

Planning Services

Gateway Determination Report

LGA	Blacktown
RPA	Blacktown City Council
NAME	To rezone redundant trunk drainage land from SP2 Infrastructure (Drainage) to part R2 Low Density Residential and part R3 Medium Density Residential. The rezoning will deliver 27 dwellings on the land.
NUMBER	PP_2017_Black_004_00
LEP TO BE AMENDED	Amendment to SEPP (Sydney Region Growth Centres) 2006
ADDRESS	Altrove Estate Stage 7 – Veron Road, Schofields
DESCRIPTION	Part of Lot 164, DP 1218925
RECEIVED	24 July 2017
FILE NO.	17/10165-1
QA NUMBER	qA415765
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of Planning Proposal

The planning proposal at [Attachment A](#) is to amend Blacktown LEP 2015 to facilitate amendment to the Schofields Precinct of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) to rezone the 0.69ha redundant at grade open drainage channel from SP2 Infrastructure (Drainage) to part R2 Low Density Residential and part R3 Medium Density Residential. The rezoning will deliver 27 additional dwellings on the land.

The planning proposal is to remove the future drainage channel and replace it with an alternate piped drainage solution within a planned future road reserve, and will remove Council's obligation to acquire the land. The proposal is supported by Site Specific Stormwater Management Report by Mott MacDonald and Estate Wide Stormwater Management Plan and Water Quality Report by ADW Johnson attached at [Attachment A](#).

The planning proposal will also make associated map amendments to the height of buildings, residential density, floor space ratio and land reservation and acquisition maps of the Growth Centres SEPP.

Site Description

The site is within the Schofields Precinct, North West Growth Centre near Veron Road and Altrove Boulevard, Schofields. It is also within the identified Schofields Town Centre Priority Precinct within the North West Priority Growth Area which is being investigated by the

Department. It contains 3 separate parcels of land within Stage 7 of 43.85ha Altrove Estate which is being developed by Stockland for approximately 2,950 dwellings.

The land is zoned SP2 Infrastructure (Drainage) under the Growth Centres SEPP. It is an at-grade open drainage corridor. The proposed R2 land area is 582sqm and R3 land area is 6,370sqm. A Location map is at [Attachment E](#).



Drainage channel location



Altrove Estate

Surrounding Area

The site is currently undergoing construction works to enable residential subdivision.

The site is within walking distance to Schofields Railway Station. To the east of the site beyond the rail line is the Alex Avenue Precinct and land to the south of the site is owned by Defence Housing Australia which is being developed for urban purposes.

