
BLACKTOWN CITY COUNCIL

PLANNING PROPOSAL

**Amendment to the State Environmental Planning
Policy (Sydney Region Growth Centres) 2006 –
Brighton and Bligh Street, Riverstone**

January 2017

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THE PLANNING PROPOSAL

PART 1 – Objectives or Intended Outcomes

The objective of the planning proposal is to make better use of land that is no longer required for trunk drainage in the vicinity of Bligh Street, Riverstone, by rezoning it to permit low density residential development. The proposal also seeks to remove Council's obligation to acquire the land as it is not needed for a public purpose (drainage).

The land to be rezoned to R2 are as follows:

| Legal Property Description | Area affected by the proposed rezoning |
|----------------------------|--|
| Lot 191 DP 1007 | 565.7 m ² |
| Lot 192 DP 1007 | 654.1 m ² |
| Lot 8 DP 712 | 248.2 m ² |
| Lot 9 DP 712 | 239.8 m ² |
| Lot 192 DP 1007 | 283.3 m ² |
| Lot 2 DP 1178963 | 287.1 m ² |
| Lot A DP 370572 | 398.6 m ² |
| Lot 102 DP 1208459 | 145 m ² |
| Total Area | 2821.8 m² |

The planning proposal is intended to deliver minor gains in developable areas (increase dwelling yields) for affected landowners, and benefit Council and the broader community by reducing the cost of providing trunk drainage infrastructure funded through Section 94 contributions.

The proposed rezoning will trigger corresponding amendments to the Height of Buildings, Residential Density and Land Reservation Acquisition Maps under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP).

PART 2 – Explanation of Provisions

The planning proposal will make minor amendments to the Growth Centres SEPP as follows:

- i. Amend North West Growth Centre Land Zoning Map – Sheet LZN_005 to rezone the subject land from SP2 Infrastructure (Drainage) to R2 Low Density Residential. This will allow low density residential development to occur on the subject land, which is consistent with surrounding uses.
- ii. Amend North West Growth Centre Height of Buildings Map – Sheet HOB_005 to show 9m for the subject land. This is consistent with adjoining land which also permits low density residential development.

- iii. Amend North West Growth Centre Residential Density Map – Sheet RDN_005 to show 15 dwellings/hectare for the subject land. This is consistent with adjoining land which also permits low density residential development.
- iv. Amend North West Growth Centre Land Reservation Acquisition Map – Sheet LRA_005 to show no public authority acquisition responsibility over the subject land. Council has recently completed a detailed drainage study for the area which confirms that the subject land is not needed for a drainage purpose.

These amendments are shown on the maps at Attachment 1.

PART 3 – Justification

Section A – Need for the Planning Proposal

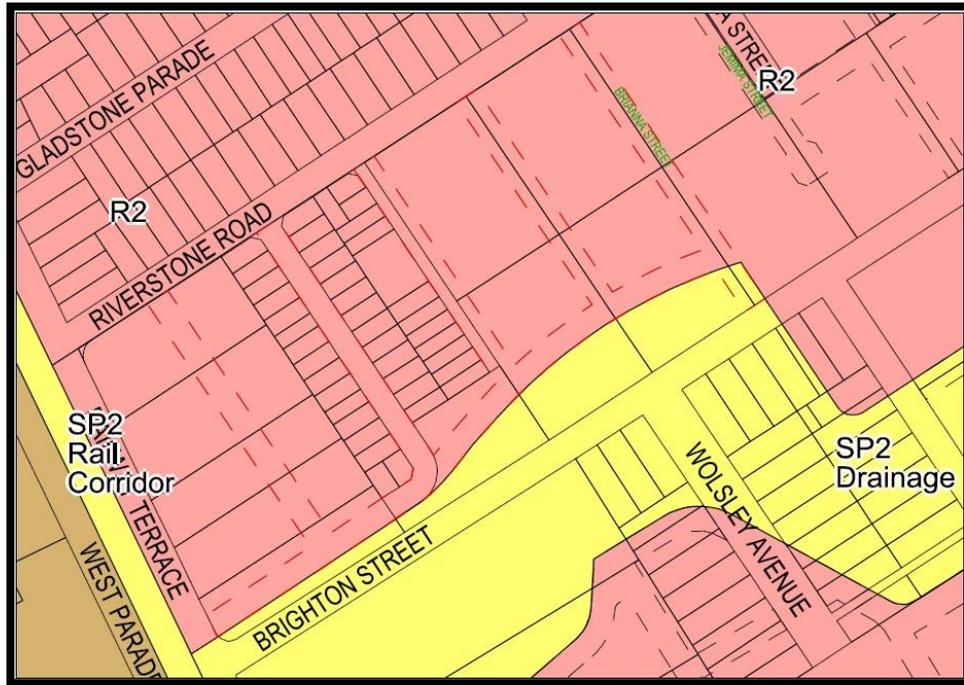
1. Is the planning proposal a result of any strategic study or report?

The proposed road pattern put in place under the Riverstone Indicative Layout Plan (ILP) is not best practice as it fails to take advantage of existing public road reservations. There are several existing small subdivided lots off Bligh Street that have no development potential because of the ILP road pattern.

In May 2016, Council adopted an amendment to the ILP road pattern to retain more of the existing alignment of Bligh Street, which is an existing public road (see below). It resulted in the removal of some roads. Adoption of the road pattern changes around Bligh Street means that land zoned SP2 Drainage may now be available for residential development. However, the zoning of this land first needs to be amended to R2 Low Density Residential to allow this to occur.



Extract from the original Riverstone Indicative Layout Plan



Approved DCP Amendment to the Riverstone Indicative Layout Plan

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 Growth Centres 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)?

