

Blacktown City Council

Planning Proposal

**LEP Amendment to Blacktown Local Environmental Plan 2015
Old Mount Drutt**

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1. Part 1 – Objectives or Intended Outcomes

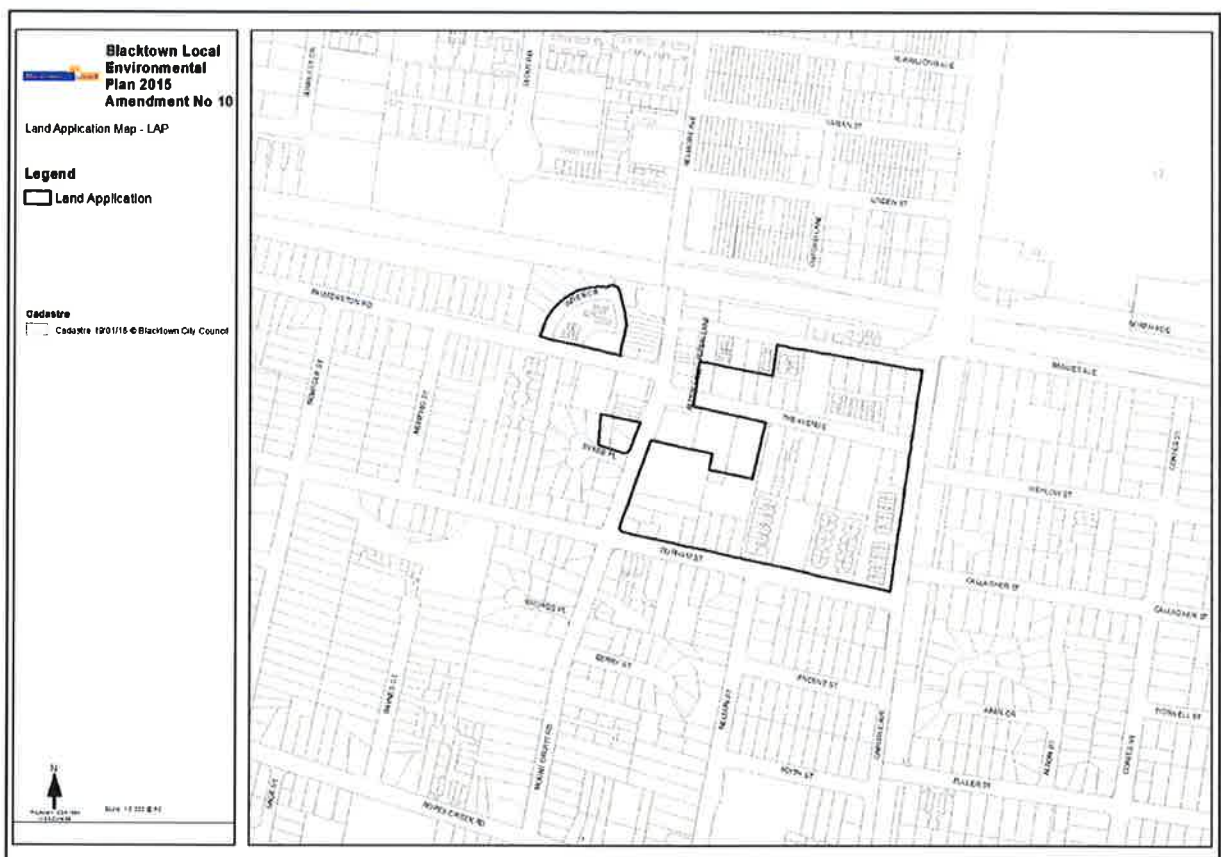
The intended outcome of this planning proposal is to:

- implement the review of planning controls undertaken for Old Mount Druiitt Village that recommends increasing the height of building control for land zoned R4 High Density Residential in Old Mount Druiitt Village to:
 - encourage new development adjacent to the centre, and
 - provide additional capacity to supply new dwellings
 - not create significant overshadowing of existing residential flat buildings
- to enable the redevelopment of the old squash court site at 37-39 Mount Druiitt Road, Mount Druiitt, as the existing facilities are no longer considered to be commercially viable due to the decline in popularity of the sport, poor amenity of the facility and poor accessibility.

