

Heads of Consideration	Comment	Complies
(ii) Any proposed instrument that is or has been the subject of public consultation under this Act	There are no proposed instruments relevant to this site.	Not applicable
(iii) Any development control plan (DCP)	The Growth Centre Precincts DCP applies to the site. The proposed development is inconsistent with the intent of the GCDCP, with particular regard to Schedule 1 Alex Avenue Precinct. This is discussed in detail below.	Satisfactory, subject to conditions of consent.
(iii a) Any Planning Agreement	The amended proposal does not comprise an offer to enter into a Voluntary Planning Agreement.	Not applicable
(iv) The regulations	The DA is compliant.	Yes
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	<p>Under section 4.22(5) of the Act, and with regard to the likely impact of the development the subject of this concept proposal, it is considered that the likely impacts of the concept development and Stage 1, including traffic, parking and access, design, amenity, bulk and scale, overshadowing, noise, privacy, waste management, acoustic impacts, flora and fauna, salinity, contamination and stormwater management are capable of being satisfactorily addressed subject to amended plans as required by conditions of consent.</p> <p>In view of the above it is believed that the proposed concept development and Stage 1 works, subject to amended plans in satisfaction of the substantive issues raised in this report, will not have any unfavourable social, economic or environmental impacts, subject to conditions of consent.</p>	Satisfactory, subject to conditions of consent.
c. The suitability of the site for the development	<p>The subject site is zoned B2 Local Centre and R3 Medium Density Residential (along the southern portion of the site) with an 18.5 m building height limit under the Growth Centres SEPP. Retail premises (shops), a carpark and a child care centre are permissible with development consent.</p> <p>The subject site does not encompass the entirety of the Local Centre, as shown in attachment 1. The proposed development fails to provide an area and configuration that is suited to this form of development. Our preference is that the Local Centre is designed and constructed in a holistic manner which ensures a high quality development outcome is achieved and delivers benefits to the local community. However, the Applicant has the right to seek approval to reasonably development their land.</p> <p>Therefore, we require conditions of consent which have been provided in the draft consent to be imposed to ensure a suitable development is provided which responds positively to the surrounding properties and road network.</p>	Satisfactory, subject to conditions of consent.
d. Any submissions made in accordance with this Act, or the regulations	The proposed development was exhibited between 7 and 21 March 2018. We received 2 submissions relating to insufficient parking due to the railway station, concern that there is already a supermarket and child care centre in close proximity to this site, that half road construction of Jacqui	Satisfactory, subject to conditions of consent.

Heads of Consideration	Comment	Complies
	<p>Avenue is insufficient to service the traffic generated by this development and does not facilitate orderly development.</p> <p>Following the Section 34 Conciliation Conference, the Applicant submitted amended plans which were re-notified to surrounding property owners and occupants, including the submitters, from 26 March to 9 April 2019.</p> <p>A further submission was received from 1 of the original submitters raising concern with regard to how the infrastructure is being funded and provided for the further orderly development of the area.</p> <p>A summary of each issue and our response is provided in attachment 7. The objections do not warrant refusal of the Development Application, provided amended plans are submitted.</p>	
e. The public interest	<p>In its current form, the proposal is considered to result in adverse matters relating to the public interest. Conditions of consent are required and have been provided in the draft consent to resolve these issues, with particular regard to providing public access for pedestrians, cars, trucks and public transport along the required road network.</p> <p>Detailed consideration of the impact of the development on the public interest will be undertaken in the assessment of future detailed DAs for Stage 2 works as permitted by section 4.22 of the Act.</p>	Satisfactory, subject to conditions of consent.

2 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

Summary comment	Complies
The planning policies and recommended strategies under SREP 20 are considered to be met through the development controls of the Growth Centres SEPP.	Yes

3 State Environmental Planning Policy (State and Regional Development) 2011

Summary comment	Complies
<p>The Sydney Central City Planning Panel (SCCPP) is the consent authority for all development with a capital investment value (CIV) of over \$20 million (being the CIV applicable for applications lodged but not determined prior to 1 March 2018 under Clause 23 transitional provisions of this SEPP).</p> <p>As this DA has a CIV of \$34.4 million, Council is responsible for the assessment of the DA and determination of the application is to be made by the Panel.</p>	Yes

