



IRF 25/94

Gateway determination report – PP-2024-349

Sydney Street, Grantham Farm

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal Feb 2024
Appendix A – PP Concept Engineering Designs

Appendix B – Council PAM Advice

Appendix C – Future Indicative Layout Plan, Rev A

Appendix D - Bushfire Risk Hazard Assessment V3.1

Appendix E - Detailed Environmental Site Assessment

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Blacktown
PPA	Blacktown City Council
NAME	Spot Rezoning from SP2 Infrastructure (Local Drainage) to R2 Low Density Residential (0 jobs) (2 homes)
NUMBER	PP-2024-349
LEP TO BE AMENDED	State Environmental Planning Policy (Precincts – Central River City) 2021
ADDRESS	Sydney Street, Grantham Farm
DESCRIPTION	Lot 37 & 38 in Section 17 on DP1480
RECEIVED	20/12/2024
FILE NO.	IRF25/94
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Rezone land identified as Lot 37 & 38 in section 17 on DP1480 zoned SP2 Infrastructure (Local Drainage), no longer required for drainage purposes, to R2 Low Density Residential.
- Amend Appendix 7 – Alex Avenue and Riverstone Precinct of the State Environmental Planning Policy (Precincts – Central River City) 2021 to facilitate the rezoning including amendments to maps (see **Table 3** below).

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the State Environmental Planning Policy (Precincts – Central River City) 2021 per the changes below:

Table 3 Current and Proposed Controls

Control	Current	Proposed
Zone	SP2 Drainage	R2 Low Density Residential
Maximum height of the building	No current control	9m
Residential Density	No current control	Density band 01 (15 dwellings per hectare)
Land Reservation Acquisition	Local Drainage (SP2)	Remove site from map

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved. The rezoning is sought to facilitate a future development application to subdivide the subject lots and surrounding lots to create 17 residential lots.

1.4 Site description and surrounding area

The subject site is zoned SP2 Drainage and fronts Sydney Street to the north, the lot is bordered by R2 Low Density Residential to the east, west and south, with C2 Environment Conservation to the north intended as a future conservation zone. The total area to be rezoned is approximately 488m². The site is located within the Riverstone Precinct of the North West Growth Area as identified within the SEPP (Precincts – Central River City) 2021. The site and surroundings are largely undeveloped with some areas being cleared for development and subdivision. Sydney Street is yet to be constructed.



Figure 1 Subject site (source: NSW Planning Portal Spatial Viewer 2025)



Figure 2 Site context (source: NSW Planning Portal Spatial Viewer 2025)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the SEPP (Precincts – Central River City) 2021 maps, which are suitable for community consultation.



Figure 3 Current zoning map



Figure 4 Proposed zoning map



Figure 5 Current height of building map



Figure 6 Proposed height of building map

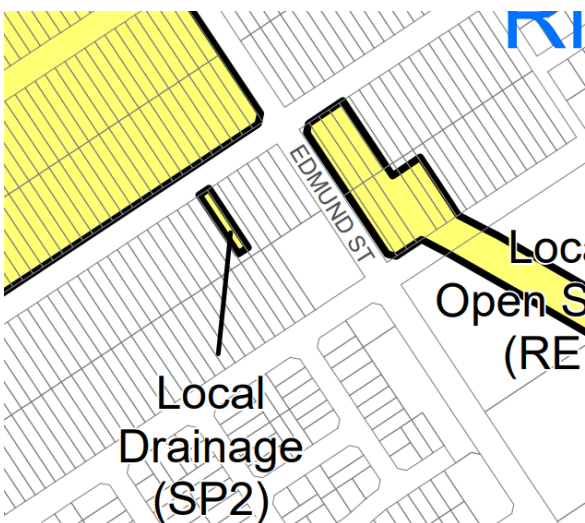


Figure 7 Current Land Reservation Acquisition map



Figure 8 Proposed Land Reservation Acquisition map



Figure 9 Current Residential Density map



Figure 10 Proposed Residential Density map

1.6 Background

- The current SP2 Infrastructure (Local Drainage) zone on the subject site is intended as a local drainage reserve designed to pipe stormwater into Council's drainage infrastructure on Sydney Street. The Planning Proposal seeks a redesign of stormwater via Dumaresq Street towards Edmund Street which would no longer require the land zoned SP2 for local drainage
- Council has advised its engineers are satisfied that the Concept Engineering Design is capable of managing stormwater in the catchment without adverse impact on adjoining properties
- The current SP2 Infrastructure (Local Drainage) land is identified to be acquired by Council in the Land Reservation Acquisition Map in the SEPP (Precincts-Central River City) 2021.

2 Need for the planning proposal

The Planning Proposal seeks to amend Appendix 7 of the Alex Avenue and Riverstone Precinct Plan under the Central River City SEPP 2021 to rezone surplus drainage land. It is proposed to rezone this land to R2 Low Density Residential, which is in keeping with the zones in the immediate surrounding area.

The Planning Proposal is not the result of an endorsed Local Strategic Planning Statement, strategic study or report. The Planning Proposal was supported by a concept engineering plan prepared by GDS demonstrating that the stormwater catchment could be redesigned without the need for the local drainage reserve. The redirection of the stormwater drainage will remove the requirement for Council to acquire the site for drainage purposes and will create two additional lots allowing for a more uniform subdivision layout in keeping with the Indicative Layout Plan.

The Planning Proposal objectives are the only possible way to amend zoning and permissible land uses in the Central River City SEPP.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Regional Plan – *A Metropolis of Three Cities* (March 2018).

