

29 September 2017

Catherine Van Laeren
Regional Director
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Madam,

**Planning Proposal - Altrove Estate Stage 7 - part of Lot 164 DP1218925,
Veron Road, Schofields**

I refer to the abovementioned Planning Proposal that seeks an amendment to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* as it relates to part of Lot 164 DP 1218925, Veron Road, Schofields, to rezone land from SP2 Infrastructure (Drainage) to R2 Low Density and R3 Medium Density Residential.

Following the Gateway Determination issued on 7 August 2017, the Planning Proposal was updated: to address in more detail the need for open space for the proposed additional residential dwellings; to justify the loss of open drainage corridor and linkages; and to address the Department's Land Use and Infrastructure Implementation Plan (LUIIP) and associated SEPP amendments for Schofields Town Centre Priority Precinct. Section 117 Direction 4.3 Flood Prone Land has also been addressed in more detail.

We are referring the updated Planning Proposal for your endorsement prior to community and agency consultation as required by the Gateway Determination. We request that this matter be considered and endorsed to enable the planning proposal to proceed.

If you would like to discuss this matter further, please contact Strategic Planner, Wint KhinZaw on 9839 6424.

Yours faithfully,



Meredith Shipway
A/Manager Strategic Planning

Encl. Planning proposal and attachments

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BLACKTOWN CITY COUNCIL

**PLANNING
PROPOSAL**

**Altrove Estate Stage 7 - Part of Lot 164 -
DP 1218925, Veron Road, Schofields**

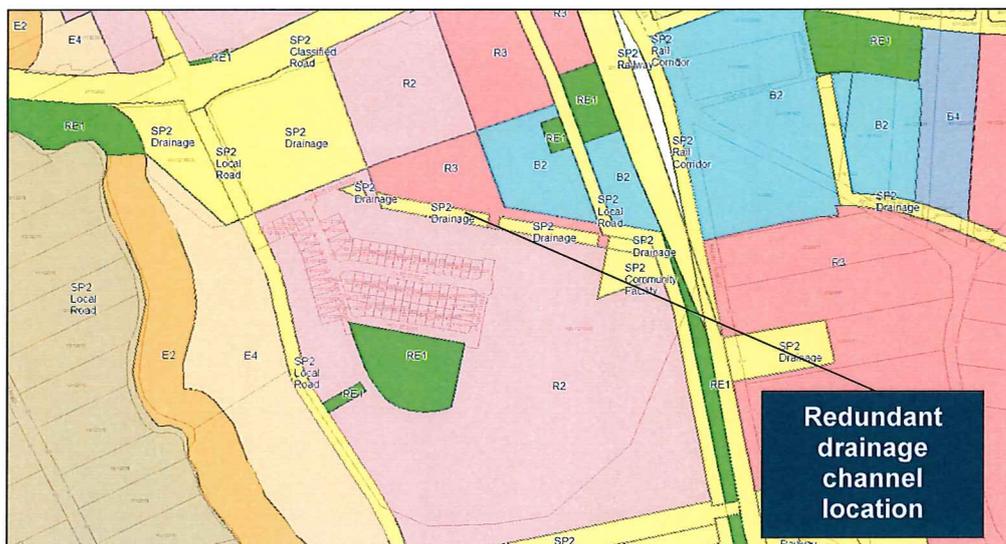
September 2017

INTRODUCTION

Blacktown City Council has received a request from GLN on behalf of Stockland to amend *Blacktown Local Environmental Plan 2015* (the Blacktown LEP) to facilitate an amendment to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP) to rezone land in the vicinity of Veron Road and Altrove Boulevard, Schofields.



The proposal specifically relates to a parcel of land owned by Stockland within Stage 7 of the Altrove Estate. The subject land is zoned SP2 Infrastructure (Drainage) under the Growth Centres SEPP.



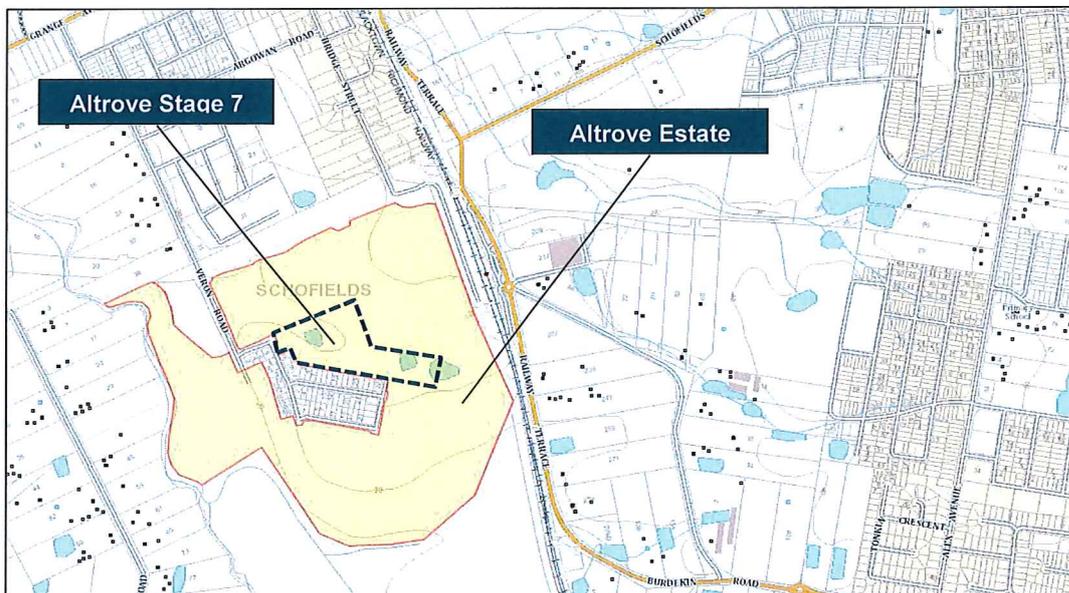
The proposal seeks to remove the portion of SP2 Infrastructure – Drainage land from the site and apply the adjoining land use zones (part R2 Low Density and part R3 Medium Density Residential) and to apply other relevant controls to the land. The request is supported by a stormwater management strategy that proposes an alternative piped drainage solution within the adjoining future road reserve.

PURPOSE

The purpose of this proposal is to facilitate the amendment of the Growth Centres SEPP to rezone the land, which may no longer be required for trunk drainage, from SP2 Infrastructure (Drainage) to part R2 Low Density Residential and part R3 Medium Density Residential and to make corresponding amendments to the Zoning, Height of Buildings, Residential Density, Floor Space Ratio and Land Reservation and Acquisition maps under the Growth Centres SEPP.

