

**Short Minutes:** Ordinary Meeting**Meeting Date:** 27.4.2022**PD3.1****PD420000 - Planning Proposal at 161-167 Riverstone Road, Riverstone** LEP-21-0002**MOTION** (Cr Collins/Cr Griffiths)

1. Endorse the draft Planning Proposal at attachment 4 and forward it to the Department of Planning and Environment requesting a Gateway Determination to amend *State Environmental Planning Policy (Precincts - Central River City) 2021*.
2. Prepare an amendment to the Blacktown City Council Growth Centre Precincts Development Control Plan Schedule 2 Riverstone Precinct in accordance with attachment 5. **CARRIED**

**COUNCIL DIVISION:**

Supported: Cr Bleasdale, Cr Diaz, Cr Quilkey, Cr Singh, Cr Stublely, Cr Kaur, Cr Griffiths,  
Cr Benjamin, Cr Collins, Cr Camilleri, Cr Israel, Cr Fitzgerald, Cr Bunting,  
Cr Chettipally and Cr Green.

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**Referred to :** DCPD**For:** Attention**Date:** 3.5.2022

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### 3. COMMITTEE REPORTS

## PD3.1 PD420000 - Planning Proposal at 161-167 Riverstone Road, Riverstone

**Director:** Peter Conroy, Director City Planning & Development  
**Responsible Manager:** Chris Shannon, Manager Strategic Planning  
**File:** LEP-21-0002

#### Division is required

**Previous item** Not applicable

**Topic** Privately initiated Planning Proposal for Lot A and part of Lot B in DP 362093, 161 and part of 167 Riverstone Road, Riverstone (the site) following advice from the Department of Education that it relinquishes its interest in developing the land for a future school

**Analysis** The area affected by the current SP2 Infrastructure (Educational Establishment) zone, relates to two individually owned lots (Lot A and part of Lot B) with a combined area of 1.5 hectares.

The Planning Proposal seeks to amend State Environmental Planning Policy (Precincts - Central River City) 2021 (Central River City SEPP) as it applies to the site.

The amendments will remove the Department of Education as the acquisition authority for both lots and rezone the part Lot B from SP2 Infrastructure (Educational Establishment) to R2 Low Density under the Central River City SEPP, with corresponding amendments to the Residential Density and Height of Buildings maps.

The rezoning of part Lot B is sought following a request from the landowner. The landowner of part Lot B DP 362093 has also requested the Blacktown City Council Growth Centre Precincts Development Control Plan, Schedule 2 Riverstone Precinct be updated to remove identification of the site as a school on the Indicative Layout Plan.

The planning proposal has been reviewed and is supported by the Blacktown Local Planning Panel.

The landowner of Lot A DP 362093 has not responded to enquiries.

**Attachment/s**

1. Context map [PD420000.1 - 1 page]
2. Existing and proposed SEPP maps [PD420000.2 - 8 pages]
3. Blacktown Local Planning Panel advice [PD420000.3 - 2 pages]
4. Draft Planning Proposal [PD420000.4 - 53 pages]
5. DCP amendment [PD420000.5 - 1 page]



6. SINSW Letter Riverstone Road [PD420000.6 - 1 page]

**Report**

**Recommendation**

1. Endorse the draft Planning Proposal at attachment 4 and forward it to the Department of Planning and Environment requesting a Gateway Determination to amend *State Environmental Planning Policy (Precincts - Central River City) 2021*.
2. Prepare an amendment to the Blacktown City Council Growth Centre Precincts Development Control Plan Schedule 2 Riverstone Precinct in accordance with attachment 5.

## Key reasons

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**1. The site is identified as surplus to the Department of Education's needs**

- a. Lot A and part of Lot B DP 362093, which have a combined area of 1.5 hectares, were zoned SP2 Infrastructure (Educational Establishment) by the NSW Government under the Central River City SEPP in 2010.
- b. We met with the Department of Education in February 2022 to discuss the site, and it subsequently issued a letter confirming it does not require the site for future education purposes. See attachment 6.

**2. The site is suitable for development for low density residential uses**

- a. The owner of Lot B has an approved development application for a residential subdivision over the other part of their lot. They are seeking to rezone the remaining portion of their land (0.7 hectares) from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.
- b. A concept subdivision plan for part of Lot B DP 362093 has been provided, demonstrating a potential use of the site that is consistent with the residential use, density and lot layout approved on the adjacent site. The concept plan would result in the creation of 17 residential lots on part of Lot B DP 362093.
- c. The proposed amendments to part of Lot B DP 362093 seek to apply the same land use zone, residential density and building height that applies to the remainder of Lot B and the surrounding land. The proposed controls are suitable for low density residential use.
- d. The proposed amendments to part of Lot B DP 362093 are:
  - i. Land Zone: rezone from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential
  - ii. Building Height: apply a maximum building height of 9 m
  - iii. Residential Density: apply a minimum residential density of 15 dwellings per hectare.
- e. The Proponent has provided a Traffic Impact Assessment, Flora and Fauna Report and Stormwater Report to support the Planning Proposal request. A preliminary site contamination assessment found that Lot B in its entirety was considered suitable for residential development.

**3. Blacktown Local Planning Panel advice**

- a. The intended Planning Proposal was reported to the Blacktown Local Planning



Panel meeting of 27 August 2021 for advice in accordance with the Local Planning Panels Direction – Planning Proposals, issued by the Minister for Planning on 27 September 2018 under section 9.1 of the Environmental Planning and Assessment Act 1979.

- b. The Panel supports progressing the Planning Proposal to the Department of Planning and Environment for a Gateway Determination. The Panel provided the following advice:
  - i. the Planning Proposal has strategic merit
  - ii. it responds to changing circumstances not recognised by current controls
  - iii. it supports Council's strategic plans and is consistent with the Greater Sydney Region Plan and the Central City District Plan.
- c. The full Blacktown Local Planning Panel advice on the intended Planning Proposal is at attachment 3.

## Supporting analysis

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### 1. The proposed rezoning will not prevent development of the adjacent site

- a. The proposal to rezone part of Lot B DP 362093 will not prevent the future development of the adjacent Lot A DP 362093 for a use which is permissible under the current zone of SP2 Infrastructure (Educational Establishment).
- b. Initial discussions with the landowner of Lot B indicated they were consulting with the landowner of Lot A DP 362093 (161 Riverstone Road) to consider a joint Planning Proposal that would apply to both Lot A and part of Lot B. However, the rezoning request as submitted applies to part of Lot B only.
- c. Lot A (161 Riverstone Road) has recently been purchased by the landowner of Lot 4 Sec DP 712 (149 Riverstone Road) which adjoins the western boundary of Lot A. A development application for a private school has been approved at 149 Riverstone Road with deferred commencement conditions which, in part, relate to a drainage easement over Lot A and a retaining wall at the boundary (DA-17-01135). The Planning Proposal will not impact the ability for Lot A to be developed as part of the approved private school.

### 2. The landowner of Lot A DP 362093 may choose to lodge a Planning Proposal at a later date seeking to rezone their land. The proposed rezoning and concept residential subdivision will not sterilise Lot A from future development opportunities. The site is not considered appropriate for open space

- a. We have considered the suitability of both Lot A and part of Lot B DP 362093 for public open space to address an identified shortfall in open space across the North West Growth Area. After considering all of the relevant issues, we do not believe the site is suitable for open space for the following reasons:
  - i. The land is in an area predominantly zoned for low density residential development, which do not generate a large demand for additional open space. The areas within the North West Growth Area which are generating significantly higher densities than planned are the areas which permit high density residential development.
  - ii. The land is approximately 100 m from a 15 hectare riparian corridor park that includes playing fields along First Ponds Creek. There is a large quantum of open space in the vicinity given the surrounding low-density residential uses.



- iii. Council would be exposed to a high-level financial risk if we were to acquire, embellish and maintain the land for open space. When land is identified for open space at the precinct planning stage, the estimated cost is identified in the relevant contributions plan and contributions are collected from the first development approved under that plan. However, in this instance Council will not be able to collect the full costs as the area which the relevant contributions plan applies is already rezoned and experiencing high rates of development.



- iv. Any amendment to the contributions plan will take a minimum of 12 months, during which time further sites will be developed without contributing to the potential new open space. The remainder of the sites available to contribute to the cost of acquiring the land for open space will be insufficient to cover these costs, leaving a liability for Council to fund the costs from another source.

## Context

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### 1. Blacktown City Council Local Housing Strategy conditions

- a. The Blacktown Housing Strategy received approval from the former Department of Planning, Industry and Environment in July 2021. Condition 9 of the Department approval letter states:

Council is to pause any rezoning applications directly affected by the NSW Government's flood evacuation strategy for the Hawkesbury-Nepean flood plain – whether Council or proponent-led – until there is resolution on flood studies/analyses currently being undertaken by Infrastructure NSW, Department of Planning and Environment, and Transport for NSW. Future development and planning will need to consider the outcomes arising from these studies, particularly in relation to the location of housing and infrastructure and the adequacy of that infrastructure.

- b. While the site is not located below the Probable Maximum Flood level within the Hawkesbury-Nepean Valley, the NSW Government is considering the full extent of the flood evacuation on the traffic network across the North West Growth Area. The NSW Government's investigations may therefore affect the progress of this planning proposal.
- c. The proponent's rezoning request was referred to Transport for NSW for initial feedback. Transport for NSW raised no objections to the proposed rezoning and consequential amendments.
- d. We have had verbal assurance from the Department of Planning and Environment that the Planning Proposal may proceed to consideration for a Gateway Determination despite its condition on the approval of our Housing Strategy.

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End of report

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Plotted by: swadmin

Plot Date: 05/04/2022

Property Identification:

Property Location: 13 April 2022 - Planning, Development, Historical and Assets Committee Meeting







# Riverstone Road, Riverstone

## Existing Land Zone Map

### Legend

- Subject Land
- R2 Low Density Residential
- RE1 Public Recreation
- SP2 Infrastructure

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

**NOTE:**  
The information shown on this plan is indicative only.  
All details must be confirmed by the relevant council officer. This plan must not be reproduced without prior consent.

Scale = 1:2,200 0 10 20 40 60 80 Meters



Date: 28/09/2021

Attachment PD420000.2





# Riverstone Road, Riverstone

## Proposed Land Zone Map

### Legend

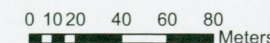
- Subject Land
- R2 Low Density Residential
- RE1 Public Recreation
- SP2 Infrastructure