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 3 – Infrastructure adapts to meet future needs	The proposal is the result of revised stormwater drainage solution, and the subject land is no longer required for infrastructure. The proposal is consistent with the objective.
Objective 4 – Infrastructure use is optimised.	The proposal is the result of revised stormwater drainage solution, and the subject land is no longer required for infrastructure. The proposal is consistent with the objective.
Objective 6 – Services and infrastructure meet communities changing needs	The proposal is the result of revised stormwater drainage solution, and the subject land is no longer required for infrastructure. The proposal is consistent with the objective.

3.2 District Plan

The site is within the Central River City District, the Greater Sydney Commission released the Central River City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 5 District Plan assessment

District Plan Priorities	Justification
Planning priority C1: Providing a City serviced by infrastructure	Priority C1 seeks to provide appropriate services and infrastructure for the city. The proposal adjusts the location and extent of required infrastructure. The proposal is consistent with Planning Priority C1.
Planning Priority C3: Providing services and infrastructure to suit people's needs	Priority C3 seeks to provide appropriate services and infrastructure for the growing city. The proposal is the result of a revised stormwater drainage solution, and the subject land is no longer required for local drainage infrastructure. The area is adequately serviced. The proposal is consistent with Planning Priority C3.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Blacktown Local Strategic Planning Statement 2020 (LSPS)	The proposal is consistent with and supports a number of key Local Planning Priorities, including LPP1: Planning for a city supported by infrastructure, LPP3: Providing services and social infrastructure to meet people's changing needs, and LPP7: Delivering integrated land use and transport planning and delivering a 30 minute City.
Blacktown Local Housing Strategy 2020 (LHS)	The proposal also supports relevant planning priorities in the LHS.

3.4 Local planning panel (LPP) recommendation

The draft planning proposal was considered by the Blacktown Local Planning Panel at its meeting held on 21 October 2024. The Panel supported the proposal, noting that it has strategic merit and is responding to changed circumstances for the land.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Region Plans	Yes	<p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>The planning proposal is generally consistent with the Greater Sydney Region Plan as it supports the following objectives:</p> <ul style="list-style-type: none"> Objective 3: Infrastructure adapts to meet future needs Objective 6: Services and infrastructure meet communities' changing needs

1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Yes	<p>The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).</p> <p>The subject site is located within the North West Growth Area. The planning proposal is consistent with the Strategy as it will result in additional residential land whilst providing an acceptable stormwater drainage solution.</p>
4.1 Flooding	Yes	<p>The planning proposal states the proposal is consistent with this Direction.</p> <p>The site is not identified as flood prone however the planning proposal states the stormwater drainage solution will not result in any flooding or overland flow impacts on the site or surrounding area.</p>
4.3 Planning for Bushfire Protection	No	<p>The subject site is identified as bushfire prone (Vegetation Category 1). The planning proposal was submitted with a Bushfire Impact Assessment to address the bushfire impacts and the requirements of this direction. The planning proposal will be required to be referred to NSW Rural Fire Service as per the requirements of this direction prior to exhibition.</p>
4.4 Remediation of Contaminated Land	Yes	<p>As per the requirements of Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the assessment of contamination and any remediation will be considered at DA stage.</p>
5.2 Reserving Land for Public Purposes	Yes	<p>This Direction seeks to facilitate the preservation of land for public services and facilities by reserving land for public purposes. It also seeks to enable the removal of reservations for public land where the land is no longer required for public uses.</p> <p>The planning proposal is consistent with this Direction as Blacktown City Council, the future acquisition authority, has supported the proposal to redirect the stormwater drainage and to rezone the SP2 Infrastructure (Local Drainage) land to R2 Low Density Residential.</p>
6.1 Residential zones	Yes	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed Residential zone (including the alteration of any existing Residential zone boundary).</p> <p>The planning proposal will result in additional residential land in this location.</p>

3.6 State environmental planning policies (SEPPs)

The planning proposal states it is consistent with the following SEPPs:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- State Environmental Planning Policy (Housing) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Sustainable Buildings) 2022.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.

The planning proposal seeks to amend State Environmental Planning Policy (Precincts – Central River City) 2021 the zoning maps and other related maps to facilitate the amended stormwater drainage design.

The Department has reviewed the assessment of SEPPs above and agrees that the proposal is consistent with those SEPPs.

4 Site-specific assessment

4.1 Environmental

The planning proposal is supported by a detailed Environmental Site Assessment, the assessment confirms the site is Bio Certified and there are no perceived impacts to critical habitat or threatened species, populations or ecological communities.

4.2 Social and economic

There are no potential social or economic impacts associated with the proposal. The proposal will remove the need for Council to acquire the land for drainage purposes.

4.3 Infrastructure

There are no servicing constraints or additional infrastructure required for the development of the subject land. It is anticipated the removal of the site due to the land no longer being required for local drainage will be a benefit to Council.

5 Consultation

5.1 Community

Council proposes a community consultation period of 20 days.

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agency be consulted on the planning proposal and given 30 working days to comment:

- NSW Rural Fire Service

This is required prior to community consultation as per the Ministerial Direction 4.3 Planning for bushfire protection.

6 Timeframe

Council proposes a six month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 29 August 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is seeking to rezone local drainage infrastructure to residential and Council is satisfied with the proposed alternative drainage solution, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal has strategic and site-specific merit, being consistent with key State and Local Strategies.
- The outcome of the proposal will result in additional residential land which will have positive social and economic impacts and there are no adverse infrastructure or environmental impacts.

9 Recommendation

It is recommended the delegate of the Secretary:

- Note the inconsistency with Section 9.1 Directions 4.3 Planning for Bushfire Protection is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to community consultation, the NSW Rural Fire Service is to be consulted and any outcomes incorporated into the planning proposal.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 29 August 2025 be included on the Gateway.

The timeframe for the LEP to be completed is on or before 29 August 2025.



14 February 2025

(Signature)

(Date)

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18 February 2025 (Date)

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