas	N/A
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	N/A
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A
3.4 Integrating Land Use and Transport	Yes – as discussed in this report, the colocation of industrial land close to Sydney's main freight corridors will provide for efficient integration of land use and transport infrastructure.
3.5 Development Near Licensed Aerodromes	N/A
3.6 Shooting Ranges	N/A
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Yes – Arcadis have considered the impact of acid sulphate soils at the site and conclude the intensification of the land for industrial purposes is appropriate subject to the implementation of their recommendations (refer to Section 8 of Appendix G).
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	Yes – while a small portion of the site is flood prone per Blacktown City Council mapping, Arcadis have confirmed that the site can accommodate an industrial land use, subject to satisfying the applicable flood planning controls – principally the Blacktown DCP 2015.
4.4 Planning for Bushfire Protection	N/A
5. Regional Planning	
5.2 Sydney Drinking Water Catchments	N/A

Ministerial Direction	Comment
5.3 Farm Land of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
5.9 North West Rail Link Corridor Strategy	N/A
5.10 Implementation of Regional Plans	Refer to Section 8.2.1.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Noted.
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	Consistent with the direction, site specific provisions have specifically not been established, with the Blacktown LEP and DCP providing a sufficient framework for future development assessment.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Refer to Section 8.2.1.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A

8.3. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8.3.1. Q7 - 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?

A biodiversity assessment has been completed and informed the preparation of the planning proposal. The assessment has demonstrated that suitable environmental outcomes can be achieved. There are a range of biodiversity options available, including biodiversity offset arrangements, that are able to be progressed in parallel with the planning proposal

8.3.2. Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Refer 8.3.1 above in respect of biodiversity values. There are a range of other detailed environmental matters that will require consideration as part of future subdivision and development, including for example soil management (salinity) and water management (quantity and quality). These are standard matters that have been the subject of preliminary investigations as of this planning proposal. Existing controls, including the Blacktown Council Development Control Plan, provide a suitable assessment framework for these detailed matters.

8.3.3. Q9 - Has the planning proposal adequately addressed any social and economic effects?

It is not expected that the planning proposal would have any significant social and economic effects over and above facilitating business and employment opportunities through the rezoning of land for future industrial development. Specific development proposals within the subject land would be required to be considered to be assessed against matters outlined in the *Environmental Protection and Assessment Act 1979*, including the achievement of an overall 'net public benefit'.

8.4. STATE AND COMMONWEALTH INTERESTS

8.4.1. Q10 - Is there adequate public infrastructure for the planning proposal?

The infrastructure investigations completed to inform the planning proposal have demonstrated that adequate public infrastructure is either available or capable of being provided in order to support the industrial development of the subject area. As documented in Section 4.2.2, there are planned upgrades to Prospect Highway that will support the continued growth of the broader area.

8.4.2. Q11 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period.

9. MAPPING

The following LEP map is included in the Planning Proposal:

Table 8 – Table of LEP Map Amendments

Blacktown Local Environmental Plan 2015	Amendments
Land Zoning Map – Sheet LZN_014	<ul style="list-style-type: none">• Transferring multiple land parcels, being most the subject area from the RU4 Zone to the IN1 Zone• Transfer a land parcel from the RU4 Zone to the SP2 Infrastructure Zone.
Lot Size Map – Sheet LSZ_014	<ul style="list-style-type: none">• Removing the existing 40ha minimum lot size.