4 State Environmental Planning Policy (Infrastructure) 2007

Summary comment	Complies
<p>The SEPP ensures that Roads and Maritime Services (RMS) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP.</p> <p>RMS raised concern regarding traffic signals, pedestrian access to the site, the requirement for further traffic engineering modelling, and traffic safety concerns with respect to temporary access, access to loading docks, the Applicant's traffic study and parking. The RMS has not provided its concurrence in relation to approval of the development in its current form.</p> <p>On 8 May 2019, RMS provided the following response in relation to the amended proposal:</p> <p><i>"The road within 20 m from the stop line of the intersection of Railway Terrace and Southern Access Road (Jacqui Avenue) needs to be dedicated as a public road. This is necessary so that RMS can give approval to the signals and ultimately maintain the signals in the future."</i></p> <p>Subject to this issue being resolved by imposing conditions of consent requiring Jacqui Avenue to be constructed by the Applicant and dedicated to Council for public use, and requiring Jacqui Avenue to have a minimum width of 20 m as discussed in Section 7.4 of the Assessment Report, the concerns raised by RMS are capable of being resolved.</p> <p>The DA does not provide sufficient road infrastructure, and approval of the application will have an adverse impact upon the surrounding area in terms of potential traffic safety, road congestion and parking.</p> <p>Clause 104 of SEPP (Infrastructure) 2007 states:</p> <p>"104 Traffic-generating development (3) Before determining a development application for development to which this clause applies, the consent authority must: (b) take into consideration: (i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and (ii) the accessibility of the site concerned, including: (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and (iii) <u>any potential traffic safety, road congestion or parking implications of the development.</u>"</p> <p>The provision of temporary and private roads to service the proposal is entirely inconsistent with the requirements of Schedule 1 of the Growth Centres DCP, and is inadequate and unacceptable.</p> <p>The Applicant proposes to provide private access roads until such time as the roads are purchased by Council, closed and reformed as permanent roads. During this time access will not be available to pedestrians, cyclists and vehicles. Access to the development's waste collection and loading area will also not be available. The resulting development will fail to provide road access which connects to the surrounding road network, pedestrian access, on-street parking and street trees to both sides of the road. This is an extremely poor outcome in terms of the accessibility of the site, traffic safety and implications for road congestion.</p> <p>The proposal does not provide certainty and efficiency in the delivery of infrastructure and provision of services, and does not provide road infrastructure which demonstrates good design outcomes.</p> <p>Having regard to the above, the Development Application is not consistent with Clause 104 of SEPP Infrastructure. We have provided conditions of consent in the draft consent requiring the development to be consistent with the DCP.</p>	<p>Satisfactory, subject to conditions of consent.</p>

5 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

Summary comment	Complies
<p>This Child Care SEPP commenced on 15 December 2017, prior to the lodgement of this application on 21 December 2018. We have amended our DCP to mirror the SEPP's provisions.</p> <p>This SEPP aims to ensure a consistent approach to facilitating the provision of child care services across NSW and establishes Design Guidelines consistent with the requirements of the National Quality Framework. In this regard, any distance separation requirements, design requirements, limit on number of places, site area and site coverage standards contained within a DCP do not apply, so as to ensure that a DCP cannot contain requirements that exceed the National Quality Framework or are more onerous.</p>	
<p>This application seeks Stage 1 land use approval and construction for the child care centre. The detailed design and fitout of the child care centre will be the subject of a future Development Application under section 4.22 of the Act.</p> <p>As permitted by Clause 5, our consideration under section 4.15 of the Act as to the likely impact of the development the subject of the concept DA is limited to the likely impact of the concept proposal.</p> <p>The proposed child care centre is sufficient to accommodate a 67 place child care centre under the criteria set out in this SEPP and accompanying Guidelines published by the Department of Planning and Environment. The child care centre site includes 420 m² of internal space and 469 m² of outdoor area sufficient to accommodate 67 children under the Planning Guidelines. A total of 11 parking bays have been allocated; 7 dedicated parking bays for drop-off and 4 car parking spaces for staff parking located in the basement.</p> <p>The proposal is consistent with SEPP (Educational Establishments and Child Care Facilities) 2017.</p>	Satisfactory

6 State Environmental Planning Policy No. 64 – Advertising and Signage

Summary comment	Complies
<p>The aim of this SEPP is to improve the amenity of urban and natural settings by managing the impact of outdoor advertising. The policy responds to growing concerns from the community, the advertising industry and local government that existing controls and guidelines were not effective.</p> <p>Building identification signage, directional signage and 2 x 12 m high pylon signs are proposed at main vehicular entrances to Railway Terrace and the Southern Access Road (Jacqui Avenue) as shown on the Proposed Signage Plans provided at attachment 5. The proposed signage which is visible from the public domain is as follows:</p> <p>West (Railway Terrace) elevation:</p> <ul style="list-style-type: none"> internally illuminated wall mounted building identification sign 12 m double sided, illuminated and digital pylon sign to Railway Terrace vehicular entrance. <p>South elevation:</p> <ul style="list-style-type: none"> 12 m double sided, illuminated and digital pylon sign to vehicular entrance internally illuminated wall mounted business identification sign internally illuminated wall mounted business identification sign addressing the corner. <p>East elevation:</p> <ul style="list-style-type: none"> internal illuminated wall mounted business identification sign addressing the corner. 	Yes

