



Planning

***State Environmental Planning Policy (Sydney Region Growth Centres)
Amendment (Marsden Park Industrial Precinct) 2010***

Post-Exhibition Planning Report

28 OCTOBER 2010

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1 Introduction

1.1 Overview

Marsden Park Industrial Precinct (MPI) was the first Precinct to be released by the Minister for Planning under the Precinct Acceleration Protocol (PAP). It was released on 27 June 2008. The Minister for Planning announced that a draft amendment to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* would be publicly exhibited, to rezone the Marsden Park Industrial Precinct to facilitate urban development.

The package of exhibited documents included:

- Amendments to the Growth Centres SEPP to include statutory provisions for development in the Precinct
- A Development Control Plan to guide the assessment of subdivision and development applications
- A draft State level Voluntary Planning Agreement outlining PAP proponent obligations for infrastructure delivery

When finalised, the suite of documents will:

- Rezone and establish development standards for the Marsden Park Industrial Precinct;
- Include controls to meet industrial, commercial and residential design and quality environmental outcomes;
- Identify local and state infrastructure to support future residents and employment activities.

Following public exhibition of the draft plan and associated planning documents, the Department of Planning, in collaboration with Blacktown City Council, has undertaken an extensive review process to finalise the documents.

This report documents the public consultation process, summarises the issues raised both in submissions and during further discussion with State agencies and other stakeholders, and reports on how they have been addressed in the finalisation of the Precinct Plan.

The key changes made to the exhibited Precinct Planning Package include:

- Inclusion of an **IN1 General Industrial zone** in the Precinct to widen the range of industrial uses (Refer to Section 4.3).
- Reinforcing the **link to the Castlereagh Freeway Reservation** as requested by the RTA. Roads throughout the Precinct were also widened in accordance with RTA requirements (Refer to Section 4.7).
- The **Bells Creek corridor** has been deferred as Blacktown City Council is unable to purchase this corridor. The area will retain its existing zoning (Refer to Section 4.2).
- **Drainage infrastructure** land has been reduced by 11.4 hectares due to efficiencies which have reduced land take and identified more appropriate locations (Refer to Section 4.1).
- Increase in the **floor space ratio (FSR)** for Industrial Areas from 0.5:1 to 0.7:1 (Refer to Sections 4.3 and 4.4).
- Increases in **maximum building heights**. The industrial and business park areas had an exhibited maximum height of 16 metres for the majority of the area and 12 metres for those areas fronting Richmond Road. This has been increased to 16 metres for the IN2 zone, 18 metres for the IN1 zone and 24 metres for the B7 zone (Refer to Sections 4.3, 4.4 and 4.5).

- Increasing the retail gross floor area of **Neighbourhood Shops** to 1,000m² to allow for sufficient neighbourhood shops in the major employment area (Refer to Section 4.4.4).

1.2 Summary of the Precinct Plan

The revised Indicative Layout Plan (ILP) for the Precinct is included at Appendix A of this report. Table 1-1 summarises the main planning outcomes for the final Precinct Plan.

Table 1-1: Summary of Planning Outcomes for the Marsden Park Industrial Precinct Plan

Summary statistics	Exhibited ILP (ha)	Revised ILP (ha)
Land use		
Detached Residential (R2)	15.7	17.2
Attached Residential (R3)	29.8	29.4
Business Park (B7)	67.4	70.6
Bulky Goods Retailing (B5)	36.5	39.8
General Industrial (IN1)	0	99.3
Light Industrial (IN2)	205	107.3
Drainage	51.9	35.9
Conservation and Open Space	92.5	63.6 ¹
Road Reserves	51.5	59.9
Deferred land (Bells Creek corridor)		27.5
<i>Total site area</i>	<i>550.3</i>	<i>550.3</i>
Other Indicators		
Net density (dwellings/ha)	16.2	16.2
Yield (dwellings)	1,121	1,228
Population	3,200	3,504
Jobs	10,000	10,000

¹The reduction in the conservation and open space areas in the revised ILP is a result of the Bells Creek corridor being deferred. The Bells Creek corridor has been calculated separately and no longer included in the conservation and open space calculation.

2 Exhibition Details

2.1 Exhibited Materials

The following documentation was publicly exhibited as part of the draft Precinct Planning Package for the Marsden Park Industrial precinct:

- Precinct Planning Report
- Draft Indicative Layout Plan (ILP)
- Draft *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Marsden Park Industrial Precinct) 2009*
- Explanation of Intended Effect for the State Environmental Planning Policy
- Draft Development Control Plan (DCP)
- Background Technical Reports
 - Bushfire Hazard Assessment
 - Community Facilities and Open Space Assessment
 - Ecological Assessment
 - Heritage (Indigenous and Non-Indigenous)
 - Land Capability, Geotechnical Characteristics and Contamination Risk
 - Master Planning and Urban Design
 - Noise and Acoustics
 - Odour
 - Retail and Employment
 - Statutory Planning
 - Transport, Traffic and Access
 - Water Cycle Management
- Draft State Voluntary Planning Agreement
- Biodiversity Certification Consistency Report.

A Section 94 Development Contributions Plan was not placed on exhibition. The exhibition of the draft Section 94 Contributions Plan is scheduled for early 2011.

2.2 Exhibition Period

The draft Precinct Planning Package was publicly exhibited for 68 days from 25 November 2009 to 1 February 2010.

2.3 Exhibition Venues

The draft Precinct Planning Package was available to the public at the following locations:

- Department of Planning, Level 5, 10 Valentine Avenue, Parramatta
- Department of Planning, 23 - 33 Bridge St, Sydney
- Blacktown City Council, 62 Flushcombe Road, Blacktown

- Max Webber Library, Corner Alpha Street and Flushcombe Road, Blacktown
- Growth Centres website, www.gcc.nsw.gov.au.
- Exhibition question and answer session, Ahmadiyya Mosque, Marsden Park (open Thursday 3 December and Thursday 10 December 2009)
- Exhibition question and answer session, Glendenning Neighbourhood Centre (open Monday 30 November and Monday 7 December 2009)

The four days of exhibition question and answer sessions at the Marsden Park Mosque and the Glendenning Neighbourhood Centre were well attended. This provided the opportunity for the public to meet and discuss the draft controls with Department of Planning Precinct Planners.