### Cadastre

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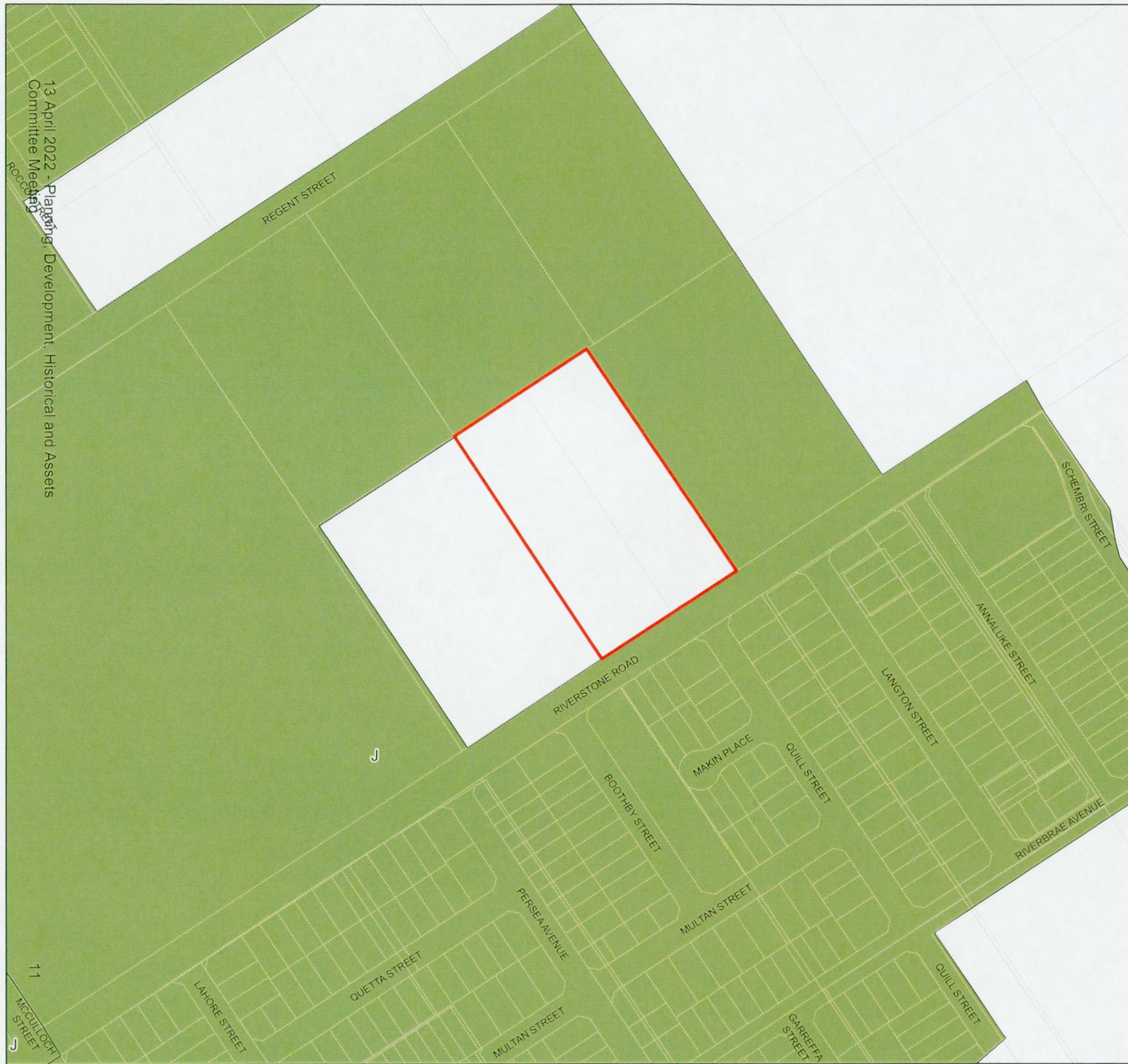
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Date: 28/09/2021

Attachment PD420000.2







Riverstone Road, Riverstone

## Existing Height of Buildings Map

### Legend

 Subject Land

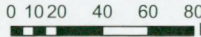
### Height of Buildings

 J 9 metres

### Cadastral

Cadastral 10/09/21 © Blacktown City Council

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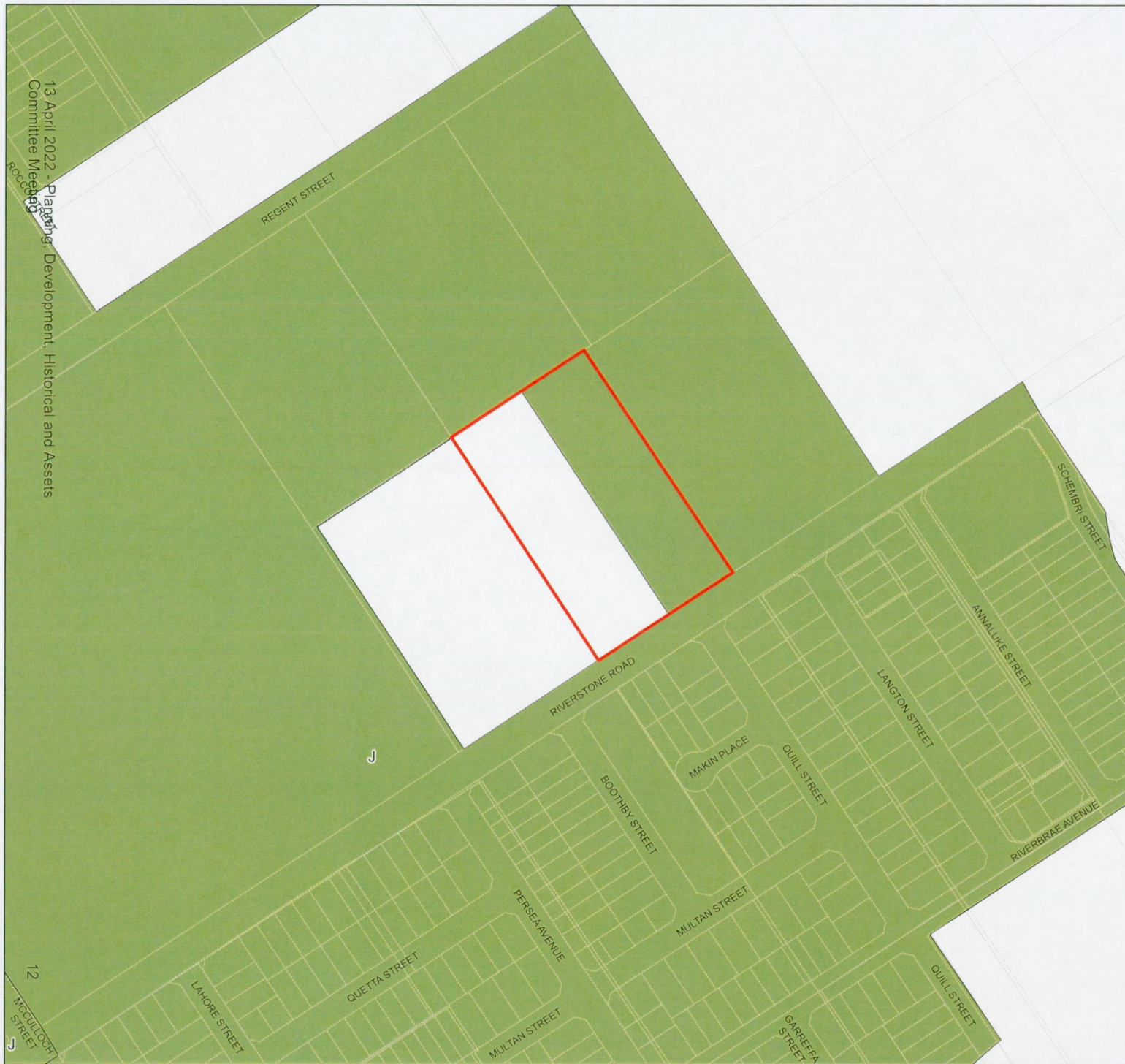
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Date: 30/09/2021

Attachment PD420000.2







Riverstone Road, Riverstone

## Proposed Height of Buildings Map

### Legend

 Subject Land

### Height of Buildings

 J 9 metres

### Cadastre

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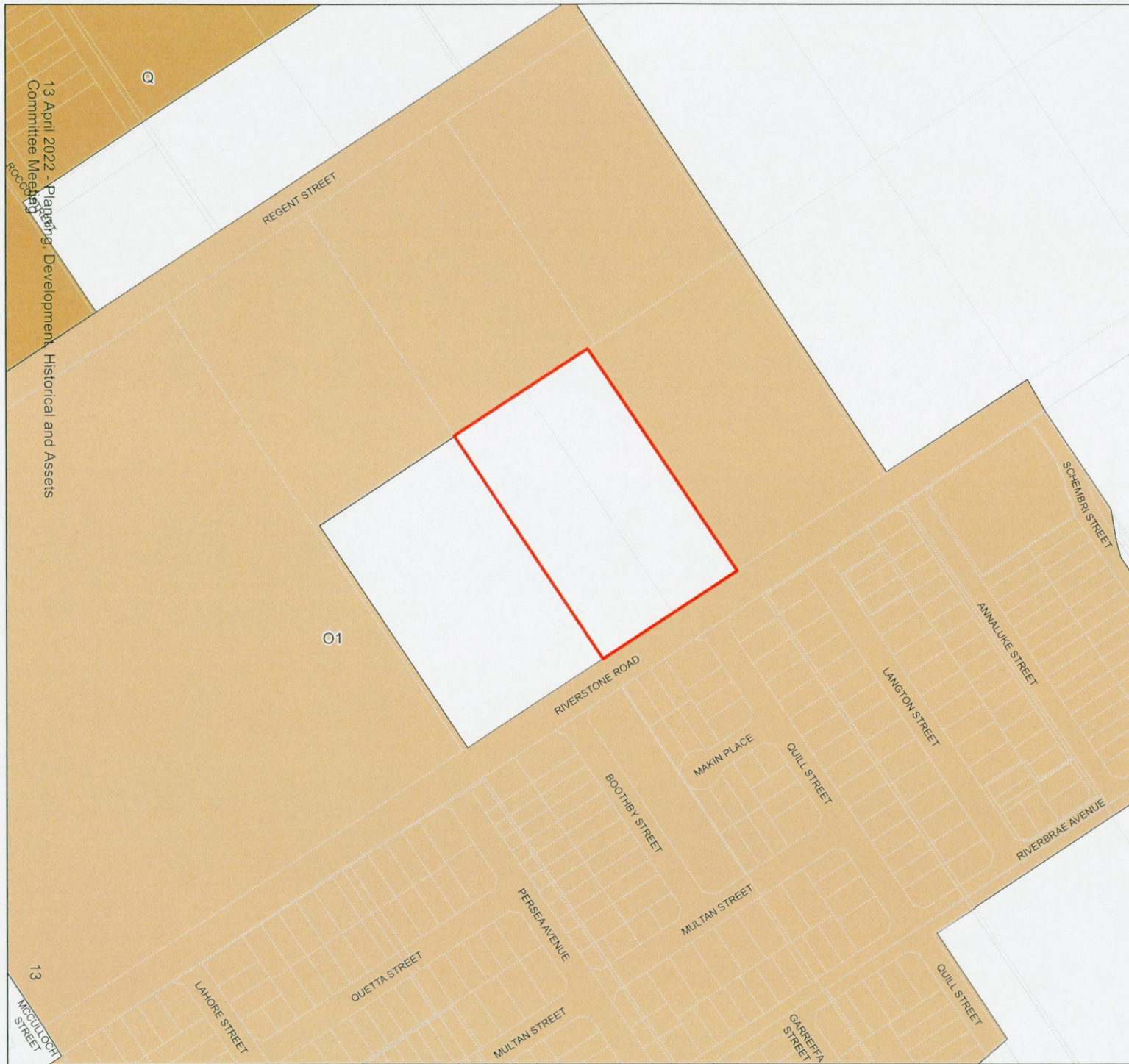
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Date: 30/09/2021

Attachment PD420000.2









Riverstone Road, Riverstone

## Existing Residential Density Map

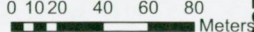
### Legend

	Subject Land
	O1 15 dph
	Q 20 dph
	T 25 dph

### Cadastre

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NOTE:  
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Attachment PD420000.2









Riverstone Road, Riverstone

## Proposed Residential Density Map

### Legend

	Subject Land
	O1 15 dph
	Q 20 dph
	T 25 dph

### Cadastre

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Scale = 1:2,200

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Date: 30/09/2021

Attachment PD420000.2





# Riverstone Road, Riverstone

## Existing Land Reservation Acquisition Map

### Legend

- Subject Land
- Land Reservation Acquisition

### Cadastre

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Date: 30/09/2021

Attachment PD420000.2





# Riverstone Road, Riverstone

## Proposed Land Reservation Acquisition Map

### Legend

- Subject Land
- Land Reservation Acquisition

### Cadastre

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Date: 30/09/2021

Attachment PD420000.2





## Blacktown Local Planning Panel

### PLANNING PROPOSAL ADVICE

<b>DATE OF DETERMINATION</b>	27 August 2021
<b>PANEL MEMBERS</b>	Sue Francis, Chair Vincent Hardy, Expert Stuart McDonald, Expert Ritesh Prasad, Community Representative
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil
<b>APPLICANT/OWNER</b>	Applicant – Calibre Professional Services Pty Ltd on behalf of Santilli Pty Ltd  Owners – M Santilli, A Santilli, S Santilli and E Cirillo
<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report</li> </ul>
<b>BRIEFING BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Private Panel briefing: Friday 27 August 2021 at 9.00 am</li> <li>• Attendees: <ul style="list-style-type: none"> <li>○ Panel members: Sue Francis, Vincent Hardy, Stuart McDonald, Ritesh Prasad</li> <li>○ Council officers: Wint Khin Zaw, Helen Budd</li> </ul> </li> </ul>

Confidential meeting held virtually on 27 August 2021, opened at 11.05 am and closed at 11.08 am.

