
BLACKTOWN CITY COUNCIL

PLANNING PROPOSAL

LEP Amendment to the State Environmental Planning Policy (Sydney
Region Growth Centres) 2006 – Edmund Street, Riverstone

May 2016

INTRODUCTION

We have received a request to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the “Growth Centres SEPP”) by rezoning part Lot 7, Section 27 DP 1459, William Street and part Lot 19, Section 27 DP 1459 Edmund Street, Riverstone from SP2 Infrastructure (Drainage) to R2 Low Density Residential.

The zoning amendments will also require amendments to other relevant SEPP maps such as Height of Buildings and Dwelling Density. The Land Reservation Acquisition Map will also require updating to remove acquisition requirements as a result in change in zoning from SP2 Drainage to R2 Low Density Residential.

Site Identification and Current Zoning

The request relates to land on the eastern side of William Street and the western side of Edmund Street. The surrounding area is comprised of land zoned for residential purposes. The location the site is shown in the Location Map in **Figure 1**.

Lot 7, Section 27 DP 1459, William Street is a partially cleared vacant lot. The total site area is approximately 1.62 ha. The land is currently zoned RE1 Public Recreation, R2 Low Density Residential and SP2 Drainage as shown in **Figure 2**. The land zoned SP2 Drainage has an area of approximately 1969m².

Lot 19, Section 27 DP 1459 Edmund Street Riverstone is a mostly cleared lot with dwellings and ancillary sheds. The total site area is approximately 1.62 ha. The land is currently R2 Low Density Residential and SP2 Drainage. The land zoned SP2 Drainage has an area of approximately 8141m². **Figure 2** shows the current zoning map of the subject lots and surrounding areas.

