

**Planning Report**

**Amendment to Area 20 Precinct**

***State Environmental Planning Policy (Sydney Regional Growth Centres) 2006***

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# 1. Introduction

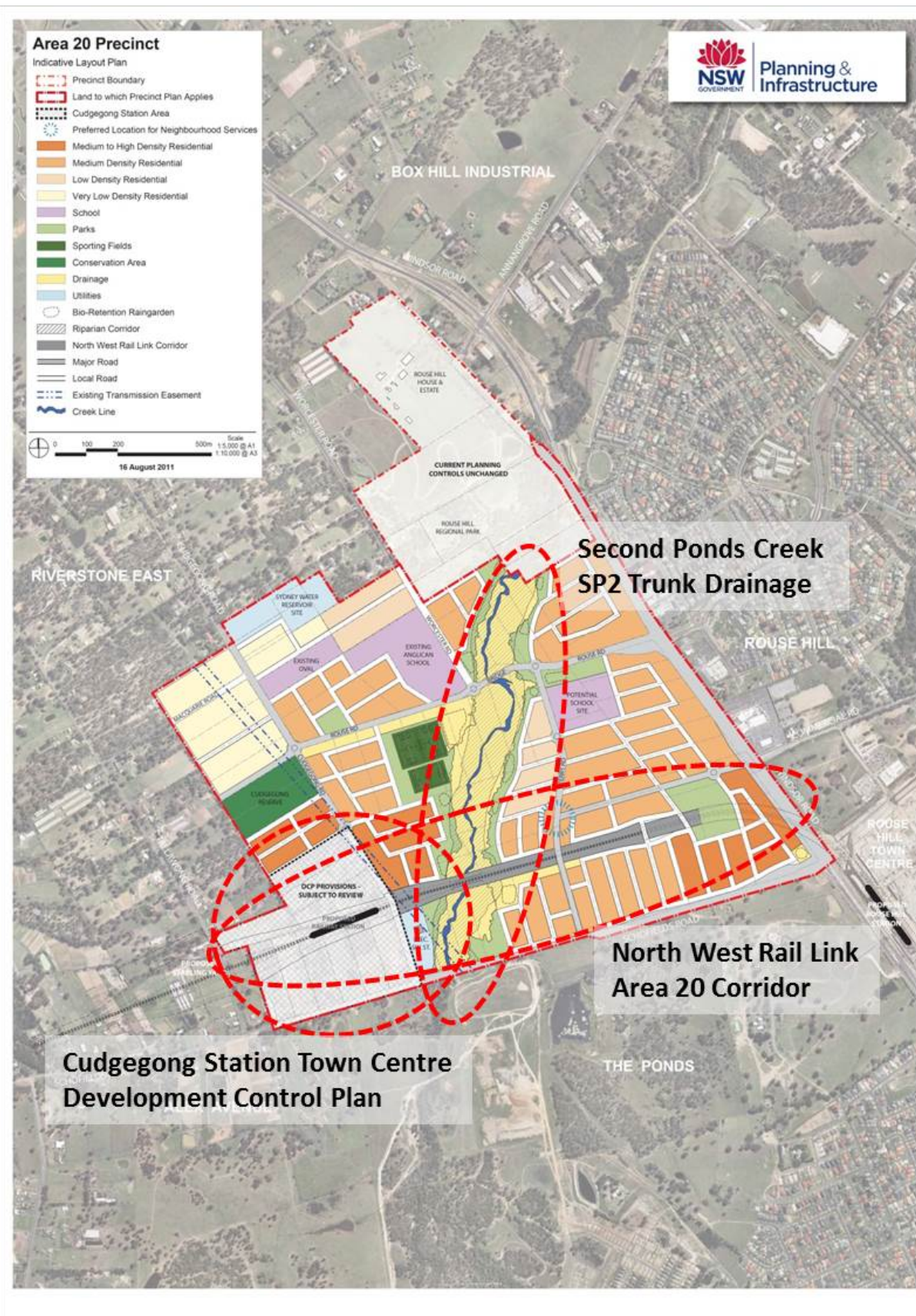
Amendments to State Environmental Planning Policy (Sydney Regional Growth Centres) 2006) ("Growth Centres SEPP") are necessary to address two changes that have occurred since the Area 20 Precinct Plan was finalised in October 2011:

- Finalisation of the corridor and alignment for the North West Rail Link (NWRL) through Area 20 and the design of the Cudgegong Road Station and Town Centre; and
- A Government decision in July 2013 to remove Sydney Water as the responsible acquisition authority for trunk drainage land throughout the Rouse Hill Development Area, including some land in Area 20.

Additional related amendments are proposed to support longer-term development outcomes, and the principles of Transit Oriented Development, through increases in maximum building height within, and surrounding, the Town Centre. Due to changes in the location of the NWRL stabling facility further west in the adjacent Riverstone East Precinct, the rezoning of light industrial land in the Area 20 Precinct is considered appropriate and further reinforces the Town Centre and the principles of Transit Oriented Development.

Minor supporting amendments are also required to the Area 20 Precinct Plan (Appendix 6 of the Growth Centres SEPP). The introduction of Town Centre Development Controls contained within the associated Development Control Plan will clarify the intended development outcomes and intentions for the Town Centre.

The land to which this amendment applies is in the Area 20 Precinct. (See Map A – Subject Site: Area 20 Precinct – Project Areas below).



## 2. Background

### 2.1 Existing Area 20 Precinct Plan

The Area 20 Precinct Plan was published on 21 October 2011. The Area 20 Precinct is approximately 245 hectares (which includes parts of the Rouse Hill Regional Park) and is located in the Blacktown Local Government Area, in the North West Growth Centre.

When the Area 20 Precinct Plan was finalised, a preliminary corridor had been identified for the NWRL, based on a tunnel construction under Windsor Road. At that stage the NWRL design, including the rail alignment and design of Cudgegong Road Station, was not sufficiently developed for detailed planning controls to be defined. While the Precinct Plan zoned the corridor, station and adjoining lands, the potential for further design changes was recognised by the deferral of controls for the Town Centre in the Blacktown Growth Centres Precincts DCP.