THE SITE

The subject site, known as Stage 7 of Stockland's Altrove Estate, is located at the fringe of the Schofields Town Centre. It is part of Lot 164 in DP 1218925 that has an area of 43.85 hectares. Lot 164 is a wider residue lot that will be subject to future subdivision. The site location is shown in the figure below.



The site is currently undergoing construction works to enable residential subdivision. The Richmond Rail line runs along the eastern boundary, and Schofields Station is within walking distance. To the east of the site beyond the rail line is the Alex Avenue Precinct which is the focus of new urban development.

Land to the south of the site is owned by Defence Housing Australia which is currently in the process of developing the site for urban purposes.

Land to the north of the site within the Schofields Precinct is gradually being redeveloped for residential purposes.

Eastern Creek runs along the western boundary of the site. Land beyond Eastern Creek is part of the West Schofields Precinct and is currently the subject of precinct planning.

COUNCIL CONSIDERATION

The request from GLN on behalf of Stockland to facilitate an amendment to the Growth Centres SEPP was reported to Council, at its Ordinary Meeting on 28 June 2017. At the meeting Council resolved to:

- “1. Prepare and forward a Planning Proposal to the Department of Planning and Environment requesting a Gateway Determination to rezone part of Lot 164, DP 1218925, Veron Road, Schofields from SP2 Infrastructure (Drainage) to part R2 Low Density Residential and part R3 Medium Density Residential, and make corresponding amendments to the floor space ratio, height of buildings, residential density, lot size and land reservation acquisition maps under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.*
- 2. Implement any conditions attached to a Gateway Determination issued by the Greater Sydney Commission.*
- 3. Advise the proponent that Recommendation 1 does not imply or guarantee that the Planning Proposal will ultimately be supported. Council’s final determination of the proposal will occur when Council resolves to adopt the Planning Proposal following exhibition and consideration of all relevant matters.*
- 4. The Planning Proposal not be finalised until Council is satisfied that satisfactory arrangements have been made to address the loss of future landscaped amenity and the increased demand for open space in the Altrove Estate.”*

Accordingly, this Planning Proposal has been prepared by Council Officers with the assistance of information provided by GLN, 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 Environmental Plans*.

Consequential amendments to relevant sections of the Blacktown City Council Growth Centre Precincts Development Control Plan (BCC-GC Precincts DCP) Schedule 5 are also required to be amended to reflect the proposed changes to zoning.

This Planning Proposal is accompanied by the following supporting documents:

- Site specific Stormwater Management Report by - Mott MacDonald
- Estate wide Stormwater Manage Plan and Water Quality Report by – ADW Johnson
- Aboriginal Heritage Impact Permit (AHIP) No. 1131830 issued by – NSW Office of Environment & Heritage

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 reflect the fact that an area of land in the Schofields Precinct is no longer required for stormwater drainage purposes.

The intended outcome of this Planning Proposal is to enable the affected land, which is no longer required for infrastructure purposes, to be developed in an orderly and economic manner that is consistent with adjoining lands.



Figure 1 Current Zoning under the Growth Centres SEPP  Subject Site

PART 2 - Explanation of Provisions

The effect of the Planning Proposal would be attained by amending the Blacktown LEP 2015 to facilitate an amendment to the Growth Centres SEPP in terms of zoning and other relevant provisions of the subject site required to achieve the objectives and intended outcomes of the Planning Proposal as outlined below:

1. Amend the Growth Centres SEPP – NWGC Land Zoning Map (Sheet 005) to remove the SP2 Infrastructure (Drainage) zone that applies to the site and replace it with an R2 Low Density Residential zone and R3 Medium Density Residential zone to be consistent with the adjoining land use zones. **Attachment**

2. Amend the Growth Centres SEPP – NWGC Floor Space Ratio Map (Sheet 005) to apply the floor space ratio that currently applies to the adjoining land to the north to ensure consistency. **Attachment 2**
3. Amend the Growth Centres SEPP – NWGC Dwelling Density Map (Sheet 005) to apply the 25 dwellings per hectare density to the land that will be rezoned R2 Low Density Residential and 40 dwellings per hectare to the land that will be rezoned R3 Medium Density Residential. **Attachment 3**
4. Amend the Growth Centres SEPP – NWGC Height of Buildings Map (Sheet 005) to apply the 9m height limit to the land that will be rezoned R2 Low Density Residential and apply the 16m height limit to the land that will be rezoned R3 Medium Density Residential to be consistent with the height limits that apply to adjoining land. **Attachment 4**
5. Amend the Growth Centres SEPP – NWGC Land Reservation Acquisition Map (Sheet 005) to remove the land zoned SP2 Infrastructure given the drainage function of this land is redundant. **Attachment 5**

Note: An amendment to the NWGC Lot Size Map (Sheet 005) is not required as there is no lot size provisions that apply to the subject land.

Each of the changes to these maps is explained in more detail as follows

Amendment to Land Zoning Map Sheet 005

The Land Zoning Map zones three sections of land in Altrove Stage 7 as SP2 Infrastructure – Drainage. These sections of SP2 zoned land have a combined area of 6,952m². These sections of SP2 zoned land are proposed to be deleted and replaced with 582m² R2 Low Density Residential (western wedge) and 6,370m² of R3 Medium Density Residential zoned land.

The current and proposed zones are shown side by side in **Figure 2** below.

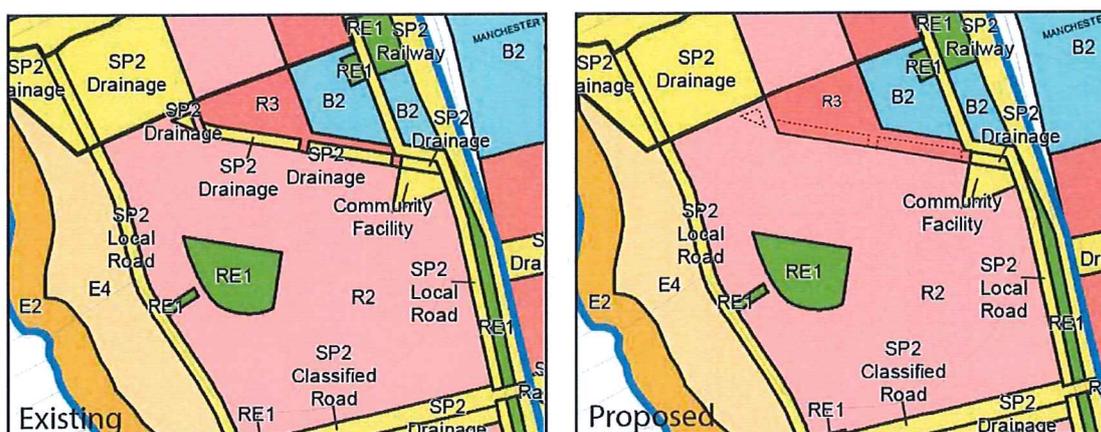


Figure 2 Changes to Land Use Zoning Map

* Note Black dashed lines on the 'Proposed' map indicate location of SP2 zoned land being deleted.