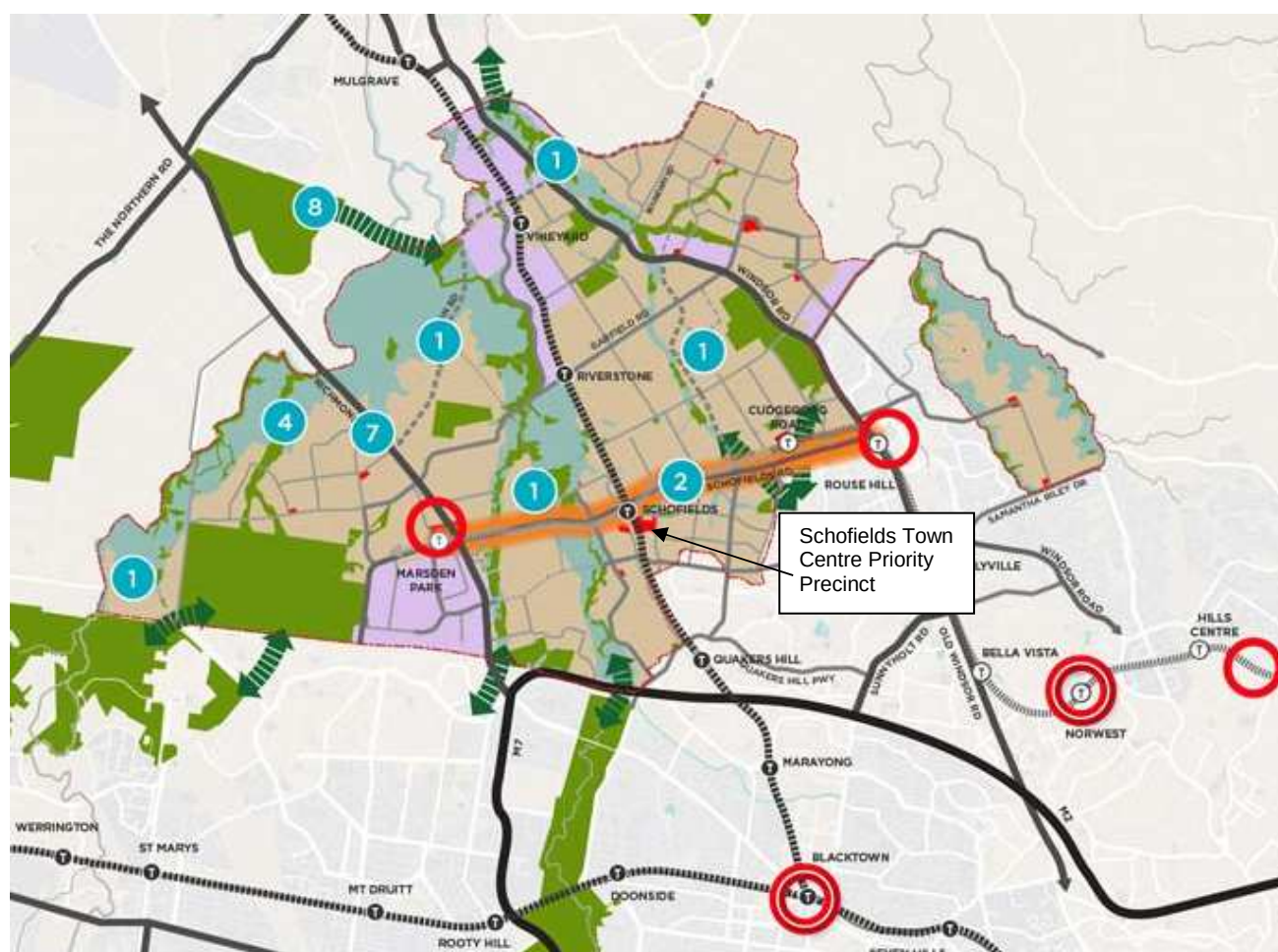
Land to the north of the site within the Schofields Precinct is being redeveloped for residential purposes as part of Altrove Estate. Eastern Creek runs along the western boundary of the Altrove Estate. Land beyond Eastern Creek is part of the West Schofields Precinct currently being precinct planned.

Comments from Land Release Team

The Department's Land Release Team was consulted. The team has advised that the area is within the Schofields Town Centre Priority Precinct which is being investigated to provide more homes and jobs close to public transport, shops and services. Work is yet to commence on this project and will have regard for land use opportunities surrounding Schofields Station.

The Land Release Team was concerned that while the proposal should address the demand for open space elsewhere, it does not necessarily replace the value of vegetated drainage corridors that provide aesthetic and ecological values. The team is concerned of the loss of at-grade drainage corridors and the cumulative effect of such proposals, and the potential to compromise the original intent of creating green links along drainage lines. The Land Release Team requests that the proposal be assessed and justified in this context.

The Land Release Team further requires the planning proposal to address the Land Use Infrastructure and Implementation Plan (LUIIP) and associated SEPP amendments. In addition, the team advises approval from DPI Water may be required if the proposal requires a drainage line (NSW Office of Water) to be removed. The comments from the Land Release Team ([Attachment F](#)) have been reflected in the Gateway recommendations. Council will be required to address these issues prior to finalisation of the planning proposal.



North West Growth Centre Priority Precincts



Schofields Town Centre Priority Precinct

Summary of Recommendation

It is recommended that the proposal proceed with conditions given that it is of a minor nature, will enable orderly development of Schofield Precinct, and deliver additional 27 additional dwellings to the precinct on a redundant drainage land.