The Precinct Plan included infrastructure zoning and identification of Sydney Water as the acquisition authority for a trunk drainage corridor along Second Ponds Creek. The planning controls were adopted with the agreement of Sydney Water consistent with the agreed acquisition responsibilities for the Rouse Hill Development Area at the time. The Government decision in July 2013 to remove Sydney Water's remaining acquisition liabilities in the Rouse Hill Development Area means that the controls for this land under the Growth Centres SEPP must be amended (refer to Section 2.3 of this report).

**Table 1** summarises the amount of land in each zone in the Precinct Plan as gazetted in 2011.

**Table 1: Comparison of land use zones in current and proposed Area 20 Precinct Plan**

Land Use / Zone	Gazetted Areas (hectares)	Proposed Areas (hectares)
Total residential (R2 Low Density, R3 Medium Density)	118.2	103.62
Local Centre (B2; part Town Centre)	1.9	3.10
Mixed Use (B4; part Town Centre)	2.2	9.36
Light Industrial (IN1)	6.3	Deleted
Public open space (RE1)	16.2	25.71
Trunk drainage land (SP2)	16.3	14.69



## 2.2 North West Rail Link and Cudgegong Station Precinct

Proposed amendments to the Growth Centres SEPP and DCP to address design changes for the NWRL and the Cudgegong Station Town Centre reflect the final design concepts and alignment of the North West Rail Link (NWRL). Confirmation of the rail alignment and the design of the Cudgegong Road Station mean that controls for land adjoining the corridor and in the proposed town centre can now be finalised. The rail alignment has changed as a result of the Windsor Road crossing now being elevated (previously the design included a rail tunnel under Windsor Road) and changes to the horizontal alignment of the rail line that have arisen from more detailed design. Transport for NSW (TfNSW) has also now confirmed key elements of the station design including the locations of platforms, pedestrian access arrangements, access roads and car parks.

UrbanGrowth NSW is working with TfNSW to facilitate urban transformation adjacent to Cudgegong Station, and other stations along the NWRL. UrbanGrowth NSW's primary role is in relation to the planning for Government owned land that was acquired as part of the NWRL project. Cudgegong Station is an ideal location to deliver a mix of higher density housing, a new shopping centre, local jobs and community facilities to take advantage of direct access to public transport. The DP&E has worked closely with UrbanGrowth and TfNSW to prepare the necessary amendments to the Growth Centres SEPP and Development Control Plan.

The North West Rail Link Corridor Strategy was finalised in September 2013. The Strategy introduces transit oriented development principles for the NWRL. The Corridor Strategy includes Structure Plans for each of the eight station precincts, including Cudgegong Station, to deliver housing and employment growth with good access to public transport, thereby encouraging jobs and services closer to homes, livable communities and improve housing diversity.

The Corridor Strategy identifies a public transport catchment that takes in all of the Area 20 Precinct, and a part of the Riverstone East Precinct, up to Guntawong Road. Population projections provided in the Corridor Strategy of 3,500 dwellings within this area are exceeded by the proposed Area 20 Precinct Plan amendments. Nearly half of the Corridor Strategy's housing projections are comprised of low residential density dwellings, with the remaining balance evenly split between medium and high residential densities. The draft Area 20 Precinct Plan provides potential for a greater proportion of medium and high residential densities surrounding Cudgegong Station, located within and surrounding the Town Centre, in both residential and business zones.

The draft Area 20 Precinct Plan is consistent with the Corridor Strategy in the following ways:

- potential for medium residential densities identified in locations with good access to rail transport infrastructure;
- a mixture of medium density residential types, including townhouses and apartments, up to 26 metres to achieve 8 storey mixed-use and residential development;



- provision for a mix of uses and facilities within the Cudgegong Town Centre; and
- provision for residential flat buildings within the B2 Local Centre zone.

## **2.3 Rouse Hill Development Area Trunk Drainage Land**

Amendments are proposed to the zoning of land along Second Ponds Creek, that is currently zoned SP2 Trunk Drainage. The original planning for the Area 20 Precinct relied on Sydney Water as the designated acquisition authority for flood prone land within the Rouse Hill Development Area (which includes the Area 20 Precinct). Consistent with the rest of the Rouse Hill Development Area, Sydney Water was identified as the acquisition authority for trunk drainage zoned land, which included all land within the 100 year flood extent.

In July 2013 the NSW Government's considered options to reduce the cost to Government associated with greenfield development activities. As a result, the Government decided to remove Sydney Water as the acquisition authority for flood prone land within the Rouse Hill Development Area. Sydney Water wrote to all land owners affected by this change in August 2013. Since then, DP&E has been working with Sydney Water and Council to determine alternative land zoning and other planning controls for this land. Further details are provided in Section 4.5 of this report.

## **3. Residential Development Projections**

The layout of the gazetted Area 20 Precinct was based on the Department's general practice of locating high density residential areas around railway stations and retail or local centres. The most recent review of the Area 20 Precinct has proposed amendments that will increase the area of residential development close to the town centre and train station. The increase is also partly attributable to the replacement of zoned industrial land with B4 Mixed Use and R3 Medium Density Residential zones.

The proposed SEPP amendment enables an overall increase in dwelling density within close proximity to the Cudgegong Station and Local Centre through the introduction of zone R3 Medium Density Residential land. In addition to an overall increase in residentially zoned land, the approach taken to forecast dwelling yields for the Precinct has taken into consideration dwellings within mixed use development and opportunities for residential flat buildings to occur as an integral component of the Precinct's dwelling mix. This has resulted in an increased projection for both dwellings and population in Area 20.

When the Area 20 Precinct Plan was finalised in 2011, the Department estimated a minimum yield of 2,500 dwellings and a population of approximately 6,400 for the Precinct. The proposed amendments surrounding Cudgegong Station provide support for an overall dwelling yield for the Area 20 Precinct of around 4,400 dwellings and a population of around 11,250.

The dwelling estimate has increased because it includes:

- Allowance for dwellings within mixed use developments in the B2 and B4 zones;
- Dwellings on land that has been rezoned from light industrial to medium density residential, south of the Cudgegong Road Station;
- Assumed dwelling densities that, on average, are five dwellings per hectare higher than the minimum residential densities defined on the Residential Density Map.

The additional five dwellings per hectare is based on recent evidence of demand for higher density housing in western Sydney growth areas. The height and floor space controls permit densities that in most cases would be higher again than the assumed densities. While it is difficult to predict the actual demand for different dwelling types and the overall density of development that will actually occur, it is reasonable to assume that on average densities will be higher than the minimum required by the controls. Council and the Department will continue to monitor development activity and the associated demand for infrastructure that will result from development.