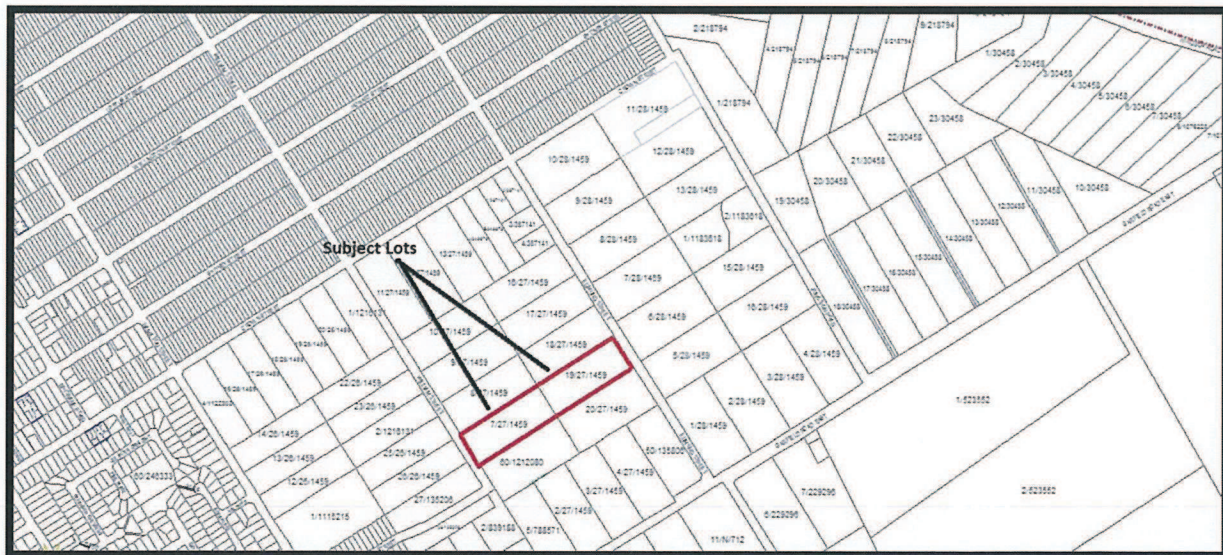


Figure 1: Location Map

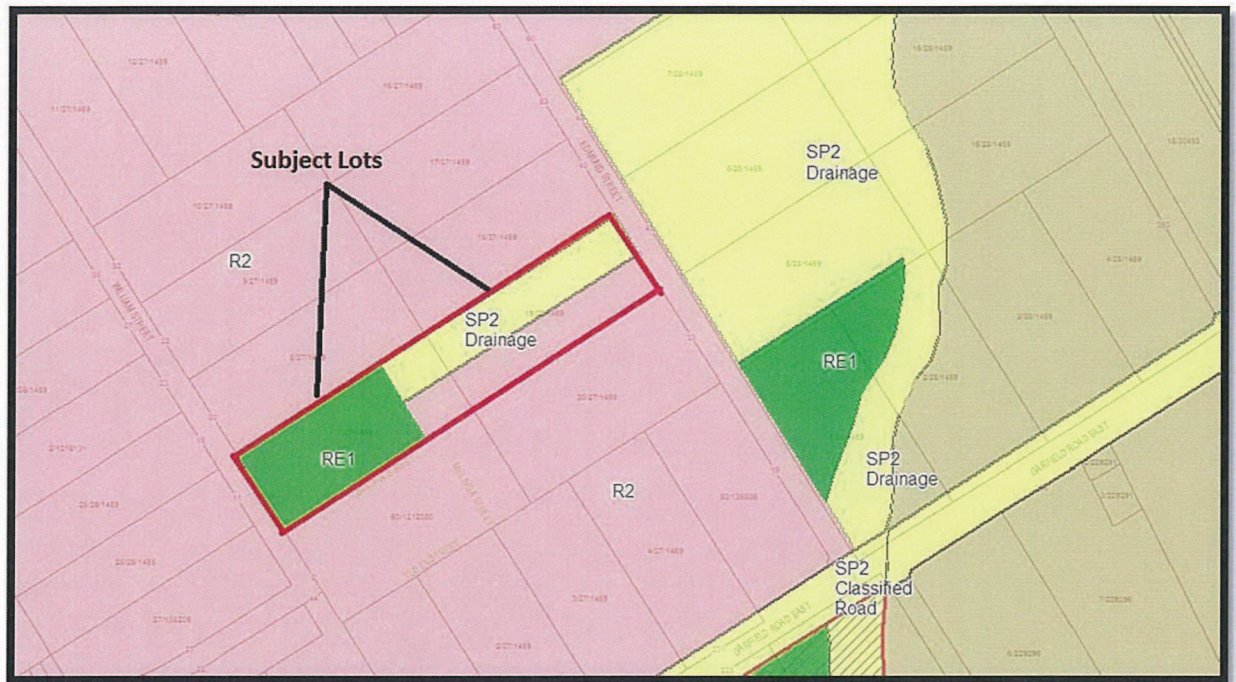


Figure 2: Current zoning of the land

Other relevant SEPP Maps are as follows:

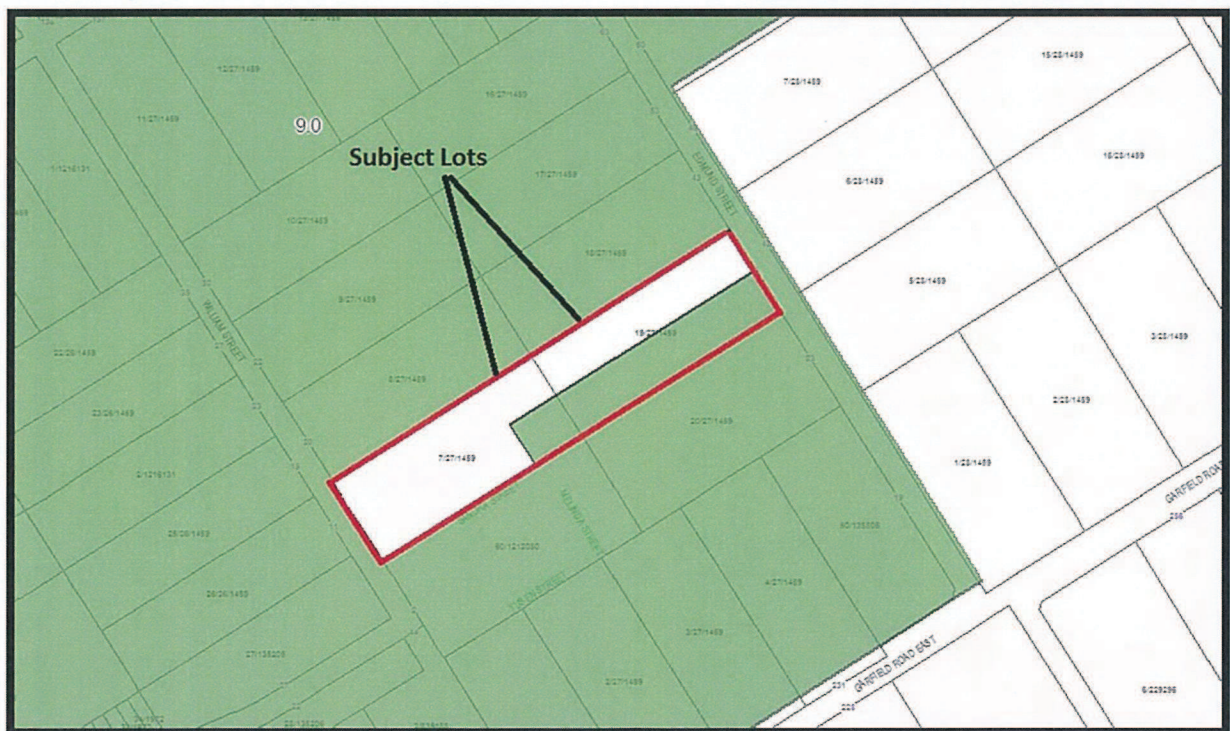


Figure 3: Maximum Height of Building Map Green = 9 m



Beige = 15 dwellings per hectare

Figure 4: Minimum Residential Density Map

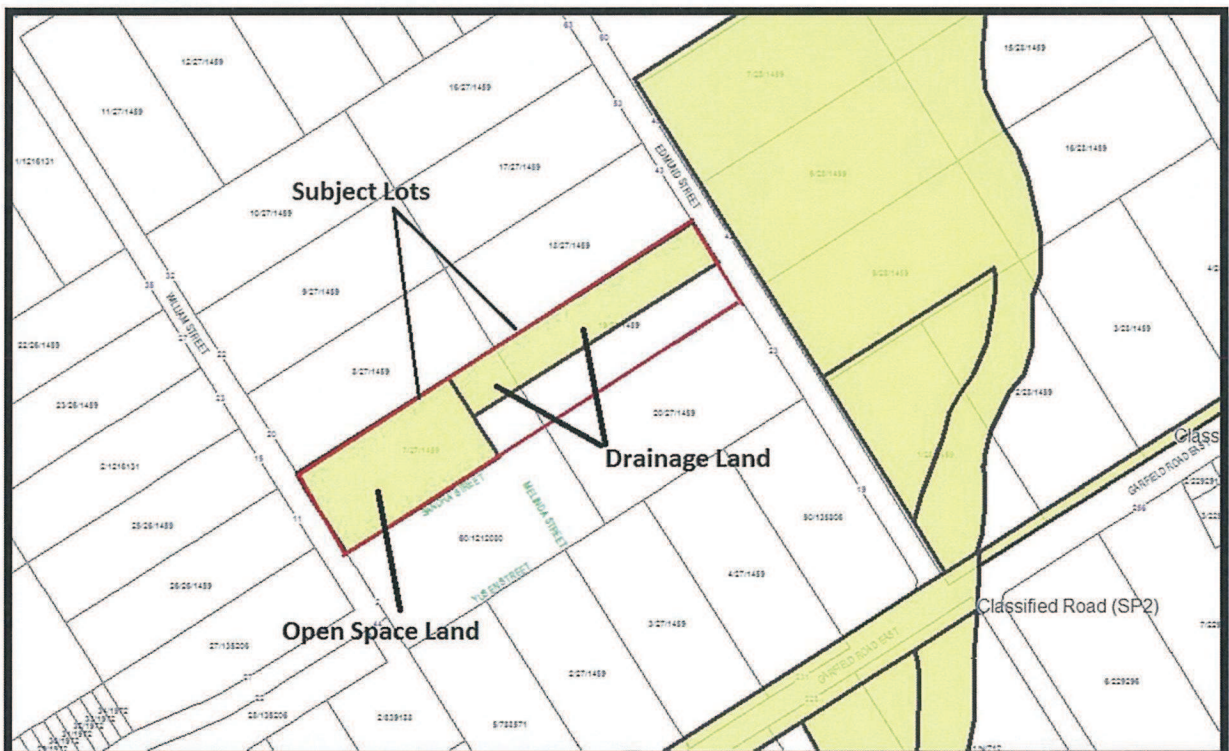


Figure 5: Land Reservation Acquisition Map

Proposed Changes to Maps

It is proposed to rezone the drainage land on Lot 7, Section 27 DP 1459, William Street and Lot 19, Section 27 DP 1459 Edmund Street Riverstone to R2 Low Density Residential and SP2 Drainage. The drainage land on Lot 7 has an area of approximately 1969m². The drainage land on Lot 19 approximately 8141m².