As recommended by the Land Release Team, Council is required to further address the loss of at-grade drainage corridors and the cumulative effect of such proposals, including the aesthetic and ecological values, and the potential to compromise the original intent of creating green links along drainage lines.

PROPOSAL

Objectives or Intended Outcomes

The planning proposal seeks to amend planning controls applying to part of the land zoned SP2 Infrastructure (Drainage) for a future trunk drainage channel, within Schofields Precinct under Growth Centres SEPP. The drainage channel is no longer required for stormwater purposes. An alternative piped drainage solution as part of a road drainage system within the adjoining future road network (Road 7A), will be able to accommodate the necessary stormwater flows and flood conveyance functions to the area.

The planning proposal is to rezone the redundant trunk drainage channel land for residential purposes, consistent with the surrounding residential zoned land.

Explanation of Provisions

The proposed amendment to the Growth Centres SEPP will rezone the redundant trunk drainage land from SP2 Infrastructure (Drainage) to R2 Low Density Residential and R3 Medium Density Residential zone consistent with the surrounding residential zoned lands. All relevant controls applying to the land are also to be amended consistent with the

surrounding residential zoned lands and includes removal of Council's acquisition responsibility on the land.

All changes to achieve the objectives and intended outcomes will be made through map amendments to the Growth Centres SEPP maps as follows:

1. North West Growth Centres Land Zoning Map 005 to remove the SP2 Infrastructure (Drainage) zone and replace it with part R2 Low Density Residential zone and R3 Medium Density Residential zone
2. North West Growth Centres Floor Space Ratio Map 005 to apply the floor space ratio that currently applies to the adjoining land to the north of 1.75:1 and 2:1 to land proposed for R2 and R3 respectively.
3. North West Growth Centres Dwelling Density Map 005 to apply the 25 dwellings per hectare density to the proposed R2 and 40 dwellings per hectare to the proposed R3 Medium Density Residential land.
4. North West Growth Centres Height of Buildings Map 005 to apply the 9m height limit to the proposed R2 and apply the 16m height limit to the proposed R3 land.
5. North West Growth Centres Land Reservation Acquisition Map 005 to remove the land zoned SP2 Infrastructure (Drainage) given the drainage function of this land is redundant.

Mapping

The maps are provided in Part 4 of the planning proposal. They are adequate for community consultation.

NEED FOR THE PLANNING PROPOSAL

Council has advised that 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 the best mechanism to make zoning and related amendments on the subject site. The planning proposal is to achieve the objectives and intended outcomes of the proposal to permit residential development on the site.

An option to use existing clause 5.3 (Development near zone boundaries) of the Schofields Precinct Plan in the Growth Centres SEPP would result in an inappropriate zone applying to residential use and Council will be required to acquire the land. The proposed rezoning to residential will remove this anomaly and will give certainty for Council to approve residential subdivision and development on the land while permitting development and delivering additional dwellings within the Schofields Priority Precinct.

It is considered that a planning proposal is the best means for achieving the intended outcomes.

STRATEGIC ASSESSMENT

State

The planning proposal is generally consistent with A Plan for a Growing Sydney as the proposal will provide additional residential dwellings within the Schofields Precinct, within the North West Growth Centre.

District

Priorities for 'A Liveable City' in the Draft West Central District Plan are to deliver West Central District's five-year housing supply target and to deliver housing diversity. The planning proposal is consistent with the priorities.

Local

Council advises that 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 strategy 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 most population and employment growth within the new release areas in the North West Priority Growth Area. The planning proposal is consistent with the local strategy.

Section 117(2) Ministerial Directions

The relevant s117 Directions are addressed below.

2.3 Heritage Conservation

This direction is relevant as an item of Aboriginal Archaeological significance was identified in the eastern side of the site, as identified in the planning proposal ([Attachment A](#)). An Aboriginal Heritage Impact Permit (AHIP) has been issued over the Altrove Estate site. The AHIP permits harm to this item subject to works being carried out in an appropriate manner.

It is recommended the Secretary's delegate agree that inconsistency with the direction is of minor significance.