The increased dwelling yield estimate requires adjustment of the amount of local open space to meet the needs of the new community. The gazetted Precinct Plan includes 16.2 hectares of open space. 31.9 hectares of open space will be needed to meet the needs of the approximate 4,400 dwellings and 11,250 people. The Department and Council have agreed that one football field should be provided for every 1,850 people. Passive open space should be provided within 400 metres of most homes, and be a minimum of 0.5 hectares in size. Creek corridors should also be utilised as passive open space and, where appropriate, to provide off-road pedestrian and cycle connections.

**Table 2** illustrates the assumptions used to forecast dwellings for the Area 20 Precinct and associated land use requirements.

**Table 2: Open space requirements**

<b>Land Use</b>	<b>Current</b>	<b>Proposed</b>
Dwelling estimate	2,500	4,400
Open space	16.24 ha	22ha
Sports fields	3 single	6 single
SP2 Trunk Drainage	10.5ha	0ha

The existing Precinct Plan includes three sports fields and these are retained with the proposed amendments. Three single sports fields are planned to be provided nearby within the Riverstone East Precinct to cater for the additional demand from the Area 20 Precinct. The location of those fields will be shown on the draft Riverstone East Precinct Plan. Land that is currently zoned SP2 Trunk Drainage along Second Ponds Creek is proposed to be zoned RE1 Public Recreation and SP2 Local Drainage. The land that is to be zoned Public Recreation will, along with other amendments to local open space, deliver the additional passive open space required to meet the needs of the increased population.

## 4. Proposed SEPP Amendment Maps

The zoning controls and the principal development standards for the Area 20 Precinct are included in the relevant maps in the Growth Centres SEPP. To achieve the proposed amendments to the Area 20 Precinct to accommodate the final NWRL alignment and town centre land use, along with the removal of the Sydney Water acquisition liability for trunk drainage, seven existing maps of the Growth Centres SEPP are to be amended, one existing SEPP map is to be deleted and one new SEPP map is to be created, as follows:

### 4.1 Land Zoning Map

The current zoning of land in Area 20 Precinct is shown at **Figure 4-1**. It is proposed to amend several zone boundaries in response to the detailed planning and development controls prepared for the Cudgegong Station Town Centre, the confirmed NWRL alignment and the removal of Sydney Water as the acquisition authority for trunk drainage land in the Rouse Hill Development Area. The proposed zoning is at **Figure 4-2**.

The SP2 Trunk Drainage zone is to be removed because Sydney Water is no longer responsible for acquiring this land. Land currently zoned Trunk Drainage is proposed to be zoned partly SP2 Local Drainage and partly RE1 Public Recreation.

Riparian corridor extents along Second Ponds Creek have also been amended to comply with the Office of Water Guidelines for Riparian Corridors (2012). As a result, the SP2 Local Drainage zone will apply to a revised Riparian Protection Area corridor that includes the creek channel and land extending 30 metres from the top of each bank. The riparian corridor width has been reduced by 10 metres on either side of the creek in most locations.

An area of RE1 Public Recreation, located in the south-east of the precinct is proposed to be amended in response to changes to the NWRL alignment. The original proposal for the NWRL included a tunnel under Windsor Road with the rail line coming back to above ground west of Windsor Road. An area of open space was to be located surrounding the tunnel exit. The revised design for the NWRL includes an elevated “skytrain” and a viaduct crossing Windsor Road into the Area 20 Precinct. The track will be supported by viaduct over Windsor Road, then earth embankments and cuttings as it passes through the Area 20 Precinct. A bridge will cross Second Ponds Creek. Changes to the design mean that the open space that was proposed around the tunnel portal is proposed to be amended to be located only north of the rail line. A small park is also proposed to provide access to open space for residents south of the rail line.

The existing Area 20 ILP and zone map included an area of Light Industrial land on the southern side of the NWRL in the vicinity of the Cudgegong Station Town Centre. The light industrial zoning was primarily required to address noise impacts from the Rapid Transit Rail Facility (stabling yard) that is proposed to the west. More recent design and noise modelling has resulted in changes to the area of noise affected land around the stabling facility, meaning that this land can be zoned for other purposes. This land is proposed to be

rezoned to part B4 Mixed Use and part R3 Medium Density Residential zoned which will support the Town Centre.

Additional changes to the SP2 Railway zone are proposed in response to the acquisition of the land being concluded and the detailed design and alignment of the NWRL corridor being resolved.