Figure 14 – Existing Zoning Map

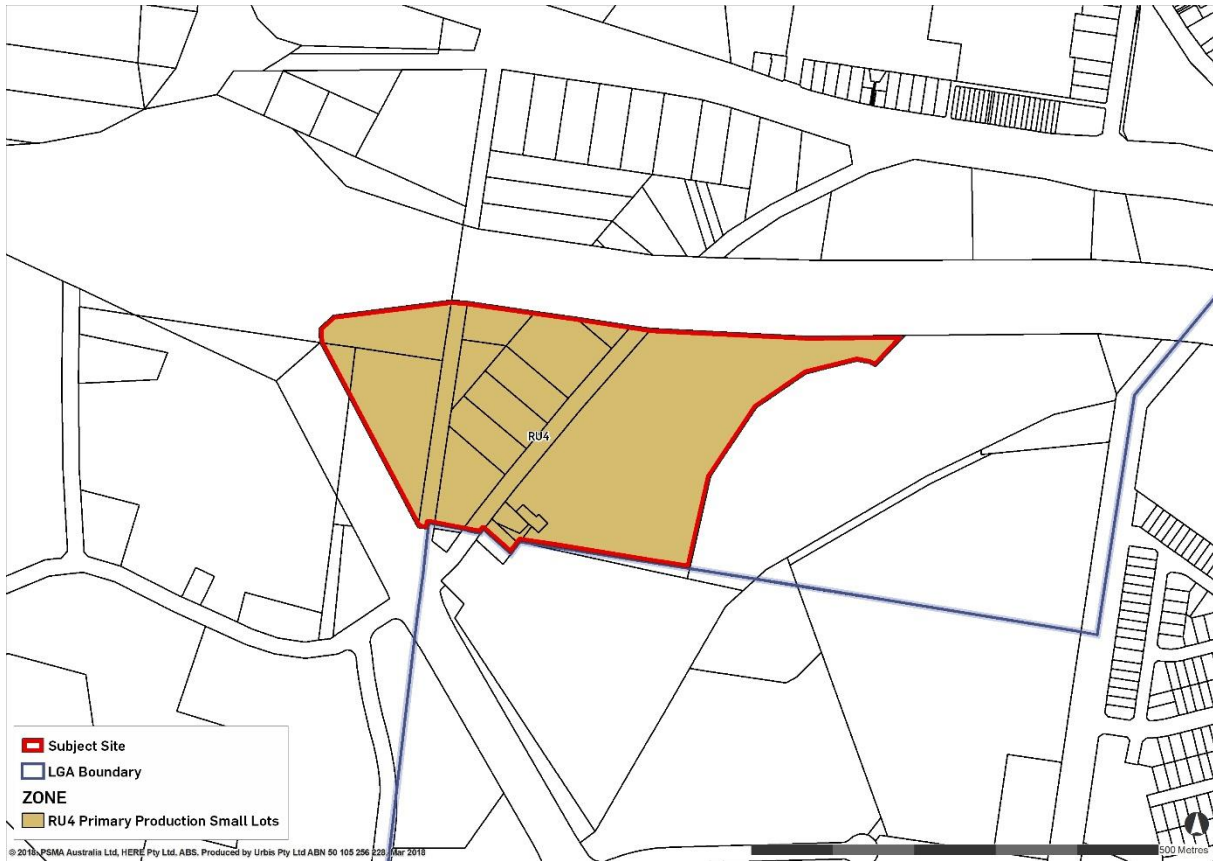


Figure 15 – Proposed Zoning Map