2.4 Public Notice

Advertisements were placed in the following newspapers:

Media	Appearance Dates	Placement
Sydney Morning Herald	25/11/2009	Government Noticeboard
Daily Telegraph	25/11/2009	Government Noticeboard
Australian Financial Review	25/11/2009	Early General News
Blacktown Sun	25/11/2009	Early General News
Rouse Hill Times	25/11/2009	Early General News
National Indigenous Times	25/11/2009	Early General News
Koori Mail	25/12/2009	Early General News
Blacktown Advocate	25/11/2009	Early General News

2.1 Notification of Land Owners

The Department of Planning wrote to 43 landowners and 17 occupiers of properties in the Marsden Park Industrial Precinct on 25 November 2009 advising of the public exhibition. Notification included properties that directly adjoin the Precinct so that residents outside the Precinct could be made aware of the planning proposal.

During the exhibition question and answer sessions the Department of Planning met with many of the landowners including residents from the caravan park.

2.2 Notification of Key Stakeholders

The Department of Planning wrote to 87 other key stakeholders on 25 November 2009 advising of the public exhibition and enclosing a full copy of the exhibition documentation on CD. These stakeholders included the local councils, State agencies, environmental and development industry interest groups.

3 Submissions Summary

3.1 Number of submissions

A total of 57 submissions were received relating to the Marsden Park Industrial Precinct draft plans, including 29 submissions from the residents of the Town and Country Caravan Park. Submissions were accepted by mail, fax and email. All submissions are listed and summarised at Appendix B. A summary of submissions grouped into major stakeholder groups and issue raised is provided at Table 3-1.

Table 3-1: Summary of Submissions

Received From	No of Submissions
Local Government (Blacktown City Council)	1
State Government Agencies and Utility Providers ¹	9
Landowners/Tenants	47
TOTAL	57

¹ Including final pre-exhibition consultation.

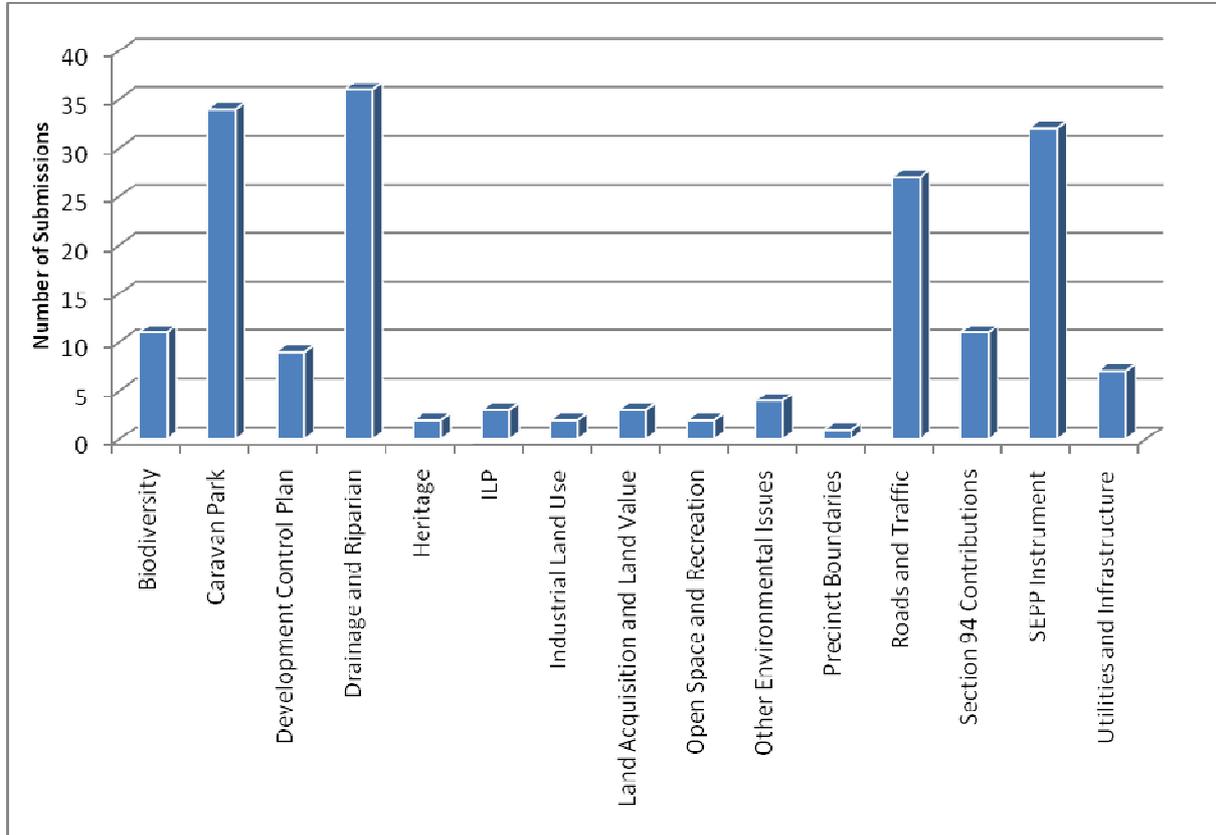
3.2 Late Submissions

Whilst the formal closing date for submissions was 1 February 2010, a small number of submissions were still received and considered after the close of exhibition.

3.3 Issues raised in Submissions

All submissions received were categorised according to a category list. The issue categories and a graphical representation of the number of submissions raised in each category is shown on Figure 3-1. Responses to key issues are outlined in the next section and individual submissions are responded to in Appendix B.

Figure 3-1: Summary of Issues for Marsden Park Industrial Precinct



Prominent issues that have arisen out of submissions include:

- Concerns from caravan park residents about potentially having to relocate.
- Floor Space Ratios for commercial and industrial zones.
- Building height limitations for commercial and industrial zones.
- ‘Sterilisation’ of land to riparian zones and road reserves.
- Positioning, land take and design of stormwater basins across the Precinct.
- Access to Richmond Road.

4 Consideration of Key Issues

This section identifies the issues raised in submissions and also those raised in ongoing discussions with Council, State agencies and key stakeholder groups. In responding to the issues raised in submissions, the Department has formed a position by balancing a range of competing views, in the context of State planning policies and guidelines and informed where necessary by additional specialist advice. Where changes have been made to the Precinct Planning Package since exhibition, these are summarised below.

Reference should be made to the revised Indicative Layout Plan (Appendix A) and associated documentation on how the post-exhibition changes to the plans affect individual properties.