Item of Aboriginal Archaeological significance

4.3 Flood Prone Land

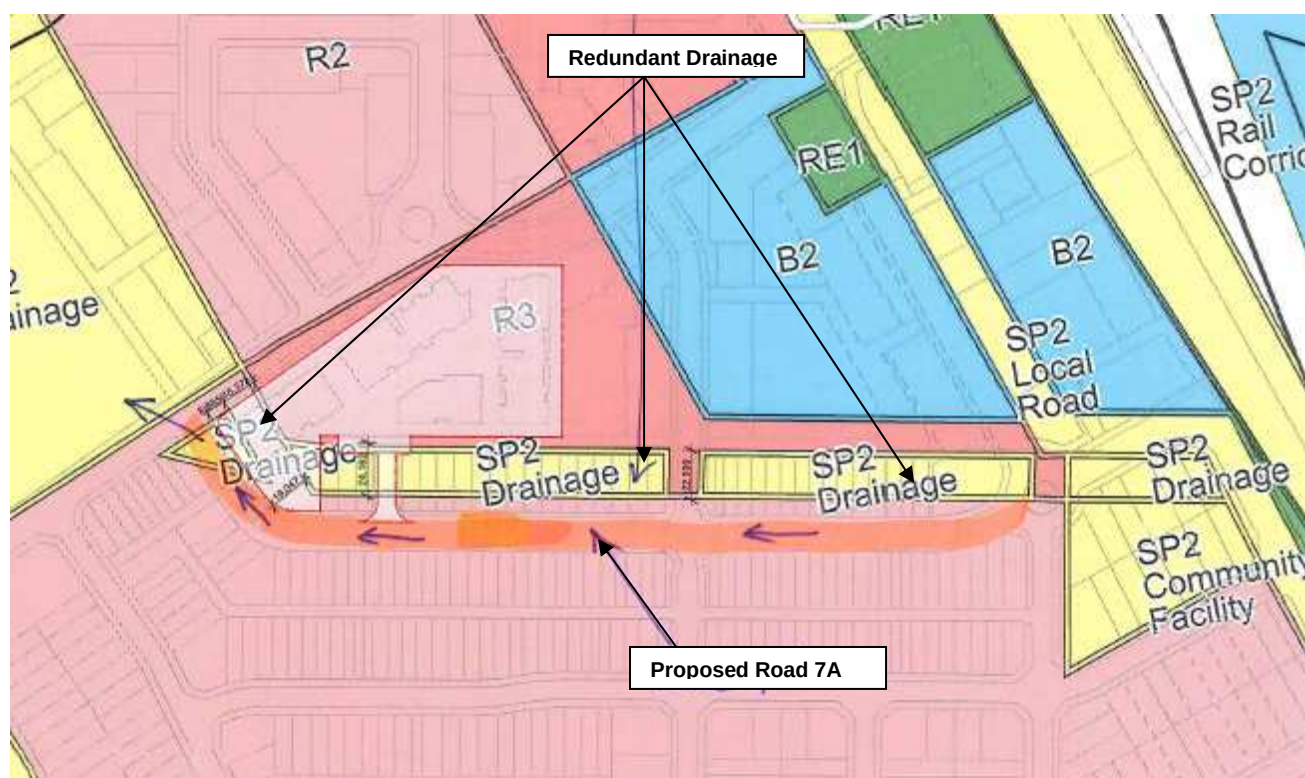
Council has advised that the drainage channel was identified as being flood prone on the Growth Centres SEPP (Development Control Maps). Council further advised that the existing drainage channel will be filled in accordance with the proposed DA-16-3946 for earth works to ensure future dwellings in the vicinity of the proposed Road 7A will be above the 1 in 100 year ARI. It is understood the DA has since been approved on 15 February 2017

The proposed road No. 7A to the south of the site has been designed to convey stormwater flows in minor and major flood events to contain flood impacts within the road reserve. Flooding and drainage design works proposed on the site are in accordance with the Stormwater Management Report prepared by Mott MacDonald attached to the planning proposal at [Attachment A](#).

This direction is currently relevant as the proposed earthworks are yet to be carried out. Once the land is filled, it will no longer be flood prone and the planning proposal will be consistent with the direction. It is recommended that Council address this direction prior to finalisation of the planning proposal.