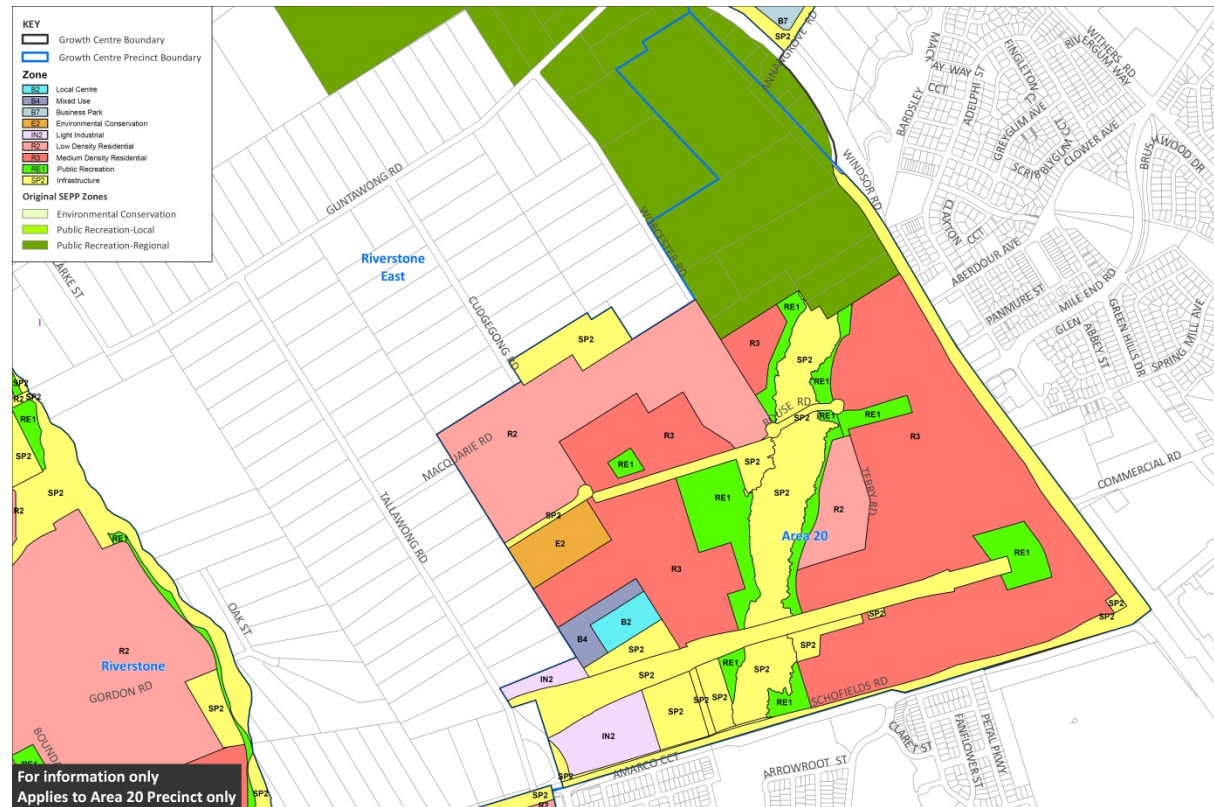


Figure 4-1: Existing Land Zoning Map

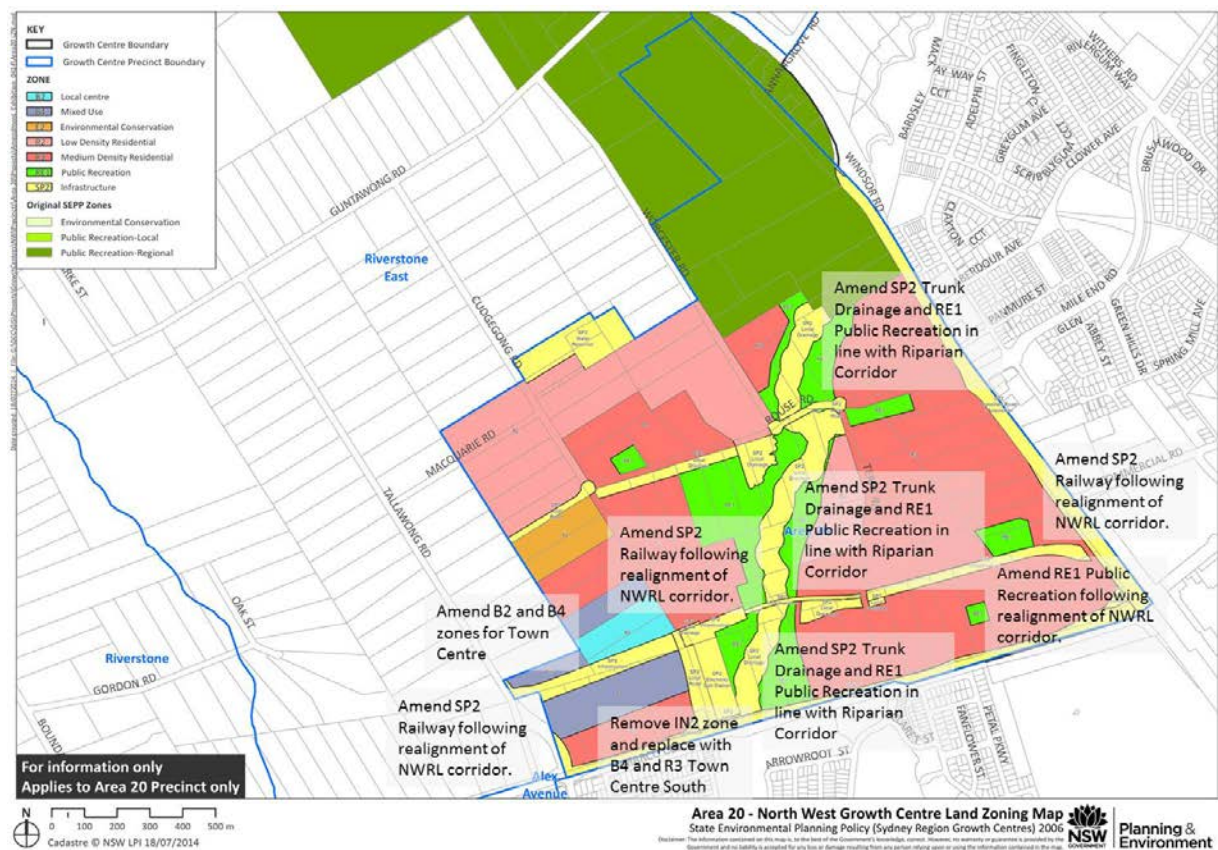


Figure 4-2: Proposed Land Zoning Map

## 4.2 Residential Density Map

The current residential density map is at **Figure 4-3** and the proposed residential density map is at **Figure 4-4**. The Residential Density Map is to be amended to apply the 45 dwellings per hectare minimum residential density control to the proposed R3 Medium Density Residential zoned land to the south of the railway, adjacent to the Town Centre. This location is suited to higher density housing as it is very close to the train station and town centre.