Amendment to the Floor Space Ratio Map Sheet 005

Due to the existing SP2 zoning that applies to the land, no floor space ratio currently applies to the land. For the sake of consistency, it is proposed to extend the existing floor space ratio that applies to R3 Medium Density Residential land to the north to the sections of the SP2 zoned land that are proposed to be rezoned R3 Medium Density Residential as shown in **Figure 3** below.

For the section of SP2 zoned land that is proposed to be zoned R2 Low Density Residential, no floor space ratio is proposed to apply. This is consistent with land to the south that is zoned R2 Low Density Residential.

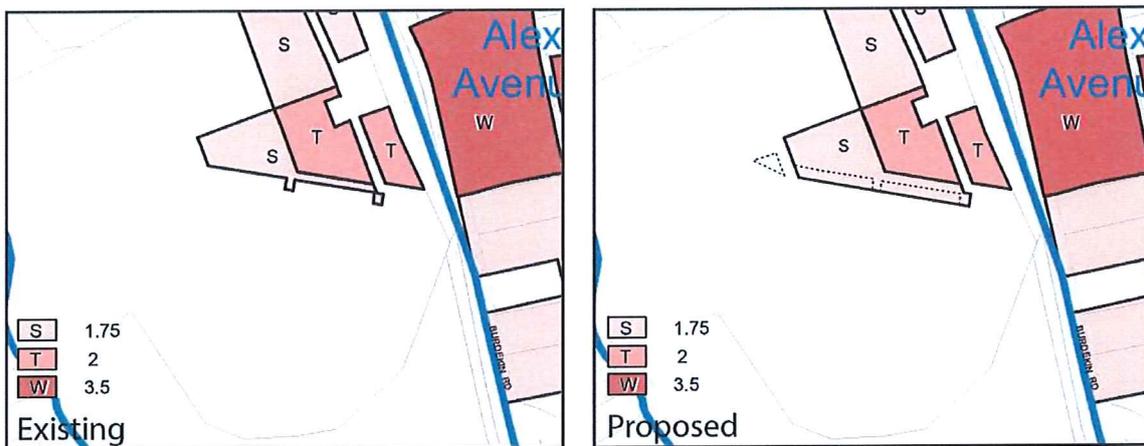


Figure 3 Changes to Floor Space Ratio Map

*Note Black dashed lines on the 'Proposed' map indicate location of SP2 zoned land being deleted.

Amendment to the Residential Density Map Sheet 005

Due to the existing SP2 zoning that applies to the land, no minimum residential density currently applies to the land. For the sake of consistency, it is proposed to apply a minimum dwelling density of 40 dwellings per hectare to the SP2 zoned land that will be rezoned R3 Medium Density Residential. This is consistent with the R3 zoned land to the north of the drainage channel.

For the section of SP2 zoned land proposed to be rezoned R2 Low Density Residential, it is proposed to apply a minimum dwelling density of 25 dwellings per hectare. This is consistent with the R2 zoned land to the south-west of the drainage channel. These changes are shown in **Figure 4** below.

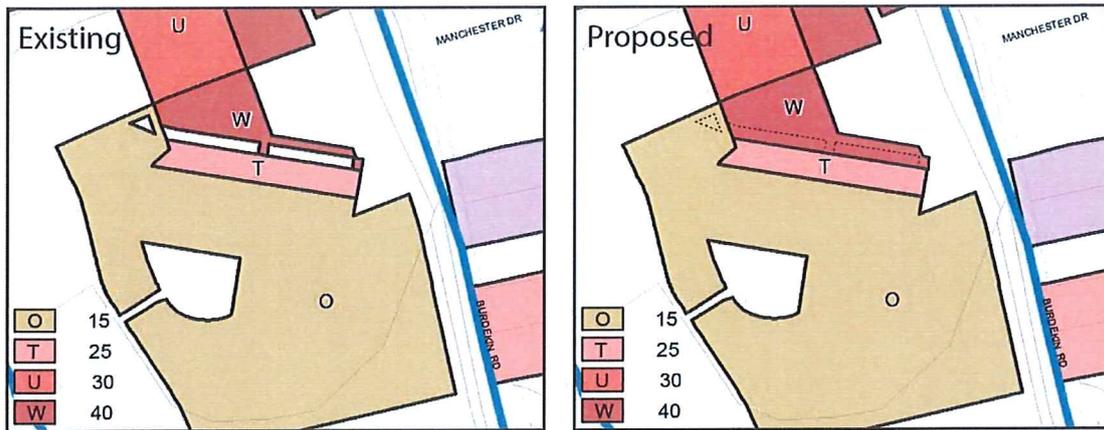


Figure 4 Changes to Residential Density Map

*Note Black dashed lines on the 'Proposed' map indicate location of SP2 zoned land being deleted.

Amendment to the Height of Buildings Map Sheet 005

Due to the existing SP2 zoning that applies to the land, no maximum building heights apply to the land. To ensure an appropriate development outcome, it is proposed to apply a maximum building height of 16m to the SP2 zoned land that will be rezoned R3 Medium Density Residential. This is consistent with the R3 zoned land to the north of the drainage channel.

For the section of SP2 zoned land proposed to be rezoned R2 Low Density Residential, it is proposed to apply a maximum building height of 9m. This is consistent with the R2 zoned land to the south-west of the drainage channel. These changes are shown in **Figure 5** below.

