Planning Proposal

93 and 98 Hambledon Road, Schofields

Lot 2 DP 1193235, Lot 30 DP 1209414 and Lot 36 DP 1228048; 93 and 98 Hambledon Road, Schofields

December 2017

Contents

INTRODUCTION

Blacktown City Council has received a request from Mecone on behalf of Signature Projects Australia Pty Ltd and The Bathla Group to amend *State Environmental Planning Policy (Sydney Regional Growth Centres) 2006* (Growth Centres SEPP) to rezone part of three parcels of land located at Hambledon Road, Schofields.

Figure 1. Regional context map

The subject sites are zoned part R2 Low Density Residential and part SP2 Infrastructure (Drainage) under the Growth Centres SEPP. The figure below illustrates current zoning on the subject sites in the context of surrounding sites.

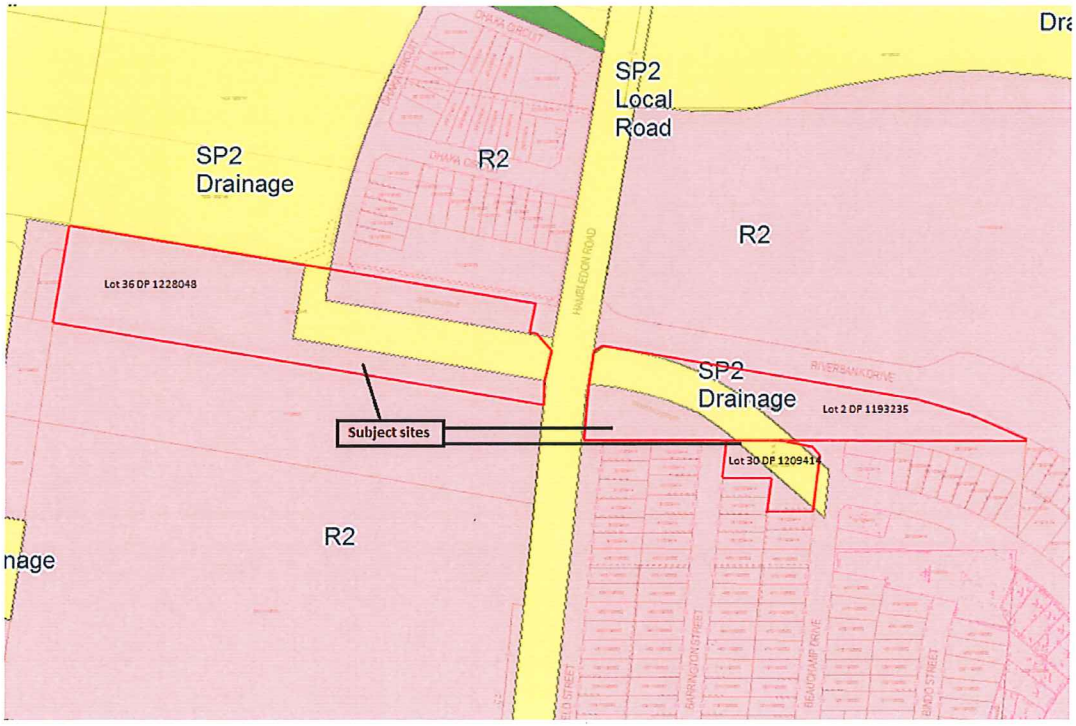

Figure 2 – Current land zoning of subject sites and surrounding land

PURPOSE

The purpose of this proposal is to facilitate the amendment of the Growth Centres SEPP to rezone the land on the subject sites from SP2 Infrastructure (Drainage) to R2 Low Density Residential, to increase the availability of residential zoned land. The proposal is supported by an alternative stormwater drainage strategy.

The proposal will necessitate amendments to the Land Zoning, Residential Density, Height of Buildings and Land Reservation Acquisition Maps (Sheet 009) under the Growth Centres SEPP.

THE SITE

The subject sites are located east and west of Hambledon Road, immediately south of the intersection with Riverbank Drive. The sites are in the North West Priority Growth Area (NWPGA), within the Alex Avenue Precinct. The total site area is 32,475 square metres, of which approximately 9,408 square metres is zoned SP2 and which is the subject of the proposed rezoning.

An open overland channel is located on the sites, identified by Crown Lands and Water Division of the Department of Primary Industries as a second order stream. Stormwater drains from the eastern lots (Lot 2 DP 1193235 and Lot 30 DP 1209414), under Hambledon Road via an existing culvert to an open overland channel and a dam on Lot 36 DP 1228048. Once the sites are developed, the drainage channel is intended to connect from Lot 36 into a regional detention basin on the adjacent lot to the north (Lot 7302 DP 1209746).

The surrounding area is undergoing significant development as it transitions from large rural properties to predominantly low density residential subdivisions. A new school is located north of Lots 2 and 30 with an existing private college south of Lot 36.

Lot 36 DP 1228048 was registered in February 2017 as part of a subdivision to facilitate the acquisition of land along Hambledon Road for the purposes of the Roads Act 1993. Some supporting documentation submitted with this planning proposal refers to the lot under the former legal description of Lot 72 DP 28833.

Blacktown City is currently considering two separate development applications (DAs) lodged over the sites. Development application DA-17-01202, lodged by Mecone over Lot 2 DP 1193235 and two adjacent lots, proposes residential subdivision including over land zoned SP2 under Growth Centres SEPP Appendix 4 Clause 5.3 'Development near zone boundaries'. Development application DA-17-00632, lodged by The Bathla Group over former Lot 72 DP 28833, proposes subdivision to excise the land zoned SP2 and construction of multi-dwelling housing over land zoned R2. Both applications have been referred by the respective applicants to the NSW Land and Environment Court on appeal for deemed refusal. A conciliation conference under Section 34 of the *Land and Environment Court Act 1979* is scheduled for each DA in February 2018.

COUNCIL CONSIDERATION

The request from Mecone on behalf of Signature Projects Australia Pty Ltd and The Bathla Group to facilitate an amendment to the Growth Centres SEPP was received by Blacktown City through a draft Planning Proposal dated 31 August 2016, revised and resubmitted 25 May 2017. Our Director Design & Development has resolved, under delegated authority, to:

1. *Prepare and forward a Planning Proposal to the Department of Planning and Environment requesting a Gateway Determination to amend State Environmental Planning Policy (Sydney Regional Growth Centres) 2006 to rezone part of Lot 2 DP*

1193235, part of Lot 30 DP 1209414 and part of Lot 72 DP 28833 (now known as Lot 36 DP 1228048) Hambledon Road, Schofields and to make corresponding changes to planning controls that apply to the land.