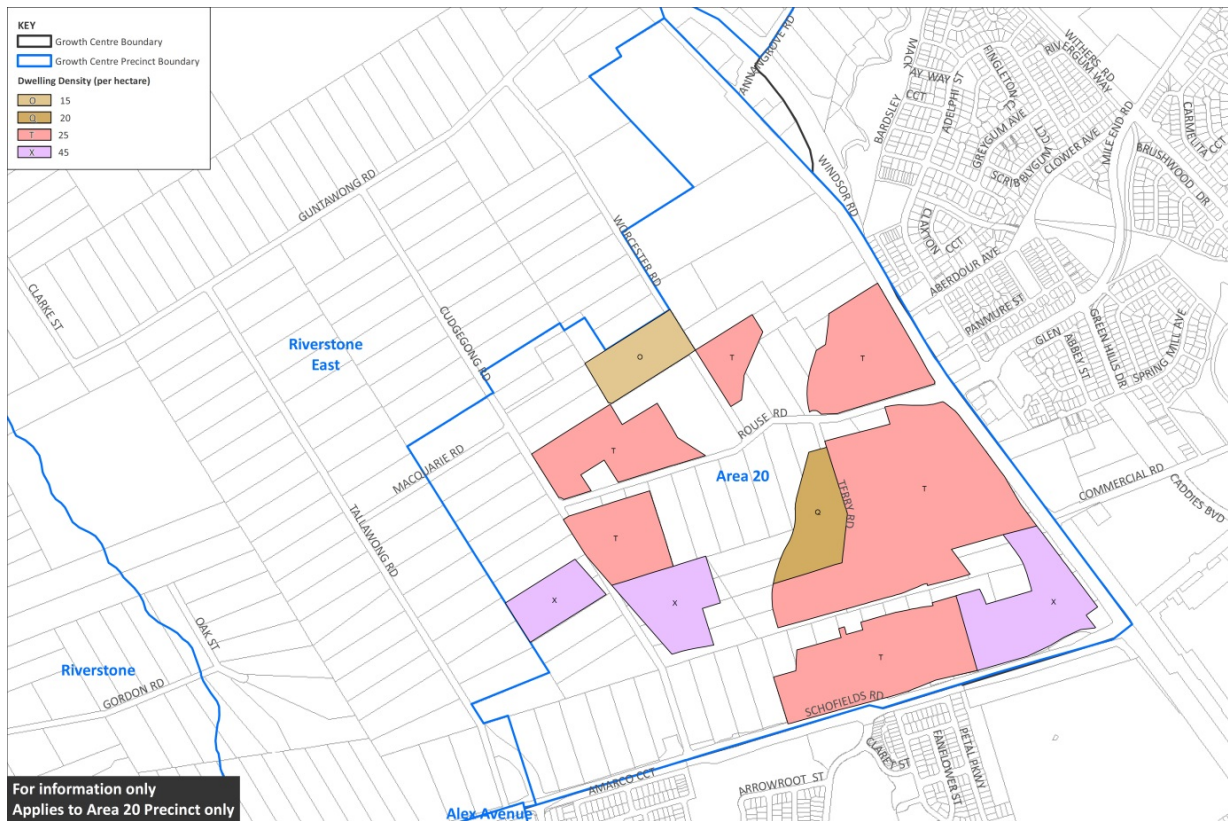


Figure 4-3: Existing Residential Density Map



Figure 4-4: Proposed Residential Density Map

### 4.3 Height of Buildings Map

The current Height of Buildings Map is at **Figure 4-5** and the proposed amendments are at **Figure 4-6**. Maximum building heights are proposed to be increased from 16-18 metres to 26 metres within the Cudgegong Station town centre. This will permit buildings of up to eight storeys within the town centre, enabling mixed use retail, commercial and residential development within the centre and adjacent to the train station.

The maximum building height is proposed to increase from 12 metres to 16 metres (approximately 5 storeys) in an area of residential zoned land north of the rail line and east of Cudgegong Road. This land is within close walking distance of the proposed station and is adjacent to the Second Ponds Creek open space corridor and proposed sports fields.

All proposed changes to building height controls are intended to enable diversity of built form and housing types and to achieve densities that are appropriate near the new Cudgegong Road Station. The Department doesn't anticipate that all development in these areas will achieve the maximum building heights allowed by the proposed controls. Market analysis indicates there will be a mix of dwelling types in the medium density areas that is likely to include apartments, townhouses/terraces, and small lot houses. The maximum height controls have been set to ensure that apartment development can occur on a scale that is commercially viable should there be a market preference for this type of housing.



