

# Assessment report to Sydney Central City Planning Panel

Panel reference 2018SWC001:

## Development application

<b>DA number</b>	SPP-17-00046	<b>Date of lodgement</b>	20 December 2017
<b>Applicant</b>	Calibre Group on behalf of Winten		
<b>Owner</b>	Woorong Park Pty Ltd		
<b>Proposed development</b>	Torrens Title subdivision to create 1,842 lots and 1 residue lot, ancillary subdivision works, roads and landscaping		
<b>Street address</b>	Lots 7, 8 and 9 DP 1078187, Richmond Road. Marsden Park		
<b>Notification period</b>	29 January to 1 March 2018	<b>Number of submissions</b>	0

## Assessment

<b>Panel criteria</b>	CIV exceeds \$20 million (the Development Application was lodged prior to 1 March 2018 (before the new threshold of \$30 million)
Schedule 7, SEPP (State and Regional Development) 2011	CIV for this application is \$65,159,619
<b>Relevant section 4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• Blacktown City Council Growth Centre Precincts Development Control Plan 2018</li> </ul>
<b>Report prepared by</b>	Luma Araim
<b>Report date</b>	13 June 2018
<b>Recommendation</b>	Approve, subject to conditions listed in attachment 7

## Attachments

1. Location map
2. Aerial image
3. Zoning extract
4. Detailed information about proposal and DA submission material
5. Development Application plans
6. Assessment against planning controls
7. Draft conditions of consent

## Checklist

### Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the assessment report? Yes

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? Yes

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? N/A

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)? Yes

### Conditions

Have draft conditions been provided to the applicant for comment? Yes

## Contents

1	Executive summary.....	3
2	Location.....	3
3	Site description .....	4
4	Background .....	4
5	The proposal.....	4
6	Assessment against planning controls .....	5
7	Key planning issues .....	6
8	Issues raised by the public.....	8
9	External referrals .....	8
10	Internal referrals.....	9
11	Conclusion.....	9
12	Recommendation.....	10

## **1 Executive summary**

---

- 1.1 The Development Application is seeking approval for Torrens title subdivision to create 1,842 lots across 17 stages, 1 residue lot, creation of 2 lots for future parks, construction of new roads, construction of 5 water quality and quantity devices, 3 retaining walls, tree removal and street tree planting.
- 1.2 The subject site is identified as Precinct 7 and is located within the Marsden Park Precinct within the North West Growth Area. The subject site is part of the Newpark Estate. The site has multiple zonings, being R2 Low Density Residential, RE1 Public Recreation, RU6 Transition, SP2 Infrastructure – Local Drainage, SP2 Infrastructure – Local Road and E2 Environmental Conservation, under the provisions of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).
- 1.3 The subject site is situated in the Marsden Park Precinct of the North West Growth Area and Appendix 12 Blacktown Growth Centres Precinct Plan of the Growth Centres SEPP applies. Subdivision is permitted under Clause 2.6 Subdivision of Appendix 12. Road and drainage works are permitted with consent in the R2 Low Density Residential, SP2 Infrastructure and RE1 Public Recreation zones.
- 1.4 A detailed assessment has been undertaken against the provisions of the Growth Centres SEPP. Clauses 4.1AA and 4.1AB provide minimum lot sizes for certain developments, including dwelling houses, on land zoned R2 Low Density Residential in the Growth Centres SEPP. The proposal complies with the provisions of the Growth Centres SEPP, including the minimum residential density control and minimum lot size for dwellings.
- 1.5 The key issues that need to be considered by the Panel in respect of this application are:
  - indicative street layout plan
  - road widths with park frontage and roads along riparian corridor.
- 1.6 The application was notified to the owners and occupiers of neighbouring properties between 29 January and 1 March 2018. No submissions were received.
- 1.7 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.8 The application is therefore satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.9 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 7.