6.2 Reserving Land for Public Purposes

The planning proposal includes the removal of land identified for acquisition under the Growth Centres SEPP for a drainage channel because Council, being a relevant planning authority considers the land is no longer required for public purpose for which it was reserved for acquisition. The planning proposal is consistent with the direction.



Proposed Road 7A and redundant drainage channel

State Environmental Planning Policies

SEPP 55 – Remediation of Land

The site and surrounds has been identified as suitable for urban development by a Contamination and Salinity Assessment (GeoEnviro Consultants Pty Ltd, September 2012), attached at Attachment G. The study confirmed the site is suitable for residential development subject to the removal of certain material to the north of the dams. Council advises that this material, as well as other remediation as required, will be carried out by Stockland as the on-going development of the estate continues.

The proposal is considered to be consistent with all other relevant State Environmental Planning Policies.

SITE SPECIFIC ASSESSMENT

Social/ Economic

The proposal will facilitate the delivery of 27 dwellings within the Schofields Precinct with close proximity to public transport. In the context of 2,950 dwellings anticipated within the whole Schofields Precinct it is unlikely to cause any significant adverse social or economic effects.

Environmental

Given the subject site is within biodiversity certified area and has previously been cleared of vegetation for staged residential development, the planning proposal will not have any adverse effects on critical habitat, threatened species populations or ecological communities or their habitats.

Stormwater management

The Stormwater Management Report prepared by Mott MacDonald 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. 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.

Open space

The planning proposal identifies an increase of approximately 27 dwellings (approx. 70 people). Council expects approximately 0.198ha of additional open space would be required and is in discussion with Stockland to address the open space requirement resulting from this planning as part of Schofields Town Centre planning proposal.

Council resolution dated 21 July 2017 recommended that the planning proposal not be finalised until Council is satisfied that satisfactory arrangement have been made for the loss of future landscaped amenity and the increased demand for open space compensate elsewhere in the Altrove Estate.

The Department's Land Release Team is concerned about the loss of vegetated open drainage corridors and linkages in the area.

CONSULTATION

Community

A community consultation period of 28 days is proposed by Council. This is considered to be an appropriate amount of time to gauge the response by the community.

Agencies

Council is required to consult with Transport for NSW - Roads and Maritime Services, NSW Office of Environment and Heritage - Heritage Division and Sydney Water and the planning proposal is to be updated to include any comments received where appropriate.

TIMEFRAME

The proposed timeframe to finalised this planning proposal is to be 9 months, which is considered to be appropriate.

DELEGATION

Council has not requested delegation of the plan making function for this planning proposal. The planning proposal relates to an amendment to the Growth Centres SEPP. Delegation of the Greater Sydney Commission is not recommended.

CONCLUSION

The planning proposal is supported to proceed with conditions as it will allow development of a redundant drainage land and provide a modest increase in dwellings within the North West Growth Centres (Schofields Precinct). Concerns raised by the Land Release Team are reflected in the Gateway determination.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

- agree that any inconsistencies with Section 117 Directions 2.3 Heritage Conservation is of minor significance.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is updated to:
 - address the need for open space for the proposed additional residential dwellings;
 - justify the loss of vegetated drainage corridor and linkages that provide aesthetic and ecological values in the area; and
 - address the Department's Land Use Infrastructure and Implementation Plan (LUIIP) and associated SEPP amendments for Schofield Town Centre Priority Precinct.
2. Prior to finalisation, the planning proposal is to update the planning proposal to address Section 117 Direction 4.3 Flood Prone Land.
3. The planning proposal should be made available for community consultation for a minimum of 28 days.
4. Consultation is required with the following public authorities and the planning proposal is to be updated to include any comments received where appropriate:
 - Transport for NSW - Roads and Maritime Services
 - NSW Office of Environment and Heritage – Heritage
 - Sydney Water
 - Department of Primary Industries – Water
5. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
6. Given the nature of the planning proposal, Council should not be authorised to exercise delegation to make this plan.



4/8/17

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