

**Short Minutes:** Ordinary Meeting**Meeting Date:** 20 October 2021**PD3.2****PD410041 - Planning Proposal for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate, Marsden Park LEP-20-0003****MOTION** (Cr Griffiths/Cr Israel)

1. Endorse the Planning Proposal at attachment 4 and forward it to NSW Department of Planning, Industry and Environment for a Gateway Determination.
2. Endorse an amendment to Figure 3.6 European cultural heritage of Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020) - Marsden Park Precinct Development Control Plan as at attachment 6. **CARRIED** unanimously

**COUNCIL DIVISION:**

Supported: Cr Bleasdale, Cr Griffiths, Cr Israel, Cr Singh, Cr Quilkey, Cr JG Diaz,  
Cr Gillies, Cr Benjamin, Cr Camilleri, Cr JM Diaz, Cr Brillo, Cr Bunting and  
Cr Santos.

Absent: Cr Collins.

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**Referred to :** DCPD**For:** Attention**Date:** 26.10.2021

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**Committee:** Planning, Development, Historical & Assets

**Meeting Date:** 20.10.2021

**PD3.2**

**PD410041 - Planning Proposal for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate, Marsden Park LEP-20-0003**

**RECOMMENDATION**

1. Endorse the Planning Proposal at attachment 4 and forward it to NSW Department of Planning, Industry and Environment for a Gateway Determination.
2. Endorse an amendment to Figure 3.6 European cultural heritage of Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020) - Marsden Park Precinct Development Control Plan as at attachment 6.

**COMMITTEE DIVISION:**

Supported: Cr Camilleri, Cr Israel and Cr Griffiths

Absent: Cr Collins

COMMITTEE RECOMMENDATION  
ADOPTED  
ORDINARY MEETING

20 OCT 2021

**EXCEPTION**

**WITHOUT CHANGE**

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**Referred to :** DCPD

**For:** Attention

**Date:** 21.10.2021

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## PD3.2 PD410041 - Planning Proposal for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate, Marsden Park

**Director:** Peter Conroy, Director City Planning & Development  
**Responsible Manager:** Trevor Taylor, Manager Development Policy & Regulation  
**File:** LEP-20-0003

### Division is required

<b>Previous item</b>	Not applicable
<b>Topic</b>	Planning Proposal for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate, Marsden Park.
<b>Analysis</b>	<p>A Planning Proposal was received from Craig &amp; Rhodes Pty Ltd on behalf of the developer, Cyan Stone Clydesdale Estate 1 Pty Ltd, for amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and Blacktown Growth Centres Precinct Plan.</p> <p>The proposed amendments are necessary to ensure that the Growth Centre SEPP reflects the realignment and relocation of road and drainage infrastructure approved by Council as part of several Development Applications at former Lot 2 DP 260476, No. 1270 Richmond Road, Marsden Park.</p>
<b>Attachment/s</b>	<ol style="list-style-type: none"> <li>1. Location and context of the site [PD410041.1 - 2 pages]</li> <li>2. Proposed changes [PD410041.2 - 2 pages]</li> <li>3. Current and proposed mapping [PD410041.3 - 7 pages]</li> <li>4. Planning Proposal [PD410041.4 - 99 pages]</li> <li>5. Advice of The Blacktown Local Planning Panel [PD410041.5 - 2 pages]</li> <li>6. Proposed Blacktown City Council Schedule 6 Marsden Park Precinct [PD410041.6 - 1 page]</li> </ol>
<b>Report Recommendation</b>	<ol style="list-style-type: none"> <li>1. Endorse the Planning Proposal at attachment 4 and forward it to NSW Department of Planning, Industry and Environment for a Gateway Determination.</li> <li>2. Endorse an amendment to Figure 3.6 European cultural heritage of Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020) - Marsden Park Precinct Development Control Plan as at attachment 6.</li> </ol>



## Key reasons

### 1. The Planning Proposal

- a. The proposed amendments reflect the realignment and relocation of road and drainage infrastructure approved by Council as part of several Development Applications including DA-16-04366, JRPP/16-03316, DA-16-04611 and DA20/00797 for the site at former Lot 2 DP 260476, No. 1270 Richmond Road, Marsden Park (currently Lots 3-5 DP 1248522 and Lots 1 and 2 DP 1257829).
- b. The objectives of the Planning Proposal are outlined in the table below and relevant figures are in attachment 2 of the Planning Proposal:

Proposed amendment	Description of the proposed amendment
Realignment of zone boundary	1A) Realignment of SP2 Local Drainage zoning at both western and eastern boundary of Precinct 1 along Parkway Drive and Bakehouse Avenue to reflect approved various subdivision applications. The SP2 Local Drainage zone is to move 18 m east to correctly align with the drainage corridor currently under construction.
	1B) Realignment of R2 Low Density Residential and R3 Medium Density Residential zone boundary at the western side of Precinct 2 along Bakehouse Avenue to reflect the realignment of SP2 Local Drainage zoning at the eastern side of the Precinct 1.  The zoning boundary of R2 Low Density Residential and R3 Medium Density Residential zone at Precinct 2 is to move to the east and out of the drainage corridor land in Precinct 1.
Rezoning	2A) Rezoning of SP2 Classified Road along Richmond Road on the eastern boundary of Precinct 1 to R2 Low Density Residential and R3 Medium Density Residential to reflect the approved road widening of Richmond Road by Transport for NSW.
	2B) Rezoning part of the western and southern boundaries of Precinct 2 along Bakehouse Avenue and Bolwarra Drive from R2 Low Density Residential to R3 Medium Density Residential to reflect the approved subdivision application.
	2C) Rezoning part of the site located at the south eastern corner of Precinct 2 adjoining Richmond Road from SP2 Local Drainage to R3 Medium Density Residential. The site is surplus to Council needs for drainage purposes and the proposed rezoning will enable a better design outcome for the site.
Reducing the extent of Heritage affectation	3A) Aligning the heritage boundary with Clydesdale Farm Drive and the former driveway as part of the site that is located at Precinct 1 and 3 and majority of Precinct 2.  This amendment will remove heritage affectation from these lots to reflect various subdivision applications and to allow the approved residential development to occur in Precincts 1, 2 and 3. These lots are to be excluded from heritage maps.
	3B) Moving the heritage boundary at small lots along Richmond Road and through Precincts 2, 4, and 5 to the west.  This amendment will remove heritage affectation from these lots to reflect approved applications for the widening of



Proposed amendment	Description of the proposed amendment
	Richmond Road and Transport for NSW Plans for widening of Richmond Road. These lots are to be excluded from heritage maps.

- c. The proposed amendments are necessary to ensure that the Growth Centres SEPP reflects the realignment and relocation of road and drainage infrastructure approved by Council as part of several Development Applications for the site (DA-16-04366, JRPP/16-03316, DA-16-04611 and DA20/00797).
- d. The Planning Proposal supports the objectives and priorities of the Greater Sydney Region Plan and the Central City District Plan, in particular the use of place-based planning to encourage healthy, socially connected communities located in walking distance of local infrastructure and services.
- e. To reflect the proposed realignments and changes to the zoning map, corresponding maps including Lot Size, Height of Building, Land Reservation Acquisition and Residential Density are to be updated (attachment 3). These amendments affect State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheets 001, 002 and 005.
- f. Following the proposed amendments to Heritage maps, the Schedule 5 Environmental Heritage of Appendix 12 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 is to be updated to include the correct property description of the heritage item known as Clydesdale House – Farmers' cottages and barn (attachment 7 of the Planning Proposal).
- g. A corresponding amendment is also proposed to Figure 3.6 European cultural heritage of Marsden Park Precinct Development Control Plan according to the proposed changes to heritage boundary (attachment 6).

## 2. Blacktown Local Planning Panel advice

- a. The Planning Proposal was reported to the Blacktown Local Planning Panel on 22 September 2021.
- b. The Panel provided the following advice for the Planning Proposal described above:
  - The Proposal has strategic and site specific 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 circumstances through the resolution of more fine grain planning outcomes through the recent development and subdivision process.
  - The Panel notes inconsistencies between the draft SEPP map and State Heritage register map and expects that those inconsistencies would be resolved as part of the Gateway Determination process.
  - A statement from Council's Heritage expert is to be included in the planning proposal.
- c. Further to the final dot point in 2(b) above, Council's Heritage Planner has reviewed the Planning Proposal and raised no objection to the proposed reduction in the heritage curtilage, asking only that the Planning Proposal be updated to list all of the contributory elements of State and Local significance. The Planning Proposal has been updated to include this information.



## Supporting analysis

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### 1. Key reasons to support the Planning Proposal

- a. The proposed amendments are to reflect previous approved subdivision plans and Transport for NSW's road widening Plan.
- b. The proposed zoning boundary realignments will align zone boundaries with lot boundaries and associated approved land uses. Also, it will remove unwarranted barriers to future development as a result of split zoning on some of the lots.
- c. The proposed rezoning of SP2 Local Drainage zoned land at Precinct 2 is in response to a change in precinct wide drainage designs, where Council no longer needs the parcel of land for drainage purposes. The rezoning will serve to facilitate drainage infrastructure (currently under construction as part of the approved bulk earthworks) within the realigned SP2 Drainage corridor. It will also allow for land uses other than drainage infrastructure that are more suitable for the site (SP2 Local Drainage zoned land at Precinct 2) and more consistent with surrounding residential developments. The rezoning will serve to optimize subdivision and housing opportunities over this part of the subject site.
- d. Required infrastructure to support residential uses has already been planned for the residential zoned part of the subject site (Precinct 1,2 and 3) and is currently being installed. The rezoning will make the site a highly suitable parcel for residential use and help to ensure that new infrastructure in the release area is fully utilised. No additional public infrastructure will be required as a result of the Planning Proposal.
- e. The Planning Proposal applies to land within the State Heritage Inventory curtilage boundary for Clydesdale Estate which is located to the north of Precincts 1 and 2. However, there will be no significant reduction in State Heritage Register curtilage and no impact on Clydesdale House (attachment 2 and 3). TKD Architects which provided heritage advice has supported this amendment as:
  - Precincts 1, 2 and 3 is identified in the CMP as being of little heritage significance (CMP Precinct 5: Former Woodland);
  - The development controls established in the Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020), in particular the site-specific controls for the Clydesdale Estate in Schedule 6 of the DCP (Marsden Park Precinct DCP), are sufficient to ensure that new residential development within these precincts will not result in any additional adverse impacts on the rural landscape setting of the Clydesdale Estate; and
  - The land to be dedicated for the widening of Richmond Road 'has almost no visual relationship with [CMP] Precinct 1' and so makes very little contribution to the heritage values of the place (attachment 4 of the Planning Proposal).
- f. The proposed adjustment to the heritage boundary will result in proposed residential development approvals within Precincts 1, 2 and 3 to be permissible without further consultation by local Council if it is in accordance with the Conservation Management Plan prepared by GBA Heritage, Issue K, December 2017. Precincts 1, 2 and 3 is identified in the CMP as being of little heritage significance (CMP Precinct 5: Former Woodland).

## Context

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## **1. Location**

- a. The Planning Proposal applies to the site known as Clydesdale Estate and is located within the North West Growth Centre Precinct of Marsden Park that is currently undergoing transition from rural land into a new residential suburb (attachment 1).
- b. The site area is approximately 215 ha in area and the majority of it, apart from Precinct 1 and small portion of Precinct 4 where Clydesdale House located, is currently vacant.
- c. The land the subject of the Planning Proposal is zoned a mix of SP2 Infrastructure (Drainage), SP2 Classified Road, R2 Low Density Residential and R3 Medium Density Residential under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.
- d. A procedural subdivision (DA 16/04366) was approved in November 2018 which resulted in the site being subdivided into five super lots or 'Precincts'. The new lots were registered in 2020 and are shown in attachment 1.
- e. The site is listed as a heritage item of State Significance in Schedule 5 of Appendix 12 Blacktown Growth Centres Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and described as Clydesdale House – farmers cottages and barn.

## **2. Relationship to strategic planning framework**

- a. The Planning Proposal is consistent with the strategic planning framework including the Greater Sydney Region Plan and the Central City District Plan.
- b. The Planning Proposal is consistent with applicable State Environmental Planning Policies, deemed State Environmental Planning Policies and applicable Section 9.1 Directions.
- c. There are site specific development controls for Clydesdale Estate in Schedule 6 of Marsden Park Precinct Development Control Plan that are considered sufficient to ensure the new residential development within the site will not result in any adverse impacts on the rural landscape setting or heritage value of the Clydesdale Estate.

## **3. Environmental, social and economic impacts**

- a. The proposal will not result in adverse environmental, social or economic impacts.
- b. Part of the site subject proposed for realignments of zoning boundary is mapped as Biodiversity Certified and no further threatened species assessment is required for development of it. This part of the site, in its cleared state, presents no evidence of habitat or communities of threatened species.
- c. Precincts 1, 2 and 3 have already been zoned for residential development and have been cleared accordingly under previous Development Consents.
- d. Part of the site subject proposed to be rezoned from SP2 Local Drainage to R3 Medium Density Residential is biodiversity certified and has been cleared in accordance with previous development consents.
- e. The proposed rezoning of the redundant SP2 Local Drainage zoned land will allow for an estimated 5 -10 dwellings, however, this is considered unlikely to result in substantive impacts on the environment, the road network or emergency flooding evacuation.

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End of report

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## Location map

Figure 1 – Aerial photo of subject site

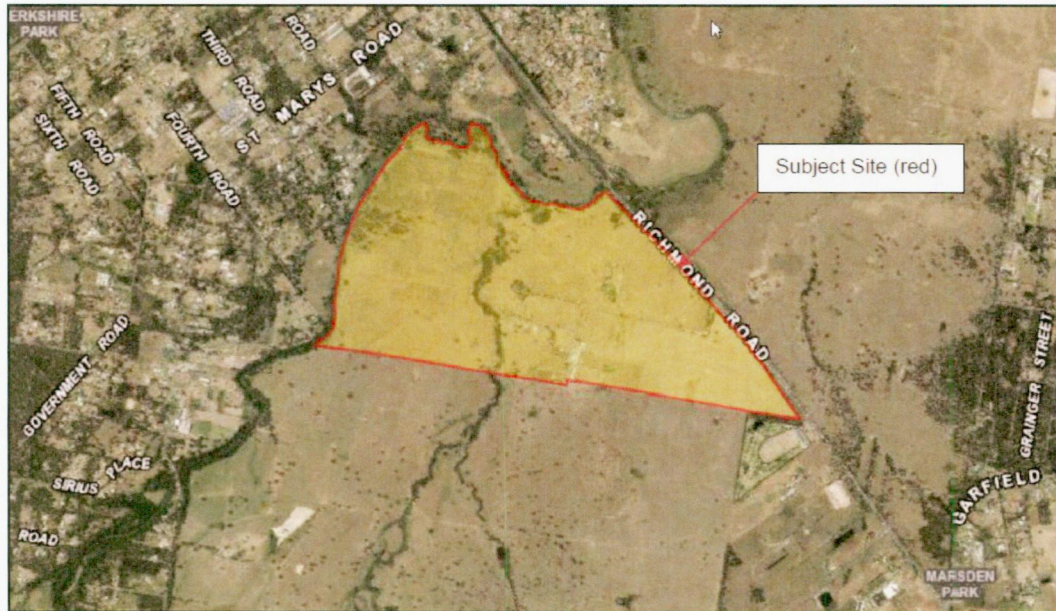


Figure 2 – Existing zoning map of site

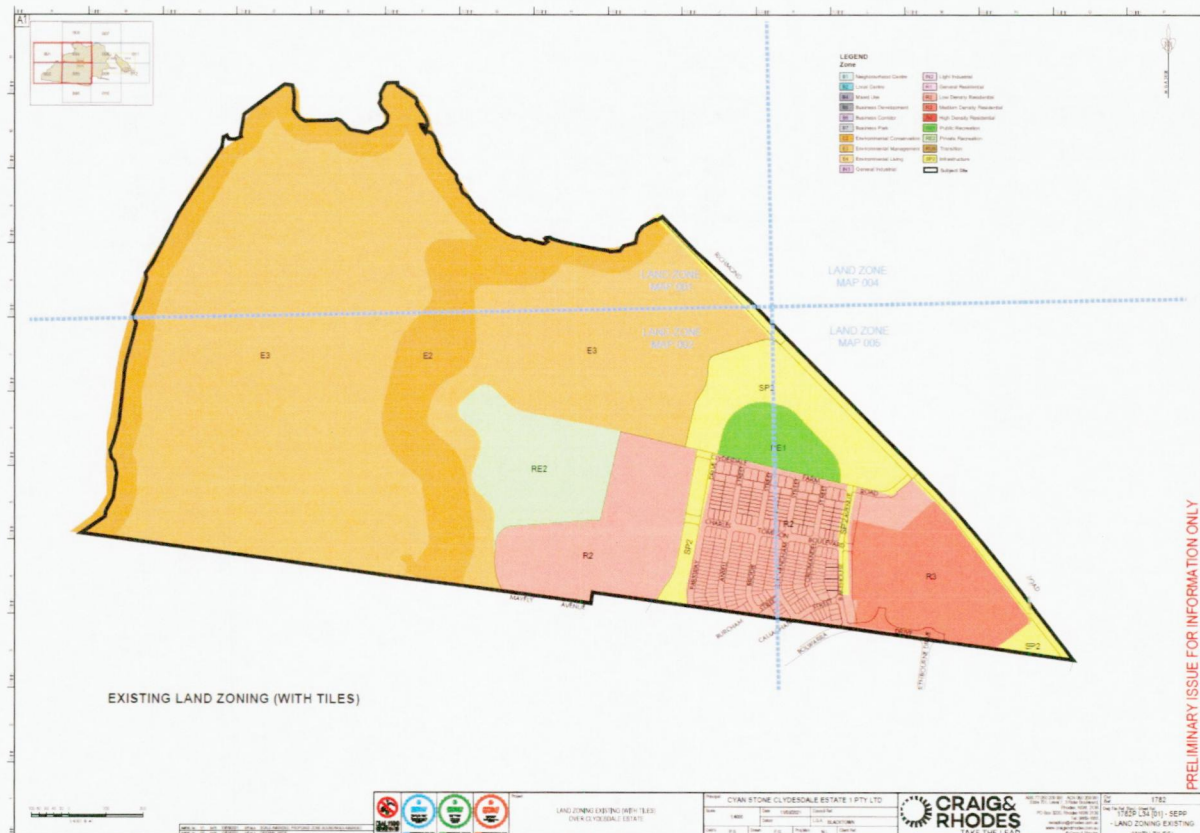




Figure 3 – Subject site subdivided into 5 precincts

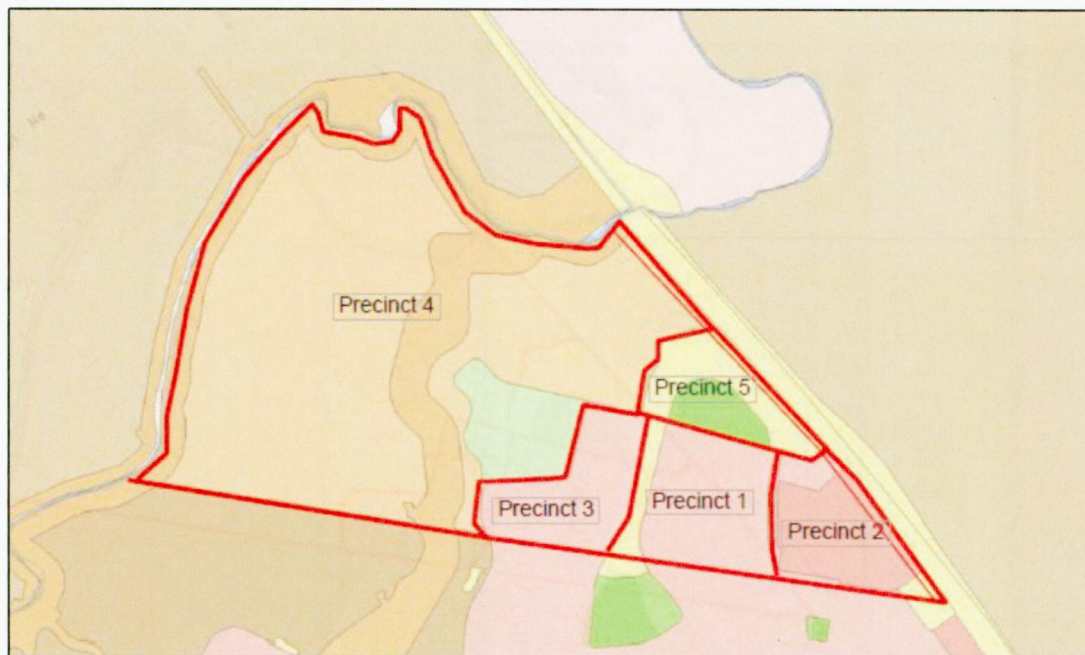


Table 1 – Affected lots of the Planning Proposal

Parent Lot	Current land description	
	Precincts	Lot / DP
Lot 2, DP 260476	Precinct 1	<ul style="list-style-type: none"> <li>• Lots 1001-1135, 1139 DP1254249</li> <li>• Lots 1201-1360 DP1254250</li> </ul>
	Precinct 2	Lot 1137 DP1254249
	Precinct 3	Lot 3 DP1248522
	Precinct 4	Lot 4 DP1248522
	Precinct 5	Lot 1138 DP1254249

## Proposed changes

Figure 1 – Proposed realignment of zone boundary – Existing zoning map

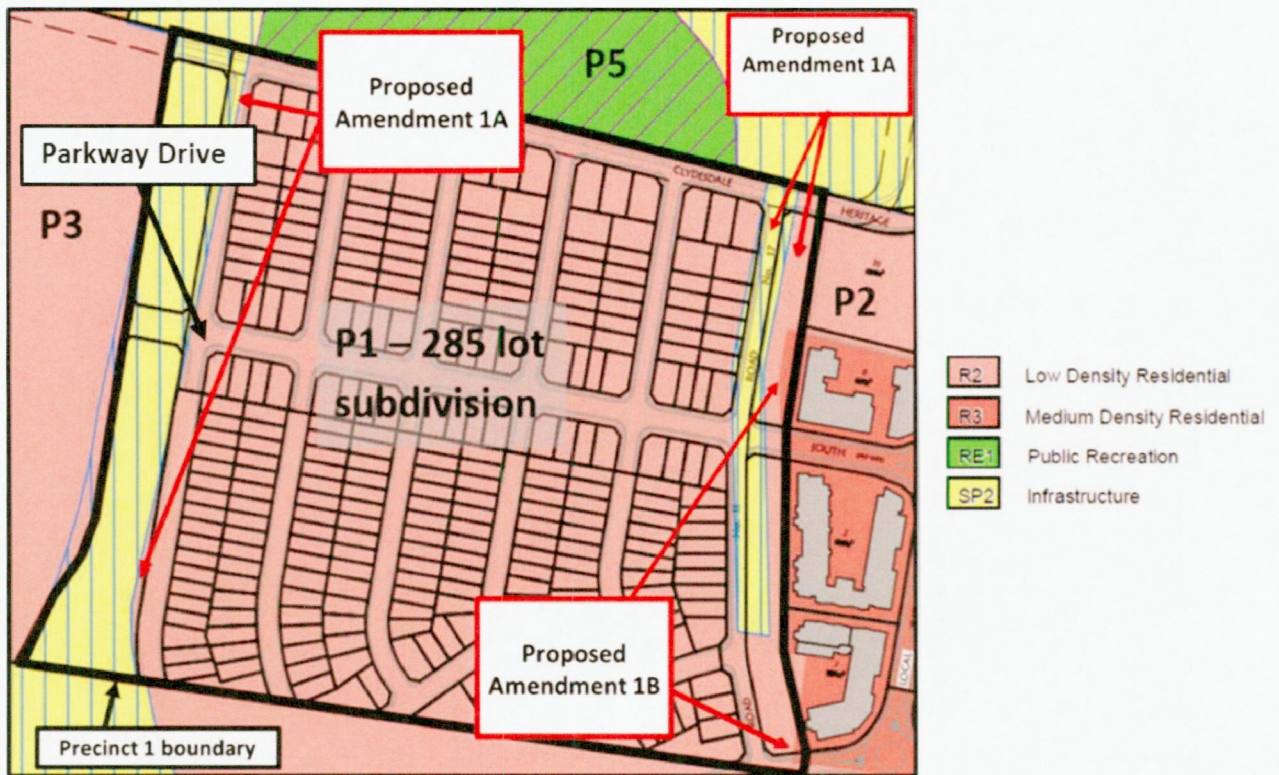


Figure 2 – Proposed rezoning – Existing zoning map

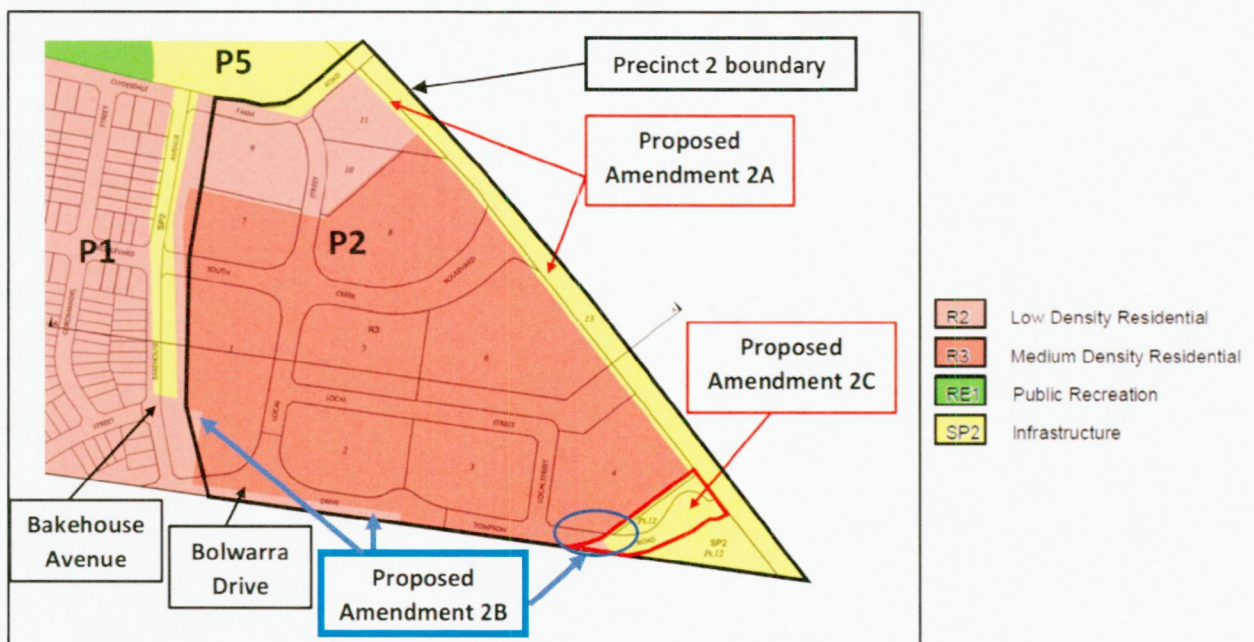
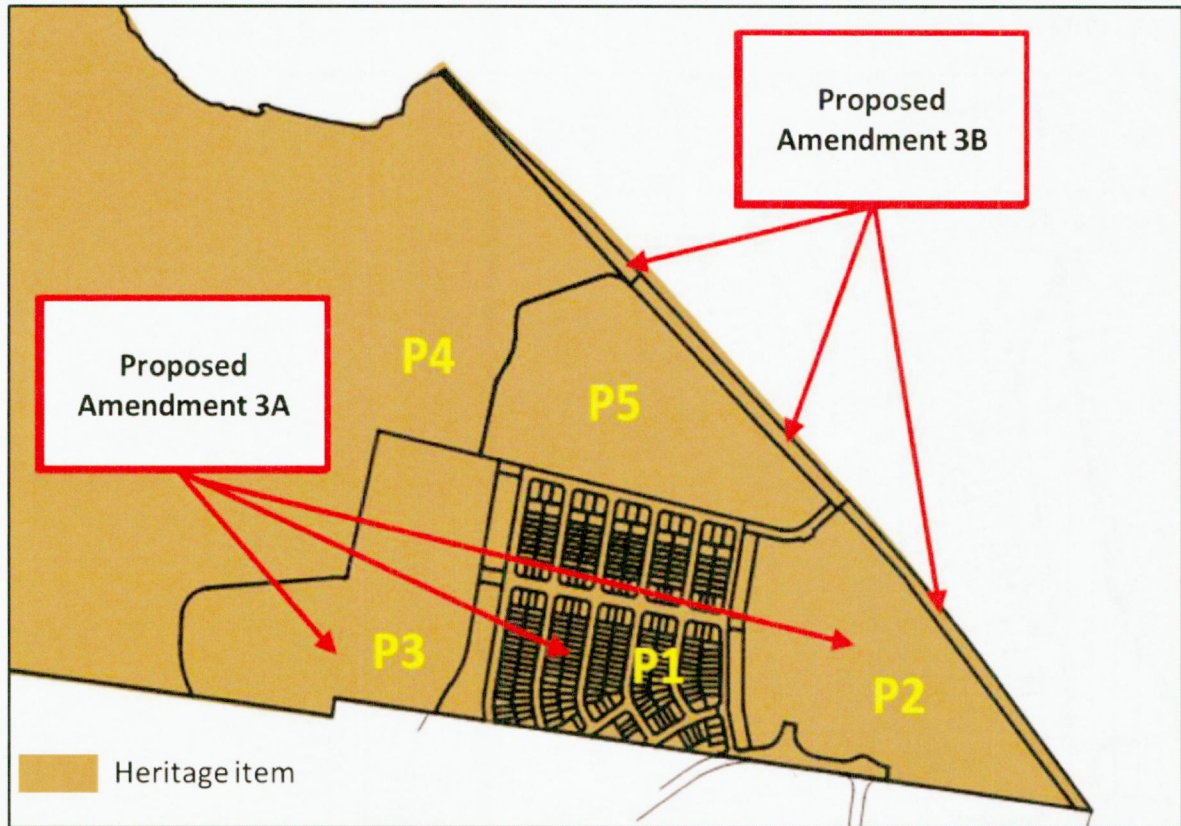




Figure 3 – Proposed amendment to heritage affectation – Existing heritage map



## Current and proposed maps

Figure 1 below shows the existing Land Zoning over the Site. The proposed amendments to the Land Zoning Map and resultant amendments to other maps are restricted to the area marked in red and shown in Figure 2 to Figure 7 on the following pages.

Note: In the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 these maps appear over three tiles. It is presented here as one tile for clarity purposes only.

Figure 1 – Existing zoning map of site showing location of zoning changes

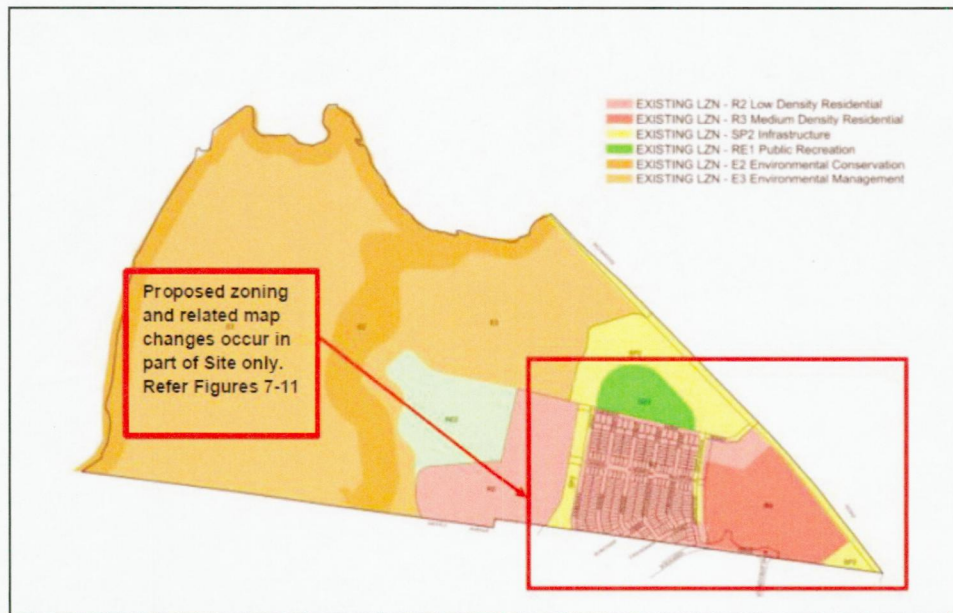


Figure 2 below shows the existing and proposed North West Growth Centre Land Zoning Map. The location of the proposed amendments is marked in red.