2. *Implement any conditions attached to a Gateway Determination issued by the Greater Sydney Commission.*
3. *Prepare and exhibit a draft amendment to the Alex Avenue Indicative Layout Plan under Schedule 4 of the Blacktown City Council Growth Centres Development Control Plan to vary the local road pattern to enable orderly development of the rezoned land and reflect the as-built alignment of Riverbank Drive.*
4. *Advise the proponent that Recommendations 1 and 3 do not imply or guarantee that the Planning Proposal or the ILP amendment will ultimately be supported. Council's final determination of the proposal will occur when Council resolves to adopt the Planning Proposal and the ILP amendment following exhibition and consideration of all relevant matters.*
5. *The Planning Proposal not be finalised until Council is satisfied that satisfactory arrangements have been made to address the provision of additional open space generated by the additional residential yield.*

Accordingly, this Planning Proposal has been prepared by Council Officers with the assistance of information provided by Mecone, and in accordance with the Department of Planning & Environment's format for planning proposals as outlined in *A Guide to Preparing Planning Proposals* and *Guide to Preparing Local Environment Plans.*

Consequential amendments to relevant sections of the Blacktown City Council Priority Growth Area Precincts Development Control Plan (GCDCP) Schedule 1 are also required to reflect the proposed rezoning.

This Planning Proposal is accompanied by the following supporting documents:

- Arup – Stormwater Engineering Summary Report (Appendix 1)
- Arup – Engineering Concept Plans (Appendix 2)
- Transport and Traffic Planning Associates – Traffic Impact Assessment Report (Appendix 3)
- Hugh B. Gage Pty Ltd – Preliminary Construction Cost Estimate (Update as at May 2017 and cost comparison of drainage options (Appendix 4).

THE PLANNING PROPOSAL

PART 1 – Objectives and Intended Outcomes

The objective of this Planning Proposal is to facilitate the amendment of the Growth Centres SEPP to provide for alternative land uses on that portion of Lot 2 DP 1193235, Lot 30 DP 1209414 and Lot 36 DP 1228048 which is currently zoned SP2 Infrastructure (Drainage).

The Planning Proposal intends to rezone part of the subject sites from SP2 – Infrastructure (Drainage) to R2 – Low Density Residential and introduce development controls on the rezoned land to match the controls on the adjoining land. The proposed R2 zoning corresponds to the zoning of the land immediately adjacent to the subject land. The proposed amendment will increase the amount of land available for residential development and contribute to meeting the needs of projected future growth in the area by enabling the land to be developed in an orderly and efficient manner which is consistent with the adjoining sites. It is estimated that rezoning the SP2 zoned land will create the potential for a minimum of 17 additional dwellings across the total subject area.

The Planning Proposal is supported by an alternative stormwater drainage strategy which replaces the planned open trunk drainage channel with below-ground drainage infrastructure, located within the future road reserve. We are satisfied that underground drainage infrastructure is capable of meeting the drainage requirements for the subject sites.

PART 2 – Explanation of Provisions

The proposed objective and intentions of the Planning Proposal will be achieved by:

1. amending *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* Land Zoning Map (Sheet LZN_009) to replace the SP2 – Infrastructure (Drainage) zoning on the subject sites with R2 – Low Density Residential zoning. The proposed R2 zoning is consistent with the zoning which applies to the adjacent land within the subject sites;
2. amending *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* Residential Density Map (Sheet RDN_009) to apply a residential density control over the rezoned portion of each lot. The residential density target for Lot 2 DP 1193235 and Lot 30 DP 1209414 is 15 dwellings per hectare. The residential density target for Lot 36 DP 1228048 is 20 dwellings per hectare. The proposed residential density control for the rezoned portion of each lot is consistent with the density control which applies to the land which it adjoins;
3. amending *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* Height of Buildings Map (Sheet HOB_009) to apply a maximum height of buildings control of 9m over the rezoned portion of each lot. The proposed height of buildings control is consistent with the height control which applies to the land which it adjoins;
4. amending *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* Land Reservation Acquisition Map (Sheet LRA_009) to remove the acquisition layer from the subject sites and the adjoining public road (Beauchamp Drive).

Maps showing the existing and proposed changes to the Land Zoning, Residential Density, Height of Buildings and Land Reservation Acquisition maps are located at Attachment 2.

The proposed zoning and building controls will maintain the residential character of the adjoining land and the surrounding sites. The area of land proposed to be rezoned is of sufficient size and dimensions for future development consistent with the proposed new zoning.

Growth Centres SEPP Lot Size Map (Sheet LSZ_009) does not require amendment as a minimum lot size control is not applied to the adjacent R2 zoned land. The minimum lot sizes provided by Growth Centres SEPP Appendix 4 Part 4 'Principal development standards' will apply to the subject sites.

PART 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

No. The Planning Proposal seeks to rationalise the use of land in an emerging suburb by providing an alternative means to manage drainage requirements in the area.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Development which is not for, incidental or ancillary to drainage purposes is not a permissible use on the portions of the subject sites which are currently zoned SP2 Infrastructure (Drainage). Amendment to the Land Zoning map to rezone the subject sites is the best means to achieve the objective of providing for alternative land uses on the portions of the site which are zoned SP2.

Amendment to the Height of Buildings and Residential Density SEPP maps to apply building controls to the subject sites which are consistent with those on the adjoining land is the best way to ensure that future development on the rezoned land is appropriate in the context of surrounding development.

Approval for residential development over the SP2 zoned portion of Lot 2 DP 1193235 is being pursued by means of a DA under Clause 5.3 'Development near zone boundaries' of the Growth Centres SEPP. If approved, residential lots will be created which are affected by a land use zoning which does not permit residential development and which are identified as land reserved for future acquisition. Amendment to the Land Zoning, building controls and land acquisition mapping by means of a planning proposal will provide certainty for future residents or other stakeholders beyond the scope of the proposed DA.

Amendment to SEPP maps can only be achieved by means of the LEP Planning Proposal process.

Section B – Relationships to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

(a) A Plan for Growing Sydney 2014

A Plan for Growing Sydney is the current metropolitan plan for the greater Sydney region that sets out actions and goals for the growth of Sydney. The population of greater Sydney is anticipated to increase by 1.6 million people over 20 years. The Plan identifies greenfield

development as an important component in driving the increase in housing supply and housing choice which is required to meet the needs of the projected 664,000 additional homes required to accommodate Sydney's growing population. The site is located within the North West Growth Centre, identified in the Plan as an area for future urban development.

The planning proposal aligns with a key direction of *A Plan for Growing Sydney* which is to 'deliver timely and well planned greenfield precincts and housing', to deliver new homes, reduce the pressure on rising house prices and address the gap between housing production and future housing needs. Action 2.4.1 'deliver greenfield housing supply in the north west and south west growth centres' is supported by this planning proposal.

The rezoning sought under this Planning Proposal will facilitate a minor increase in land available for residential development of approximately 9,408 square metres. This has the potential to provide for at least 17 additional dwellings in total across the subject sites. The Planning Proposal will not impact on the future development potential of the surrounding land, provided that requirements for stormwater drainage and provision of open space are appropriately addressed.

