

PD3.4. PD390052 - Planning Proposal at 115 Crown Street, Riverstone - rezone land from school to residential

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File: LEP-18-0006

Division is required

Previous Item N/A

Topic Rezoning of land in Crown Street, Riverstone from school to residential

Analysis Planning Proposal to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) to rezone 115 Crown Street, Riverstone from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential and apply a maximum building height of 9 m and a minimum dwelling density of 15 dwellings/hectare consistent with the adjoining R2 Low Density Residential zone.

The proposal necessitates a change to the Indicative Layout Plan (ILP) in the Blacktown Growth Centre Precincts Development Control Plan. It is proposed that it be amended to reflect the change in use of the site from school to residential.

The land is surplus to the Department of Education's needs and the proposed zoning is consistent with the surrounding low density residential land and will result in development of a consistent scale.

The proposal was reported to the Blacktown Local Planning Panel on 18 December 2019 for advice in accordance with the Minister for Planning's Local Planning Panels Direction – Planning Proposals. The Panel supported the recommendation of Council officers to endorse the Planning Proposal. We seek Council endorsement to progress the Planning Proposal.

Attachment/s

1. Subject site and existing and proposed zoning [**PD390052.1** - 2 pages]
2. Department of Education advice [**PD390052.2** - 3 pages]
3. Blacktown Local Planning Panel advice [**PD390052.3** - 2 pages]
4. Planning Proposal [**PD390052.4** - 34 pages]

Report Recommendation

1. Forward the Planning Proposal to the Department of Planning, Industry and Environment requesting a Gateway Determination to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as described in this report.
2. Amend the Indicative Layout Plan (ILP) in the Blacktown Growth Centre Precincts Development Control Plan to reflect the change in use of the site from school to low density residential.

Key reasons

1. The land is surplus to the Department of Education's needs

- a. The Department of Education (DoE) has advised us of its decision to relinquish the site for future use as a school. DoE has also written to the Department of Planning, Industry and Environment advising of its intention to relinquish its acquisition rights over the site. A copy of the correspondence from DoE is included at attachment 3.
- b. It should be noted that the 2 allotments of land immediately to the south-west of the subject site are still identified for use as a primary school within the Riverstone Precinct.
- c. Section 9.1 Directions - 6.2 Reserving Land for Public Purposes specifically states that if a public authority requests Council remove a reservation because the land is no longer required for that public purpose, then Council must comply.

2. The land is not suitable for public open space

- a. The subject site currently has a split zone, with a strip along the eastern site boundary currently already zoned R2 Low Density Residential.
- b. Based on the concept plan submitted with the Planning Proposal, the proposal will provide a minimum of 19 new allotments within the Riverstone Precinct, with a minimum population increase of 57 persons (based on 3 persons per dwelling).
- c. As part of the preliminary assessment of the Planning Proposal, consideration was given to the suitability of the site for future open space.
- d. Council's Open Space and Recreation Planners have undertaken an assessment of the suitability of the land for open space to meet the community's needs. They have advised that the shape and topography of the site, and its location adjacent to a proposed primary school, make it less than ideal for public open space.
- e. In accordance with Council's Section 7.11 Contributions Plan, contributions for open space would be levied as part of any future Development Application for the subdivision of the land. These contributions would be expended on the acquisition/upgrade of existing open space in the precinct.

3. The Planning Proposal has strategic merit

- a. The Planning Proposal has demonstrated strategic merit and is consistent with the objectives and priorities of the Greater Sydney Region Plan and the Central City District Plan.
- b. The site is capable of supporting a residential subdivision of the scale proposed and has sufficient access to existing and future jobs, transport, services and other facilities to provide for the everyday needs of the future residents.
- c. The Planning Proposal will make a small contribution to housing supply in Riverstone.
- d. We are satisfied that the proposal is consistent with the current strategic planning framework and our draft Local Strategic Planning Statement, which promotes the provision of housing supply, choice and affordability with access to jobs, services and public transport.