Figure 2 - Existing (upper image) and proposed (lower image) Zoning Map

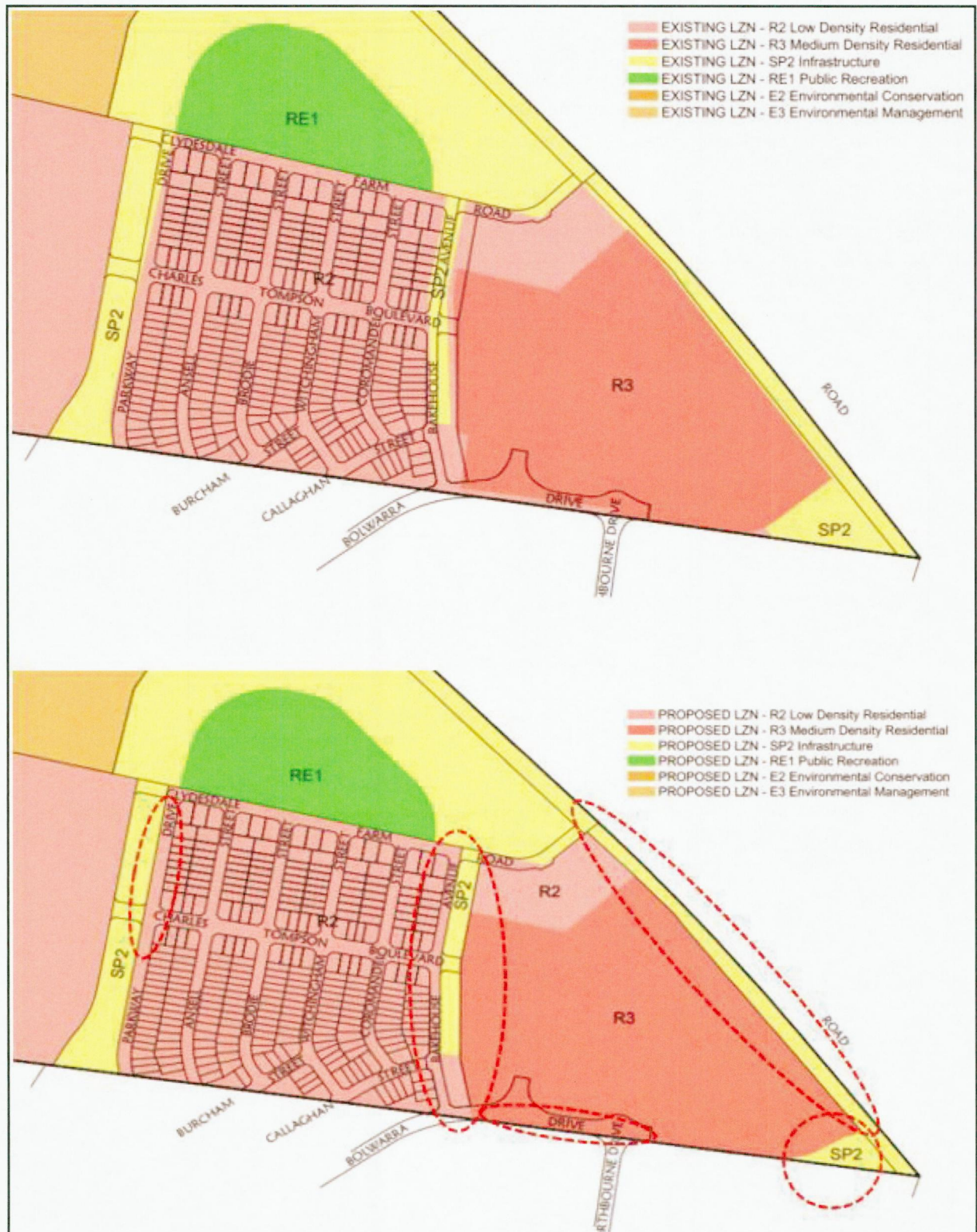




Figure 3 - Existing (upper image) and proposed (lower image) Lot Size map

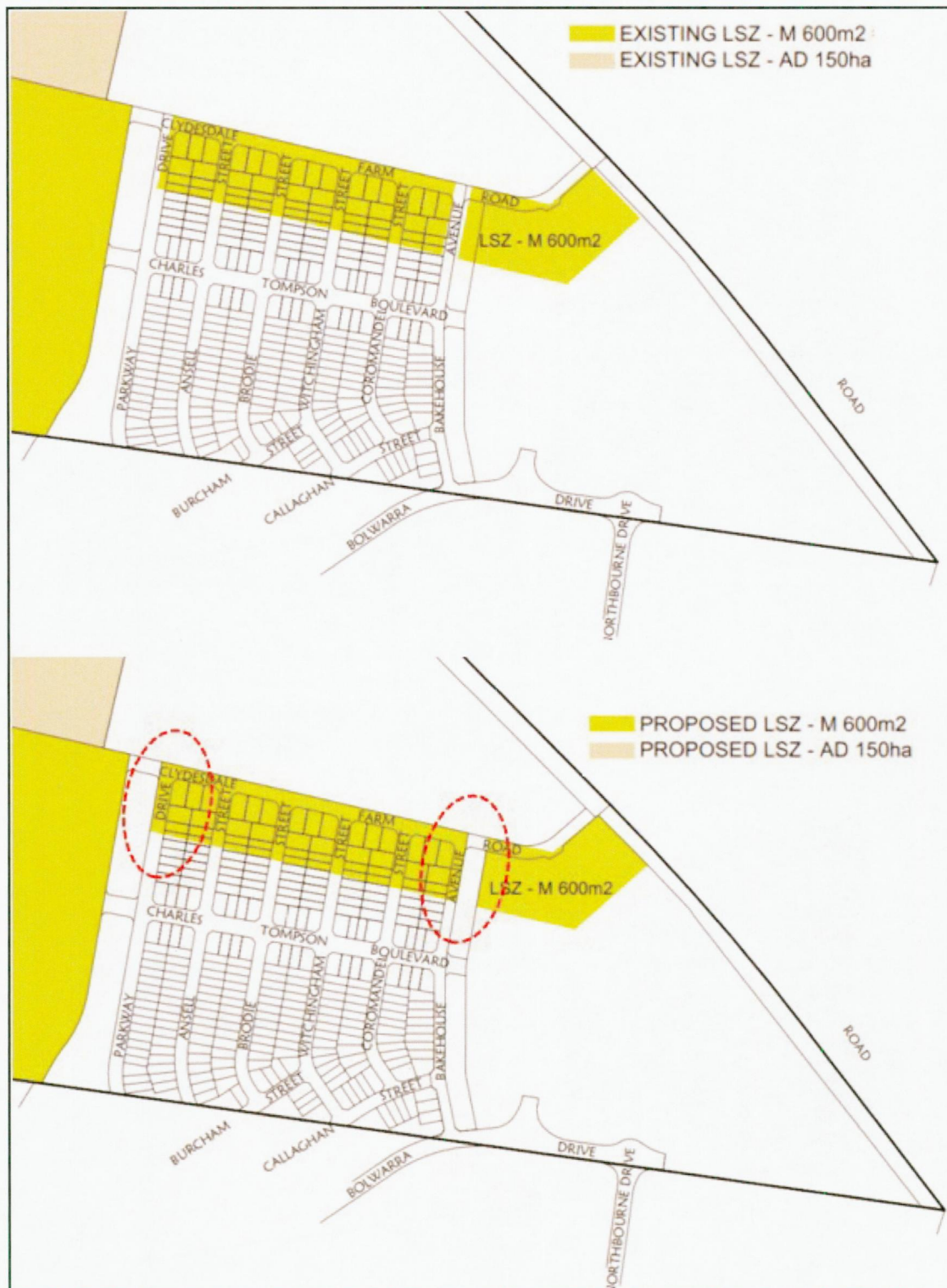




Figure 4 - Existing (upper image) and proposed (lower image) Height of Building Map

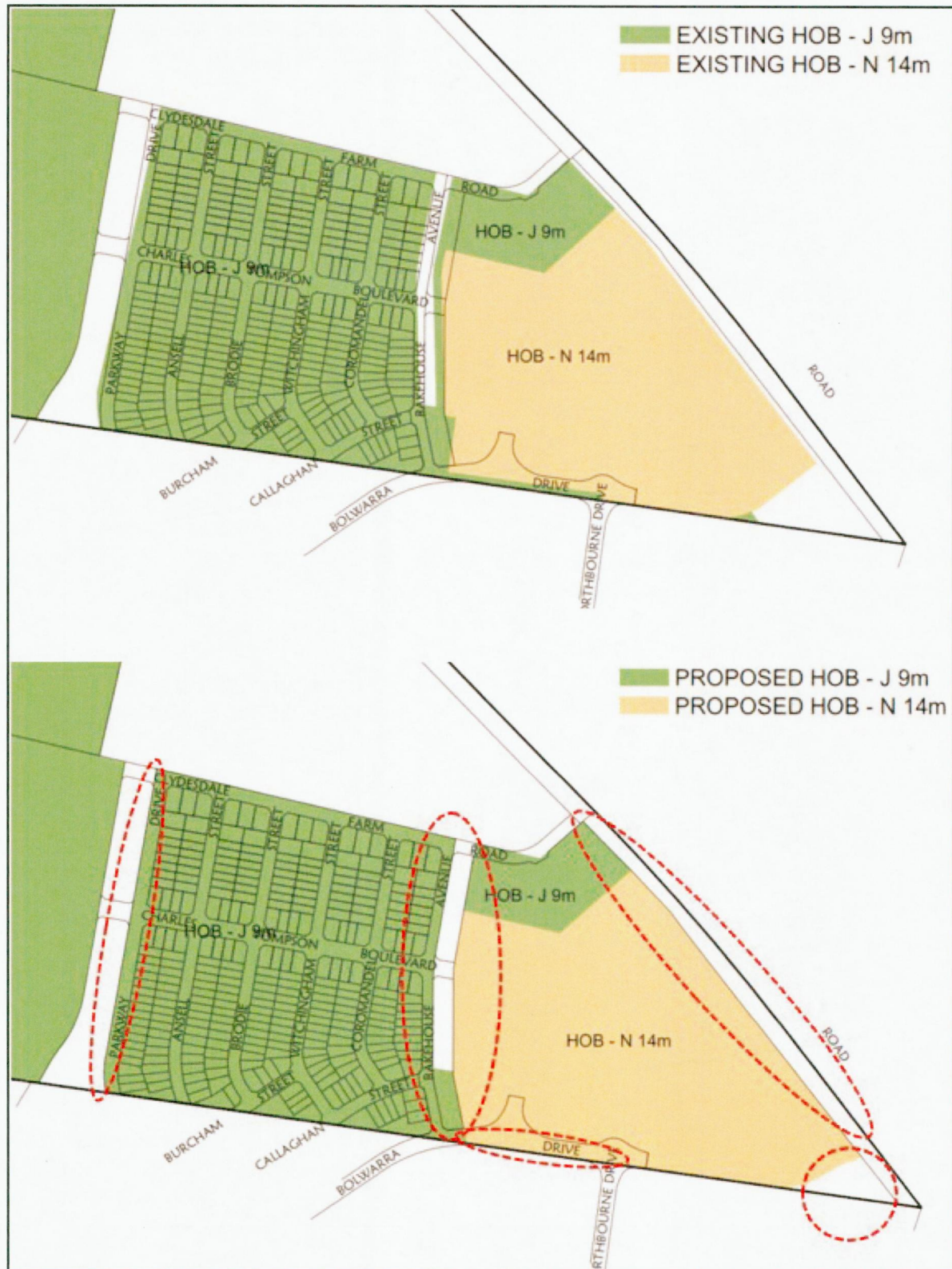




Figure 5 - Existing (upper image) and proposed (lower image) Land Reservation Acquisition Map

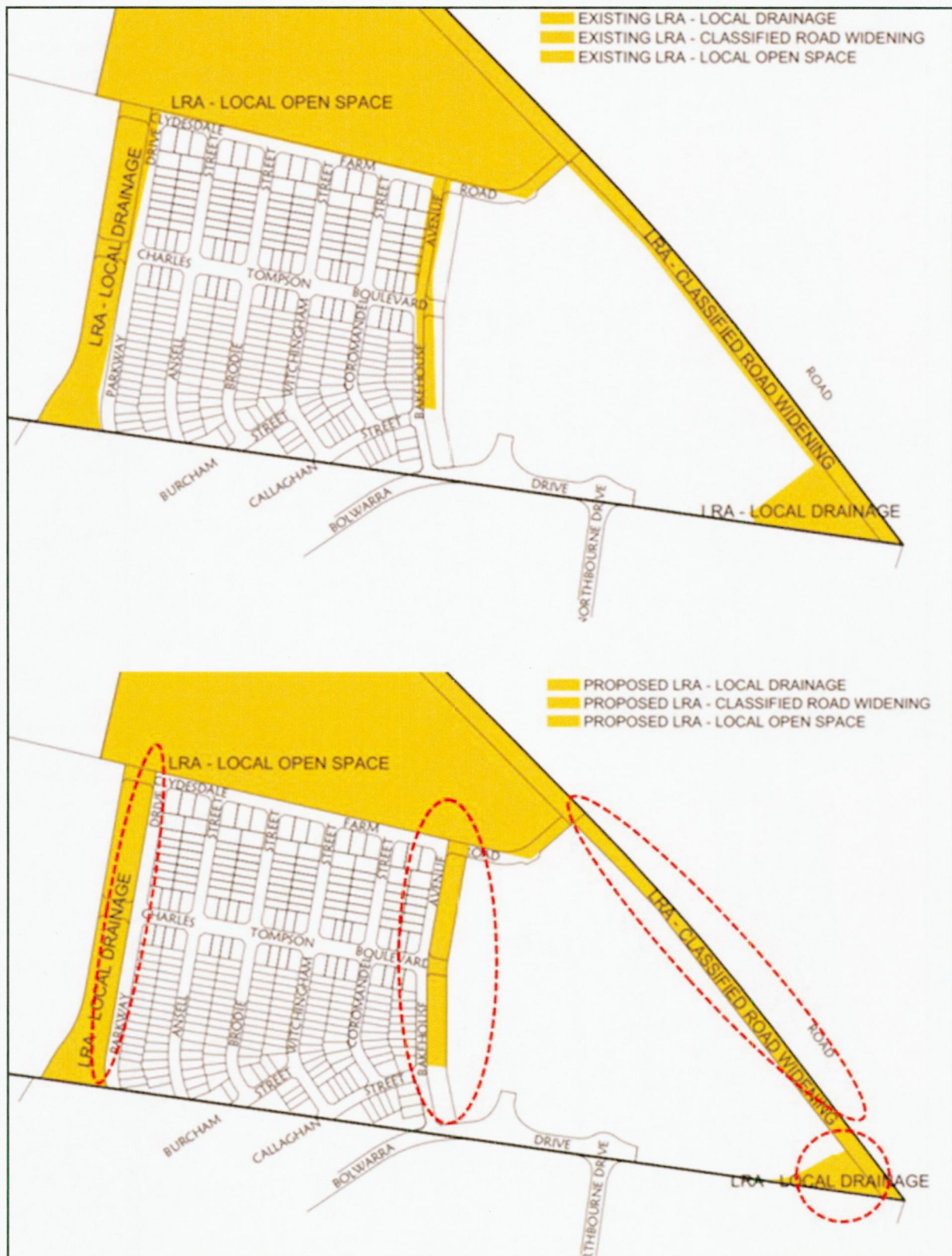


Figure 6 - Existing (upper image) and proposed (lower image) Residential Density Map

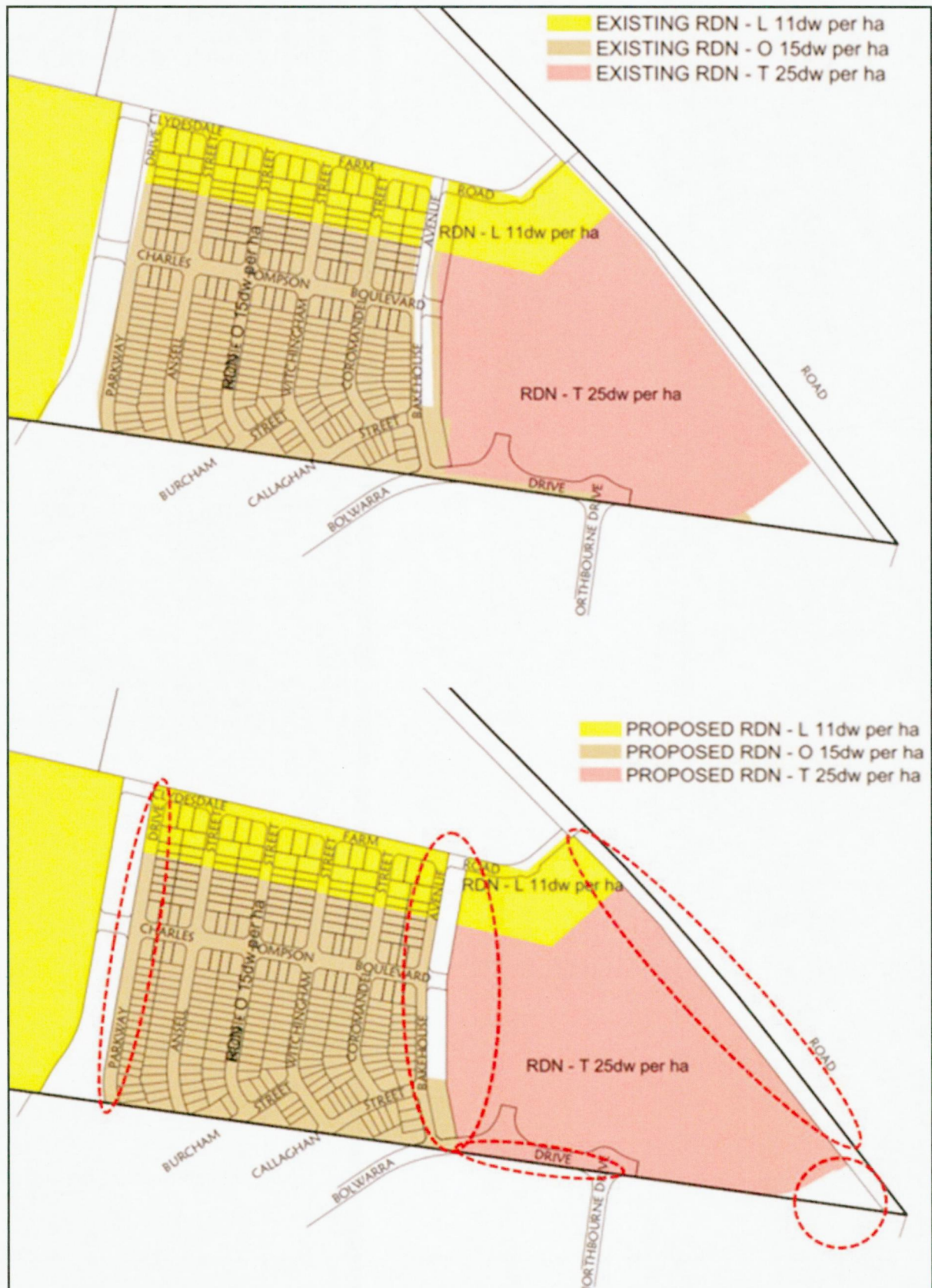
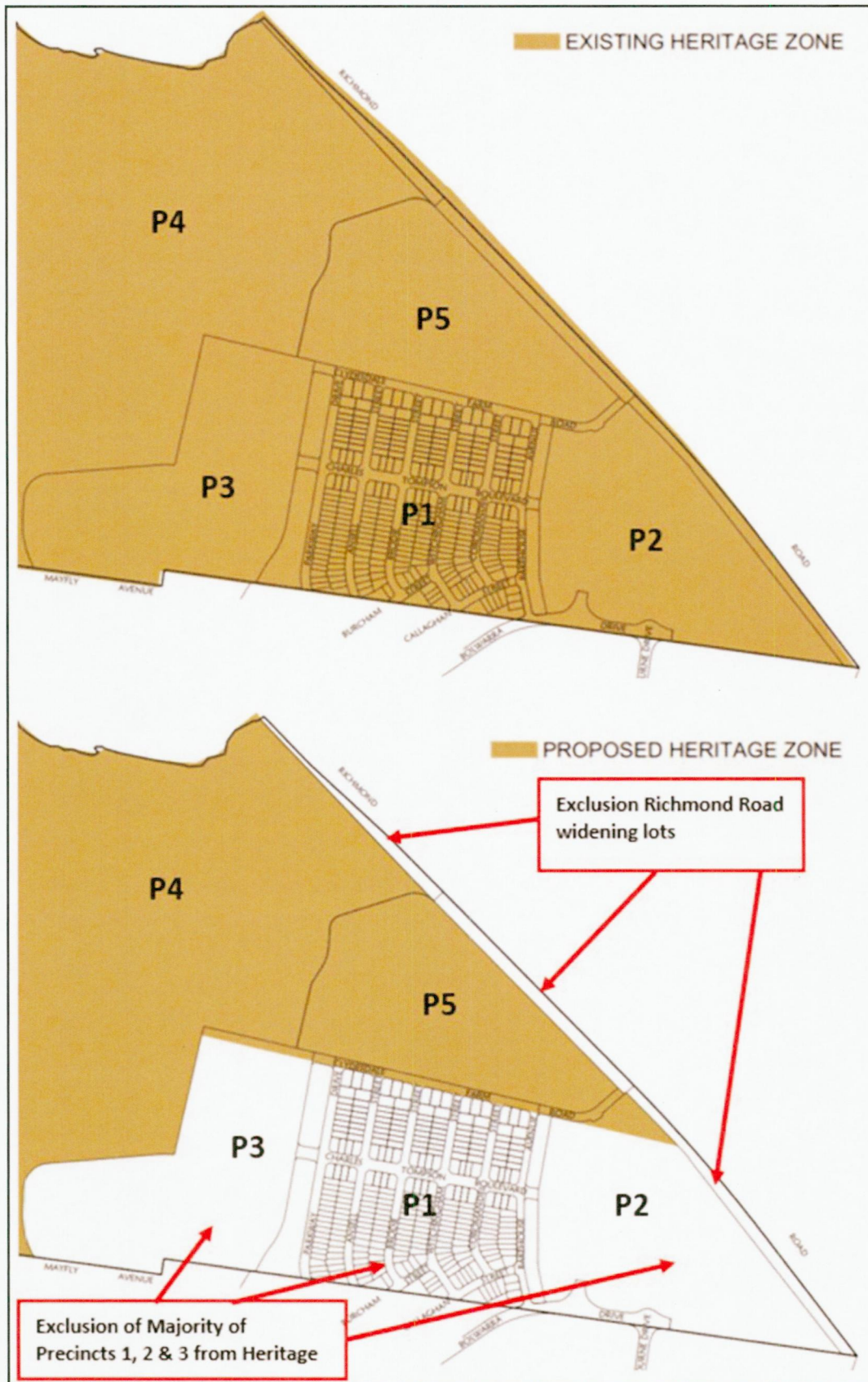




Figure 7- Existing (upper image) and proposed (lower image) Heritage Map







## **Planning Proposal**

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**To amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate (Former Lot 2 DP 260476, No. 1270 Richmond Road), Marsden Park**

Date: August 2021

Prepared by: Planning Policy - Blacktown City Council

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## Attachments

1. Current land uses on the site and background
2. Development Applications applying to the site
3. Heritage Council of NSW (State Heritage Register – SHR00674)
4. Heritage advice prepared by TKD Architects dated 30 March 2021
5. Advice from Transport for NSW
6. Existing and Proposed maps
7. Proposed Schedule 5 Environmental Heritage
8. Consistency with applicable regional, district and local plan or strategy
9. Consistency with applicable State Environmental Planning Policies and Sydney Regional Environmental Plans
10. Consistency with relevant Section 9.1 Ministerial Directions
11. Consistency with the new Direction 4.3 Flooding - Section 9.1 Ministerial Directions
12. Existing and Proposed Area Calculations of Zones





13. Precinct 2 Proposed Concept Subdivision Plan

**Figures**

Figure 1 - Aerial photo of subject site

Figure 2 - Subject site subdivided into 5 precincts

Figure 3 - Proposed realignment of zone boundary

Figure 4 - Proposed rezoning

Figure 5 - Proposed amendment to heritage affectation

Figure 6 - Existing zoning map of site showing location of zoning changes

Figure 7 - Existing and proposed North West Growth Centre Land Zoning Map

Figure 8 - Existing and proposed Lot Size map

Figure 9 - Existing and proposed Height of Building Map

Figure 10 - Existing and proposed Land Reservation Acquisition Map

Figure 11 - Existing and proposed Residential Density Map

Figure 12 - Existing and proposed Heritage Map

Figure 13 - Proposed Figure 3.6 European cultural heritage of Marsden Park Precinct  
Development Control Plan

**Tables**

Table 1 - Affected lots of this Planning Proposal

Table 2 - Objectives and intended outcomes of the Planning Proposal

Table 3 - Project timeline



## 1. Introduction

### 1.1 Introduction

Craig & Rhodes Pty Ltd has prepared this Planning Proposal for Cyan Stone Clydesdale Estate 1 Pty Ltd to initiate amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The Planning Proposal is submitted to Blacktown City Council (Council) in accordance with Clause 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Department of Planning, Infrastructure and Environment (DPIE) 'A Guide to Preparing Planning Proposals'.

### 1.2 Site and locality

The Planning Proposal applies to land at former Lot 2 DP 260476, No. 1270 Richmond Road, Marsden Park. The site is known as Clydesdale Estate and is located within the North Growth Centre Precinct of Marsden Park that is currently undergoing transition from rural into a new residential suburb (Figure 1).

Figure 1 – Aerial photo of subject site



The site has an area of approximately 215 ha and majority of it is currently vacant. The term 'site' in this Planning Proposal refers to the 'Parent Lot'.

A procedural subdivision (DA 16/04366) was approved in November 2018 which resulted in the site being subdivided into five super lots or 'Precincts'. The new lots were registered in 2020 and are shown in Figure 2.





Figure 2 – Subject site subdivided into 5 precincts

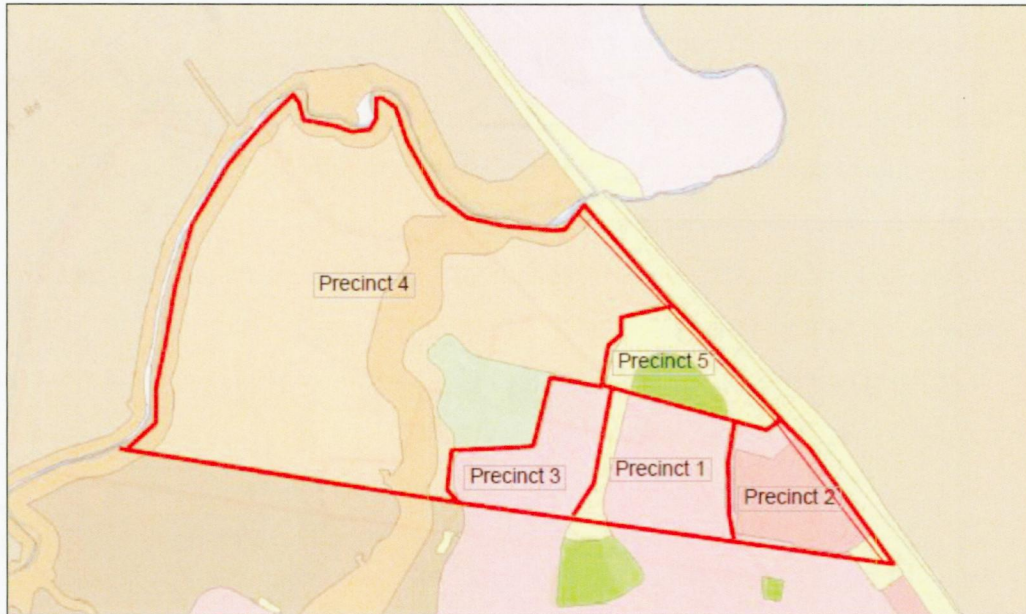


Table 1 below outlines the land description for lots included in each precinct:

Table 1 – Affected lots of this Planning Proposal

Parent Lot	Current land description	
	Precincts	Lot / DP
Lot 2, DP 260476	Precinct 1	<ul style="list-style-type: none"> <li>Lots 1001-1135, 1139 DP1254249</li> <li>Lots 1201-1360 DP1254250</li> </ul>
	Precinct 2	Lot 1137 DP1254249
	Precinct 3	Lot 3 DP1248522
	Precinct 4	Lot 4 DP1248522
	Precinct 5	Lot 1138 DP1254249

The site is listed as a heritage item of State Significance in Schedule 5 of Appendix 12 Blacktown Growth Centres Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and described as Clydesdale House – farmers cottages and barn.

The Site's heritage significance is summarised as following:

- It is one of a series of pre 1840s homesteads in the area which contributed substantially to the agricultural and pastoral economy of the region.



- The landscape features remain relatively intact, including significant remnant woodlands, Aboriginal relics, two cemeteries (both resting places for the early pioneers of Clydesdale and the district), and its original entry avenue off Richmond Road.
- The house retains its original relationship to its landscape setting and farm and is the only remaining example of the lowland model of homestead siting in the Blacktown area and one of three remaining examples intact on the Cumberland Plain.

For more details about the current land uses on the site refer to Attachment 1.

Surrounding context of the site is as following:

- North west and west of the site is Penrith LGA and the predominant land use is rural residential and primary production.
- North east of the site is the Hawkesbury LGA. The predominant land use there is large lot residential.
- On the east of the site the predominant land use is primary production.
- On the south of the site is the recently developed suburb of Marsden Park. The main land use is low density residential with associated recreation and infrastructure uses.
- To the south east of the site is rural/agricultural land zoned RU6 Transition.

For more details about the background of the site and relevant Subdivision Applications and Development Applications refer to Attachment 2.