A Plan for Growing Sydney

The planning proposal is consistent with the aims and actions contained within the *A Plan for Growing Sydney, 2014*. *A Plan for Growing Sydney 2014* identifies the Growth Centres in the North West 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 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 NWGC is a key action in this planning proposal. It states the Government will continue rezoning land in the NWGC to maintain a steady supply of Greenfield sites for development.

The Riverstone Precinct is located in the West Central Subregion under the *A Plan for Growing Sydney, 2014*. The Subregion consists of at least 5 local government areas

including Blacktown. The NWGC is the focus for new land releases over the next 20 years. The potential for extra lots provided in the Riverstone Precinct will add housing in the area.

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

It is a goal to plan for delivery of housing in the NWGC with planning focused on infrastructure delivery when needed, housing choice, affordability and sustainability. The planning proposal can provide a variety of housing in the NWGC with supporting infrastructure.

Draft West Central District Plan

Blacktown LGA is located in the West Central District. One of the key focus areas is the creation of a liveable city. This is discussed in Chapter 4: A Liveable City. One of the priorities is to create a variety of housing choice and design excellence. The additional land for residential development as a result of the rezoning, will create the opportunity for greater housing choice. The quality of design is dependent on the quality of designs submitted for assessment and whether or not the designs are approved.

One of the overarching priorities is to protect the District's waterways as stated in Chapter 5: A Sustainable City. The proposed rezoning does not affect the nearby riparian corridor.

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 2025. It fulfils the intent of Strategy 5: Urban Living and Infrastructure by providing land for housing.

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

A review of applicable SEPPs has been undertaken. The planning proposal does not propose provisions that will contradict or hinder the application of these SEPPs.

| State Environmental Planning Policy | Consistency |
|---|---|
| SEPP 55 Remediation of Land | The Land Capability and Contamination Report which supported the rezoning of the Riverstone Precinct stated the area is of low to moderate contamination risk. The planning proposal can be consistent with the SEPP. A further contamination assessment may be required at the DA stage. |
| SEPP (Sydney Region Growth Centres) 2006 | The proposal is capable of being consistent with the SEPP. Refer to Section B |

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

The following table outlines the consistency of the planning proposal to 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 | No change to rural zones. |
| 1.3 Mining, Petroleum Production and Extractive Industries | Not applicable |
| 1.4 Oyster Aquaculture | Not applicable |
| 1.5 Rural Lands | No change to rural land. |
| 2. Environment and Heritage | |
| 2.1 Environment Protection Zones | No change to environment protection zones. |
| 2.2 Coastal Protection | Not applicable |
| 2.3 Heritage Conservation | No European heritage items are affected by the planning proposal. |
| 2.4 Recreation Vehicle Areas | Not applicable |
| 3. Housing, Infrastructure and Urban Development | |
| 3.1 Residential Zones | The land, with an area of approximately 2821.8 m ² is proposed to be zoned R2 zone under the Growth Centres SEPP. It permits various forms of residential development. It can assist in meeting the demand for housing. |
| 3.2 Caravan Parks and Manufactured Home Estates | Not applicable |
| 3.3 Home Occupations | Not applicable |

| Section 117 Direction | Consistency of Planning Proposal |
|--|---|
| 3.4 Integrated Land Use and transport | The area is changing from a rural environment to an urban environment. Public transport will improve when the area develops. Public transport was addressed at the precinct planning stage of the Riverstone Precinct. Complies |
| 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. Complies |
| 4.2 Mine Subsidence and Unstable Land | The site is not known to be affected by unstable land. |
| 4.3 Flood Prone Land | See Appendix B - Council's memo dated 20 October 2016. Complies |
| 4.4 Planning for Bushfire Protection | The land is not 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 <i>Plan for Growing Sydney 2014</i> and West Central Subregion. |
| 5.2 Sydney Drinking Water Catchments | Not applicable |
| 5.3 Farmland of state and regional significance in the 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 | Not applicable |
| 5.6 Sydney to Canberra Corridor | Revoked 10 July 2008 |
| 5.7 Central Coast | Not applicable |

| Section 117 Direction | Consistency of Planning Proposal |
|---|---|
| 5.8 Second Sydney Airport: Badgerys Creek | Not applicable |
| 6. Local Plan Making | |
| 6.1 Approval and Referral Requirements | There are no provisions for concurrence from public authorities. |
| 6.2 Reserving Land for Public Purposes | The planning proposal removes Council's responsibility to acquire the 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?

Critical habitats, threatened species, population, ecological communities or their habitats will not be adversely affected as a result of the proposal. The proposed rezoning does not impact on native vegetation retention areas as shown in the Native Vegetation Protection Map under the Growth Centres SEPP.

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

The subject land is on bio-certified land. The riparian corridor is located to the west of the subject area. It is not affected by the proposed rezoning. Council's drainage engineers advised that from an engineering perspective, there are no objection to the land being zoned R2. See Council Engineer's memo in Appendix B. There are no other potential impacts on the environment foreseen.

10. Has the planning proposal adequately addressed any social and economic effects?

The proposal will benefit Council by reducing trunk drainage infrastructure acquisition and embellishment costs funded through S94 Developer Contributions. The changes will benefit

affected landowners by delivering a minor gain in developable area and benefitting others by deleting proposed roads. Adverse social or economic effects are not expected.

Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the planning proposal?

The planned open space and social infrastructure in the Riverstone Precinct can cope with the minor increase in yield. Adequate drainage infrastructure can be provided in the area.

The local road network is expected to cope with the expected additional traffic in the area.

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 directed by the Gateway Determination.