1.1 Affected Land

This planning proposal applies to certain land located in the Old Mount Druiitt Village.

Figure 1 Land Application Map.



1.2 Current planning controls

Land in Old Mount Druitt Village is currently zoned:

- B1 Neighbourhood Centre
- R4 High Density Residential
- R2 Low Density Residential
- SP2 Infrastructure
- RE1 Public Recreation, and
- RE2 Private Recreation.

Height of Building Controls are:

- 7.5 metres for land zoned R2 Low Density Residential
- 14 Metres for land zoned B1 Neighbourhood Centre
- 20 Metres for land zoned R4 High Density Residential, and
- No height of Building Control for land zoned RE1, RE2 or SP2.

However, this planning proposal only relates to land zoned R4 Higher Density Residential and RE2 zone in Old Mount Druitt Village.

[illegible]

Figure 3 Existing height of building controls for Old Mount Druit Village



2. Part 2 – Explanation of Provisions

2.1 Amendments to the Land Use zoning and Height of Building in Blacktown LEP 2015

This Planning Proposal seeks the following amendments to maps in Blacktown LEP 2015:

- amend the Land Use Zoning map to change the RE2 Private Recreation that applies to 37-39 Mount Druitt Road, Mount Druitt to B1 Neighbourhood Centre
- amend the Height of Buildings Map to apply a 14m height of building control on the old squash court site at 37-39 Mount Druitt Road, Mount Druitt, and
- amend the Height of Buildings Map to apply a height of building control of 26m for land zoned R4 High Density Residential in Old Mount Druitt Village.

2.2 Detailed mapping amendments

Table 1 Description of map amendments

Blacktown Local Environmental Plan 2015		Proposed Amendment
Land Zoning	LZN 003 and 004	Remove RE 2 zone that applies to lots 1, 2 and 3 in DP 247350, 37-39 Mount Druitt Road, Mount Druitt and apply the B1 Neighbourhood Centre zone.
	HOB 003 and 004	Apply Height of Building Control N 14 Metres to lots 1, 2 and 3 in DP 247350, 37-39 Mount Druitt Road, Old Mount Druitt Village.
	HOB 003, 004, 008 and 009	Apply Height of Building Control T 26 Metres to lots: • CP/SP21706 • CP/SP86186 • 1 DP 1145558 • 7, 8, 9, 10, 12 and 13 DP 21892 • CP/SP92532 • 20, 21, 22, 23 DP 21892 • 1 and 2 DP 509164 • 2B DP 370407 • 1 DP 1150024 • CP/SP 82654 • part Lot X DP 412362 • part Lot 12 DP 28045 • CP/ SP 50711 • 26, 27, 28 and 30 Section 2 DP 1128 • CP/ SP 93894 • A and B DP 370914 • 100 DP 703786 • 8 DP 113113 • 22 and 23 DP 568729 • 21 and 22 DP 1036967 • 2 DP 558901

Blacktown Local Environmental Plan 2015 Proposed Amendment

- 8,9,10 and 11 DP 28045
- 1 DP 1214076
- CP/ SP75768
- CP/SP 74754

3. Part 3 – Justification

3.1 Section A - Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The proposal to increase building heights for land zoned R4 High Density Residential was the result of an internal review endorsed by Council at its Ordinary Meeting on Wednesday 17 August 2016.

The review recommended that building heights be increased for land zoned R4 in Old Mount Druitt Village as:

- an increase in building height on land zoned R4 High Density Residential from 20 metres (6 Storeys) to 26 metres (8 Storeys) would provide for increased residential capacity in Old Mount Druitt Village.
- this increase will have a minimal impact on the existing character and built form of Old Mount Druitt Village, as the existing built form ranges from 4-6 Storeys.
- new developments that are built to new height should not create significant overshadowing of existing residential development to the south.