#### PLANNING PROPOSAL

LEP-21-0002: Planning Proposal at 161 and 167 Riverstone Road, Riverstone for rezoning of land from SP2 Educational Establishment to R2 Low Density Residential and removal of the land from Land Reservation Acquisition Map.



**PRIVATE BRIEFING**

A private briefing was held between Panel members and Council staff and the following issues were discussed:

- Configuration of the Planning Proposal with the indicative layout plan
- Future land development
- If the whole land was looked at for rezoning.

**PANEL ADVICE**

The Panel considered the assessment report on the matter and the material presented at the Panel meeting and supports the recommendation to progress the Planning Proposal for Gateway Determination.

The Panel provided the following advice for the Planning Proposal described above:

- The Proposal has strategic merit in regard to the natural environment, existing uses and likely future uses on and surrounding the site, and existing and required services and infrastructure.
- The proposal is responding to changing circumstance not recognised by current controls such as new infrastructure and changing demography.
- Supports the community vision and strategic objectives within Our Blacktown 2036 Community Strategic Plan (Community Strategic Plan).
- Aligns with the objectives and priorities in the Blacktown Local Strategic Planning Statement (Blacktown LSPS).
- Is consistent with the Greater Sydney Region Plan: A Metropolis of Three Cities (Region Plan) and the Central City District Plan (District Plan).

PANEL MEMBERS	REFERENCE NUMBER
Sue Francis, Chair	D21/476209
Stuart McDonald, Expert	D21/476819
Vincent Hardy, Expert	D21/476207
Ritesh Prasad, Community representative	D21/476816





# **Planning Proposal**

## **LEP-21-0002**

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Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006,  
161 and 167 Riverstone Road, Riverstone; Lot A and part of Lot B DP 362093

**September 2021**



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## Attachments

Attachment 1:	Consistency with Greater Sydney Region Plan, Central City Plan, Blacktown Community Strategic Plan and Blacktown LSPS
Attachment 2:	Consistency with Applicable SEPPs and REPs
Attachment 3:	Consistency with Relevant Section 9.1 Directions by the Minister
Attachment 4:	Maps of existing and proposed planning controls
Attachment 5:	Correspondence from Department of Education
Attachment 6:	TfNSW initial feedback on Planning Proposal
Attachment 7:	Blacktown Local Planning Panel advice



## **Part 1 – Objectives or intended outcomes**

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### **1.1 Introduction**

This Planning Proposal seeks to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) as it applies to Lot A DP 362093, 161 Riverstone Road and part of Lot B DP 362093 167 Riverstone Road, Riverstone. The land is currently zoned SP2 Infrastructure (Educational Establishment) and the Department of Education are the acquisition authority for the land. The remaining part of Lot B DP362093 is zoned R2 Low Density Residential and is subject to an approved development application for residential subdivision.

The Department of Education has notified us that it relinquishes its interest in developing the land for a future school. As such, the Planning Proposal seeks to remove the Department of Education as the acquisition authority for both sites.

At the request of the landowner, the Planning Proposal also seeks to rezone part of Lot B DP 362093 from SP2 Infrastructure (Educational Establishment) to R2 Low Density under the Growth Centres SEPP. The landowner of Lot A DP 362093 has not requested to rezone their land, so it will remain zoned SP2 Infrastructure (Educational Establishment). The rezoning will require corresponding amendments to the Residential Density and Height of Buildings under the Growth Centres SEPP.

The Planning Proposal has been prepared having regard to the 'Guide to Preparing Planning Proposals' and addresses all relevant strategic plans, directions and considerations. A corresponding amendment will also be prepared to the Blacktown City Council Growth Centre Precincts Development Control Plan – Schedule 2 Riverstone Precinct Indicative Layout Plan.

### **1.2 Site description**

The Planning Proposal applies to land in the Riverstone Precinct within the North West Growth Area (NWGA). The Riverstone Precinct is located approximately 10km from Blacktown and 5.5km from Rouse Hill Town Centre.

Future development on the site and surroundings is shown in the ILP within the Blacktown City Council Growth Centres Precincts Development Control Plan Schedule 2 (Alex Avenue and Riverstone Precinct).



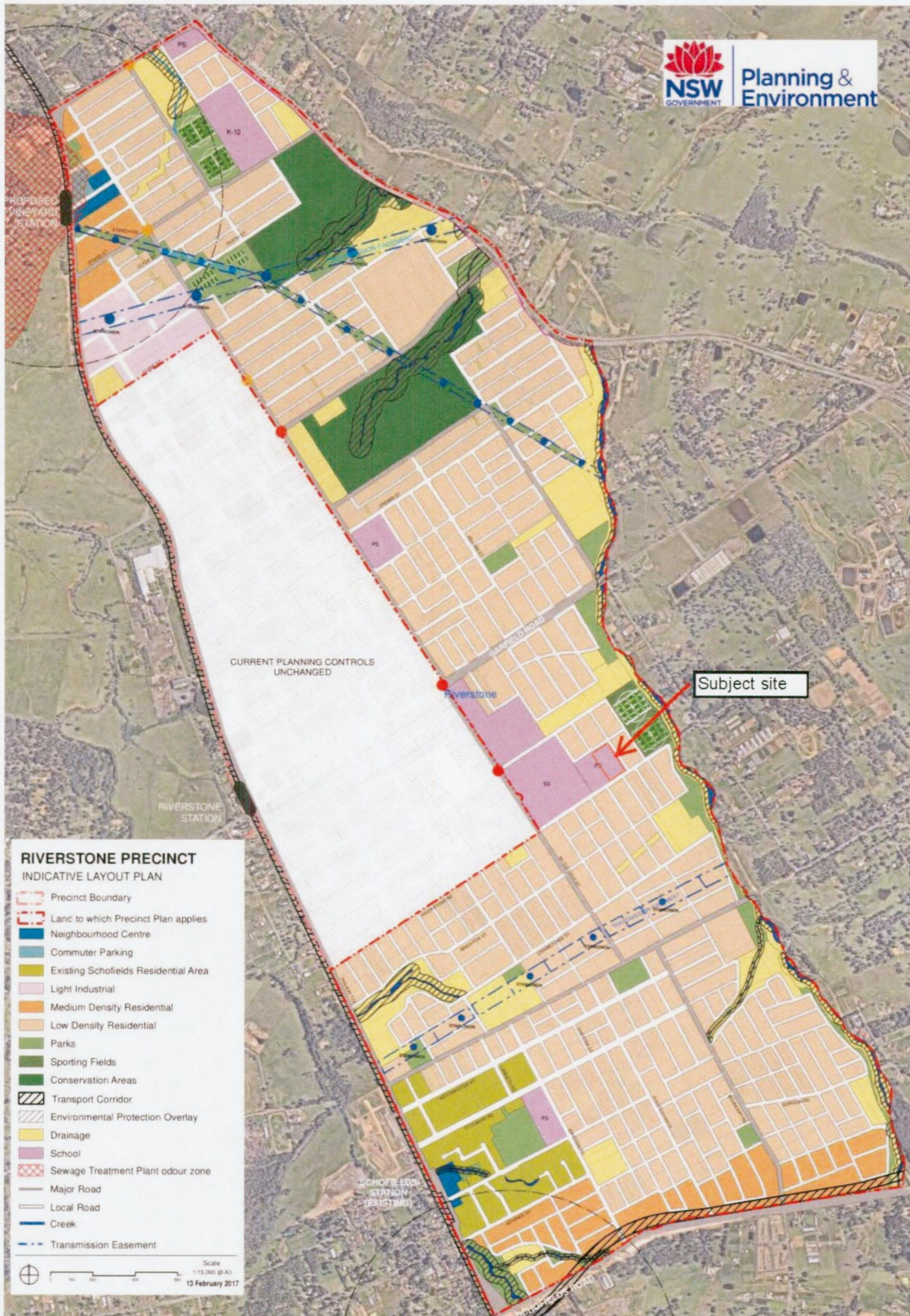


Figure 1: Riverstone East Precinct Indicative Layout Plan

Planning Proposal – LEP-21-0002 (September 2021)

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Figure 2: Aerial map of the subject site

To the east of the subject site is the remainder of Lot B DP 362093. This part of Lot B, together with an adjoining lot to its north, are the subject of an approved development application for a 64 low density residential lot subdivision and new roads (DA-19-00934). This will provide public access to all potential residential lots on the land.

The land to the south has been subdivided into residential lots with many new low density dwellings already constructed.

To the north of the subject site, Lot 14 DP 1247573 (154 Regent Street) is the subject of an approved development application for a 26 residential lot subdivision and new roads including a road on the northern border (DA-18-02330).

The land to the west is zoned SP2 Infrastructure (Educational Establishment). Lot 4 Sec O DP 712, 149 Riverstone Road, adjoins the western boundary of Lot A DP 362093, 161 Riverstone Road and is the subject of an approved development application for a private school (DA-17-01135). Lot 4 is adjoined on its western boundary by Riverstone High School. No development application or Planning Proposal request has been lodged over Lot A to date.





Property Identification:

Property Location:



Figure 3: Subject site in the context of surrounding development

### 1.3 Current planning controls

The current planning controls under the Growth Centres SEPP applying to the subject site are identified in the table below.

Planning Proposal – LEP-21-0002 (September 2021)

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Planning control	Part Lot B DP 362093	Lot A DP 362093
Land zone	SP2 Infrastructure (Educational Establishment)	SP2 Infrastructure (Educational Establishment)
Land reserved for acquisition	Applies	Applies
Residential density	No control applied	No control applied
Height of buildings	No control applied	No control applied

## 1.4 Blacktown Local Planning Panel advice

The intended Planning Proposal was referred to the Blacktown Local Planning Panel meeting of 27 August 2021 for advice in accordance with the Local Planning Panels Direction – Planning Proposals, issued by the Minister for Planning on 27 September 2018 under section 9.1 of the Environmental Planning and Assessment Act 1979.

The Panel supports progressing the Planning Proposal to the Department of Planning, Industry and the Environment for a Gateway Determination, finding the Planning Proposal has strategic merit, responds to changing circumstances not recognised by current controls, supports Council's strategic plans and is consistent with the Greater Sydney Region Plan and the Central City District Plan.

## Part 2 – Explanation of provisions

### 2.1 Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)

This Planning Proposal seeks to amend the Growth Centres SEPP as it applies to Lot A DP 362093, 161 Riverstone Road and part of Lot B DP 362093 167 Riverstone Road, Riverstone.

The intended outcomes and objectives of this Planning Proposal can be achieved by the following amendments to the Growth Centres SEPP maps:

- i. Land Reservation Acquisition Map (Sheet LRA\_004) – remove identification of Lot A and part of Lot B DP 362093 as land reserved for acquisition.
- ii. Land Zoning Map (Sheet LZN\_004) – rezone part of Lot B DP 362093 from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.
- iii. Height of Building Map (Sheet HOB\_004) – apply a maximum building height control of 9 m to the part of Lot B DP 362093 which is rezoned to R2 Low Density Residential.
- iv. Residential Density Map (Sheet RDN\_004) – apply a minimum residential density control of 15 dwellings per hectare to the part of Lot B DP 362093 which is rezoned to R2 Low Density Residential.

The proposed amendments to part of Lot B DP 362093 seek to apply the same land use zone, residential density and building height that applies to the remainder of Lot B and the surrounding land. The proposed controls are suitable for low density residential use.

Maps showing the existing and proposed changes to Land Zoning, Height of Buildings, Residential Density and Land Reservation Acquisition maps are shown in Attachment 4.



## Part 3 – Justification

### 3.1 Section A – Need for the Planning Proposal

#### 3.1.1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of the Department of Education's advice that they no longer require Lot A and part of Lot B DP 362093, 161 and 167 Riverstone Road, Riverstone for educational purposes and have relinquished its interest in the land.

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

Yes. A Planning Proposal is the best means of achieving the objectives and intended outcomes. Amendments to the Growth Centres SEPP maps can only be achieved via the LEP Planning Proposal process.