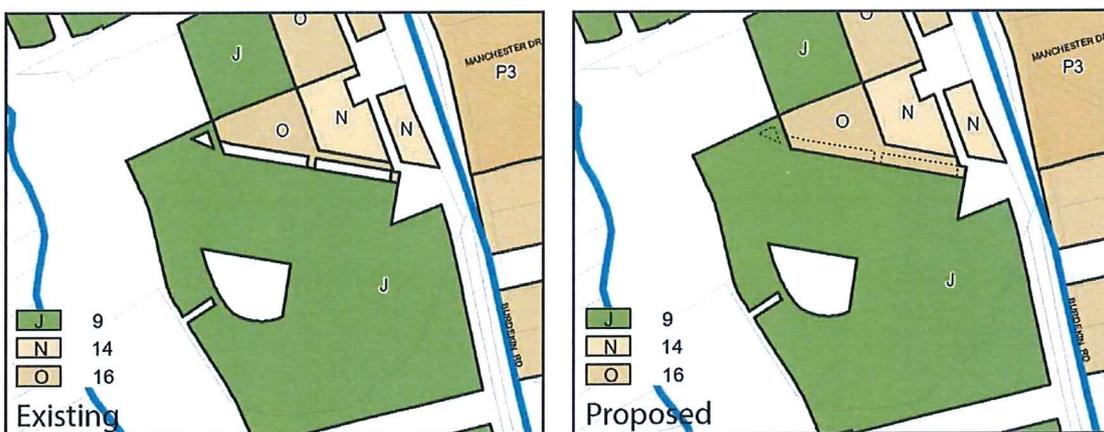


Figure 5 Changes to Height of Buildings Map

*Note Black dashed lines on the 'Proposed' map indicate location of SP2 zoned land being deleted.

Amendment to the Land Reservation Acquisition Map Sheet 005

As the SP2 zoned land was identified for a future public infrastructure item to be provided by Blacktown City Council, Council was nominated as the acquisition authority for this land on the SEPP's Land Reservation Acquisition Map.

Given the drainage channel is now redundant, it is proposed to remove this affectation from the land as shown in **Figure 6** below.

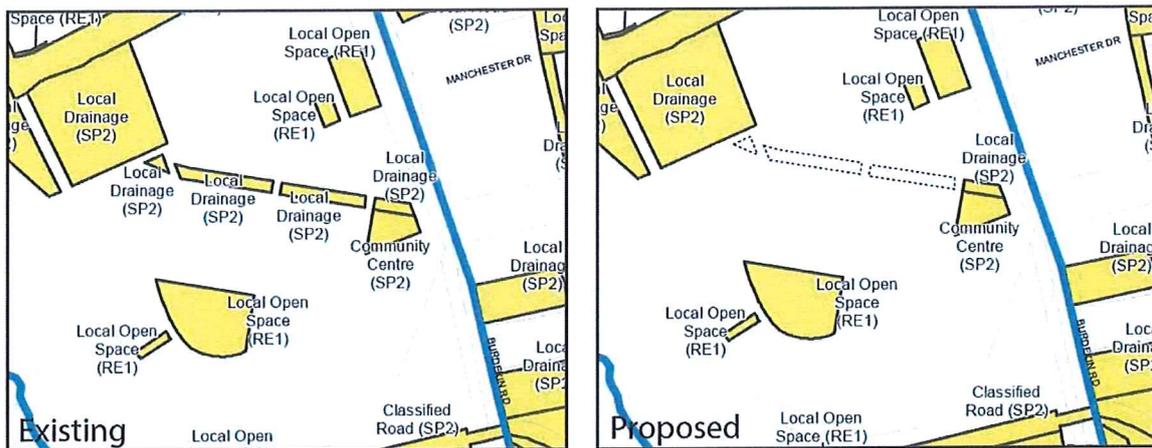


Figure 6 Changes to Land Reservation and Acquisition Map

*Note Black dashed lines on the 'Proposed' map indicate location of SP2 zoned land being deleted.

These changes will not affect the ability of these controls to maintain the development character in the vicinity. This will facilitate the purpose of a residential development which would accommodate approximately 65 additional dwellings.

PART 3 - Justification

Section A – Need for the Planning Proposal

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

Strategic planning work was undertaken during the preparation of the Schofields Precinct Plan including the Indicative Layout Plan (ILP) and the SEPP Land Zoning Map.

The need for this Planning Proposal has arisen as a result of detailed design of infrastructure networks that has occurred in the vicinity of the subject site since the land was first zoned for urban purposes. It has been identified that land zoned for future trunk drainage infrastructure may no longer be required for that purpose as the alternative piped drainage solution as part of a road drainage system within the adjoining future road network, will be able to accommodate the necessary stormwater flows and flood conveyance functions. Hence the SP2 drainage zone that applies to the subject land will become redundant and the land could be suitable for residential development purposes.

The proposal is supported by Site specific Stormwater Management Report by Mott MacDonald and Estate wide Stormwater Manage Plan and Water Quality Report by ADW Johnson (Refer **Appendices A and B**).

To enable to orderly development of this land, it is necessary to amend the Growth Centres SEPP, through a planning proposal, to put appropriate zones and controls in place.

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

Yes. This Planning Proposal is the best means of achieving the objectives and intended outcomes of the proposal, which is to permit residential development on the subject site.

Clause 5.3 (Development near zone boundaries) of the Schofields Precinct Plan in the Growth Centres SEPP could be used to approve residential subdivision and development on the SP2 Infrastructure zoned land. However the resulting residential development parcels would be left with both an incorrect zoning and a requirement for the land to be acquired by Council for drainage purposes. This would likely confuse potential purchasers of the future development.

This Planning Proposal seeks to rectify this situation by removing the SP2 Infrastructure zoning and land acquisition affectation and replacing it with the adjoining residential zones.

In the circumstances, the Planning Proposal is the best means of achieving the objectives and intended outcomes. Amending the Growth Centres SEPP via Blacktown LEP in accordance with Section 74 of the *Environmental Planning and Assessment Act 1979*, through a Planning Proposal, is considered to be the best mechanism to make zoning and related amendments on the subject site.

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 current Sydney metropolitan strategy *A Plan for Growing Sydney* identifies that Sydney will need around 664,000 additional homes over the next 20 years. The North West Priority Growth Area is identified within the Plan as a release growth area and includes objectives and actions to guide the development of this area which will assist with housing supply and housing choice.

The Plan identifies that greenfield development in new land releases is an important component of Sydney's overall housing supply comprising almost a quarter of Sydney's housing growth in recent years.

This proposal supports this policy by creating additional housing in an appropriate location. Development within Altrove Estate which will be assisted by clarity in the planning controls will help to achieve the aims of the Plan and assist in providing housing stock and choice that suits different needs, budgets and lifestyle choices.

West Central Subregion

Schofields is identified within the Plan as being located within the West Central Subregion of Sydney. While planning for the subregions is yet to be completed, the

Plan provides guidance and overarching aims that will be further outlined as part of the detailed subregional plans.

The Planning Proposal is consistent with the objectives outlined for the West Central Subregion in that it will support the priority to 'accelerate housing supply, choice and affordability and build great places to live'.