At this meeting Council also endorsed a proposal to rezone 37-39 Mount Druitt Road, Mount Druitt from RE2 to B1 and to apply a 14 metre height of building control to the site as a result of a request submitted to Council by the owners of the site. As Council had recently conducted an internal review of planning controls in the adjacent Old Mount Druitt Village, Council resolved not to progress the request to rezone 37-39 Mount Druitt Road, Mount Druitt as a standalone planning proposal. At the Ordinary Meeting on 17 August 2016, Council resolved to prepare a planning proposal inclusive of both sites as they are within the same location and will result in a natural extension of the existing Mount Druitt Village.

This request was supported by a Planning Report that included a Traffic Impact Study and a Retail Trade Assessment which concluded that:

- The present RE2 zoning of the site has been for some time redundant in that the use for private recreation purposes is not viable and cannot be sustained.
- The current use of the subject site is no longer commercially viable and the existing building is no longer fit-for-purpose as a recreation facility. Rezoning of the site will allow for a new development which ensures that the land generates economic and community benefits.
- Redevelopment of the site will represent new investment in the Mt Druitt Village Centre that creates direct construction employment and improves a key gateway site.
- An estimated 30 jobs could be located on-site assuming a mix of retail and commercial tenants. This represents a significant net increase on the 3 jobs currently accommodated at the subject site.

- Development of additional retail and commercial facilities and residential use on the site will improve the scale and range of services available to local residents and businesses.
- Additional demand for retail and commercial activity in the Mt Druitt Village is expected to be associated with forecast population growth and continued business activity. On this basis¹ development of the subject site for a combination of retail/ commercial and residential uses represents a sensible response to future expected demand.
- The possibility of shop top housing in close proximity to the Mt Druitt Railway Station and within the Mt Druitt Village centre will provide material benefits in additional income to the Centre and offer convenience for prospective residents, which is particularly relevant to a community which displays a relatively low level of car ownership (13% households with no access to a car) and it is consistent with the strategic objectives for local centres in the Plan for Growing Sydney.
- The proposed rezoning to B1 Neighbourhood Centre is the most logical way to amend the redundant use. Redundancy arises out of competition from a newer gymnasium in the Village Centre; the significant decline in squash court usage generally and; the poor physical amenity- including poor accessibility - now offered by the centre which is not capable of meeting modern expectations.
- The area is well served by a newer gymnasium and child care centre and there are no other permissible uses under the present RE2 Private Recreation zone which would be economically viable given the relatively remote location which would render it impossible to contemplate uses such as educational, function centre and motel/hotel accommodation or pub. Moreover, a function centre or pub at the site would potentially cause severe disruption to the local community and could not be supported.
- The Traffic Engineering Study shows that there will be no adverse affectation to roads and intersections in the locality. The report concluded that "The proposed rezoning application is a low net trip generator for the weekly AM Peak hour and a modest trip generator for the PM Peak hour" and "without noticeably affecting intersection performance, delays or queues."

2. Is the planning proposal the best means of achieving the objectives or intended outcomes.

The planning proposal is the most effective means of achieving Council's intended outcomes for this planning proposal as:

- The change of land use zone for 37-39 Mount Druitt Road, Mount Druitt from RE2 to B1 will provide a greater variety of permissible land uses that could be developed on the site and will facilitate the redevelopment of this site.
- Applying a height of building control of 14metres will allow for some shoptop residential development to occur, which will assist in increasing the residential capacity of Old Mount Druitt Village, and
- The change from a 20 metre height of building control to a 26 metre height of building control for land zoned R4 higher density development is the most effective means of providing additional development capacity in Old Mount Druitt Village as it provides for an additional 2 Storeys of residential development.

3.2 Section B - Relationship to strategic planning framework

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

Metropolitan Strategy

A Plan for Growing Sydney is the name of the NSW Government's Sydney Metropolitan Strategy published in December 2014. Relevant directions from *A Plan for Growing Sydney* are noted in Table 2 below.