Figure 4-5: Existing Height of Buildings Map



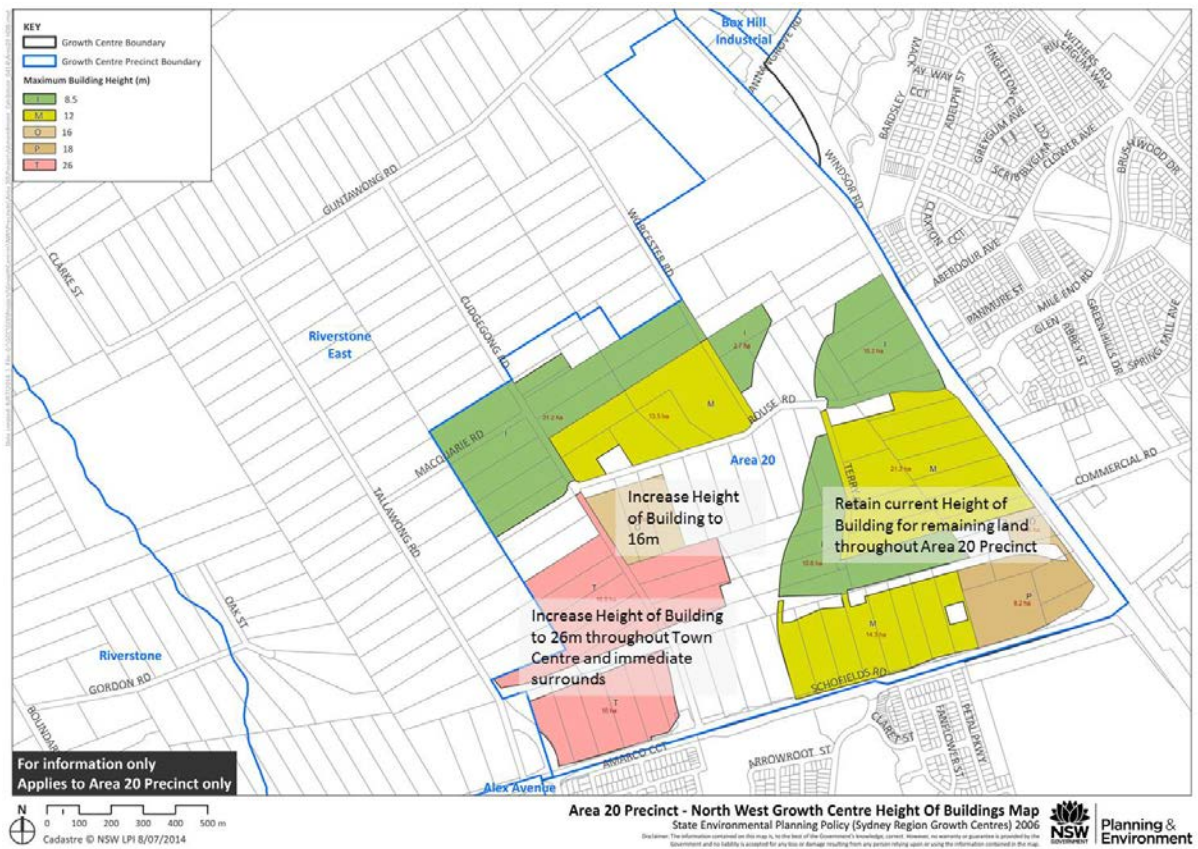


Figure 4-6: Proposed Height of Buildings Map

## 4.4 Floor Space Ratio Map

The existing Floor Space Ratio (FSR) Map (**Figure 4-7**) identifies a maximum FSR of 1.75:1 for land zoned R3 Medium Density Residential. It is proposed to apply the same floor space ratio to the land proposed to be zoned B4 Mixed use and R3 Medium Density Residential on the southern side of the Town Centre and NWRL, west of Cudgegong Road (see **Figure 4-8**).



Figure 4-7: Existing Floor Space Ratio Map

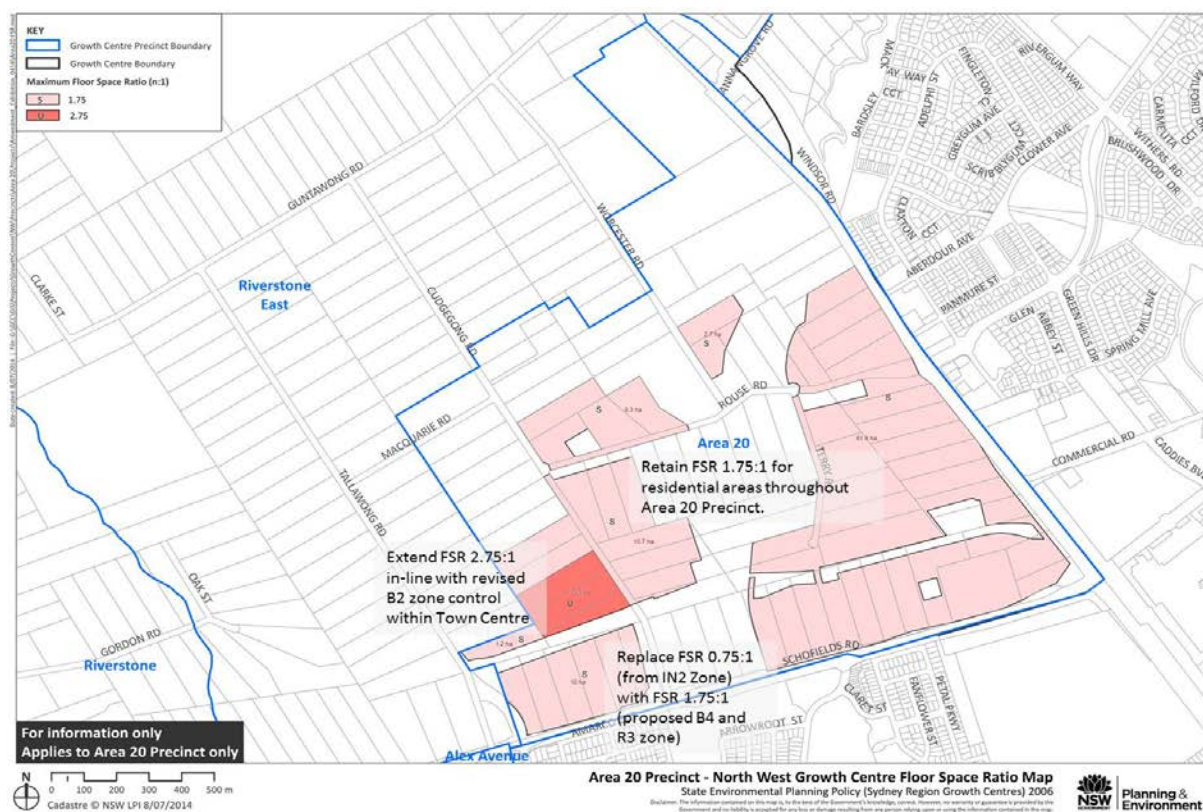


Figure 4-8: Proposed Floor Space Ratio Map

## 4.5 Land Reservation Acquisition Map

The existing Land Reservation Acquisition Map (**Figure 4-9**) identifies the area defined by the 1% ARI flood extent along Second Ponds Creek as being Trunk Drainage, to be acquired by Sydney Water Corporation. This area is now to be acquired by Blacktown City Council as a combination of SP2 Local Drainage and RE1 Public Recreation. Sydney Water is no longer responsible for acquisition of trunk drainage land throughout the Rouse Hill Development Area unless it is required for capital drainage works. The proposed changes to the Land Reservation Acquisition Map are shown on **Figure 4-10**.

The Local Drainage corridor proposed to be acquired is based on the Second Ponds Creek stream classification (Strahler 3rd Order) and associated riparian corridor. Residual land that is affected by flooding and other constraints is to be acquired as Public Recreation land and will contribute to local open space and an off-road pedestrian and cycle connection between Cudgong Station and the Rouse Hill Regional Park.

Other amendments to the Land Reservation Acquisition Map have been made to reflect changes to the NWRL alignment and associated changes to local open space and drainage land.

Areas of proposed public open space north and south of the Cudgong Road Station are identified for acquisition. These parks are not identified as RE1 Public Recreation on the



Land Zoning Map. These proposed parks are also identified in the DCP, and will be included in Council's section 94 Contributions Plan. They are not zoned, to enable the final location and design of the parks to be determined as development plans for this land are prepared. The size and dimensions of the parks are set out in the DCP and Council retains the option to acquire the land as shown on the acquisition map should future development proposals not result in an adequate open space outcome.