4.1 Drainage

The exhibited Water Cycle Management Assessment prepared by GHD (July 2009) was reviewed after the exhibition to address a number of comments raised about drainage and flooding. The Post-Exhibition Water Cycle Management Strategy Report prepared by J Wyndam Prince documents this process and is contained in Appendix D.

Based on changes to design, reductions were made to drainage areas across the Precinct. Efficiencies were gained in detention basins and drainage channels to reduce land take and identify more appropriate locations. This was achieved by combining some basins as well as design modifications. The location of some basins and channels were moved to better fit the existing landform. A summary of the changes to the area required for drainage is provided in Table 4.1. The locations of the basins are shown in Figure 4-1. The total area now required for drainage basins in the Precinct is 26.55 hectares; which represents a reduction of 11.4 hectares from the exhibited ILP.

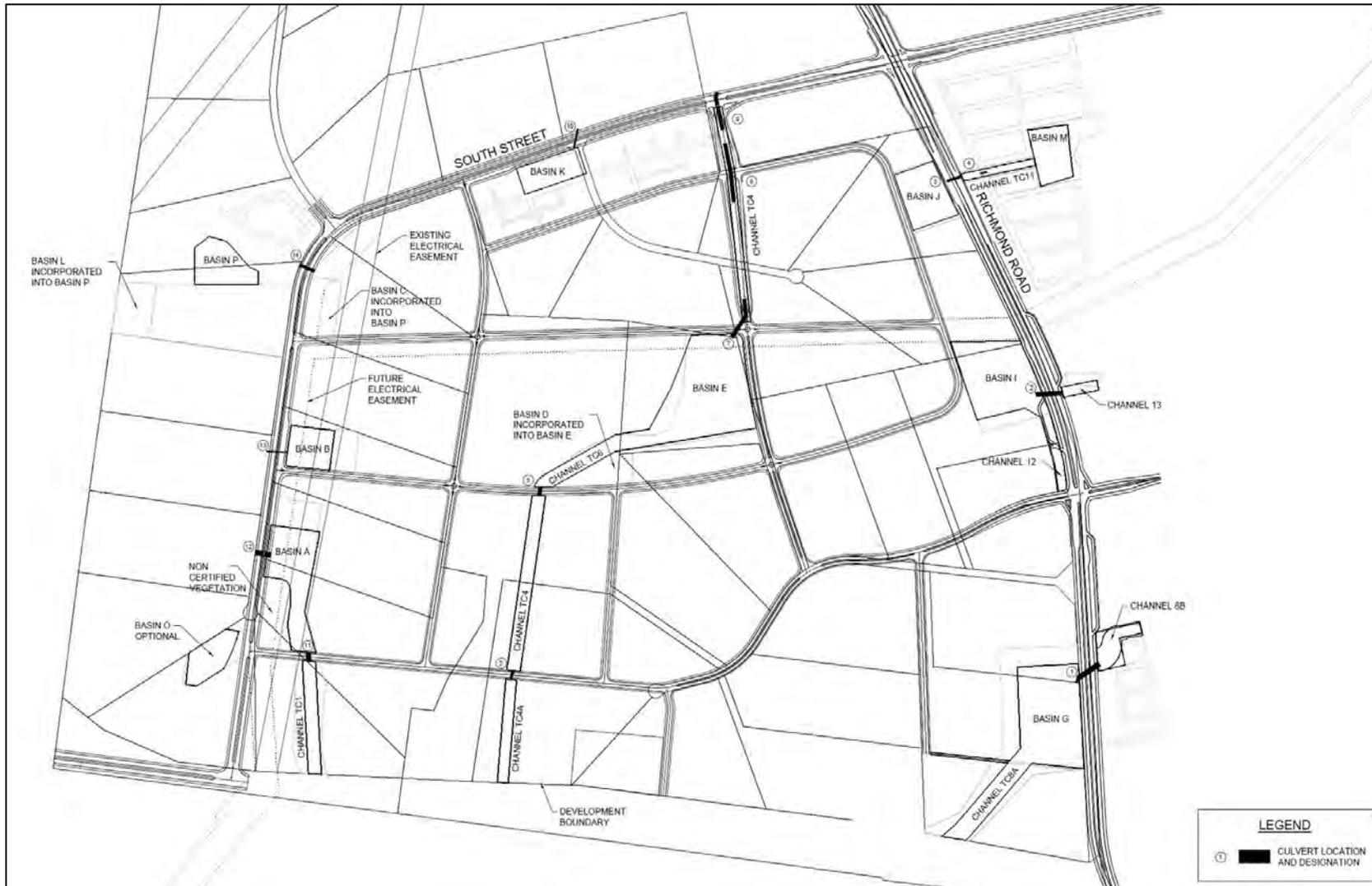
Table 4-1: Summary of Changes to Drainage Areas

Basin	Volume (m ³)	Drainage Reserve Area (ha)	Reserve Area Difference to Pre-Exhibition (ha)	Comments
A	30,500	2.93	-1.3	On-line basin
B	9,000	1.35	-1.1	
C		0.0	-1.7	Replaced by Basin P
D		0.0	-2.5	Replaced by larger Basin E
E	40,000	6.04	0.8	
G	33,000	4.60	-2.7	On-line basin
I	28,000	3.85	-1.8	
J	14,000	1.96	-0.2	
K	9,500	1.35	0.0	
L		0.0	-1.5	Replaced by Basin P
M	10,500	1.52	-0.9	
O		1.29	-0.3	Storage provided in new Basin A
P	12,000	1.66	1.7	Replaces Basins C and L
All Basins	186,500	26.55	-11.4	

Table 1-1 in the Report identified that the total drainage areas for the precinct would be 35.9 hectares, which is different to the total basin area of 26.55 hectares shown above. The 26.55 hectares only includes that exact area of the basins and does not include the area surrounding the basins, access handles or the trunk channels. Therefore, the total area for the purpose of drainage is larger than the area specifically required for basins.

The reduced land required for drainage will also lower land acquisition costs for Blacktown City Council. This will contribute towards reductions in Section 94 contributions.