## **2 Location**

---

- 2.1 The subject site is situated on the south-western side of the Marsden Park Precinct. The site is bounded by Stockland's Elara Estate to the east, Stony Creek Road to the west, the Air Services Australia land to the south and the Clydesdale heritage curtilage to the north.
- 2.2 The character of the wider locality is in transition due to rezoning by the NSW Government for residential, employment and other urban developments, with much of the previously, rural land in this area being subdivided for small lot residential development.



- 2.3 Council previously approved bulk earthworks under DA-15-02273, including placing and engineering of fill material, site preparation and associated tree removal and demolition of existing structures. Aerial photography of the site clearly depicts how the earthworks have shaped the land in anticipation for this large subdivision (see attachment 2).
- 2.4 The former Joint Regional Planning Panel approved Development Application JRPP-15-02324 for a 9 stage Torrens title subdivision to create 647 residential lots, 15 residue lots and associated works on an adjacent parcel of land by the same land owner.
- 2.5 The location of the site is shown at **attachment 1**.

### **3 Site description**

---

- 3.1 The development site comprises 3 lots and is formally known as existing Lots 7, 8 and 9 in DP 1078187, which have been further subdivided into Lots 3 and 4 approved under DA-16-05359.
- 3.2 Precinct 7 is approximately 200 hectares in size. The site has been used for agricultural purposes, and surrounding land uses range from grassed paddocks, agricultural land uses, chicken farm, market gardens and rural residential subdivision.
- 3.3 An aerial image of the site and surrounding area is at attachment 2.