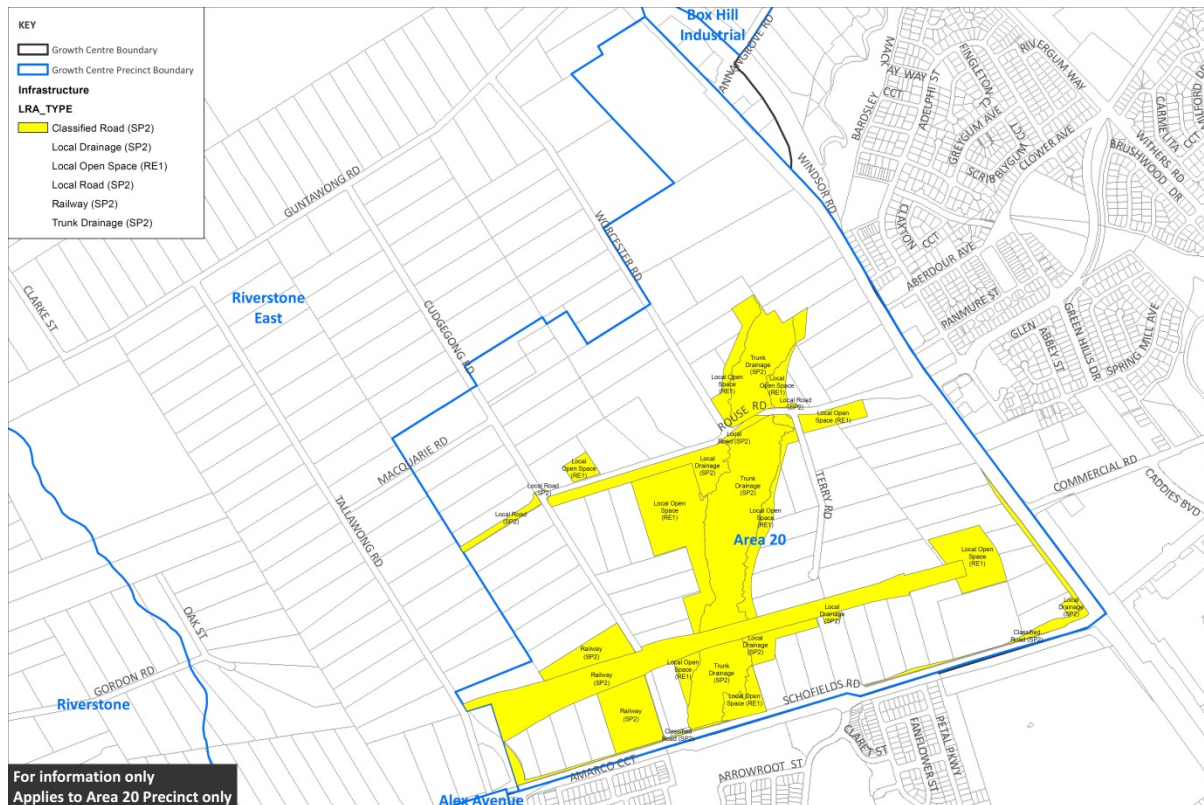


Figure 4-9: Existing Land Reservation Acquisition Map

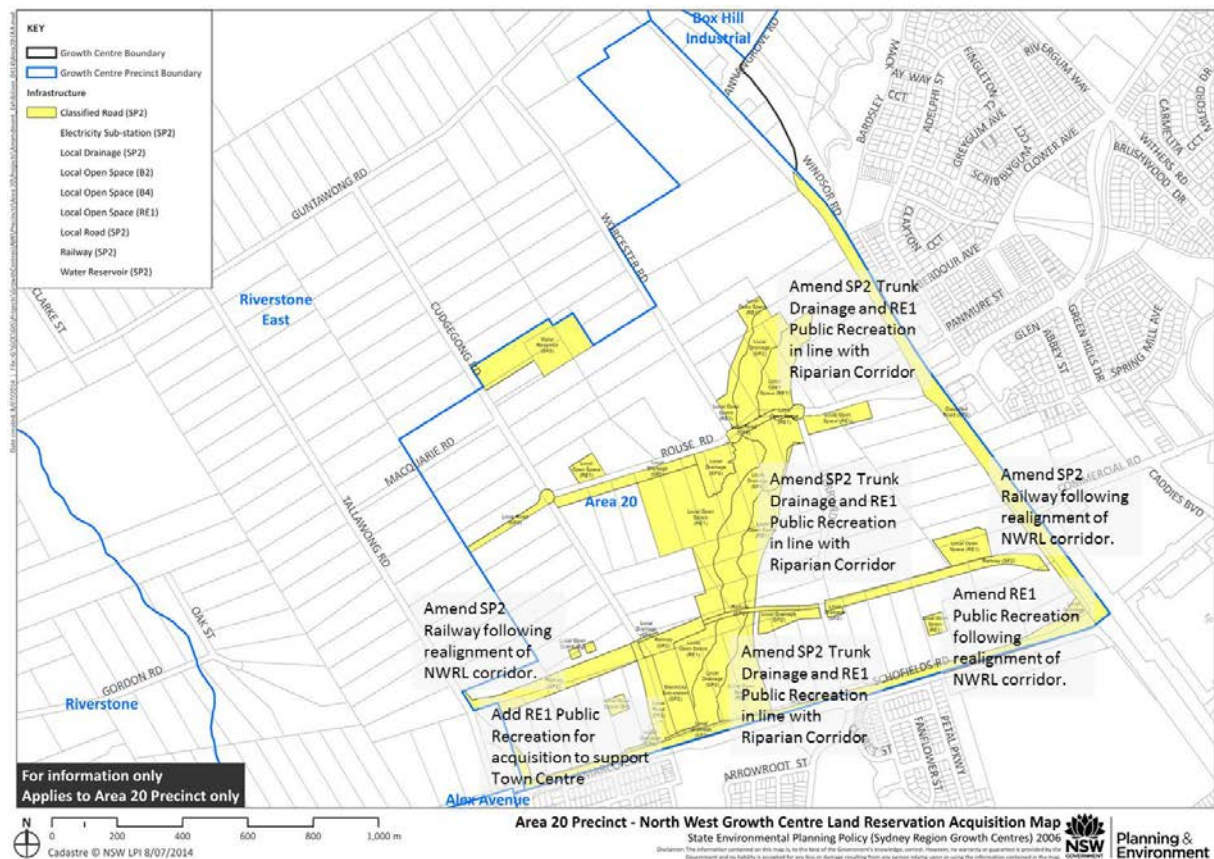
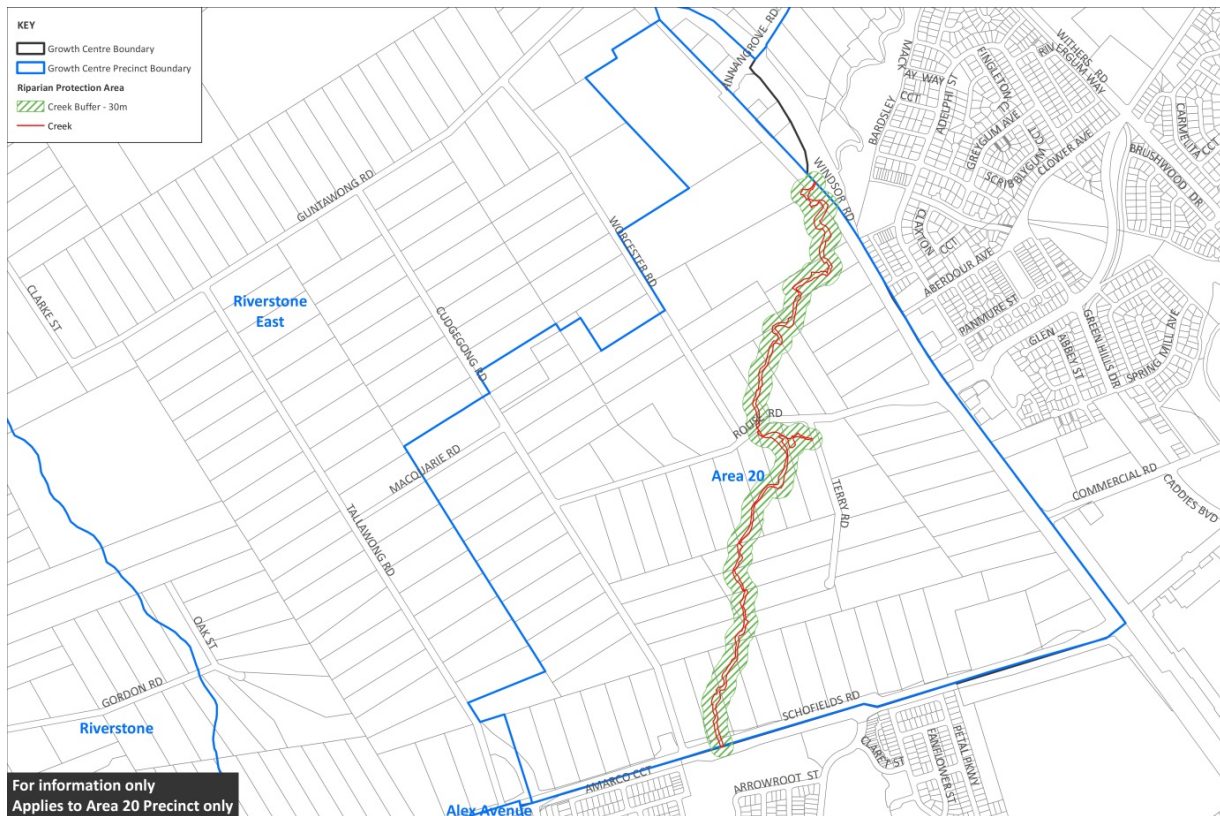