(b) Draft Greater Sydney Region Plan 2017

The Draft Greater Sydney Region Plan, *Our Greater Sydney 2056: A metropolis of three cities – connecting people*, exhibited October 2017, sets out a vision for Greater Sydney where people live within 30 minutes of their jobs, education and health facilities, services and great places. This vision is translated into 10 Directions for achieving the 30 minute city across a metropolis of three connected cities.

The Planning Proposal is generally consistent with the draft Region Plan, in particular with Direction 4 Housing the city. By increasing the amount of land zoned for residential development the Planning Proposal supports Objective 10 'Greater housing supply'. The specific location and dimensions of the land which is proposed to be rezoned in relation to the surrounding developments lends itself to varied forms of smaller lot low density residential development, which supports Objective 11 'Housing is more diverse and affordable'.

(c) West Central Subregional Strategy

Under *A Plan for Growing Sydney*, the Blacktown Local Government Area (LGA) falls within the West Central Subregion. The Planning Proposal, by increasing the supply of residential zoned land within a residential neighbourhood, is consistent with the subregional priority to 'accelerate housing supply, choice and affordability and build great places to live'.

(d) Revised Draft Central City District Plan, October 2017

The Draft *Greater Sydney Region Plan* 2017 and Draft District Plans identify Blacktown LGA as located within the Central City District and part of the Central River City. The site is located in the land release area to the west of the district. The priorities of the draft *Central City District Plan* include to create healthy, integrated, liveable places which offer opportunities for socially connected communities; and to increase housing supply, choice and affordability, with access to jobs and services. The Planning Proposal is consistent with the draft District Plan priorities in that the proposed rezoned land will have the potential for varied residential development located within a residentially-zoned neighbourhood, close to schools, in an area supported by public transport.

Suitable arrangements regarding provision of open space to support the additional population generated by the rezoning will be established prior to the Planning Proposal being finalised, consistent with draft District Plan Action 17, to deliver great places by

prioritising the public realm and open spaces, providing high amenity and walkability and using a place-based approach to planning.

The Planning Proposal is supported by an alternative stormwater drainage solution to replace the overland drainage channel with underground piped drainage. We are satisfied that underground drainage infrastructure is capable of meeting the drainage requirements for the subject sites. This is not inconsistent with draft *Central City District Plan* Action 61 "protect environmentally sensitive waterways'.

4. Is the Planning Proposal consistent with a Council's Local Strategy or other Local Strategic Plan?

(a) Blacktown Planning Strategy 2036

The *Blacktown Planning Strategy 2036* is our key strategic land use planning document to facilitate and manage future growth and development within the City of Blacktown to 2036. The document identifies that by 2036, Blacktown LGA is predicted to grow to approximately 500,000 people and 180,000 dwellings.

Key actions under the strategy include:

- Plan for the predicted population growth by ensuring there is sufficient zoned and serviced land to meet the increased demand in housing, infrastructure and open space.
- Increase accessibility to open space and recreation facilities.
- Provide and develop parks and facilities that support informal recreation such as playgrounds, cycle ways, community gardens, trails and walking tracks.
- Implement the principles of environmental sustainability.

The proposed rezoning is not inconsistent with our local strategy. The Planning Proposal will result in a minor increase in the amount of serviced land zoned for residential development. The proposal will need to demonstrate that satisfactory arrangements have been made to address the provision of open space in the area. The proposed alternative stormwater drainage system will be required to demonstrate at DA stage that the system is capable of accommodating required flows and meets water sensitive urban design principles.

(b) North West Priority Growth Area Land Use and Infrastructure Implementation Plan, May 2017

The North West Priority Growth Area Land Use and Infrastructure Plan (Infrastructure Plan) sets out the planning framework for the NWPGA. The 2017 Infrastructure Plan builds on the North West Growth Centre Structure Plan 2006, informed by development which has already taken place in the area, to identify opportunities for future growth and provide a framework to grow new communities in line with the provision of infrastructure.

The Planning Proposal is consistent with the priorities of the Infrastructure Plan, in particular Key Action 1: provide more land supply for new homes and Key Action 3: manage residential densities to align with infrastructure. The Planning Proposal will deliver additional land zoned for residential development, with the potential for an additional 17 dwellings. The proposed land zone and development controls are consistent with those of the adjoining land, ensuring that the potential future development will be appropriate for the area and will align with the available infrastructure and services.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

A review of State Environmental Planning Policies (SEPPs) has been undertaken and the consistency of the Planning Proposal with the applicable SEPPs is summarised at Attachment 1.

This Planning Proposal does not contain provisions that will contradict or would hinder the application of these SEPPs. Further assessment against the relevant SEPPs will be undertaken during the DA stage.

The principle planning instrument affecting the subject sites is *State Environmental Planning Policy (Sydney Region Growth Centres) 2006.*

A list of SEPPs relevant to this Planning Proposal, as well as notes on consistency with these SEPPs, is show in the table below:

SEPP	Aim	Comments
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Relevant aims of the Alex Avenue and Riverstone Precinct Plan 2010 under Clause 1.2 include: (a) to make development controls for land in the Alex Avenue and Riverstone Precincts within the North West Growth Centre that will ensure the creation of quality environments and good design outcomes, (e) to promote housing choice and affordability in those Precincts, (f) to provide for the sustainable development of those Precincts,	The Planning Proposal is consistent with the aims of the Growth Centres SEPP. The Planning Proposal seeks approval for a minor rezoning to remove provision for stormwater management infrastructure and substitute the land use zone and development controls which apply to the adjoining land. The proposal is supported by an alternative drainage solution. These amendments will allow for the orderly development of land, provide certainty for future land holders of the subdivided lots and facilitate the aims of the Growth Centres, in particular in relation to aims (a), (e) and (f).
Explanation of Intended Effect [Draft] Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – For North West Priority Growth Area (May 2017)	The proposed amendments to the Growth Centres SEPP will not impact on the aims of the Precinct Plan, addressed above. The proposed amendments will: (a) apply a maximum as well as a minimum residential density to land in the NWPGA for new	The amendments sought to the Growth Centres SEPP Land Zoning Map (Sheet LZN_009) and Residential Density Map (Sheet 009) under the Planning Proposal are consistent with the land zoning and residential density range proposed by the draft amendments to the Growth Centres SEPP.

	development, to ensure that planned infrastructure is sufficient to support the density of development; (b) implement minimum lot size controls by means of mapping in residential areas rather than by a complex scheme of development standards prescribed under Part 4 of the Precinct Plan; (c) make minor amendments to the land use tables to standardise uses across the six Precincts within the Blacktown LGA; and (d) update the land zoning maps.	The area which is proposed to be rezoned is capable of subdivision in a manner which is consistent with the proposed minimum lot size controls which would apply to the subject sites. The amendments sought under this Planning Proposal are not inconsistent with and will not inhibit the operation of the proposed amendments to the Growth Centres SEPP once these are gazetted.
SEPP 55 – Remediation of land	Relevant considerations of SEPP 55 relating to Planning Proposals under Clause 6 include: (a) the planning authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.	A contamination assessment was undertaken as part of the planning process for the Alex Avenue Precinct and the area deemed suitable for rezoning for urban development in 2010. A Stage 1 Site Contamination report has been prepared for the subject sites. The sites have been assessed to be suitable for future residential development. Any sensitive land uses which are permissible in the proposed new zone (such as centre-based child care facilities) will require submission of a site contamination report at DA stage which validates that the site is suitable for the proposed sensitive use.