Draft District Plan

The Draft West Central District Plan is the district strategy that applies to the Blacktown LGA. It was released in November 2016. Priorities for 'A Liveable City' are to deliver West Central District's five-year housing supply target and to deliver housing diversity.

The Planning Proposal is consistent with those priorities as it increases the capacity of residential development in the Blacktown Precincts of the North West Priority Growth Area by increasing the area of Medium Density Residential zones which also promotes greater housing diversity through an increased supply of medium density dwellings.

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

The *Blacktown Planning Strategy 2036* is Council's key strategic land use planning document that will 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. A key direction under the strategy is to accommodate population and employment growth within the new release areas in the North West Priority Growth Area.

The strategic directions outlined in the plan include:

1. A vibrant and inclusive community
2. A clean and sustainable environment
3. A smart and prosperous economy
4. A growing city supported by accessible infrastructure
5. A sporting and active city
6. A leading city

The Planning Proposal is consistent with this local strategy by providing clarity to the planning controls so as to enable the provision of housing within a key growth area, along with ensuring infrastructure is provided to support the growth in population to balance demand for urban development with the need for infrastructure.

The site will be able to accommodate stormwater and ensure that pollutants are captured and not introduced into the environment achieving direction 2.

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 in **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 Site is State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

A list of SEPPs relevant to this Planning Proposal, together with notes on consistency, is shown in the table below.

SEPP	Aim	Comments
Growth Centres SEPP	<p>Relevant aims of the Schofields Growth Centres Precinct Plan under clause 1.2 include:</p> <p>(a) to rezone land to allow for development to occur in the manner envisaged by the growth centre structure plan and the indicative layout for the Schofields Precinct,</p> <p>(b) to deliver housing choice and affordability by accommodating a wide range of residential dwelling types that cater for housing diversity,</p> <p>(c) to guide the bulk and scale of future development within the Precinct,</p>	<p>The Planning Proposal is consistent with the aims of the Growth Centres SEPP.</p> <p>The Planning Proposal seeks approval for a minor rezoning to delete redundant stormwater management infrastructure and put the adjoining land use zones and controls in place.</p> <p>These amendments will reduce the overall infrastructure burden on Council, allow the more orderly development of land and facilitate the aims of the Growth Centres, particular in relation to aims (a), (b) and (c).</p>
*Draft SEPP Amendment (Land Use & Infrastructure Implementation Plan - LU IIP)	*The Planning Proposal is affected by the draft SEPP which introduces density ranges and minimum lot sizes.	<p>The land will be subject to a density range of 35 -55 dwellings/ha in R3 zone portion and 15-25 dwellings/ha in R2 zone portion. It will also be subject to a minimum lot size of 300m².</p> <p>At this stage SEPP Map amendments by this Proposal will not incorporate these proposed provisions by the draft SEPP. However, consistency of the proposal with LU IIP key directions and consistency with the relevant changes in the Growth Centres SEPP are addressed in a separate table.</p>

SEPP	Aim	Comments
SEPP 55 – Remediation of Land	<p>Relevant considerations of SEPP 55 relating to Planning Proposals under clause 6 include:</p> <p>(a) the planning authority has considered whether the land is contaminated, and</p> <p>(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</p> <p>(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.</p>	<p>By rezoning the site for urban development in May 2012, both DPE and the Minister for Planning were satisfied that the site would be suitable for residential development. This Planning Proposal remains consistent with this position.</p> <p>Detailed site investigations have confirmed the site is suitable for residential development subject to the removal of fly tipping material to the north of the dams. This material, as well as other remediation as required, will be carried out by Stockland as the on-going development of their estate continues.</p>

Consistency with Land Use and Infrastructure Implementation Plan and associated SEPP amendments North West Priority Growth Centres

The Planning Proposal is consistent with the 8 key actions identified in the North West Priority Growth Area Implementation Plan (NWPGA Implementation Plan) as outlined in the table below:

Action	Comment
1. Provide more land supply for new homes	The Planning Proposal will facilitate the immediate delivery of 31 dwellings already approved by DA-16-3948 and DA-16-4636.
2. Protect and plan for major transport corridors	The SP2 land to be rezoned is outside any of the identified major transport corridors.
3. Manage residential densities to align with infrastructure	The densities in the Planning Proposal match the densities of adjoining land. They are also consistent with the densities proposed in the Department's Explanation of Intended Effect that accompanied the NWPGA Implementation Plan.
4. Protect assets and plan for evacuation	The site is affected by the Probable Maximum Flood. The density in the Planning Proposal for the R2 area (15 dwellings per hectare) is consistent with the density proposed for the site in the Department's Explanation of Intended Effect that

		accompanied the NWPGA Implementation Plan. The density in the Planning Proposal for the R3 area (40 dwellings per hectare) is below the maximum density proposed for the site in the Department's Explanation of Intended Effect that accompanied the NWPGA Implementation Plan.
5.	Transfer more planning controls back to local councils	The Planning Proposal is a result of Stockland working with Council to identify redundant local infrastructure and reflects the development outcomes Council considered appropriate for the site under DA-16-3946, DA-16-3948, DA-16-4636 and DA-16-5380. The Planning Proposal does not compromise the potential transfer of controls to <i>Blacktown Local Environmental Plan 2015</i> in the future.
6.	Simplify planning controls within Blacktown Precincts in the North West Priority Growth Area	The Planning Proposal adopts the same planning controls that already apply to adjoining land. The Planning Proposal will not complicate the proposed consolidation of Appendices in <i>Growth Centres SEPP</i> into the specific Blacktown Precinct Plan as proposed in the Explanation of Intended Effects that accompanied the NWPGA Implementation Plan.
7.	Review infrastructure requirements and accelerate funding for capital works	The Planning Proposal does not generate significant demand for additional infrastructure and does not compromise the Department's ability to collect Special Infrastructure Contribution revenue and prioritising expenditure on capital works.
8.	Improve pedestrian, cycle and green connectivity	No potential green links were identified over the redundant drainage reserve. DA-16-3946 and DA-16-4636 that have been approved over the site have already put in place footpaths and shared cycle ways within the road network.