The proposed amendment to the Land Reservation Acquisition Map will remove the obligation for the NSW Government to acquire the land, in accordance with the Department of Education's advice.

The proposed amendments to the land use zone, building height and residential density controls applying to part of Lot B DP 362093 will enable the orderly and economic development of the site for residential purposes.

### 3.2 Section B – Relationship to strategic planning framework

#### 3.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or district plan or strategy (including the Greater Sydney Region Plan)?

##### a) Greater Sydney Region Plan

The Region Plan sets a 40-year vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. The Planning Proposal is consistent with the Directions contained within *The Greater Sydney Region Plan, A Metropolis of three Cities* (Region Plan) and its vision, strategic goals and objectives. The Planning Proposal supports Objective 10 Greater Housing Supply and Objective 11 More diverse and affordable housing. Attachment 1 describes how the proposal is consistent with the objectives of the Region Plan.

##### b) Central City District Plan

The Central City District Plan aligns with the Greater Sydney Region Plan and provides a 20-year framework to manage growth and achieve the plans long term vision, while enhancing Greater Sydney's liveability, productivity and sustainability into the future. It is a guide for implementing the Greater Sydney Region Plan at a District level and a bridge between regional and local planning. The Riverstone Precinct, which includes the subject site, is located within the Central City District.

Consistency with the themes, priorities and actions of the Central City District Plan are described in Attachment 1. This analysis shows that the Planning Proposal is not inconsistent with the objectives of the Central City District Plan.

Planning Proposal – LEP-21-0002 (September 2021)

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**c) North West Priority Growth Area – Land Use and Infrastructure Strategy**

The North West Priority Growth Area Land Use and Infrastructure Strategy establishes the objectives for the North West Priority Growth Area. The objectives applicable to this Planning Proposal is 'To plan for an increased population in Sydney's North West in vibrant and liveable neighbourhoods'.

The rezoning from SP2 Infrastructure – Educational Establishment to R2 Low Density Residential adheres to the objectives and aims of the North West Priority Growth Area Land Use and Infrastructure Strategy and is facilitating the potential to increase the housing supply within the North West Growth Area.

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

Yes. The planning proposal is consistent with the Blacktown Local Strategic Planning Statement and Our Blacktown 2036 - Community Strategic Plan (CSP).

**a) Blacktown Local Strategic Planning Statement 2020 (LSPS)**

The planning proposal is consistent with the Blacktown Local Strategic Planning Statement (LSPS), which establishes how future growth and change will be managed throughout the City.

The LSPS identifies Riverstone as an important strategic centre within the North West Growth Centre. The North West Growth Area is identified as one of the key areas for Blacktown City to meet its housing targets set under the Central City District Plan.

The Planning Proposal ensures that the site will be developed in line with the LSPS which is consistent with housing supply within the NWGA. Consistency of the Planning Proposal with the LSPS is detailed in Attachment 1.

**b) Our Blacktown 2036 - Community Strategic Plan (CSP)**

Our Blacktown 2036 identifies the main priorities of the local community and aspirations for the City to 2036. Its directions and objectives are based on principles of sustainability and social equity and includes transformational projects to ensure the vision is delivered. The Planning Proposal remains consistent with the strategic directions of Our Blacktown 2036. Consistency of the Planning Proposal with the Community Strategic Plan is detailed in Attachment 1.

**3.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal is consistent with the applicable SEPPs. A review of the proposals consistency with the relevant SEPPs is detailed in Attachment 2.

**3.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 Directions by the Minister)?**

The Planning Proposal is consistent with the applicable Ministerial Directions as shown in Attachment 3, particularly the following direction: 2.3 Heritage Conservation, 3.1 Residential Zones, 6.1 Approval and Referral Requirements, 6.2 Reserving Land for Public Purposes, 7.1 Implementation of A Plan for Growing Sydney, 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

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### **3.3 Section C – Environmental, Social and Economic Impacts**

#### **3.3.1 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 is not considered likely to result in adverse environmental impacts.

The subject site is identified as Green and Golden Bell Frog habitat on the land zoning map and is subject to the provisions of the Growth Centres SEPP Appendix 4 clause 6.9 'Development on certain land identified as Green and Golden Bell Frog habitat'. This provides that development consent must not be granted unless the consent authority is satisfied that the development will not adversely affect the quality and condition of any Green and Golden Bell Frog habitat identified in the mapped area and zoned SP2 Infrastructure (Drainage). Compliance with these provisions can be managed through engineering solutions, determined at the development application stage.

While the entire block bounded by Garfield Road, McCulloch Street, Riverstone Road and First Ponds Creek is similarly mapped as frog habitat, much of the land so identified was rezoned by the Riverstone Precinct Plan as R2 Low Density Residential and is undergoing urban transformation.

The request to rezone part of Lot B DP 362093 was accompanied by a Flora and Fauna Assessment, including Frog Assessment. The report found that the site is exempt from further assessment of threatened species and endangered ecological communities. A Stormwater Management Plan was also submitted, prepared for the purpose of a development application DA-19-00934 for residential development on the remainder of Lot B DP 362093. The Stormwater Management Plan provides for development on the entirety of Lot B DP 362093 including that part which is currently zoned SP2 Infrastructure (Educational Establishment) and proposed to be rezoned.

The Planning Proposal as it applies to Lot A DP 362093 proposes only to remove identification of the site as land reserved for acquisition. The Planning Proposal does not propose any change to the land use zone nor change to planning controls that would enable an increase in the density of future development on the site greater than that already permitted under the current planning controls.

#### **3.3.2 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 likely environmental effects or natural hazards as a result of the Planning Proposal. The subject site is not identified as subject to bushfire, flooding or landslide constraints.

#### **3.3.3 How has the Planning Proposal adequately addressed any social and economic effects?**

The Planning Proposal will not result in adverse social or economic effects. The Planning Proposal will provide positive social and economic effects to Riverstone as it facilitates the orderly and efficient development of land in an urbanising are, contributing additional housing supply and the creation of communities.

While the site was identified at precinct planning stage as the location for a future school, the decision not to construct a public educational establishment on the site is a decision of the

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NSW Government, based on current policy and demographic needs assessment by the Department of Education. This Planning Proposal is the result of the Department of Education's advice that they no longer require the subject site, and seeks to make amendments to enable the efficient use of surplus Education land. The Planning Proposal itself has not generated the change in location of a future school site.

### **3.4 Section D – State and Commonwealth interests**

#### **3.4.1 Is there adequate public infrastructure for the Planning Proposal?**

Yes. The subject site will have access to adequate public infrastructure including utility services, as there is an existing development on the site. The proposal has suitable access to public transport within 450m of the site.

Any additional infrastructure servicing requirements required for development that may occur from the gazettal of the Planning Proposal will be addressed in any future development applications.

#### **3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Consultation with relevant Commonwealth and State public authorities will be undertaken as directed by the Gateway determination.

The proponent's rezoning request was referred to Transport for NSW for initial feedback prior to seeking a Gateway Determination. Transport for NSW raised no objections to the proposed amendments.

## **Part 4 – Mapping**

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The Planning Proposal is accompanied by the following SEPP Maps at **Appendix A**:

1. Existing Land Zoning Map
2. Proposed Land Zoning Map
3. Existing Height of Buildings Maps
4. Proposed Height of Buildings Map
5. Existing Residential Density Map
6. Proposed Residential Density Map
7. Existing Land Reservation Acquisition Map
8. Proposed Land Reservation Acquisition Map

## **Part 5 – Community consultation**

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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*'.

Public consultation will take place in accordance with the Gateway Determination and as required under the *Environmental Planning and Assessment Act 1979*.

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## Part 6 – Timeline

Stage	Estimated Date
Resolution to prepare	November 2021
Gateway Determination	February 2022
Public exhibition	March 2022
Consider submissions	April 2022
Council resolution to adopt	June 2022
Forward Planning Proposal to Department of Planning, Industry and Environment to request that the plan be made	June 2022



## Attachment 1

## Consistency with Greater Sydney Region Plan, Central City District Plan, Blacktown Community Strategic Plan and Blacktown Local Strategic Planning Statement

## A. Greater Sydney Region Plan – A Metropolis of 3 Cities

Direction	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
<b>Infrastructure and Collaboration</b>			
A city supported by infrastructure	Objective 1: Infrastructure supports the 3 cities	Not applicable	Not applicable
	Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact	Not applicable	Not applicable
	Objective 3: Infrastructure adapts to meet future needs	Not applicable.	Not applicable
	Objective 4: Infrastructure use is optimised	Not applicable	Not applicable
A collaborative city	Objective 5: Benefits of growth realised by collaboration of governments, community and business	Not applicable	Not applicable
<b>Liveability</b>			
A city for people	Objective 6:	Not applicable	Not applicable
A city of great places	Services and infrastructure meet communities' changing needs		



Objective 7:  Communities are healthy, resilient and socially connected	Not applicable	Not applicable
Objective 9:  Greater Sydney celebrates the arts and supports creative industries and innovation	Not applicable	Not applicable
Objective 10:  Greater housing supply	Applicable.	The subject Planning Proposal to rezone the subject site from surplus SP2 Infrastructure (Education Establishment) to R2 Low Density Residential will increase the housing supply within the Riverstone region.
Objective 11:  Housing is more diverse and affordable	Applicable.	The subject Planning Proposal will increase housing supply within the Riverstone region, therefore, contributing to the supply and affordability of housing within the region.
Objective 12:  Great places that bring people together	Not applicable.	Not applicable
Objective 13:  Environmental heritage is identified, conserved and enhanced	Not applicable.	Not applicable



Productivity			
A well-connected city	Objective 14: A Metropolis of 3 Cities – integrated land use and transport creates walkable and 30- minute cities	Not applicable.	Not applicable.
	Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	Not applicable.	
	Objective 16: Freight and logistics network is competitive and efficient	Not applicable.	
	Objective 17: Regional connectivity is enhanced	Not applicable.	
Jobs and skills for the city	Objective 18: Harbour CBD is stronger and more competitive	Not applicable.	Not applicable
	Objective 19: Greater Parramatta is stronger and better connected	Not applicable.	Not applicable
	Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	Not applicable.	Not applicable
	Objective 21: Internationally competitive health, education, research and innovation precincts	Not applicable.	Not applicable
	Objective 22:	Not applicable.	Not applicable



	Investment and business activity in centres		
	Objective 23: Industrial and urban services land is planned, retained and managed	Not applicable.	Not applicable
	Objective 24: Economic sectors are targeted for success	Not applicable.	Not applicable
Sustainability			
A city in its landscape	Objective 25: The coast and waterways are protected and healthier	Not applicable.	Not applicable
	Objective 26: A cool and green parkland city in the South Creek corridor	Not applicable	Not applicable
	Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Not applicable.	Not applicable
	Objective 28: Scenic and cultural landscapes are protected	Not applicable.	Not applicable
	Objective 29: Environmental, social and economic values in rural areas are protected and enhanced	Not applicable.	Not applicable
	Objective 30: Urban tree canopy cover is increased	Not applicable.	Not applicable



	Objective 31: Public open space is accessible, protected and enhanced	Not applicable.	Not applicable
	Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	Not applicable.	Not applicable
An efficient city	Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	Not applicable.	Not applicable.
	Objective 34: Energy and water flows are captured, used and re-used	Not applicable.	Not applicable
	Objective 35: More waste is re-used and recycled to support the development of a circular economy	Not applicable.	Not applicable
A resilient city	Objective 36: People and places adapt to climate change and future shocks and stresses	Not applicable.	Not applicable.
	Objective 37: Exposure to natural and urban hazards is reduced	Not applicable.	Not applicable
	Objective 38: Heatwaves and extreme heat are managed	Not applicable.	Not applicable
Implementation			
Implementation	Objective 39: A collaborative approach to city planning	Not applicable.	Not applicable.