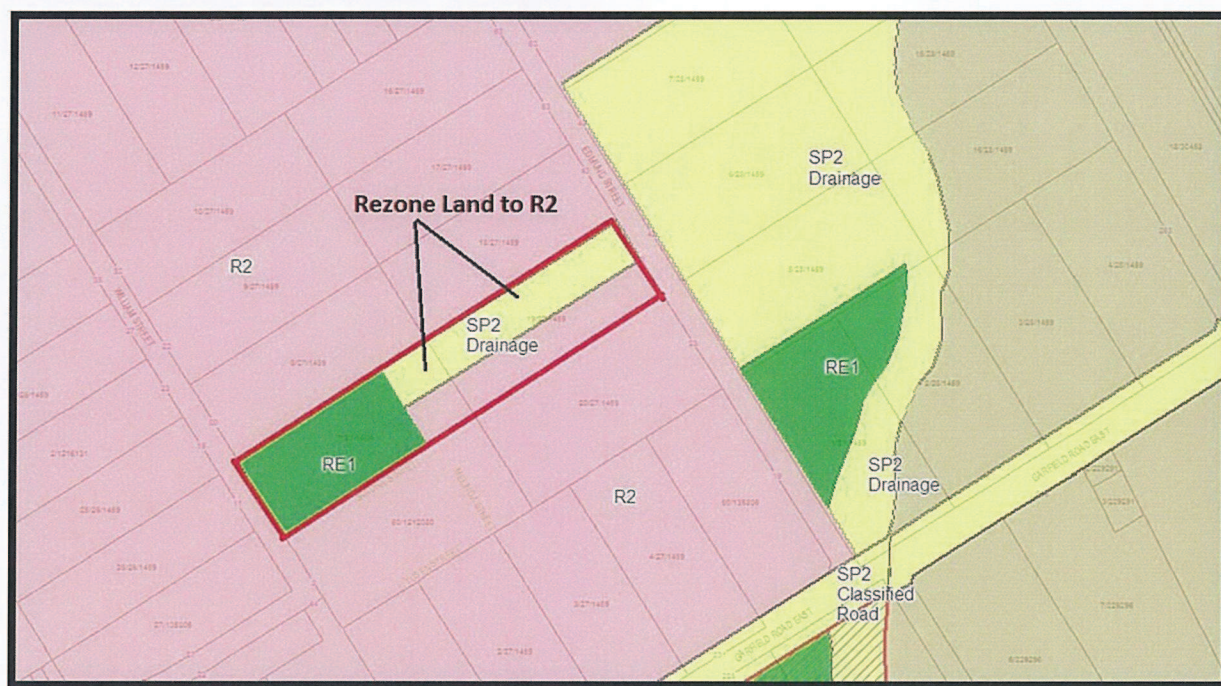


Figure 6: Proposed changes to the Zoning Map

Other Changes to SEPP Maps

The following changes are required to other SEPP Maps:

- Amend Height of Building Map to show 9m on the land currently zoned SP2 Infrastructure (Drainage)
- Amend Residential Density Map to show 15 dw/ha on the land currently zoned SP2 Infrastructure (Drainage)
- Remove the land acquisition mapping from the land zoned SP2 Infrastructure (Drainage) from the Land Acquisition Map

Council Resolution

The request to amend Blacktown LEP to facilitate an amendment to the Growth Centres SEPP was reported to Council at its Ordinary Meeting on 23 March 2016. At the meeting Council resolved the following:

1. Prepare and forward a Planning Proposal to the Minister for Planning seeking a Gateway Determination to amend State and Environmental Planning Policy (Sydney Region Growth Centres) 2006 to rezone part Lot 19, Section 27, DP 1459 Edmund Street and part Lot 7, Section 27, DP 1459 William Street, Riverstone, from SP2 Infrastructure (Drainage) to R2 Low Density Residential. The Planning Proposal should also make corresponding amendments to the Land Reservation Acquisition Map, Height of Buildings Map and Residential Density Map under the SEPP.
2. Following receipt of a Gateway Determination, prepare and exhibit a draft amendment to the Blacktown Growth Centre Precincts Development Control Plan to vary the proposed road pattern over the site as shown at attachment 3.

THE PLANNING PROPOSAL

PART 1 – Objectives and Intended Outcomes

Objectives

The objective of this Planning Proposal is to rezone the drainage zone on part of Lot 19, Section 27, DP 1459 Edmund Street and part Lot 7, Section 27, DP 1459 William Street, Riverstone, from SP2 Infrastructure (Drainage) to R2 Low Density Residential. This will result in a removal of the land acquisition requirements for Council over that drainage land. The land that will be rezoned to R2 Low Density Residential will also have a change in maximum height (9 m) and minimum density (15 dw/ha) which is consistent with land zoned R2 – Low Density Residential in the surrounding area.

PART 2 – Explanation of Provisions

The explanation of provisions provides a statement of how the objective or intended outcomes are to be achieved through amending the Growth Centres SEPP.

The only changes required are to various SEPP maps. These include:

- i. Draft Land Zoning Map – identifies proposed land uses zones.

It is proposed to rezone the zoned SP2 Infrastructure (Drainage) on part Lot 7, Section 27 DP 1459, William Street and part Lot 19, Section 27 DP 1459 Edmund Street Riverstone to R2 Low Density Residential as shown in Figure 6. The drainage land on Lot 7 has an area of approximately 1969m². The drainage land on Lot 19 approximately 8141m².

- ii. Draft Height of Buildings Map – identifies proposed maximum building height limits.

Amend HOB Map to show 9m on the land currently zoned SP2 Infrastructure (Drainage) on part Lot 7, Section 27 DP 1459, William Street and part Lot 19, Section 27 DP 1459 Edmund Street Riverstone

- iii. Draft Residential Density Map – identifies proposed minimum residential density controls.