Summary comment	Complies
<p>West (carpark) elevation of Coles building:</p> <ul style="list-style-type: none"> building identification sign mounted above the main entry to the building. <p>Internal carpark (opposite Coles building):</p> <ul style="list-style-type: none"> Staging panel sign with internally illuminated letters. <p>The signage is defined as a business identification sign as it indicates the name of the business carried out on the premises where the signage is displayed. Part 2 of the SEPP applies to signage generally and states:</p> <p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</p> <ul style="list-style-type: none"> (a) that the signage is consistent with the objectives of this Policy as set out in Clause 3(1)(a), and (b) that the signage the subject of the application satisfied the assessment criteria specified in Schedule 1. <p>The signage complies with the objectives and Schedule 1.</p>	

7 State Environmental Planning Policy No. 55 – Remediation of Land

Summary comment	Complies
<p>SEPP 55 aims to 'provide a State-wide planning approach to the remediation of contaminated land'. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.</p> <p>The application is accompanied by a Detailed Site Investigation report, prepared by Geo-Logix Pty Ltd, dated 17 November 2017. The report included a recommendation requiring a Remediation Action Plan to be prepared and submitted to Council for approval to ensure the remediated site has been made suitable for the proposed use and will pose no unacceptable risk to human health or to the environment as all areas contaminated / potentially contaminated must be remediated.</p> <p>Our Environmental Health Officer is satisfied with the recommendations of this report, and required the approved Remediation Action Plan to be carried out. Upon completion of remediation an appropriately qualified environmental consultant must prepare a validation report in accordance with:</p> <ul style="list-style-type: none"> NSW Environment Protection Authority's "Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites" (2011). NSW Environment Protection Authority's Contaminated Sites Sampling Design Guidelines (1995). National Environment Protection Council "National Environment Protection (Assessment of Site Contamination) Measure" (2011). Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (1992). NSW Environment Protection Authority's "Contaminated Sites: Guidelines for NSW Site Auditor Scheme" (2006). <p>A NSW Environment Protection Authority accredited Site Auditor is to review the validation report(s) and submit to Council a Site Audit Statement. The Site Audit Statement shall verify that the investigation, remediation and validation were carried out in accordance with the above guidelines and that the site is suitable for the proposed use.</p>	<p>Satisfactory, subject to conditions of consent.</p>

8 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Summary comment

We have assessed the DA against the relevant provisions and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

8.1 General development standards

Part 1, Preliminary	Complies
Section 2, Aims of the Policy	
<ul style="list-style-type: none"> a) to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre. b) to enable the Minister from time to time to designate land in growth centres as ready for release for development c) to provide for comprehensive planning for growth centres d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity e) to provide controls for the sustainability of land in growth centres that has conservation value f) to provide for the orderly and economic provision of infrastructure in and to growth centres g) to provide development controls in order to protect the health of the waterways in growth centres h) to protect and enhance land with natural and cultural heritage value i) to provide land use and development controls that will contribute to the conservation of biodiversity. 	<p>No. The proposal is not considered to be consistent with aims d) and f).</p> <p>Conditions of consent have been provided in the draft consent to ensure compliance.</p>

Controls within Appendix 4 – Alex Avenue and Riverstone Precinct Plan 2010

1.2 Aims of Precinct Plan	<ul style="list-style-type: none"> (a) to make development controls for land in the Alex Avenue and Riverstone Precincts within the North West Growth Centre that will ensure the creation of quality environments and good design outcomes (b) to protect and enhance the environmentally sensitive and natural areas and the cultural heritage of those Precincts (c) to provide for recreational opportunities within those Precincts (d) to provide for multifunctional and innovative development in those Precincts that encourages employment and economic growth (e) to promote housing choice and affordability in those Precincts (f) to provide for the sustainable development of those Precincts (g) to promote pedestrian and vehicle connectivity with adjoining Precincts and localities and within the Alex Avenue and Riverstone Precincts (h) to provide transport infrastructure to meet the needs of the community (i) to provide for the orderly development of the Riverstone Scheduled Lands. 	<p>No. The proposal is not considered to be consistent with aims (d), (g) and (h).</p> <p>The proposal fails to provide appropriate pedestrian and road access in line with the Indicative Layout Plan. This lack of access does not provide development which supports employment and</p>
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Part 1, Preliminary		Complies
		economic growth.
Objectives of the Zone B2 Local Centre	<ul style="list-style-type: none"> • To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • To provide for residential development that contributes to the vitality of the local centre. • To ensure that residential development within the centre does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses. • To facilitate active retail, commercial, entertainment and community facility uses at ground level of mixed use developments. • To encourage development which will contribute to the economic growth of, and creation of employment opportunities within, the City of Blacktown. 	<p>No. The proposal is not considered to be consistent with the objectives of the B2 Local Centre zone.</p> <p>Conditions of consent have been provided in the draft consent to ensure that appropriate connections are provided to support the Local Centre.</p>
Objectives of the Zone R3 Medium Density Residential	<ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To support the well being of the community, by enabling educational, recreational, community, and other activities where compatible with the amenity of a medium density residential environment. 	<p>Yes. The southern portion of the site is zoned R3 and is identified in the Indicative Layout Plan as providing road access. Subject to requiring this to be a public road, the proposal is capable of being consistent with these objectives.</p>
Part 6 Additional local provisions		
6.1 Public utility infrastructure	<p>The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.</p> <p>(2) In this clause, public utility infrastructure includes infrastructure for any of the following:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p>	<p>Yes, subject to conditions of consent requiring the applicant to construct and dedicate to Council the new public roads (Railway Terrace, Jacqui Avenue and Minerva Street) and ensuring that appropriate</p>