As part of the NWPGA Implementation Plan, the Department placed an Explanation of Intended Effect on exhibition to document proposed amendments to the Growth Centres SEPP. The Planning Proposal for the removal of the redundant drainage channel in Stockland's Altrove estate is consistent with the relevant changes in the Growth Centres SEPP as outlined in the table below:

Clause	Proposed change	Planning Proposal consistency
Preliminary	Replacing the existing Structure Plan with the NWPGA Implementation Plan	The Planning Proposal reflects an agreed outcome between Stockland and Blacktown City Council regarding the drainage channel being in excess of the infrastructure required to service the catchment. This agreement was adopted, and development approvals put in place well before the NWPGA Implementation Plan was placed on exhibition. As discussed above, the Planning Proposal remains consistent with the

		NWPGA Implementation Plan.
Requirements for rezoning	Development Control Plan and master plan to be adopted. Infrastructure can be delivered in appropriate timeframes.	<p>The Planning Proposal remains consistent with the <i>Blacktown City Council Priority Precincts Development Control Plan (DCP)</i> and master plan that applies to the site. During the assessment process, the deviations to the DCP were considered minor and adequately addressed in DA-16-3946 and DA-16-4636.</p> <p>The site falls within Stockland's Altrove estate that is in active delivery. Stockland, as part of the DA process for Stage 7, has obtained confirmation of availability of services, and necessary infrastructure to be delivered, to service the site.</p>
Amendments to residential density controls	Maximum densities to be applied to R2 and R3 zoned land.	<p>The density in the Planning Proposal for the R2 area (15 dwellings per hectare) matches the density that applies to adjoining land. It is also consistent with the density proposed for the site in the Department's Explanation of Intended Effect that accompanied the NWPGA Implementation Plan.</p> <p>The density in the Planning Proposal for the R3 area (40 dwellings per hectare) is below the maximum density proposed for the site in the Department's Explanation of Intended Effect that accompanied the NWPGA Implementation Plan.</p>
Amendments to minimum lot size	A minimum lot size for subdivision of 300m ² is to be applied to R2 and R3 zoned land. The ability to reduce this lot size through existing clauses 4.1AA, 4.1AD, 4.1AE and 4.1AF are still proposed to apply.	The Planning Proposal does not propose to include a minimum lot size for subdivision and does not impede the ability for the Department to apply one.
Blacktown Local Government Area	Consolidation of the 6 appendices that apply to Precincts in the Blacktown Local Government Area in to a single appendix	The Planning Proposal adopts the same planning controls that already apply to adjoining land. The Planning Proposal will not complicate the proposed consolidation of Appendices in the Growth Centres SEPP into the specific Blacktown Precinct Plan as proposed in the Explanation of Intended Effects that accompanied the NWPGA Implementation Plan.

There are no other SEPPs considered to be relevant to the proposed minor amendments sought under this Planning Proposal.

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:

Consistency with Section 117 Ministerial Directions

Direction		Consistency of Planning Proposal
1	Employment and Resources	
1.1	Rural Zones	Not applicable
1.2	Mining, Petroleum Production and Extractive Industries	Not applicable
1.3	Oyster Aquaculture	Not applicable
1.4	Rural lands	Not applicable – the site does not contain rural lands.
2	Environment and Heritage	
2.1	Environment Protection Zones	Not applicable – the subject site is clear of any vegetation and is not within an Environment Protection Zone.
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Not applicable – An Aboriginal Heritage Impact Permit (AHIP) has been issued over the subject site in connection with the rezoning of the site. An item of Aboriginal Archaeological significance was identified in the eastern extent of the land zoned SP2 Infrastructure as shown in the Figure 7. The AHIP permits harm to this item subject to works being carried out in an appropriate manner.
2.4	Recreation Vehicle Areas	Not applicable
3	Housing, Infrastructure and Urban Development	
3.1	Residential Zones	The proposal seeks minor amendments with the primary outcome being to ensure that land currently zoned for a redundant infrastructure purpose is able to be used in an economic manner. This Planning Proposal is considered to be consistent with this policy.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not relevant to the assessment of this Planning Proposal
3.4	Integrating Land Use and Transport	Not applicable
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4	Hazard and Risk	

4.1	Acid Sulphate Soils	This Planning Proposal seeks minor amendments primarily to the land use zoning. Future built form will be designed having regard to the extent, if any, of acid sulphate within the soils.
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	<p>The Development Control Map level in the Growth Centres SEPP serves to identify the extent of the post development 1 in 100 year flood level. This map applies to the area of SP2 zoned land proposed to be rezoned to R2 and R3. This area of land was identified as being affected by flooding as it follows an existing depression that conveyed overland flows between two farm dams. Council has since approved the filling of this depression in DA-16-3946.</p> <p>This DA also approved the construction of Road No. 7A that has been specifically designed to convey stormwater flows in both the minor and major flood events with all flood impacts contained within the road reserve with no impact on upstream or downstream land. This was demonstrated in the Stormwater Management Report prepared by Mott MacDonald and accompanying DRAINS model as follows:</p> <p><i>“The proposed drainage pipe system has been designed to cater for the 1 in 10 year Annual Recurrence Interval (ARI) event leading to the outlet via the stormwater drainage lines. Provision has been made for overland flows regarding events greater than 1 in 10 year ARI events.</i></p> <p><i>Results indicate that the major/minor system requirements are satisfied at all proposed pits in the development area and that the piped system sufficiently conveys minor storm flows with safe provisions for the major storm flows”.</i></p> <p>In assessing DA-16-3946 and the Stormwater Management Report, Council was satisfied the proposed road drainage system in Road No. 7A, provided in lieu of the drainage channel, appropriately managed flood risk in this area. The Planning Proposal is therefore seeking to reflect the development decisions made over this land.</p> <p>Given that Council has been satisfied that stormwater volumes and flows can adequately be accommodated within the approved road network in DA-16-3946 and that Council is satisfied that the resultant residential development over the SP2 zoned land approved in DA-16-3948 and DA-16-5380 will not be impacted upon by the 1 in 100 year flood event, the inconsistency with this Section 117 Direction is considered to be of minor significance.</p>

4.4	Planning for Bushfire Protection	Not applicable – the site is not bushfire prone.
5	Regional Planning	
5.1	Implementation of Regional Strategies	The Planning Proposal is consistent with the current aims outlined for the Central West Sub region under the Plan for Growing Sydney. Refer section 3.3.2 of this Planning Proposal.
5.2	Sydney Drinking Water Catchments	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)	Not applicable
5.6	Sydney to Canberra Corridor	Not applicable
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	Not applicable
6.2	Reserving Land for Public Purposes	<p>A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and DPE.</p> <p>This Planning Proposal includes the removal of an area of land nominated for acquisition under the Growth Centres SEPP map. The relevant public authority is the Council. Council agrees to its removal because the land is no longer required for the public purpose for which it was reserved for acquisition.</p>
6.3	Site Specific Provisions	Not applicable
7	Metropolitan Planning	
7.1	Implementation of the Metropolitan Strategy	The Planning Proposal is consistent with <i>A Plan for Growing Sydney</i> and will facilitate housing growth within an identified growth area. Refer to Section B Question 3 of this Planning Proposal.