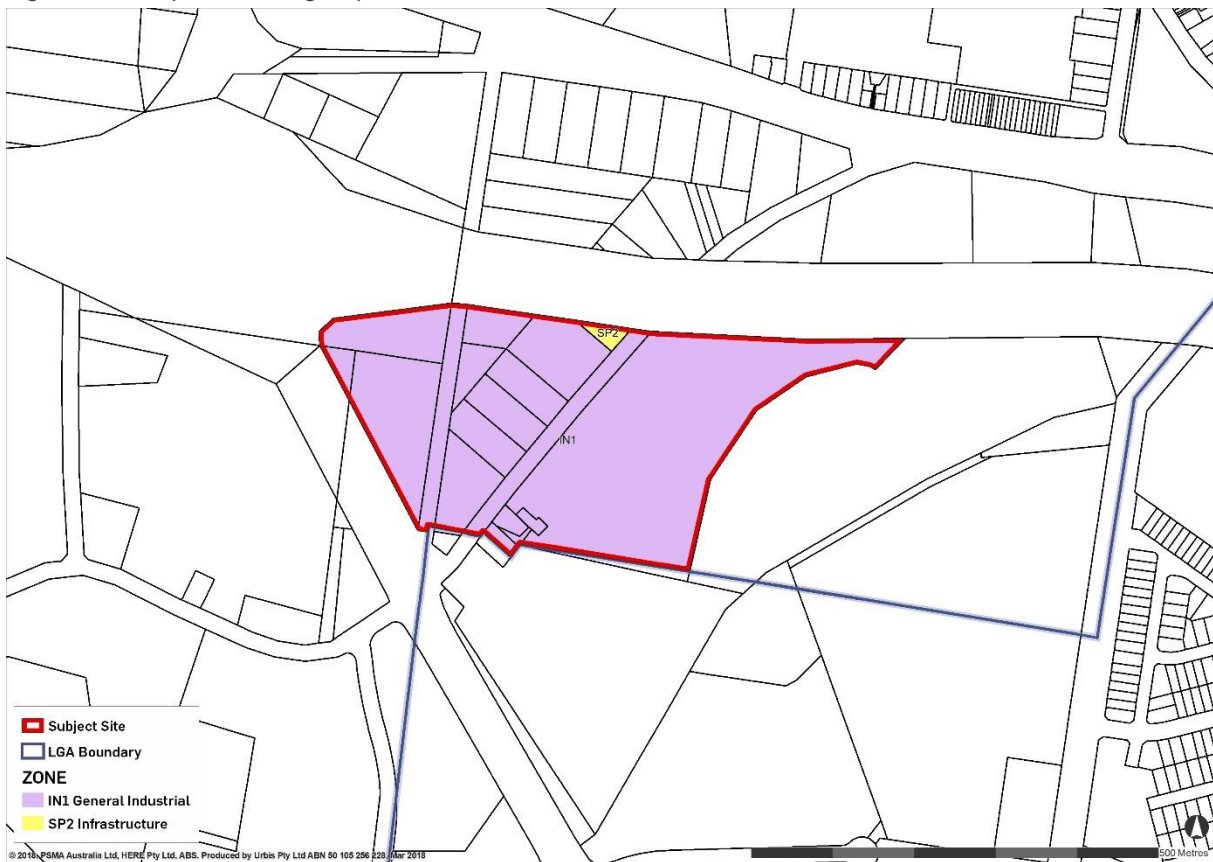
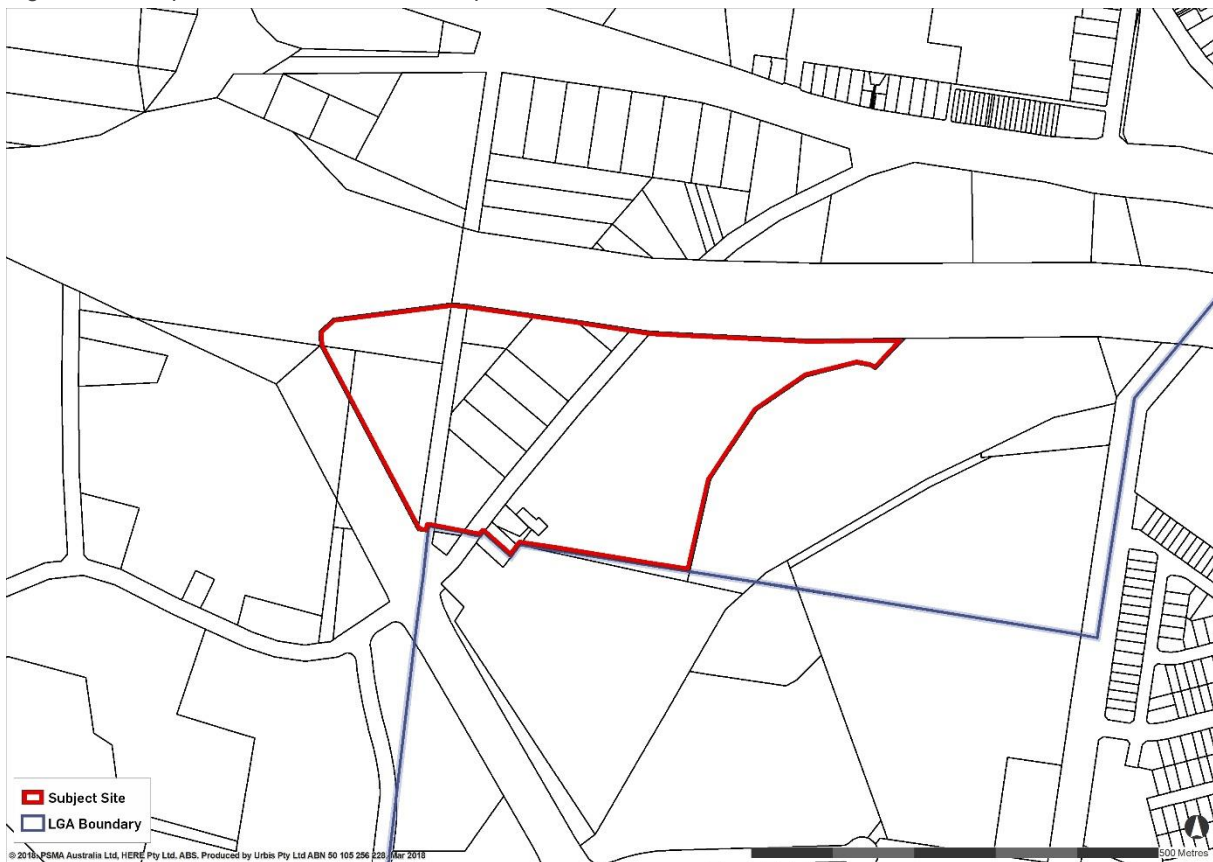