6. Is the Planning Proposal consistent with applicable Ministerial Directions?

The Section 117 Ministerial Directions (under Section 117(2) of the Environmental Planning and Assessment Act 1979) provide local planning direction and are to be considered when rezoning land. The proposed amendment is consistent with Section 117 Directions issued by the Minister for Planning and Infrastructure.

The following table outlines the consistency of the Planning Proposal to relevant Section 117 directions:

DIRECTION		CONSISTENCY
1	**Employment and Resources**	
1.1	Business and Industrial Zones	Not applicable The Planning Proposal does not seek to rezone any land from or to business or industrial zones.
1.2	Rural Zones	Not applicable The site was rezoned for urban purposes effective 17 May 2010.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural lands	Not applicable
2	**Environment and Heritage**	
2.1	Environment Protection Zones	Not applicable The subject sites are clear of vegetation and are not within nor adjacent to an Environment Protection Zone.
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent The subject sites are not known to contain items of archaeological heritage significance or indigenous heritage significance.
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3	**Housing, Infrastructure and Urban Development**	
3.1	Residential Zones	Consistent The proposal seeks to rezone infrastructure land to a residential zone which will result in additional land becoming available for residential development, suitable for a range of dwelling types. The subject sites are located appropriately within a precinct zoned for residential development.

		Satisfactory arrangements will be sought with regard to additional demand for open space generated by the proposed rezoning.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable. The Planning Proposal is not inconsistent with this Direction.
3.4	Integrating Land Use and Transport	Consistent The subject sites are close to existing and future transport options. The residentially-zoned land created by the proposed rezoning will not necessitate development which is inconsistent with the policy and guidelines referred to in this Direction.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4	**Hazard and Risk**	
4.1	Acid Sulphate Soils	Consistent This Planning Proposal seeks minor amendments to land use zoning. Future built form will be constructed in accordance with the recommendations provided within submitted Geotechnical and Salinity reports lodged during the assessments of relevant DAs.
4.2	Mine Subsidence and Unstable Land	Not applicable The site is not identified as being within a Mine Subsidence District.
4.3	***Flood Prone Land***	Minor inconsistency Parts of the subject sites are identified as flood prone land within the Growth Centres SEPP Development Control Map (DVC_009). The Planning Proposal is inconsistent with paragraphs (5) and (6) of Direction 4.3 in that it seeks to rezone land within a flood planning area from Special Purpose to Residential and set development controls on the rezoned land. The Planning Proposal is supported by a Stormwater Engineering Summary and concept design for a below ground piped drainage system, prepared by Arup (Appendices 1 & 2). The concept solution is designed around criteria for the 1 in 100 year storm flows with allowance for pipe blockage and climate change, and considers surface

		water runoff, infrastructure capacity and flood risk mitigation. We are satisfied that underground drainage infrastructure is capable of meeting the drainage requirements of the subject sites. The specifics of the solution proposed will be the subject of detailed assessment at DA stage to ensure the solution is capable of accommodating required flows and contingencies and meets water sensitive urban design principles. The inconsistency is considered to be of minor significance as an alternative drainage solution will make identification of the site as a flood planning area redundant.
4.4	Planning for Bushfire Protection	Not applicable The subject sites are not identified as bushfire prone land.
5	**Regional Planning**	
5.1	*Implementation of Regional Strategies (Revoked 17/10/17)*	
5.2	Sydney Drinking Water Catchment	Not applicable
5.3	Farmland of State and Regional significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5	*Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18/6/10)*	
5.6	*Sydney to Canberra Corridor (Revoked 10/7/08)*	
5.7	*Central Coast (Revoked 10/7/08)*	
5.8	Second Sydney Airport: Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Consistent The Planning Proposal will facilitate a minor increase in land available for residential development. This is consistent with the current metropolitan plan, *A Plan for Growing Sydney* and with Objectives 10 & 11 of the Draft Greater Sydney Region Plan, *Our Greater Sydney 2056: A metropolis of three cities*, exhibited October 2017. See Section B(3) of this Planning Proposal.
6	**Local Plan Making**	
6.1	Approval and Referral Requirements	Substantially consistent

		The Planning Proposal requires referral to the Department of Primary Industries – Water once an initial Gateway determination is issued, to establish that the waterway on the subject sites can be replaced by an underground piped system. If an alternative drainage solution is considered suitable on the subject sites, once this is constructed there will no longer be a requirement for future DAs to be referred to DPI Water for concurrence. The Planning Proposal does not identify any future development on the subject sites as designated development.
6.2	Reserving Land for Public Purposes	Consistent The Planning Proposal seeks to remove the acquisitions layer from land rezoned from SP2 to R2, on the premise that an alternative drainage solution will render preservation of an overland drainage channel redundant. This is consistent with the objective of Direction 6.2 to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. Blacktown City is the relevant public authority for acquisition of the land currently zoned SP2 on the subject sites. We agree to the removal of the acquisition layer as a piped drainage solution will result in the land no longer being required for the public purpose for which it was reserved.
6.3	Site Specific Provisions	Not applicable
7	**Metropolitan Planning**	
7.1	Implementation of A Plan for Growing Sydney	Consistent *A Plan for Growing Sydney* identifies greenfield development as an important component in achieving Goal 2: A city of housing choice. The Planning Proposal is consistent with the goals and objectives of this Plan as it will facilitate additional land for residential development within an identified growth area. See Section B(3) of this Planning Proposal.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable

7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Consistent The Planning Proposal is consistent with the priorities of the Infrastructure Plan, in particular Key Action 1: provide more land supply for new homes and Key Action 3: manage residential densities to align with infrastructure. See Section B(4) of this Planning Proposal.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

Section C – Environmental, social and economic impact

7. 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?

No. The Planning Proposal is not likely to result in adverse impact on critical habitat or threatened species, populations or ecological communities. There is a small amount of Cumberland Plain Woodland (Shale Plains Woodland) mapped on the western side of Lot 36 DP 1228048. However, this is not located on the land which is proposed to be rezoned as part of this Planning Proposal and the overlay is located on a part of the lot which is the subject of a DA for residential development. The subject sites are also identified to be certified on North West Growth Centre – Biodiversity Certification Amendment No 1 map referred to in Clause 17 of Schedule 7 to the Threatened Species Conservation Act 1995.

