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Director Land Release
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

19th October 2018

Attention: Mr Philip Pleffer

By Email: Philip.Pleffer@planning.nsw.gov.au

Dear Sir,

Draft Exhibited Marsden Park North – Submission in response

We are writing in relation to the draft masterplan documents exhibited for the Marsden Park North precinct. Our client, Anglican Church Property Trust Diocese of Sydney (“the Church”) owns No 49-51 Excelsior Avenue property which is located at the southern end of the precinct. Refer Location map at **Figure 1** below;



Figure 1: Site Location map

The site is legally described as Lot 9 DP 1225975 (formerly known as Lot 9 Section L in DP 193074) and has a total area of approximately 10,926m². The site is located on the northern side of Excelsior Avenue and is surrounded by rural residential allotments. Diagonally to the SE is No 58 (Baiada chicken hatchery). Refer to **Figure 2** below and Photos 1-4 overleaf;



Figure 2: Six maps aerial Photo



Photo 1 – View north toward subject site from Excelsior Ave showing dwelling in south east corner of the site.



Photo 2 – View north toward subject site from Excelsior Ave showing dwelling in south west corner of the site.



Photo 3 – View north from behind dwellings on subject site towards rear boundary showing scattered trees and shed.



Photo 4 – View south west from centre of subject site towards western boundary with 41 Excelsior Ave showing 'swampy' dam area and adjacent dirt mound along western boundary.

Planning Context

An application for a Place of Public Worship (Anglican Church) to be built in two stages was lodged with Blacktown Council on 22nd February 2018 (SPP/18/00005). As the CIV is in excess of \$5million, the consent authority is the Sydney Central City Planning Panel. Determination of the DA is currently pending.

Further, as the CIV value exceeded \$500,000 the DA the DA was referred to Department of Planning and Environment for comment pursuant to Clause 17 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The application has since been amended to address tree retention, civil design and setback issues.

Review of site in context of Draft SEPP (Sydney Region Growth Centres)2006 and supporting studies

The proposed Growth Centres SEPP amendments will, when published, make amendments to Appendix 12 and associated maps of the SEPP to introduce new planning controls for the precinct. Key points noted in the Draft SEPP/ DCP amendments and supporting studies in respect of the church site are;

- The site is zoned SP2 Place of Public Worship and part SP2 Local Road in the exhibited Draft Land Zoning map. The proposed zonings are consistent with the Church's current development application for a place of public worship to be constructed in two stages.
- The site is not covered by the SEPP density, height or floor space ratio maps.
- The site is not identified as a heritage item under the SEPP heritage map

- The northern part of the Church site is identified as having a strip of land zoned SP2 Local Road on the SEPP Land Reservation Acquisition map. The strip of land appears consistent with Blacktown Council request under the current DA for a 9m setback to allow for future road acquisition. This setback has been accommodated in the revised design submitted to BCC on 10th September 2018. Refer map extract at **Figure 3** below;



Figure 3 : Extract SEPP Land Reservation Acquisition map and Extract revised DA Site plan (Sept 2018)

