CONFIDENTIAL - Section 10A(2)(d) - Planning Proposal and draft Development Control Plan amendment to implement the Riverstone Town Centre Masterplan

Item: PD1028A Report: DD380002 File: F14/2532
Committee Meeting on 21 February 2018
Division is required

Topic
Preparation of a Planning Proposal to amend Blacktown Local Environmental Plan 2015 and draft amendment to Blacktown Development Control Plan to implement the recommendations of the Riverstone Town Centre Masterplan.

Analysis
The Planning Proposal will amend Blacktown Local Environmental Plan (BLEP) 2015 to implement the strategies and recommendations contained in the Riverstone Town Centre Masterplan, as adopted by Council on 22 November 2017. Key amendments will include:

i. Upzoning of land within the Town Centre core area to B4 Mixed Use and R4 High Density Residential to enable a mix of commercial, retail and higher density residential uses.

ii. Changes to allow up to 16 m (5 storeys), 20 m (6 storeys) and 32 m (10 storeys), with a bonus height provision on a key gateway site on land between Pitt Street and Riverstone Parade to enable up to 50 m (15 storeys) subject to a design competition.

iii. Identification of land to be acquired by Council for community uses.

iv. Update the Design Excellence map to include land within the Riverstone Town Centre.

The proposed amendments to the Blacktown Development Control Plan (BDCP) relate to built form controls, streetscape, access and movement, car parking, public domain, landscaping and open space outcomes as outlined in the adopted Masterplan.

Attachments:
Attachment 1 – Existing zonings and proposed amendments
to BLEP 2015 Land Zoning map
Attachment 2 – Existing heights and proposed amendments to BLEP 2015 Height of Buildings map
Attachment 3 – Proposed amendment to BLEP 2015 Design Excellence map
Attachment 4 – Proposed Key Sites map
Attachment 5 – Proposed sites to be acquired by Council for community use
Attachment 6 – Extracts from the Riverstone Town Centre Masterplan that are proposed to form the basis of amended DCP controls

**Report Recommendation**

1. This report be made public following the Council resolution, in the interest of Council being open and transparent, but noting that there is no guarantee that the proposed amendments will eventually be adopted and become law.
2. Prepare a Planning Proposal to amend Blacktown Local Environmental Plan 2015, and progress corresponding draft amendments to Blacktown Development Control Plan 2015, to implement the statutory elements of the land use planning strategy outlined in the Riverstone Town Centre Masterplan, as described in this report.
3. Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination to exhibit the proposal.
4. Exhibit the draft Development Control Plan amendment concurrently with the Planning Proposal.

**Key reasons**

1. **Planning Proposal and DCP amendment**
   a. Implementation of the strategies and recommendations outlined in the adopted Masterplan requires a number of changes to the planning controls in the Town Centre. The current controls, under Blacktown Local Environmental Plan 2015 (BLEP), are not appropriate to deliver the nature and scale of feasible development that is required to stimulate regeneration of the Town Centre.
   b. A Planning Proposal is the first step in this process and will amend the zoning and height of building controls (as a minimum) contained within BLEP 2015.
   c. Corresponding changes to Blacktown Development Control Plan 2015 (BDCP) are required to support the LEP amendments.

**Supporting analysis**

1. **Proposed amendments to Blacktown Local Environmental Plan 2015**
   a. The land use planning outcomes of the Masterplan are proposed to be implemented in stages. This initial Planning Proposal focuses on the core retail/commercial and higher density residential precincts as identified in the Masterplan. Consideration will be given to rezoning the transitional (medium density) precincts towards the periphery of the study area in future stages of implementation following a review of market demand.
i. Zoning

- The recommended zoning outcomes in the Planning Proposal are as follows:
  - B4 Mixed Use in the Town Centre core area between Park Street and Market Street (from R2 Low Density Residential)
  - R4 High Density Residential on land to the north of the B4 zone and south of the core area between Garfield Road East and Castlereagh Street (from B2 Local Centre and R2 Low Density Residential).

ii. Building heights

- The recommended building height outcomes in the Planning Proposal are as follows:
  - Up to 16 m (5 storeys) on the proposed R4 zoned land between Garfield Road East and Castlereagh Street
  - Up to 20 m (6 storeys) on part of the proposed R4 and B4 zoned land generally bounded by Market Street, George Street, Mill Street, Church Street and Piccadilly Street
  - Up to 32 m (10 storeys) in the Town Centre core area on the existing B2 Local Centre zone and part of the proposed B4 and R4 zoned land, generally bounded by Mill Street, George Street, Garfield Road East and Riverstone Parade.

iii. Key sites

- A bonus height of an additional 18 m to allow up to 50 m (15 storeys) is proposed on the key gateway site generally bounded by Riverstone Parade, Garfield Road East and Pitt Street. The bonus height will be subject to a design competition. This site has been identified as it has the potential to provide:
  - Iconic built form outcomes demonstrating design excellence
  - Additional residential development yields very close to the railway station
  - Improvements to the public domain and streetscape
  - Additional opportunities for mixed use development, increasing the diversity of employment, retail and commercial opportunities.