## 2. Objectives or intended outcomes

The objectives of the Planning Proposal are realignment of zoning and heritage boundary and rezoning part of the site. Table 2 below outlines the objectives and intended outcomes of the Planning Proposal in detail:

**Table 2. Objectives and intended outcomes of the Planning Proposal**

Proposed amendment	Description of the proposed amendment	Justification for the proposed amendment
1) <b>Realignment of zone boundary (Refer Figure 3)</b>	<p><b>1A) Realignment of a drainage corridor</b></p> <ul style="list-style-type: none"> <li>• Realignment of SP2 Local Drainage zoning at both western and eastern boundary of Precinct 1 along Parkway Drive and Bakehouse Avenue to reflect approved various subdivision application.</li> </ul> <p>The SP2 Local Drainage zone is to move 18m east to align with the drainage channel.</p> <p><b>Notes:</b> To reflect the proposed realignments and changes to the zoning map, corresponding</p>	<ul style="list-style-type: none"> <li>• This amendment is proposed to reflect the approved subdivision applications including DA16/04366, DA16/04611 and JRPP16/03316 (Attachment 2).</li> <li>• A detailed justification is included in Part 4 of this Planning Proposal.</li> </ul>





Proposed amendment	Description of the proposed amendment	Justification for the proposed amendment
	<p>maps including LSZ, HOB, LRA, RDN are to be updated.</p> <p>These amendments affect State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheets 002 and 005.</p>	
	<p><b>1B) Realignment of zoning boundary</b></p> <ul style="list-style-type: none"> <li>Realignment of R2 Low Density Residential and R3 Medium Density Residential zone boundary at western side of Precinct 2 along Bakehouse Avenue to reflect the realignment of SP2 Local Drainage zoning at eastern side of the Precinct 1.</li> </ul> <p>The zoning boundary of R2 Low Density Residential and R3 Medium Density Residential zone at Precinct 2 is to move to the east and appropriately out of the drainage corridor land in Precinct 1.</p> <p><b>Notes:</b> To reflect the proposed realignments and changes to the zoning map, corresponding maps including LSZ, HOB, LRA, RDN are to be updated.</p> <p>This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheet 005.</p>	<ul style="list-style-type: none"> <li>This amendment is proposed to reflect the approved subdivision applications including DA16/04366, DA 16/04611 and JRPP 16/03316 (Attachment 2).</li> <li>A detailed justification is included in Part 4 of this Planning Proposal.</li> </ul>
2) Rezoning (Refer Figure 4)	<p><b>2A) Rezoning to reflect approved road widening plan</b></p> <ul style="list-style-type: none"> <li>Rezoning of SP2 Classified Road along Richmond Road on eastern boundary of Precinct 1 to R2 Low Density Residential and R3 Medium Density Residential to reflect the approved road widening of Richmond Road.</li> </ul> <p><b>Notes:</b> This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheets 001, 002 and 005.</p>	<ul style="list-style-type: none"> <li>This amendment is proposed to reflect a subdivision application DA 20/00797 approved on 5 November 2020 to excise three narrow parcels of land along the eastern boundary of Precincts 2, 4 and 5 to accommodate the widening of Richmond Road.</li> <li>This amendment is in response to Transport for NSW plan for widening of Richmond Road (Attachment 2 and 3).</li> <li>A detailed justification is included in Part 4 of this Planning Proposal.</li> </ul>



Proposed amendment	Description of the proposed amendment	Justification for the proposed amendment
	<b>2B) Rezoning to reflect approved subdivision plans</b> <ul style="list-style-type: none"> <li>Rezoning part of the western and southern boundary of Precinct 2 along Bakehouse Avenue and Bolwarra Drive from R2 Low Density Residential to R3 Medium Density Residential to reflect approved subdivision application.</li> </ul> <p><b>Notes:</b> This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheet 005.</p>	<ul style="list-style-type: none"> <li>This amendment is proposed to reflect a subdivision application SPP 16/04469 approved on 23 December 2020 (Attachment 2).</li> <li>A detailed justification is included in Part 4 of this Planning Proposal.</li> </ul>
	<b>2C) Rezoning of SP2 Local Drainage to R3 Medium Density Residential zone</b> <ul style="list-style-type: none"> <li>Rezoning part of the site located at the south eastern corner of Precinct 2 adjoining Richmond Road from SP2 Local Drainage to R3 Medium Density Residential.</li> </ul> <p><b>Notes:</b> This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheet 005.</p>	<ul style="list-style-type: none"> <li>The site is not required by Council for drainage purposes anymore and the proposed rezoning will enable a better design outcome for the site.</li> </ul>
3) Reducing the extend of Heritage affectation (Refer Figure 5)	<b>3A) Removing the heritage affectation from part of the site</b> Aligning heritage boundary with Clydesdale Farm Drive and the former driveway at part of the site that is located at Precinct 1 and 3 and majority of precinct 2 and removing heritage affectation from these lots. <p><b>Notes:</b> This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheets 002 and 005.</p>	<ul style="list-style-type: none"> <li>This amendment is proposed to reflect various subdivision applications including</li> <li>DA 16/04366, JRPP16/03316, DA 20/00797, SPP 16/04469 and DA-18-01249 (Attachment 2).</li> <li>The amendment will allow the approved residential development to occur in Precincts 1, 2 and 3.</li> <li>The land is subject to an Aboriginal Heritage Impact Permit issued by NSW Office of Environment and Heritage, noting there will be no impact by the Planning Proposal on 3 recorded Aboriginal artefacts within the Clydesdale Estate.</li> </ul>





Proposed amendment	Description of the proposed amendment	Justification for the proposed amendment
		<ul style="list-style-type: none"> <li>Refer to State Heritage Register Curtilage (SHR00674, Plan 1713, Clydesdale - House, Barn, Cottage and Farm Landscape) (Attachment 3 and 4).</li> </ul>
	<p><b>3B) Removing the heritage affectation from part of the site along Richmond Road</b></p> <p>Moving heritage boundary at small lots along Richmond Road and through Precincts 2, 4, and 5 to the west and remove heritage affectation from them to reflect approved applications for road widening of Richmond Road.</p> <p><b>Notes:</b> This amendment affects State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Map Sheets 001, 002 and 005.</p>	<ul style="list-style-type: none"> <li>This amendment is proposed to reflect Transport for NSW plan for widening of Richmond Road (Attachment 5).</li> <li>As above</li> </ul>

Proposed amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 maps are summarised in Table 2 and outlined in figures 3, 4 and 5 below.

Detailed justification for proposed amendments is included in Part 4 and existing and proposed maps are outlined in Attachment 6 of this Planning Proposal.



Figure 3 – Proposed realignment of zone boundary – Existing zoning map

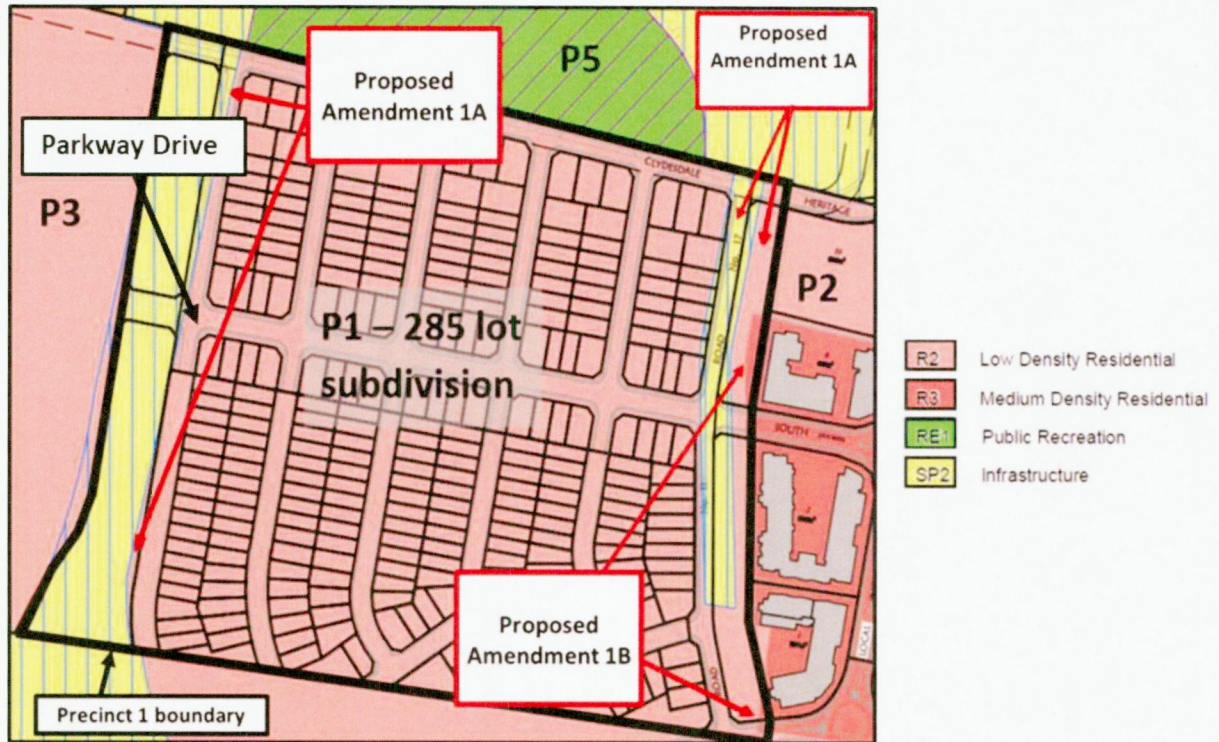


Figure 4 – Proposed rezoning – Existing zoning map

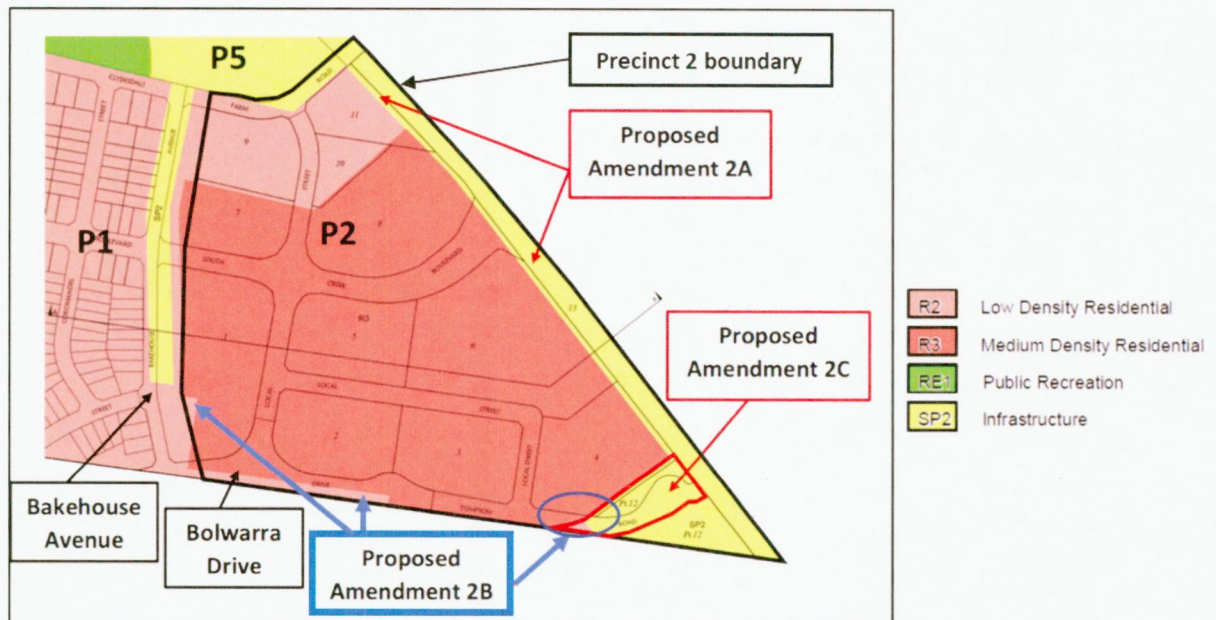
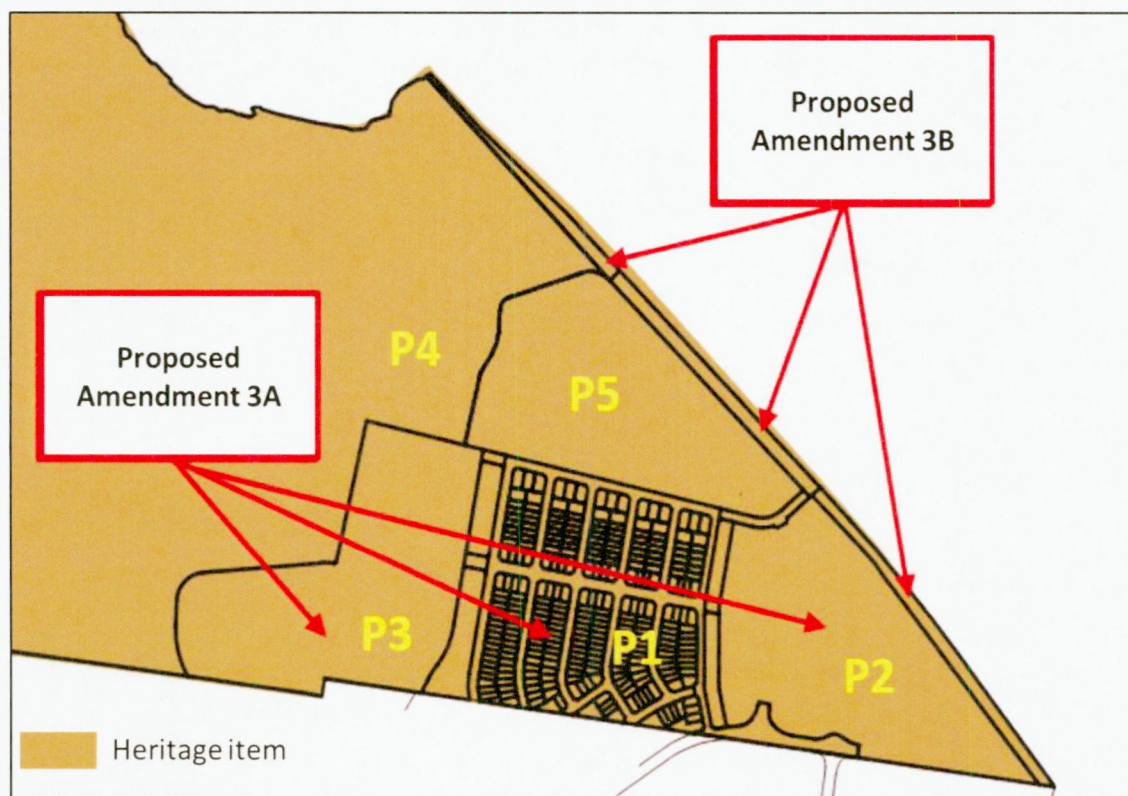




Figure 5 – Proposed amendment to heritage affectation – Existing heritage map



### 3. Explanation of provisions

#### 3.1 Proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006

It is proposed to amend the Schedule 5 Environmental Heritage of Appendix 12 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to update the property description of the heritage item known as Clydesdale House – Farmers cottages and barn.

The property description is to be changed as following:

Current Heritage Item	Current property description
Clydesdale House—farmers cottages and barn	Lot 2, DP 260476
Proposed Heritage Item	Proposed property description
Clydesdale Homestead including grand house, barn, workers cottages, private cemetery, remnants of the rotating dairy, and the colonial landscape	Lot 4, DP 1248522

A draft Schedule 5 Environmental Heritage is in Attachment 7.



### 3.2 Proposed mapping amendments

The objectives of this Planning Proposal can be achieved through the amendments to the following State Environmental Planning Policy (Sydney Region Growth Centres) 2006 maps:

- Land Zoning maps: LZN\_002, 005
- Minimum Lot Size maps: LSZ\_002, 005
- Height of Building maps: HOB\_002, 005
- Land Reservation Acquisition: LRA\_002, 005
- Residential Density: RDN\_002, 005
- Heritage maps: HER\_001, 002, 005

The proposed mapping changes are outlined below and also in Attachment 6.

#### 3.2.1. Current and proposed maps

Figure 6 shows the existing Land Zoning over the Site. The proposed amendments to the Land Zoning Map and resultant amendments to other maps are restricted to the area marked in red and shown in Figure 7 to Figure 12 on the following pages.

Note: In the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 these maps appear over three tiles. It is presented here as one tile for clarity purposes only.

**Figure 6 – Existing zoning map of site showing location of zoning changes**

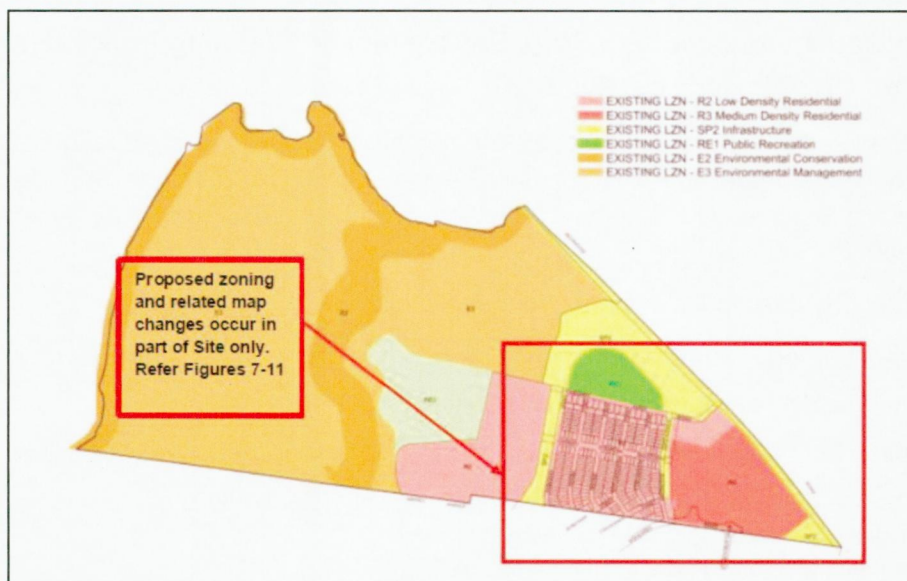


Figure 7 shows the existing and proposed North West Growth Centre Land Zoning Map. The location of the proposed amendments is marked in red.





Figure 7 - Existing (upper image) and proposed (lower image) Zoning Map

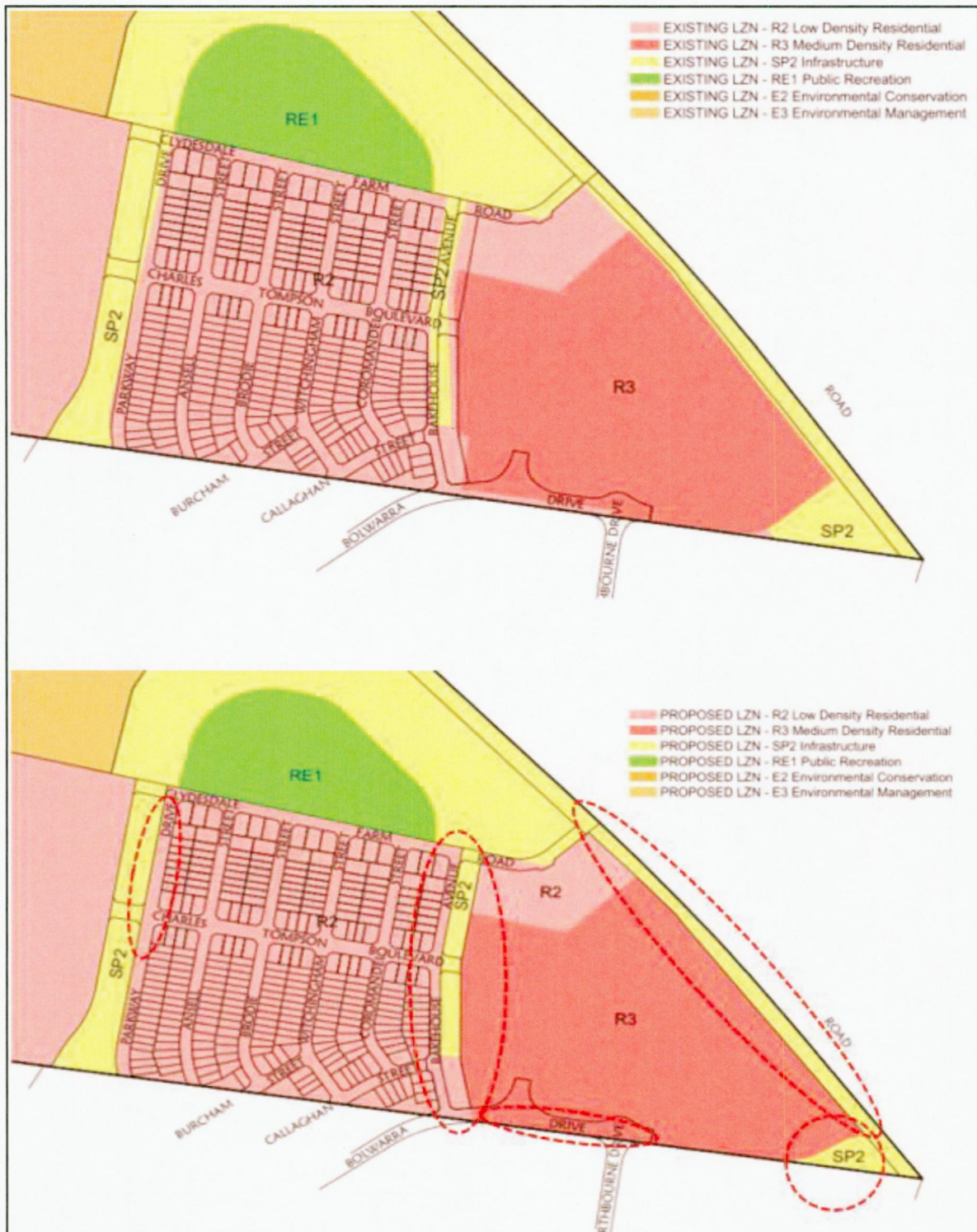


Figure 8 - Existing (upper image) and proposed (lower image) Lot Size map

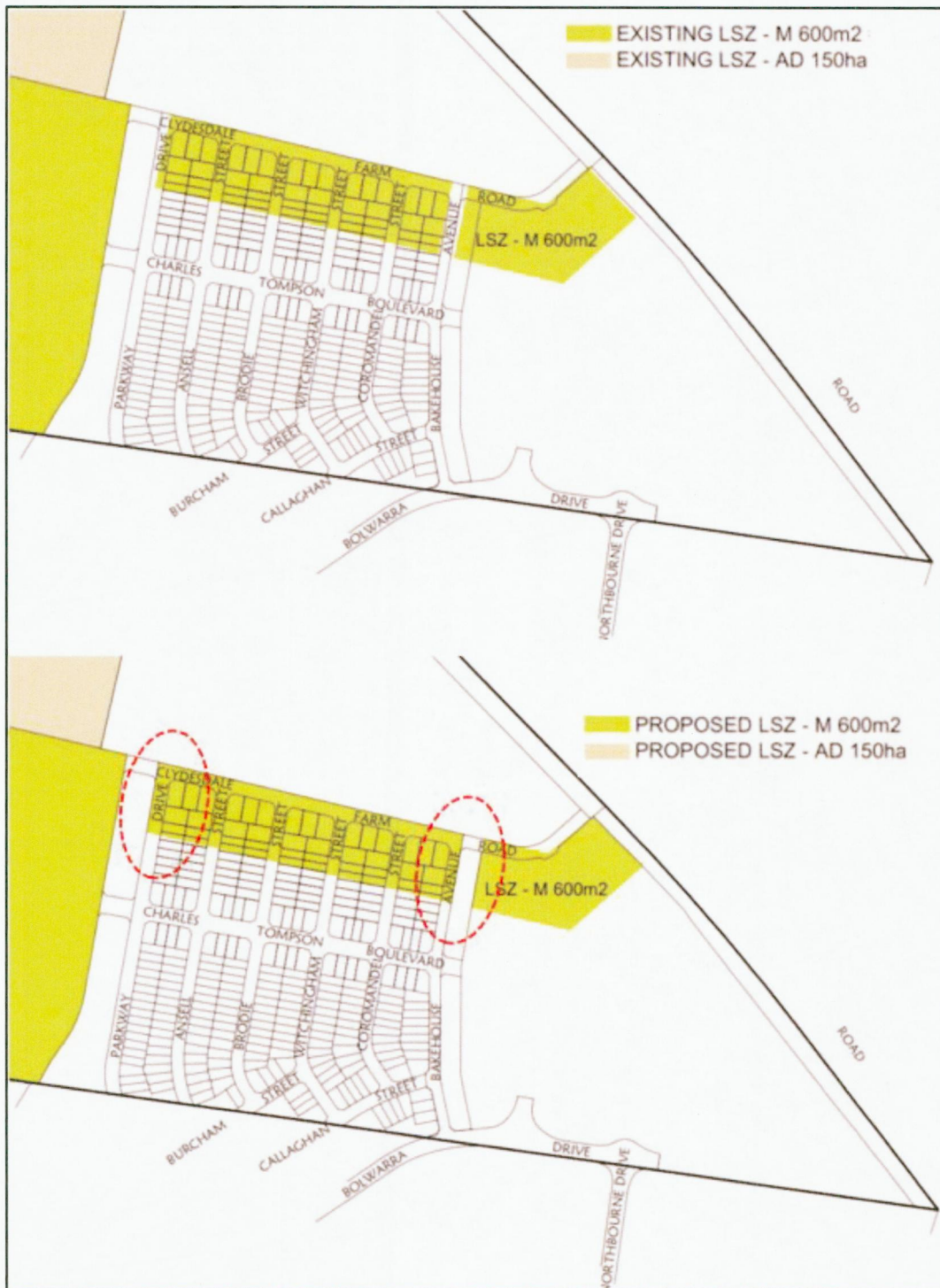




Figure 9 - Existing (upper image) and proposed (lower image) Height of Building Map

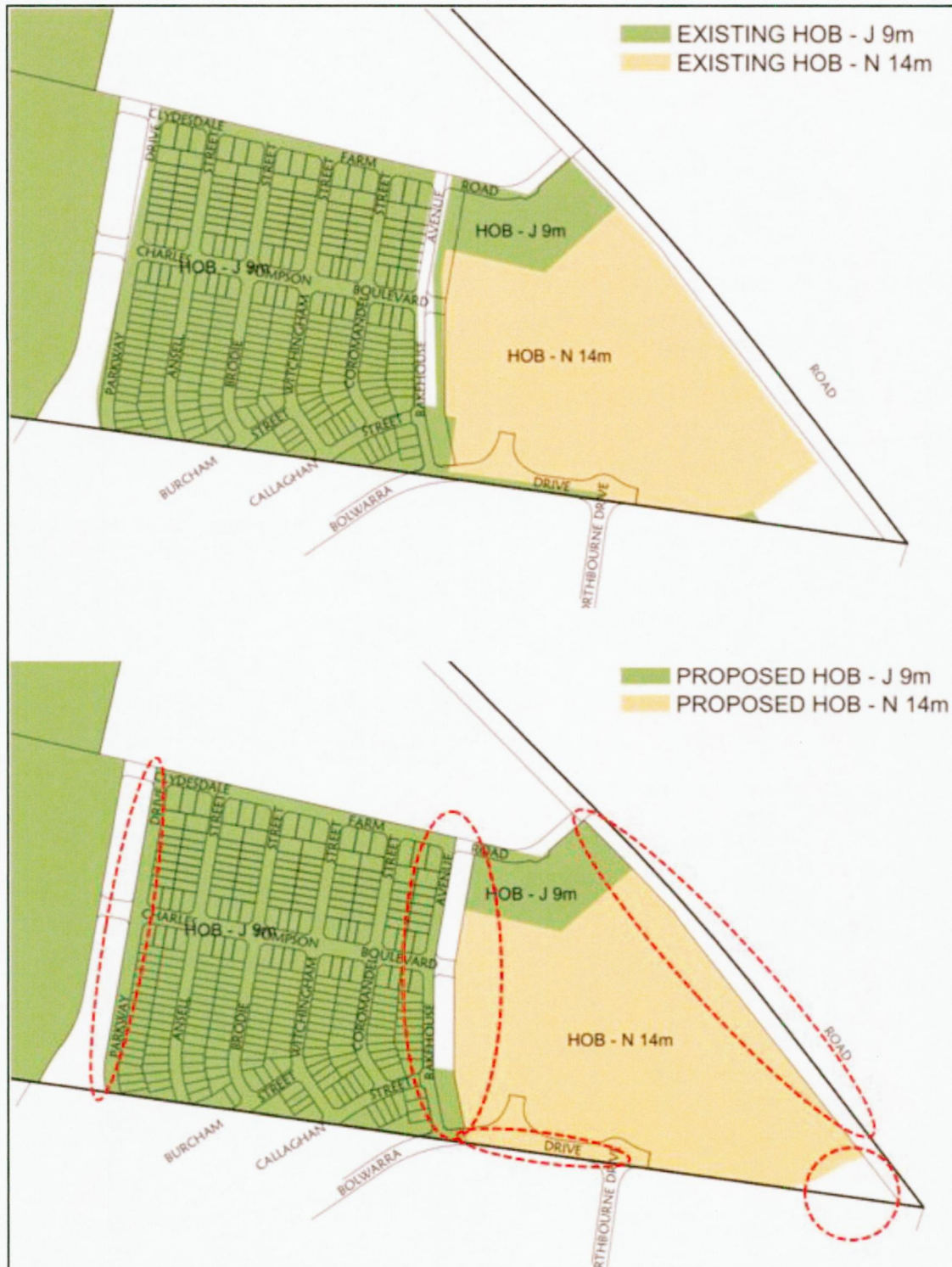


Figure 10 - Existing (upper image) and proposed (lower image) Land Reservation Acquisition Map

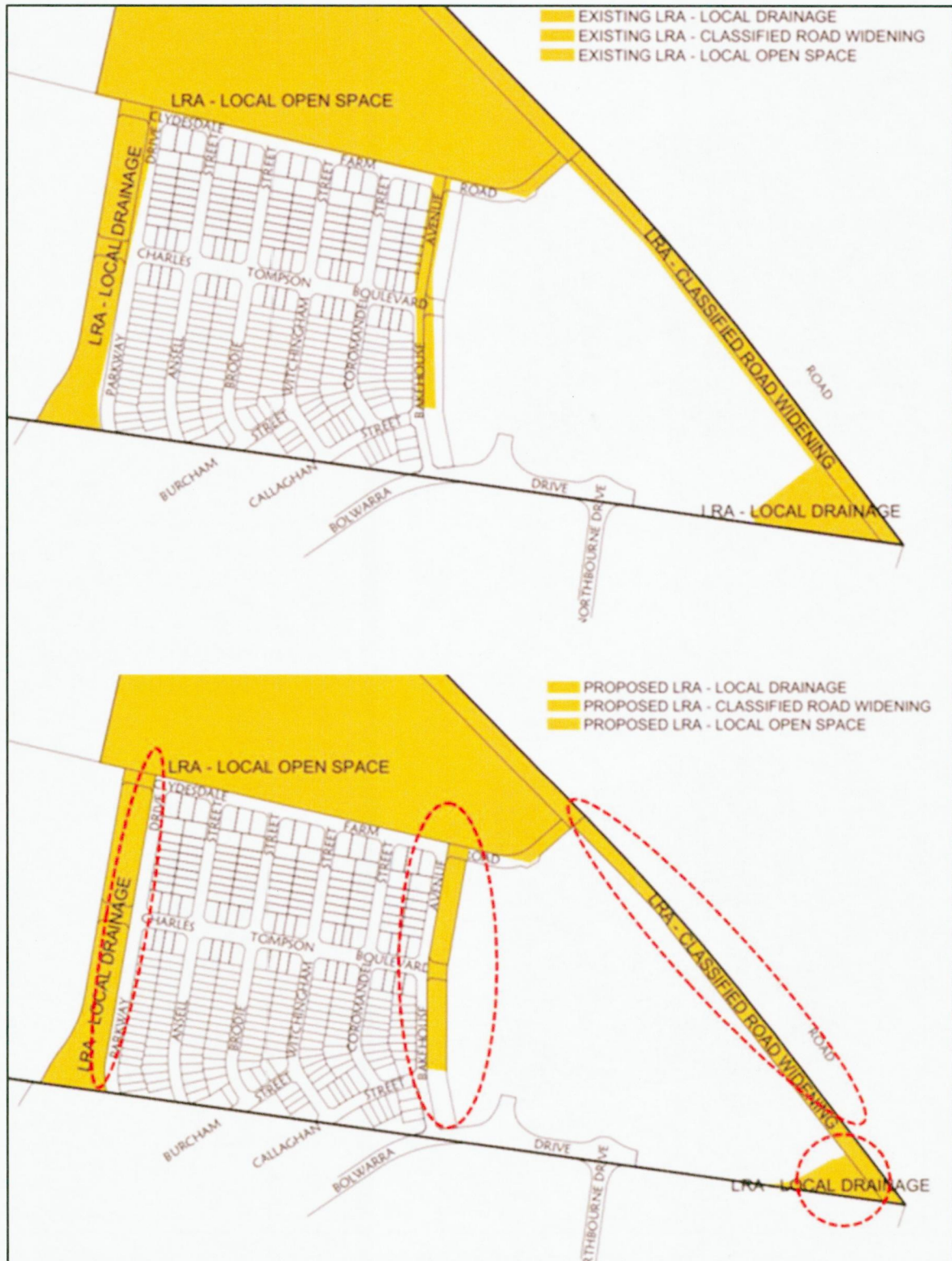




Figure 11 - Existing (upper image) and proposed (lower image) Residential Density Map