- Excelsior Road is a “collector road”. Figure 15 in the Draft Schedule Ten – Marsden park North Precinct indicates collector roads comprise a 22m road reserve. Excelsior Avenue is currently a 20m wide road reserve.
- A new collector road will adjoin the eastern boundary of the church site. The road is identified as a vehicle evacuation route in Figure 14 and a Bicycle/Pedestrian network in Figure 17 of the exhibited Growth Centre Precincts – Schedule 10- Marsden Park North Precinct document. The proposed DA for a Place of Public Worship is not inconsistent with this draft exhibited proposal.
- Marsden park North Precinct Odour Assessment prepared by SLR does not identify any poultry operations *Table 2* or on *Figure 2* map in the immediate vicinity of the Church site. Baiada chicken hatchery is located at No 58 Excelsior Avenue diagonally opposite the Church site to the SE.
- The Church site is not identified within a 1in100 Annual Exceedance Probability (AEP) or Probable Maximum Flood (PMF) on Figure 4 Flood Prone Land map within the exhibited Schedule 10 – Marsden Park North Precinct. The proposal for a Place of Public Worship is consistent with the objectives to achieve 500mm freeboard above the 1in100 flood level.
- The Church site is not identified has being within an area with high salinity potential per Figure 5 Areas of Potential salinity map within the exhibited Schedule 10 – Marsden Park North Precinct.
- An Infrastructure Services Assessment prepared by J Wyndham Prince has identified essential infrastructure to serve the precinct. Essential services are proposed in four stages, the Church site falling within Stage 3. It is intended that Stage 2 of the current DA for a Place of Pubic Worship will not occur until essential infrastructure such as water/sewer/drainage are in place.
- Stage 3 electrical services are shown abutting the eastern boundary of the Church site on Figure F-1 (Appendix F)of the Infrastructure Services assessment prepared by Wyndham Prince (Aug 2018). Presumably the services will be installed within the adjoining 22m wide road reserve.
- The Church site is located within an area mapped “moderate archaeological sensitivity” per Figure 31 Archaeological Sensitivity prepared by *Artefact* (August 2018). No artefacts are mapped on the Church site.
- Four potential heritage items have been identified and are recommended for inclusion in the Growth Centres SEPP as heritage items. These include No 37 Excelsior Avenue which adjoins the western boundary of the Church site.
- The Church site is not within a mapped bushfire area per Marsden Park North Precinct Rezoning – Bushfire Assessment prepared by *EcoLogical*.

Review of the church site/development in the context of the Draft ILP and DCP

Landuse: The proposal for a Place of Public Worship is permitted under the current RU4 zone and will be permitted under the Draft SEPP zoning map. Refer **Figure 4** below which illustrates the draft zone map extract and the DCP Structure map.

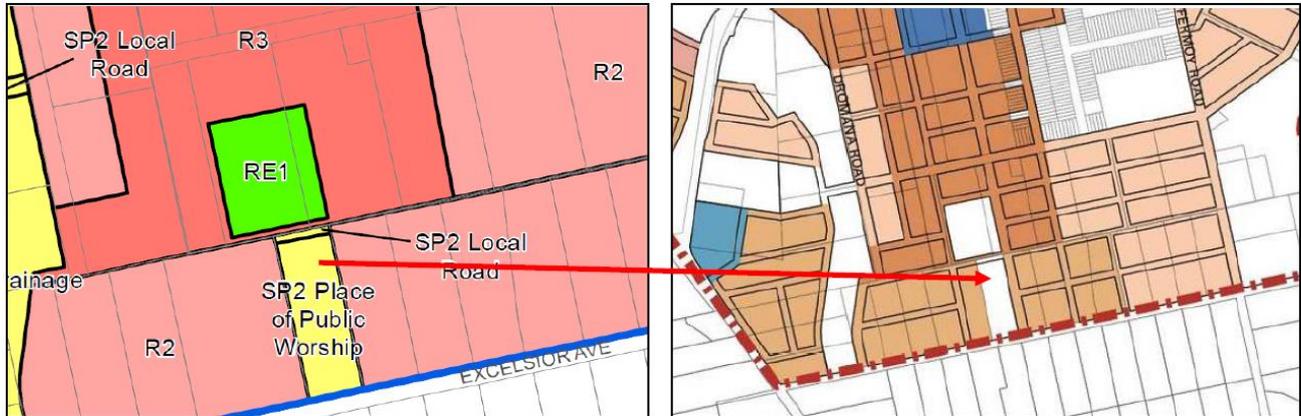


Figure 4: Extracts Draft exhibited SEPP and DCP Figure 13 Residential Structure map

Roads: Under the draft exhibited planning controls the subject site is zoned SP2 Place of Public Worship and part SP2 Local Road (along the northern boundary). This will facilitate a future land acquisition by Council to construct a road between the (future) park zoned RE1 opposite the church site to the north. The carpark and driveway layout in the submitted church DA has been designed so that connection to future surrounding roads and splay corners can also be achieved.

It is noted that no acquisition / SP2 Local Road zoning is proposed along the eastern boundary of the church site and that the accompanying draft DCP amendments indicate the alignment of the new collector road will fall within the neighbouring lands to the east (No 55 Excelsior Avenue). It is understood that Council will require a 5m x 5m splay corner be dedicated at the NE and SE corner of the Church site to facilitate sight distances to the new collector road.