Amend RDN Map to show 15 dw/ha on the land currently zoned SP2 Infrastructure (Drainage) on part Lot 7, Section 27 DP 1459, William Street and part Lot 19, Section 27 DP 1459 Edmund Street Riverstone

- iv. Draft Land Reservation Acquisition Map – identifies land proposed for acquisition by a public authority

Remove the LRA from the land zoned SP2 Infrastructure (Drainage) on part Lot 7, Section 27 DP 1459, William Street and part Lot 19, Section 27 DP 1459 Edmund Street Riverstone

PART 3 – Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is the result of a drainage report. The landowner commissioned an independent engineer's report which demonstrates that an alternative underground drainage system can be installed that would be as effective in collecting and disposing of stormwater. We are satisfied with the engineer's report.

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

The Planning Proposal is the best means of achieving the objectives. Amendments to the SEPP Maps can only be achieved via the LEP Planning Proposal process.

Section B – Relationship to Strategic Planning Framework

3. 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)?

The Planning Proposal is consistent with the aims and actions contained within the A Plan for Growing Sydney. This is discussed below.

A Plan for Growing Sydney 2014

A Plan for Growing Sydney 2014 identifies Growth Centres in the North West and South West of Sydney as sites for future housing and employment. A Structure Plan shows future planning and development in the NWGC. The Planning Proposal is consistent with the Structure Plan in respect of land in the Riverstone Precinct.

- Direction 2.4 – Deliver timely and well planned greenfield precincts and housing

Action 2.4.1 Deliver greenfield housing supply in the north west and south west growth centres is a key action this Planning Proposal. It states the Government will continue rezoning land in the North West and South West Growth Centres to maintain a steady supply of greenfield sites for development.

West Central Subregion

The Riverstone Precinct is located in the West Central Subregion under the A Plan for Growing Sydney. The Subregion consists of six local government areas: The Hills, Blacktown, Parramatta, Holroyd, Auburn and Bankstown. The NWGC is the focus for new land releases over the next 25 years. Rezoning of the Townson Road Precinct is consistent with the following Priorities:

- Accelerate housing supply, choice and affordability and build great places to live

It is a goal to plan for continued delivery of housing in the NWGC with planning focused on infrastructure delivery when needed, housing choice, affordability and sustainability.

The Planning Proposal will provide a variety of housing in the NWGC with supporting infrastructure.

4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

The Planning Proposal is consistent with Council's Community Strategic Plan as discussed below.

Blacktown Community Strategic Plan

The Planning Proposal is consistent with the *Blacktown City 2025 Community Strategic Plan*. The Proposal meets the following key strategies:

- i. Strategy 1: A Creative, Friendly and Inclusive City by providing additional public open space for use by future residents and surrounding localities and ensuring adequate pedestrian and cycle links to access public open space.
- ii. Strategy 5: Urban Living and Infrastructure by providing land available for housing lots to assist in meeting the increasing housing demands.

5. Is the Planning Proposal consistent with the 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 below. This Planning Proposal does not propose provisions that will contradict or hinder the application of these SEPPs.

CONSISTENCY WITH RELEVANT EPIs

	SEPP 55 Remediation of Land	SEPP (Sydney Region Growth Centres) 2006
Part of Lot 19, Section 27, DP 1459 Edmund Street	The matter was addressed during the rezoning of the Riverstone Precinct. Further assessment may be required at the DA stage for the site.	Complies Refer to Section B
Part Lot 7, Section 27, DP 1459 William Street, Riverstone	The matter was addressed during the rezoning of the Riverstone Precinct. Further assessment may be required at the DA stage for the site.	Complies Refer to Section B

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 directions and are to be considered when rezoning land. The proposed amendment is consistent with most of the Section 117 Directions issued by the Minister for Planning and Infrastructure. The planning proposal is consistent with all of the Directions.

