



Transport  
for NSW

Mr Karl Bown  
Senior Planner  
Planning Panels Secretariat  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Mr Brown

**17-19 Schofields Road, Schofields (DA/17/00015) – Panel Ref-2017SWCO84**

It is understood that the subject development application was heard by the Planning Panel in January 2018. The Panel agreed to defer the application to allow the applicant to contact Transport for NSW (TfNSW) and clarify our requirements.

A meeting with the applicant was held on Friday 2 February 2018 to discuss the matter. Please accept this letter as formal acknowledgement of the meeting and outcomes.

Background

The subject development site is located within the Northwest Transport Corridor and identified in the Growth Centres State Environmental Planning Policy 2006 (Growth Centres SEPP). More specifically, the development is within the area marked “N” on the Land Zoning Map of the Alex Avenue and Riverstone Precinct. Clause 6.10 of the relevant planning controls for that precinct (Appendix 4) of the Growth Centres SEPP requires TfNSW to take into account the effect of the development on:

- a) *the practicability and cost of carrying out public transport projects on the land in the future, and*
- b) *without limiting paragraph (a), the structural integrity or safety of, or ability to operate, public transport projects on the land in the future, and*
- c) *without limiting paragraph (a), the land acquisition costs and the costs of construction, operation or maintenance of public transport projects on the land in the future.*

In July 2017, Blacktown City Council referred the development application to TfNSW, seeking concurrence for the subject development. A letter was subsequently provided by the authorised delegate within TfNSW stating ‘no concurrence’ based on an assessment under the heads of consideration outlined above.

Meeting Outcomes

During the course of the meeting, the importance of preserving the corridor was discussed. The current development proposal could not proceed without adversely impacting on the viability of any future project within the corridor. The applicant acknowledged the importance of preserving a transport corridor for the northwest and accepts that the location of the corridor substantially restricts development options for the subject site.

The applicant sought information regarding the anticipated timeline for delivery of any project within the corridor. It was advised that there is no commitment in terms of specific timing or funding for delivery of this section of the Northwest Transport Corridor.

The applicant also sought advice on possible land acquisition by TfNSW. Advice was provided stating that land acquisition was typically undertaken once a project was funded and as part of the project delivery. Earlier compensation options exist as part of the "Owner Initiated Hardship Provisions" of the Land Acquisition (Just Terms Compensation) Act. The owner of the site would need to seek their own advice in this regard.

#### Other Development Options

Discussion was also held around a range of other possible temporary land use options on the site prior to the project commencing. The applicant was cautioned against temporary accommodation or similar type significant development as this would also likely not meet TfNSW requirements for protecting the transport corridor. Any proposal for temporary use would:

- be subject to approval by the consent authority;
- be subject to the permitted uses under current zoning; and,
- need to be compatible with the future transport use and not adversely impact on the viability of the future delivery of the project.

The applicant has since provided a draft proposal to consider various temporary uses, which is currently under consideration. However, any agreed in principal temporary use would be subject to a new development application.

If you require further clarification regarding this matter, please don't hesitate to contact Lee Farrell, Transport Planner on 8265 9943 or at [Lee.Farrell@transport.nsw.gov.au](mailto:Lee.Farrell@transport.nsw.gov.au).

Yours sincerely



20/3/2018

Mark Ozinga  
**Principal Manager, Land Use Planning and Development  
Freight, Strategy and Planning**

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