Part 1, Preliminary		Complies
		access is provided to the electrical substation as required by the relevant energy provider.

9 Blacktown City Council Growth Centre Precincts Development Control Plan 2018 (Growth Centre DCP)

Summary comment

We have assessed the DA against the relevant provisions and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under the Blacktown City Council Growth Centre Precincts Development Control Plan 2018 (Growth Centre DCP).

As permitted by section 4.22 (5) of the Act, detailed consideration with regard to the Growth Centres SEPP will be undertaken under the separate detailed DAs for Stage 2 works.

9.1 Part 2.0 Precinct planning outcomes (from main body of DCP)

DCP requirement		Proposal	Complies
2.2 Indicative Layout Plan	DA is to be generally in accordance with Indicative Layout Plan	The proposal fails to provide the new ILP road along the southern boundary of the site (Jacqui Avenue) and along the eastern side of the site (Minerva Street). The proposal fails to provide a functional road network which is capable of servicing connections to the surrounding roads as well as pedestrians, cars and buses. The proposal does not enable the road network to be completed in a coordinated manner.	No. Conditions of consent have been provided in the draft consent to ensure that the Applicant constructs new public roads and dedicates them to Council consistent with the ILP.
2.3 Subdivision site analysis	The following clauses must be addressed:		
2.3.1 Flooding and water cycle management	DA is to manage the flow of stormwater and minimise the potential of flooding impacts on development.	The application fails to demonstrate that the flow of stormwater is appropriately managed in the form of providing temporary and permanent water quality measures and providing drainage connections.	Capable of being satisfied subject to conditions of consent.
2.3.6 Site contamination	All subdivision DAs to be accompanied by a Stage 1 Preliminary Site Investigation.	As discussed above, remediation works are capable of being undertaken to make the site	Yes, subject to conditions of consent.

DCP requirement		Proposal	Complies
	Where required a Stage 2 investigation is to be carried out.	suitable for the proposed use.	

9.2 Part 3.0 – Neighbourhood and Subdivision Design (from main body of DCP)

DCP requirement		Proposal	Complies
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3.1 Residential Density and Subdivision

3.1.2 Block and lot layout

Subdivision layout is to create a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and site features, place making opportunities and solar design principles.	The proposal fails to provide public streets which are legible and permeable.	Capable of being satisfied subject to conditions of consent.
Pedestrian connectivity is to be maximised within and between each residential neighbourhood with a particular focus on pedestrian routes connecting to public open space, bus stops and railway stations, educational establishments and community / recreation facilities.	The proposal fails to provide pedestrian connectivity to the surrounding neighbourhood. Pedestrian routes are not provided which connect to bus stops and Schofields Railway Station.	Capable of being satisfied subject to conditions of consent.

3.4 Movement Network

3.4.1 Street layout and design

The design of streets is to be consistent with the relevant typical designs in Figure 3-10 to Figure 3-15 and Council's <i>Engineering Guide for Development</i> .	Jacqui Avenue is to be consistent with Figure 3-14 Medium-high density local road. However, the carriageway is to be widened to 13 m as required by RMS (refer to section 7.4 of the Assessment Report for further details). Therefore, the total road reserve is to have a width of 20 m.	Capable of being satisfied subject to conditions of consent.
Roads in the relevant Precinct are to be constructed in accordance with the hierarchy shown on the 'Precinct road hierarchy' figure in the relevant Precinct Schedule.	This is not achieved for Railway Terrace (24.9 m) and Jacqui Avenue (20 m - also refer to section 7.4 of the Assessment Report which states that Jacqui Avenue is to have a minimum width of 20 m to enable bus access).	Capable of being satisfied subject to conditions of consent.
The locations and alignments of all roads are to be generally in accordance with the locations shown on the 'Precinct road hierarchy' figure in the relevant Precinct Schedule.	The proposal provides access roads which isolate access to and from the shopping centre. The proposed private roads fail to provide a connection to the surrounding future road network, including Jacqui Avenue to the south and Minerva Street to the east.	Capable of being satisfied subject to conditions of consent.