Part 4 – Mapping

The planning proposal is accompanied by the following relevant draft SEPP Maps:

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

These maps are found in Appendix D.

Part 5 - Community Consultation

The planning proposal is considered to be 'low impact' for the following reasons:

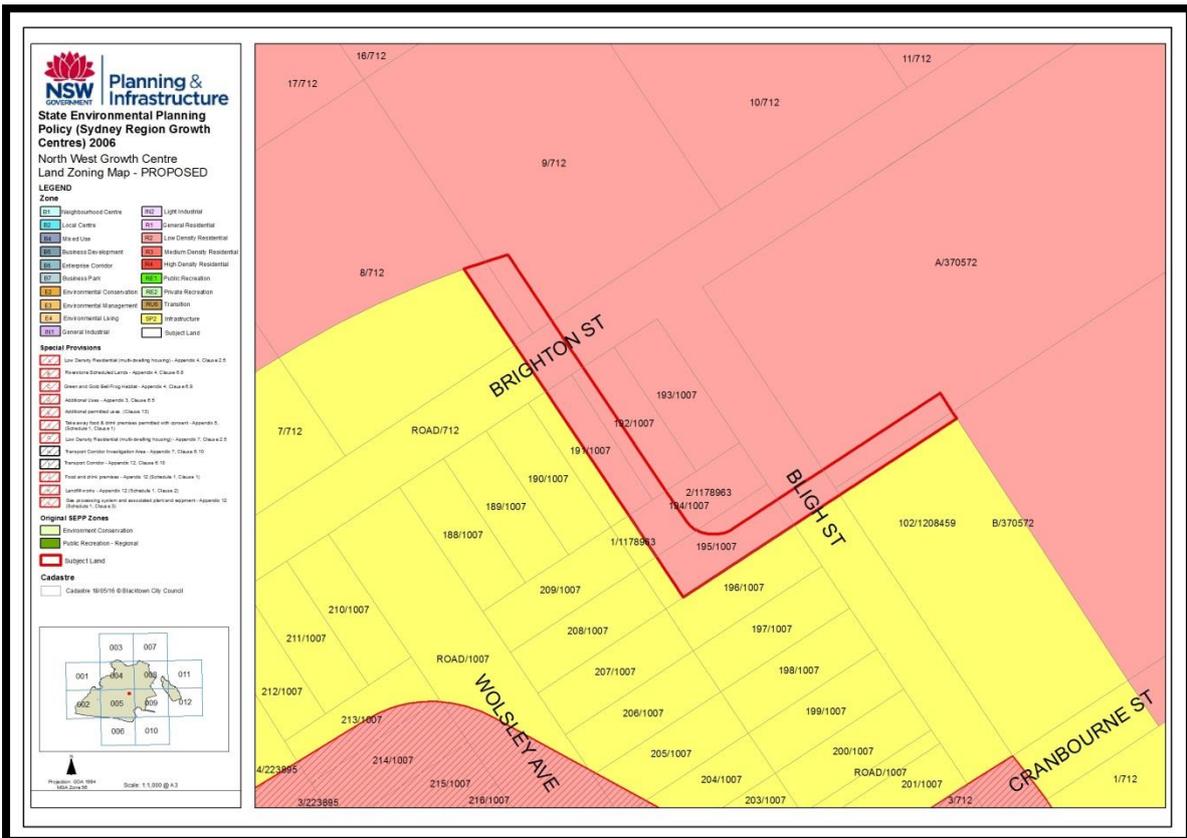
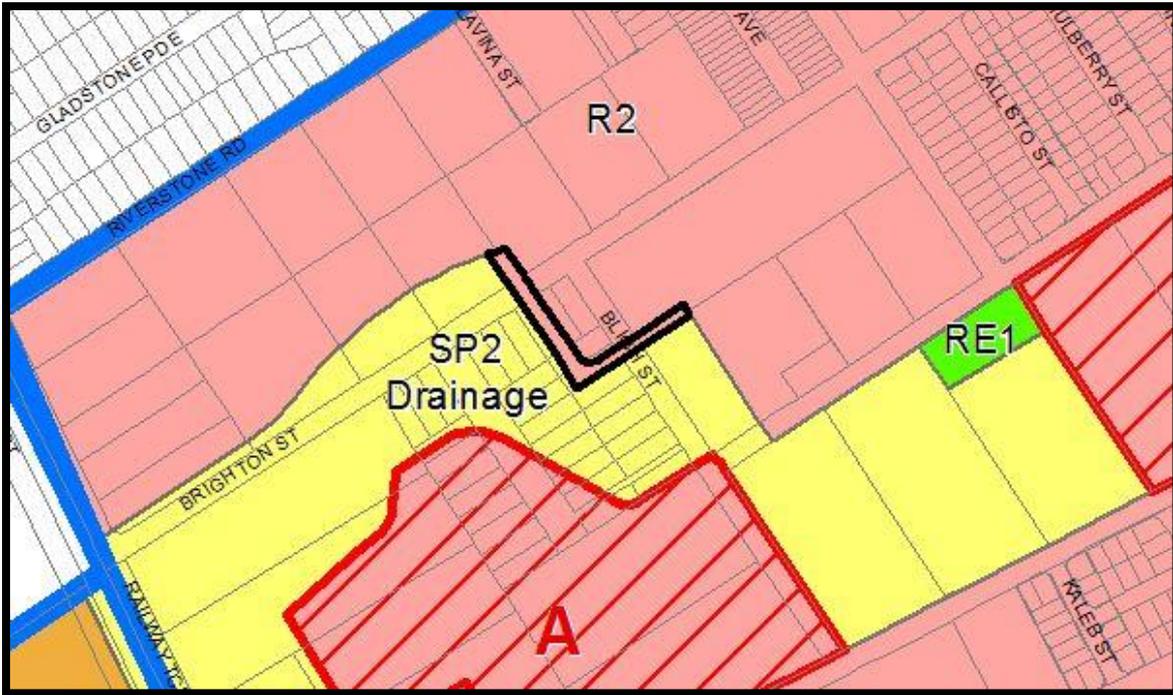
- It is consistent with the pattern of surrounding land use zones and/or land uses.
- It is consistent with the strategic planning framework.
- It presents no issues with regard to infrastructure servicing.
- It is not a principal LEP.
- It does not reclassify public land.