Supporting analysis

1. Blacktown Local Planning Panel Advice

- a. The intended Planning Proposal was reported to the Blacktown Local Planning Panel meeting on 18 December 2019 for advice in accordance with the Minister for Planning's Local Planning Panels Direction – Planning Proposals, issued on 27 September 2018 under section 9.1 of the Environmental Planning and Assessment Act 1979.
- b. The Panel advised that it is satisfied that the Planning Proposal has strategic merit and is appropriately responding to changing circumstances. A copy of the advice is included at attachment 4.
- c. The Panel also advised that we should satisfy ourselves with respect to any contamination issues prior to the submission of the Planning Proposal for a Gateway Determination. The Planning Proposal identifies that there may be some levels of contamination as a result of previous agricultural uses on the site.
- d. It is generally a condition of the Gateway Determination that a contamination assessment of the land be carried out in accordance with State Environmental Planning Policy No. 55, rather than prior to Gateway. We can suggest to the Department of Planning, Industry and Environment that this be incorporated as any condition of the Gateway Determination so as to ensure that this issue is adequately addressed.

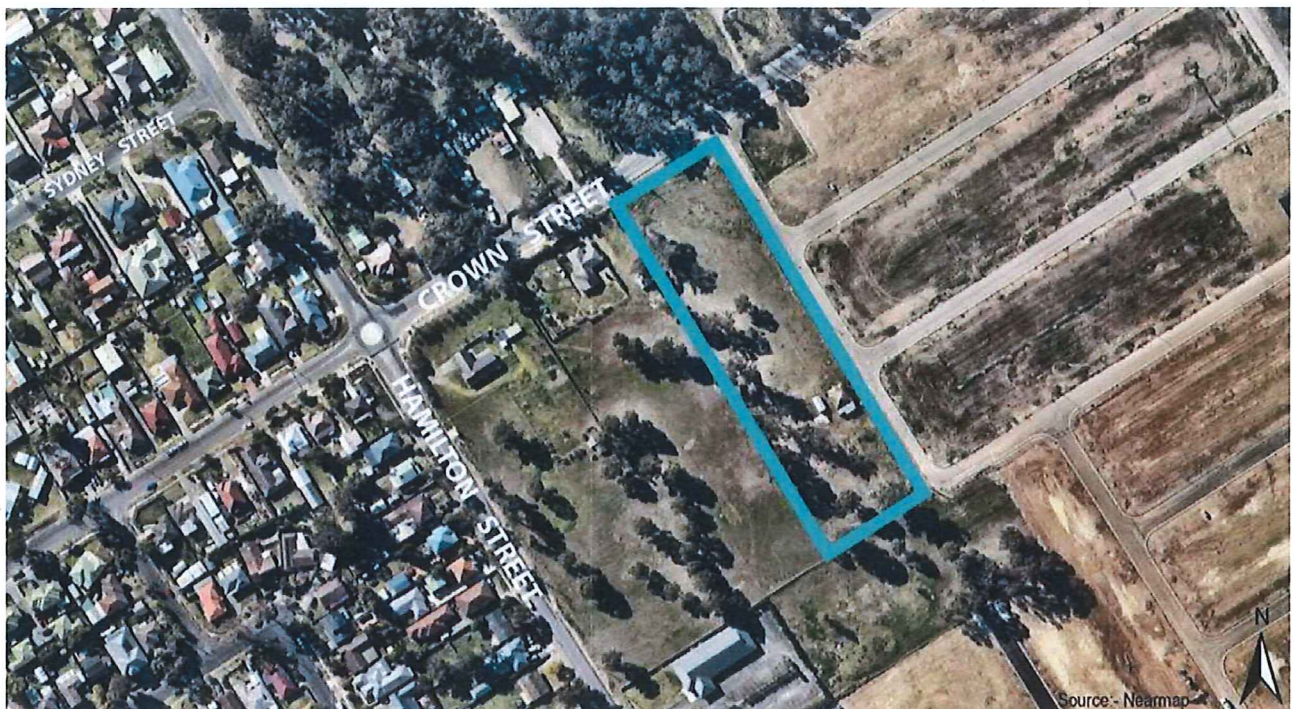
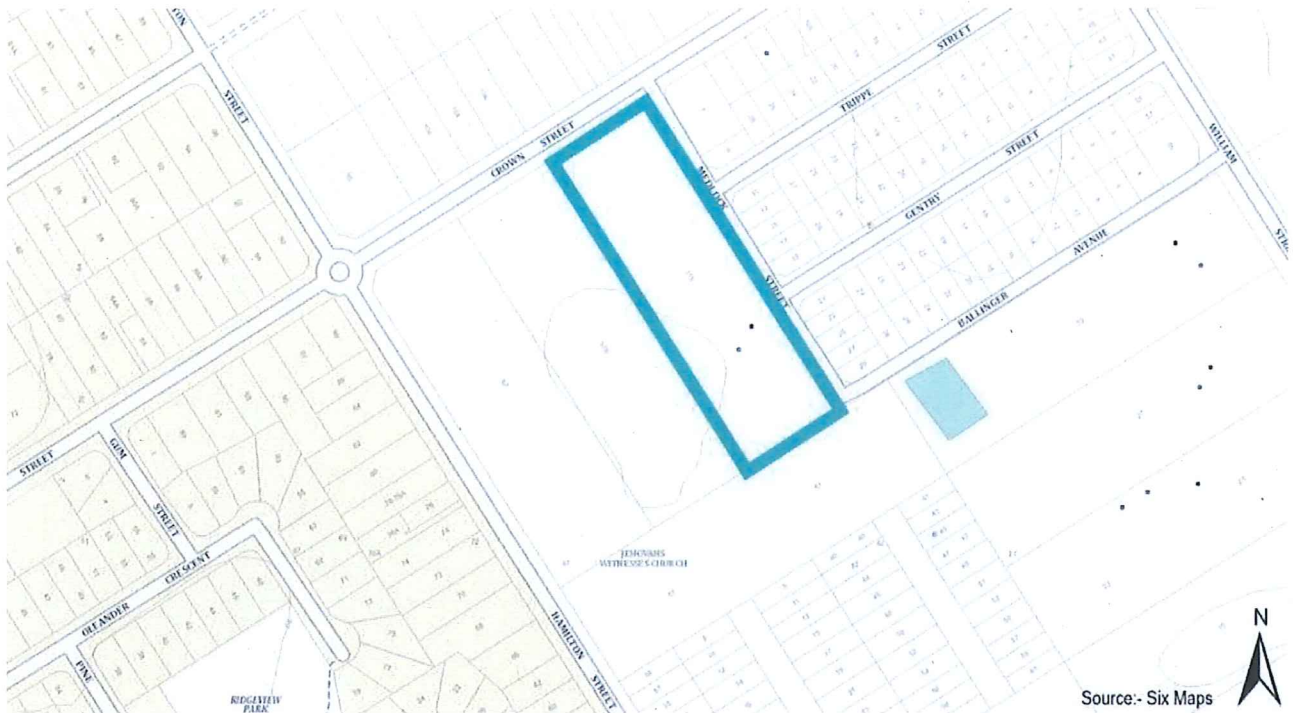
Context