DCP requirement	Proposal	Complies
<p>Where any variation to the residential street network indicated at the 'Precinct Road Hierarchy' figure, is proposed, the alternative street network is to be designed to:</p> <ul style="list-style-type: none"> • create a permeable network that is based on a modified grid system • encourage walking and cycling and minimise travel distances • maximise connectivity between residential areas and community facilities, open space and centres • take account of topography and site drainage, and accommodate significant vegetation • optimise solar access opportunities for dwellings • provide frontage to and maximise surveillance of open space and drainage lands • provide views and vistas to landscape features and visual connections to nodal points and centres • maximise the effectiveness of water sensitive urban design measures (WSUD) • minimise the use of cul-de-sacs. However, if required, they are to be designed in accordance with Council's Engineering Guidelines. 	<p>A significant variation to the street network is proposed which will significantly impact on the delivery of the Precinct Road Hierarchy.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Achieved for dwellings nearby.</p> <p>Achieved.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Cul-de-sac provided at the eastern part of the site to enable vehicles to manoeuvre where they incorrectly access the eastern part of the site.</p>	<p>Capable of being satisfied subject to conditions of consent.</p>
<p>Variation to the residential street network as permitted under the above control will only be approved by Council where the applicant can demonstrate to Council's satisfaction that the proposal:</p> <ul style="list-style-type: none"> • will not detrimentally impact on access to adjoining properties • provides for the management of stormwater to drain to Council's trunk drainage network, without negative impacts on other properties • will not impede the orderly development of adjoining properties in accordance with the relevant Precinct Plan and this Development Control Plan • does not restrict the ability to provide water, sewer, electricity and other essential services to adjoining properties. 	<p>No residential street network is proposed, only private roads which is unacceptable.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Not achieved.</p> <p>Not achieved.</p>	<p>Capable of being satisfied subject to conditions of consent.</p>
<p>For changes to the proposed road system which Council considers minor, Council will write to affected property owners and consider any comments of those persons before determining the application.</p>	<p>Surrounding property owners and occupiers were notified. The adjoining site to the south, 239 Railway Terrace, objected raising concern with regard to how the infrastructure is being funded and provided for the further orderly development of the area.</p>	<p>Not satisfied.</p>

9.3 Schedule 1 – Alex Avenue Precinct

Precinct Planning Vision

The vision for the Alex Avenue Precinct is that a range of housing types will be developed to meet the needs of a diverse community, supported by local services, infrastructure, facilities and employment, in an environmentally sustainable manner.

The Local Centre will be the main focus of activity and daily life for the Precinct, providing for community interaction and delivering services and facilities to meet the needs of all residents.

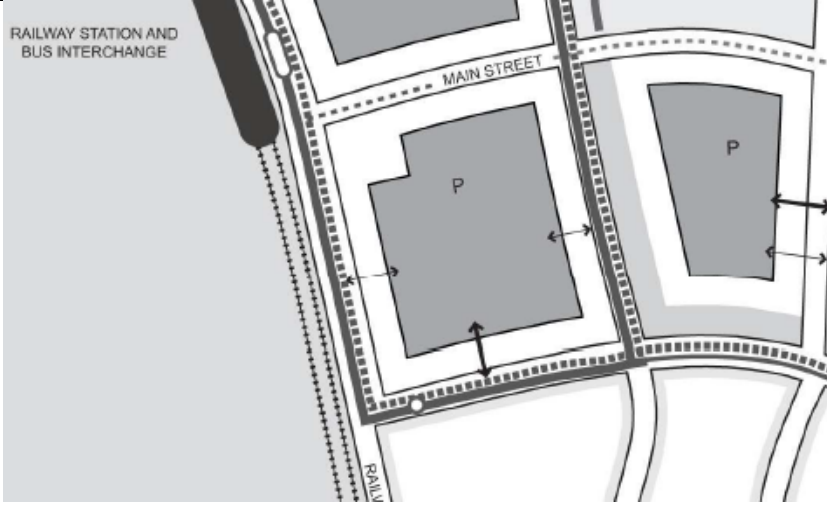
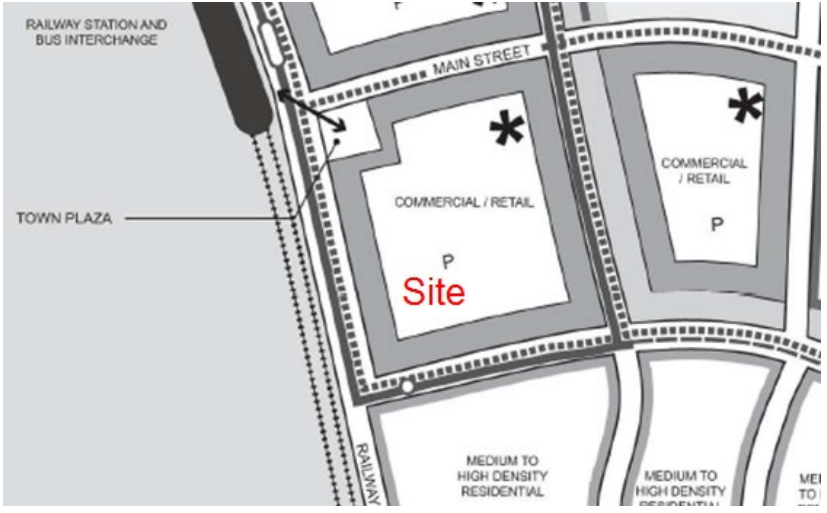
The Precinct will be an integral part of the Blacktown local government area and the North West Growth Centre. It will be linked to surrounding suburbs and to major regional destinations such as Rouse Hill Regional Centre and Blacktown City Centre.