### **4 Background**

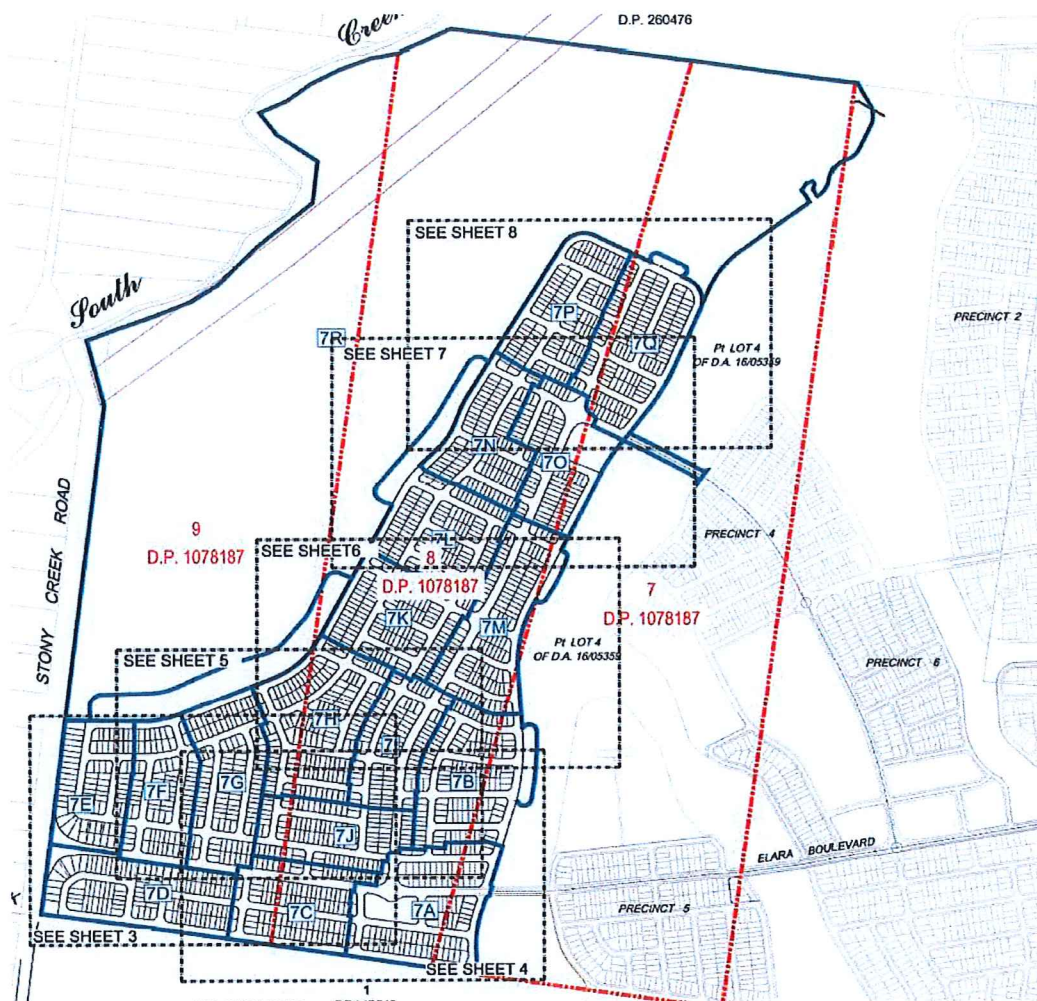
---

- 4.1 The site is zoned R2 Low Density Residential, RE1 Public Recreation, SP2 – Infrastructure (Local Drainage), SP2 – Infrastructure (Local Road), E2 Environmental Conservation and RU6 Transition under the provisions of the Growth Centres SEPP.
- 4.2 The zoning plan for the site and surrounds is at attachment 3.

### **5 The proposal**

---

- 5.1 The Development Application proposes:
  - 5.1.1 Torrens title subdivision to create 1,842 residential lots across 17 stages, namely stages 7A - 7Q with an average of 100 lots in each stage. Figure 1 shows the location and distribution of these lots
  - 5.1.2 creation of 1 residue lot on RU6 land
  - 5.1.3 creation of 2 lots for future local parks
  - 5.1.4 tree removal and street tree planting
  - 5.1.5 construction and dedication of local roads and a collector road and ancillary subdivision works
  - 5.1.6 construction of 5 water quality and quantity devices on SP2 Infrastructure zoned land and subdivision of these lots for future acquisition by Council.



**Figure 1 - Subdivision and staging layout**

- 5.2 The proposed subdivision will create residential lots ranging in area between 262 m<sup>2</sup> and 1,143 m<sup>2</sup>. The application documentation includes Building Envelope Plans for each lot less than 300 m<sup>2</sup>, to demonstrate that the lot can accommodate a future dwelling.
- 5.3 It is proposed to create 1 residue lot for future development under a separate application.
- 5.4 The 17 stages involve subdivision and associated works and this Development Application does not seek approval for the construction of dwellings.
- 5.5 Other details about the proposal are at attachment 4 and a copy of the development plans is included at attachment 5.

## 6 Assessment against planning controls

- 6.1 A full assessment of the Development Application against relevant planning controls is provided in attachment 6, including:
  - Environmental Planning and Assessment Act 1979 (as amended 2018)
  - State Environmental Planning Policy (State and Regional Development) 2011
  - State Environmental Planning Policy (Infrastructure) 2007