Accordingly, the proposed zoning amendment is consistent with the relevant Section 117 Directions.

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?

The planning proposal will not result in any adverse effects on critical habitat, threatened species populations or ecological communities or their habitats, given the subject site is biodiversity- certified and has previously been cleared of vegetation.

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

There are no other likely environmental effects that are anticipated to result from the zone boundary and other map adjustments.

Stormwater management

The accompanying Stormwater Management Report (**Appendix A**) confirms that stormwater flows and flood conveyance can be appropriately managed within the road reserve of Road No. 7A in accordance with Council's engineering standards.

Heritage

An item of Aboriginal Archaeological significance was identified at the eastern extent of the SP2 Infrastructure zoned land, as shown in **Figure 7** below. An AHIP has been issued for the wider Altrove estate and confirms that this item can be harmed subject to works being carried out in an appropriate manner. A copy of this AHIP is provided for Council's information at **Appendix B**.

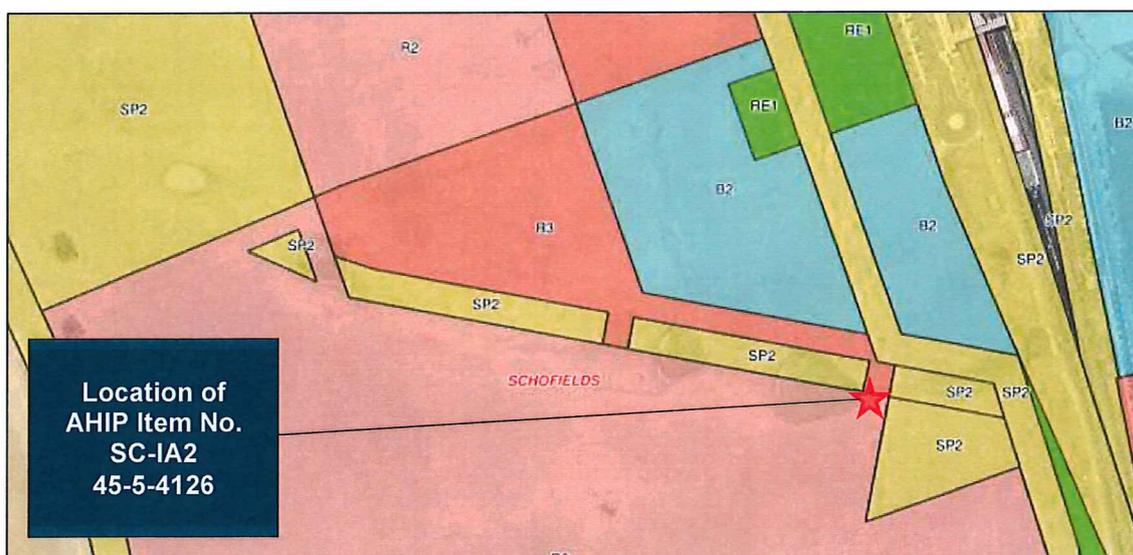


Figure 7 Location of AHIP item

Open space

The planning proposal identifies an increase of approximately 27 dwellings. Additional population could be roughly estimated as 70 people. This could in turn be translated that approximately 0.19ha of additional open space would be required.

Stockland and GLN acknowledge the open space requirements and agree that the demand for open space will be addressed and compensated for elsewhere in the Altrove Estate in conjunction with the open space provisions required as part of Stockland's Altrove major rezoning known as Schofields Town Centre planning proposal.

Loss of drainage corridor

The site of the SP2 zoned land has previously been an overland flow path that connected two farm dams associated with the former dairy use of the site. Even though this land was identified as a drainage channel, it has not been vegetated for a significant period of time dating back to the early 1900s when the site was first cleared for grazing purposes. As such, there is no loss of an existing vegetated link to Eastern Creek, nor does the corridor link Eastern Creek to any other pockets of remaining vegetation.

Council in the assessment of DA-16-3946 formed the opinion that the drainage function of this land was limited and that stormwater flows and volumes can adequately be conveyed within the road reserve and drainage network of Road 7A that ultimately discharges to the regional stormwater management network. In particular the basin and bio-retention area identified as Items SE5.2 and SE5.4 identified in Council's Contributions Plan. The proposed road drainage regime has also been sized to accommodate external catchment volumes and flows from land to the east This is demonstrated in the Stormwater Management Report prepared by Mott MacDonald dated December 2016 as follows:

The proposed drainage pipe system has been designed to cater for the 1 in 10 year Annual Recurrence Interval (ARI) event leading to the outlet via the stormwater drainage lines. Provision has been made for overland flows regarding events greater than 1 in 10 year ARI events.

Results indicate that the major/minor system requirements are satisfied at all proposed pits in the development area and that the piped system sufficiently conveys minor storm flows with safe provisions for the major storm flows.

This revised approach to conveying stormwater is now more efficient and also results in a significant cost saving to the Contributions Plan for the land that no longer has to be acquired and for works that no longer need to be constructed. It is anticipated that the Contributions Plan will be amended following gazettal of the Planning Proposal once the removal of the acquisition burden on Council has been removed.

In light of the above, the removal of the SP2 zoned land is considered justified as it is no longer necessary to convey stormwater from within, or external to, the Schofields Precinct. Nor does the removal of the SP2 zoned land have any ecological impact on Eastern Creek or existing vegetated areas.

It should be **noted** that the Department of Planning previously issued a Site Compatibility Certificate to Stockland over part of the SP2 zoned land earlier this year (see **Attachment 6**). This certificate permits seniors housing development to be carried out over the SP2 zoned land and further demonstrates that there is no long-term drainage function or ecological value over this land.

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

Social and Economic Impacts

The proposal will facilitate the delivery of residential dwellings in high demand and will not cause any significant adverse social or economic effects. Sydney is anticipated to accommodate an additional 664,000 new dwellings needed in Sydney between 2011 to 2031. Housing affordability in Sydney is a significant issue with supply being a key affordability factor. The proposal will increase the supply of residential accommodation in a strategic location, within close proximity to public transport.

The Planning Proposal seeks to improve the overall development layout of the Schofields Precinct and remove provisions that require Council to acquire drainage infrastructure land that is now not required.

The deletion of the SP2 zone from the site and application of residential zones will increase the potential residential population within the Schofields Precinct. In the context of the total 2,950 dwellings and population of 8,000 anticipated within the Schofields Precinct, this additional population is considered to be minor and will not have any significant social impacts.