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

The Planning Proposal is supported by a Stormwater Engineering Summary and concept design prepared by Arup (Appendices 1 & 2) for a below ground piped drainage system. The concept design considers surface water runoff, infrastructure capacity and flood risk mitigation. The specific alternative drainage solution proposed at DA stage will be required to demonstrate that the proposal does not have an adverse impact on upstream or downstream catchments.

There are no other likely environmental effects that are anticipated to result from the proposed rezoning and associated map adjustments.

9. Has the Planning Proposal adequately addressed any social and economic effects?

Social impact

The current metropolitan plan for greater Sydney anticipates that Sydney's population will increase by 1.6 million people over 20 years, driving a need for an increase in housing

supply. The NWPGA is a key component in the regional strategy to accommodate the required growth in housing.

The subject sites are located in an area within the NWPGA which is undergoing significant development as it transitions from large rural properties to predominantly low density residential subdivisions. The Planning Proposal will increase the availability of land zoned for residential development within the NWPGA, resulting in the potential for at least an additional 17 dwellings on the rezoned land. The potential increase in residential yield arising from the Planning Proposal is small in scale and of minor social and economic benefit to the local area and to the precinct in the context of forecast population growth and development occurring in the immediate area.

Economic impact

The proposed rezoning of the SP2 land to R2 and associated removal of the land acquisition overlay would remove the obligation on Blacktown City, as the acquisition authority, to acquire approximately 0.9408 hectares land for drainage purposes.

The proposed replacement of the planned open trunk drainage channel with below-ground drainage infrastructure will impact on infrastructure items identified as funded by Section 94 contributions. This will require an amendment to Section 94 Contributions Plan No 20 – Riverstone and Alex Avenue Precincts.

Blacktown City will give credit to the applicant for the value of works to construct an open channel as costed in the Contributions Plan, exclusive of the land component and any embellishment works. Any difference in cost in the construction of underground drainage infrastructure compared to the planned overland drainage channel will be born by the applicants of the DAs proposing the actual works. No credit obligation will be given by Blacktown City should the cost of underground drainage be less than the estimated cost of an overland drainage system. This approach has been applied consistently by Blacktown City to Planning Proposals seeking to rezone SP2 Infrastructure land for residential use.

Satisfactory arrangements will be required to be established prior to the Planning Proposal being finalised to ensure that an underground drainage solution is delivered in lieu of the planned open channel. It will not be tenable for the subject site to be rezoned if delivery of an alternative drainage solution is not guaranteed.

The culvert conveying stormwater drainage underneath Hambledon Road is funded from the Special Infrastructure Contributions (SIC) levy. The works as proposed by DA-17-01202 and DA-17-00632 involve realignment of the existing culvert, which will cost more than the amount budgeted from the SIC levy. The two applicants for the respective DAs have agreed to fund 50% each of the cost of the realigned culvert which exceeds the amount allocated in the SIC levy budget.

A cost estimate comparing the estimated cost of provision of an overland stormwater drainage system compared to an underground piped drainage system has been provided by Quantity Surveyors Hugh B. Gage Pty Ltd (see Appendix 4). It is noted that this is a conceptual estimate for the purposes of the Planning Proposal. The cost estimate suggests a total cost saving to Blacktown City's S94 Contributions budget of approximately $2m.

The primary economic impact of the Planning Proposal will be a minor reduction in the overall cost of provision of infrastructure in the Alex Avenue Precinct, achieved through a reduction of 0.9408 hectares in the quantity of land required to be acquired by Blacktown City. This will result in a reduction in the overall cost of providing infrastructure within the precinct.

The reduction in cost is welcome, but is minor in the context of the more than $197m cost of provision of drainage infrastructure alone in the Riverstone and Alex Avenue Precinct. The current cap on S94 contributions means that any reduction will not impact on the amount of S94 contributions provided by the developer to Blacktown City, and therefore will not put downward pressure on the cost of land for purchasers. The minor reduction in the overall cost may slightly reduce the gap funding sought by Blacktown City from the Department under the Local Infrastructure Growth Scheme. The impact on the cost of land to end users in the Precinct will be negligible.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

Yes. The subject sites are located in a precinct within the NWPGA which was rezoned for residential development in 2010. Essential utilities such as water, sewage, electricity and communications are available in the area and new schools are within walking distance. Health services facilities are located at nearby town centres and public hospitals at Blacktown, Mount Druitt and Windsor with commitment for a new hospital at Rouse Hill.

Section 94 Contributions Plan No 20 – Riverstone and Alex Avenue Precincts applies to the subject sites. This Contributions Plan provides for essential infrastructure including stormwater management, traffic management, open space and acquisition of land (but not building construction) for community facilities.

A SIC levy is likely to apply to future development on the subject sites, contributing to provision of essential state infrastructure.

Traffic

The Planning Proposal is supported by a Traffic Impact Assessment prepared by Transport and Traffic Planning Associates (Appendix 3). The report considers the impact of the potential additional population on the existing and future traffic networks and concludes that the road system will be appropriate, the provisions for vehicle access will be satisfactory and there will be no adverse traffic implications.

Open space

The Planning Proposal will result in the potential for at least an additional 17 and up to 26 dwellings on the rezoned land. While this is not a significant increase in itself, there is a pattern across the NWPGA whereby the number of dwellings constructed consistently exceeds the planned residential density. The cumulative impact of this pattern has resulted in a systemic shortfall in open space provision for future residents across the Growth Areas.

The Planning Proposal generates the need for an additional 2130 square metres of open space. This is below the threshold of 3000 square metres for a standalone pocket park. Satisfactory arrangements will be required to address the provision of additional open space generated by the potential additional residential yield from the Planning Proposal. We believe it is reasonable for the additional open space requirement to be met through the mechanism of S94 contributions, to be put towards the embellishment of open space in existing planned areas to meet the needs of the Precinct.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The open overland channel located on the sites is identified by the Crown Lands and Water Division of the Department of Primary Industries as a second order stream. We suggest that the Planning Proposal be referred to the Department of Primary Industries as part of the consultation process following a Gateway determination. Consultation with other relevant State and Commonwealth public authorities can be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination.

Part 4 – Mapping

The Planning Proposal is accompanied by the following maps at Attachment 2:

- Existing Land Zoning Map
- Proposed Land Zoning Map
- Existing Height of Buildings Map
- Proposed Height of Buildings Map
- Existing Residential Density Map
- Proposed Residential Density Map
- Existing Land Reservation & Acquisition Map
- Proposed Land Reservation & Acquisition Map

Part 5 – Community Consultation

The Gateway Determination will stipulate the nature and extent of required community consultation in accordance with the document 'A guide to preparing local environmental plans'.

The usual exhibition of an LEP is 28 days which is considered to be reasonable in the circumstances.