Objective 40:  Plans refined by monitoring and reporting	Not applicable.	Not applicable.
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## B. Central City District Plan

Planning Priorities	Does this priority apply to the Planning Proposal	How does this Planning Proposal implement the Planning Priority and Action
Infrastructure and Collaboration		
C 1:  Planning for a city supported by Infrastructure	Not applicable.	Not applicable.
C 2:  Working through collaboration	Not applicable.	Not applicable.
Livability		
C 3:  Providing services and social infrastructure to meet people's changing needs	Not applicable.	Not applicable.
C 4:  Fostering healthy, creative, culturally rich and socially connected communities	Not applicable.	Not applicable.
C 5:  Providing housing supply, choice and affordability, with access to jobs, services and public transport	Applicable.	The proposed Planning Proposal will facilitate greater housing supply, choice, and affordability within Riverstone by creating the potential for increased development yield on the subject site. The subject site is suitably located with access to jobs and services which are accessible by public transport and private vehicles.
C 6:  Creating and renewing great places and local centres, and	Not applicable.	Not applicable

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respecting heritage the District's heritage		
<b>Productivity</b>		
C 7: Growing a stronger and more competitive Greater Parramatta	Not applicable	Not applicable
C 8: Delivering a more connected and competitive GPOP Economic Corridor	Not applicable	Not applicable
C 9: Delivering integrated land use and transport planning a 30-minute city	Not applicable	Not applicable
C 10: Growing investment, business opportunities and jobs in strategic centres	Not applicable	Not applicable
C 11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	Not applicable	Not applicable
C 12: Supporting growth of targeted industry sectors	Not applicable	Not applicable
<b>Sustainability</b>		
C 13: Protecting and improving the health and enjoyment of the District's waterways	Not applicable.	Not applicable.
C 14:	Not applicable.	Not applicable



Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element		
C 15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	Not applicable.	Not applicable
C 16: Increasing urban tree canopy cover and delivering Green Grid connections	Not applicable	Not applicable
C 17: Delivering high quality open space	Not applicable.	Not applicable
C 18: Better managing rural Areas	Not applicable.	Not applicable
C 19: Reducing carbon emissions and managing energy, water and waste efficiently	Not applicable.	Not applicable
C 20: Adapting to the impacts of urban and natural hazards and climate change	Not applicable.	Not applicable
Implementation		
C 21: Preparing local strategic planning statements informed by local strategic planning	Not applicable	Not applicable
C 22: Monitoring and reporting on the delivery of the plan	Not applicable	Not applicable



**C. Blacktown Community Strategic Plan**

Strategic Direction	Compliance
A vibrant and inclusive City	The subject Planning Proposal will facilitate greater options for housing within the community, contributing to the potential to increase vibrancy and inclusivity within Blacktown City.
A clean, sustainable and healthy environment	The subject Planning Proposal has included a Flora and Fauna assessment which revealed that the propose rezoning will not negatively impact on the environment.
A smart and prosperous economy	Not applicable.
A growing city supported by accessible infrastructure	The proposed rezoning has access to transport routes connected to the wider transport networks throughout Sydney.
A sporting and active city	Not applicable.
A leading city	Not applicable.



### D. Blacktown Local Strategic Planning Statement

The Blacktown Local Strategic Planning Statement (LSPS) sets out a 20 year land use vision and structure plan for Blacktown City.

The following is an assessment of the Planning Proposal against the Blacktown LSPS.

Local Planning Priority	Action	How does this Planning Proposal implement the Planning Priorities and Action
<b>Infrastructure and Collaboration</b>		
LPP1: Planning for a City supported by infrastructure	1. Collaborate to identify the full range of infrastructure required to support the City's growth and sustainability as part of a comprehensive, rolling infrastructure delivery program  2. Collaborate to prioritise infrastructure planning and investment in the right place, at the right time and for the right cost, to align with forecast growth  3. Work with the NSW Government and agencies to secure, protect and build transport corridors, including the Sydney Metro extension from Tallawong to St Marys, the Outer Sydney Orbital, Bells Line of Road-Castlereagh Connection and the Western Sydney Freight Line  4. Continue to maintain and upgrade essential community infrastructure in areas in Blacktown City to meet contemporary standards	Not applicable.
LPP2: Collaborating, partnering and engaging to implement the LSPS	5. Maintain an updated Community Engagement Strategy and Community Participation Plan  6. Work with the NSW Government, Central City and Western City District councils, WSROC, the private sector and	Not applicable.



	<p>the community to implement the district plans</p> <p>7. Work with the Australian and NSW governments, the private sector and the community to implement the LSPS</p>	
Livability		
LPP3: Providing services and social infrastructure to meet people's changing needs	<p>8. Collaborate with the NSW Government to improve the funding model for community facilities in the NWGA</p> <p>9. Collaborate with the NSW Government to rectify the gap in planning for and provision of infrastructure arising from development occurring at higher densities than forecast in the NWGA, impacting on transport, open space, schools and other community facility needs</p> <p>10. Review facilities against forecast population growth and monitor the community's changing needs</p> <p>11. Collaborate with the NSW Government and other education providers to maximise opportunities for shared and joint use of education facilities</p> <p>12. Implement the BISP masterplan and deliver the International Centre of Training Excellence</p> <p>13. Construct the Blacktown Animal Rehoming Centre</p>	Not applicable.
LPP4: Respecting heritage and fostering healthy, creative, culturally rich and	<p>14. Maintain an updated heritage strategy</p> <p>15. Plan for facilities and spaces that foster healthy, creative,</p>	Not applicable.



socially connected communities	<p>culturally rich, safe and socially connected communities</p> <p>16. Plan for arts, culture, health and social interaction opportunities in the master planning for Strategic Centres and Urban Renewal Precincts, supported by equitable funding</p> <p>17. Implement the St Bartholomew's Cemetery Transformational Project</p>	
LPP5: Providing housing supply, choice and affordability with access to jobs, services and public transport	<p>18. Maintain an updated Blacktown Local Housing Strategy</p> <p>19. Collaborate on housing affordability across Greater Sydney</p>	The subject Planning Proposal facilitates the increased housing supply and choice within the Riverstone region which is in readily accessible to jobs, services and public transport options.
LPP6: Creating and renewing great places and centres	<p>20. Undertake place-based planning appropriate to the hierarchy and role of each strategic centre and Urban Renewal Precinct</p> <p>21. Maintain an updated strategy for all commercial centres</p> <p>22. Collaborate on planning for the Schofields and Seven Hills precincts and planning for the Marsden Park Strategic Centre</p> <p>23. Review planning controls to enhance and promote great places in Blacktown City</p> <p>24. Collaborate with the NSW Government to plan for and renew social housing, in particular in conjunction with place-based planning for the new Sydney Metro extension between St Marys and Tallawong</p>	Not applicable.



Productivity		
LPP7: Delivering integrated land use and transport planning and a 30-minute city	<p>25. Maintain an updated integrated land use and transport management plan</p> <p>26. Review planning controls to facilitate integration of land use planning and transport corridors and encourage sustainable transport choices</p> <p>27. Improve connectivity and accessibility in Strategic Centres and Urban Renewal Precincts</p> <p>28. Collaborate with the NSW Government to identify, secure and protect transport corridors</p>	Not applicable.
LPP8: Growing mixed use, investment, business and job opportunities in Strategic Centres	<p>29. Collaborate with the NSW Government to undertake place-based planning and review planning controls in the Blacktown, Mount Druitt and Marsden Park Strategic Centres</p> <p>30. Implement Warrick Lane Transformational Project in the Blacktown Strategic Centre</p>	Not applicable.
LPP 9: Maximising opportunities to attract advanced manufacturing to, and innovation in, industrial and urban services land	<p>31. Review planning controls to promote advanced manufacturing and innovation in industrial and urban services land</p> <p>32. Review planning controls to manage the interfaces between industrial and urban services land and other uses</p>	Not applicable.
LPP10: Growing targeted industry sector	<p>33. Maintain an updated economic development strategy</p> <p>34. Collaborate with the NSW Government and the private sector to promote health, medical research and innovation, and education opportunities in the Blacktown and Mount Druitt Strategic Centres and implement</p>	Not applicable.



	<p>the Health Precinct Transformational Project</p> <p>35. Investigate a future health precinct around the planned Rouse Hill Hospital</p> <p>36. Implement the Australian Catholic University – Blacktown Transformational Project</p>	
<b>Sustainability</b>		
LPP11: Protecting and improving the health and enjoyment of waterways	<p>37. Maintain an updated Integrated Water Management Strategy</p> <p>38. Promote best practice water sensitive urban design to address the impacts of stormwater</p> <p>39. Collaborate on a catchment-wide scale to improve waterway health and community access to waterways</p> <p>40. Collaborate to deliver projects that rehabilitate waterways to a more natural condition</p>	Not applicable.
LPP12: Creating a Parkland City urban structure and emphasising the importance of South Creek	<p>41. Collaborate as part of a whole-of-catchment approach to managing South Creek</p> <p>42. Collaborate with the NSW Government to improve public access to Eastern Creek and South Creek for walking and cycling</p>	Not applicable.
LPP13: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	<p>43. Maintain an updated biodiversity strategy for Blacktown City</p> <p>44. Identify and protect scenic and cultural landscapes</p> <p>45. Maintain updated plans of management for natural areas, parks and areas of cultural significance</p>	Not applicable.



LPP14: Increasing urban tree canopy cover and Green Grid connections	<p>46. Collaborate to increase tree canopy cover, deliver Green Grid connections and cool the urban environment</p> <p>47. Collaborate to extend the Western Sydney Parklands north along Eastern Creek to connect with South Creek</p>	Not applicable.
LPP15: Delivering high quality open space	<p>48. Maintain an updated recreation and open space strategy</p> <p>49. Collaborate to address the shortfall in open space and recreation facilities in the NWGA</p> <p>50. Collaborate to maximise shared and joint use of school facilities to optimise community use of recreation space</p> <p>51. Plan for open space and recreation when masterplanning Strategic Centres, Urban Renewal Precincts and the NWGA</p> <p>52. Collaborate to explore new recreational opportunities, including at Prospect Reservoir</p>	Not applicable
LPP16: Reducing carbon emissions and managing energy, water and waste efficiently	<p>53. Investigate options to improve energy, water and waste efficiency in Urban Renewal Precincts and the NWGA via master planning</p> <p>54. Incorporate best practice energy, water and waste management for Council-led projects</p> <p>55. Review energy, water and waste efficiency provisions in planning controls</p> <p>56. Collaborate on a Greater Sydney-wide response to the management of waste</p>	Not applicable



LPP17: Adapting to the impacts of urban and natural hazards and climate change	<p>57. Review planning controls to reduce urban heat, particularly in the NWGA</p> <p>58. Collaborate to implement Resilient Valley, Resilient Communities as it relates to Blacktown City</p> <p>59. Maintain an updated flood risk management plan and planning controls</p>	Not applicable.
Implementation		
LPP18: Delivering, monitoring and reporting on the actions in the LSPS	<p>60. Establish a Blacktown City LSPS Implementation Monitoring Committee to oversee and report on LSPS implementation, chaired by Council and incorporating senior representatives of relevant State agencies</p> <p>61. Use the Monitoring Committee to report progress against the LSPS to Council every quarter as part of Council's Integrated Planning and Reporting Framework</p> <p>62. Advocate for the fair allocation of funding to Blacktown City in support of our growing community</p> <p>63. Review the LSPS within 7 years as required by legislation</p>	Not applicable.