The Planning Proposal removes the burden of Council having to acquire land and fund the capital cost of redundant drainage infrastructure. These cost savings are outlined in the table below. This will serve to reduce the overall cost of development contributions that apply to the Precinct.

While this does not put downward pressure on the price of land due to the cap on development contributions, it does serve to slightly reduce gap funding that could be required from the Local Infrastructure Growth Scheme.

CP Item No.	Description	Land Area	Indexed Land Value ¹	Indexed Construction Value ²
SE 5.6	Culverts	582m ²	\$32,520	\$1,018,500
SE 5.7	Open Channel	3,370m ²	\$188,280	\$636,430
SE 5.8	Culvert	N/A	\$0	\$243,720

CP Item No.	Description	Land Area	Indexed Land Value ¹	Indexed Construction Value ²
SE 5.9	Open Channel	3,000m ²	\$167,610	\$572,570
SE 5.10	Culvert	N/A	\$0	\$220,300
SE 5.11	Open Channel	1,363m ²	\$76,150	\$255,420
Total		8,315m²	\$464,560	\$2,946,940
Total Contribution Value Saving			\$3,411,500	

Section D – State and Commonwealth Interests

There is not considered to be any State or Commonwealth interests in this Planning Proposal other than ensuring general consistency with State Policies as detailed above.

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

It is understood that the existing infrastructure has the capacity to accommodate development on the site. Accordingly, it is not anticipated that there will be any changes in demand from that associated with the approved DA development.

Any upgrades to infrastructure to support a future development on the site would be investigated and potentially form a condition of consent for the development.

The drainage channel that was to be provided on the SP2 zoned land is not required. The conveyance of the expected stormwater flows in this locality can be achieved through alternative means – i.e. within the road reserve of Road No.7A

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

As this rezoning is of a minor nature it is not considered necessary for the proposal to be referred to State and Federal public authorities. Consultation with the relevant State and Commonwealth public authorities can be undertaken in conjunction with the exhibition of the Planning Proposal following the Gateway Determination. Any future DA will be referred to the relevant authorities as required.

Part 4 – Mapping

The Planning Proposal is accompanied by the following relevant maps:

- Existing Land Zoning Map
- Proposed Land Zoning Map
- Existing Height of Buildings Map
- Proposed Height of Buildings Map
- Existing Floor Space Ratio Map
- Proposed Floor Space Ratio Map

- Existing Residential Density Map
- Proposed Residential Density Map
- Existing Land Reservation & Acquisition Map
- Proposed Land Reservation & Acquisition Map

These maps are compiled as **Attachment 2** to this Planning Proposal.

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 & 57 of the *Environmental Planning & Assessment Act 1979*.

Part 6 – Project Timeline

Mile Stones	Anticipated on the Week Commencing
<input type="checkbox"/> Forward Planning Proposal to the Department	<input type="checkbox"/> 24 July 2017
<input type="checkbox"/> Date of Gateway Determination	<input type="checkbox"/> 7 August 2017
<input type="checkbox"/> Date of Referral of Updated Planning Proposal to the Department	<input type="checkbox"/> 29 September 2017
<input type="checkbox"/> Date of Government agency consultation (Pre-exhibition)	<input type="checkbox"/> 23 October 2017
<input type="checkbox"/> Commencement of public exhibition	<input type="checkbox"/> 19 November 2017
<input type="checkbox"/> Completion of public exhibition	<input type="checkbox"/> 17 December 2017
<input type="checkbox"/> Completion of consideration of submissions & Government agency consultation (Post-exhibition)	<input type="checkbox"/> 14 January 2018
<input type="checkbox"/> Report to Council (outcome of exhibition & recommendations)	<input type="checkbox"/> 28 January 2018
<input type="checkbox"/> Council's consideration & resolution on the report	<input type="checkbox"/> 25 February 2018
<input type="checkbox"/> Date of submission to the Department to finalise the LEP	<input type="checkbox"/> 11 March 2018
<input type="checkbox"/> Finalise the LEP by the Department and Parliamentary Council	<input type="checkbox"/> 1 April 2018
<input type="checkbox"/> Publish the LEP	<input type="checkbox"/> 15 April 2018

ATTACHMENT 6

**Site Compatibility Certificate
over part of SP2 zoned land**

Issued by –

Department of Planning & Environment



Our ref: 16/14784

Mr John Riordan
JR & Co (Urban) Pty Ltd
Suite 1, L2. 66 Clarence Street
Sydney NSW 2000

Dear Mr Riordan,

Determination of application for a Site Compatibility Certificate for land known as Altrove Boulevard, Schofields - State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

I refer to the application for a Site Compatibility Certificate under clause 25(1) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP) in relation to land known as Altrove Boulevard, Schofields.

I have determined the application under clause 25(4)(a) of the SEPP by issuing a Site Compatibility Certificate. In issuing this certificate I have specified certain requirements (clause 25(7)) that will need to be met by the applicant before they lodge a development application for seniors housing on the site. I have attached the Certificate of Site Compatibility.

Should you have any further enquiries about this matter, please contact Ms Catherine Van Laeren, Director, Sydney Region West, at the Department of Planning and Environment on (02) 9860 1520.

Yours sincerely

 18 January 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl.: SCC certificate



**State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
Certificate of Site Compatibility**

I, the Executive Director, Regions, Planning Services as delegate of the Secretary of the Department of Planning and Environment determine the application made by Precise Planning on 13 November 2016 by issuing this certificate under clause 25(4)(a) of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

I certify that in my opinion:

- a. the site described in Schedule 1 is suitable for more intensive development; and
- b. the development described in Schedule 1 is compatible with the surrounding environment having had regard to the criteria specified in clause 25(5)(b).

Under clause 25(7), this certificate is only valid in relation to development that satisfies the requirements specified in Schedule 2 of this certificate.

 18 January 2017
Stephen Murray
Executive Director, Regions

Date certificate issued:

Please note: This certificate will remain current for 24 months from the date of this certificate (clause 25(9)).

SCHEDULE 1

Site description: The site is located in Blacktown Local Government Area. Altrove Boulevard, Schofields - Lot 164 DP 1218925.

Project description: A new Seniors Living Housing Complex providing 152 self-contained apartments across a complex of 4 buildings, in the style of a residential apartment building development.

SCHEDULE 2

Application made by: JR & Co. (Urban) on behalf of Stockland Development Pty Limited

Requirements imposed on determination:

1. In conjunction with the lodgement of any Development Application relevant to the site, the applicant is to provide an alternate stormwater management strategy to the satisfaction of Blacktown City Council.