Based on draft exhibited planning documents for the Marsden Park North Precinct and the ILP road layout to the south, the applicant’s architects have prepared a concept “Locality Plan” which illustrates the subject Church DA which has been adjusted to accommodate the draft exhibited local road layouts Refer **Figure 5** below;

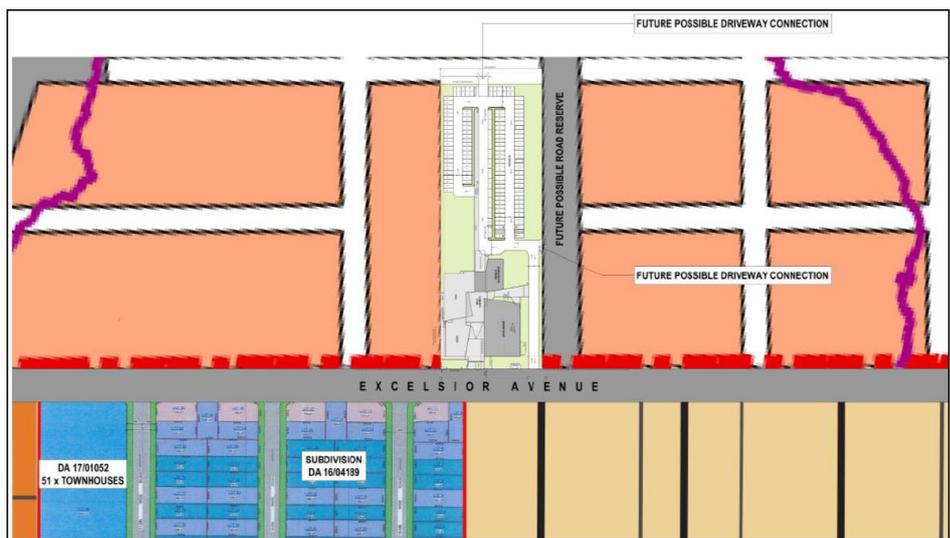


Figure 5: “Locality Plan”

The church driveway and carpark design also provide flexibility to construct future driveway connections to the northern local road and eastern collector road when these future roads are constructed. This development scenario would facilitate the removal of the (proposed) church entry driveway off Excelsior Avenue and its replacement with landscape garden area at the SE corner.

Heritage: Four potential heritage items have been identified and are recommended for inclusion in the Growth Centres SEPP as heritage items. These include the adjoining property to the west (No 37 Excelsior Avenue). The property on which the cottage is located originally formed part of the “Grange Farms” which was subdivided in 1886. The late 19th century cottage located at the SW corner fronting Excelsior Avenue (refer photo below) is noted in the exhibited heritage data form as being “one of the earliest surviving residential dwellings in the Marsden Park Precinct” though is “not considered to be rare”.

The subject church site at No 49-51 Excelsior Avenue is located 100m distance from No 37 historic cottage and will likely be visually separated by future residential dwellings along the western boundary of the subject site where the land is to be zoned R2 low density under the draft SEPP plans. Hence impact on the heritage significance of this cottage by the proposed church development is considered to be negligible in the context of both the church design/landscape treatment and likely future residential 1-2 storey development that separates the church site from the old cottage. Notably No 37 cottage appears to be located clear of the proposed local road to the west of the church site.



Figure 6 source: google streetview

Conclusion

The Anglican Church Property Trust Diocese of Sydney proposes to build a Place of Public Worship (POPW) on 49-51 Excelsior Avenue. The proposed scheme in its current (amended) form is not inconsistent with the draft exhibited plans. Accordingly, the Anglican Church is **supportive** of the draft exhibited Indicative Layout Plan (ILP), proposed SP2 zoning under the SEPP and related planning controls for the Marsden Park North precinct.

Please do not hesitate to contact Meg Levy on 9211 3366 if you wish to discuss the matter.

Yours sincerely,

LEVY PLANNING

Meg Levy
Director

cc Anglican Church Property Trust Diocese of Sydney