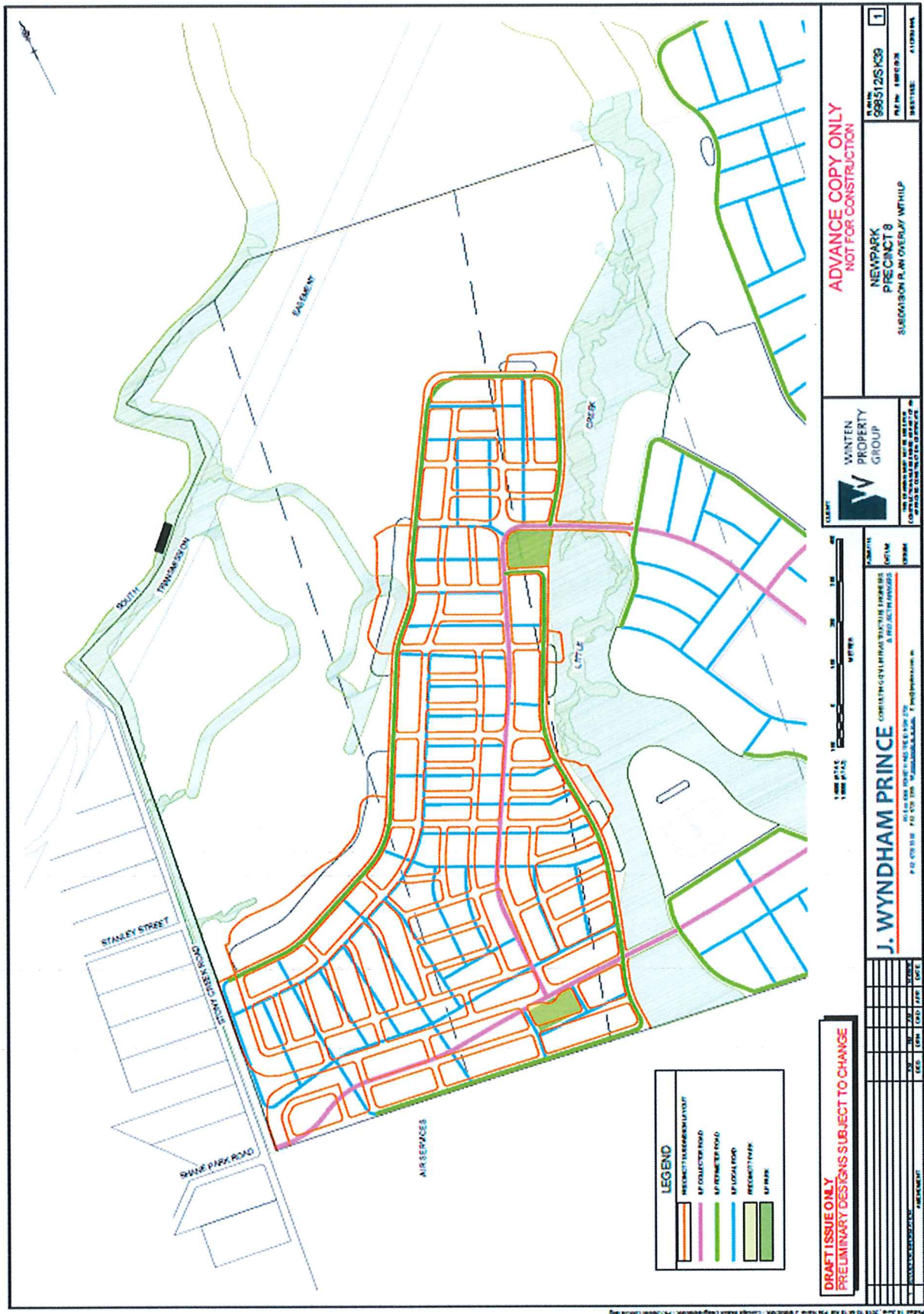
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
- Blacktown City Council Growth Centre Precincts Development Control Plan 2016.