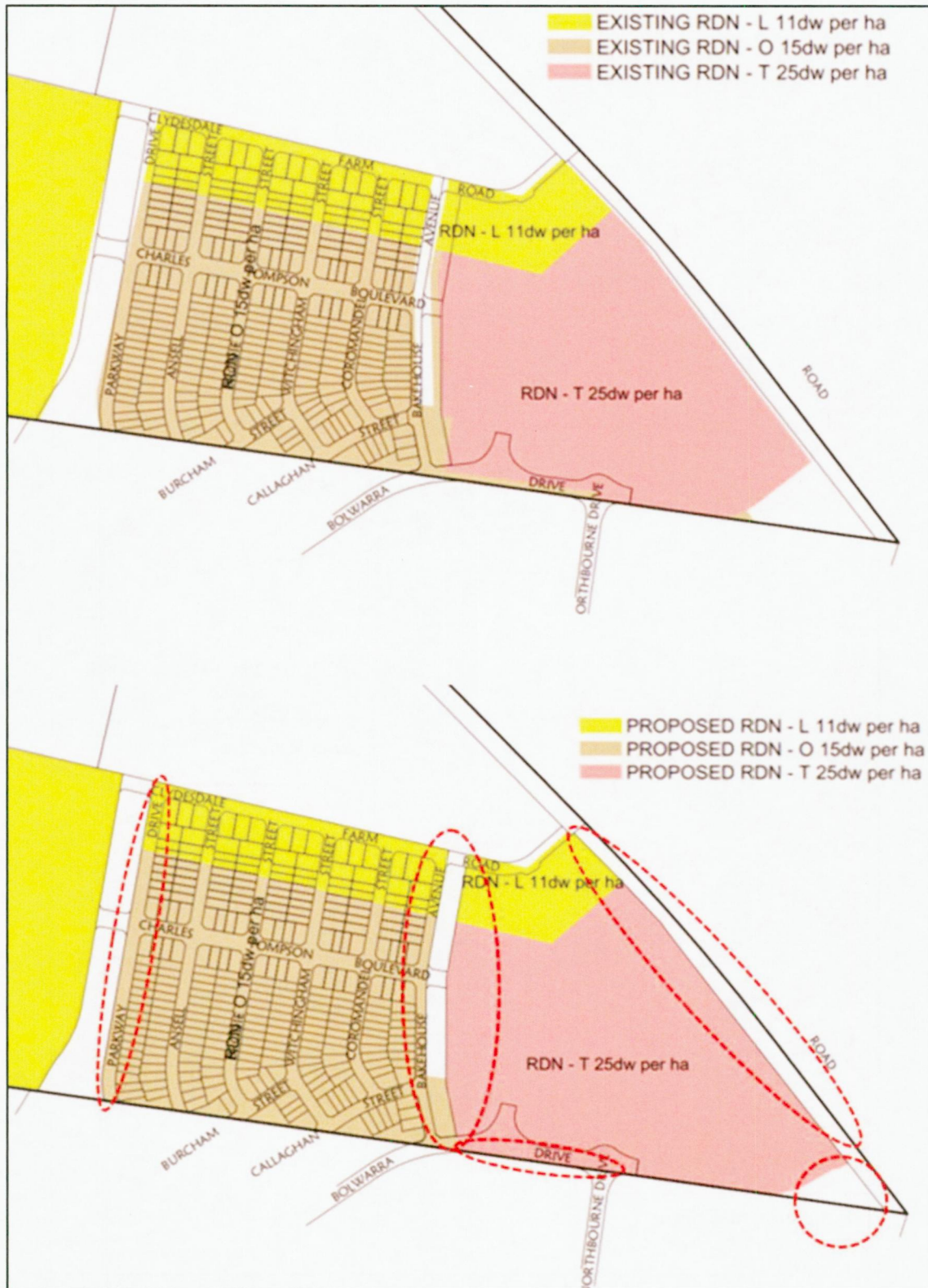
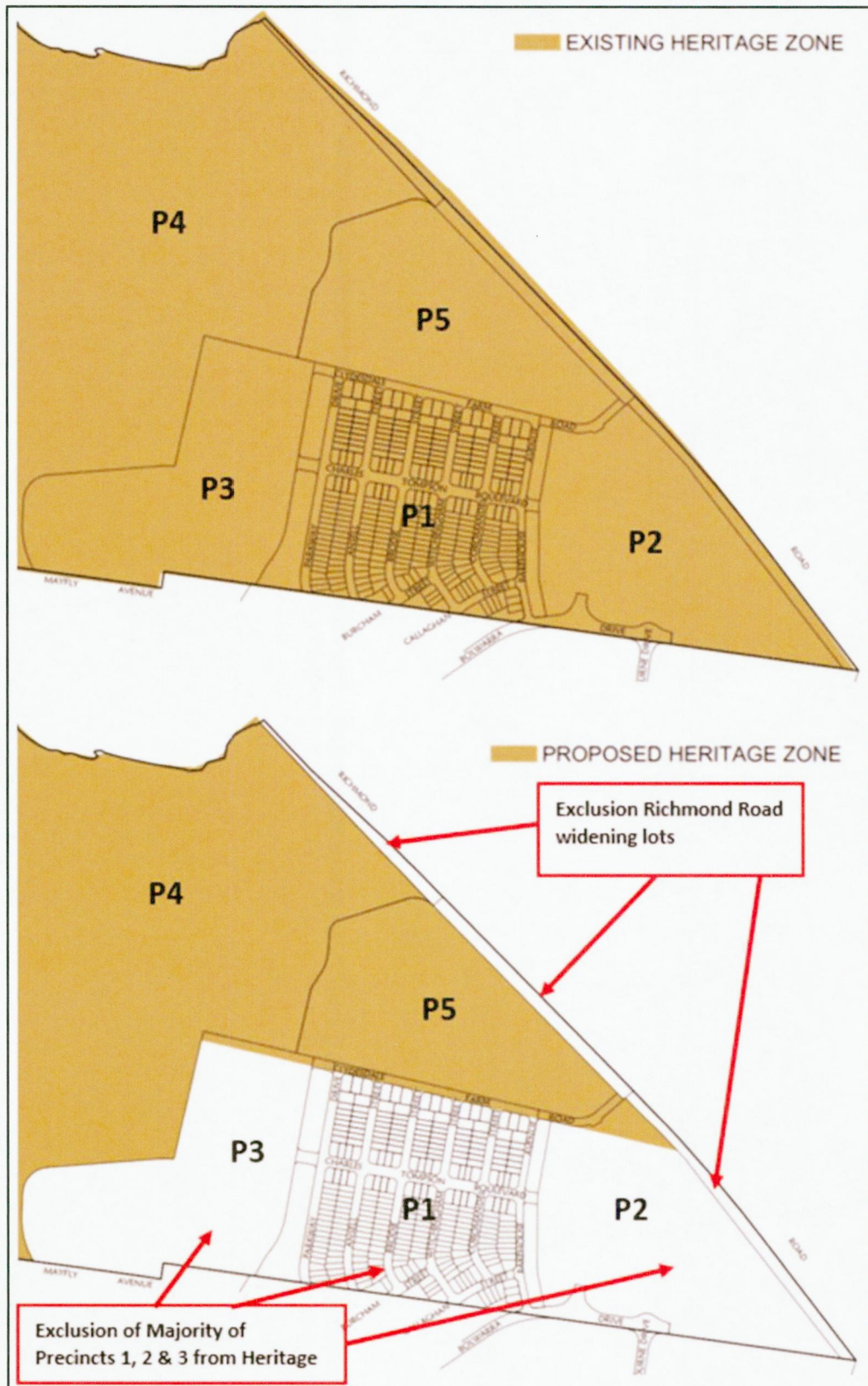


Figure 12 - Existing (upper image) and proposed (lower image) Heritage Map



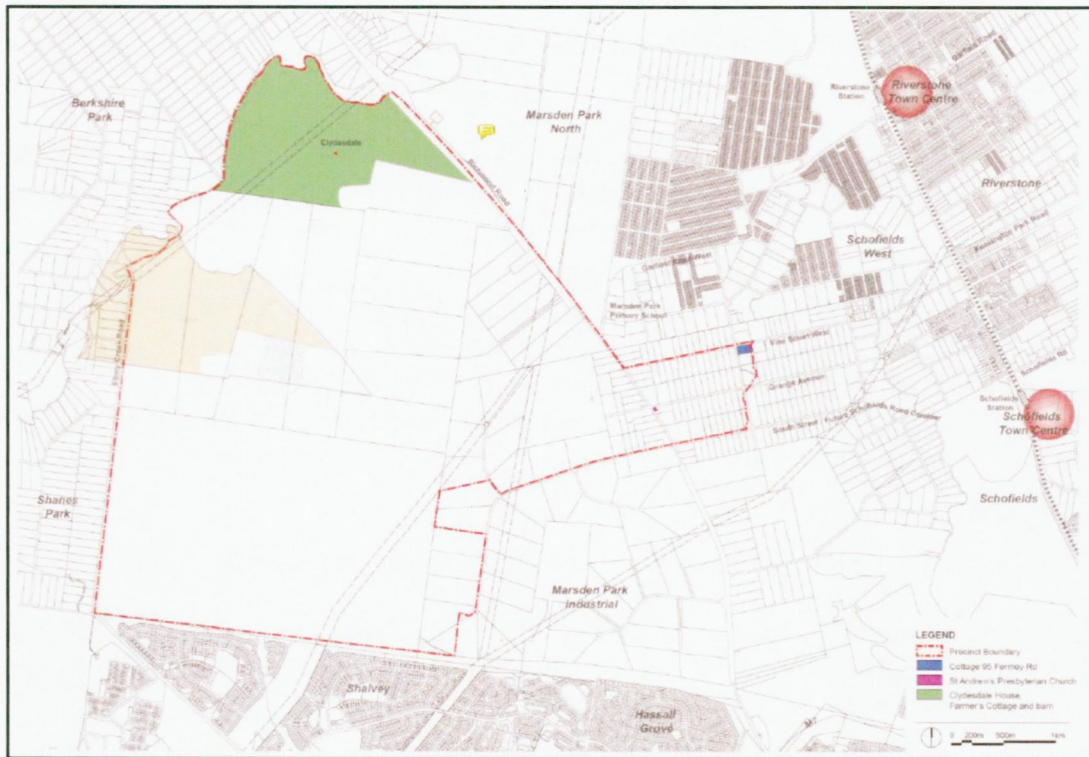


### 3.2.2. Proposed changes to Marsden Park Precinct Development Control Plan

In addition to proposed amendment to heritage map of State Environmental Planning Policy (Sydney Region Growth Centres) 2006, the heritage advice prepared by TKD Architects (Attachment 4) recommended the following be amended:

- The heritage map in Marsden Park Precinct Development Control Plan (Figure 3.6 European cultural heritage of Development Control Plan); and
- The schedule 5 listing of the Clydesdale Estate in the Marsden Park Precinct Development Control Plan to reflect the changes to the property description. The 'item name' for the listing should also be amended to better capture the significant site elements of the Clydesdale Estate. One possibility could be — 'Clydesdale Estate— Clydesdale House, stables, cottages, burial ground and rural landscape setting'.

To address this recommendation, it is proposed to amend Figure 3.6 European cultural heritage of Marsden Park Precinct Development Control Plan as below:



**Figure 13 – Proposed Figure 3.6 European cultural heritage of Marsden Park Precinct Development Control Plan**

## 4. Justification

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

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

No. The proposed amendments have arisen from site-specific requirements rather than any strategic study or report. However, it should be noted that the proposed amendments are to reflect previous approved subdivision plans and Transport for NSW road widening Plan.

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

Yes. The Planning Proposal is the best means of achieving the objectives outlined in Part 2 of this report for the following reasons:

- Objective 1 specifically relates to aligning the approved road, block and lot layout with the land use zones. The only way to correct this situation is by amending State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as proposed. The layout itself cannot be amended to fit with the existing zoning as the lots are now registered.
- Objective 2 relates to rezoning part of the site from SP2 Local Drainage to R3 Medium Density Residential zone. A Planning Proposal is the only way to achieve this objective.
- Objective 3 specifically relates to aligning the heritage map with the heritage significant curtilage of Clydesdale House (now contained within Precincts 4 and 5) and removing the heritage affectation from Precincts 1, 2 and 3 which have been assessed as not contributing to the heritage significance of Clydesdale House in its Conservation Management Plan. A Planning Proposal is the only way to remove the unwarranted heritage affectations.

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

#### 4.2.1 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)?

Yes. The objectives and directions of the Greater Sydney Region Plan – Our Greater Sydney 2056 and the Central City District Plan applicable to the Planning Proposal have been addressed:

##### a) Greater Sydney Region Plan

In March 2018 the NSW Government released the Greater Sydney Region Plan: A Metropolis of Three Cities. The Plan proposes a Metropolis of 3 unique but connected cities – Western Parkland City, Central River City (that contains the Blacktown LGA) and Eastern Harbour City.





The Greater Sydney Region Plan:

- sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters
- informs the district and local plans and the assessment of Planning Proposals
- assists infrastructure agencies to plan and deliver for growth and change and to align their infrastructure plans to place-based outcomes
- informs the private sector and the wider community on the growth management and infrastructure investment intentions of government.

The Greater Sydney Region Plan is structured under 4 themes:

- Infrastructure and Collaboration
- Liveability
- Productivity
- Sustainability.

Within these themes are 10 directions that contain a potential indicator followed by a suite of objectives, with each objective supported by a strategy or strategies.

The amendments proposed are minor and will not have an adverse impact on the objectives and actions contained in the Greater Sydney Region Plan.

#### **b) Central City District Plan**

The Greater Sydney Commission's 'Central City District Plan' (released in March 2018) provides a 20-year vision for the district. The Central City District encompasses the Cumberland, Parramatta, The Hills and Blacktown council areas. The District Plan provides details as to how the objectives for Greater Sydney can be achieved.

The District Plan contains themes, planning priorities, objectives and actions.

The amendments proposed are minor and will not have an adverse impact on the objectives and actions contained in the Central City District Plan.

Attachment 8 details consistency with the Greater Sydney Region Plan and Central City District Plan.

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

#### **a) Our Blacktown 2036 - Community Strategic Plan (CSP)**

Yes. The Planning Proposal is consistent with Council's Community Strategic Plan.

#### **b) Blacktown Local Strategic Planning Statement 2020**

Yes. The Planning Proposal is consistent with the following Planning Priorities of the Blacktown Local Strategic Planning Statement:

- Local Planning Priority 4 (LPP4): Respecting heritage and fostering healthy, creative, culturally rich and socially connected communities.



- Local Planning Priority 6 (LPP6): Creating and renewing great places and centres.

Further comment on the consistency with strategic directions of CSP and the proposed provisions within the LSPS is provided in Attachment 8.

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

Yes. The proposal is consistent with applicable State Environmental Planning Policies and deemed State Environmental Planning Policies (Attachment 9).

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

Yes. The section 9.1 Directions applicable to the Planning Proposal are addressed in Attachment 10. The Planning proposal is consistent with the applicable Ministerial Direction.

A detailed assessment of consistency of the proposal with new Direction 4.3 Flooding is undertaken and included in Attachment 11.

**4.3 Section C – Environmental, Social and Economic Impacts**

**4.3.1 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?**

No. The Planning Proposal is not proposing amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 that will have adverse impacts on ecological communities, threatened species or critical habitat. It should be noted that:

- Part of the site subject to realignments of zoning boundary is mapped as Biodiversity Certified and, in its cleared state, presents no evidence of habitat or communities of threatened species.
- Precincts 1, 2 and 3 have already been zoned for residential development and have been cleared accordingly under previous DA consents.
- Part of the site subject to rezoning is Biodiversity Certified and has been cleared in accordance with previous DA consents.

**4.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

No. The Planning Proposal will not result in any negative environmental impact.

a) The proposed zoning boundary realignments will:

- align zone boundaries with appropriate lot boundaries and associated approved land uses;
- reflect Transport for NSW plan for widening of Richmond Road;





- remove unwarranted barriers to future development which may result from the erroneous split zoning on some of the lots.

As the proposal is for very minor changes to the alignment of zoning boundaries, there are no likely environmental effects.

b) The proposed rezoning of SP2 Local Drainage is unlikely to have negative impacts:

- The proposed rezoning is in response to a change in circumstance, where Council no longer needs the parcel of land for drainage purposes. If the land remains zoned SP2 Local Drainage it will likely remain undeveloped as the permitted uses are strictly limited to drainage related uses. This is undesirable from neighbourhood, urban design and safety perspectives.
- Required infrastructure to support residential uses has already been planned and is currently being installed. This makes it a highly suitable parcel for residential use and helps to ensure that new infrastructure in the release area is fully utilised.
- The proposed rezoning of the redundant SP2 drainage land will:
  - increase the area zoned R3 Medium Density Residential by 4,107.5 sqm. This represents an increase of approximately:
    - o 3.3% from the R3 current area of 12.23 ha
    - o 0.9% of the residential zoned land (R2 and R3) at the site of 44.96 ha.
  - Approximately half of this will be taken up by a road, leaving approximately 2,000 sqm for potential residential development.
  - Allow for an estimated 5 -10 dwellings, assuming a minimum residential density of 25 dwellings per hectare (the proposed minimum) (Attachment 12).
- Precincts 1, 2 and 3 combined have Development Application approval to accommodate a total of 1,860 dwellings; Precinct 1 (285 lots), Precinct 2 (Concept for 1,421 units) and Precinct 3 (154 lot). The addition of an estimated 5-10 dwellings is extremely unlikely to result in substantive impacts on the environment, the road network or emergency flooding evacuation.
- It is noted that the applicant is no longer intended to proceed with the approved concept scheme in Precinct 2 for 22 four storey residential flat buildings containing up to 1,421 units (DA ref SPP-16-04469). Instead, a new concept layout has been developed (which includes the subject SP2 Local Drainage zoned parcel – Attachment 13) that will yield an estimated 307 dwellings in the R3 Medium Density Residential zoned area of Precinct 2. This represents an overall reduction of 1,114 dwellings against the approved concept plan, making any environmental impacts highly unlikely. It is also noted that this is only a draft plan and has not been submitted to Council yet and has no approval for that.

c) The proposed amendment to heritage boundary will not have negative impacts:

A letter of support for this Planning Proposal has been provided by TKD Architects. It refers to the Clydesdale Estate Conservation Management Plan (endorsed by Heritage NSW December, 2017) and states that the proposal, as it relates to the Heritage Map, is supported, as:



- i. Precincts 1, 2 and 3 is identified in the CMP as being of little heritage significance (CMP Precinct 5: Former Woodland);
- ii. The development controls established in the Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020), in particular the site-specific controls for the Clydesdale Estate in Schedule 6 of the DCP (Marsden Park Precinct DCP), are sufficient to ensure that new residential development within these precincts will not result in any additional adverse impacts on the rural landscape setting of the Clydesdale Estate; and
- iii. The land to be dedicated for the widening of Richmond Road 'has almost no visual relationship with [CMP] Precinct 1' and so makes very little contribution to the heritage values of the place.

*Note: "CMP Precincts" refers to areas of the Site as described in the CMP and are not the same as "Precincts" as referred to in this Planning Proposal.*

- The proposed amendments to the Heritage Map and Schedule 5 Environmental Heritage are consistent with the principles of the Clydesdale Estate Conservation Management Plan (CMP – GBA Heritage, 2017) as endorsed by Heritage NSW (December 2017).
- As a result of the proposed heritage boundary amendment, the landowners in Precincts 1, 2 and 3 will no longer have to seek heritage approval from Council. However, properties impacted by the State Heritage Curtilage will still be impacted until such time that a site specific exemption exists for those lots.
- The proposed amendments to the heritage boundary will remove heritage affectation from the Richmond Road excise parcels and will ensure they are no longer classified as heritage zone. This reflects the approved Development Application DA20/00797.
- It is considered that Precincts 1, 2 and 3 are already subject to residential development, regardless of the status of the Heritage Map. These amendments will simply allow future dwelling construction to proceed without the statutory requirement to consider heritage matters which are not warranted in this part of the site.

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

- a) The proposed zoning boundary realignments will not have any negative social and economic impacts as the proposal is for very minor changes to the zoning boundaries. However, it will have positive social and economic effects as the amendment will provide additional clarity, accuracy and certainty to landowners and developers. Further, it will help to remove potential unwarranted barriers to future development which may result from the erroneous split zoning on some of the lots.
- b) The proposed rezoning of SP2 Local Drainage to R3 Medium Density Residential will not have any negative social and economic impacts as:





- It will provide an opportunity to use the land for more suitable land use that is consistent with surrounding land uses while it is not anymore needed for its initial purpose.
  - Required infrastructure to support residential uses has already been planned and is currently being installed. This makes it a highly suitable parcel for residential use and helps to ensure that new infrastructure in the release area is fully utilised.
  - It has site-specific merit as, if the land was to remain zoned SP2 it will likely remain undeveloped as the permitted uses are strictly limited to drainage related uses. This is undesirable from neighbourhood amenity, safety and urban design perspectives.
- c) The proposed amendment to heritage boundary will not have negative social and economic impacts noting that the Clydesdale Estate CMP states:
- Precincts 1, 2 and 3 (identified in the CMP as CMP Precinct 5: Former Woodland) is of little heritage significance.
  - The development controls established in the Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020), in particular the site specific controls for the Clydesdale Estate in Schedule 6 of the DCP (Marsden Park Precinct Development Control Plan), are sufficient to ensure that new residential development within these precincts will not result in any additional adverse impacts on the rural landscape setting of the Clydesdale Estate.

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

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

The proposed amendments will not impact on the provision or demand for public infrastructure.

- a) The proposed realignment of zone boundaries will not result in any increase in future number or density of dwellings over the site. Therefore, no additional public infrastructure will be required. The detailed technical studies undertaken during the planning of the precinct remain valid.
- b) As discussed above, the proposed rezoning will open up approximately 2,000 sqm of land for medium density residential development and likely to cater for 5-10 additional dwellings. This represents only a marginal increase against the existing total of 44.96 ha of residential zoned land across Precincts 1, 2 and 3 (together approved for up to 1,860 dwellings).

The proposed rezoning is therefore unlikely to result in the need for increased overall capacity requirements for public infrastructure or primary utilities. The planned infrastructure is considered adequate.

- c) Removal of the heritage affectation from Precincts 1, 2 and 3 will have no impact on the future number or density of dwellings over the site. Therefore, no additional public infrastructure will be required.



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

As the subject site (Clydesdale Estate) is a listed heritage item of State Significance, Council has consulted with Heritage NSW. However, Council has not received any feedback.

Consultation with public authorities will occur post-gateway as identified in the gateway determination.

## 5. Mapping

The proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – North West Growth Centre maps are attached at Attachment 7, which includes amendments to the following maps:

- Land Zoning Map: Sheet LZN\_002, LZN\_005
- Height of Building Map: Sheet HOB\_002, HOB\_005
- Land Reservation Acquisition Map: Sheet LRA\_002, LRA\_005
- Residential Density Map: Sheet RDN\_002, RDN\_005
- Minimum Lot Size Map: Sheet LSZ\_002, LSZ\_005
- Heritage Map: Sheet HER\_001, HER\_002, HER\_005

## 6. Community consultation

The Planning Proposal will be publicly exhibited in accordance with the Gateway Determination. A notice advising of the public exhibition period and copy of the exhibition material will be placed on Council's website.

## 7. Timeline

The proposed timetable for the Planning Proposal is set out in Table 3 below:

**Table 3. Project timeline**

Stage	Estimated Date
Gateway Determination	December 2021
Public exhibition	January 2022
Consider submissions	March 2022
Council resolution to adopt the Plan	April 2022





Forward Planning Proposal to Department of Planning, Industry and  
Environment for the Minister to make the plan

May 2022

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## Current land uses on the site and background

### 1. Site Uses

The table below provides a description of the current and intended future land uses at the Site:

Precinct	Uses
1	<ul style="list-style-type: none"> <li>Predominantly zoned R2 Low Density Residential, with smaller portions of SP2 Infrastructure (Drainage).</li> <li>Low density residential housing construction has recently commenced following the registration of subdivision (approved under DA ref JRPP-16-03316).</li> <li>Future precinct will be characterised by single and double storey detached dwelling houses with some open space / drainage land at the eastern and western boundaries.</li> </ul>
2	<ul style="list-style-type: none"> <li>Currently vacant.</li> <li>Predominantly zoned R3 Medium Density Residential, with smaller portions of R2 Low Density Residential and SP2 Infrastructure (Drainage).</li> <li>DA approval exists for the concept masterplan including 22 x 4 storey residential flat buildings with a total of 1,421 units (DA ref SPP-16-04469) over 11 super lots (approved separately under DA ref: DA-19-00926). This scheme is no longer intended to proceed, instead, a revised scheme consisting of medium density dwelling houses will be proposed (Refer Attachment 13 of the Planning Proposal for Precinct 2 concept layout).</li> </ul>
3	<ul style="list-style-type: none"> <li>Currently vacant.</li> <li>Zoned R2 Low Density Residential.</li> <li>Remediation works and civil subdivision works were due to commence in June 2021 in accordance with approved DA-18-01249 for subdivision into 154 residential lots.</li> <li>The future precinct will be predominantly characterised by single and double storey detached dwelling houses.</li> </ul>
4	<ul style="list-style-type: none"> <li>Subject to the requirements of the Heritage NSW endorsed Conservation Management Plan. The site is currently vacant except for the Clydesdale Homestead which is undergoing restoration works.</li> <li>Zoned E3 Environmental Management, E2 Environmental Conservation and SP2 Infrastructure (Classified Road).</li> <li>The future precinct will be predominantly open space and conservation lands. An adaptive reuse plan will be documented as part of the development of this precinct.</li> </ul>
5	<ul style="list-style-type: none"> <li>Currently vacant.</li> <li>Zoned RE1 Public Recreation and SP2 Local Drainage.</li> <li>The future precinct will be used as open space, playing fields and water quality management. An ultimate water quality raingarden has been approved and construction is intended to commence in the coming months.</li> </ul>



## **2. Project Background**

The below provides a summary of the relevant DAs and associated information which has resulted in the need for this Planning Proposal. A full list of all the DAs relating to the site is provided in Attachment 2 of the Planning Proposal.

### **DA 16/04366 – Procedural Subdivision into 5 Super lots / Precincts**

In 2016, the initial DA for the subdivision of the Site (Parent Lot) into five super lots (“Precincts”) was lodged. At that time, zoning maps were issued without fixed coordinates. As a result, the subdivision plans for this DA were made by overlaying the site boundaries onto the zone boundaries to determine the future location of precinct boundaries, roads and drainage corridors. This DA was approved on 26 November 2018. More recent zoning maps published in 2018 have adopted GIS coordinates not previously provided. This has resulted in several instances of zones encroaching over boundaries which were unintended.

### **DA 16/04611 – Bulk earthworks and associated drainage works**

Consent was granted under DA 16/04611 on 15 October 2018 for bulk earth and drainage works across the site. The location of the approved works, including drainage channels, aligns with the 2016 zone mapping and the Precinct boundaries of the initial procedural DA for five super lots.

### **JRPP 16/03316 – Subdivision of Precinct 1 into 285 residential lots, 4 drainage lots and 2 road reserve lots**

Consent was granted under DA 16/03316 on 10 December 2018 for the residential subdivision of Precinct 1. Again, subdivision design aligned with the 2016 zone mapping and the Precinct boundaries as approved under the initial procedural DA for five super lots. Along both the eastern and western boundaries of Precinct 1, separate lots were created specifically for drainage purposes in accordance with the SP2 (Drainage) zone.

Figure 3 of the Planning Proposal shows the approved Precinct 1 subdivision overlaid onto the more recent 2018 zoning map overlaid. This shows:

- the SP2 (Drainage) corridor encroaches into the road and approved Precinct 1 residential lots.
- the R2 and R3 zoned land within Precinct 2 encroaches into the intended drainage land within Precinct 1.
- the SP2 Drainage corridor in the west of Precinct 1 encroaches into the approved (and now constructed) road.



### **DA 20/00797 – Procedural subdivision to excise 3 residue lots for future road widening of Richmond Road**

Consent was granted under DA 20/00797 on 5 November 2020 for the procedural subdivision of land adjacent to Richmond Road to create residue lots for future road widening by Transport for NSW. It involved the excision of three narrow corridors of land along the eastern most portions of Precincts 2, 4 and 5. It is intended that these three corridors will be transferred to Transport for NSW for road widening purposes. The land approved for excision is zoned SP2 Infrastructure (Classified Road).

The corridor excised from Precinct 2 was narrower than the SP2 Infrastructure (Classified Road) zoning had allowed for, in accordance with Transport for NSW's updated requirements (refer Attachment 5 of the Planning Proposal). This has resulted in a fine sliver of land remaining in the Precinct but still zoned SP2 Infrastructure (Classified Road).

### **SPP 16/04469 – Concept DA for 22 x 4 storey residential flat buildings containing 1,421 units in Precinct 2**

Consent was granted on 23 December 2020 for the above described masterplan and concept DA in Precinct 2. The proponent no longer intends to proceed with the approved scheme and instead intends to develop Precinct 2 predominantly as medium density dwelling houses.

### **DA-18-01249 – Subdivision of Precinct 3 to create 154 residential lots**

Consent was granted on 27 June 2019 for the subdivision of Precinct 3 into 152 residential lots and later amended to 154 residential lots under MOD-20-00144.