- The additional development potential would need to be considered by Council on merit in its assessment of a Development Application for the site or a part of it. As part of its assessment, Council would consider whether the proposal addresses all potential impacts (e.g. additional traffic, overshadowing and other amenity impacts), as well as the proposal’s consistency with the Masterplan, its objectives and identified outcomes.

- The need for a design competition would be introduced in a clause to promote innovative design solutions that achieve high quality buildings and spaces for development on key sites in the Town Centre. This clause would typically require an architectural design competition that is consistent with prescribed Design Excellence Guidelines in relation to the proposed development, prior to Council granting development consent. The clause will encourage high quality, well designed development which responds to the site and its role in the Town Centre. The bonus height provision requiring a design competition is currently proposed for the Blacktown and Mount Druitt CBDs Planning Proposal.
iv. Design excellence

- Additionally, the Design Excellence map in BLEP 2015 is proposed to be amended to apply to the entire masterplanned area in the Riverstone Town Centre, to ensure that future development delivers the highest standard of architectural and urban design outcomes.

v. Land reservation acquisition

- The Planning Proposal also identifies land to be acquired by Council for community uses, to ensure that the adopted Option 2 in the Riverstone Masterplan can be implemented. The lands to be acquired are 7 lots on the corner of George Street, Pitt Street and Market Street, and 1 lot on Market Street. The acquisition of these lots will mean that the entire block bounded by Park Street, George Street, Market Street and Pitt Street will be in Council ownership. This block is identified in the adopted Masterplan for various community uses, including library, child care, community hub and village green, with mixed use retail and residential development.

- The acquisition of these 8 lots is identified in Section 94 Contributions Plan No. 20 Riverstone and Alex Avenue Precinct (CP 20). In 2010 when CP 20 was prepared, it was identified that a Community Resource Hub (CRH) should encompass the whole street block bounded by Park Street, George Street, Market Street and Pitt Street in the Riverstone Town Centre. This would require the acquisition of the 8 identified lots.

- The estimated cost of acquisition for these 8 lots has been apportioned over the following 4 precincts, which make up CP 20 and CP 22 Rouse Hill:
  - Riverstone Precinct
  - Alex Avenue Precinct
  - Area 20 Precinct
  - Riverstone East Precinct.

2. Staged implementation is proposed

a. The Planning Proposal supports a staged approach to the upzoning of land within the Town Centre, to achieve a coordinated and orderly development outcome, starting with immediate changes to planning controls in the Town Centre core area and adjoining higher density residential zones.

b. The market feasibility assessment that was undertaken in support of the Masterplan identifies that there is currently insufficient demand for higher density development across the whole Town Centre in the short term. It is therefore recommended that there be no immediate change to the zoning and building heights for areas further away from the core Town Centre. A future review of residential demand will need to be undertaken to allow future redevelopment to occur in these areas. This approach will help to concentrate development towards the core Town Centre area in the early stages of the Masterplan's implementation, to ensure we achieve the critical mass of population to support improved retail, commercial and community uses.

c. A common concern of landowners in urban renewal precincts is the consequential increase in land rates as a result of upzonings where the land is not yet ready to be developed. This 'staged' approach to rezoning means that land will only be rezoned when the market demonstrates commitment to carry out development. Hence land values and rates should remain relatively status quo for the time being.

3. Proposed amendments to Blacktown Development Control Plan
a. The current DCP provisions applying to development in the Riverstone Town Centre require review and updating, to ensure the Masterplan outcomes can be implemented. Additional controls are proposed to be included in the DCP to implement the specific recommendations of the Riverstone Town Centre Masterplan.

b. The proposed DCP controls will generally take the form of a series of plans and supporting controls that articulate the principles of the Masterplan in respect of:
   i. Built form development controls
   ii. Streetscape outcomes
   iii. Access and movement
   iv. Car parking provision rates
   v. Public domain, landscaping and open space outcomes.

Context

1. Adoption of the Riverstone Town Centre Masterplan
   a. At its Confidential Ordinary Meeting on 22 November 2017, Council adopted the Riverstone Masterplan. This decision was made following consultation with the community in mid 2016.
   b. A number of urban design options were considered in the preparation of the Masterplan. Council adopted Option 2 'Main Street' as the design and planning basis for the Masterplan. This option establishes Market Street as the new core of the Town Centre. The aim is to create a traditional main street along Market Street that will become a key focal point in the Riverstone Town Centre.

Approval

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Attachments

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Confidentiality

Reason for Confidentiality: It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act 1993, as amended, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

Recommendations

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Committee Division  Supported:  Griffiths; Bleasdale; Collins; Israel; Camilleri