Figure 16 – Existing Minimum Lot Size Map



Figure 17 – Proposed Minimum Lot Size Map



A copy of the amend LEP maps has been provided at Appendix I.

10. COMMUNITY CONSULTATION

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be publicly exhibited for at least 28 days in accordance with DP&E's *A Guide to Preparing Local Environmental Plans*.

At a minimum, the notification of the public exhibition of the Planning Proposal is expected to involve:

- A public notice in local newspaper(s);
- Notification on the Blacktown City Council website; and
- Written correspondence to owners and occupiers of adjoining and nearby properties and relevant community groups.

11. PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9-12 months. An indicative project timeframe is provided below.

Table 9 – Indicative Project Timeline

Stage	Anticipated timeframes
Consideration by Blacktown City Council	March to May 2018
Planning Proposal referred to DPE for Gateway Determination	Mid-2018
Gateway Determination by DPE	Mid-2018
Commencement and completion of public exhibition period	Dates are dependent on Gateway determination. Anticipated timeframe for public exhibition is 28 days.
Consideration of submissions	6 weeks
Consideration of the Planning Proposal post-exhibition	6 weeks
Submission to DPE to finalise the LEP	To be determined
Gazettal of LEP Amendment	To be determined

12. CONCLUSION

The planning proposal seeks to rezone the subject site predominantly to the IN1 – General Industrial zone, to facilitate the future industrial use of the site. The planning proposal has strategic merit because it:

- Enables the activation of a presently underutilised government asset.
- Is strategically located in an accessible location relative to Sydney's key freight routes and the Greater Parramatta area.
- Delivers opportunities for employment growth
- Unlocks critical industrial land supply in the Central City.
- Allows colocation and reinforcement of the industrial cluster in the locality.
- Provides an opportunity to deliver an industrial development that is responsive to developing trends in manufacturing techniques and logistics.

The planning proposal has been prepared in accordance with the Department's Guidelines for the Preparation of Planning Proposals.

The preliminary investigations have comprehensively demonstrated both the capability of the land to be used for future industrial purposes without significant constraint.

It is recommended that the planning proposal is advanced by Blacktown Council and advanced to Gateway Determination, allowing for progress per statutory process and stakeholder engagement, including public notification and referral to relevant agencies.

DISCLAIMER

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