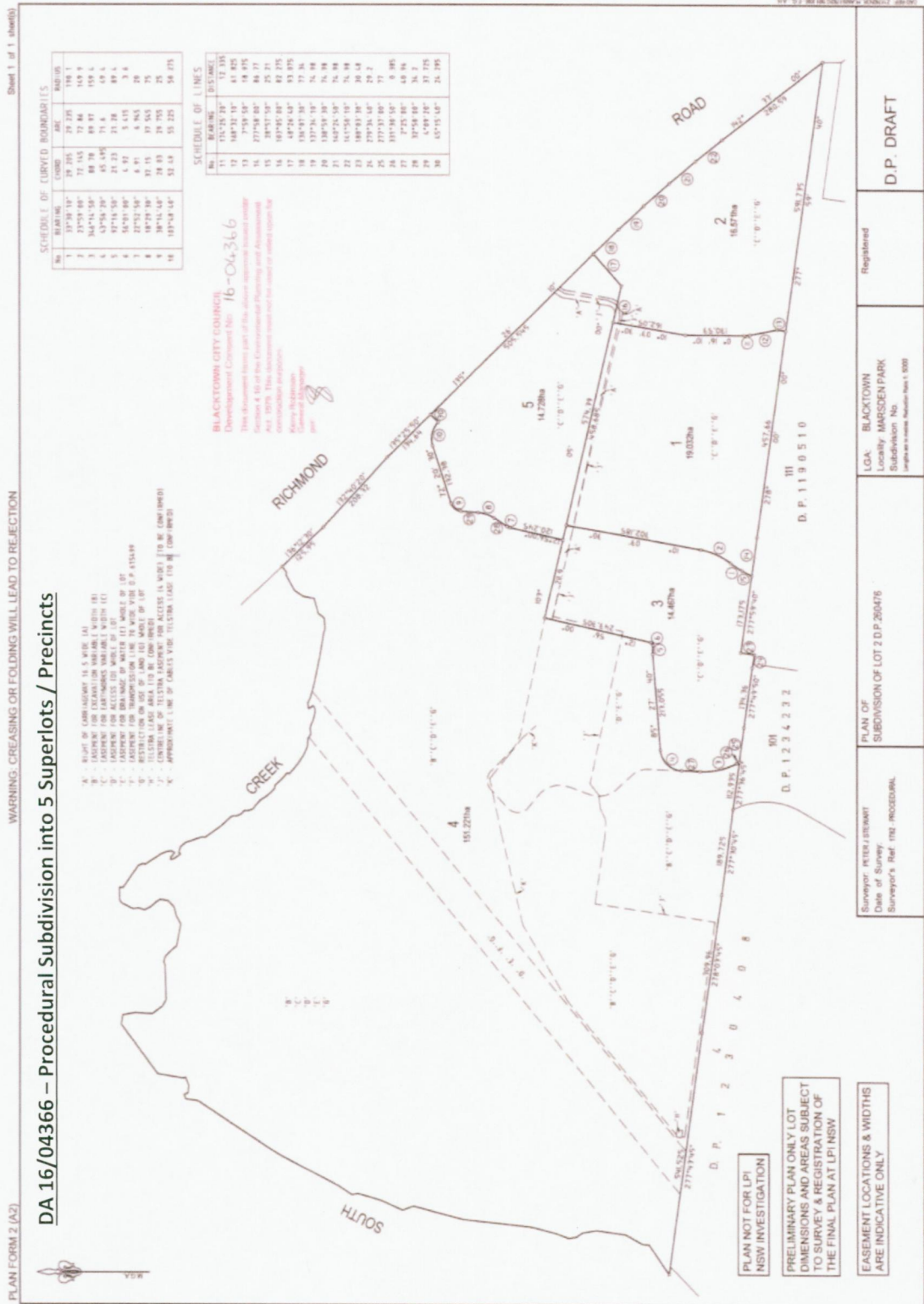
## List of Development Applications and associated Modifications at the Site

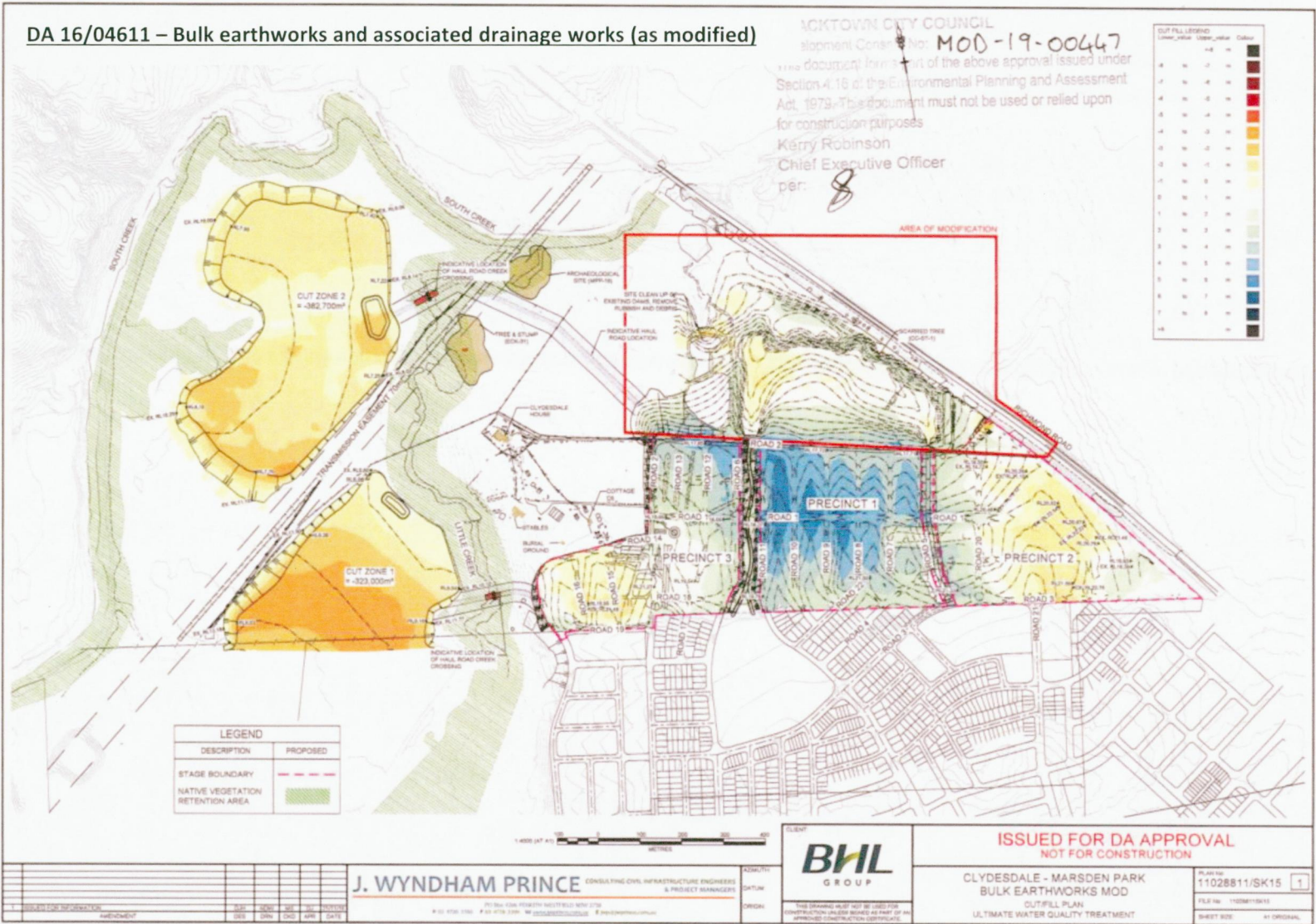
Lodged	Approved	DA Ref	Description
<b>Entire Site (Parent Lot)</b>			
12/8/16	26/11/18	DA-16-04366	Subdivision of parent lot into 5 superlots (precincts).
16/9/19	15/10/18	DA-16-04611	<p>Bulk earthworks involving balanced cut/fill works and associated drainage works.</p> <p><b>MOD-18-00588 (approved 31/01/2019)</b> amending the wording of several conditions regarding demolition, importation of VENM / clean fill, remediation procedures and access from Richmond Road.</p> <p><b>MOD-19-00447 (approved 27/04/2020)</b> revised sediment basin within the area of land to the north of Road No.2, and the removal of fill earthworks associated with the future sports field.</p> <p><b>MOD-20-00156 (approved 23/12/2020)</b> for a cap and containment area to be constructed in the location of an existing farm dam, which is being de-commissioned (and associated contamination of the dam remediated) as part of the approved bulk earthworks.</p> <p><b>MOD21/00194 (pending approval)</b> Amendments to various conditions relating to heritage, construction management and remediation.</p>
<b>Precinct 1</b>			
24/6/16	10/12/18	JRPP-16-03316	<p>Subdivision of Precinct 1 into 280 residential lots, 4 residue lots and 4 drainage lots, associated earthworks, tree removal, new roads and stormwater drainage works.</p> <p><b>MOD-18-00665 (approved 19/12/18)</b> Description modified to "...285 residential lots, residue lots, 4 drainage lots and 2 road reserves..."</p> <p><b>MOD-19-00025 (approved 18/3/19)</b> Subdivision divided into 3 stages and addition of a collector road in the southern boundary.</p> <p><b>MOD-19-00303 (approved 29/11/19)</b> Amendments to staging.</p>



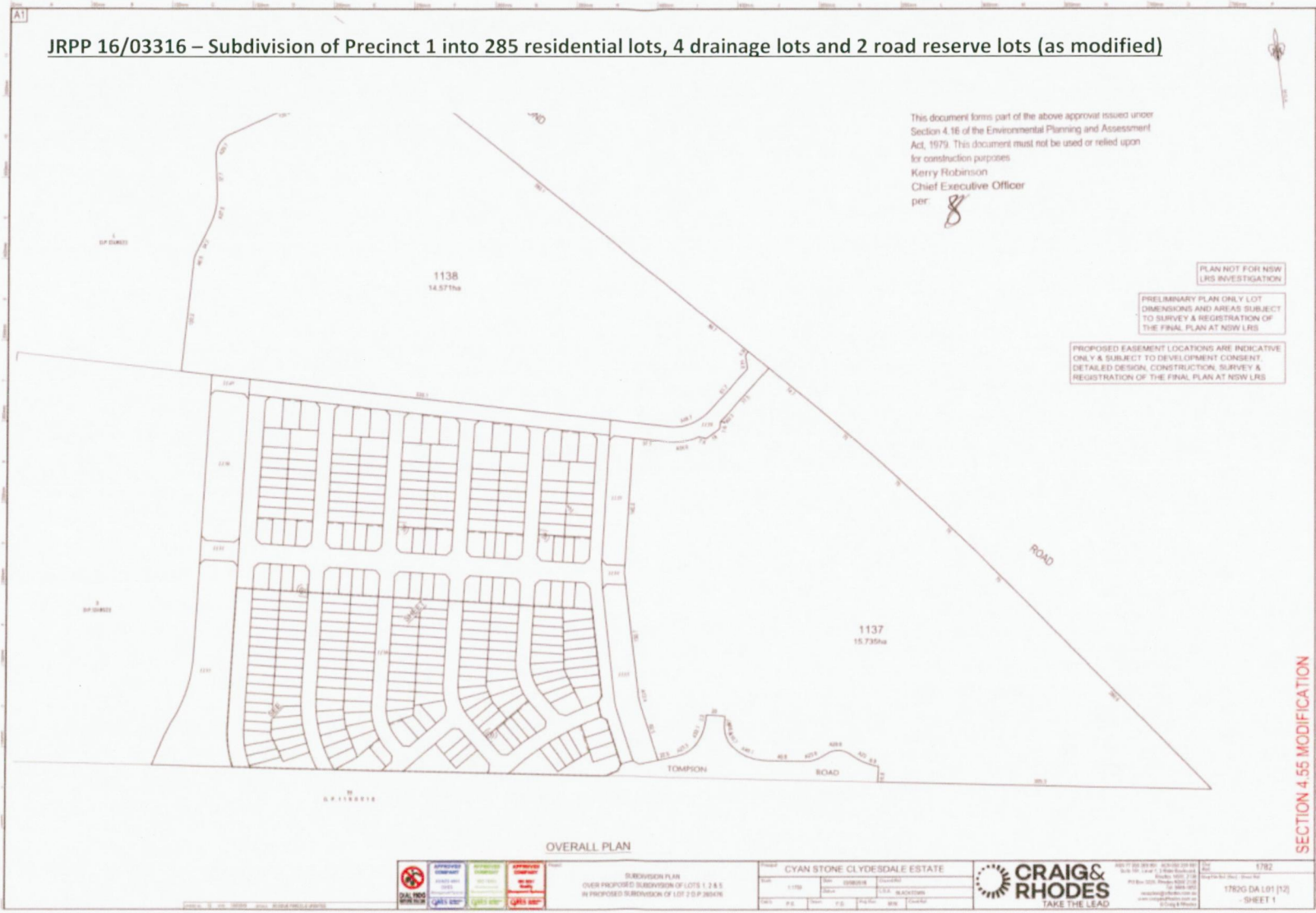
Lodged	Approved	DA Ref	Description
6/4/20	17/6/20	DA-20-00465	Boundary adjustment and subdivision of 8 residual lots and 5 residential lots (approved under JRPP-16-03316 (as modified) and DA-17-00404 (as modified)) into 31 residential lots and associated civil works,
<b>Precinct 2</b>			
27/6/19	29/10/20	DA-19-00926	Subdivision of Precinct 2 into 11 super lots and 2 residue lots including new roads and drainage works.
23/12/16	23/12/20	SPP-16-04469	Concept DA for 22 x 4 storey residential flat buildings [across the 11 lots approved under DA-19-00926] containing 1,421 units
18/10/19	Pending approval	SPP-19-00011	Construction of 2 x 4 storey residential flat buildings [within superlot 1 & 2] for 202 apartments [1, 2 & 3 bedrooms], basement parking and associated works
<b>Precinct 3</b>			
12/07/18	27/6/19	DA-18-01249	subdivision of Precinct 3 into 152 residential lots <b>MOD-2-00144 (approved 20/05/2021)</b> amended to 154 residential lots
<b>General</b>			
12/12/18	23/8/19	DA18-02473	Advertising signage and sales office <b>MOD-20-00141 (pending approval)</b> Amendments to car parking arrangements
29/7/19	19/3/20	DA-19-01098	Display (exhibition) Village DA
19/5/20	5/11/20	DA-20-00797	Procedural subdivision to excise 3 residue lots for future road widening of Richmond Road <b>MOD-21-00090 (approved 23/3/21)</b> Amendments to heritage related conditions.

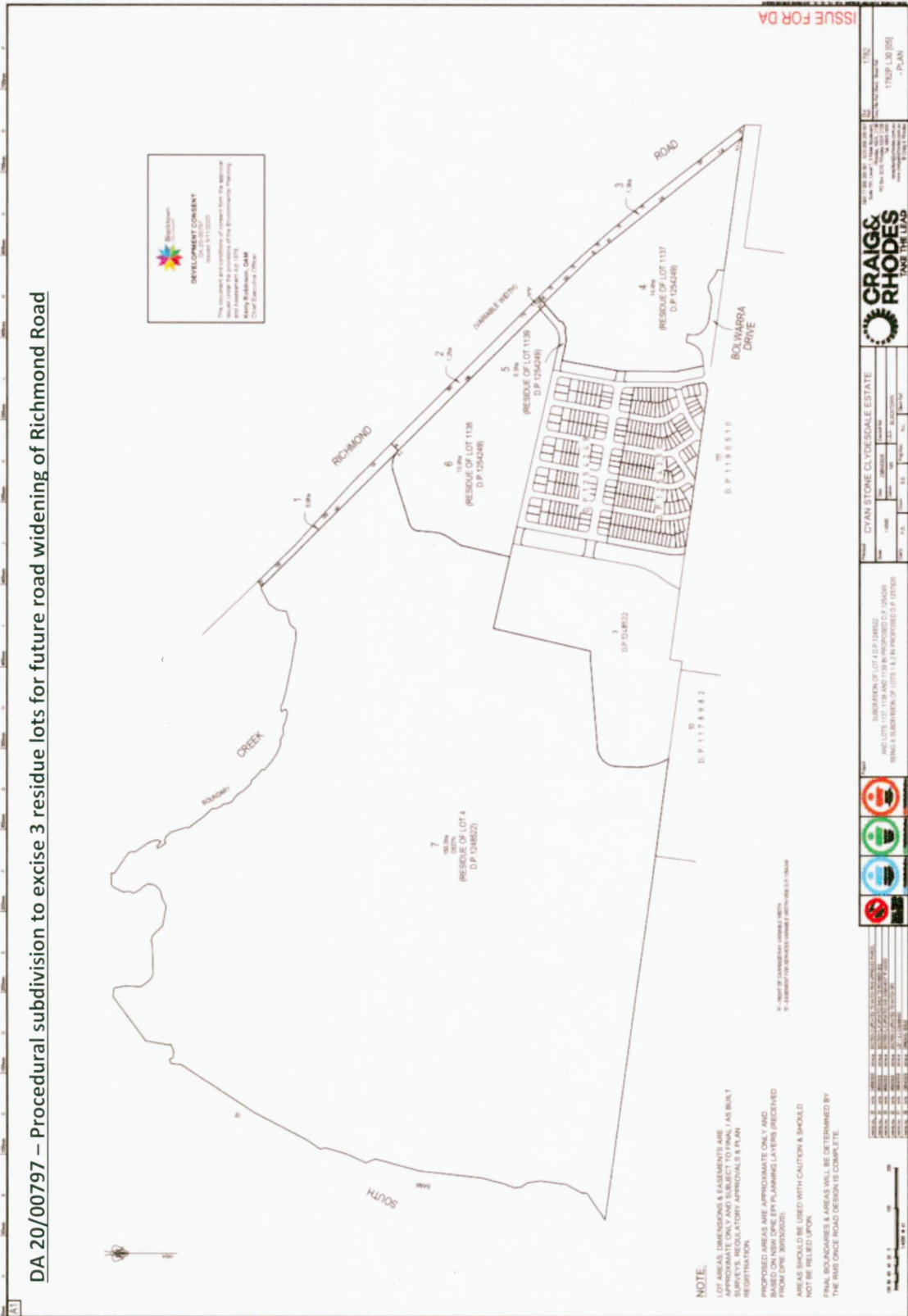








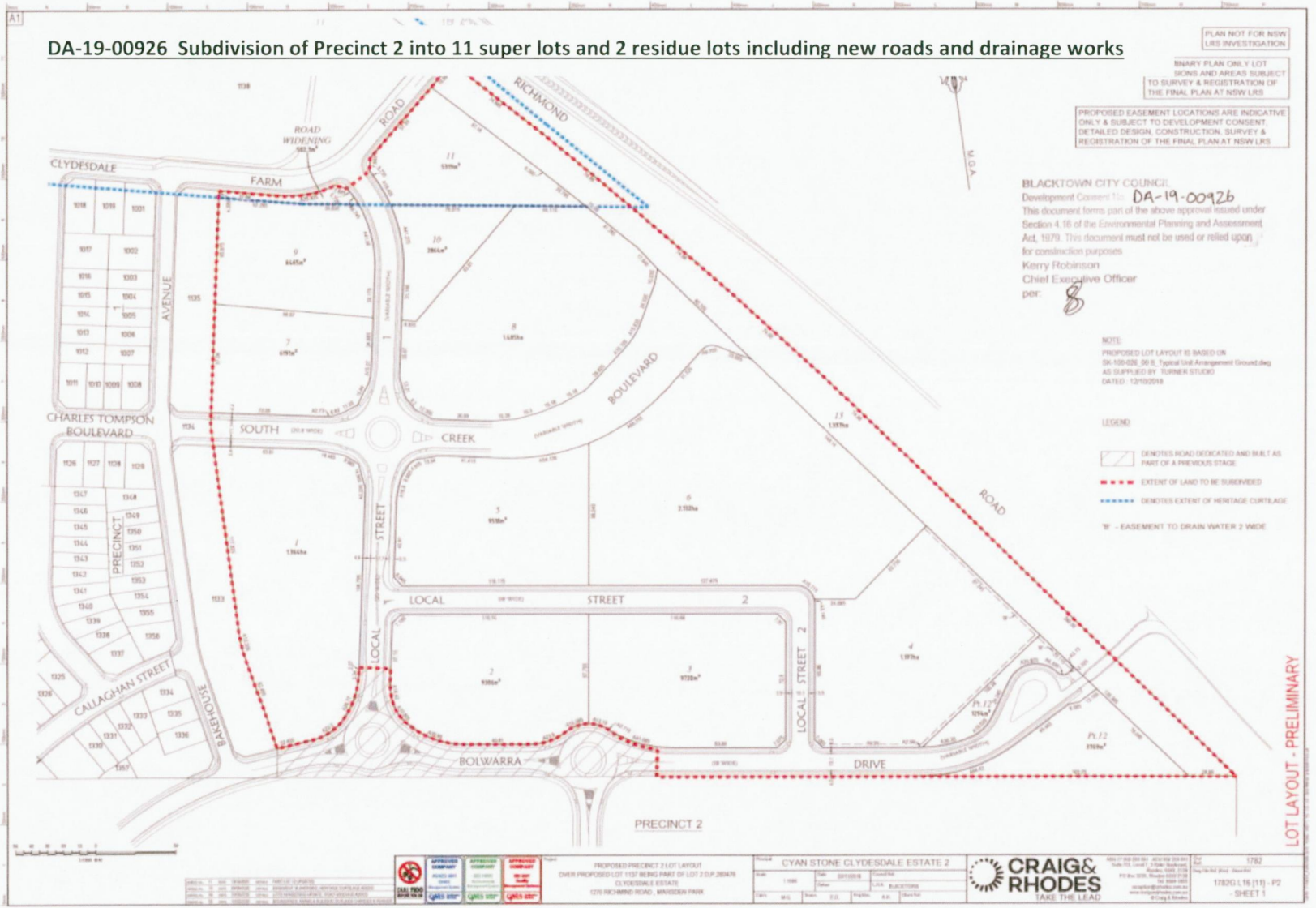






SPP 16/04469 – Concept DA for 22 x 4 storey residential flat buildings containing 1,421 units in Precinct 2











Heritage Council of New South Wales



State Heritage Register - SHR 00674. Plan 1713  
 Clydeesdale - House, Barn, Cottage and Farm Landscape  
 Marsden Park  
 Gazettal Date: 02/04/1999  
 Scale: 1:17,000  
 Datum/Projection: GCS GDA 1994

## Legend

- Land Parcels
- SHR Curtilage
- Roads
- LGAs
- Suburbs



30 March 2021



Boyuan Holdings Limited  
Level 16  
5 Martin Place  
Sydney NSW 2000

**Attention: Simon Burk**

Dear Simon

**Subject: Clydesdale Estate, Marsden Park  
Proposed Amendments to State Environmental Planning Policy (Sydney Growth Centres) 2006**

It is understood that BHL are currently updating a planning proposal zoning boundary amendment application to Blacktown City Council. It is also understood that Council has requested that the heritage map in *State Environmental Planning Policy (Sydney Growth Centres) 2006* be amended to excise the areas subject to residential development in Precincts 1, 2 and 3 and the land dedicated for the widening of Richmond Road from the Clydesdale Estate.

The heritage map in the SEPP currently includes all of the land that makes up Lot 2, DP 260476 known as 'Clydesdale House—farmers cottage and barn'. Since gazettal of the SEPP, the land zoned 'residential' has been subject to separate subdivision proposals to create Precincts 1, 2 and 3, in preparation for new residential development. More recently, three narrow parcels of land immediately adjacent to Richmond Road have been dedicated for its widening in the future.

The current SEPP heritage map (as it applies to the Clydesdale Estate) and the proposed amendments to the mapping have been documented by Craig & Rhodes—see attached.

Excising of the subject land from the heritage map for the Clydesdale Estate is supported for the following reasons:

- Residential development in Precincts 1, 2 and 3 is being constructed on land identified in the CMP as being of little heritage significance (CMP Precinct 5: Former Woodland) — it makes very little contribution to the rural landscape setting of the Clydesdale Estate. The development controls established in the *Blacktown City Council Growth Centre Precincts Development Control Plan 2010* (amended October 2020), in particular the site-specific controls for the Clydesdale Estate in Schedule 6 of the DCP (Marsden Park Precinct DCP), are also sufficient to ensure that new residential development within these precincts will not result in any additional adverse impacts on the rural landscape setting of the Clydesdale Estate.
- The land dedicated for the widening of Richmond Road forms part of CMP Precinct 3: Northern Paddocks. While the CMP identifies the 'overall configuration and character of the precinct' as being of High heritage significance, the CMP also notes that the far-eastern part of the precinct, adjacent to Richmond Road, 'has almost no visual relationship with Precinct 1' and so makes very little contribution to the heritage values of the place. The 1980s gates at the relocated entry are also identified as being of little heritage significance, nevertheless they are to be relocated to the new boundary alignment as an interpretation measure for the 1980s entry to the site.

Tanner Kibble Denton Architects Pty Ltd | ABN 77 001 209 392 | [www.tkda.com.au](http://www.tkda.com.au)

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**Principals** Alex Kibble, Robert Denton, Megan Jones, John Rose | **Practice Directors** Melanie Mackenzie, George Phillips, Lachlan Rowe

**Associate Directors** Ian Burgher, Angelo Casado, Asta Chow, Paul Dyson, David Earp, Anna Harris, Sean Williams

**Associates** Rory Avis-Foster, Heiron Chan, Chloe Rayfield, Robin Sampson, Jordan Swebeck

**NSW Nominated Architects** Robert Denton Registration No 5782 | Alex Kibble Registration No 6015

In addition to the above, it is proposed to excise that part of Precinct 3 that falls within the SHR boundary for the Clydesdale Estate and the land dedicated to the widening of Richmond Road. As the process is lengthy, Heritage NSW has agreed to put in place site-specific exemptions for new development within those residential areas located within the SHR boundary as an interim measure. The site-specific exemptions are currently being finalised.

In addition to amending the heritage map of the SEPP it is also recommended that the following be amended:

- The heritage map in the Marsden Park Precinct DCP (see Figure 3.6 of the DCP); and
- The schedule 5 listing of the Clydesdale Estate in the Marsden Park Precinct DCP to reflect the changes to the property description. The 'item name' for the listing should also be amended to better capture the significant site elements of the Clydesdale Estate. One possibility could be — 'Clydesdale Estate—Clydesdale House, stables, cottages, burial ground and rural landscape setting'.

Please do not hesitate to contact me for further clarification.

Yours sincerely

TANNER KIBBLE DENTON ARCHITECTS PTY LTD

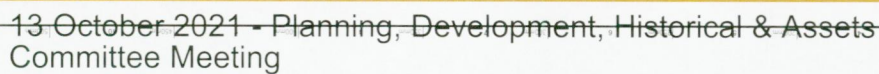


Sean Williams  
Associate Director

Attachments: Existing SEPP Heritage Mapping for the Clydesdale Estate  
Proposed amended SEPP Heritage Mapping for the Clydesdale Estate

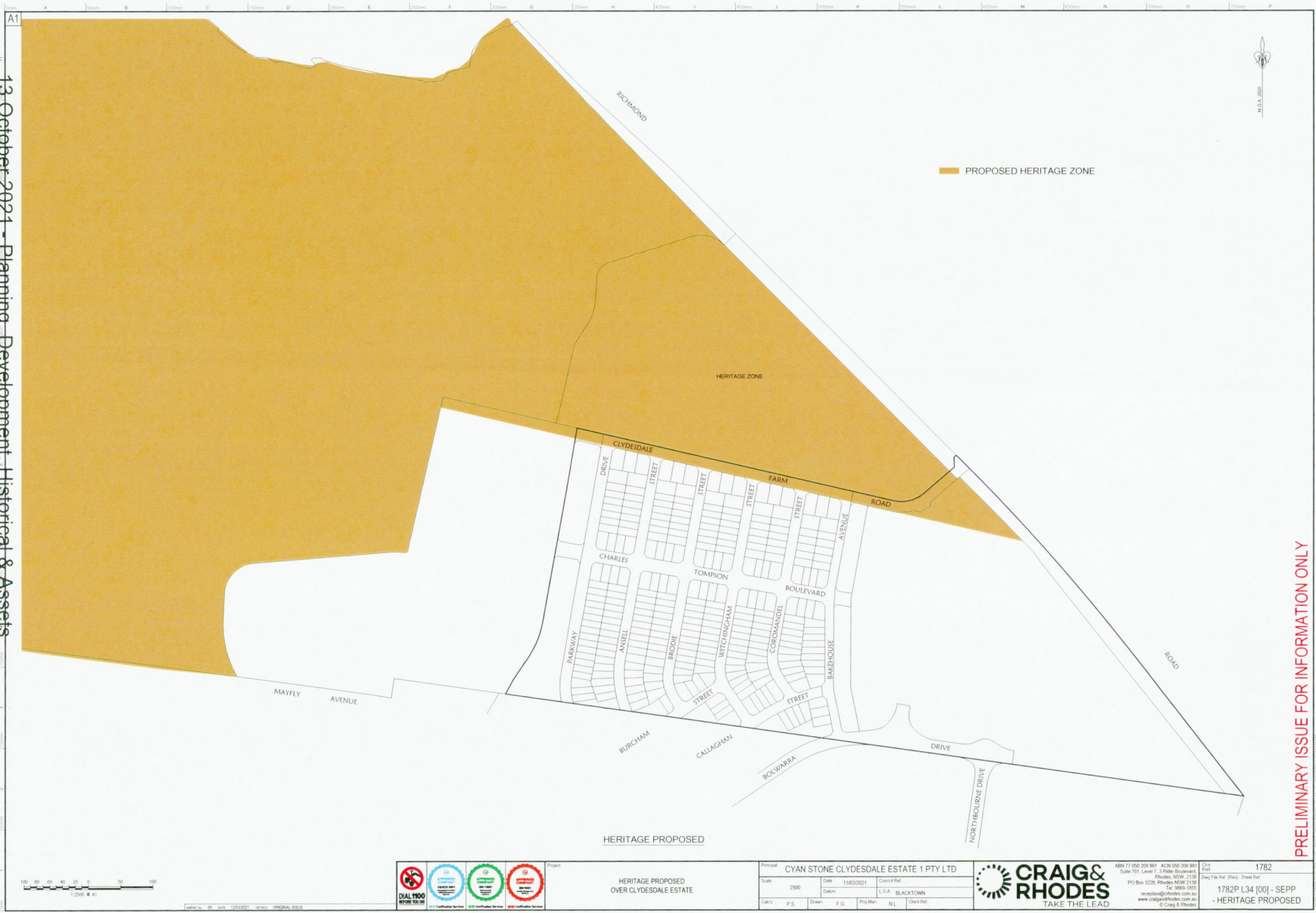








PRELIMINARY ISSUE FOR INFORMATION ONLY



Project  
**HERITAGE PROPOSED  
OVER CLYDESDALE ESTATE**

Principal	CYAN STONE CLYDESDALE ESTATE 1 PTY LTD				
Scale	2500	Date	11/03/2021	Client Ref	
City's	P.S.	Drawn	F.G.	Proj.Mgr	N.L.
				Client Ref	

**CRAIG & RHODES**  
TAKE THE LEAD

ABN 77 050 209 991 ACN 050 209 991  
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Rhodes, NSW 2138  
PO Box 3226, Rhodes NSW 2138  
Tel 9859 1855  
mrcroston@craigandrhodes.com.au  
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Client Ref: 1782  
Draw File Ref: [Rev] - Sheet Ref:  
1782P L34 [00] - SEPP  
- HERITAGE PROPOSED



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## Advice from Transport for NSW

**Transport  
for NSW**

14 August 2020

TfNSW Reference: SYD20/00947/01

Council Reference: SPP-16-04469; DA-19-00926; SPP-19-00011; LEP-20-0003

Chief Executive Officer  
Blacktown City Council  
PO Box 63,  
BLACKTOWN NSW 2148

Dear Sir,

**LAND TO BE ACQUIRED BY TRANSPORT FOR NSW (TfNSW) RICHMOND ROAD  
UPGRADE FROM ELARA BOULEVARD TO HERITAGE ROAD WITHIN 1270  
RICHMOND ROAD MARSDEN PARK NSW 2765 (LOT 2 IN DP 1248522)**

As you aware, TfNSW is in the process of upgrading Richmond Road, between Elara Boulevard and Heritage Road, Marsden Park. BHL Group has recently approached TfNSW and demonstrated that the ultimate design for Richmond Road upgrade could be accommodated within the proposed road reserve.

I am writing to confirm that TfNSW has no objection to reduce the SP2 (Classified Road) land within Lot 2 of DP1248522 in accordance with the 'bold red line' illustrated in Appendix A – Craig & Rhodes Drawing Marsden Park Clydesdale Stage 2 Subdivision Plan including Richmond Road (Preliminary) Design (drawing reference 1782P L29[04] dated 19/05/2020 of this Letter.

TfNSW raises no objection for the rezoning of land outside of the reduced SP2 land for residential purposes. Please note that all other comments/requirements provided by TfNSW for these development applications are still applicable.

If you have any further questions, I would be pleased to take your call on 8849 2219 or please email [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au) I hope this has been of assistance.

Yours sincerely

**Pahee Rathan**  
Senior Land Use Assessment Officer

---

Transport for NSW  
27 Argyle Street, Parramatta NSW 2150 | Locked Bag 5085, Parramatta NSW 2124  
P (02) 8849 2666 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602



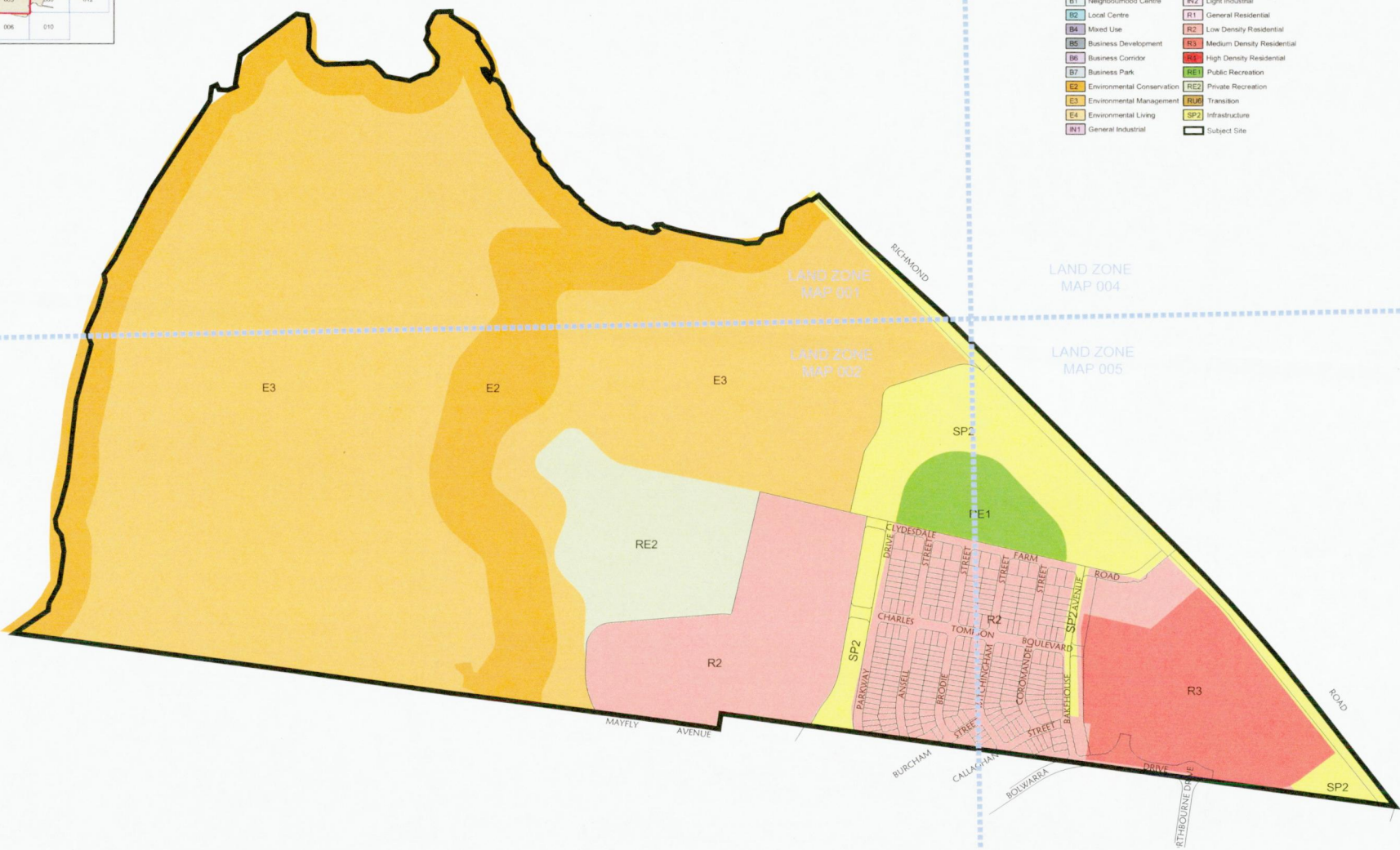


## Appendix A –Clydesdale Stage 2 Subdivision Plan including Richmond Road (Preliminary) Design





LEGEND			
Zone			
B1	Neighbourhood Centre	R2	Light Industrial
B2	Local Centre	R1	General Residential
B4	Mixed Use	R2	Low Density Residential
B5	Business Development	R3	Medium Density Residential
B6	Business Corridor	R4	High Density Residential
B7	Business Park	RE1	Public Recreation
E2	Environmental Conservation	RE2	Private Recreation
E3	Environmental Management	RM	Transition
E4	Environmental Living	SP2	Infrastructure
RI1	General Industrial		Subject Site



EXISTING LAND ZONING (WITH TILES)



DATE: 01/03/2021 SCALE: AMENDED PROPOSED ZONE BOUNDARIES AMENDED  
DATE: 01/03/2021 SCALE: ORIGINAL ISSUE



Project	
LAND ZONING EXISTING (WITH TILES) OVER CLYDESDALE ESTATE	

Principal	CYAN STONE CLYDESDALE ESTATE 1 PTY LTD		
Scale	1:4000	Date	11/03/2021
Client	P.S.	Drawn	F.G.
Proj. Mgr	N.L.	Client Ref.	