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 an independent peer review.

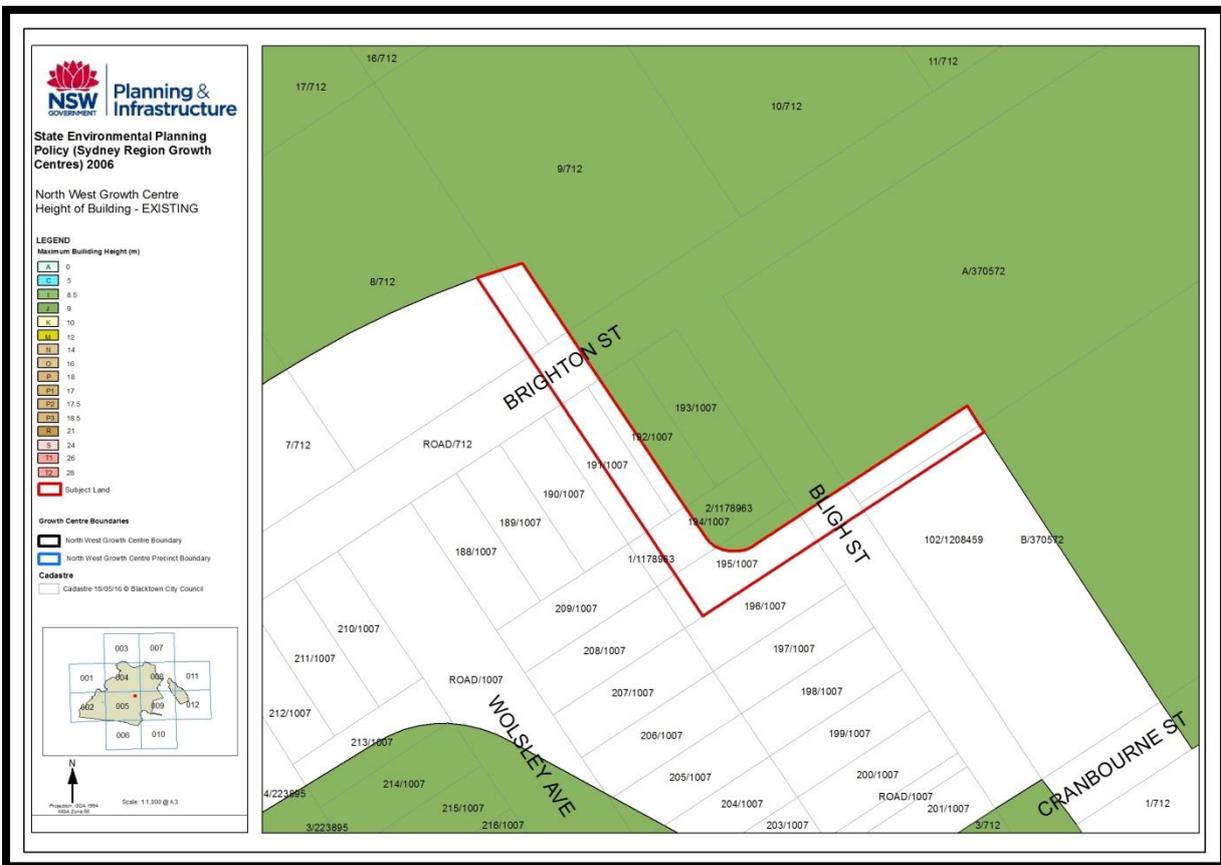
| Milestone | Timeframe |
|---|------------------|
| Commencement date | June 2016 |
| Anticipated time frame for the completion of required technical information | November 2016 |
| Timeframe for government agency consultation as per the Gateway Determination | January 2016 |
| Commencement of public exhibition | February 2017 |
| Completion of public exhibition | March 2017 |
| Time frame for consideration of a proposal post exhibition | April 2017 |
| Date of submission to the Department to finalise the SEPP Amendment | June 2017 |
| Anticipated date RPA will forward to the Department for notification | July 2017 |