Figure 4-1: Location of Drainage Basins



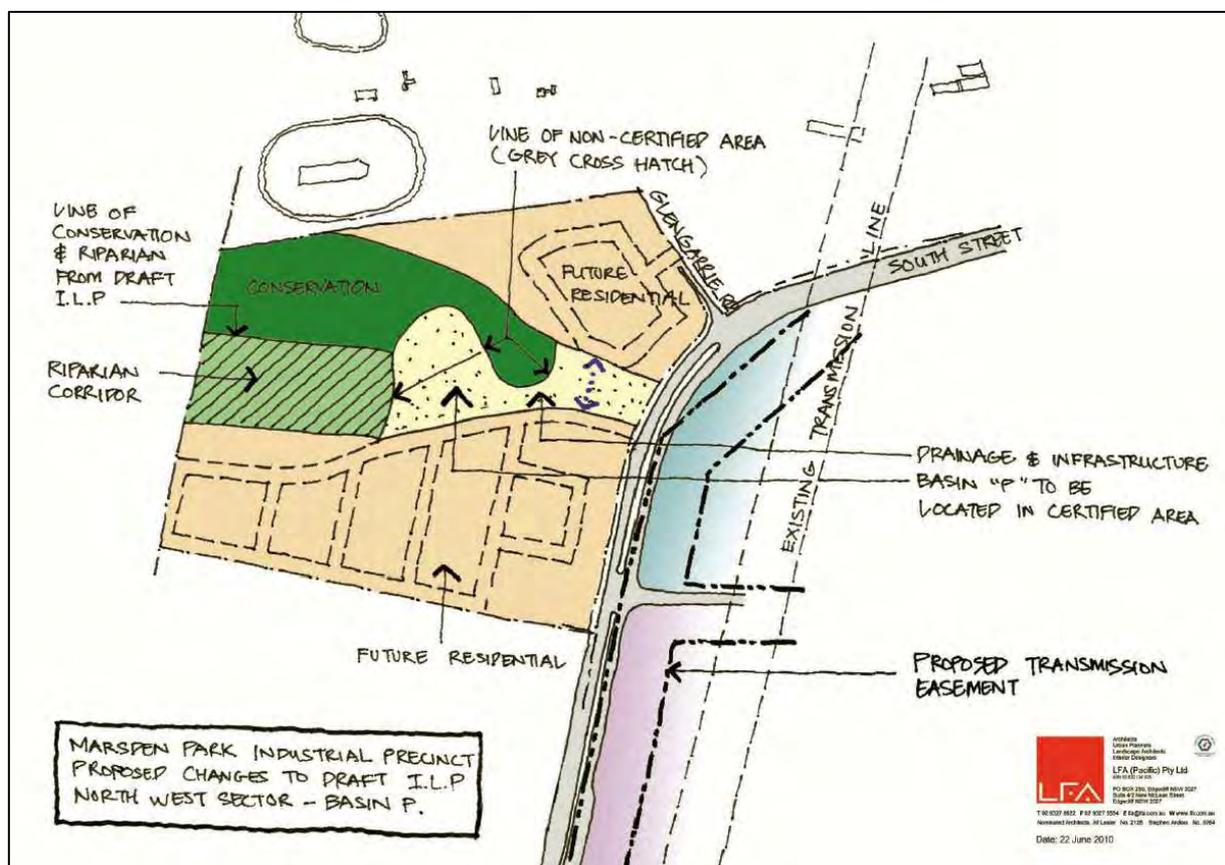
4.1.1 Drainage Basin P

One of the key changes to the existing drainage pattern was the relocation of Basin P located in the north-west corner of the Precinct. Basin P will replace Basins L and C. Basin P was changed to a better location within an existing drainage line. The relocation will also provide improved maintenance access for Council who would ultimately manage the basin.

Basin P will not be located in any areas identified as Non-Certified (i.e. outside of the Bio-Certification Order) ensuring that this important conservation asset will not be impacted. The Post-Exhibition Biodiversity Report provides further details. Refer to Appendix C.

Figure 4.2 illustrates how Basin P has been designed around the Non-Certified area. The zoning on the subject lots has been modified to reflect the new drainage basin location.

Figure 4-2: Design of Drainage Basin P



4.1.2 Drainage in the North South Road (Central Boulevard)

Blacktown City Council raised concerns about the design of drainage channel (Trunk Drain 7) located in the centre of the north south road located off South Street. Concerns related to truck turning circles and the ongoing maintenance of the drainage area by Council. A suggested alternative by Council is to locate the trunk channel parallel the road reserve. This however, would result in properties having to have individual bridges or similar structures to access their property which is not the preferred situation and is likely to create additional maintenance issues.

The arrangement with the Trunk Channel located in the centre of the North-South Road will remain. The design shown in the ILP is a reasonable and practical response to a linear road and drainage arrangement. The area in question is the primary entry boulevard for a high order employment area and will provide a landscaped entrance to the Precinct.

The areas directly adjacent to the North South Road are zoned R3 Medium Density Residential and B7 Business Park. These zones are not proposed to generate heavy vehicle movements. Alternative routes are available for heavy vehicles alleviating Council's concern about truck turning circles and property damage. Additional development controls are provided in the DCP which will assist with ensuring that the final design is robust.

4.2 Land Acquisition (Including Bells Creek corridor)

Certain land within the Marsden Park Industrial Precinct has been identified for acquisition by public authorities for purposes such as roads, drainage and open space. The Department of Planning received a number of submissions from landowners who were concerned about land acquisition and the value of land when it is acquired.

Land will be acquired on an as needs basis. Timing of acquisition for drainage land, roads, road widening and open space is a matter for the relevant acquisition authorities' consideration. Clause 5.1 in the *Growth Centres State Environmental Planning Policy (SEPP)* identifies the relevant acquisition authority. The acquisition value will be determined in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. Further details on the acquisition process and timing will be available from the relevant acquisition authority.

The exhibited Precinct Planning Report identified that the Bells Creek corridor (east of Richmond Road) would be acquired by Council using Section 94 contributions. Blacktown City Council is no longer proposing to purchase this land. Ongoing discussions between the Department of Planning and Blacktown City Council will determine the final zoning of the Bells Creek corridor.

Therefore, as the ownership and zoning Bells Creek corridor is proposed to be different to the exhibited documentation, the Department of Planning recommended that the Bells Creek corridor should retain its existing zoning for the short term pending further review. Proposed zonings for the Bells Creek corridor will be re-exhibited and landowners will be advised of the exhibition. Refer to the highlighted area in Figure 4-3.

Refer to the SEPP Land Application Map for the location of the Bells Creek corridor in relation to the land within the Precinct that has been re-zoned.