## Attachment 2

### Consistency with Applicable SEPPs and REPs

State Environmental Planning Policy	Consistency
SEPP No 1 - Development Standards	Not applicable.
SEPP No 19 - Bushland in Urban Areas	Not applicable
SEPP No 21 Caravan Parks	Not applicable
SEPP No 33 - Hazardous and Offensive Development	Not applicable
SEPP No 36 - Manufactured Home Estates	Not applicable
SEPP No 50 - Canal Estate Development	Not applicable
SEPP No 55 - Remediation of Land	The Planning Proposal seeks to change the use of the land from surplus SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential and aims to be consistent with the provisions of SEPP 55. A preliminary contamination assessment was conducted on the subject site to support a subdivision development application (DA-19-00934) in 2019. This report concluded that the subject lot is free from contamination and suitable for residential development. Prior to future development, appropriate investigations will be undertaken to ensure that any contamination of the properties is identified and remediated if required.
SEPP No 64 - Advertising and Signage	Not applicable
SEPP No 65 - Design Quality of Residential Apartment Development	Not applicable
SEPP No 70 - Affordable Housing (Revised Schemes)	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable
SEPP (Concurrences) 2018	Not applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	Not applicable

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State Environmental Planning Policy	Consistency
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP (Infrastructure) 2007	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable
SEPP (Primary Production and Rural Development) 2019	Not applicable
SEPP (State and Regional Development) 2011	Not applicable
SEPP (State Significant Precincts) 2005	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	This Planning Proposal seeks to change the use of the land from surplus SP2 Infrastructure (Education Establishment) to R2 Low Density Residential and aims to be consistent with the aims of the SEPP – Appendix 4 Alex Avenue and Riverstone Growth Centers Precinct Plan. The proposal is consistent with the specific planning controls for R2 Low Density Residential Development which is this proposal is seeking rezoning for. The requested amendments to the zoning, building height and residential density will allow the site to be developed for residential purposes and is the best approach towards facilitating the desired outcome for the site.
SEPP (Urban Renewal) 2010	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

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## Sydney Regional Environmental Plans

Sydney REP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
Sydney REP No 20 - Hawkesbury-Nepean River (No 2 - 1997)	Not applicable
Sydney REP No 30 - St Marys	Not applicable
Sydney REP (Sydney Harbour Catchment) 2005	Not applicable



## Attachment 3

### Consistency with relevant Section 9.1 Directions by the Minister

Direction	Consistency of Planning Proposal
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Management	Not applicable.
2.3 Heritage Conservation	The Planning Proposal is consistent with the terms of this direction. There are no heritage items identified on the subject site.
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
2.6 Remediation of Contaminated Land	Not applicable.
<b>3. Housing, Infrastructure and Urban development</b>	
3.1 Residential Zones	This Planning Proposal will meet the objectives of this direction as it is broadening the choice of building types and locations available in the housing markets. The site will be adequately serviced by infrastructure from the relevant authorities. The Planning Proposal does not contain provisions which will reduce the permissible residential density of land.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.

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Direction	Consistency of Planning Proposal
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	Not applicable.
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable.
3.6 Shooting Ranges	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Not applicable.
4.4 Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable.
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 [Revoked]	-
5.6 [Revoked]	-
5.7 [Revoked]	-
5.8 [Revoked]	-
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Not applicable.
5.11 Development of Aboriginal Land Council land	Not applicable.
<b>6. Local Plan Making</b>	

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**Direction****Consistency of Planning Proposal**

- |  |   |
|--|---|
| 6.1 Approval and Referral Requirements | This Planning Proposal seeks to minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. It is understood that council would obtain the approval of these authorities if needed. The Planning Proposal does not identify the development as designated development.   |
| 6.2 Reserving Land for Public Purposes | <p>The Planning Proposal seeks to change the use of the land from surplus SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential and aims to be consistent with the provisions of SEPP 55. Prior to future development, appropriate investigations will be undertaken to ensure that any contamination of the properties are identified and remediated.</p> <p>The Department of Education has confirmed via a letter dated 13 June 2019 that they relinquish their interest in the subject site for future school purposes and therefore, acquisition is not required.</p> |
| 6.3 Site Specific Provisions           | The Planning Proposal does not seek for a particular development to be carried out and does not promote site specific planning. The proposed rezoning of the site is in accordance with the Blacktown Growth Centres DCP – Schedule 2 Riverstone Precinct and would not restrict development and is in accordance with the <i>SEPP Sydney Region Growth Centres 2006</i> .  |

7. Metropolitan Planning
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- |  |  |
|--|--|
| 7.1 Implementation of A Plan for Growing Sydney                    | This Planning Proposal reflects the objectives and priorities of A Plan for Growing Sydney which has been discussed under Direction No.3. Note that these requirements are reflected in the assessment against a Metropolis of Three Cities – Greater Sydney Region Plan and the Central City District Plan. |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | Not applicable.  |

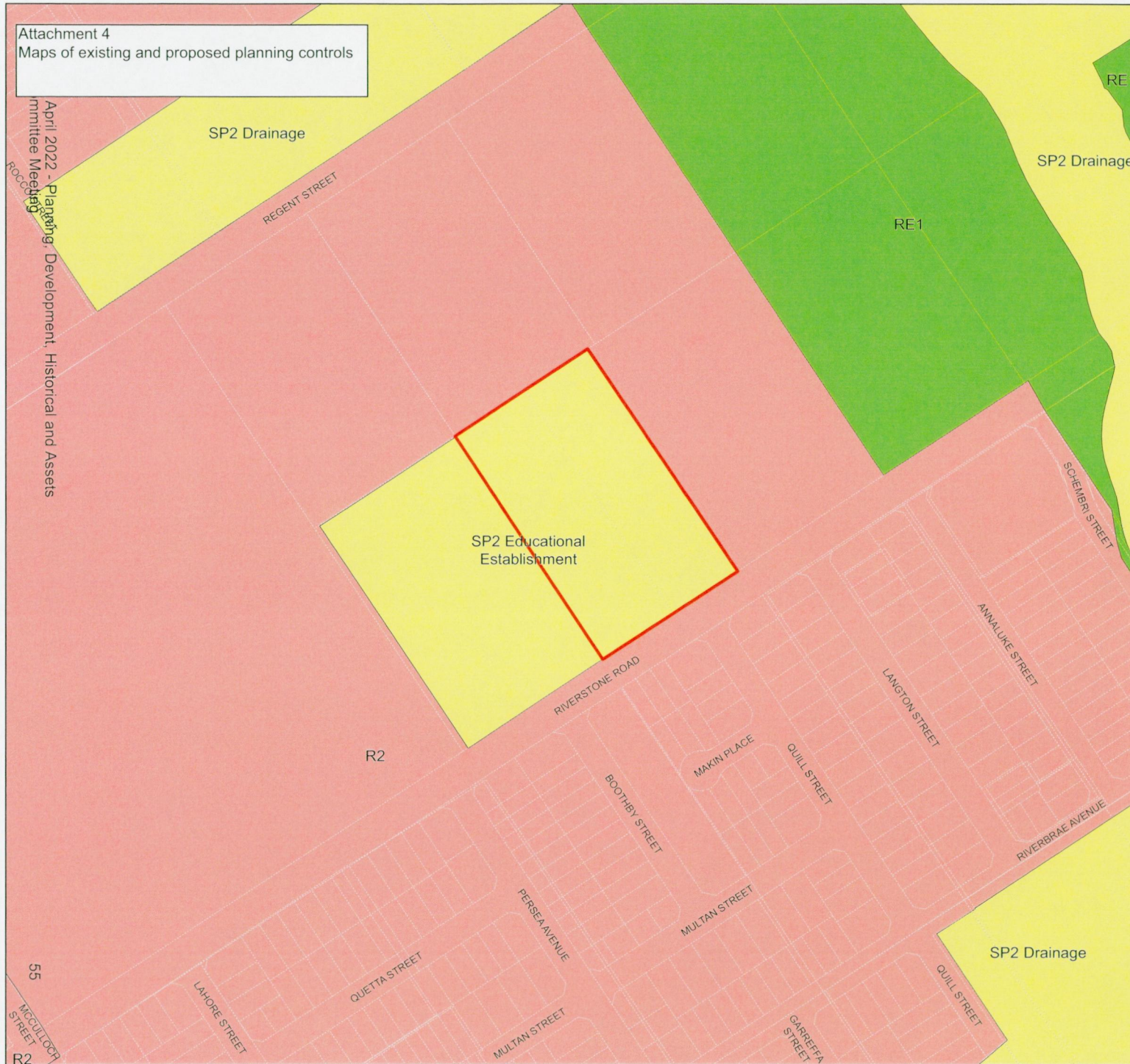
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
Direction	Consistency of Planning Proposal
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	<p>The draft Planning Proposal establishes a min density which is consistent with the adjoining R2 Low Density Residential Land.</p> <p>The draft amendments for min/max densities has not been progressed by the Department of Planning.</p>
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.
7.10 Implementation of Planning Proposals for the Cooks Cove Precinct	Not applicable.





## Riverstone Road, Riverstone Existing Land Zone Map

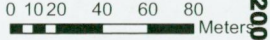
### Legend

-  Subject Land
-  R2 Low Density Residential
-  RE1 Public Recreation
-  SP2 Infrastructure

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
The information shown on this plan is indicative only.  
All details must be confirmed by the relevant council  
officer. This plan must not be reproduced without prior consent.

Scale = 1:2,200  Meters



Date: 28/09/2021





# Riverstone Road, Riverstone

## Proposed Land Zone Map

### Legend

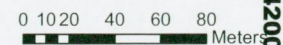
- Subject Land
- R2 Low Density Residential
- RE1 Public Recreation
- SP2 Infrastructure

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
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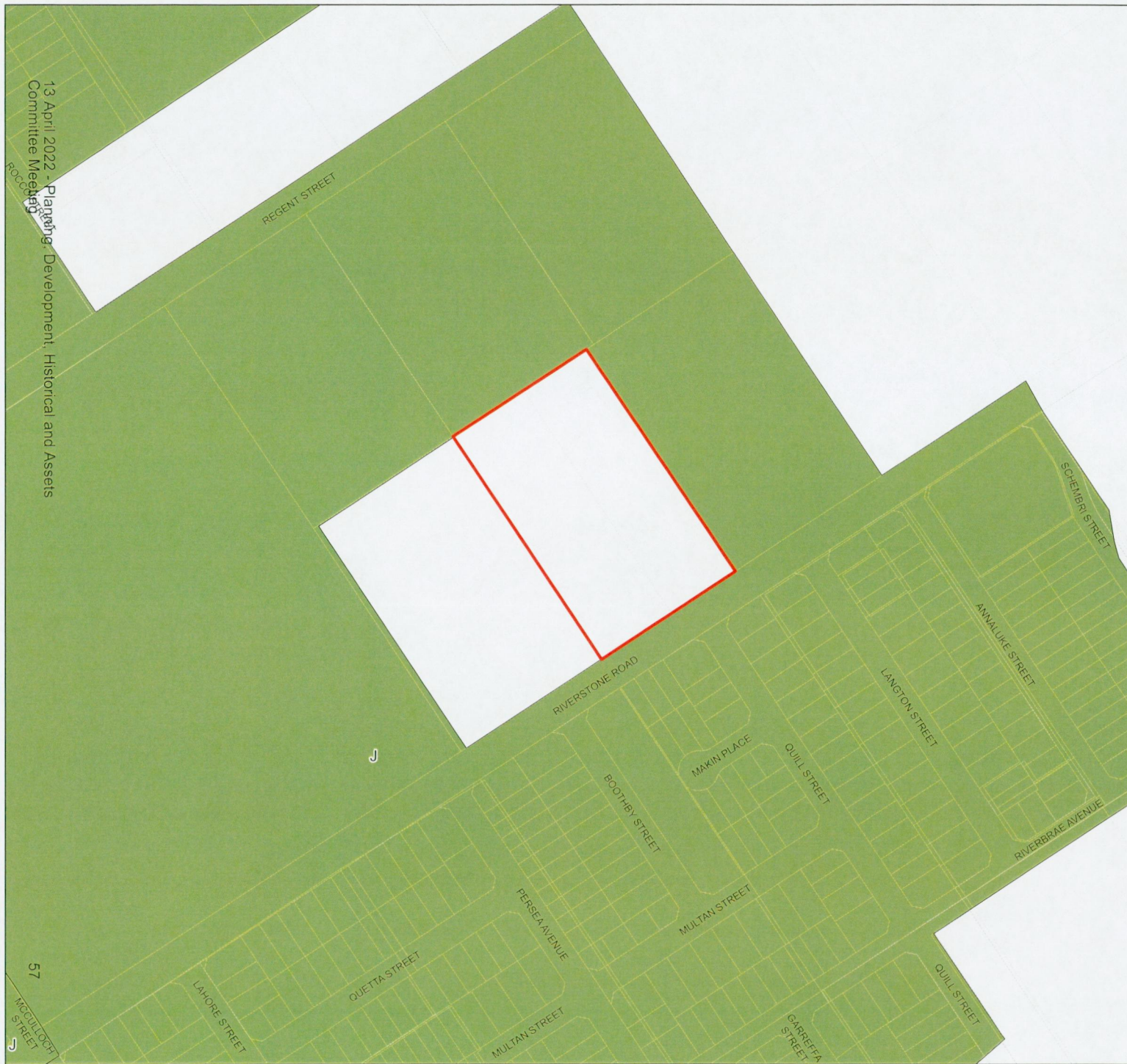
Scale = 1:2,200