1. Location and site description

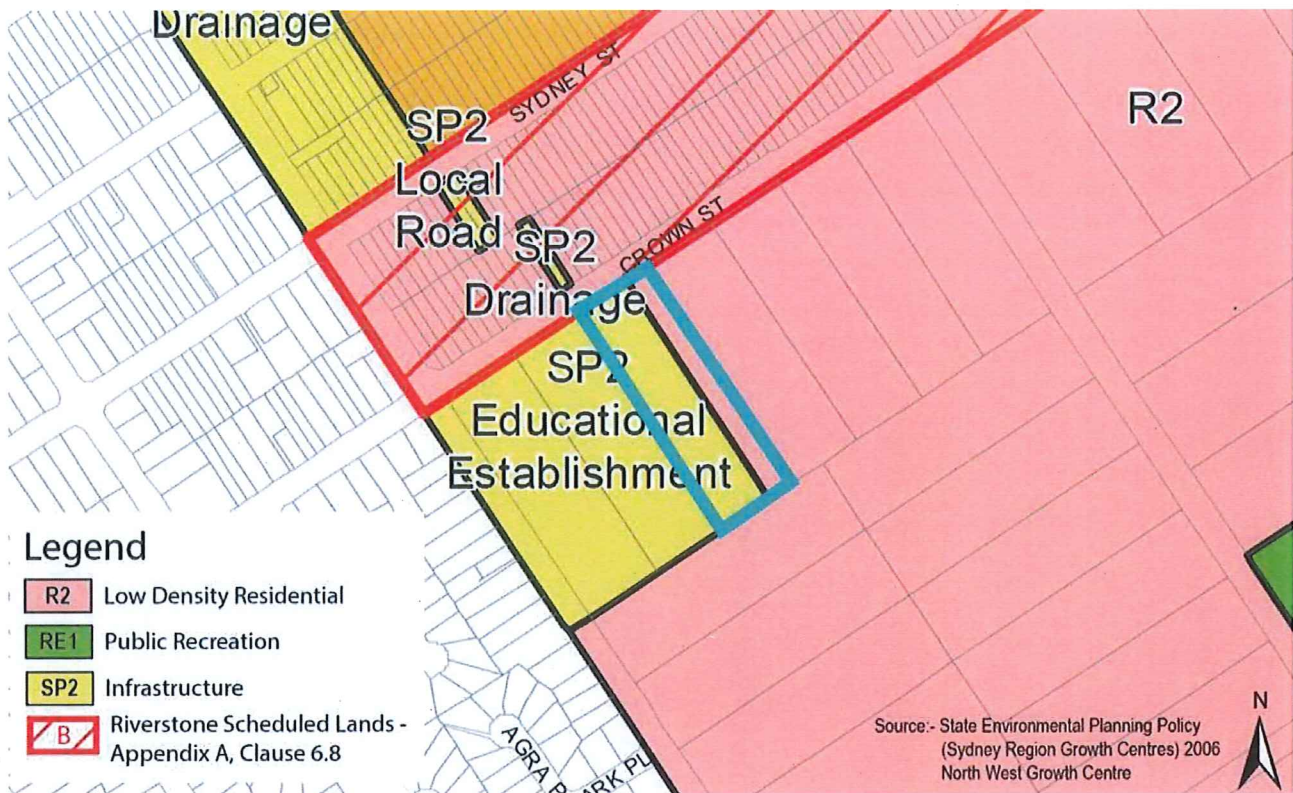
- a. The site is located in the Riverstone Precinct of the North West Growth Area.
- b. The site (part Lot 17, Section 26, DP1459) is currently zoned SP2 Infrastructure (Educational Establishment) and is approximately 1.2 hectares. The site adjoins 2 additional lots which have also been zoned SP2 Infrastructure (Educational Establishment) and are earmarked for acquisition as a future primary school for up to 1,000 students.
- c. The subject site and existing and proposed zoning plan is shown at attachment 1.
- d. The surrounding development and locality comprises a mix of existing rural residential properties and, in the new land subdivision to the west, new low density housing.
- e. The character of the locality is in transition – the surrounding area is gradually being developed for low density residential development, similar to what the proponent is seeking to achieve on the subject site. There is an existing low density residential subdivision to the south-east that has already been developed. There are also a number of approved low density residential subdivisions to the north, east and south that are yet to be fully developed.

End of report

Lot 17 Section 26 DP 1459 – 115 Crown Street, Riverstone



Existing Zoning – SEPP (Sydney Region Growth Centre) 2016



Proposed Zoning – SEPP (Sydney Region Growth Centre) 2016