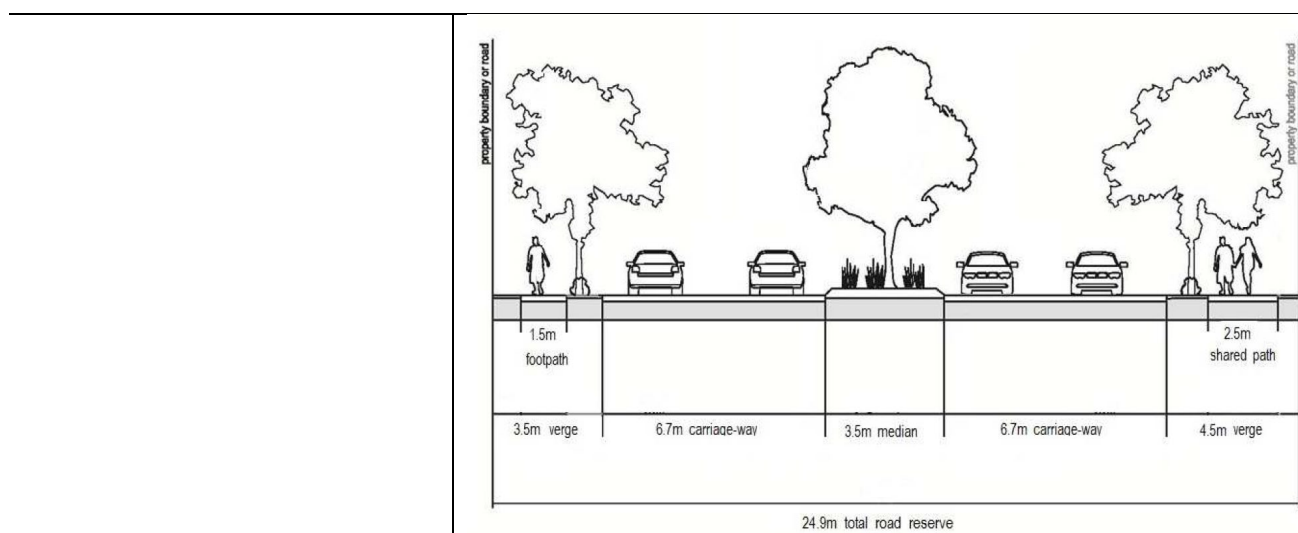
Comment

The proposal fails to provide a local centre which is linked to the surrounding road network and provides access for the use of all residents. It provides an isolated development outcome which fails to support community interaction and is not supported by public road access and infrastructure.

Conditions of consent are required to be imposed requiring these matters to be met.

Control	Comment
Figure 2.1 – Precinct Indicative Layout Plan	<p>The proposal will not deliver the roads in the Indicative Layout Plan and so fails to provide a new road network consistent with the strategic rezoning of the Precinct.</p> <p>Conditions of consent have been provided in the draft consent requiring the Applicant to construct the new public roads in line with the Indicative Layout Plan and dedicate the new public roads to Council for public use.</p>
Figure 2.4 - Areas of potential salinity and soil aggressivity risk	<p>The site is identified as lower salinity risk.</p> <p>The recommendations of the salinity assessment reports have been included as conditions in the draft consent.</p>
Figure 2.8 Precinct road hierarchy	<p>The proposal fails to satisfy the requirements of the Precinct road hierarchy. Conditions of consent have been included in the draft consent requiring the new public roads to be delivered by the Applicant consistent with this Precinct road hierarchy. In addition, Jacqui Avenue is to be widened to a 13 m carriageway as required by RMS (refer to Section 7 of the Assessment Report for further details). Therefore, the total road reserve is to have a width of 20 m to enable bus access).</p>
Figure 3-2: Traffic circulation and parking within the centre	<p>The proposed vehicular access points are generally consistent with this figure. However, suitable access via the eastern part of the site (Minerva Street) is not provided, as discussed at Section 7.8 of the Assessment Report.</p> <p>The Applicant proposes to provide private access driveways until such time as Council acquires the land and builds permanent roads. As a result, access will not be available to pedestrians, cyclists and vehicles, and access to the development's waste collection and loading areas will not be available.</p> <p>We have provided conditions of consent in the draft consent requiring the Applicant to construct and dedicate new public roads which are consistent with this figure and the ILP, including providing roads which are capable of accommodating local and regional bus routes.</p>