Figure 4-3: Deferred Area



4.3 Industrial Land Uses

4.3.1 Industrial Zones

Following exhibition and consideration of submissions, modifications to the zoning of the industrial land were made. A large portion of land zoned IN2 Light Industrial in the centre of the Precinct is now zoned IN1 General Industrial. Refer to revised ILP for the final land use (Appendix A).

The IN1 zone allows for a broader range of industrial land uses within the Precinct. The exhibited IN2 zoning for all of the industrial land in the Precinct was considered to be unnecessarily restrictive. The Marsden Park Industrial Precinct will be one of the largest employment centres in the North West Growth Centre and permitting a broader range of industrial and manufacturing uses will help to meet the employment targets for the Growth Centre.

The IN1 General Industrial zone will also allow for the existing landfill to be used as a waste or resource management facility whilst the landfill continues operating. A buffer of IN2 zoned land will surround the IN1 zoned land. This results in a graduation of industrial land uses from Richmond Road, locating the more intensive industrial land uses at the core of the Precinct.

The SEPP Land Zoning Maps (Sheet LZN_005 and LZN_006) have been amended to reflect these changes.

4.3.2 Industrial Floor Space Ratio

Submissions were received from Bunnings Australia, ICA Property Group and Marsden Park Developments that identified the floor space ratio (FSR) of the IN2 Light Industrial zone as an issue which will limit potential for industrial development. In response to this, the existing FSR of 0.5:1 for industrial areas has been increased to 0.7:1 for industrial zoned areas. Refer to revised SEPP Floor Space Ratio Maps (Sheet FSR_005 and FSR_006).

The existing 0.5:1 FSR for industrial areas was considered by industry experts as too low as it constrains industrial development. The exhibited FSR would lead to the underutilisation of land particularly on larger sites that can be found in the Marsden Park Industrial Precinct. The underutilisation of land can be a deterrent for industrial development and investment in the area.

The increased maximum allowable FSR will allow for a broader range of industrial activities including industrial uses that traditionally require large, single level floor space areas such as large floor-plate warehousing. Whilst technology has developed innovative ways to utilise space, for some industrial development a single level is still the most cost efficient response to site planning. The increase allows for a more efficient use of land by maximising the density of a site and will likely result in the reduction of the ecological footprint of many buildings. The increase is also consistent with the Riverstone West Precinct in the North West Growth Centre.

The increase will lead to a more efficient use of land allowing landowners to create modern building designs with improved access for vehicles improving the overall quality of the built environment. The increase in FSR is unlikely to have a detrimental economic, environmental or social impact on the Precinct. The increase will maximise employment opportunities in the Precinct by maximising the area of land that can be utilised for development. Specific design considerations for each development are included in the Development Control Plan (DCP) and will be addressed at the Development Application stage.

4.3.3 Industrial Building Height

Submissions were received from Bunnings Australia, ICA Property Group and Marsden Park Developments identifying the need to increase the upper limit of building heights in the Precinct. The

maximum building height is for 16 metres for a large proportion of the Precinct and 12 metres for areas adjacent to the western side of Richmond Road. The maximum building heights have been revised for the Precinct with the maximum increased to 16 metres for areas zoned IN2 Light Industrial and 18 metres for areas zoned IN1 General Industrial. Refer to revised SEPP Height of Buildings Map (Sheet HOB_005 and HOB_006).

Many contemporary industrial developments include buildings that are higher than traditional industrial buildings due to stackable storage building designs and developments in technology which allow for more efficient space utilisation. Recent industrial developments in western Sydney have included high bay pallet storage, high bay cold storage and rack sprinkler facilities. These new technology buildings are over 17 metres in height. In order to accommodate these types of industrial developments the maximum building height has been increased to 18 metres.

The increase in the maximum building height by 4 metres along Richmond Road will not impact existing land uses and landscapes. The stepping of maximum height controls on the western side of Richmond Road will reduce the visual impact of industrial buildings from Richmond Road. Additional design controls in relation to setbacks and landscaping are included in the DCP and will address the visual impact of industrial development.

4.3.4 Registered Clubs and Recreation Facilities

A submission received from the PAP proponent requested that the provision of allowing Registered Clubs, Recreation Facilities (Major) and Recreation Facilities (Outdoor) be permitted with consent in the area zone IN1 General Industrial. Marsden Park Developments has proposed a major recreation facility to adaptively re-use the existing landfill site. A private recreation facility would support employees in the Precinct and could include playing fields, tennis courts, a golf driving range and a potential registered club to support these recreation facilities.

The SEPP has been amended to allow Registered Clubs, Recreation Facilities (Major) and Recreation Facilities (Outdoor) in the IN1 zone. These land uses are appropriate in this location with controls in the DCP to ensure they are suitably developed. The construction and operation of this central recreation facility is likely to facilitate surrounding development and provide services for employees as well as local residents.

4.4 Commercial Land Uses

4.4.1 Commercial Building Heights

A submission received from Marsden Park Developments identified the need to increase the upper limit of building heights in the B7 Business Park zone. In the exhibited plans, the maximum building height was 16 metres for a large proportion of the Precinct and 12 metres for areas adjacent to the western side of Richmond Road.

The maximum building heights have been revised for the Precinct with the heights amended to a maximum of 24 metres for the B7 Business Park zone. The increase of the height will encourage a range of business uses to the area and a range of high quality building designs close to the future Marsden Park Town Centre.

The exhibited heights were identified as constraining maximum development yields on land zoned B7. The height in combination with the FSR would likely result in a deteriorated built environment where developers try to maximise the development potential with limited design opportunities. Design opportunities are also limited by other requirements such as car parking and communal open space.

By increasing the height limitation this creates an increased range of architectural and design opportunities for the Business Park that were not possible within the exhibited height limit. By

maintaining the exhibited FSR of 1:1 and increasing the building height, the building footprint size can be managed, whilst allowing more room for architectural form to be developed for the Business Park.

The increase in the height limit is consistent with other business parks located in the Sydney metropolitan area. The Rhodes Corporate Park has a height restriction of 27 metres and the Norwest Business Park has a maximum height of RL116 metres AHD but this is related to view controls associated with Bella Vista Farm. Independent reviews of the floor space and height analysis suggest that an increase from 4-5 storeys will have an insignificant impact.

Refer to revised SEPP Height of Buildings Map (Sheet HOB_005 and HOB_006).

4.4.2 Commercial Floor Space Ratio

The FSR for the B7 Business Park zone will remain at 1:1 as exhibited.