Public consultation will take place in accordance with the Gateway Determination made by the GSC in accordance with Sections 56 and 57 of the *Environmental Planning & Assessment Act 1979.*

Part 6 – Project Timeline

Milestones	Timeframe
Forward Planning Proposal to the Department	Early December 2017
Date of Gateway Determination	January 2018
Completion of required technical information & Government agency consultation (Pre-exhibition)	February 2018
Commencement of public exhibition	March 2018
Completion of public exhibition	April 2018
Completion of consideration of submissions & Government agency consultation (Post-exhibition)	May 2018

Report to Council (outcome of exhibition & recommendations)	June 2018
Council's consideration & resolution on the report	July 2018
Date of submission to the Department to finalise the LEP	August 2018
Finalise the LEP by the Department and Parliamentary Council	September 2018
Publish the LEP	October 2018

ATTACHMENT 1

Consistency with applicable SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 1 Development Standards			✓	The Provisions of SEPP 1 do not apply to the site pursuant to Clause 1.9(2) of Appendix 4 of the Growth Centres SEPP.
SEPP No 19 Bushland in Urban Areas			✓	The site is predominantly cleared land. The potential application of this SEPP will be considered and addressed at DA stage.
SEPP No 55 Remediation of Land	✓			Land capability and contamination assessment during precinct planning did not identify any contamination on the subject sites. Site-specific contamination studies will be assessed at DA stage.
SEPP No 64 Advertising and signage			✓	The SEPP may be relevant to future DAs.
SEPP No 65 Design Quality of Residential Apartment Development			✓	Residential apartment buildings are not permitted in either the current SP2 zoning nor the proposed R2 zoning under the Growth Centres SEPP.
SEPP (Affordable Rental Housing) 2009	✓			The Planning Proposal does not seek amendment which is inconsistent with the ARH SEPP. This SEPP may apply to future development.
SEPP (Building Sustainability Index: BASIX) 2004	✓			The Planning Proposal does not seek amendment which is inconsistent with the BASIX SEPP. This SEPP may apply to future development.
SEPP (Educational Establishments and Child Care Facilities) 2017	✓			The Planning Proposal does not seek amendment which is inconsistent with the Education SEPP. This SEPP may apply to future development.
SEPP (Exempt and Complying Development Codes) 2008	✓			The Planning Proposal does not seek amendment which is inconsistent with the Codes SEPP. This SEPP may apply to future development.
SEPP (Infrastructure) 2007	✓			ISEPP may apply to future development.
SEPP (State and			✓	

ATTACHMENT 1

Consistency with applicable SEPPs

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SEPP (Infrastructure) 2007	✓			ISEPP may apply to future development.
SEPP (State and			✓	

Regional Development) 2011				
Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)	✓			The Planning Proposal is not inconsistent with SREP No 20. A proposed alternative drainage system must demonstrate compliance with SREP No 20 at DA stage.

ATTACHMENT 2

Mapping

The following maps are provided in support of this Planning Proposal:

- Existing Land Zoning Map
- Proposed Land Zoning Map
- Existing Height of Buildings Map
- Proposed Height of Buildings Map
- Existing Residential Density Map
- Proposed Residential Density Map
- Existing Land Reservation & Acquisition Map
- Proposed Land Reservation & Acquisition Map

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Land Zoning Map - EXISTING

Zone

B1	Neighbourhood Centre	IN2	Light Industrial
B2	Local Centre	R1	General Residential
B4	Mixed Use	R2	Low Density Residential
B5	Business Development	R3	Medium Density Residential
B6	Enterprise Corridor	R4	High Density Residential
B7	Business Park	RE1	Public Recreation
E2	Environmental Conservation	RE2	Private Recreation
E3	Environmental Management	RU6	Transition
E4	Environmental Living	SP2	Infrastructure
IN1	General Industrial		

Subject site

Special Provisions

- A - Low Density Residential (multi-dwelling housing) - Appendix 4, Clause 2.5
- B - Riverstone Scheduled Lands - Appendix 4, Clause 6.8
- C - Green and Gold Bell Frog Habitat - Appendix 4, Clause 6.9
- D - Additional Uses - Appendix 3, Clause 6.5
- E - Additional permitted uses. (Clause 13)
- F - Take away food & drink premises permitted with consent - Appendix 5, (Schedule 1, Clause 1)
- G - Low Density Residential (multi-dwelling housing) - Appendix 7, Clause 2.5
- H - Transport Corridor Investigation Area - Appendix 7, Clause 6.10
- I - Transport Corridor - Appendix 12, Clause 6.10
- J - Food and drink premises - Appendix 12 (Schedule 1, Clause 1)
- K - Landfill works - Appendix 12 (Schedule 1, Clause 2)
- L - Gas processing system and associated plant and eqipment - Appendix 12 (Schedule 1, Clause 3)

Original SEPP Zones

- Environment Conservation
- Public Recreation - Regional

Cadastre

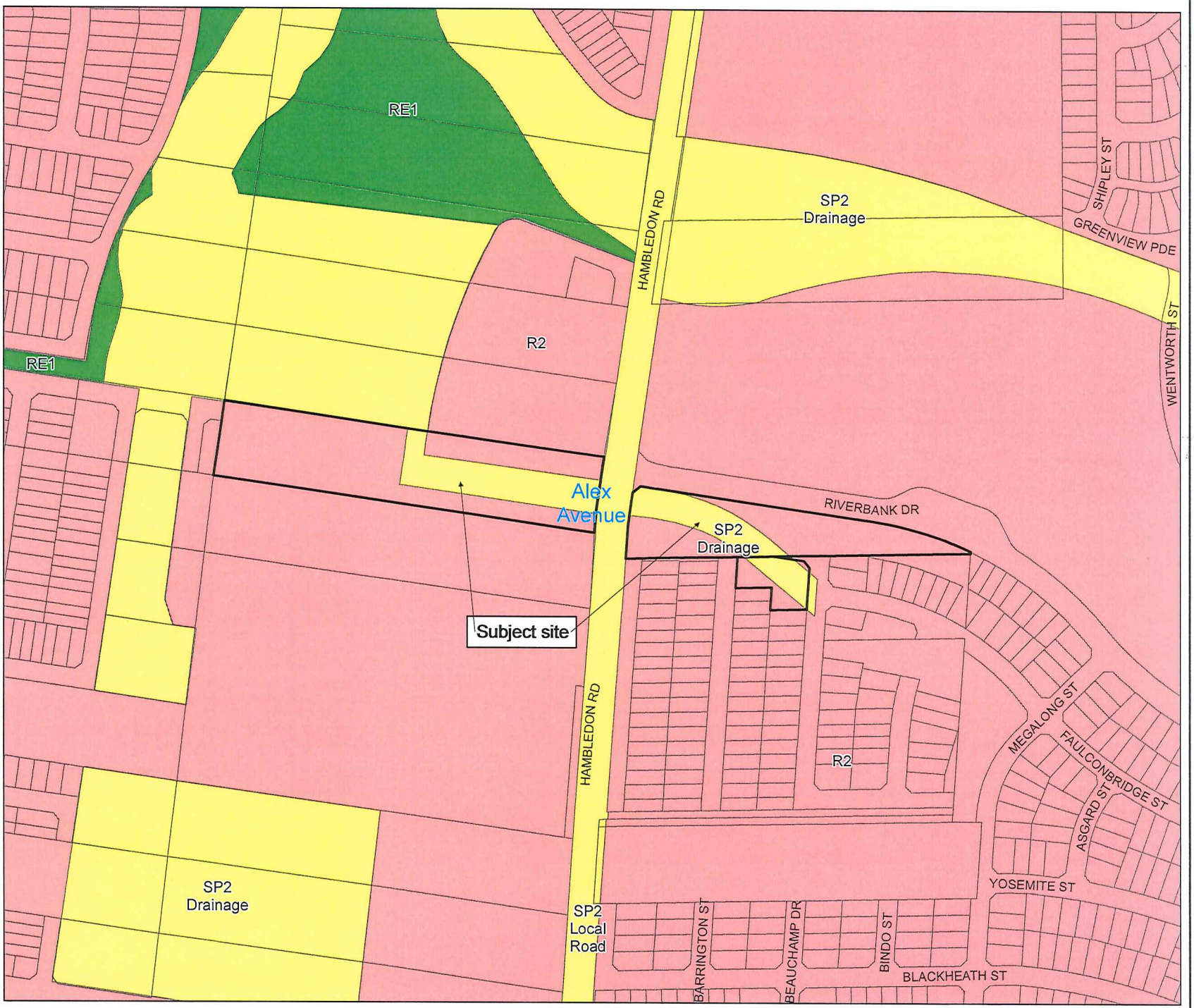
Cadastre 12/07/17 © Blacktown City Council