Figure 4-10: Proposed Land Reservation Acquisition Map

## 4.6 Riparian Protection Area Map

A Riparian Protection Area has been mapped along Second Ponds Creek using the Strahler Stream Order system. Currently there is no riparian protection area shown on the Riparian Protection Area Map for Area 20. The amendment proposes inclusion of a Riparian Protection Area, as shown on **Figure 4-11**.



## 4.7 Lot Size Map

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The existing Lot Size Map (at **Figure 4-12**) identifies a minimum lot size of 2,000 square metres for some areas of low density residential development and 1,000 square metres for areas zoned IN2 – Light Industrial. The minimum lot size requirement for the Light Industrial zone is proposed to be removed as the zoning of this land is changing to residential and mixed use (see **Figure 4-13**).

DP&E is aware of landowners' requests to reduce the minimum lot size for residential land in the north west of the Precinct to 1000 square metres. The 2000 square metre minimum lot size requirement applying to this land has been retained, as it is the subject of further investigations in relation to the visual curtilage of Rouse Hill House pending ongoing investigations being undertaken for nearby land in Riverstone East.

Should the Riverstone East investigations indicate suitability for a revised Minimum Lot Size within the Area 20 Precinct the changes may be made following exhibition. No changes are presently proposed in this amendment to these lots. (See Map 7A: Proposed Lot Size Map below).





Figure 4-12: Existing Lot Size Map



Figure 4-13: Proposed Lot Size Map



## 4.8 Special Areas Map

The existing Special Areas Map identifies the Cudgong Station Area and the Growth Centres SEPP Part 6 Additional local provisions (6.5 Development in special area – Cudgong Station Area) support the map. The identification of the Special Area, and the relevant clause, are no longer required since the necessary planning and development controls and supporting Development Control Plan have been prepared.

## 4.9 Active Street Frontages Map

An Active Street Frontages Map is proposed to be introduced for the Area 20 Precinct (see **Figure 4-14**). The Active Street Frontages Map defines locations where active (retail/commercial) frontages are to be located while enabling opportunities for non-active uses, such as the residential components of mixed use development and residential flat development, to be located away from the primary retail and commercial street frontages. A clause supporting the map and these outcomes is proposed to be added to the Growth Centres SEPP for the Area 20 Precinct.



Figure 4-14: Proposed Active Street Frontages Map

## **5. Indicative Layout Plan and Development Control Plan**

The proposed SEPP amendments also require amendments to the Area 20 Precinct Indicative Layout Plan (ILP) to ensure consistency.

Schedule 4: Section 4 of the Blacktown City Council Growth Centres Development Control Plan (DCP) is also proposed to be amended to incorporate the necessary supporting development controls for the Town Centre.

## **6. Next Steps**

Following exhibition the Department will consider any submissions on the draft Precinct Plan. If necessary to address any issues from submissions, amendments will be made to the plans. The final plans will then be submitted to the Minister for Planning with a recommendation to make the proposed amendments. The amendments to the DCP will be subject to a similar process, however, these amendments can be approved by the Secretary of the Department. Once the amendments to the Growth Centres SEPP and DCP are approved, they will come into force and the Department will advise any affected land owners when the new controls apply.