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1782

1782-1783 (01) SEPP

LAND ZONING PROPOSED (WITH TILES)

1782-1783 (01) SEPP

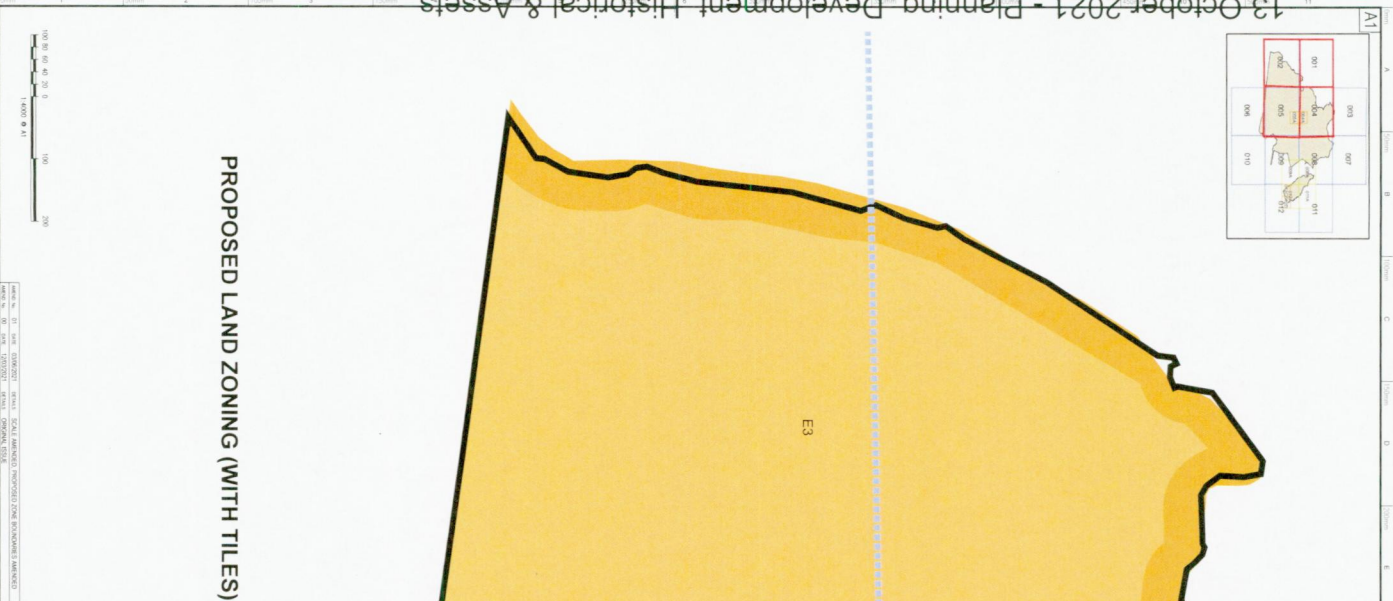
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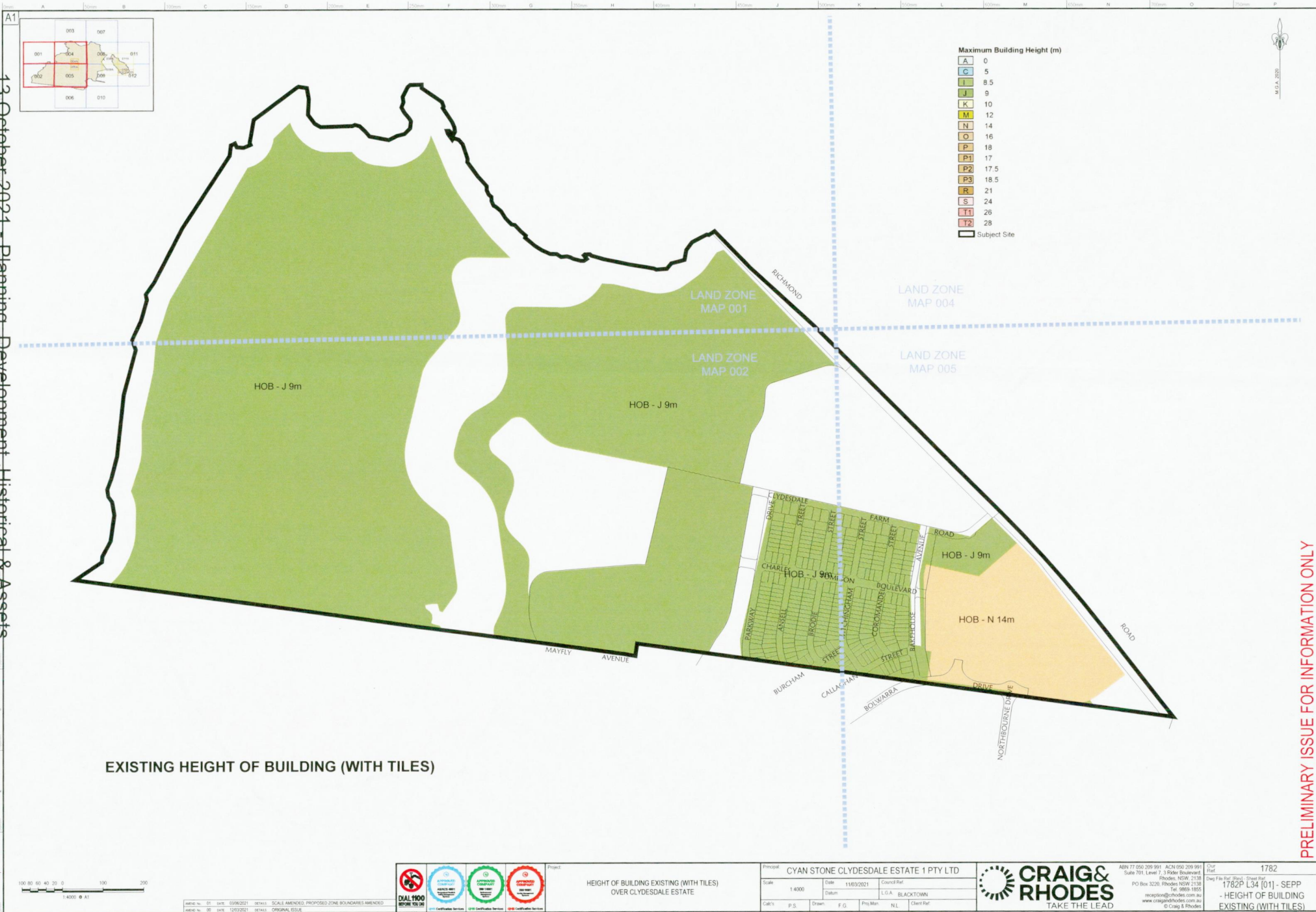
1782-1783 (01) SEPP

LAND ZONING PROPOSED (WITH TILES)

1782-1783 (01) SEPP

LAND ZONING PROPOSED (WITH TILES)



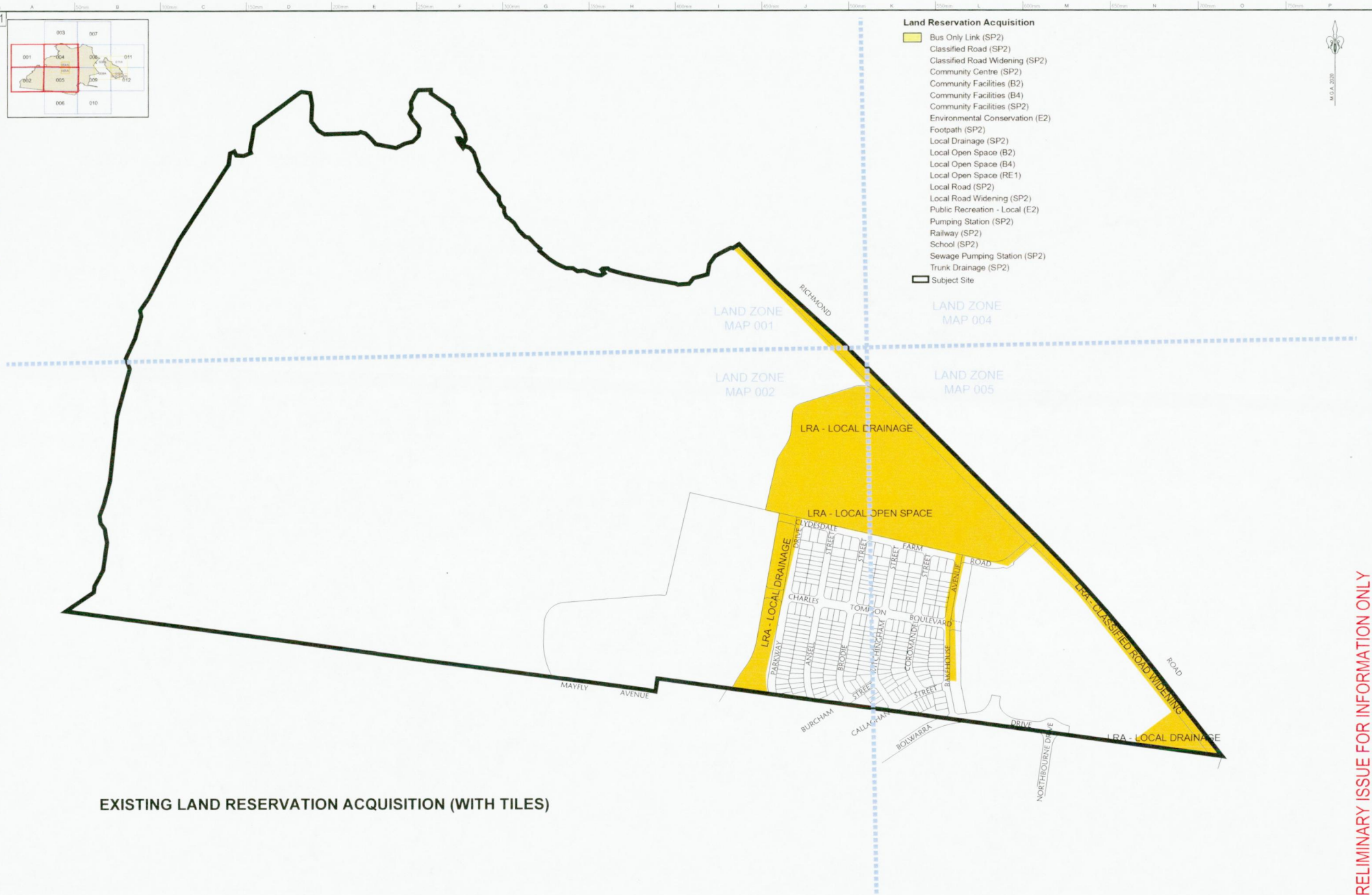








- Land Reservation Acquisition**
- Bus Only Link (SP2)
  - Classified Road (SP2)
  - Classified Road Widening (SP2)
  - Community Centre (SP2)
  - Community Facilities (B2)
  - Community Facilities (B4)
  - Community Facilities (SP2)
  - Environmental Conservation (E2)
  - Footpath (SP2)
  - Local Drainage (SP2)
  - Local Open Space (B2)
  - Local Open Space (B4)
  - Local Open Space (RE1)
  - Local Road (SP2)
  - Local Road Widening (SP2)
  - Public Recreation - Local (E2)
  - Pumping Station (SP2)
  - Railway (SP2)
  - School (SP2)
  - Sewage Pumping Station (SP2)
  - Trunk Drainage (SP2)
  - Subject Site



EXISTING LAND RESERVATION ACQUISITION (WITH TILES)



sheet no. 01 date 03/06/2021 status SCALE AMENDED PROPOSED ZONE BOUNDARIES AMENDED  
sheet no. 00 date 12/03/2021 status ORIGINAL ISSUE



Project  
LAND RESERVATION ACQUISITION EXISTING (WITH TILES)  
OVER CLYDESDALE ESTATE

Principal	CYAN STONE CLYDESDALE ESTATE 1 PTY LTD
Scale	1:4000
Date	11/03/2021
Datum	GDA 1984
Client	P S
Drawn	F G
Proj. Mgr	N L
Client Ref	



ABN 77 050 209 961 ACN 950 209 961 Suite 701, Level 7, 3 Water Boulevard Rhodes, NSW 2138 Tel 9959 1855 reception@craigandrhodes.com.au www.craigandrhodes.com.au © Craig & Rhodes	Our Ref: 1782P Drawn: 1782P 1782P [101] - SEPP - LAND RESERVATION ACQUISITION EXISTING (WITH TILES)
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- Land Reservation Acquisition**
- Bus Only Link (SP2)
  - Classified Road (SP2)
  - Classified Road Widening (SP2)
  - Community Centre (SP2)
  - Community Facilities (B2)
  - Community Facilities (B4)
  - Community Facilities (SP2)
  - Environmental Conservation (E2)
  - Footpath (SP2)
  - Local Drainage (SP2)
  - Local Open Space (B2)
  - Local Open Space (B4)
  - Local Open Space (RE1)
  - Local Road (SP2)
  - Local Road Widening (SP2)
  - Public Recreation - Local (E2)
  - Pumping Station (SP2)
  - Railway (SP2)
  - School (SP2)
  - Sewage Pumping Station (SP2)
  - Trunk Drainage (SP2)
  - Subject Site

LAND ZONE  
MAP 001

LAND ZONE  
MAP 004

LAND ZONE  
MAP 002

LAND ZONE  
MAP 005

LRA - LOCAL DRAINAGE

LRA - LOCAL OPEN SPACE

LRA - LOCAL DRAINAGE

PROPOSED CLASSIFIED ROAD WIDENING

LRA - LOCAL DRAINAGE

PROPOSED LAND RESERVATION ACQUISITION (WITH TILES)



REVISION NO. 01 DATE 03/06/2021 DETAILS SCALE AMENDED, PROPOSED ZONE BOUNDARIES AMENDED  
REVISION NO. 02 DATE 12/03/2021 DETAILS ORIGINAL ISSUE



Project  
LAND RESERVATION ACQUISITION PROPOSED (WITH TILES)  
OVER CLYDESDALE ESTATE

Principal  
CYAN STONE CLYDESDALE ESTATE 1 PTY LTD  
Scale 1:4000 Date 11/03/2021 Council Ref  
LGA BLACKTOWN  
C/S P/S Drawn F/G Proj Mgr N/L Client Ref



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PO Box 3026 Rhodes NSW 2138  
Tel 9899 1855  
www.craigandrhodes.com.au  
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Drawn By 1782  
1782 E34101 - SEPP  
- LAND RESERVATION  
ACQUISITION PROPOSED

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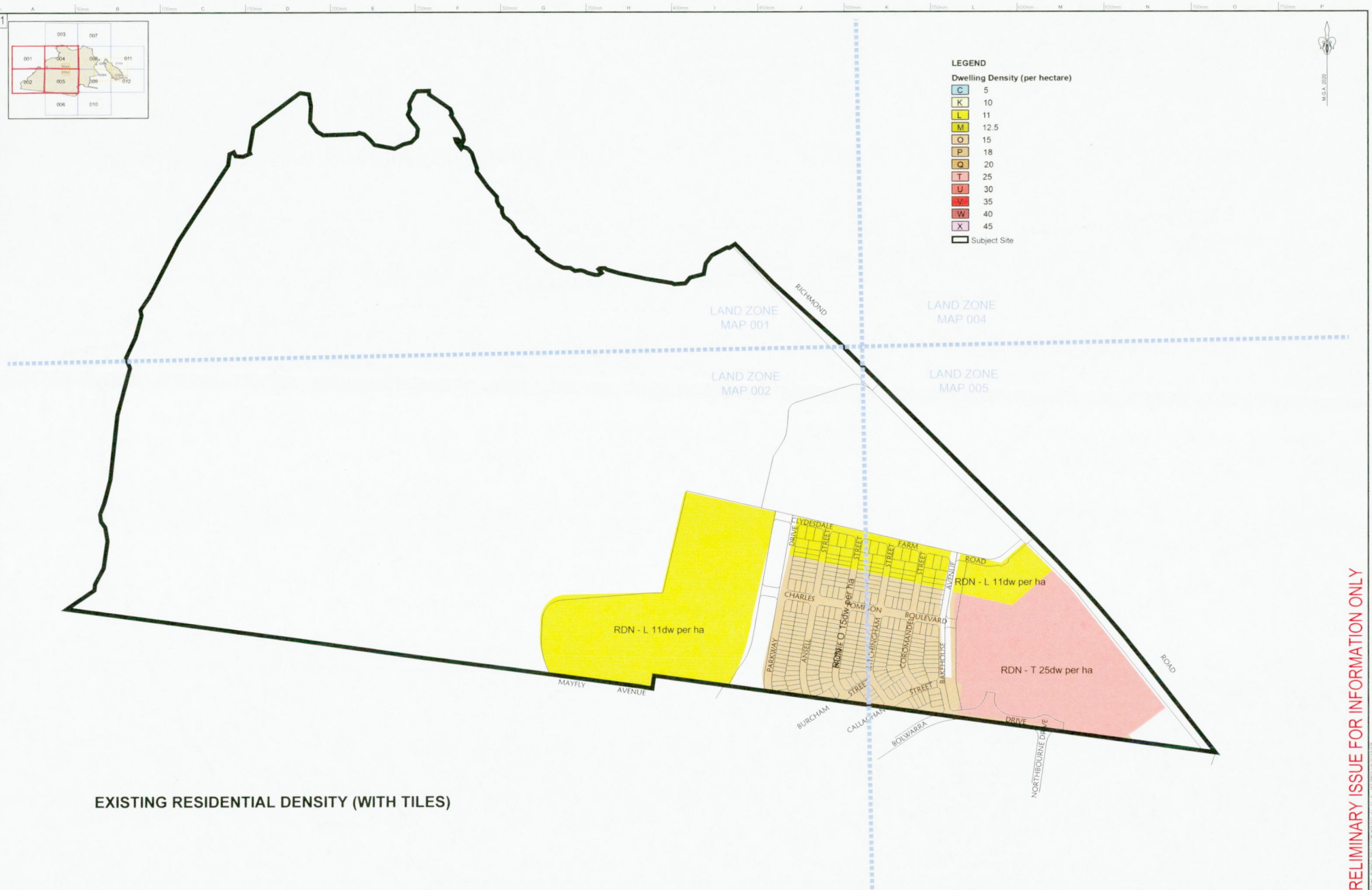


**LEGEND**

Dwelling Density (per hectare)

C	5
K	10
L	11
M	12.5
O	15
P	18
Q	20
T	25
U	30
V	35
W	40
X	45

Subject Site



EXISTING RESIDENTIAL DENSITY (WITH TILES)

	<p>Project: <b>RESIDENTIAL DENSITY EXISTING (WITH TILES) OVER CLYDESDALE ESTATE</b></p>	<p>Principal: <b>CYAN STONE CLYDESDALE ESTATE 1 PTY LTD</b></p> <p>Scale: 1:4000</p> <p>Date: 11/03/2021</p> <p>Client Ref: LGA - BLACKTOWN</p> <p>Drawn: P.S.</p> <p>Check Ref:</p>		<p>ABN 77 050 209 991 ACN 050 209 991 Suite 701, Level 7, 3 Pile Road Rhodes, NSW 2138 PO Box 3226, Rhodes NSW 2138 Tel: 9855 1855 www.craigandrhodes.com.au © Craig &amp; Rhodes</p> <p>Client Ref: 1782</p> <p>Drawn: 1782P L34 [01] - SEPP - RESIDENTIAL DENSITY EXISTING (WITH TILES)</p>
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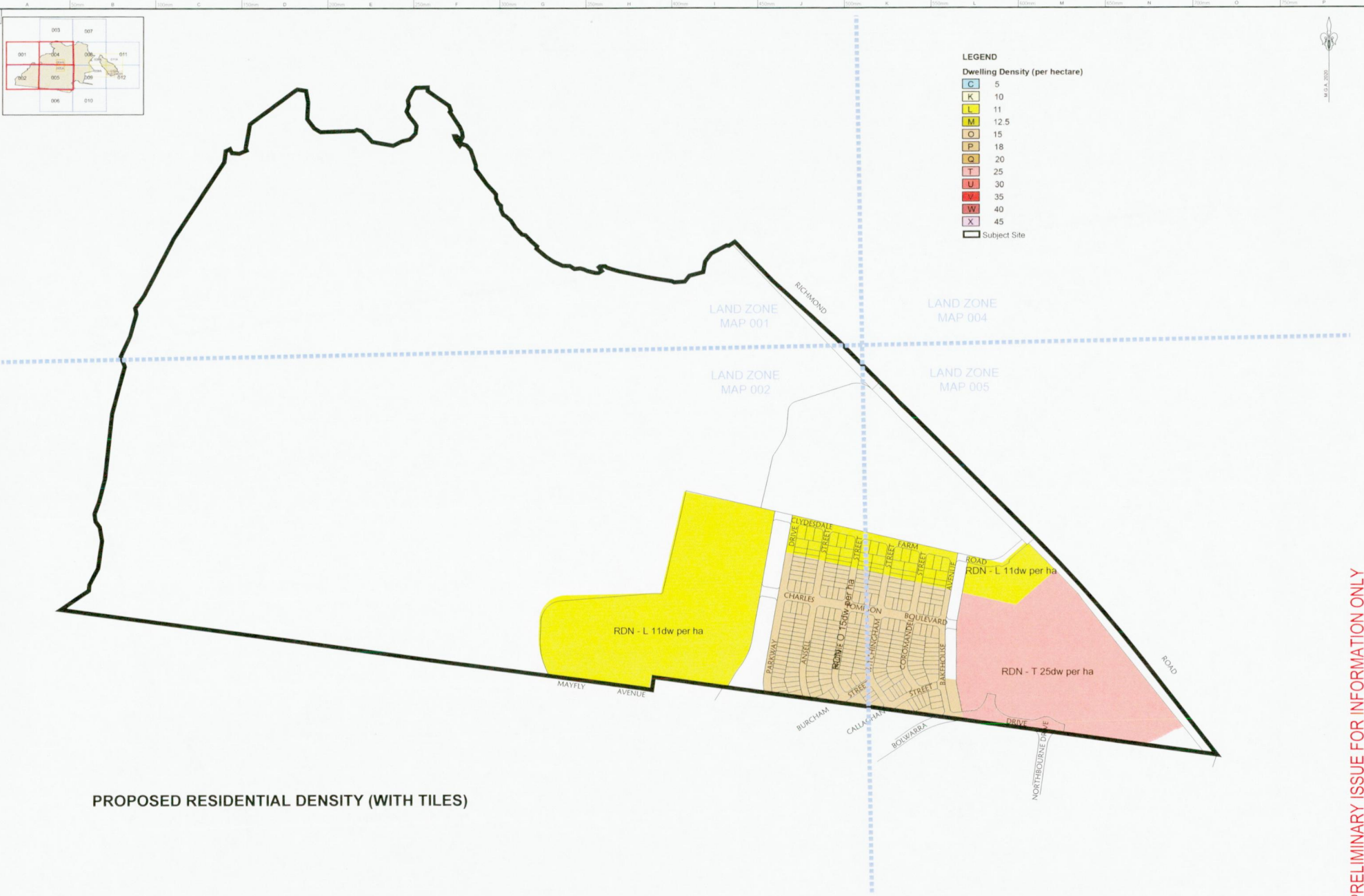




**LEGEND**

**Dwelling Density (per hectare)**

C	5
K	10
L	11
M	12.5
O	15
P	18
Q	20
T	25
U	30
V	35
W	40
X	45
Subject Site	



PROPOSED RESIDENTIAL DENSITY (WITH TILES)



Project

RESIDENTIAL DENSITY PROPOSED (WITH TILES) OVER CLYDESDALE ESTATE	
---	--

Principal						CYAN STONE CLYDESDALE ESTATE 1 PTY LTD							
Scale			1:4000			Date		11/03/2021		Council Ref			
						Datum				L.O.A. BLACKTOWN			
Cat's		P.S.		Drawn		F.G.		Proj.Man		N.L.		Client Ref	



AGN 77 050 200 991	AGN 050 200 991	Doc Ref	1782
1782P L34 [01] - SEPP		- RESIDENTIAL DENSITY	
PROPOSED (WITH TILES)			

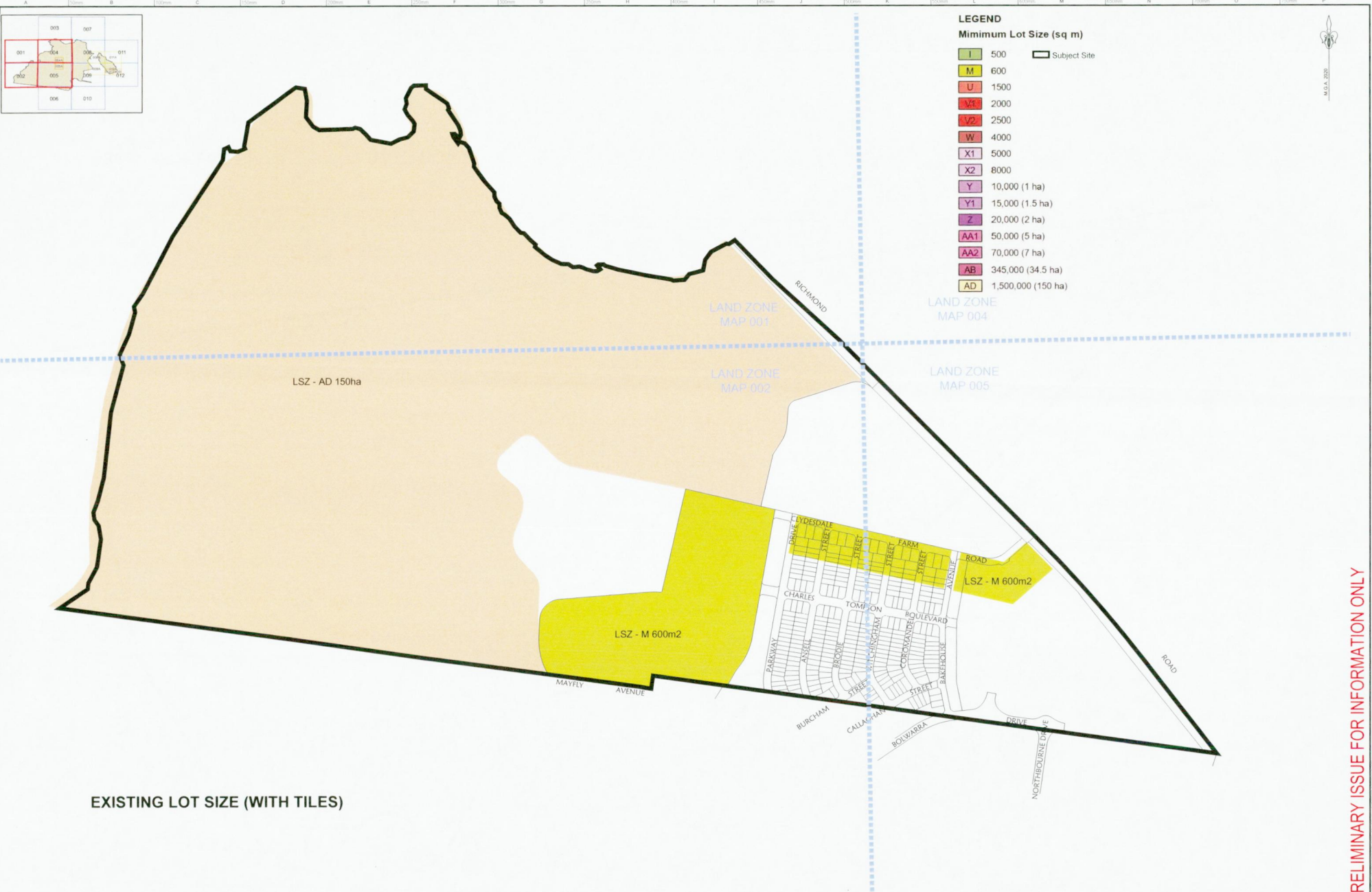
PRELIMINARY FOR INFORMATION ONLY



**LEGEND**

**Minimum Lot Size (sq m)**

I	500	Subject Site
M	600	
U	1500	
U1	2000	
U2	2500	
W	4000	
X1	5000	
X2	8000	
Y	10,000 (1 ha)	
Y1	15,000 (1.5 ha)	
Z	20,000 (2 ha)	
AA1	50,000 (5 ha)	
AA2	70,000 (7 ha)	
AB	345,000 (34.5 ha)	
AD	1,500,000 (150 ha)	



EXISTING LOT SIZE (WITH TILES)



REVISIONS  
REV. NO. 01 DATE 13/06/2021 DETAILS SCALE AMENDED, PROPOSED ZONE BOUNDARIES AMENDED  
REV. NO. 02 DATE 12/03/2021 DETAILS ORIGINAL ISSUE



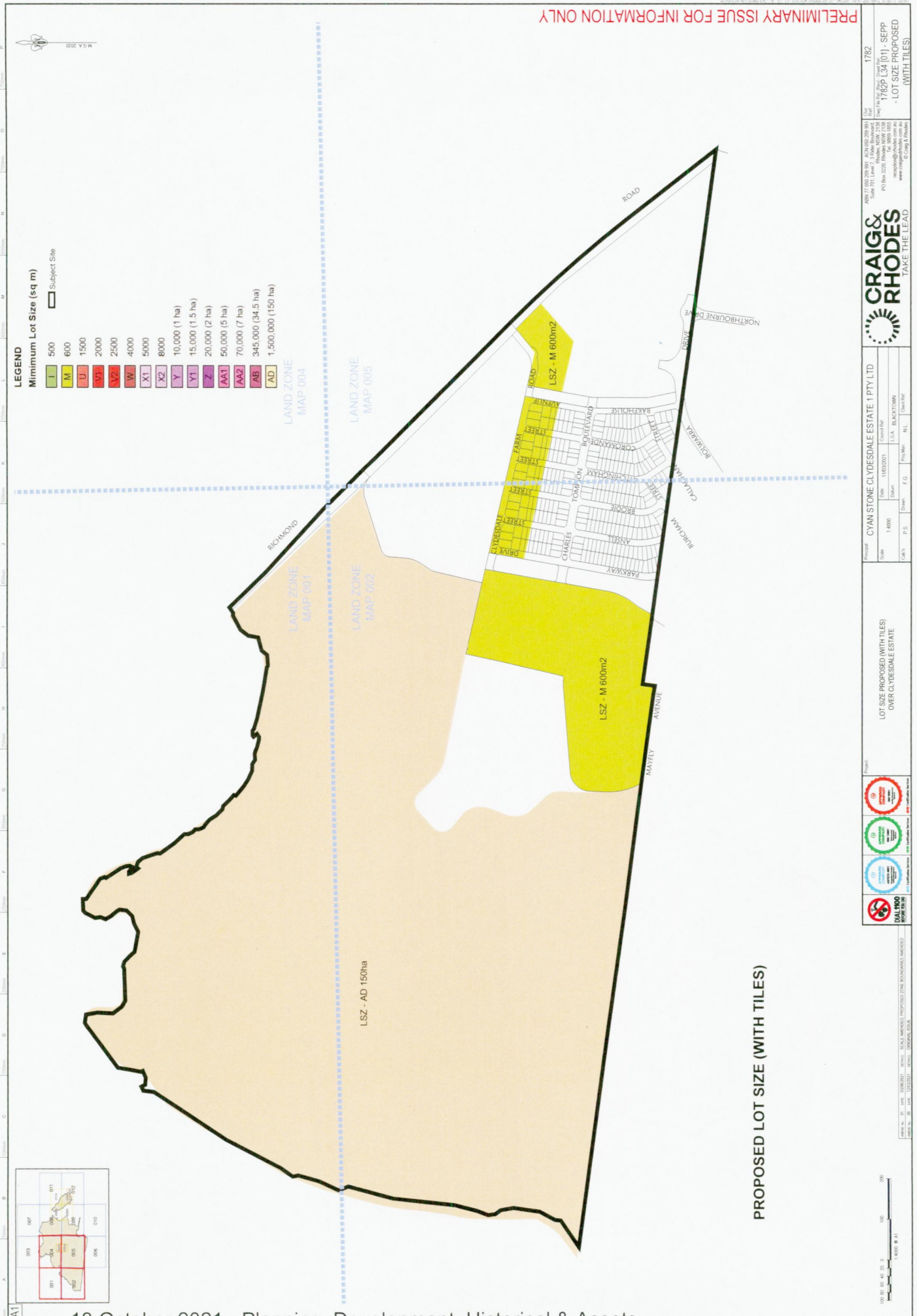
LOT SIZE EXISTING (WITH TILES)  
OVER CLYDESDALE ESTATE

Principal	CYAN STONE CLYDESDALE ESTATE 1 PTY LTD			
Scale	1:4000	Date	11/03/2021	Control Ref.
Client's	P.S.	Drawn	F.G.	Proj. Mgr.
			N.L.	Client Ref.