Date: 28/09/2021

Attachment PD420000.4







Riverstone Road, Riverstone

## Existing Height of Buildings Map

### Legend

 Subject Land

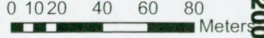
### Height of Buildings

 J 9 metres

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
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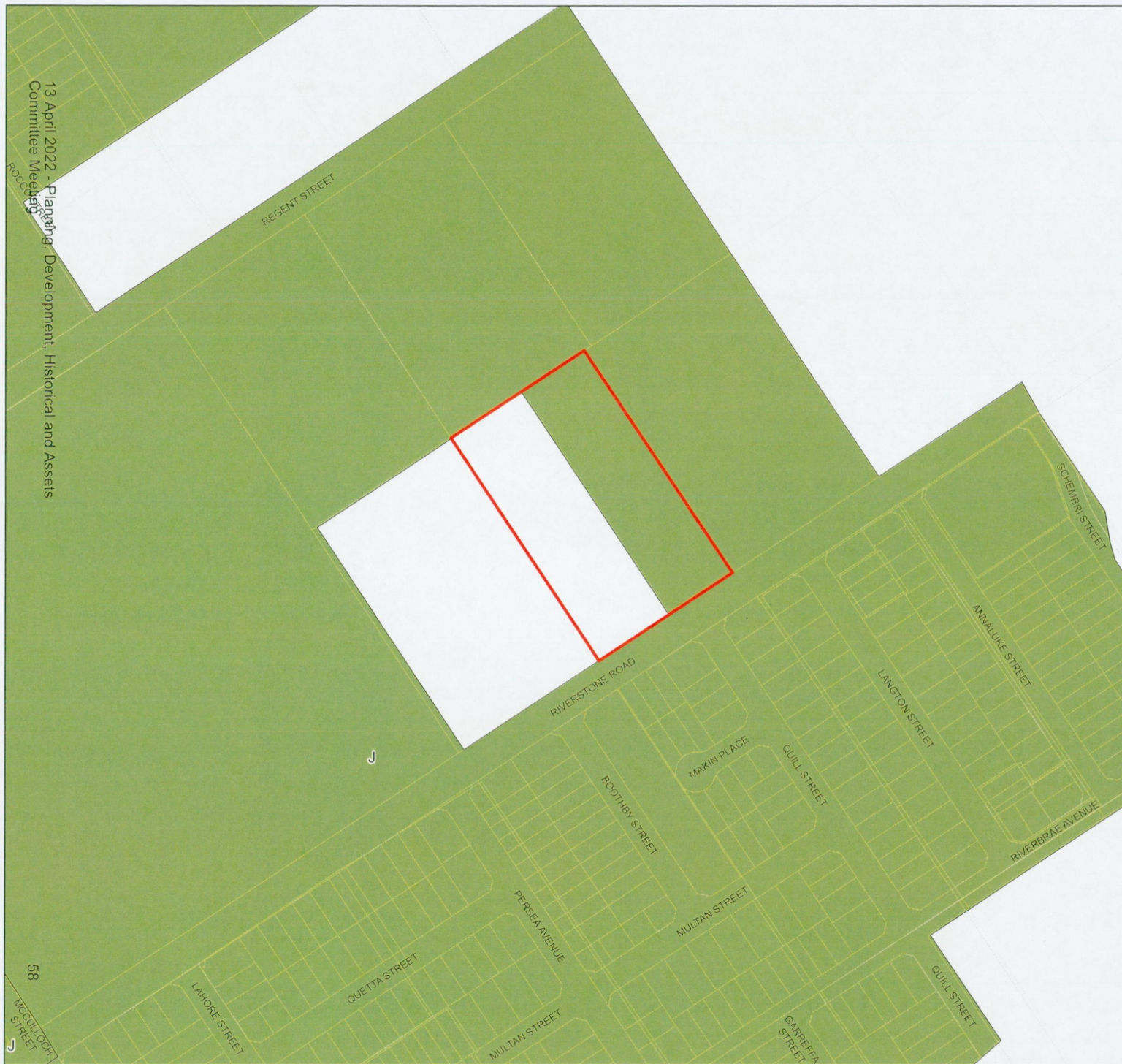
Scale = 1:2,200  Meter



Date: 30/09/2021

Attachment PD420000.4





Riverstone Road, Riverstone

## Proposed Height of Buildings Map

### Legend

Subject Land

### Height of Buildings

J 9 metres

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
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Scale = 1:2,200

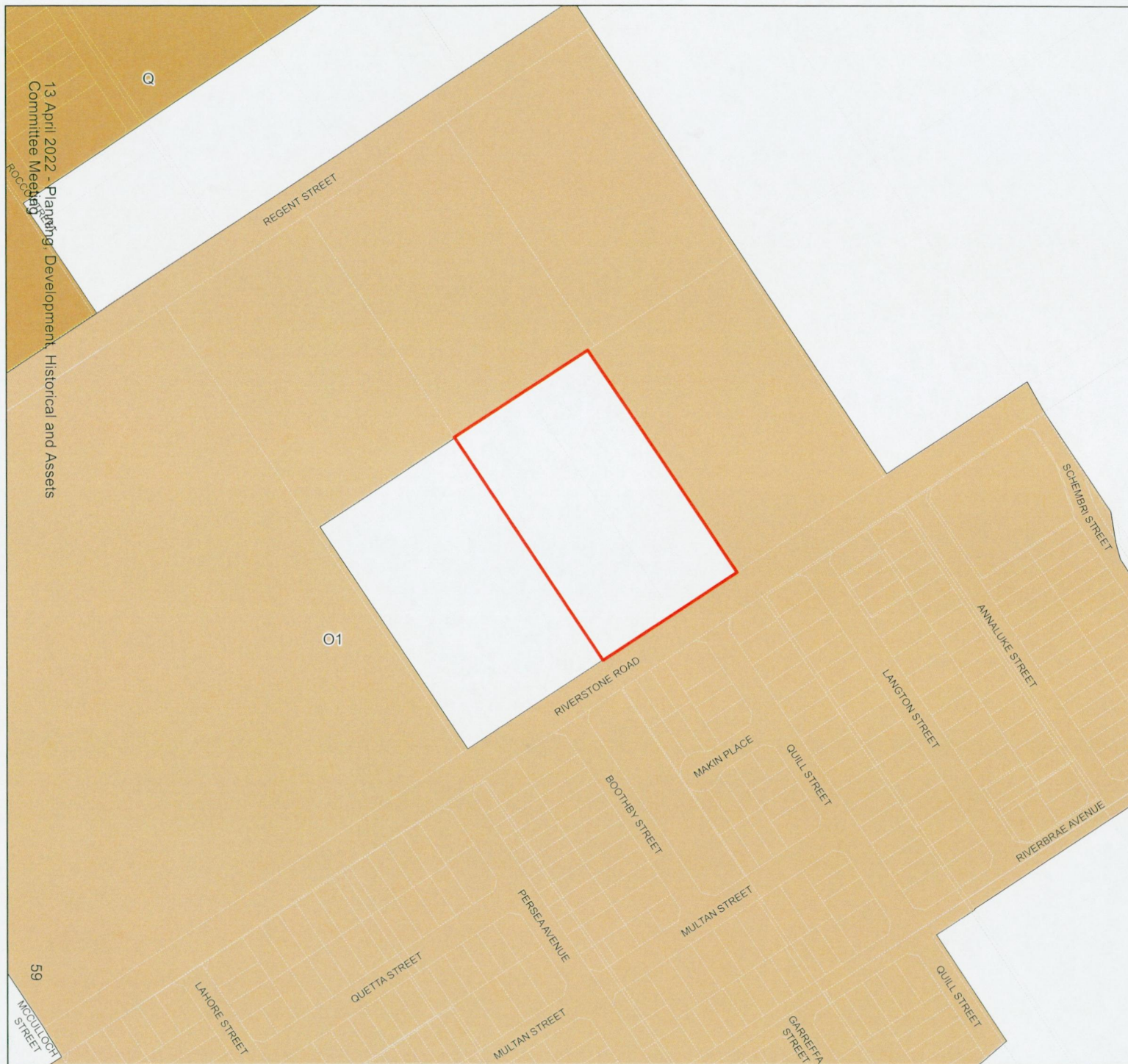
0 10 20 40 60 80 Meters



Date: 30/09/2021

Attachment PD420000.4









Riverstone Road, Riverstone

## Existing Residential Density Map

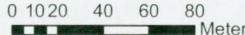
### Legend

	Subject Land
	O1 15 dph
	Q 20 dph
	T 25 dph

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
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All details must be confirmed by the relevant council officer. This plan must not be reproduced without prior consent.

Scale = 1:2,200 



Date: 30/09/2021

Attachment PD420000.4









13 April 2022 - Planning, Development, Historical and Assets Committee Meeting

# Riverstone Road, Riverstone

## Proposed Residential Density Map

### Legend

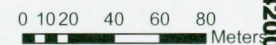
	Subject Land
	O1 15 dph
	Q 20 dph
	T 25 dph

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
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Scale = 1:2,200



Date: 30/09/2021

Attachment PD420000.4





# Riverstone Road, Riverstone

## Existing Land Reservation Acquisition Map

### Legend

- Subject Land
- Land Reservation Acquisition

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
The information shown on this plan is indicative only.  
All details must be confirmed by the relevant council officer. This plan must not be reproduced without prior consent.

Scale = 1:2,200 01020406080 Meter



Date: 30/09/2021

Attachment PD420000.4





# Riverstone Road, Riverstone

## Proposed Land Reservation Acquisition Map

### Legend

- Subject Land
- Land Reservation Acquisition

### Cadastre

Cadastre 10/09/21 © Blacktown City Council

NOTE:  
The information shown on this plan is indicative only.  
All details must be confirmed by the relevant council officer. This plan must not be reproduced without prior consent.

Scale = 1:2,200

0 10 20 40 60 80 Meters



Date: 30/09/2021

Attachment PD420000.4





Education

Department of Planning  
Received  
21 JUN 2017  
Scanning Room

Attachment PD420000.4

Attachment 5  
Department of Education  
correspondence

DOC17/585462

Mr George Koshy  
Director, Land Release  
Department of Planning and Environment  
GPO Box 39  
Sydney 2001



Dear Mr Koshy

**Re: Relinquishment of Proposed School Sites in Riverstone**

I write to inform you that the Department of Education requests to relinquish its acquisition rights over several proposed school sites across the Riverstone area as outlined below and attached in **TAB A**:

- Riverstone Road proposed primary school site - no longer required due to its close proximity to the existing Riverstone Public School. All lots to be relinquished (Lots A&B DP362093)
- Otago Street proposed K-12 school site – reduced site retained with one lot to be relinquished (Lot 2 DP1042658)
- Crown Street proposed primary school site - reduced site retained one lot to be relinquished (Lot 17 DP1459)

These amendments have been endorsed by the Minister for Education (June 2017).

A key factor in relinquishing these sites is based on the Department's new site standards to provide larger schools on smaller sites.

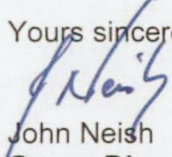
Future public education needs in this area will be met through the redevelopment and expansion of existing schools and the provision of new schools as required.

I understand that the SEPP (Sydney Region Growth Centres) 2006 land reservation acquisition map will need to be amended and I request that the Department of Planning and Environment facilitate this.

Please acknowledge receipt of this letter and your concurrence at your earliest convenience so that we can formally advise the various affected property owners.

