



Department of Planning and Environment
Level 5, 10 Valentine Avenue
Parramatta NSW 2150

Attn: Paul Robilliard

15 January 2015

Re: Submission to change to Planning Controls in Area 20 Precinct

Dear Paul,

I refer to the recent exhibition of proposed changes to Planning Controls affecting the Area 20 precinct, to facilitate development around Cudgegong Road station. SJB Planning has prepared this submission on behalf of UrbanGrowth NSW.

UrbanGrowth NSW continues to be supportive of the process, which has involved extensive liaison with both UrbanGrowth NSW and Blacktown City Council.

As you are aware, UrbanGrowth NSW's principal concerns are to ensure the efficient development of the station precinct and ensure that there is flexibility to respond to market, but also ensure appropriate densities and land use mix are provided in close proximity to the station.

The current changes to the planning framework have the potential to deliver this. We have prepared the attached submission that to some degree would require minor amendments to the exhibited documentation. Our comments respond to the SEPP amendments and DCP amendments separately.

Generally we are supportive of the amendments as proposed and essentially require some additional provisions that reinforce the current approach taken to the controls.

Should you wish to discuss this letter, please do not hesitate to contact me on (02) 9380 9911 or by email at amccabe@sjb.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Amelale'.

Alison McCabe
Director

CC Lisa Danker – UrbanGrowth NSW

A. Comments on SEPP Amendments

1.0 Overview

The amendments outlined in the Explanation of Intended Effect are supported by UrbanGrowth NSW, specifically the new provisions at Schedule 1. The existing range of uses in Appendix 6 – Area 20 Precinct Plan under the relative zones are appropriate. The following sections address particular additional clauses that in our opinion are required to reinforce the provisions as drafted.

2.0 Active Street Frontage

The draft SEPP amendments introduce an active shop front map, which is referred in Schedule 1 in respect of use of land for a Residential Flat Building in the B2 Local Centre zone. It is our view that the criteria relating to active street frontages needs to apply to all uses in the B2 Local Centre and B4 Mixed Use zones, not just to the location of RFB.

To this end, it is recommended that the active street frontage clause from the model local provisions to Standard Template LEP be adopted.

The purpose of this clause would be to reinforce the activation of the street and ensure a vibrant pedestrian environment. It would also assist in minimising the opportunities of supermarket creating blank walls to the street.

The following is a suggested clause:

Active street frontage

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B2 to Local Centre and Zone B4 Mixed Use.*
- (2) This clause applies to land identified as 'Active street frontage' on the Active Street Frontages map.*
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.*
- (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:*
 - (a) entrances and lobbies (including as part of mixed use development),*
 - (b) access for fire services,*
 - (c) vehicle access.*
- (5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purpose of business premises or retail premises.*

3.0 Development near zone boundaries – clause 5.3

An additional clause needs to be added to accommodate potential change in location of infrastructure – specifically local drainage. This is specifically in response to the triangular parcel of land on zoned as SP2 Local Infrastructure on the corner of Cudgegong Road and Schofields Road. It is understood that this parcel of land has dimensions greater than 30 metres.

If a new solution to drainage was proposed and the land no longer required, it would require rezoning as clause 5.3(c) only allows 30 metre variations between zones. To this end, the following needs to be inserted in clause 5.3 after 5.3(2)(c).

- (c) In case of a boundary between land zoned SP2 Infrastructure and land zoned R3 Medium Density Residential - 60 metres.*

The clause could not be satisfied unless a different drainage solution was proposed.

B. Comments on DCP Amendment -Schedule 4

1.0 Overview

The nature of the proposed amendments is consistent with establishing a truly mixed use centre around the Station Precinct through the mix of B2 Local Centre / B4 Mixed Use and R3 Medium Density Residential zones.

The location of infrastructure and open space requirements are shown on the ILP as well as through acquisition clauses in the SEPP Appendix 6. The local park located south of the station is not however zoned, but is shown on the acquisition map. This approach provides an appropriate level of flexibility that can respond to potential alternate scenarios should they arise for the location of this space.

The following comments relate to specific additional provisions that in our opinion are required to facilitate and reinforce the strategic objective and vision for the area.

2.0 Update of Figures

The following figures need to be amended to reflect that the DCP now applies to Cudgegong Station Precinct area:

- Figure 1-1 – Land Application maps
- Figure 3-1 – Precinct Road Hierarchy
- Figure 3.2 – Public Transport Network
- Figure 3.3 – Pedestrian and Cycle Network
- Figure 3.4 – Additional Public and Landscape provision

3.0 Amendments Part 4 Cudgegong Local Centre Development Controls

The following are a range of suggested refinements to support the vision for the centre.

(i) General Structure

- Clauses 4.1.1 to 4.2.3 should be structured as objectives and controls in the same way that the remainder of the document has been structured. Figures should be referenced in words to give them some weight in consideration of DA's.

(ii) Clause 4.1 Development Principle

- Figure 4.1 Precinct Centre needs to be referenced
- Clause 4.1 (b) needs to refer to the B4 Mixed Use Zone

(iii) Clause 4.12 Design Layout

- Point 2 should nominate preferred location as per figure 4.3.
- Point 3 should reference the core of the local centre being zoned as B2 Local Centre – this establishes a hierarchy.

(iv) Clause 4.13 Public Domain

- Point 5 should identify the opportunities to locate the park in an alternate location if specific criteria are met.

(v) Clause 4.2.3 Village Park

- This clause should provide an alternate location subject to meeting specific criteria.

4.0 Additional Controls

4.1 Restriction on size of retail premises

The following additional control is suggested to reinforce the hierarchy of land use in the B2 Local Centres zone as the main area for retail or shop premises and reinforces the preferred location of a supermarket on the northern side of the station.

In clause 4.1.1 Function & Land Use Mix, the following provision should be added after point 6:

Retail Premises shall be a maximum of 300m² for any single premises in the B4 Mixed Use Zone to ensure the distribution of retail use is concentrated in the local centre.

4.2 Active Street Frontage

The following additional control is suggested to reinforce the intention of active street frontages and avoid a proliferation of internalised arcades.

In clause 4.1.2 Design Layout, the following provision should be added:

“To achieve an active street frontage, proposed commercial developments must:

- (i) Provide direct pedestrian access to the street; and*
- (ii) Provide a minimum of 70% of the street frontage designed to be visually permeable.”*