## **7 Key planning issues**

---

### **7.1 Road pattern variation to the Indicative Layout Plan (ILP)**

- 7.1.1 According to the DCP, the road alignments, hierarchy and design/dimensions of any proposed road network shall be consistent with the ILP for the Precinct and the typical design of the type of road to be constructed. Any variations to the residential street network need to demonstrate that the principles of permeability, connectivity, amenity and stormwater management can be achieved.
- 7.1.2 The objectives of these controls are:
- a. to establish a hierarchy of interconnected streets that give safe, convenient and clear access within and beyond the Precinct
  - b. to manage the environmental impacts of urban development
  - c. to facilitate energy efficient lot and building orientation
  - d. to create an interesting and attractive streetscape.
- 7.1.3 The applicant is seeking to vary the road pattern of the ILP across the site. In support of the variation, the applicant has submitted an overlay showing the road network under the ILP and the proposed road network as shown in Figure 2 – Overlay of road pattern.
- 7.1.4 The road pattern variation to the Indicative Layout Plan results in a reduction in developable area of 0.2561 ha. This minor change is related to a minor increase in constructed road length.
- 7.1.5 Following our detailed assessment, no objection is raised to the variations to the road pattern for the following reasons:
- a. Council's Traffic Management Section has raised no objection to the amended road pattern subject to certain additional control measures
  - b. the changes principally involve local roads and therefore are not considered to have any significant adverse impacts on the road network in terms of traffic efficiency or road safety
  - c. the variation to the ILP road layout does not have any impact on adjoining development and will be completely contained within the Newpark site
  - d. although the proposed subdivision road layout departs from the ILP, it is in line with the controls related to intersections and block sizes, providing a legible and navigable grid with no culs-de-sac





- e. the road pattern will achieve a better urban streetscape and subdivision layout plan without adversely affecting traffic movements in the surrounding area. This includes the shifting of the collector road where it joins Stony Creek Road to the west and adjacent to the southern boundary of the site
- f. the variation to the road layout will not impact on the minimum residential density required. The proposed subdivision will achieve the minimum dwelling density as required under the SEPP.

## **7.2 Minor road width variations**

- 7.2.1 The DCP requires streets along riparian corridors to have a road width of 17.9 m. It is proposed that roads that have a park frontage and roads along riparian corridors have a width of 17.4 m.
- 7.2.2 The 0.5 m reduction in the road reserve occurs because the footway on the park or riparian side of the road will be provided within that separately zoned and developed area. We are satisfied with this outcome.
- 7.2.3 The objectives contained in the DCP include:
  - a. to establish a hierarchy of interconnected streets that give safe, convenient and clear access within and beyond the Precinct
  - b. to manage the environmental impacts of urban development
  - c. to facilitate energy efficient lot and building orientation
  - d. to create an interesting and attractive streetscape.
- 7.2.4 Following our detailed assessment, no objection is raised to the proposed road widths for the following reasons:
  - a. Council's engineers raise no objection to the amended road width
  - b. the proposal establishes a hierarchy of interconnected streets that do not compromise the safety of pedestrians and road users and does not affect traffic movement in the surrounding area
  - c. the environmental impact of the proposed development has been considered in the design of the subdivision
  - d. the subdivision has been designed to improve upon the guiding ILP and ensures future lots are oriented to receive adequate solar access.

## **8 Issues raised by the public**

---

- 8.1 The proposed development was notified to property owners and occupiers in the locality between 29 January and 1 March 2018. The Development Application was also advertised in local newspapers and a sign was erected on the site.
- 8.2 No submissions were received.

## **9 External referrals**

---

- 9.1 The Development Application was referred to the following external authorities for comment:



Authority	Comments
Roads and Maritime Services	Acceptable. No conditions required.
Department of Primary Industries - Water	General Terms of Approval issued on 26 March 2018.
Rural Fire Service	General Terms of Approval and a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997 were issued on 6 April 2018.
Air Services Australia	Acceptable. No conditions provided.

## 10 Internal referrals

- 10.1 The Development Application was referred to the following internal sections of Council for comment:

Section	Comments
Engineering	Acceptable subject to conditions
Traffic Management	Acceptable subject to conditions
Building	Acceptable subject to conditions
Tree Management	Acceptable subject to conditions
Recreation Planning and Design	Acceptable subject to conditions

## 11 Conclusion

- 11.1 The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest.

## 12 Recommendation

---

1. The Development Application be approved subject to the conditions listed in attachment 7.

---


Luma Araim

Assistant Team Leader



Judith Portelli

Manager Development Assessment



Glennys James

Director Design and Development