ABN 77 050 209 991	ACN 050 209 991	Client Ref.	1782
Suite 101, Level 1, 3 Fiske Boulevard	Rhodes NSW 2138	Drawn Ref.	1782P L34 [01] - SEPP
PO Box 3226, Rhodes NSW 2138	Tel 0800 1860	Check File Ref. (Rev.)	- LOT SIZE EXISTING (WITH TILES)
reception@craigandrhodes.com.au	www.craigandrhodes.com.au		
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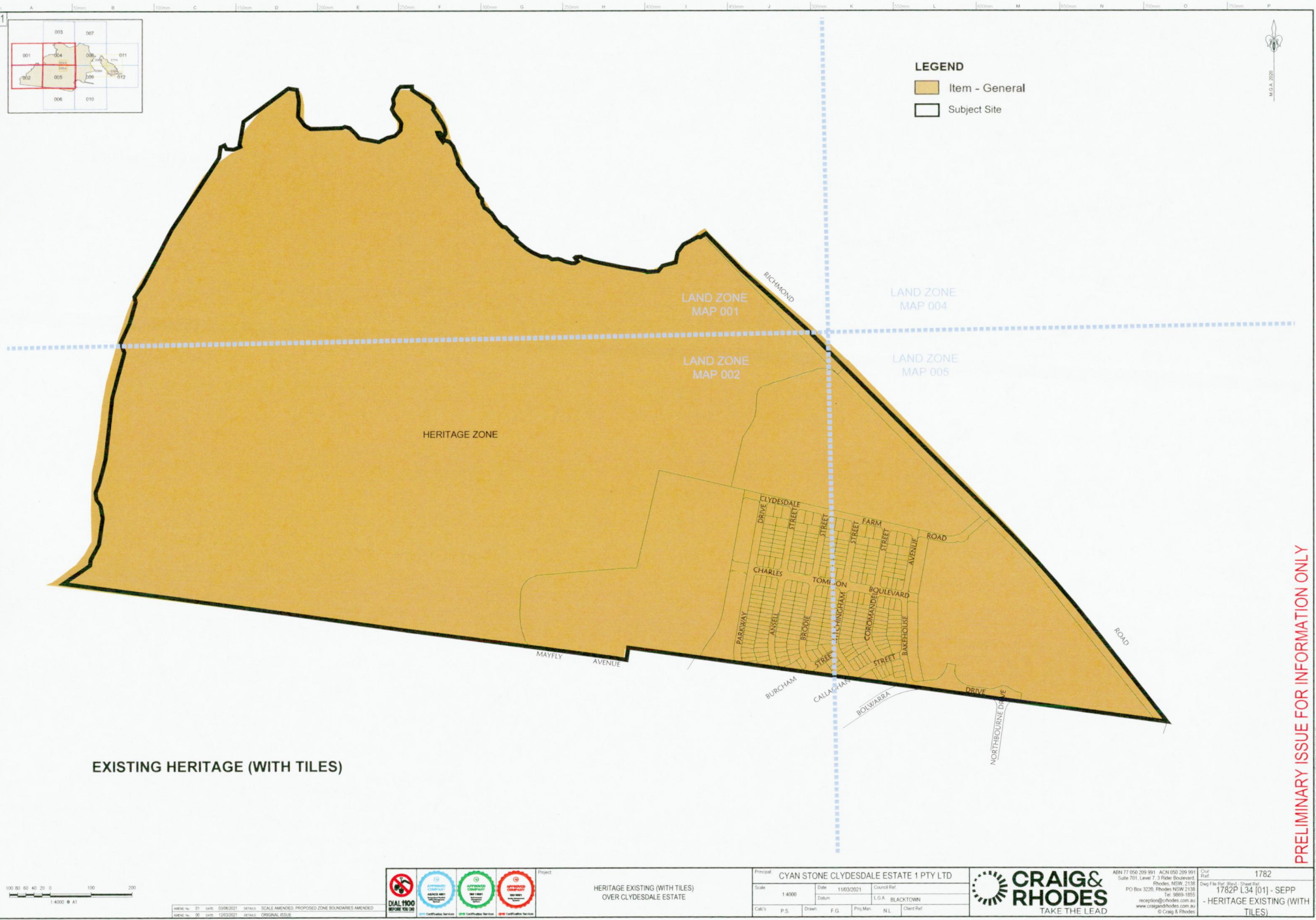


PRELIMINARY FOR INFORMATION ONLY







LEGEND

- Item - General
- Subject Site



EXISTING HERITAGE (WITH TILES)

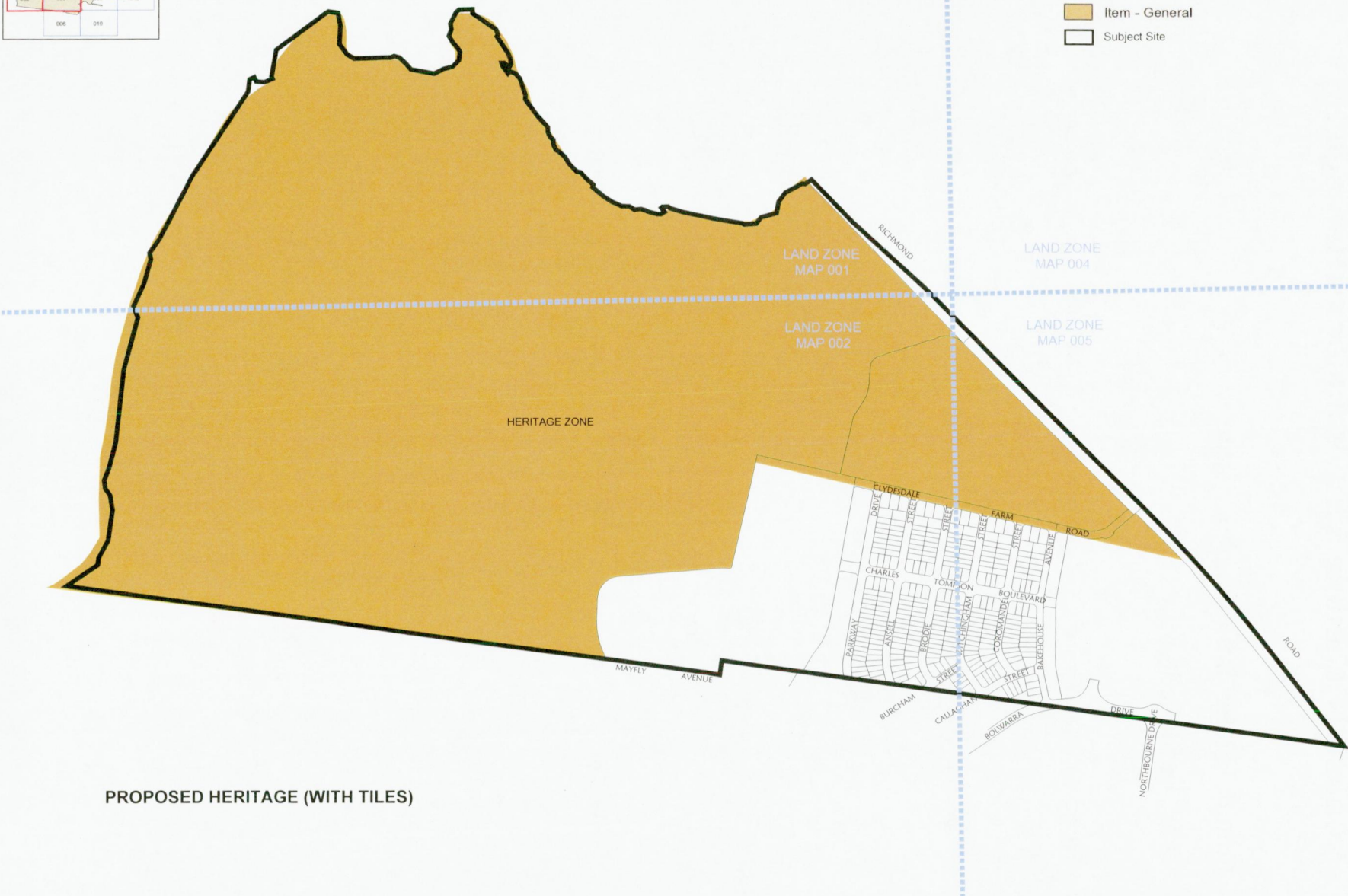
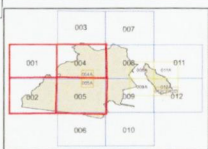
   				Project				Principal			
HERITAGE EXISTING (WITH TILES) OVER CLYDESDALE ESTATE				CYAN STONE CLYDESDALE ESTATE 1 PTY LTD				Scale			
								Date			
								11/03/2021			
								Datum			
								L.G.A. BLACKTOWN			
								Client Ref			
								P.S.			
								F.G.			
								Prg Man			
								N.L.			
								Client Ref			





LEGEND

- Item - General
- Subject Site



PROPOSED HERITAGE (WITH TILES)



Project: HERITAGE PROPOSED (WITH TILES) OVER CLYDESDALE ESTATE

Principal: CYAN STONE CLYDESDALE ESTATE 1 PTY LTD  
Scale: 1:1000  
Date: 11/03/2021  
Council Ref: LGA: BLACKTOWN  
Client Ref: N/L



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PO Box 3220, Rhodes NSW 2118  
Tel: 9899 1805  
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1782  
1782P L34 [01] - SEPP  
- HERITAGE PROPOSED (WITH TILES)

## Proposed Schedule 5 Environmental Heritage

### Schedule 5 Environmental heritage

#### Part 1 Heritage items

Precinct	Item name	Address	Property description	Significance	Item no
Marsden Park	Cottage	95 Fermoy Road		Local	
Marsden Park	St Andrews Presbyterian Church	Corner of Grange Avenue and Richmond Road		Local	
Marsden Park	Clydesdale Homestead including grand house, barn, workers cottages, private cemetery, remnants of the rotating dairy, and the colonial landscape	Richmond Road	Lot 4, DP 1248522	State	
Riverstone East	Nu Welwyn	4 Clarke Street	Lot 5, DP 229296	Local	



## Consistency with Greater Sydney Region Plan, Central City District Plan, Blacktown Community Strategic Plan and Blacktown Local Strategic Planning Statement 2020

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

Directions	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	<b>Objective 1:</b> Infrastructure supports the 3 cities	N/A	N/A
	<b>Objective 2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	N/A	N/A
	<b>Objective 3:</b> Infrastructure adapts to meet future needs	N/A	N/A
	<b>Objective 4:</b> Infrastructure use is optimised	N/A	N/A
A collaborative city	<b>Objective 5:</b> Benefits of growth realised by collaboration of governments, community and business	N/A	N/A
<b>Liveability</b>			
A city for people A city of great places	<b>Objective 6:</b> Services and infrastructure meet communities' changing needs	N/A	N/A
	<b>Objective 7:</b> Communities are healthy, resilient and socially connected	N/A	N/A
	<b>Objective 8</b>	N/A	N/A

Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
	Greater Sydney's communities are culturally rich with diverse neighbourhoods		
	<b>Objective 9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	N/A	N/A
	<b>Objective 10:</b> Greater housing supply	Yes	The Planning Proposal is not directly related to this objective; however, the proposed zoning boundary realignment is to ensure the alignment of the approved uses with appropriate zone. This will remove unwarranted barriers to future development which may result from the erroneous split zoning on some of the residential lots.
	<b>Objective 11:</b> Housing is more diverse and affordable	Yes	<ul style="list-style-type: none"> <li>The Planning Proposal is not directly related to this objective; however, the proposed zoning boundary realignment is to ensure the alignment of the approved uses with appropriate zone. This will remove unwarranted barriers to future development which may result from the erroneous split zoning on some of the residential lots.</li> <li>The proposed rezoning of a small parcel of land from SP2 Infrastructure to R3 Medium Density has strategic merit as: <ul style="list-style-type: none"> <li>Required infrastructure to support residential uses has already been planned and is currently being installed. This makes it a highly suitable parcel for residential use and helps to ensure that new infrastructure in the release area is fully utilised.</li> <li>is in response to a change in circumstance, where Council no longer needs the parcel of land for drainage purposes.</li> </ul> </li> </ul>





Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
			<ul style="list-style-type: none"> <li>- The proposed rezoning has site-specific merit as, if the land was to remain zoned SP2 it will likely remain undeveloped as the permitted uses are strictly limited to drainage related items. This is undesirable from neighbourhood, urban design and safety perspectives.</li> </ul>
	<b>Objective 12:</b> Great places that bring people together	N/A	N/A
	<b>Objective 13:</b> Environmental heritage is identified, conserved and enhanced	Yes	<ul style="list-style-type: none"> <li>• The proposed Heritage Map amendments strategically align with the earlier decision to rezone approximately 50 ha of the site's total 215 ha for residential development (i.e. Precincts 1, 2 and 3). Further, the amendments are in accordance with the Clydesdale Estate Heritage Management Plan which states:               <ul style="list-style-type: none"> <li>- Precincts 1, 2 and 3 are identified in the CMP as being of little heritage significance.</li> <li>- The land to be dedicated for the widening of Richmond Road 'has almost no visual relationship with [CMP] Precinct 1' and so makes very little contribution to the heritage values of the place.</li> </ul> </li> </ul> <p><i>(Note that "CMP Precincts" refers to areas of the Site as described in the CMP and are not the same as "Precincts" as referred to in this Planning Proposal).</i></p> <ul style="list-style-type: none"> <li>• The significance of the heritage item on the site (Clydesdale House) has been considered and the proposed changes to heritage curtilage has no impact on the heritage item.</li> </ul>



Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
<b>Productivity</b>			
A well-connected city	<b>Objective 14:</b> A Metropolis of 3 Cities – integrated land use and transport creates walkable and 30-minute cities	N/A	N/A
	<b>Objective 15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive	N/A	N/A
	<b>Objective 16:</b> Freight and logistics network is competitive and efficient	N/A	N/A
	<b>Objective 17:</b> Regional connectivity is enhanced	N/A	N/A





Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
Jobs and skills for the city	<b>Objective 18:</b> Harbour CBD is stronger and more competitive	N/A	N/A
	<b>Objective 19:</b> Greater Parramatta is stronger and better connected	N/A	N/A
	<b>Objective 20:</b> Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	N/A	N/A
	<b>Objective 21:</b> Internationally competitive health, education, research and innovation precincts	N/A	N/A
	<b>Objective 22:</b> Investment and business activity in centres	N/A	N/A
	<b>Objective 23:</b> Industrial and urban services land is planned, retained and managed	N/A	N/A
	<b>Objective 24:</b> Economic sectors are targeted for success	N/A	N/A
<b>Sustainability</b>			
A city in its landscape	<b>Objective 25:</b> The coast and waterways are protected and healthier	N/A	N/A
	<b>Objective 26:</b> A cool and green parkland city in the South Creek corridor	N/A	N/A
	<b>Objective 27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced	N/A	N/A



Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
	<b>Objective 28:</b> Scenic and cultural landscapes are protected	N/A	N/A
	<b>Objective 29:</b> Environmental, social and economic values in rural areas are protected and enhanced	N/A	N/A
	<b>Objective 30:</b> Urban tree canopy cover is increased	N/A	N/A
	<b>Objective 31:</b> Public open space is accessible, protected and enhanced	N/A	N/A
	<b>Objective 32:</b> The Green Grid links parks, open spaces, bushland and walking and cycling paths	N/A	N/A
An efficient city	<b>Objective 33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	N/A	N/A
	<b>Objective 34:</b> Energy and water flows are captured, used and re-used	N/A	N/A
	<b>Objective 35:</b> More waste is re-used and recycled to support the development of a circular economy	N/A	N/A
A resilient city	<b>Objective 36:</b> People and places adapt to climate change and future shocks and stresses	N/A	N/A
	<b>Objective 37:</b>	N/A	N/A





Directions	Objective	Does this objective apply to the Planning Proposal	How does this Planning Proposal implement the Direction and Objective?
	Exposure to natural and urban hazards is reduced		
	<b>Objective 38:</b> Heatwaves and extreme heat are managed	N/A	N/A
<b>Implementation</b>			
Implementation	<b>Objective 39:</b> A collaborative approach to city planning	N/A	N/A
	<b>Objective 40:</b> Plans refined by monitoring and reporting	N/A	N/A

## 2 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
<b>Infrastructure and Collaboration</b>		
<b>C 1:</b> Planning for a city supported by Infrastructure	N/A	N/A
<b>C 2:</b> Working through collaboration	N/A	N/A
<b>Liveability</b>		
<b>C 3:</b> Providing services and social infrastructure to meet people's changing needs	N/A	N/A
<b>C 4:</b> Fostering healthy, creative, culturally rich and socially connected communities	N/A	N/A
<b>C 5:</b> Providing housing supply, choice and affordability, with access to jobs, services and public transport	Yes	Proposed amendments are to reflect the approved subdivision plans that facilitate the supply of more housing in the Blacktown LGA that is consistent with the vision for development outcomes for the area.
<b>C 6:</b>	N/A	N/A



Planning Priorities	Does this priority apply to the Planning Proposal	How does this Planning Proposal implement the Planning Priority and Action
Creating and renewing great places and local centres, and respecting the District's heritage		
<b>Productivity</b>		
<b>C 7:</b> Growing a stronger and more competitive Greater Parramatta	N/A	N/A
<b>C 8:</b> Delivering a more connected and competitive GPOP Economic Corridor	N/A	N/A
<b>C 9:</b> Delivering integrated land use and transport planning for a 30-minute city	N/A	N/A
<b>C 10:</b> Growing investment, business opportunities and jobs in strategic centres	N/A	N/A
<b>C 11:</b> Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	N/A	N/A
<b>C 12:</b> Supporting growth of targeted industry sectors	N/A	N/A
<b>Sustainability</b>		
<b>C 13:</b> Protecting and improving the health and enjoyment of the District's waterways	N/A	N/A
<b>C 14:</b> Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	N/A	N/A
<b>C 15:</b> Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	N/A	N/A
<b>C 16:</b>	N/A	N/A





Planning Priorities	Does this priority apply to the Planning Proposal	How does this Planning Proposal implement the Planning Priority and Action
Increasing urban tree canopy cover and delivering Green Grid connections		
<b>C 17:</b> Delivering high quality open space	N/A	N/A
<b>C 18:</b> Better managing rural areas	N/A	N/A
<b>C 19:</b> Reducing carbon emissions and managing energy, water and waste efficiently	N/A	N/A
<b>C 20:</b> Adapting to the impacts of urban and natural hazards and climate change	N/A	N/A
<b>Implementation</b>		
<b>C 21:</b> Preparing local strategic planning statements informed by local strategic planning	N/A	N/A
<b>C 22:</b> Monitoring and reporting on the delivery of the plan	N/A	N/A

### 3 Blacktown Community Strategic Plan

Strategic Direction	Compliance
A vibrant and inclusive City	The Planning Proposal is consistent with the Strategic Direction.
A clean, sustainable and healthy environment	The Planning Proposal is consistent with the Strategic Direction.
A smart and prosperous economy	The Planning Proposal is consistent with the Strategic Direction.
A growing city supported by accessible infrastructure	The Planning Proposal is consistent with the Strategic Direction.
A sporting and active city	The Planning Proposal is consistent with the Strategic Direction.
A leading city	The Planning Proposal is consistent with the Strategic Direction.



## 4 Draft Blacktown Local Strategic Planning Statement 2020

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

The following Local Planning Priorities and Actions are relevant to this Planning Proposal:

Local Planning Priority	Action	How does this Planning Proposal implement the Planning Priority and Action?
Local Planning Priority 4 (LPP4): Respecting heritage and fostering healthy, creative, culturally rich and socially connected communities	Action 14 Maintain an updated heritage strategy	Action 14 Not directly relevant, however the amendments reflect the findings and recommendations of the endorsed Conservation Management Plan.
	Action 15 Plan for facilities and spaces that foster healthy, creative, culturally rich, safe and socially connected communities	Action 15 N/A
	Action 16 Plan for arts, culture, health and social interaction opportunities in the masterplanning for Strategic Centres and Urban Renewal Precincts, supported by equitable funding	Action 16 N/A
Local Planning Priority 6 (LPP6) Creating and renewing great places and centres	Action 20 Undertake place-based planning appropriate to the hierarchy and role of each strategic centre and Urban Renewal Precinct	Action 20 N/A
	Action 22 Collaborate on planning for the Schofields and Seven Hills precincts and planning for the Marsden Park Strategic Centre	Action 22 N/A
	Action 23 Review planning controls to enhance and promote great places in Blacktown City	Action 23 The rezoning of a small portion of redundant SP2 Local Drainage zoned land to R3 Medium Density Residential will assist in enhancing the future amenity of the locale by removing the likelihood of the land being left vacant and untended.





## Consistency with applicable SEPPs and REPs

State Environmental Planning Policy	Consistency	Comment
SEPP No 19 - Bushland in Urban Areas	N/A	N/A
SEPP No 21 Caravan Parks	N/A	Not relevant
SEPP No 33 - Hazardous and Offensive Development	N/A	Not relevant
SEPP No 36 - Manufactured Home Estates	N/A	Not relevant
SEPP No 47 – Moore Park	N/A	Not relevant
SEPP No 50 - Canal Estate Development	N/A	Not relevant
SEPP No 55 - Remediation of Land	Yes	<p>SEPP 55 applies to all land that is the subject of proposed development, including rezoning of land. Clause 6(1) Contamination and remediation to be considered in zoning or rezoning proposal requires the consent authority to consider the following:</p> <p>(a) the planning authority has considered whether the land is contaminated, and</p> <p>SEPP 55 applies to all land that is the subject of proposed development, including rezoning of land. Clause 6(1) Contamination and remediation to be considered in zoning or rezoning proposal requires the consent authority to consider the following:</p> <p>(a) the planning authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.</p>

State Environmental Planning Policy	Consistency	Comment
		<p>This is generally not applicable to the housekeeping and zone realignments proposed.</p> <p>Notwithstanding, it is noted that:</p> <ul style="list-style-type: none"> <li>Remediation works have been carried out in accordance with the Remedial Action Plan (Zoic, April 2019) as part of the approved bulk earthworks that underpin Precinct 1 and supported by a Validation Report (Zoic, June 2020) following remediation works.</li> <li>Interim site audit advice demonstrates the area of land identified as Precincts 1 and 5 are suitable for residential and recreational space use.</li> </ul> <p>Precinct 2 is currently undergoing remediation works including removal of a contaminated stockpile from the precinct. The remainder of the precinct has been remediated and validated including the SP2 drainage area in the Precinct's south-eastern corner. Based upon this the subject land is deemed suitable to accommodate future residential development and the realignment of the SP2 Infrastructure drainage corridor.</p>
SEPP No 64 - Advertising and Signage	N/A	Not relevant
SEPP No 65 - Design Quality of Residential Apartment Development	N/A	Not relevant
SEPP No 70 - Affordable Housing (Revised Schemes)	N/A	Not relevant
SEPP (Aboriginal Land) 2019	N/A	Not relevant
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Coastal Management) 2018	N/A	Not relevant
SEPP (Concurrences and Consents) 2018	N/A	Not relevant
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A	Not relevant
SEPP (Gosford City Centre) 2018	N/A	Not relevant





State Environmental Planning Policy	Consistency	Comment
SEPP (Exempt and Complying Development Codes) 2008	Yes	This SEPP will become relevant to the subject land upon rezoning of the land from SP2 Infrastructure (Local Road) to R1 General Residential.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The provisions of this SEPP are currently applicable to the subject land and will remain applicable to the land upon its rezoning from zone SP2 to zone R1 General Residential.
SEPP (Infrastructure) 2007	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Koala Habitat Protection) 2019	N/A	Not relevant
SEPP (Major Development) 2005	N/A	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future major development that may be planned in the surrounds.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not relevant
SEPP (Miscellaneous Consent Provisions) 2007	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Primary Production and Rural Development) 2019	N/A	Not relevant
SEPP (State and Regional Development) 2011	N/A	Not relevant
SEPP (State Significant Precincts) 2005	N/A	Not relevant
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not relevant
SEPP (Sydney Region Growth Centres) 2006	Yes	This Planning Proposal seeks to amend the SRGC SEPP as it relates to the Site.  The amendments are consistent the aims of the SEPP and will assist in achieving the orderly development and economic provision of infrastructure in Marsden Park. It will not affect the application of the SEPP in any way outside of the minor changes to



State Environmental Planning Policy	Consistency	Comment
		heritage, zoning and associated maps as they apply to the Site.
SEPP (Urban Renewal) 2010	N/A	Not relevant
SEPP (Vegetation in Non-Rural Areas) 2017	N/A	Not relevant
SEPP (Western Sydney Aerotropolis) 2020	N/A	Not relevant
SEPP (Western Sydney Employment Area) 2009	N/A	Not relevant
SEPP (Western Sydney Parklands) 2009	N/A	Not relevant
SEPP (Activation Precincts) 2020	N/A	Not relevant
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	N/A	Not relevant
SEPP (Kurnell Peninsula) 1989	N/A	Not relevant
SEPP (Major Infrastructure Corridors) 2020	N/A	Not relevant
SEPP (Penrith Lakes Scheme) 1989	N/A	Not relevant
SEPP (Three Ports) 2013	N/A	Not relevant
<b>Sydney Regional Environmental Plans</b>		
Sydney REP No 9 - Extractive Industry (No 2 - 1995)	N/A	Not relevant
Sydney REP No 20 - Hawkesbury-Nepean River (No 2 - 1997)	N/A	Not relevant
Sydney REP No 30 - St Marys	N/A	Not relevant
Sydney REP (Sydney Harbour Catchment) 2005	N/A	Not relevant
Sydney Regional Environmental Plan No 16—Walsh Bay	N/A	Not relevant
Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	Not relevant
Sydney Regional Environmental Plan No 26—City West	N/A	Not relevant
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	Not relevant
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	Not relevant
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	N/A	Not relevant





## 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	N/A
1.2 Rural Zones	N/A
1.3 Mining, Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
<b>2 Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>Yes - The Planning Proposal is impacted by the proposed Richmond Road widening DA which affects both E2 and E3 environment protection zones located within Clydesdale Estate to the north-west of Precincts 1 and 2. The Planning Proposal calls for the exclusion of these parcels from the heritage mapping, however there are no heritage impacts identified in the supporting heritage study (refer to attachment 4).</p> <p>The site does not contain an environmentally sensitive area and there are no site features that warrant consideration of the application of an environment protection zone.</p>
2.2 Coastal Management	N/A
2.3 Heritage Conservation	<p>Yes - The land is subject to an Aboriginal Heritage Impact Permit issued by NSW OEH, noting 3 recorded artefacts are located elsewhere in Clydesdale Estate and will not be affected by the proposal.</p> <p>Kelleher Nightingale were engaged to prepare a detailed Aboriginal Cultural Heritage Assessment Report. There are 3 recorded artefacts located within the vicinity of Precinct 1 permitted to be harmed through the proposed works in accordance with Schedule 3 of the AHIP issued by OEH.</p> <p>The Planning Proposal does apply to land within the State Heritage Inventory curtilage boundary for Clydesdale Estate which is located to the north of Precincts 1 and 2 through the proposed change to the heritage mapping along Richmond Road. It does not apply to or affect the site of Clydesdale House located approximately 1km to the west. It is noted that the State Heritage Inventory curtilage</p>

Direction	Consistency of Planning Proposal
	<p>boundary remains unaffected by this Planning Proposal.</p> <p>The proposed adjustment to the EPI – heritage mapping results in proposed residential development approvals within Precincts 1, 2 and 3 to be permissible without further consultation by local Council if in accordance with the current CMP as intended.</p> <p>Refer to supporting Heritage Study in Attachment 4 and State Heritage Council of NSW State Heritage Register Curtilage (Item SHR00674 Clydesdale House, Barn, Cottage and Farm Landscape).</p>
2.4 Recreation Vehicle Areas	N/A
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
2.6 Remediation of Contaminated Land	N/A
<b>3 Housing, Infrastructure and Urban development</b>	
3.1 Residential Zones	<p>Yes – The proposed adjustment to the R2 Low Density Residential zoning boundary permits residential subdivision and development as approved under the Precinct 1 residential subdivision. Likewise, the proposed adjustments to the R2 and R3 zones within Precinct 2 will permit its residential development as intended.</p> <p>The Planning Proposal will continue to provide existing opportunities for diverse housing types.</p>
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	Yes - The proposed zone will permit home occupations to be carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	<p>Yes - The planning proposal relates to land within the North West Growth Centre which is an area that has been specifically identified as an area for intensive greenfield residential development.</p> <p>The North West Growth Centre is currently served by public transport in the form of bus routes and train stations</p> <p>The Planning Proposal is consistent with the Direction as it is supported by:</p> <ul style="list-style-type: none"> <li>• Approved land for housing with access to transport other than cars, including walking, cycling and public transport.</li> <li>• It supports the efficient and viable operation of existing public transport services.</li> </ul>
3.5 Development Near Regulated Airports and Defence Airfields	N/A





Direction	Consistency of Planning Proposal
3.6 Shooting Ranges	N/A
3.7 Reduction in Non-hosted Short Term Rental Accommodation Period	N/A
<b>4 Hazard and Risk</b>	
4.1 Acid Sulphate Soils	N/A - The land has previously been assessed for salinity. The report concluded that the site has no Acid Sulphate soils present.
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	N/A - The subject land has been raised with fill above the mapped flood plain as part of the approved bulk earthworks over the Clydesdale site. Refer to Appendix I for a full assessment and TUFLOW modelling (J. Wyndham Prince, Ref: 110350-5-MS dated 5/8/2021).
4.4 Planning for Bushfire Protection	Yes - This site is not mapped as Bushfire Prone Land. In its cleared state and future development as <i>Managed Land</i> it raises no concern of bushfire risk.
<b>5 Regional Planning</b>	
5.1 Implementation of Regional Strategies	N/A
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.5 [Revoked]	-
5.6 [Revoked]	-
5.7 [Revoked]	-
5.8 [Revoked]	-
5.9 North West Rail Link Corridor Strategy	N/A
5.10 Implementation of Regional Plans	N/A
5.11 Development of Aboriginal Land Council land	N/A
<b>6 Local Plan Making</b>	
6.1 Approval and Referral Requirements	Yes - The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes - Direction 6.2 (4) outlines that a Planning Proposal "must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director General (Secretary) of the Department of Planning,