EXISTING

N

Projection: GDA 1994 MGA Zone 56

Scale: 1:3,000 @ A3



NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Land Zoning Map - PROPOSED

Zone

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B2	Local Centre	R1	General Residential
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Subject site

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Original SEPP Zones

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- Public Recreation - Regional

Cadastre

Cadastre 12/07/17 © Blacktown City Council

PROPOSED

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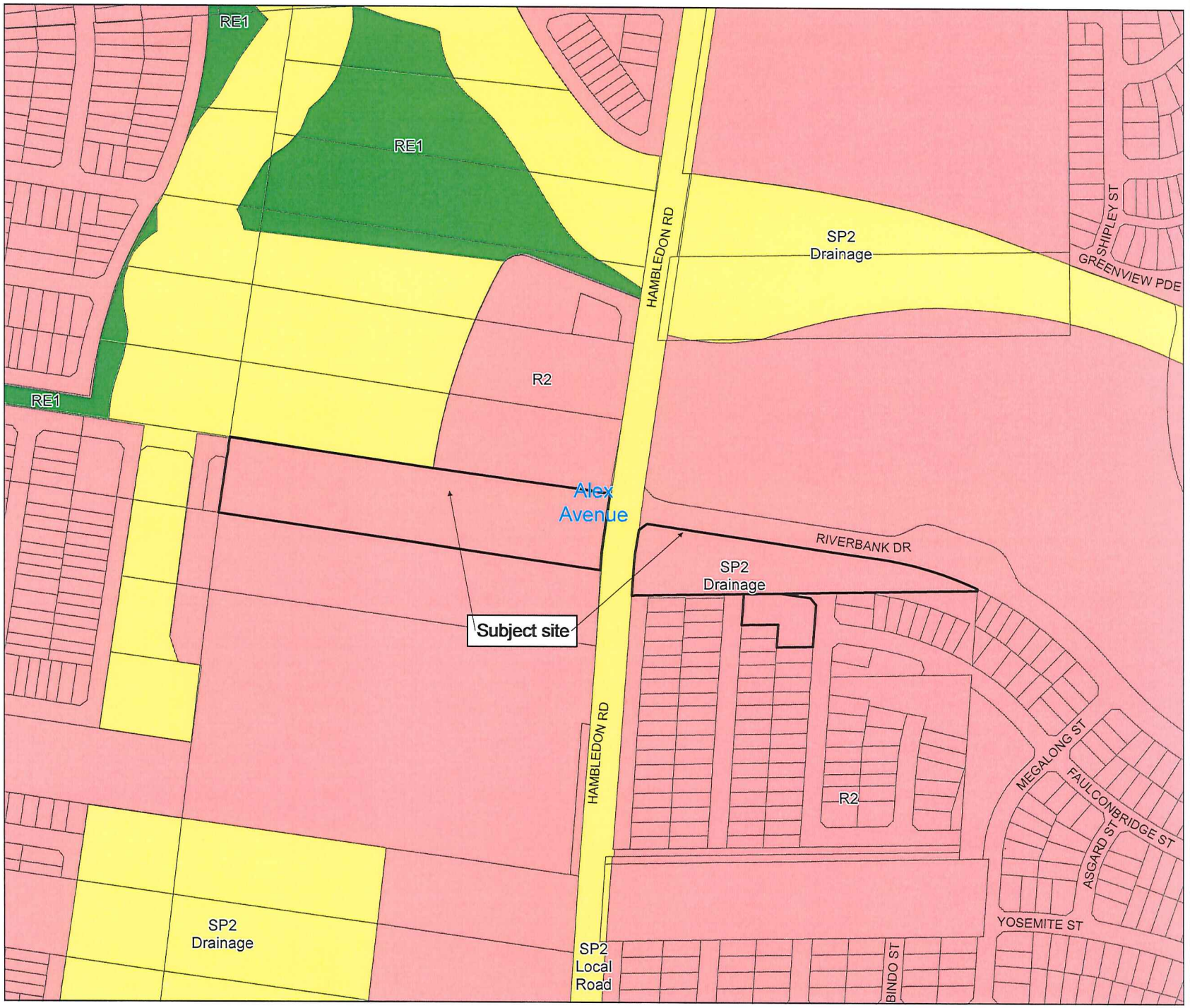

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Residential Density Map
RDN - EXISTING

LEGEND

Dwelling Density (per hectare)

C	5
M	12.5
O	15
P	18
Q	20
T	25
U	30
W	40
X	45

Subject site

Growth Centre Boundaries

North West Growth Centre Boundary

North West Growth Centre Precinct Boundary

Cadastre

Cadastre 12/07/17 © Blacktown City Council

EXISTING

N

Projection: GDA 1994
MGA Zone 56

Scale: 1:3,000 @ A3

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Residential Density Map
RDN - PROPOSED

LEGEND

Dwelling Density (per hectare)

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Subject site

Growth Centre Boundaries

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North West Growth Centre Precinct Boundary