4.4.3 Food and Drink Premises

The exhibited SEPP Land Zone Maps permitted 'Food and Drink Premises' in the B5 Business Development zone on the eastern side of Richmond Road. The Land Zone maps have been updated to now permit food and drink premises such as take-away fast food stores in the areas zoned B5 on the western side of Richmond Road.

Food and drink premises are an appropriate land use within the business zone. With a large number of people expected to be employed and visiting the bulky goods area, food and drink premises will support these services.

The SEPP Land Zoning Maps (Sheet LZN_005 and LZN_006) have been updated.

4.4.4 Neighbourhood Shops

Clause 5.4(7) in the exhibited SEPP allows for neighbourhood shops with a maximum retail gross floor area of 100 square metres. The maximum retail gross floor area has been increased to a cumulative total of 1,000 square metres.

A small retail centre of 100 metres squared is not large enough to support viable local retailing and services of the type required by the Precinct. By increasing the maximum size of a neighbourhood centre to 1,000 this would allow sufficient local scale retail development including local services such as banks and cafes to support the surrounding business and industrial zones. This change will not impact on the future viability of the Marsden Park Town Centre.

4.5 Residential Land Uses

The minimum lot size for areas within the Precinct zoned R3 Medium Density Residential areas has been increased from 240 metres squared to 250 metres squared. The increase was to ensure consistency in the neighbouring Precincts in the North West Precinct such as Alex Avenue which currently has a 250 metres squared minimum lot size. The change provides consistency for Blacktown City Council for this control.

The SEPP Lot Size Maps (Sheet LSZ_005 and LSZ_006) have been updated.

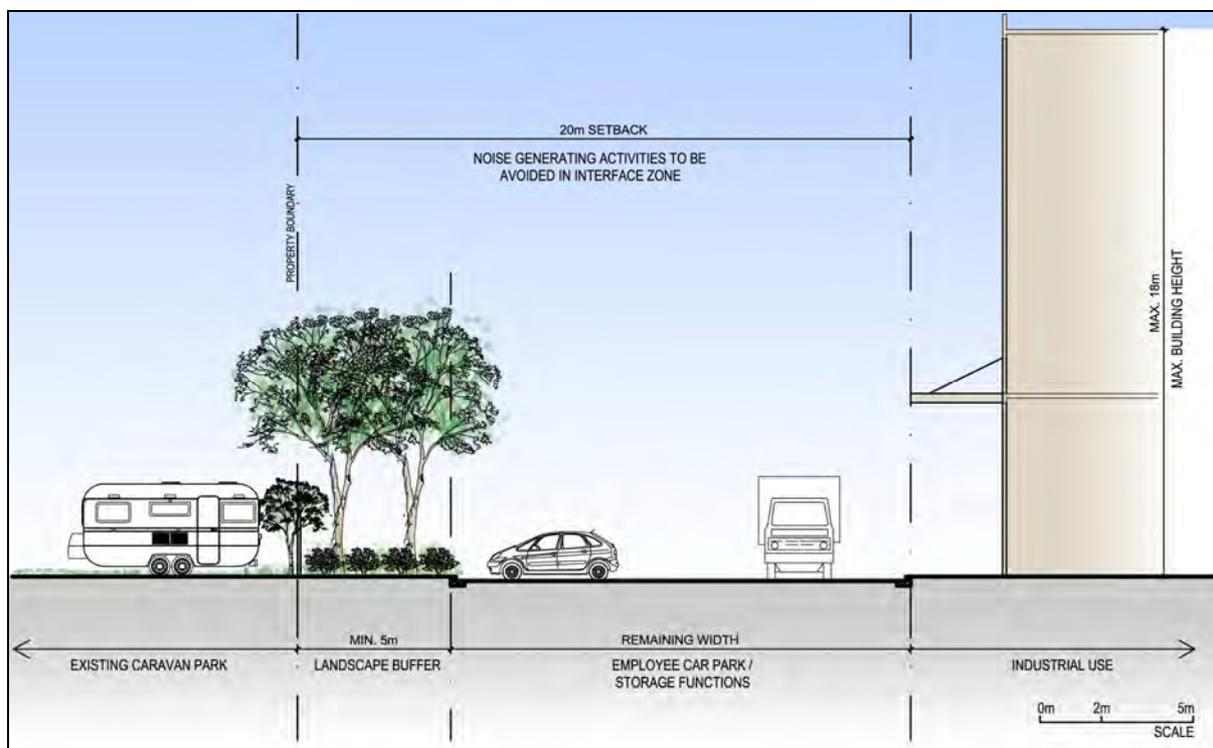
4.6 Caravan Park

The Department of Planning has reviewed and considered all the submissions from the Town and Country Caravan Park. Department of Planning staff have also met with many individual Caravan Park tenants. The rezoning of the land will not force the closure of the caravan park as indicated in many of the submissions. The caravan park will remain open as long as the landowner chooses to continue the business.

Housing NSW has assisted eligible residents with inclusion on the Department of Housing register for affordable accommodation. With the staged progression of development and servicing of the Precinct from the east to the west, it is not expected that the development will locate adjacent to the Caravan Park during the early phases of development.

Development controls have been prepared in the Development Control Plan (DCP) to minimise the impact on the Caravan Park arising from neighbouring development. Refer to Figure 4-4. The DCP includes provisions for buffer areas between the caravan park and new development using landscaping, access roads and the location and siting of buildings and car parking. Development adjacent to caravan park will be assessed by Council on its merits against these matters for consideration.