Should you require any further information please contact Lesley Moodie, Director Schools Planning on 9561 8255 or via email [Lesley.moodie2@det.nsw.edu.au](mailto:Lesley.moodie2@det.nsw.edu.au)

Yours sincerely

  
John Neish  
Group Director, Planning and Strategy  
16 June 2017



13 June 2019

Mr George Koshy  
Director, Land Release  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2000

DOC19/421865

Dear Mr Koshy

**Re: Relinquishment of Proposed School Site; 167 Riverstone Road, Riverstone**

I write to inform you that the Department of Education requests to relinquish its interest over a proposed school site in the Riverstone ILP as outlined below and in **TAB A**:

167 Riverstone Road (Lot: B DP 362093) includes land proposed as a school site (site 1 in **TAB A**) – this site is not required as the site is not feasible due to the close proximity to existing Riverstone PS and Riverstone HS schools which could be expanded in the first instance to accommodate additional residential dwelling yields.

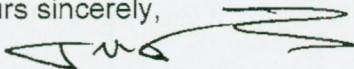
In the event an additional primary school site is required the department will not pursue this site due to these proximity issues and will investigate options for an alternative site, more suited to school catchment creation and management.

The department is currently expanding Schofields PS to support growth. Future additional infrastructure will be investigated and could include both the expansion of existing schools and the provision of new schools as required. To facilitate additional infrastructure the department will explore all funding avenues including through voluntary planning agreements at nil cost to government and special infrastructure contributions.

I understand that the SEPP (Sydney Region Growth Centres) 2006 North West Growth Centre, Riverstone Precinct, land reservation acquisition map will need to be amended and I request that the Department of Planning and Environment facilitate this.

Please acknowledge receipt of this letter and your concurrence so the department can formally advise the affected property owner. Should you require any further information please contact Katherine Della Libera, A/Snr Asset Planner, Department of Education on 0436 332 827 or [katherine.dellalibera2@det.nsw.edu.au](mailto:katherine.dellalibera2@det.nsw.edu.au)

Yours sincerely,



Stuart Suthern - Brunt

**Executive Director, Infrastructure Planning  
School Infrastructure NSW**





Precinct	Additional Dwelling Supply
Riverstone/Riverstone East	16,400







Chris Shannon  
Manager Strategic Planning  
Blacktown City Council  
PO Box 63,  
Blacktown NSW 2148

DGS 20/2358

12 January 2021

Dear Mr Shannon,

**RE: Relinquishment of Proposed School Site within the Riverstone Indicative Layout Plan, being 161 Riverstone Road, Riverstone.**

This letter is confirmation that the Department of Education (SINSW) relinquished its right of acquisition at 161 Riverstone Road, Riverstone known as Lot A DP 362093, (see annexure A) on 15 June 2017. This information was relayed to the Department of Planning and Environment.

SINSW has decided to retain its interest in the Crown Street properties known as Lot 4 DP 1122808 and Lot 16 Section 26 DP 1459.

Should you require any further clarification in regards to this matter please do not hesitate to contact Danny Sloane, Manager, Acquisitions, at [danny.sloane3@det.nsw.edu.au](mailto:danny.sloane3@det.nsw.edu.au) or 0418 558 588.

Yours sincerely,

**Anthony Manning**  
Chief Executive, School Infrastructure NSW  
11 February 2021





Annexure A



Address: 161 Riverstone Road, Riverstone  
Title: Lot A DP 362093





25 August 2021

TfNSW Ref: SYD21/00925  
Council Ref: LEP-21-0002

Mr Kerry Robinson  
Blacktown City Council  
Chief Executive Officer  
PO Box 63  
Blacktown NSW 2148  
Attention: Wint KhinZaw

Dear Mr Robinson,

**Planning Proposal to rezone Part lot B in DP362093, 167 Riverstone Road, Riverstone**

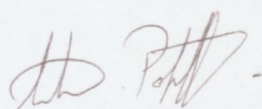
Transport for NSW (TfNSW) appreciates the opportunity to provide comment on the Planning Proposal for 167 Riverstone Road, Riverstone that was referred to us on 30 July 2021.

We understand that the purpose of the Planning Proposal is to rezone the subject land from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential under the Growth Centres SEPP.

The relevant Planning Proposal documentation has been reviewed by TfNSW and we raise no objections to the abovementioned amendments to the planning controls associated with the Planning Proposal. It is noted that future development of the site will be subject to the payment of Special Infrastructure Contributions in accordance with the Western Sydney Growth Areas Determination.

Should you have any questions or further enquiries in relation to this matter, Allan Campling would be pleased to take your call on phone 0409385321 or email:  
[development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au)

Yours sincerely,



Andrew Popoff  
**A / Senior Manager Strategic Land Use**  
**Land Use, Network & Place Planning, Greater Sydney**





## Blacktown Local Planning Panel

### PLANNING PROPOSAL ADVICE

<b>DATE OF DETERMINATION</b>	27 August 2021
<b>PANEL MEMBERS</b>	Sue Francis, Chair Vincent Hardy, Expert Stuart McDonald, Expert Ritesh Prasad, Community Representative
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil
<b>APPLICANT/OWNER</b>	Applicant – Calibre Professional Services Pty Ltd on behalf of Santilli Pty Ltd Owners – M Santilli, A Santilli, S Santilli and E Cirillo
<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Council assessment report</li> </ul>
<b>BRIEFING BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Private Panel briefing: Friday 27 August 2021 at 9.00 am</li> <li>Attendees:             <ul style="list-style-type: none"> <li>Panel members: Sue Francis, Vincent Hardy, Stuart McDonald, Ritesh Prasad</li> <li>Council officers: Wint Khin Zaw, Helen Budd</li> </ul> </li> </ul>

Confidential meeting held virtually on 27 August 2021, opened at 11.05 am and closed at 11.08 am.

#### PLANNING PROPOSAL

LEP-21-0002: Planning Proposal at 161 and 167 Riverstone Road, Riverstone for rezoning of land from SP2 Educational Establishment to R2 Low Density Residential and removal of the land from Land Reservation Acquisition Map.



## PRIVATE BRIEFING

A private briefing was held between Panel members and Council staff and the following issues were discussed:

- Configuration of the Planning Proposal with the indicative layout plan
- Future land development
- If the whole land was looked at for rezoning.

## PANEL ADVICE

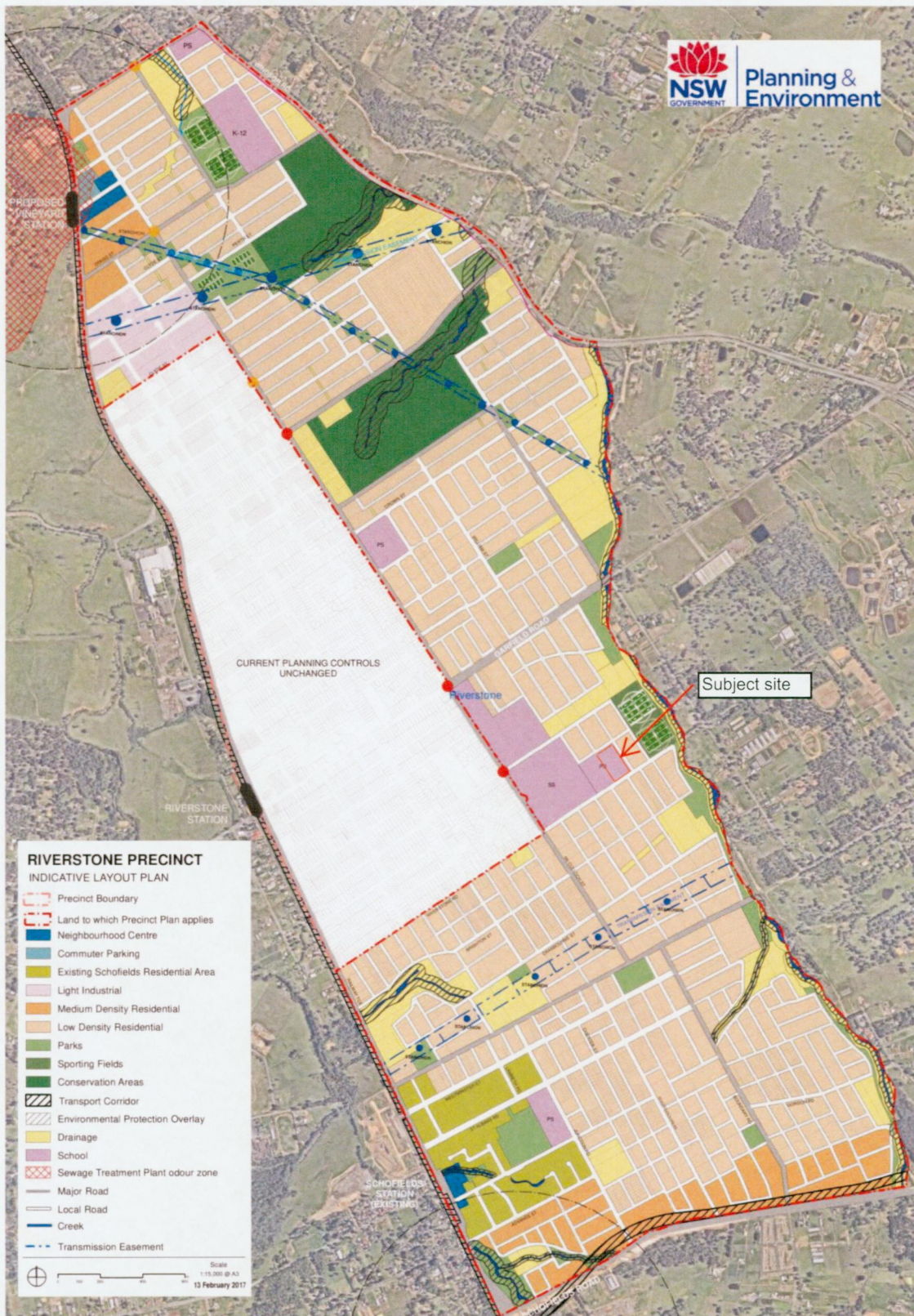
The Panel considered the assessment report on the matter and the material presented at the Panel meeting and supports the recommendation to progress the Planning Proposal for Gateway Determination.

The Panel provided the following advice for the Planning Proposal described above:

- The Proposal has strategic merit in regard to the natural environment, existing uses and likely future uses on and surrounding the site, and existing and required services and infrastructure.
- The proposal is responding to changing circumstance not recognised by current controls such as new infrastructure and changing demography.
- Supports the community vision and strategic objectives within Our Blacktown 2036 Community Strategic Plan (Community Strategic Plan).
- Aligns with the objectives and priorities in the Blacktown Local Strategic Planning Statement (Blacktown LSPS).
- Is consistent with the Greater Sydney Region Plan: A Metropolis of Three Cities (Region Plan) and the Central City District Plan (District Plan).

PANEL MEMBERS	REFERENCE NUMBER
Sue Francis, Chair	D21/476209
Stuart McDonald, Expert	D21/476819
Vincent Hardy, Expert	D21/476207
Ritesh Prasad, Community representative	D21/476816





An amendment will be prepared to the Blacktown City Council Growth Centre Precincts Development Control Plan Schedule 2 Riverstone Precinct to remove identification of the subject site as the site of a school on the Indicative Layout Plan.



Mr. Peter Conroy  
Director City Planning and Development  
Blacktown City Council

Sent by email to: [Peter.Conroy@blacktown.nsw.gov.au](mailto:Peter.Conroy@blacktown.nsw.gov.au)

AMD22/5650

21<sup>st</sup> March 2022

Dear Peter,

**Re: Land at 167 Riverstone Road, Riverstone**

School Infrastructure NSW (SINSW) writes to confirm that the Department of Education (the Department) does not require the land currently reserved for future school use at 167 Riverstone Road, Riverstone.

As per our previous advice provided to the Department of Planning and Environment, both of the existing schools (Riverstone Public and Riverstone High) are on sufficiently sized sites (3Ha and 8.2Ha respectively) to be able to meet future expansion requirements. Several other school sites in the broader growth area have also been reserved to meet enrolment needs as precincts are developed.

If you have any further queries please contact Scott Nemeth, Manager Acquisitions & Divestments SINSW, at [scott.nemeth5@det.nsw.edu.au](mailto:scott.nemeth5@det.nsw.edu.au) or 0418 510 195.

Yours sincerely



**Paul Towers**  
Executive Director, Infrastructure Planning  
School Infrastructure NSW