Table 2 Metropolitan Strategy – Consistency/Response

A Plan for Growing Sydney Strategic Directions and Policy Settings	Consistency / Response
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles	
Direction 2.1: Accelerate housing supply across Sydney • An additional 664,000 dwellings required across Sydney over the next 20 years • Action 2.1.1 Accelerate housing supply in and around strategic centres.	Yes The Planning Proposal will result in increased capacity for residential development in the Old Mount Druitt Village.
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs	Yes The change from a RE2 zone to a B1 zone for the 37-39 Mount Druitt should lead to a lift

A Plan for Growing Sydney Strategic Directions and Policy Settings		Consistency / Response
- The government will support Council-led urban infill and local efforts to lift housing production around centres - New housing for centres that have public transport able to carry large numbers - New housing in strategic centres		in housing production in Old Mount Druitt Village as it is highly likely that residential development will be a component of the redevelopment of this site. The increase in building heights for land zoned R4 should lead to an increase in production as the increase in building height will allow for an additional 2 Storeys of residential flat development.
Direction 2.3: Improve housing choice to suit different needs and lifestyles Research indicates a shortage of apartments in outer Sydney		Yes The Planning Proposal will increasing housing supply in the local centre via increasing height of buildings in R4 zones and rezoning the RE2 site to B1 which permits shop top housing.
West Central Sub Region		Consistency / Response
<i>Accelerate housing supply, choice and affordability and build great places to live</i>		
Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line, Sydney Rapid Transit and bus T-Ways.		Yes The Planning Proposal will increasing housing supply in the local centre via increasing height of buildings in R4 zones and rezoning the RE2 site to B1 which permits shop top housing. This will increase residential capacity in Mount Druitt close to public transport which provides access to nearby areas of employment.

Subregional Strategy

Please note that A Plan for Growing Sydney states that:

- Subregional plans will build on the actions set out in A Plan for Growing Sydney. Councils, the community, the Greater Sydney Commission and the NSW Government will work together to finalise and implement these plans.

- A Plan for Growing Sydney has displaced draft subregional plans and strategic and specific targets remain under consideration. This Planning Proposal has therefore not been assessed for consistency against any subregional plan.

Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Blacktown City 2030 – City of Excellence is Council's Community Strategic Plan. It establishes a framework to enable Council to manage the future growth of the City.

Table 3 Blacktown City 2030

Blacktown City 2030 – City of Excellence Strategic Directions	Consistency / Response
A vibrant and Inclusive City Ensure that our local communities continue to be welcoming, vibrant and inclusive, individuals and groups achieve their potential and the City prospers as a centre of culture, art and learning.	This Planning Proposal will facilitate mixed use development and additional residential development that will assist in providing greater activation of Old Mount Druitt Village, making a more vibrant and inclusive centre.
A smart and prosperous Economy Pursue strategic economic opportunities and partnerships to facilitate sustainable growth of the local economy, attract investment to our City and ensure that Blacktown City is the next Regional City.	The Planning Proposal will increase residential capacity by increasing buildings heights in R4 High Density Residential zones and extending the area zoned as B1 which permits shop-top housing. Increases in dwellings are located close to the T1 Western Railway Line which connects Mount Druitt to key employment destinations. The local economy is supported by providing opportunities for retail/commercial development in the site rezoned B1 Neighbourhood Centre which has the potential to provide an additional 27 local jobs.
A Growing City Supported by Infrastructure Provide well-planned and liveable neighbourhoods with housing that meets the diverse needs for our growing community and is supported by transport and infrastructure that serves our current and future needs.	Locating additional dwellings in the village centre provides convenient access to the rail network, which connects the community to nearby areas of employment and could reduce car dependency.

Is the Planning Proposal consistent with the applicable state environmental planning policies?

Table 4 SEPP – Consistency/Response

State Environmental Planning Policy	Consistency / Response
SEPP 32 – Urban Consolidation (Redevelopment of Land)	Yes This planning proposal will promote the orderly and economic development of 37-39 Mount Druitt Road, Mount Druitt by enabling the mixed use development of land that has failed to be developed under existing planning controls.
SEPP 55 – Remediation of Land	Yes There is no knowledge of prior contaminating uses on the land and the residential use is therefore in compliance with this SEPP.
SEPP 64 - Advertising and Signage	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Yes This Planning Proposal will not contradict or hinder the application of this SEPP.