Proposed zoning

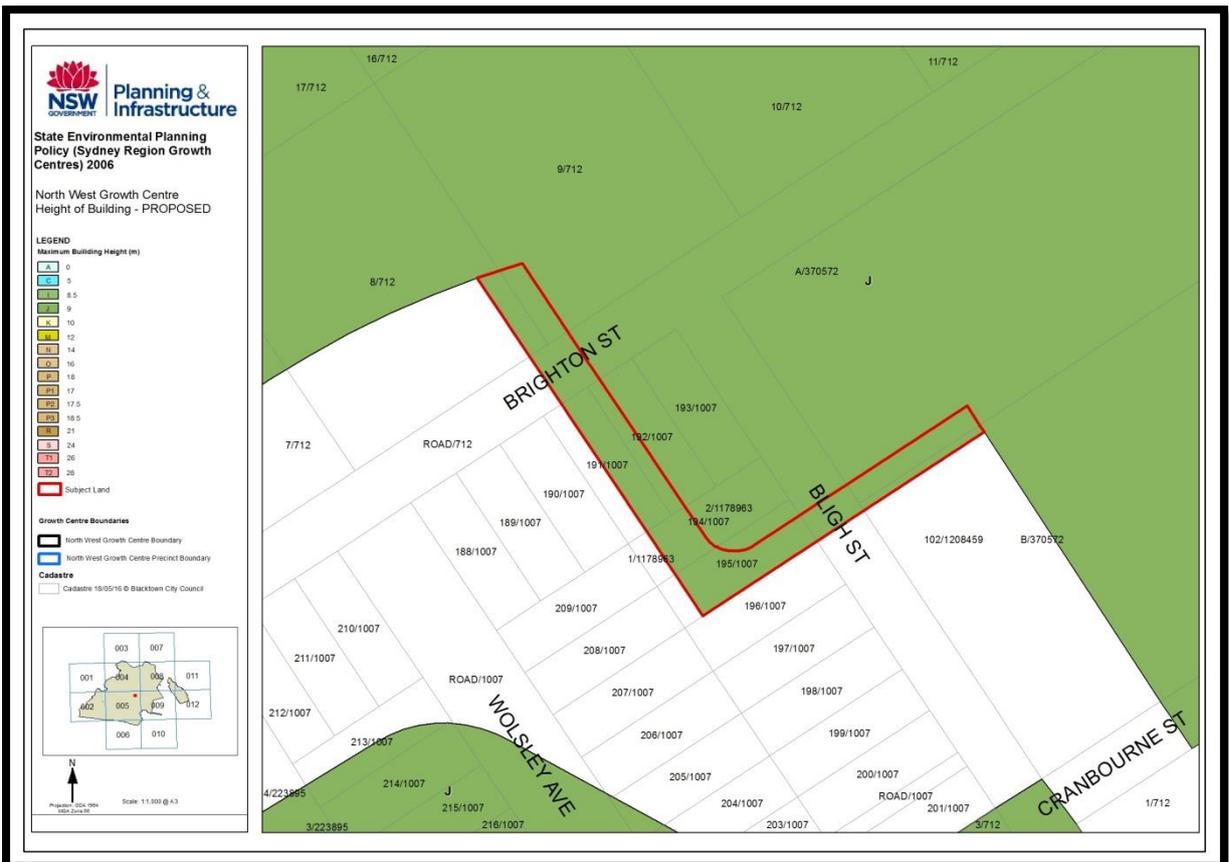
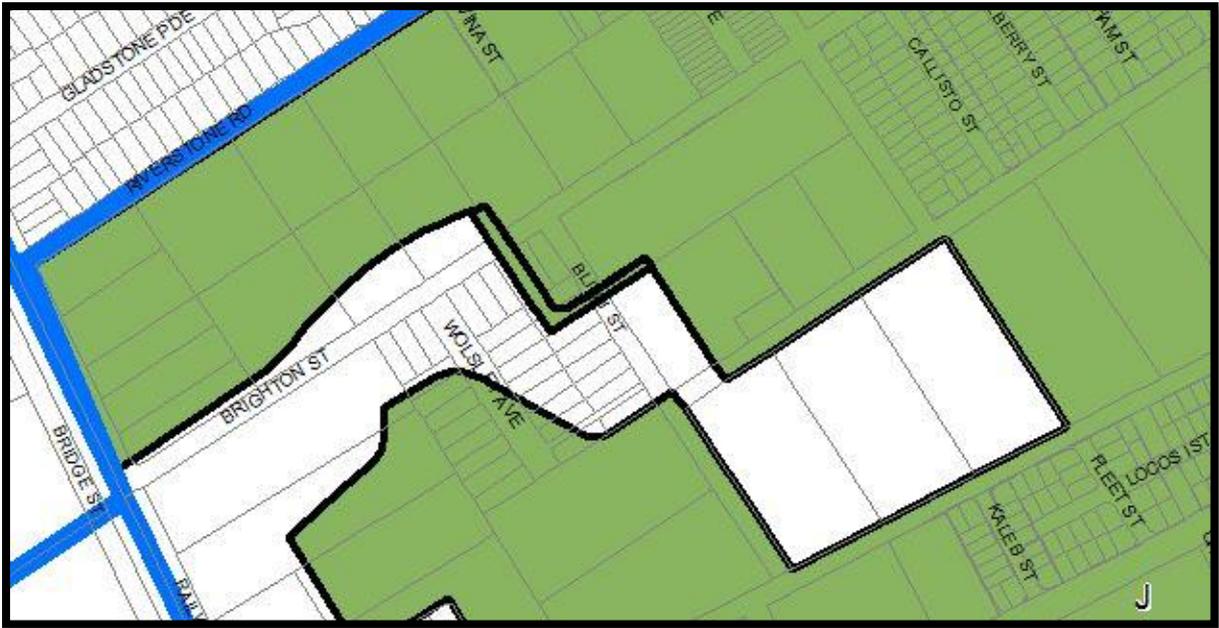