Figure 4-4: Development controls for the Caravan Park



4.7 Roads and Traffic Generation

4.7.1 Road Network

As part of the post-exhibition review, modifications were made to the existing road network in the Precinct. Refer to Figure 4-5. Key changes to the road network incorporated into the revised ILP include:

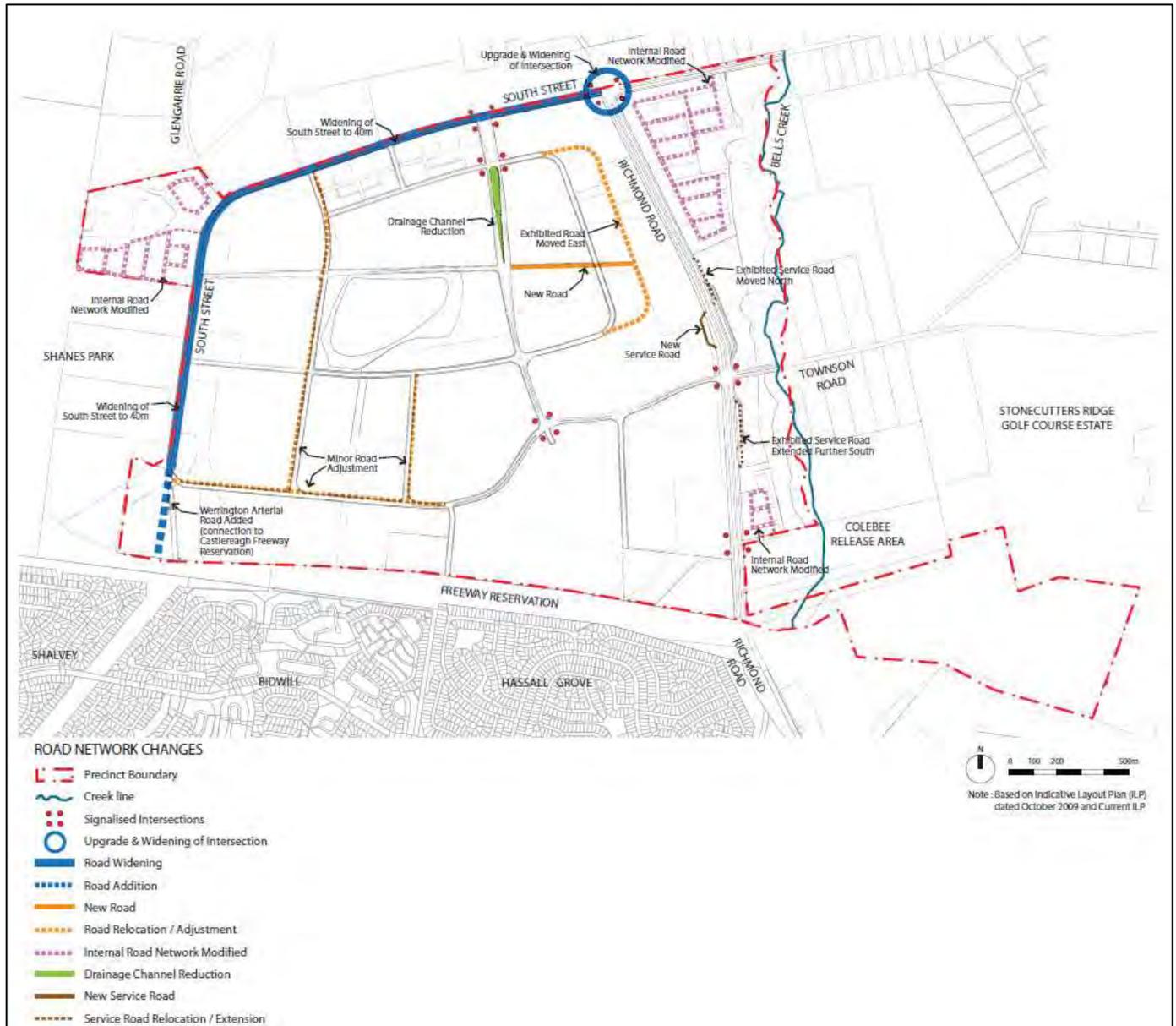
- The internal collector loop road was relocated east of the exhibited location. The exhibited road created a difficult lot depth from the road to Richmond Road of 300 metres. By relocating the road, the lot depth has been reduced to 150 metres creating better utilisation of the land.
- South Street has been widened to 40 metres to accommodate the future arterial road. The widening will allow for extra lanes on South Street.

- The South Street and Richmond Road intersection has been widened to allow for dedicated left-turning lanes as requested by the RTA.
- The drainage channel located in the north-south road (Central Boulevard) has been reduced in length and width resulting in changes to the layout of the north-south road.
- Additional service road added on the western side of Richmond Road to service the area zoned IN2 Light Industrial as well as providing access to the areas zoned SP2 Infrastructure (Local Drainage).
- The location of the two existing service roads located on the eastern side of Richmond Road has been slightly modified. The northern service road was moved further north to extend to the edge of the R3 Medium Density Residential zone. The southern service road has moved further south to provide improved access to the B5 Business Development zone.

In addition, to the above changes, minor modifications to the local road network have been made in response to other issues, in particular revision of the Water Cycle Management Strategy. Where the boundaries of drainage or open space land have been adjusted, road locations have also been modified.

Roads have been adjusted to respond to specific issues in submissions. It has not been possible to achieve this in all cases. It is important to note that the local road network can be modified to address detailed matters at the subdivision stage. Road reserves and widening for the most significant new roads have been identified using the SP2 Infrastructure zone.

Figure 4-5: Changes to Road Network



4.7.2 Link to Freeway Reservation

The RTA requested that a stronger link be provided to the existing Castlereagh Freeway Reservation. The ILP has been amended to show a more direct link to the Freeway Reservation.

The connection has been designed to protect existing vegetation located to the west of the Precinct.

4.8 Land Sterilisation

A number of submissions raised concerns that their land will be sterilised due to riparian corridors, flood levels, or service roads. Any area of land identified for the purpose of drainage or open space will be acquired by Blacktown City Council. Land identified for the purpose of road widening will be acquired by either Blacktown City Council or the RTA as shown in the Land Reservation Acquisition Map (Sheet LRA_005).

The size, shape and location of basins and trunk drainage has been designed to minimise land take. The location of proposed roads including service roads has been determined to ensure accessibility for vehicle movement throughout the Precinct. The service roads along Richmond Road are necessary to accommodate the traffic demands likely to be generated by the development of the Precinct. There is an equitable distribution of roads on individual properties.

Some properties may be partly be constrained by flooding or environmental protection. Most properties have a portion of land which has significantly more development potential than the previous zoning.

4.9 SIC Levy Issues and Section 94 Contributions

The Department of Planning is currently investigating the re-definition of South Street as a State Infrastructure Contributions (SIC) Road. South Street has been designed to become the main regional traffic carrier for this part of the North West Growth Centre. The SIC status will be confirmed in the Review of the State Infrastructure Contributions Practice Note in 2011. The RTA has confirmed that it will be the acquisition authority for this road.

A Section 94 Contributions Plan is currently being prepared by Council. It is anticipated that this plan will be placed on exhibition in early 2011.