Is this Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Table 5 Ministerial Directions (s. 117 directions)?

Number - Directions/Objectives	Consistency / Response
1 Employment and Resources 1.1 Business and Industrial Zones (4) (c) Requires that a planning proposal that will affect land within an existing business zone must not reduce the total potential floor space area for employment uses and related services in business zones (5) (b) Permits that a planning proposal may be inconsistent with this direction where justified by a study (prepared in support of the planning proposal) which gives consideration to the objectives of this direction.	Yes The planning proposal will lead to an increase in the total potential floor space for employment uses and related services in Old Mount Druitt Village and will provide approximately 27 additional jobs in the centre.
2 Environment and Heritage 2.3 Heritage Conservation A Planning Proposal must contain provisions that facilitate the conservation of: (4)(a) Items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area. (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: (a) The environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the	Yes The Planning Proposal does not seek to change the existing Standard Instrument clause contained in Blacktown LEP 2015, Clause 5.10 Heritage Conservation.

land.	
3 Housing, Infrastructure and Urban Development	Yes
3.1 Residential Zones	
(4) A planning proposal must include provisions that encourage the provision of housing that will:	Increased building height controls in the R4 zone will result in an additional 2 storeys for residential use. This increase in capacity assists in reducing the consumption of land on the urban fringe by providing greater housing supply and housing choice in established areas.
(a) Broaden the choice of building types and locations available in the housing market, and	
(b) Make more efficient use of existing infrastructure and services, and	This Planning Proposal makes more efficient use of existing infrastructure by increasing the number of dwellings that are located within walking distance to Mount Druitt Railway Station. This station provides a good level of service to commuters which assists in reducing car dependency.
(c) Reduce the consumption of land for housing and associated urban development on the urban fringe, and	
(d) Be of good design.	
(5) A planning proposal must, in relation to land to which this direction applies:	
(a) Contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and	
(b) Not contain provisions which will reduce the permissible residential density of land.	
3.4 Integrating Land Use and Transport	Yes
The objectives of this direction are:	
(a) Improving access to housing, jobs and services by walking, cycling and public transport, and	Increasing residential capacity in the Old Mount Druitt will reduce travel demand as residents are serviced by the local retail/commercial facilities which are projected to increase as part of the rezoning.
(b) Increasing the choice of available transport and reducing dependence on cars, and	
(c) Reducing travel demand including the number of trips generated by	Providing additional capacity for dwellings in Old Mount Druitt Village increases the number of dwellings that are located within walking distance to Mount Druitt Railway Station which

development and the (d) Distances travelled, especially by car, and (e) Supporting the efficient and viable operation of public transport services, and (f) Providing for the efficient movement of freight.	provides access to the rail network and connects the community to nearby areas of employment and assist in reducing car dependency.
3.5 Development Near Licensed Aerodromes (4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: (a) Consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome (b) Take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, (c) For land affected by the OLS: (i) Prepare appropriate development standards, such as height, and (ii) Allow as permissible with consent development types that are compatible with the operation of an aerodrome (d) Obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of Section 57 of the Act.	Yes Old Mount Druitt Village is not in the vicinity of a licensed aerodrome. Additionally, Old Mound Druitt is not located the OLS of Bankstown Aerodrome or the proposed OLS of the Western Sydney Airport.
4 Hazard and Risk	Yes
4.1 Acid Sulfate Soils	No part of Old Mount Druitt is mapped

The direction requires that: (6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing Acid Sulfate Soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulphate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director General prior to undertaking community consultation in satisfaction of section 57 of the Act.	as having Acid Sulfate Soils.
4.3 Flood Prone Land The objectives of this direction are: (a) To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Yes The land is not identified as being flood prone.
6 Local Plan Making 6.2 Reserving Land for Public Purposes The objectives of this direction are: (a) To facilitate the provision of public services and facilities by reserving land for public purposes, and (b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Not applicable
7 Metropolitan Planning 7.1 Implementation of A Plan for Growing Sydney Planning Proposals shall be	Yes Consistency with A Plan for Growing Sydney is demonstrated above.

consistent with A Plan for Growing Sydney.

