

Our Ref:CC170018

21 June 2017

Department of Planning & Environment

Re: Submission on the Statutory Amendments to the North West Land Use and Infrastructure Implementation Plan

We act on behalf of Westclaire Developments Pty Ltd in relation to land located at 256 Garfield Road East, Riverstone 2765. The real property description is Lot 7 in DP229296 and Lots 2 & 3 in DP229291.

The subject land is located in the Riverstone East Precinct of the North West Growth Centre. The specific planning controls for the Riverstone East precinct are set out in the Blacktown Growth Centres Precinct Plan, which comprises Appendix 12 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The site is zoned R2 Low Density Residential under the SEPP. The table below provides a comparison of the current and proposed development standards.

| Development Control | Current Development Standard | Proposed Development Standard |
|--|---------------------------------|------------------------------------|
| Residential Density | Minimum of 15 dwellings hectare | Min. 15 – Max 25 dwellings/hectare |
| Minimum Lot Size | 500 m ² | 500 m ² |
| Minimum lot size for certain residential development (Clause4.1AB) | | |
| Dwelling House | 300 m ² | |
| Dual Occupancy | 500 m ² | 600 m ² |
| Semi-detached Dwelling | 200 m ² | 200 m ² |
| Attached Dwelling | 1,500 m ² | 1500 m ² |
| Multi Dwelling Housing | 1,500 m ² | 1500 m ² |
| Manor Home | N/A | 600 m ² |
| Residential Flat Building | N/A | |

Westclaire Developments Pty Ltd have held lengthy discussions with Blacktown City Council in finalising a development application for a thirty-five (35) lot subdivision that satisfies the development standards contained in State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and Blacktown City Council's Growth Centre Precincts Development Control Plan.

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The proposed subdivision comprises allotments ranging in size from 500m² to 554m² and includes four nominated dual occupancy allotments to provide a minimum residential density of 15.86 dwellings per hectare. All allotments have been pre-purchased off the plan.

The implications of the proposed increase in the minimum lot size from 500m² to 600m² for dual occupancy development are considered to be unreasonable for the following reasons:

- Westclaire Developments Pty Ltd have held extensive discussions with Blacktown City Council in preparing an application for subdivision based upon the relevant development standards;
- The proposed subdivision will be unable to meet the minimum residential density requirement of 15 dwellings per hectare because dual occupancy development cannot be undertaken on any of the proposed allotments, which are all less than 600m² in area. Compliance could only be achieved through a complete redesign of the subdivision layout.
- Any redesign of the subdivision layout could compromise the feasibility of the proposed development as each pre-purchase sale is brought into question.
- While the subdivision could potentially still be approved in its current form, the value of each allotment has been significantly diminished as future dual occupancy development will not be feasible.

In the Riverstone East Precinct the minimum lot size for all land in the R2 zone is 300m², with the exception of 256 Garfield Road East and the adjoining land to the southwest. Our client's concern is that the Department of Planning and Environment has proposed this variation in the development standard without any justification. Consequently, we wish to draw the Department's attention to the following:

1. The Explanation of Intended Effect does not provide any explanation for this exception.

Page 12 of the Explanation of Intended Effect states that the only exception to the minimum subdivision size of 300m² in the R2 zone in the Blacktown Precincts "is a small area of R2 Low Density Residential zoned land in the Marsden Park Precinct which has a minimum lot size of 600m² that will remain to preserve the integrity of an adjacent heritage item".

This is clearly an error as Lot 7 in DP229296 and Lots 2 & 3 in DP229291 are also an exception to the minimum subdivision size of 300m².

2. Following on from Point 1 above, the mapping accompanying the Explanation of Intended Effect does not depict any land in the Marsden Park Precinct with a 600m² minimum lot size. There is land shown in the Marsden Park Precinct with a minimum lot size of 6,000m², which would appear to be an error based on its R2 zoning and density of 11 dwellings per hectare.

This would appear to be either a mapping or typographical error.

3. In Appendix 3 to the Explanation of Intended Effect, all of the comparison tables state that in the Blacktown Precincts, Appendix 12 currently only applies to the Marsden Park precinct.

This is an error, as at the time of exhibition, Appendix 12 applies to land within the Marsden Park Precinct, the Riverstone East Precinct and the West Schofields (Townson Road) Precinct.

There is the concern that that the exhibition documents could potentially be perceived as being misleading due to the errors and omissions outlined above.

Consequently, Westclaire Developments Pty Ltd requests a dialogue with the Department of Planning and Environment to address the matters raised in this submission.

Should there be any questions regarding this request please do not hesitate to contact me on 4325 5255.

Yours faithfully

Lisa Wrightson | Senior Planner
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