Proposed amendment to Height of Buildings Map

Existing Height of Buildings

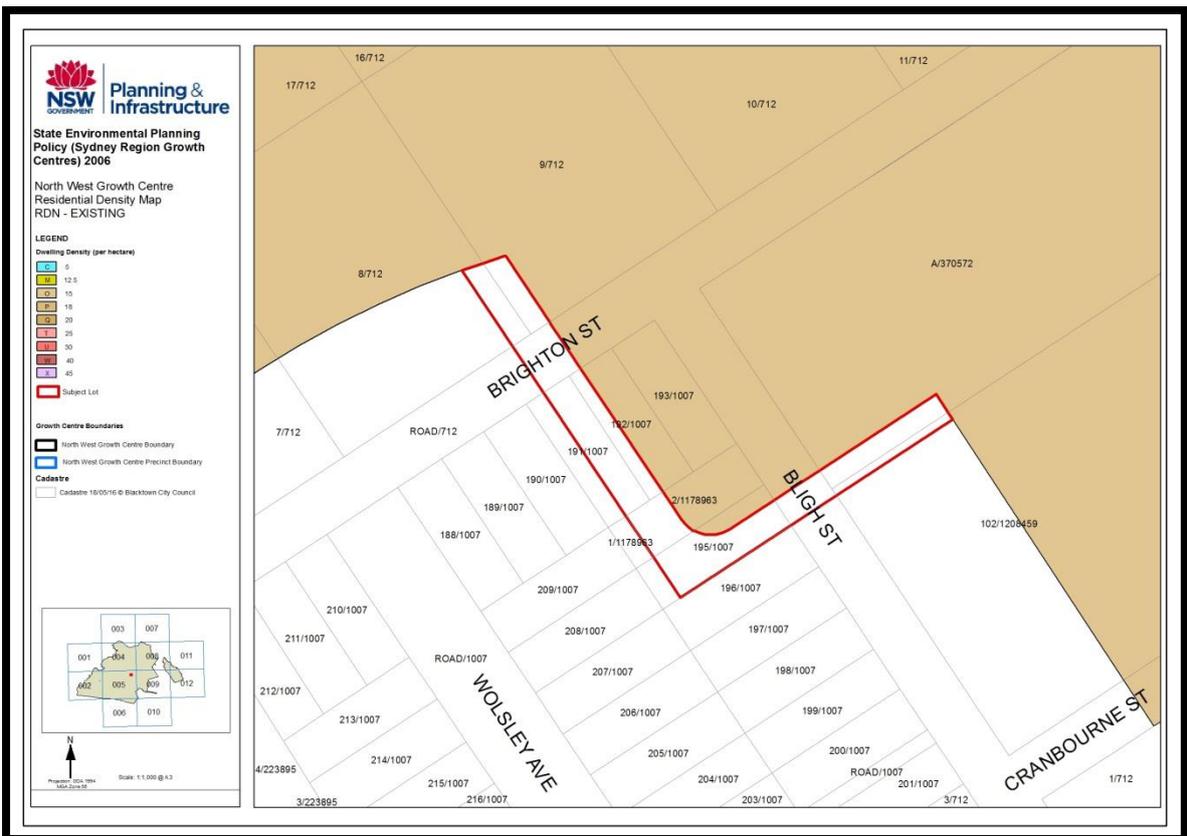
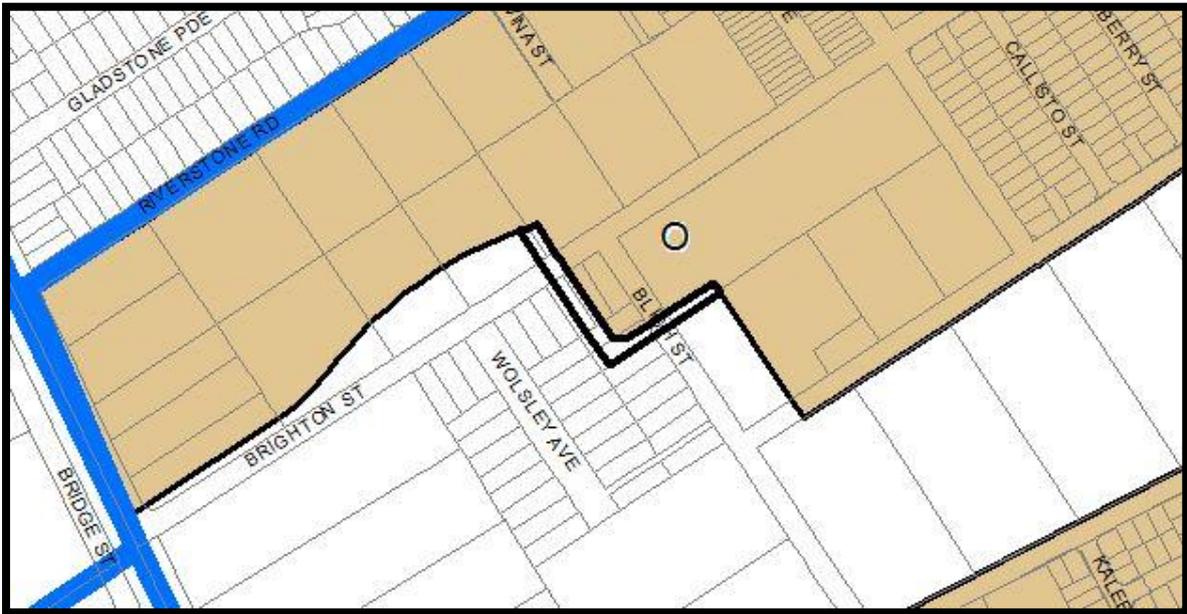