Direction	Consistency of Planning Proposal
	<p>Industry and Environment (or an office of the Department nominated by the Director General)".</p> <p>The proposal seeks to rezone a parcel of redundant SP2 drainage land. Council has confirmed it does not need this land and have given in principle support for its rezoning to R3.</p> <p>The remaining amendments in this Planning Proposal are administrative in nature and do not seek to create, alter or reduce reservations of land for public purposes but to align them with the correct lot boundaries.</p>
6.3 Site Specific Provisions	<p>Yes - The purpose of this Direction is to enable environmental planning instruments in order to allow a particular development proposal to be carried out.</p> <p>This Planning Proposal is to facilitate the future development of the land for residential purposes, currently constrained by unnecessary restrictions. The Planning Proposal is consistent with this Ministerial Direction.</p>
<b>7 Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	<p>Yes - The purpose of this Direction is to enable environmental planning instruments in order to allow a particular development proposal to be carried out.</p> <p>This Planning Proposal is to facilitate the future development of the land for residential purposes, currently constrained by unnecessary restrictions. The Planning Proposal is consistent with this Ministerial Direction.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A





Direction	Consistency of Planning Proposal
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A
7.10 Implementation of Planning Proposals for the Cooks Cove Precinct	N/A



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## **Consistency with the new Direction 4.3 Flooding - Section 9.1 Ministerial Directions**



## Attachment 11 – SECTION 9.1 DIRECTION 4.3 FLOODING

Provision	Comment
<p>This direction applies when a planning proposal authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p>	<p>The direction applies as the planning proposal seeks to:</p> <ul style="list-style-type: none"> <li> <b>Re-zoning:</b> Increase residential zoned land at the site (which is flood prone) by 0.9% (from 44.96ha to 45.37ha) or 4,107m<sup>2</sup>.  <i>Note: 'Re-zoning' relates to objective 3 of the PP: "to amend the Land Zoning Map...to enable a small portion of land zoned for drainage (but is no longer needed for this purpose) to be developed for medium density housing"</i> </li> <li> <b>Zone re-alignment:</b> undertake housekeeping amendments by way of re-aligning the boundaries of a zone within flood prone land to reflect DA approved development.  <i>Note: 'Zone re-alignment' relates to objective 1 of the PP: "To facilitate minor housekeeping amendments to the applicable maps in the SRGC SEPP so they are consistent with the DA approved road, block and lot layout; TfNSW's planned widening of Richmond Road.</i> </li> </ul>
<p>What a planning proposal authority must do if this direction applies:</p>	
<p>(4) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> <li>(a) the NSW Flood Prone Land Policy,</li> <li>(b) the principles of the Floodplain Development Manual 2005,</li> <li>(c) the Considering flooding in land use planning guideline 2021, and</li> <li>(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</li> </ul>	--
<p>(5) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Environmental Protection Zones to a Residential, Business, Industrial or Special Purpose Zones</p>	<p><b>Re-zoning</b></p> <p>This planning proposal seeks to rezone approximately 4,100m<sup>2</sup> of land from SP2 within land previously identified as being within the flood planning area. The inconsistency with this part of the direction is justified as:</p> <ul style="list-style-type: none"> <li>It is of minor significance (refer to item 9 (d) in this table)</li> </ul>

Provision	Comment
	<ul style="list-style-type: none"> <li>The subject land has been raised with fill above the mapped flood plain as part of the approved bulk earthworks over the Clydesdale site to make it suitable for residential development.</li> </ul> <p><b>Zone realignment</b></p> <p>N/A – proposal is for housekeeping purposes only.</p>
(6) A planning proposal must not contain provisions that apply to the flood planning area which:	---
(a) permit development in floodway areas,	<p><b>Re-zoning</b></p> <p>N/A – proposed area of re-zoning is not in a floodway area</p> <p><b>Zone re-alignment</b></p> <p>A re-alignment of boundaries is sought in a floodway area. However, given this re-alignment is for housekeeping purposes only (it is sought only to reflect already approved and constructed development), the PP will not permit any new development.</p>
(b) permit development that will result in significant flood impacts to other properties,	<p><b>Re-zoning</b></p> <p>N/A – no impacts would occur on any other properties, noting the completed earthworks over the wider site have already raised the land above the flood planning level.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(c) permit development for the purposes of residential accommodation in high hazard areas,	<p><b>Re-zoning</b></p> <p>The area proposed for re-zoning to residential is not a high hazard area.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional residential development in addition to that already approved.</p>
(d) permit a significant increase in the development and/or dwelling density of that land,	<p><b>Re-zoning</b></p>



Provision	Comment
	<p>The proposal will allow the construction an additional 5-10 dwellings (Refer Section 6.3 of the PP). This is deemed of minor significance given that:</p> <ul style="list-style-type: none"> <li>1,860 dwellings have been approved across the wider site within the same flood planning area.</li> <li>a new concept layout has been developed for the existing and proposed R3 land within Precinct 2 (including the subject SP2 parcel) which will significantly reduce the dwelling yield and density of the wider area.</li> <li>Bulk earthworks have already been undertaken to raise ground levels to address flood hazard.</li> </ul> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,	<p><b>Re-zoning</b></p> <p>The R3 zone permits these uses. However, the land has already been raised under a previous DA approval for earthworks. Further, evacuation routes have already been determined and approved. The increase in area of residential zoned land by 0.9% will not impede the evacuation route.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,	<p><b>Re-zoning</b></p> <p>The SEPP (Exempt &amp; Complying Development Codes) will apply to the subject land. However, this is of minor significance given that it is not in a floodway or flood storage area and Bulk earthworks have already been undertaken to raise ground levels to address flood hazard</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or	<p><b>Re-zoning</b></p>

Provision	Comment
	<p>N/A – no likelihood of additional government spending whatsoever in consideration of the small area of the subject land and the previous works to raise the land and the suitable evacuation routes.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal is for housekeeping amendments only and will not impact the type or density of development.</p>
(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.	<p><b>Re-zoning</b></p> <p>N/A – no hazardous industries will be permitted in the residential zone.</p> <p><b>Zone re-alignment</b></p> <p>N/A – no hazardous industries will result from the proposal.</p>
(7) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:	
(a) permit development in floodway areas,	<p><b>Re-zoning</b></p> <p>N/A – the subject land is not in a floodway.</p> <p><b>Zone re-alignment</b></p> <p>N/A – no additional development will be permitted in addition to that already approved.</p>
(b) permit development that will result in significant flood impacts to other properties,	<p><b>Re-zoning</b></p> <p>N/A – no impacts would occur on any other properties, noting the completed earthworks over the wider site have already raised the land above the flood planning level.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(c) permit a significant increase in the dwelling density of that land,	<p><b>Re-zoning</b></p> <p>The proposal will allow the construction an additional 5-10 dwellings (Refer Section 6.3 of the PP). This is deemed of minor significance given that:</p>



Provision	Comment
	<ul style="list-style-type: none"> <li>1,860 dwellings have been approved across the wider site within the same flood planning area.</li> <li>a new concept layout has been developed for the existing and proposed R3 land within Precinct 2 (including the subject SP2 parcel) which will significantly reduce the dwelling yield and density of the wider area.</li> <li>Bulk earthworks have already been undertaken to raise ground levels to address flood hazard.</li> </ul> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,	<p><b>Re-zoning</b></p> <p>The R3 zone permits these uses. However, the land has already been raised under a previous DA approval for earthworks. Further, evacuation routes have already been determined and approved. The increase in area of residential zoned land by 0.9% will not impede the evacuation route.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or	<p><b>Re-zoning</b></p> <p>The increase in area of residential zoned land by 0.9% will not impede the evacuation route.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal will not permit any additional development.</p>
(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.	<p><b>Re-zoning</b></p> <p>N/A – no likelihood of additional government spending whatsoever in consideration of the small area of the subject land and the previous works to raise the land and the suitable evacuation routes.</p> <p><b>Zone re-alignment</b></p> <p>N/A – the proposal is for housekeeping amendments only and will not impact the type or density of development.</p>

Provision	Comment
(8) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.	<b>Re-zoning</b> Proposal is consistent with the Floodplain Development Manual 2005 <b>Zone re-alignment</b> Proposal is consistent with the Floodplain Development Manual 2005
Consistency	--
(9) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Secretary of the Department of Planning, Industry and Environment (or their nominee) that:	
(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant Council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or	<b>Re-zoning</b> Proposal is consistent with the Floodplain Development Manual 2005 <b>Zone re-alignment</b> Proposal is consistent with the Floodplain Development Manual 2005
(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005 or	<b>Re-zoning</b> Proposal is consistent with the Floodplain Development Manual 2005 <b>Zone re-alignment</b> Proposal is consistent with the Floodplain Development Manual 2005
(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or	<b>Re-zoning</b> Proposal is consistent with the Floodplain Development Manual 2005 <b>Zone re-alignment</b> Proposal is consistent with the Floodplain Development Manual 2005
(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.	<b>Re-zoning</b> The provisions of the proposal which are inconsistent with this direction are of minor significance noting: <ul style="list-style-type: none"> <li>Re-zoning: Increase residential zoned land at the site (which is flood prone) by 0.9% (from 44.96ha to 45.37ha) or 4,107m2.</li> </ul>



Provision	Comment
	<ul style="list-style-type: none"><li>• 1,860 dwellings have been DA-approved across the wider site within the same flood planning area.</li><li>• The proposal will allow the construction an additional 5-10 dwellings.</li><li>• A new concept layout has been developed for the existing and proposed R3 land within Precinct 2 (including the subject SP2 parcel) which will significantly reduce the dwelling yield and density of the wider area. Specifically, the approved 1,421 units for this area will be replaced by a new scheme providing approx. 307 dwelling houses.</li><li>• Bulk earthworks have already been undertaken to raise ground levels to address flood hazard.</li></ul> <p><b>Zone re-alignment</b></p> <p>The provisions of the proposal which are inconsistent with this direction are of minor significance noting:</p> <ul style="list-style-type: none"><li>• The proposal is for housekeeping amendments only to allow zone boundaries to align with already approved development. It will not result in any additional development.</li><li>• TUFLOW modelling has been undertaken (J. Wyndham Prince, Ref: 110350-5-MS dated 5/8/2021) which demonstrates no negative impacts will result on any residential zoned land (refer below).</li></ul>

Our Ref: 110350-5-MS 1.12 (TC09) Overland Flow Assessment - planning proposal  
DC:tm

5 Aug 2021

PO Box 4366  
Penrith Westfield 2750  
02 4720 3300  
jwp@jwprince.com.au  
www.jwprince.com.au



**Cyanstone No 1 Pty Ltd**

**Attn: Simon Burk**

**Subject:** Marsden Park Clydesdale – Planning Proposal related to TC09 / SP2 zoned land

Dear Simon,

The attached sketches indicate a range of 1% AEP flood scenarios that Council have requested to be modelled to support the relocation of the zoned SP2 land to align with the agreed location of TC09. The sketches indicate that with the construction of Clydesdale Precinct 1, the previously mapped flood constraint from South Creek has been removed and is now contained within the proposed realigned SP2 zoned land, with some minor ponding in the adjacent street.

This mapping of the flood constraint clearly demonstrates that the previously zoned SP2 land can be relocated to the location proposed by Cyanstone No1 Pty Ltd. (i.e. clear of the Precinct 1 residential subdivision).

## **1. TUFLOW MODELLING**

A TUFLOW model was used to simulate the various flood constraints and has been based on a number of different design parameters. The TUFLOW model set up plan is provided in Figure 1-1.

The various design combinations are, with the results reported on the relevant Figure0 in attachment As:

- 1% AEP storm event with a RL 15.7m AHD Tailwater (2% AEP regional level). No blockages of trunk drainage lines – Figure 1-2
- 1% AEP storm event with a RL 15.7m AHD Tailwater (2% AEP regional level) and 33% blockages of trunk drainage lines – Figure 1-3
- 1% AEP storm event with a RL 17.3m AHD Tailwater (1% AEP regional level). No blockages of trunk drainage lines – Figure 1-4
- 1% AEP storm event with a RL 15.7m AHD Tailwater (1% AEP regional level) and 33% blockages of trunk drainage lines – Figure 1-5

## **2. RESULTS**

The TUFLOW results indicate that in the event of high tailwater conditions and 33% blockage scenarios, localised overland flow in the proposed channel occurs. Together with some ponding upstream of the road crossings (at Roads 1 and 2) as well as in the sags adjacent Road 5.

These results indicate that the planning proposal to relocate the SP2 land from within the current Precinct 1 land to the proposed channel location is appropriate, supportable and should proceed.



*J. Wyndham Prince*

*Consulting Civil Infrastructure Engineers & Project Managers*

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Should you have any queries regarding this matter, please do not hesitate to contact me.

Yours faithfully



**DAVID CROMPTON**

Manager – Stormwater and Environment

## **ATTACHMENT A – FIGURES**



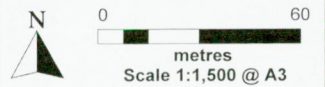
### LEGEND

#### TUFLOW MODEL ELEMENTS

- TUFLOW Model Boundary
- SA Catchment Inflow Boundary
- +—+—+— HT Tailwater Boundary
- +—+—+— HQ Slope Boundary
- +—+—+— 2D LOC (Line)
- +—+—+— Connection Line (CN)
- +—+—+— 1d NWK Culvert
- +—+—+— 2D SX Connection (Line)
- ★ 1D BC Boundary (Point)
- 1d NWK Pit
- ← GPT Diversion (1d NWK)

#### MANNINGS VALUE

- 0.020 Road Pavement
- 0.100 Development Lots
- 0.040 Open Space / Light Veg
- 0.025 Verges
- 0.030 Default Floodplain



Projection: GDA 1994 MGA Zone 56

### Figure 1-1

**Clydesdale, Marsden Park  
Section 7.11 MS 1.12 (TC09)**

TUFLOW Setup & Manning's  
Roughness Plan

Date: 18/06/2021

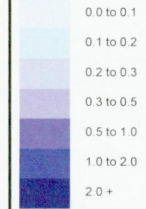
Issue: A



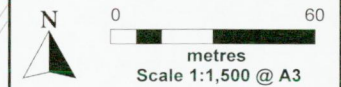


**LEGEND**

**FLOOD DEPTH (m)**



- 0.1 m Flood Level Contours
- 0.1 m Surface Level Contours
- TUFLOW Model Boundary
- Pit / Pipe Network
- Driveway
- Design Surface Levels (mAHD)
- Flood Level (mAHD)
- Twin 1200 RCP's
- Twin 1350 RCP's
- GPT Diversion



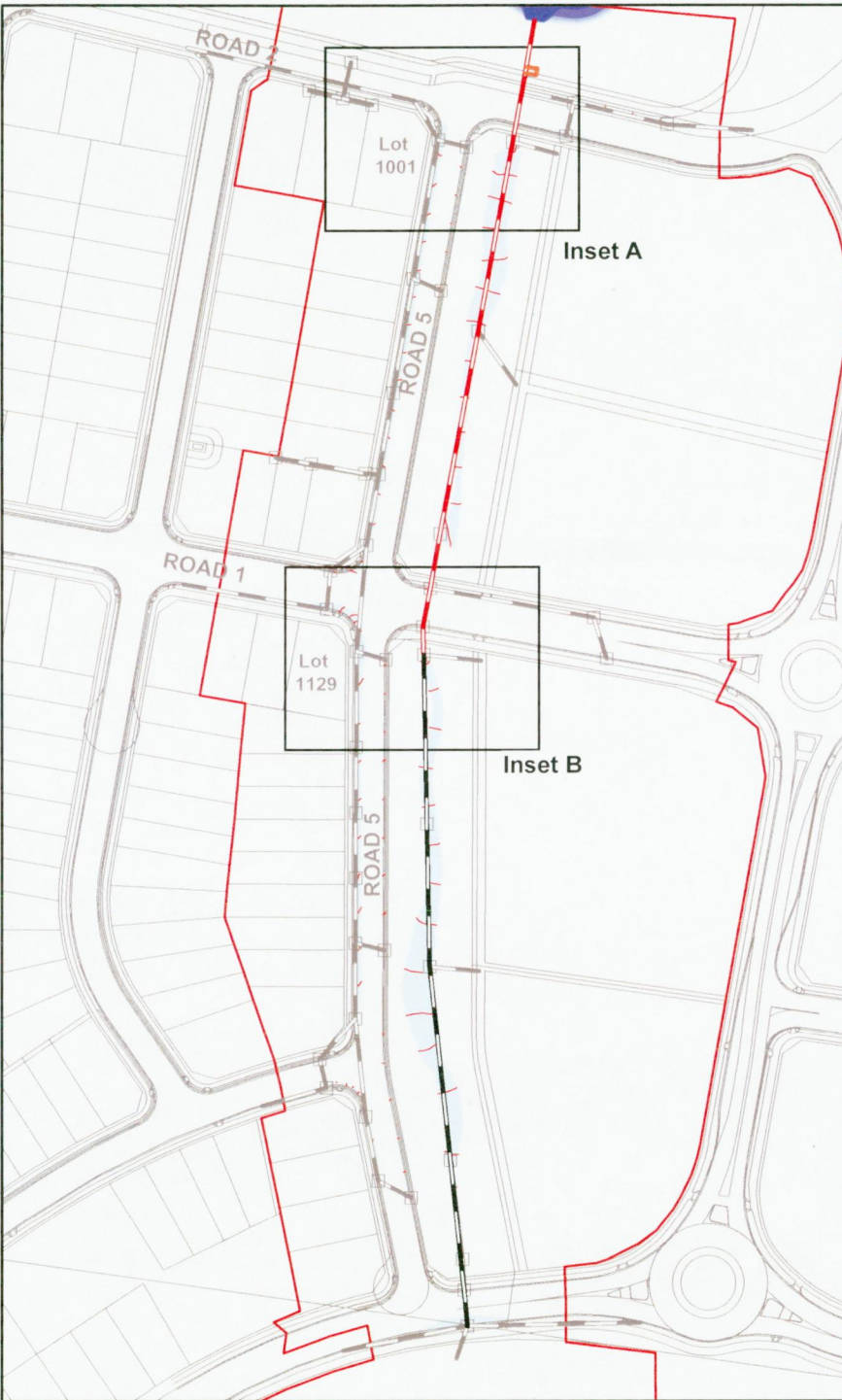
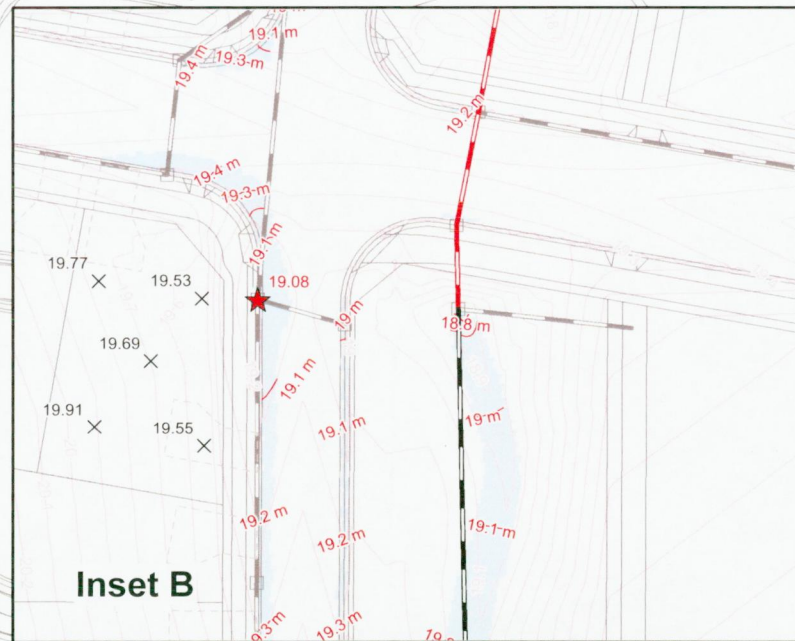
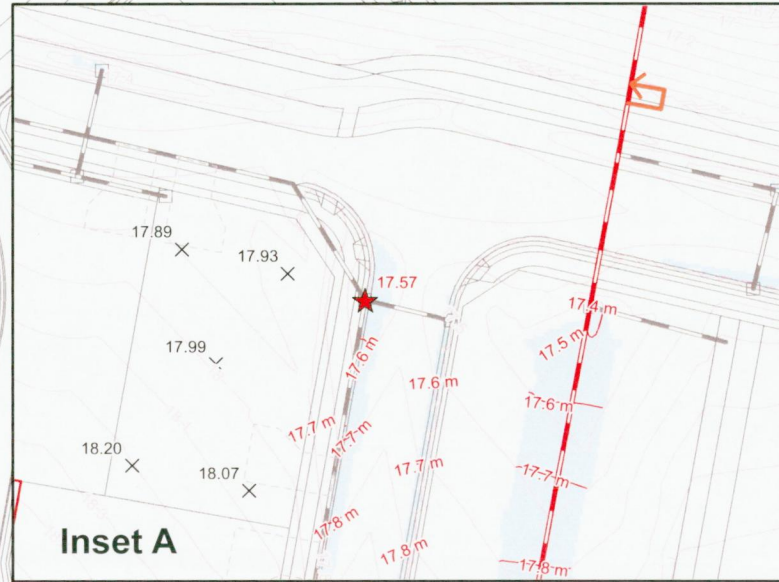
Projection: GDA 1994 MGA Zone 56

**Figure 1-2**  
**Clydesdale, Marsden Park**  
**Section 7.11 MS 1.12 (TC09)**

1% AEP Flood (25 min turn)  
15.7 mAHD Tailwater  
No Blockage  
Flood Depths and Levels

Date: 17/06/2021

Issue: A















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## Existing and Proposed Area Calculations of Zones



Land Zoning		
Zone	Existing Area (ha)	Proposed Area (ha)
R2 Low Density Residential	32.73	32.58
R3 Medium Density Residential	12.23	13.07
SP2 Infrastructure	16.62	15.92
RE1 Public Recreation	4.27	4.27
E2 Environmental Conservation	33.22	33.22
E3 Environmental Management	108.43	108.43
<b>Total Area</b>	<b>207.5</b>	<b>207.49</b>

Building Height		
Height of Building	Existing Area (ha)	Proposed Area (ha)
J 9m	140.9	140.8
N 14m	12.2	13.1
<b>Total Area</b>	<b>153.1</b>	<b>153.9</b>

Land Reservation Acquisition		
Zone	Existing Area (ha)	Proposed Area (ha)
Local Drainage	12.62	12.24
Classified Road Widening	4.17	3.76
Local Open Space	4.27	4.22
<b>Total Area</b>	<b>21.06</b>	<b>20.22</b>

Residential Density		
Density (Dw/ha)	Existing Area (ha)	Proposed Area (ha)
L-11	19.73	19.91
O-15	13.02	12.98
T-25	12.24	13.07
<b>Total Area</b>	<b>44.99</b>	<b>45.96</b>

Lot Size		
Minimum lot size	Existing Area (ha)	Proposed Area (ha)
M-600m2	19.73	19.63
AD-150ha	141.66	141.65
<b>Total Area</b>	<b>161.39</b>	<b>161.28</b>

Heritage		
Zone	Existing Area (ha)	Proposed Area (ha)
Heritage	220.32	168.49
<b>Total Area</b>	<b>220.32</b>	<b>168.49</b>

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## Precinct 2 Proposed Concept Subdivision Plan



**DRAFT**  
For Discussion Only

Land Budget		
	Area	%
Total Site Area	14.178 ha	100.0%
Collector Roads	1.890 ha	13.3%
Local Roads	2.674 ha	18.9%
Shared Driveway	0.378 ha	2.7%
Residential - Standard Product	7.178 ha	50.6%
Residential - Large Lots	0.891 ha	6.3%
Lot 11	0.532 ha	3.8%
Landscape Strip	0.208 ha	1.5%
Drainage Basin	0.377 ha	2.7%
Road Widening - Richmond Road	—	0.0%
Road Widening - Farm Road	0.050 ha	0.4%

Total Area Of R3 (includes richmond road entry, excludes already titled road adjoining Elara)	12.158 ha	25.3 dw/ha
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**Note:**  
All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval.

The boundaries shown on this plan should not be used for final detailed engineers design.

### Legend

- Subject Site Boundary
- - - Zoning Boundary

Product Type				
Manor Homes		Lots		Dw
17.0	Std	12	16	16
	Cnr	4	—	—
Subtotal		12	16	16
23m Deep Lots		Lots		Dw
6.0	Std	10	10	10
	Cnr	—	—	—
7.0	Std	11	11	11
	Cnr	—	—	—
8.0	Std	2	6	6
	Cnr	4	—	—
9.0	Std	1	6	6
	Cnr	5	—	—
10.0	Std	38	43	43
	Cnr	5	—	—
12.5	Std	14	21	21
	Cnr	7	—	—
Irregular Shape	Std	1	9	9
	Cnr	8	—	—
Subtotal		77	106	106
25m Deep Lots		Lots		Dw
6.0	Std	6	6	6
	Cnr	—	—	—
7.0	Std	—	—	—
	Cnr	—	—	—
8.0	Std	2	4	4
	Cnr	2	—	—
9.0	Std	39	40	40
	Cnr	1	—	—
10.0	Std	44	44	44
	Cnr	—	—	—
12.5	Std	6	9	9
	Cnr	3	—	—
Subtotal		97	103	103
28m Deep Lots		Lots		Dw
8.0	Std	2	2	2
	Cnr	—	—	—
9.0	Std	9	9	9
	Cnr	—	—	—
10.0	Std	4	4	4
	Cnr	—	—	—
12.5	Std	—	—	—
	Cnr	—	—	—
Subtotal		15	15	15
30m Deep Lots		Lots		Dw
6.0	Std	30	30	30
	Cnr	—	—	—
7.0	Std	3	5	5
	Cnr	2	—	—
8.0	Std	2	8	8
	Cnr	6	—	—
Extra Mansion Dwellings	Std	24	—	24
	Cnr	—	—	—
Subtotal		59	43	67
Total R3 Products		Lots		Dw
Total Allotments	Std	260	283	307
	Cnr	47	—	—
R2 Product		Lots		Dw
600m <sup>2</sup> +	Std	12	13	13
	Cnr	1	—	—
Subtotal		12	13	13
Total Products		Lots		Dw
Total Allotments	Std	272	296	320
	Cnr	48	—	—

Attachment PD410041.4

ELARA  
Investigation Clydesdale  
Concept Layout Five

URBAN DESIGN  
Level 4 H2 South  
520 Wickham Street  
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Fortitude Valley QLD 4006  
T +61 7 3539 9500  
W rpsgroup.com

**rps**

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PLAN REF: 123004 - 167  
Rev No: A  
DATE: 10 May 2021  
CLIENT: STOCKLAND  
DRAWN BY: WNW  
CHECKED BY: PHE



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## Blacktown Local Planning Panel

### PLANNING PROPOSAL ADVICE

<b>DATE OF DETERMINATION</b>	22 September 2021
<b>PANEL MEMBERS</b>	Kara Krason, Chair Luke Foley, Expert Vincent Hardy, Expert Allan Shearan, Community Representative
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil
<b>APPLICANT/OWNER</b>	Applicant – Craig & Rhodes Pty Ltd  Owner – Cyan Stone Clydesdale Estate 1 Pty Ltd Cyan Stone Clydesdale Estate 2 Pty Ltd Cyan Stone Clydesdale Estate 3 Pty Ltd Cyan Stone Clydesdale Pty Ltd Cyan Stone Clydesdale Development Pty Ltd Cyan Stone Clydesdale Holdings Pty Ltd
<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: 22 September 2021 at 9.00 am</li> <li>• Attendees: <ul style="list-style-type: none"> <li>○ Panel members: Kara Krason, Luke Foley, Vincent Hardy, Allan Shearan</li> <li>○ Council officers: Trevor Taylor, Anita Riazifar</li> </ul> </li> </ul>

Confidential Panel meeting held virtually on 22 September 2021, opened at 9.03 am and closed at 9.30 am.

#### PLANNING PROPOSAL

LEP-20-0003 Planning Proposal for Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 for zoning and heritage boundary adjustments and rezoning at Clydesdale Estate - Lots 3-5 DP1248522, and Lots 1 & 2 DP1257829 at 1270 Richmond Road, Marsden Park.



## PRIVATE BRIEFING

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

- Possible changes to the Section 94 contributions
- Inconsistencies with the State Heritage register mapping and draft SEPP mapping
- That RMS have agreed to the road widening changes
- Proposal does not adversely affect the Heritage value of Clydesdale Estate
- Recognition that the planning proposal is simply facilitating development outcomes that have already been resolved as part of an existing SEPP and DCP planning framework.

## 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 and site specific 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 circumstances through the resolution of more fine grain planning outcomes through the recent development and subdivision process.
- The Panel notes inconsistencies between the draft SEPP map and State Heritage register map and expects that those inconsistencies would be resolved as part of the Gateway Determination process.
- A statement from Council's Heritage expert is to be included in the planning proposal that addresses their support or otherwise for the planning proposal.

PANEL MEMBERS	
Kara Krason, Chair	D21/523864
Luke Foley, Expert	D21/523859
Vincent Hardy, Expert	D21/523860
Allan Shearan, Community representative	D21/523858

Marsden Park Precinct DCP

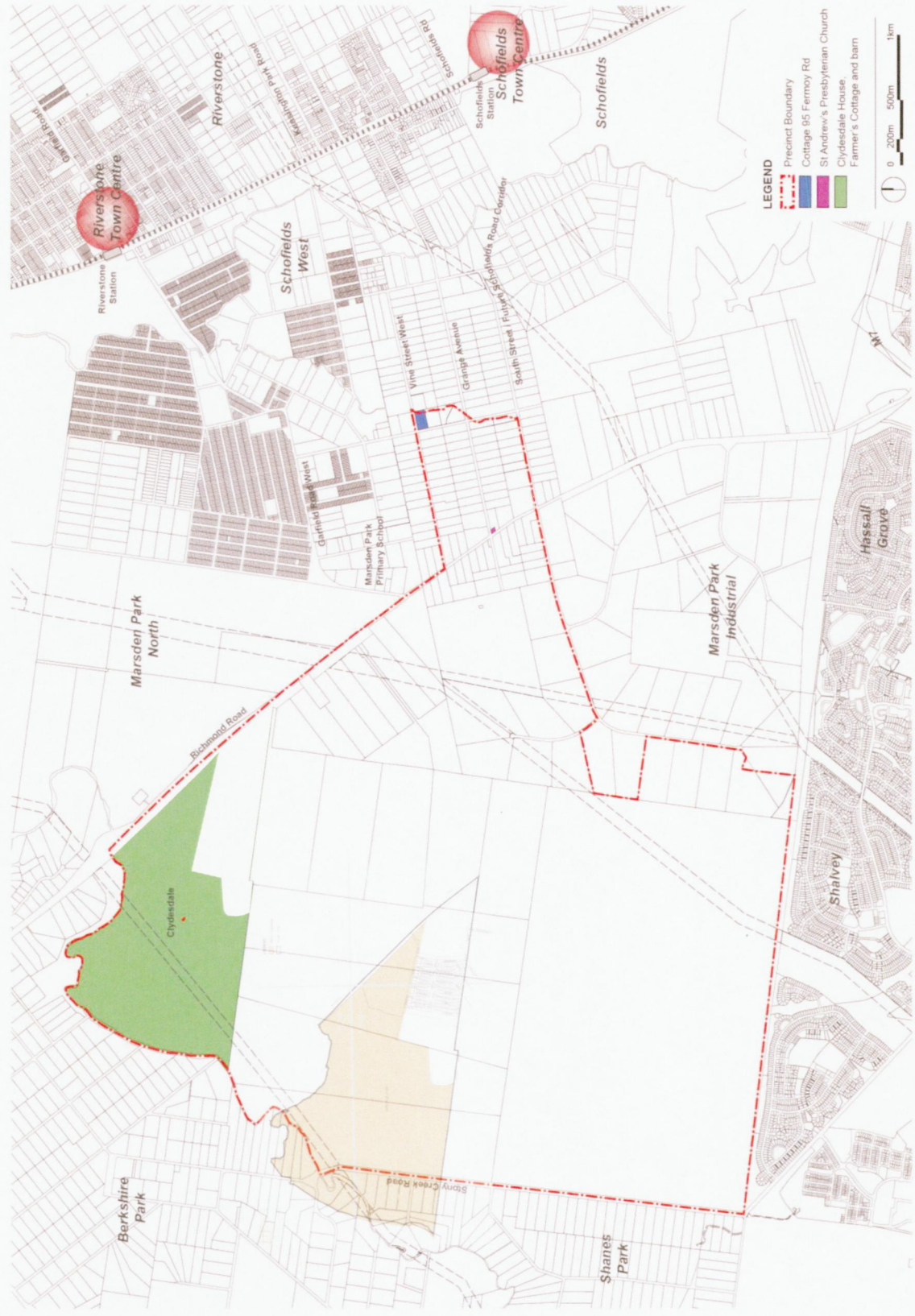


Figure 3-6 European cultural heritage (proposed)