Cadastre

Cadastre 12/07/17 © Blacktown City Council

PROPOSED

N

Projection: GDA 1994
MGA Zone 56

Scale: 1:3,000 @ A3

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre Height of Building - EXISTING

LEGEND

Maximum Building Height (m)

A	0
C	5
I	8.5
J	9
K	10
M	12
N	14
O	16
P	18
P1	17
P2	17.5
P3	18.5
R	21
S	24
T1	26
T2	28

Subject site

Growth Centre Boundaries

North West Growth Centre Boundary

North West Growth Centre Precinct Boundary

Cadastre

Cadastre 12/07/17 © Blacktown City Council

EXISTING

N

Projection: GDA 1994 MGA Zone 56

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NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre Height of Building - PROPOSED

LEGEND

Maximum Building Height (m)

A	0
C	5
I	8.5
J	9
K	10
M	12
N	14
O	16
P	18
P1	17
P2	17.5
P3	18.5
R	21
S	24
T1	26
T2	28

Subject site

Growth Centre Boundaries

North West Growth Centre Boundary

North West Growth Centre Precinct Boundary

Cadastre

Cadastre 12/07/17 © Blacktown City Council

PROPOSED

N

Projection: GDA 1994 MGA Zone 56

Scale: 1:3,000 @ A3

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Land Reservation Acquisition Map
LRA - EXISTING

LEGEND

Land ReservationAcquisition

- Classified Road (SP2)
- Classified Road Wildening (SP2)
- Community Centre (SP2)
- Environmental Conservation (E2)
- Footpath (SP2)
- Local Drainage (SP2)
- Local Open Space (RE1)
- Local Road (SP2)
- Local Road Wildening (SP2)
- Public Creation - Local (E2)
- Pumping Station (SP2)
- Railway (SP2)
- School (SP2)
- Trunk Drainage (SP2)

Subject site

Growth Centre Boundaries

North West Growth Centre Boundary

North West Growth Centre Precinct Boundary

Cadastre

Cadastre 12/07/17 © Blacktown City Council

EXISTING

N

Projection: GDA 1994 MGA Zone 56

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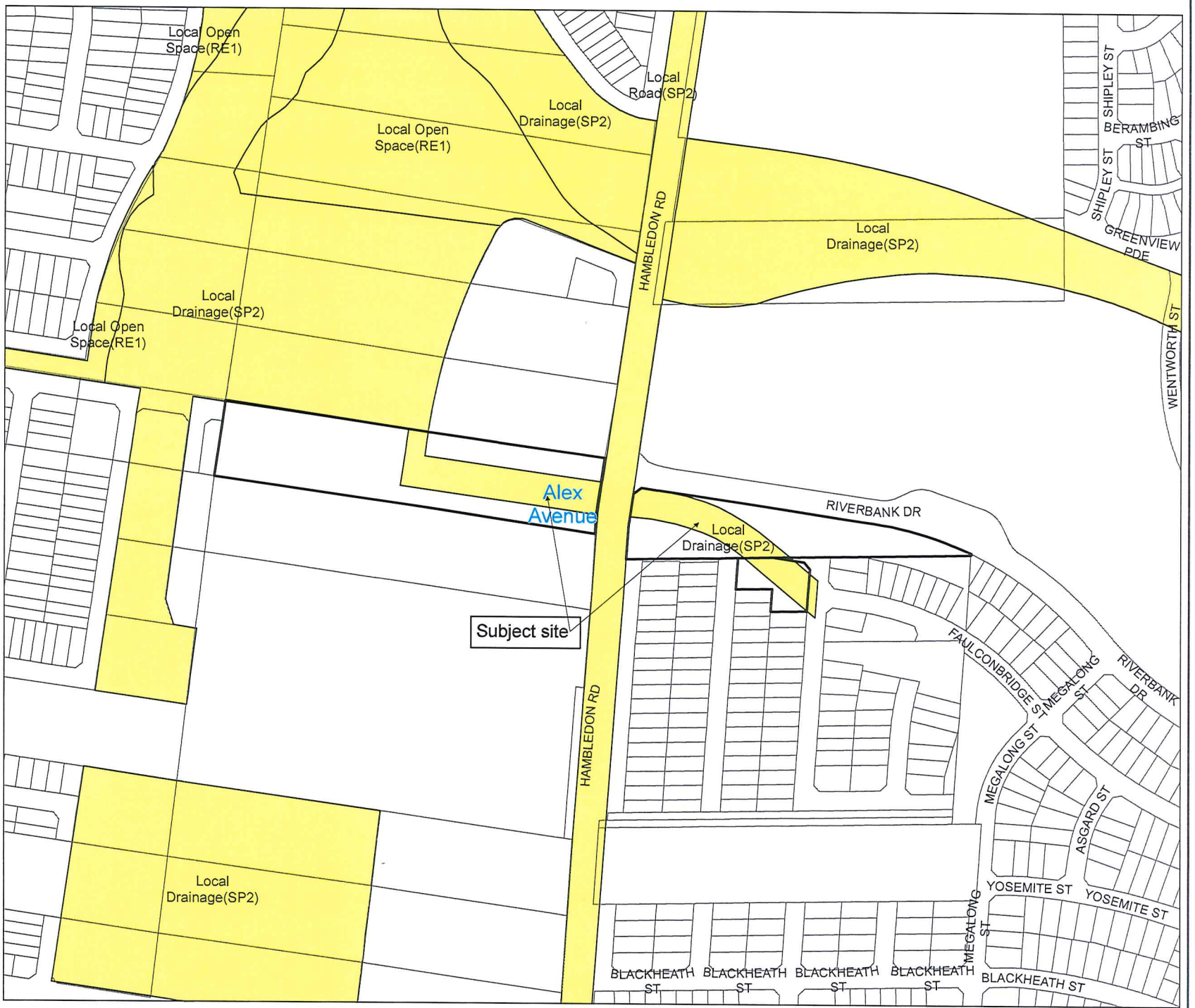

NSW GOVERNMENT Planning & Environment

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

North West Growth Centre
Land Reservation Acquisition Map
LRA - PROPOSED

LEGEND

Land ReservationAcquisition

- Classified Road (SP2)
- Classified Road Wildening (SP2)
- Community Centre (SP2)
- Environmental Conservation (E2)
- Footpath (SP2)
- Local Drainage (SP2)
- Local Open Space (RE1)
- Local Road (SP2)
- Local Road Wildening (SP2)
- Public Creation - Local (E2)
- Pumping Station (SP2)
- Railway (SP2)
- School (SP2)
- Trunk Drainage (SP2)

Subject Sites

Growth Centre Boundaries

North West Growth Centre Boundary

North West Growth Centre Precinct Boundary

Cadastre

Cadastre 31/01/17 © Blacktown City Council

PROPOSED

N

Projection: GDA 1994 MGA Zone 56

Scale: 1:3,000 @ A3