Proposed Height of Buildings

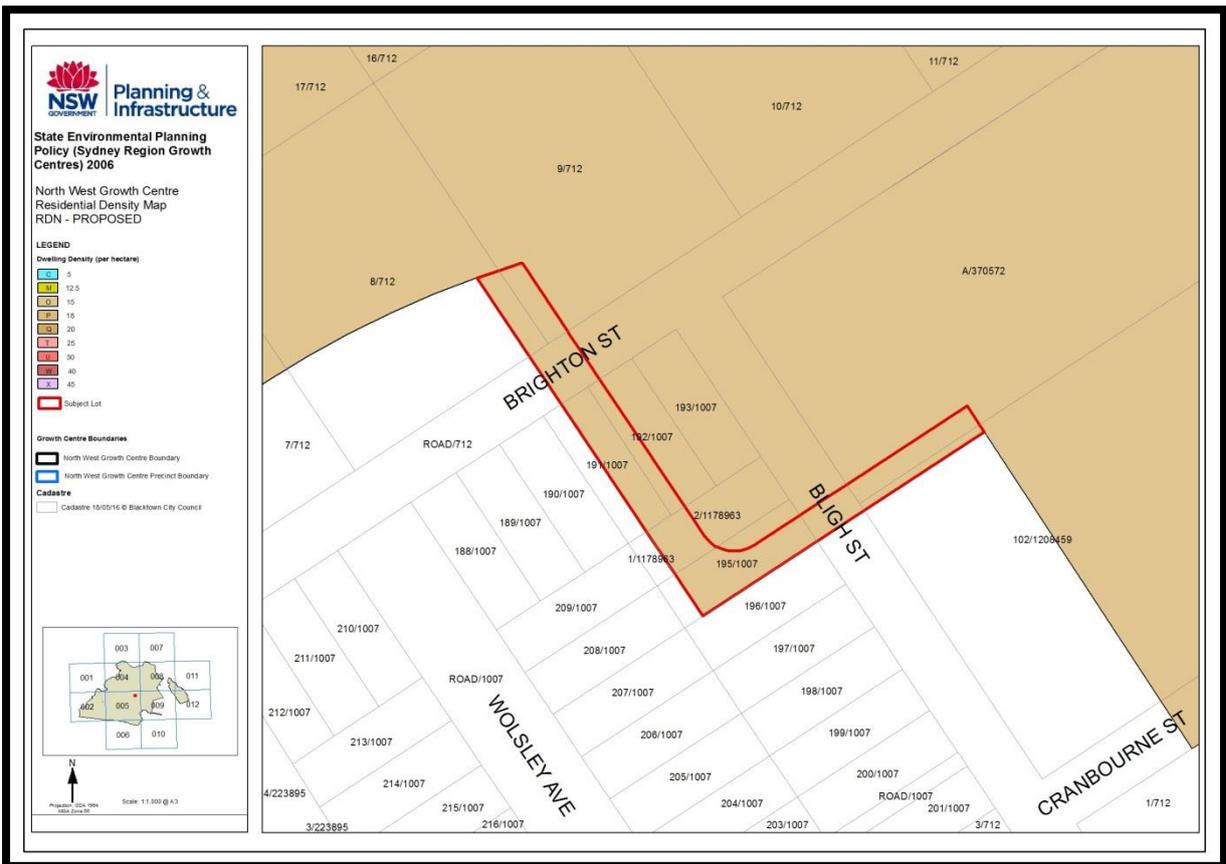
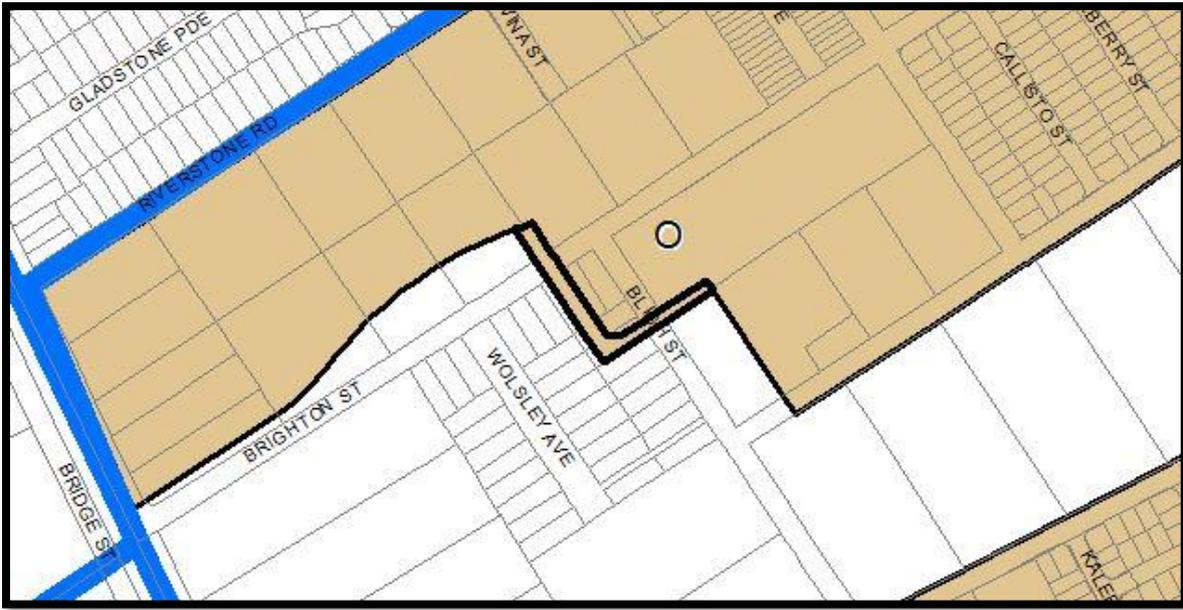