	
<p>Figure 3-3: Desired future layout of the Local Centre</p> <p>A copy of this figure is provided at attachment 1.</p>	<p>The subject site does not encompass the entirety of the Local Centre, as shown in attachment 1. The proposed development fails to provide an area and configuration that is suited to this form of development. Our preference is that the Local Centre and associated Town Plaza are designed and constructed in a holistic manner which ensures a high quality development outcome is achieved and delivers benefits to the local community. However, the Applicant has the right to seek approval to reasonably development their land.</p> <p>Therefore, we support this proposal, subject to conditions of consent being included in the draft consent requiring the Applicant to construct and dedicate new public roads which are consistent with this figure, including providing roads which are capable of accommodating local and regional bus routes.</p> 
<p>Figure 3-7: Town centre road (north-south Railway Terrace)</p>	<p>The Applicant is also required to widen and upgrade the eastern side of Railway Terrace along the frontage of their site. Railway Terrace is to have a total road reserve width of 24.9 m and 2 travel lanes travelling in each direction. The additional road widening is to be dedicated free of cost to Council and be available for public use.</p>



3.2 Development principles

The following principles establish the desired character of the Local Centre. Figure 3-3 above illustrates the desired future layout of the Local Centre.

3.2.1 Function and land use mix

2. A range of retail, commercial, entertainment, recreation and community uses is encouraged to serve the needs of the wider community and promote an active and vibrant Local Centre.
3. Mixed use developments containing residential uses on upper floors are located in the centre to take advantage of access to transport and services, and to increase levels of activity within the centre.
4. Employment opportunities are maximised within the Local Centre.
9. The needs of health and aged care providers, facilities for young people, civic and emergency services are met within the Local Centre.

The proposal does not adequately meet the needs of a diverse community or support that community with local services and infrastructure, nor as part of the Local Centre of the Alex Avenue Precinct can it be the main focus of activity and daily life for the Precinct. This is because the proposal does not provide appropriate access to service the needs of the locality and is not designed to provide links which relate well to its immediate context, deliver infrastructure and meet the needs of the local community.

3.2.3 Public Domain

1. The streetscape will create a high amenity pedestrian environment through solar access, shade and shelter, good natural light, landscaping and footpath design, and management of vehicular traffic.

The application does not exhibit a high amenity pedestrian environment and does not satisfy the requirements of Clause 3.2.3. The required 'high amenity' for footpath design and management of vehicular traffic is not achieved in the vicinity of the intersections of Railway Terrace, Jacqui Avenue and Minerva Street. The proposal to provide temporary roads, which may be upgraded and purchased by Council in the future, means that pedestrian access to the affected roads and the railway station will be disrupted. Proper access to the site should be delivered as a priority and available for use by pedestrians in and around the proposed site in a permanent and safe manner. The temporary roads do not provide a high amenity pedestrian environment.

2. Parks and plazas are a focal point for the Local Centre and community activities and are designed to ensure adaptability and flexibility in use and function

A minor portion of the Town Plaza is within the Applicant's site, as shown in attachment 4. This area will be embellished by landscaping, paving, seats and chairs for the use of the adjoining shop only. Although the delivery of the overall Town Plaza is preferred to support