3.3 Section C - Environmental, social and economic impact.

Is there any likelihood that critical habitat or threatened species, populations of ecological communities, or other habitats, will be adversely affected as a result of the proposal?

No impacts envisaged. The subject sites are located in the built-up area of Old Mount Druitt.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No adverse environmental effects are foreseen as a result of the planning proposal. The proposed amendments to height of building controls in R4 High Density Residential zones conforms to the existing character and built environment in Old Mount Druitt Village. The developments permissible under the rezoning of the old squash court site are considered to be more compatible with the scale and form of the desired built form for Old Mount Druitt Village.

The Planning Proposal will increase residential capacity in the village centre via increases to building heights and changes to land zones to permit shop top housing. New residents within will be in walking distance of Mount Druitt Railway Station and retail and commercial facilities which will assist in minimising car dependency and improve the overall amenity of the area. This will be reinforced by the rezoning which will provide new retail and/or commercial facilities that will benefit from the greater number of walking customers through the centre, and result in a revitalised area for residents and visitors.

The Traffic Impact Assessment reveals no adverse effects on the road network from any potential development. Utilising a maximum development scenario, AM peak hour effects will be 'minimal', and PM peak hour effects will be 'modest'.

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

It is highly unlikely that the Planning Proposal would produce any negative social or economic effects as:

- the new residents that will be housed in the residential development will be located with walking distance to retail/commercial facilities and Mount Druitt train station. Mount Druitt Station connects prospective residents to key employment destinations on the T1 Western Rail Line.
- the Planning Proposal will increase the residential capacity of Old Mount Druitt. This will provide additional housing supply in Mount Druitt.
- the rezoning will make better use of the commercially unviable old squash court site and provide additional convenience services to the local community, as well as deliver approximately 27 extra jobs.
- The additional dwellings that will be located in Old Mount Druitt will benefit local businesses as more customers will be close by.

State and Commonwealth Interests

Is there adequate public infrastructure for the Planning Proposal?

Yes. The proposal will result in an increase in residential capacity, however, it is not expected that existing infrastructure will be unable to cope with the increase in yield.

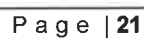
What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

Consultation with relevant public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination.

Is there a net community benefit?

The Planning Proposal will result in a net community benefit as it will encourage mixed use development, servicing the growing population with residential accommodation and retail and support office development, needed by the local population.

Figure 4 Proposed amendments to LZN 003 and 004



**Blacktown Local
Environmental
Plan 2015
Amendment No 10**

Height of Building Map - HOB Proposed

Maximum Building Height (m)

H	7.5
J	9
K	10
L	12
M	14
N	16
O	18
P	20
Q	21
R	24
S	26
T	32
V	38
X	40
Z	44
AA	50
AB	56
AC	64
AD	72

Cadastral

- Boundary Line
- Cadastral 1901/16 © Blacktown City Council

PROPOSED

Scale 1:1,000 @ A3

North Arrow

5. Part 6 - Community Consultation

Public consultation is to be consistent with Clause 57 of the Environmental Planning and Assessment Act 1979. The scope of public consultation required would be detailed in the Gateway Determination.

The Planning Proposal should be considered to be 'low impact' as it is:

- Consistent with the pattern of surrounding land use zones and/or land uses
- Consistent with the strategic planning framework
- Presents no issues with regard to infrastructure servicing
- Not a principal LEP
- Does not reclassify public land

The extent of community consultation will be determined by the Gateway Determination. It is proposed that this Planning Proposal be publicly exhibited for 14 days consistent with the Department of Planning's guidelines for draft LEP's for community consultation.

6. Part 6 - Community Consultation

Milestones	Time frame
Anticipated commencement date (date of Gateway Determination)	December 2016
Commencement of public exhibition	December 2016/January 2017
Completion of public exhibition	December 2016/January 2017
Timeframe for consideration of submissions	January 2017
Time frame for consideration of a proposal post exhibition	February 2017
Anticipated date RPA will make the plan	February/March 2017
Anticipated date RPA will forward to the Department for notification	April 2017