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

Section 117 Direction	Consistency of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	No change to business or industrial zones
1.2 Rural Zones	The Planning Proposal does not rezone any rural land. Complies
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	The Planning Proposal does not rezone any rural or environmental protection zone. Complies
2. Environment and Heritage	
2.1 Environment Protection Zones	The Planning Proposal does not rezone any environmental protection zones.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	There are no European heritage items affected by the Planning Proposal.
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The land proposed to be zoned R2 zone under the Growth Centres SEPP permits various forms of accommodation. The total area over both lots is approximately 1.1 ha. This can meet the existing and future market demand.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrated Land Use and transport	Public transport is limited but this will improve once the area and adjacent precincts start to develop. Any inconsistency is only likely to be short term whilst the area changes from rural land uses to urban land uses.
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	The site is not known to be affected by acid sulphate soils. The Acid Sulphate Soils Risk Map shows that the land does not have acid sulphate soils. The Planning Proposal is consistent with this Direction.
4.2 Mine Subsidence and Unstable Land	The site is not known to be affected by unstable land.
4.3 Flood Prone Land	The drainage of stormwater and overland flow will be managed via an alternative system which is satisfactory to council.
4.4 Planning for Bushfire Protection	The land is has not been identified as bushfire prone under Council's Bushfire Prone Map.
5. Regional Planning	
5.1 Implementation of Regional Strategies	The Planning Proposal complies with the aims and objectives of the Plan for Growing Sydney 2014 and West Central Subregion.
5.2 Sydney Drinking Water Catchments	Not applicable

Section 117 Direction	Consistency of Planning Proposal
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)	Not applicable
5.6 Sydney to Canberra Corridor	Revoked 10 July 2008
5.7 Central Coast	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	The Planning Proposal will not require provisions for concurrence from any public authority.
6.2 Reserving Land for Public Purposes	The Planning Proposal removes the requirement for council to acquire land for drainage purposes.
6.3 Site Specific Provisions	Not applicable
7. Metropolitan Planning	
7.1 A Plan for Growing Sydney	The Proposal complies with the aims, objectives and provisions of the <i>A Plan for Growing Sydney 2014</i> .

Section C – Environmental, Social and Economic Impact

8. 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?

It is not likely that any critical habitats, threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal.

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

The rezoning will result in land being available for residential development. This can be addressed at the DA stage for the dwelling. This is considered to be satisfactory.

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

No adverse social or economic effects foresee as a result of the proposed amendments.

Section D – State and Commonwealth Interests

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

There is adequate public infrastructure. The provision of infrastructure was addressed in the rezoning of the Riverstone Precinct. The Planning Proposal merely removes the need for unnecessary drainage land over the subject lots.

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

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

Part 4 – Mapping

If the Department of Planning provides a supportive Gateway Determination, the Planning Proposal will be accompanied by the following relevant draft SEPP Maps:

- i. Draft Zoning Map
- ii. Draft Height of Buildings Map
- iii. Draft Residential Density Map
- iv. Draft Land Reservation Acquisition Map

Part 5 - Community Consultation

The Planning Proposal is considered to be 'low impact' for the following reasons:

- It is consistent with the pattern of surrounding land use zones and/or land uses
- It is consistent with the strategic planning framework
- It presents no issues with regard to infrastructure servicing
- It is not a principal LEP
- It does not reclassify public land.

Part 6 – Time Line

The following time line is proposed. It is based on the premise that there will be no significant delays in state government consultation, the production of SEPP Maps and GIS data by Council, or that any objection received can be addressed without the need for independent peer review.

Milestone	Timeframe
Commencement date	March 2016
Anticipated time frame for the completion of required technical information	March 2016
Timeframe for government agency consultation (pre and post exhibition as required by the Gateway Determination)	July 2016
Commencement of public exhibition	August 2016
Completion of public exhibition	September 2016
Time frame for consideration of a proposal post exhibition	November 2016
Date of submission to the Department to finalise the SEPP Amendment	January 2017
Anticipated date RPA will forward to the Department for notification	February 2017