over time.	the growth of the community, the Applicant is not required to deliver it as the majority of the Town Plaza is not in their ownership.
4. A plaza is located adjacent to the Railway Station on the main street, and forms an entry and meeting point for visitors to the centre.	The proposal provides an access pathway and some embellishment for the minor portion of the Town Plaza that is in the Applicant's ownership.
5. High standards of design and landscaping promote the character and attractiveness of the Local Centre and create a sense of ownership and pride for businesses and residents.	The proposal comprises a standard, but not superior, level of design and landscaping.
6. Activities that activate the streets, the park and plaza draw people to the centre not only to shop, but for entertainment and recreation, such as markets, concerts and outdoor community events	The proposal includes an outdoor child playground that will assist with creating an active space.
3.2.4 Built Form	
5. Main and secondary streets are 20 - 25 m wide to enable a clear relationship between retail uses.	Conditions of consent are included in the draft consent to ensure that minimum street widths are provided, including 20 m for Jacqui Avenue as a public road.
7. A high quality built form and energy efficient architectural design promotes a 'sense of place' and contemporary character for the Local Centre.	The proposal offers a mix of retail specialty shops. Subject to conditions of consent included in the draft consent requiring full public road access to be provided to the site, the proposal is capable of providing retail services to the local community.
3.2.5 Transport	
<p>1. The Centre is pedestrian and public transport orientated with walking and cycling taking priority over vehicles.</p> <p>2. Rail transport is integrated with other transport modes through an efficient interchange.</p> <p>3. The rail-bus interchange has direct pedestrian access to the main street and retail core.</p> <p>4. The railway station is an "anchor" attracting people to the centre and encouraging pedestrian movement and circulation within the centre.</p> <p>5. The safety and security of the station is enhanced by integrating the station Precinct with the Local Centre and encouraging land uses that promote activity and surveillance around the station.</p> <p>6. The street layout allows easy access to and within the Local Centre while allowing for regional traffic to by-pass the centre.</p>	<p>The proposal does not encourage walking or cycling to the railway station because it does not provide pedestrian pathways which connect to the future surrounding road network. This lack of connection creates a barrier and pedestrian access is constrained or restricted.</p> <p>The proposal does not provide road infrastructure to support the efficient interchange between rail transport, local bus routes and regional bus routes, including along Railway Terrace, Jacqui Avenue and Minerva Street as illustrated in Figure 3-2 above. Furthermore, the site does not provide 'sustainable transport' because the bus stop located east of the Jacqui Avenue driveway is not provided and capable of being serviced, until the Applicant's private roads are made available as dedicated permanent roads with a minimum carriageway of 13 m.</p>

Comment

The application does not meet the needs of the future growth of the area. The locality is experiencing substantial residential redevelopment and is already serviced by a new railway station. This proposal for a second major supermarket (the first being Woolworths to the north of the Local Centre) is a key indicator that demand for the full construction of permanent public roads has already been reached. The construction of new local roads, in accordance with the requirements of Schedule 1 of the Growth Centres DCP, is essential to support the delivery of development in the Precinct in a sustainable and connected manner.

The deferral of the construction of future permanent public roads proposed by the Applicant in this application will obstruct the orderly operation of the development. The amended application proposes to begin operation of the shopping centre with access provided via private driveways; then require Council as the Respondent to purchase land under the eastern and southern access driveways and to construct them as permanent public roads. Until then, the Applicant proposes only 1 access driveway via Railway Terrace into the development, no loading bay to the shopping centre and no loading access to the McDonald's site via Jacqui Avenue. This is inadequate to cater for the operational needs of the development which necessitates 15 deliveries per day to the shopping centre and daily deliveries to McDonald's.

10 Blacktown Development Control Plan 2015

We have assessed the application against the relevant provisions of the Blacktown DCP 2015 and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under the DCP.

Part J Water Sensitive Urban Design and Integrated Water Cycle Management

The proposal fails to provide temporary and permanent water quality measures in line with Part J Water Sensitive Urban Design (WSUD) and Integrated Water Cycle Management of the DCP and Council's WSUD standard drawings. This has been included in conditions of the draft consent.

Part G Site Waste Management and Minimisation

The subdivision proposal omits 'Public Streets' which is contrary to the requirements of Schedule 1 of the Growth Centres DCP. Instead, private driveways are provided until such time as the roads are closed and reformed as permanent roads. During this time access will not be available to pedestrians, cyclists and vehicles, and access to the development's waste collection and loading area will not be available.

To enable delivery trucks to service the waste collection needs of the McDonald's site in proposed Lot 7, the application also relies on truck turning paths which obstruct both the ingress and egress access lanes to the carpark via the road along the southern boundary (Jacqui Avenue). This creates an unsafe arrangement for vehicles and pedestrians and demonstrates that the proposed temporary roads are inadequate.

Therefore, the proposal fails to provide a suitable access to waste storage and collection areas. Conditions of consent are included in the draft consent to ensure that clear and unobstructed access is available to the loading areas for waste collection vehicles at all times.

11 Central City District Plan 2018

Summary comment	Complies
<p>Although the Act does not require consideration of District Plans in the assessment of DAs, we have assessed the DA in light of the overarching planning priorities of the Central City District Plan. The proposal fails to satisfy the following overarching planning priorities:</p> <p>Liveability</p> <ul style="list-style-type: none">• Improving access to jobs and services• Creating great places• Contributing to the provision of services to meet communities' changing needs. <p>As a result, we require the proposal to be amended to be more responsive to these planning priorities.</p>	<p>Yes, subject to conditions of consent.</p>