Proposed amendment to Residential Density Map

Existing Residential Density

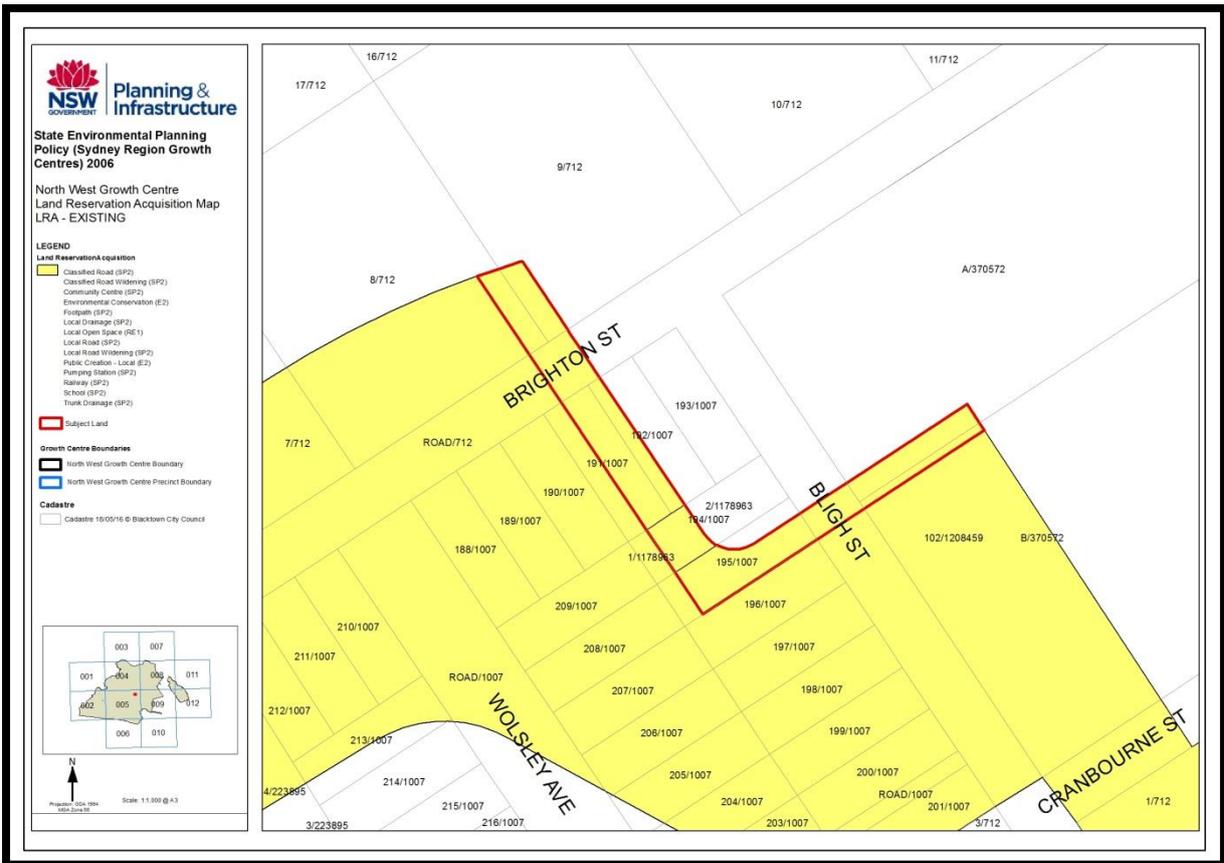
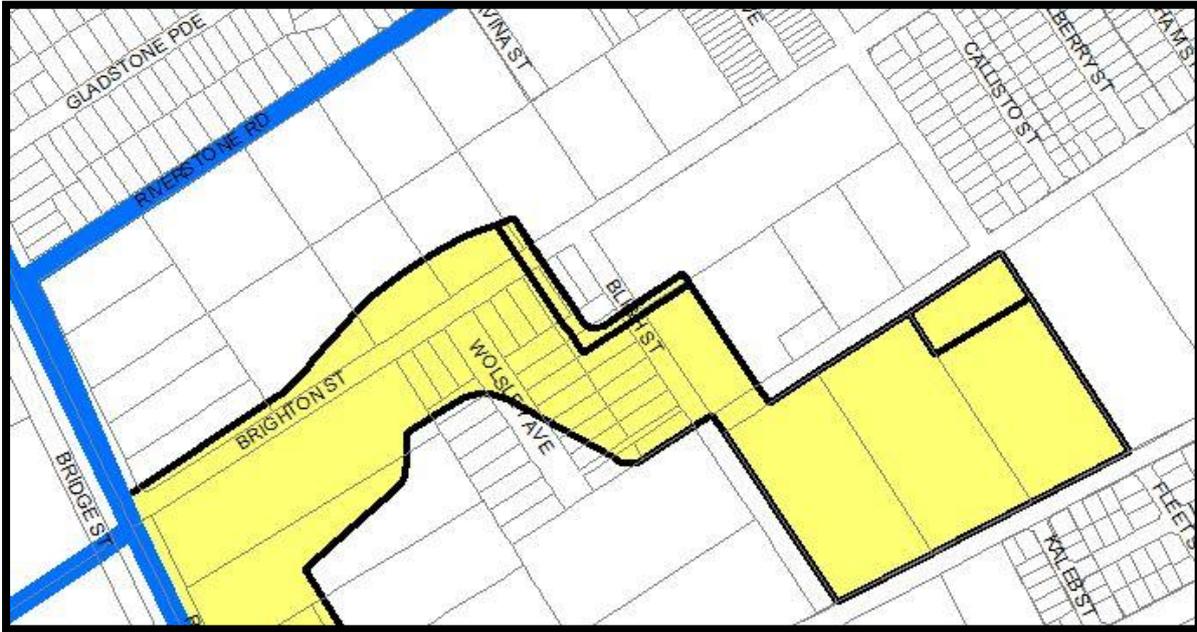


Proposed Residential Density



Proposed amendment to Land Reservation Acquisition Map

Existing Land Reservation Acquisition



Proposed Land Reservation Acquisition