4.10 Riparian Corridors and Biodiversity

A number of submissions were received regarding the location of riparian corridors, in particular the Bells Creek corridor, 1 in 100 year flood line and conservation area. Landowners raised concerns about the location of riparian and conservation areas on their land.

Drainage detention basins have been identified to retain and treat water flowing from the urban areas of the Precinct before it discharges into creeks and rivers. Drainage lands include drainage basins, trunk channels and some creek corridors. Bells Creek has been identified as a highest order creek which needs to be protected. The Bells Creek corridor will retain its existing zoning in the short term and will be in private ownership. Council can no longer commit to purchasing this corridor. Additional research will be undertaken for the corridor and it will be re-exhibited. In the interim, the existing zoning under the Blacktown LEP will remain.

All land zoned SP2 Infrastructure will be acquired by Council or the relevant public authority and will remain in public ownership.

4.11 Development Control Plan Issues

A number of changes were made to the Development Control Plan to reflect changes to the ILP and to address submissions received during exhibition. The key changes to the DCP include:

- New controls for the existing caravan park ensuring the impact of surrounding industrial development is minimised whilst the caravan park continues to operate. Controls include as 20 metre setback from the boundary of the caravan park including a landscaping buffer.
- Controls to ensure child care centres, public places of worship and meeting halls and educational establishments do not have direct access and/or frontage to Richmond Road and/or South Street.
- The figures have been updated to reflect the changes in the ILP.

4.12 SEPP Changes

A number of changes were made to the *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Marsden Park Industrial Precinct) 2009* (referred to as SEPP) to reflect the changes in the ILP. The key changes included:

- Inclusion of an IN1 zone to widen the range of industrial land uses.
- To allow 'Recreation Area' and 'Recreation Facilities (Outdoor)' permissible with consent in the SP2 Infrastructure zone. This will allow for recreation facilities such as informal sports fields to develop in conjunction with local drainage infrastructure. Co-location of such uses is only likely to occur in the very large basins.
- To allow 'Dual Occupancies' and 'Semi-Detached Dwellings' permissible with consent in the R3 Medium Density Residential zone. This will allow for a broader mix of residential development in the zone.
- Increase the retail gross floor area of Neighbourhood Shops from 100sqm to 1,000sqm. The previous requirement was not large enough to allow for sufficient neighbourhood shops in a major employment Precinct.
- Introduction of a Land Application Map to allow the deferral of the Bells Creek corridor zoning.

A number of changes were made to the SEPP maps to reflect the changes to the ILP and SEPP as identified in this report. A summary of the changes to the maps is provided in Table 4-2.

Table 4-2: Summary of SEPP Map Changes

Map	Summary of changes
Floor Space Ratio Map	<ul style="list-style-type: none"> • FSR for industrial areas increased from 0.5:1 to 0.7:1
Height of Buildings Map	<ul style="list-style-type: none"> • Maximum building height increased to 16 metres for all industrial areas and 18 metres for the IN1 zone • Maximum height for the B7 zone increased to 24 metres
Land Reservation Acquisition Map	<ul style="list-style-type: none"> • Amended to reflect modifications in drainage layout • The Bells Creek corridor is no longer to be acquired by Council • Link to the Castlereagh Freeway Reservation is to be acquired by the RTA
Native Vegetation Protection Map	<ul style="list-style-type: none"> • Minor change to area of vegetation protected in north-west corner • Vegetation along the Bells Creek corridor no longer included
Precinct Boundary Map	<ul style="list-style-type: none"> • No change (Publication will finalise the boundary review process)
Lot Size Map	<ul style="list-style-type: none"> • Lot size for the R3 zone increased from 240m² to 250m²
Zoning Map	<ul style="list-style-type: none"> • IN1 zone added • Reduction in the areas zoned SP2 (for the purposes of drainage) • The area permissible for takeaway food and drink modified to include areas east and west of Richmond Road in the B5 zone (Schedule 1)

Map	Summary of changes
	<ul style="list-style-type: none"> Key roads zoned SP2 Infrastructure.
Land Application Map	<ul style="list-style-type: none"> Additional map added to show deferred area located along Bells Creek corridor.
Riparian Protection Area Map	<ul style="list-style-type: none"> Additional map added to identified riparian corridors within the Precinct.

4.13 State Level Voluntary Planning Agreement

The Marsden Park Industrial Precinct is the first Precinct to be released under the Government's Precinct Acceleration Protocol (PAP). The PAP has been developed to allow the release of a Precinct within the Growth Centres earlier than Government's release sequence.

The Marsden Park Industrial Precinct Voluntary Planning Agreement (VPA) addresses the key condition of the PAP, that the acceleration of these Precincts be at no cost to Government.

The VPA is a contractual arrangement between the Minister for Planning representing the NSW Government and Marsden Park Developments Pty Ltd (Developer) that is expressly authorised by the Environmental Planning and Assessment Act. A Draft VPA was exhibited with the precinct planning package for public information.

Under the PAP, the Developer funds the precinct planning process as well as the delivery of essential infrastructure to support the orderly development of the whole of the Precinct, including regional road and services infrastructure.

The road infrastructure to be provided generally comprise the upgrade of a 1.7km section of Richmond Road between Townson Road and Grange Avenue to a four lane principal arterial road standard including intersections. The staged delivery of the Richmond Road upgrade is linked to development milestones within the Precinct.

The PAP requires that prior to the publication (gazettal) of the SEPP Amendment, the Developer must demonstrate that appropriate arrangements have been entered into with the relevant authorities for the provision of essential infrastructure. The exhibited VPA reflected these requirements.

In July 2010 the Developer advised the Department that it had been unable to secure contracts with the service authorities i.e. as such arrangements were inconsistent with existing practices. In response the Department redrafted the VPA to define an orderly process by which the Developer will plan and deliver infrastructure as required in consultation with the relevant authorities. The VPA now requires the Developer:

1. to prepare a Services Infrastructure Strategy within six months of the SEPP Amendment;
2. to prepare a Services Infrastructure Implementation Strategy within eighteen months of the SEPP Amendment;
3. to construct and provide for the ultimate handover of all services related land and services infrastructure to the relevant service authority.

The VPA now requires that contracts be entered into with the relevant authorities as components of services infrastructure are planned and delivered.

Appendix E contains a summary of the Marsden Park Industrial VPA as well as a copy of the signed VPA.

5 Consistency with State Policies

5.1 Growth Centres Structure Plan

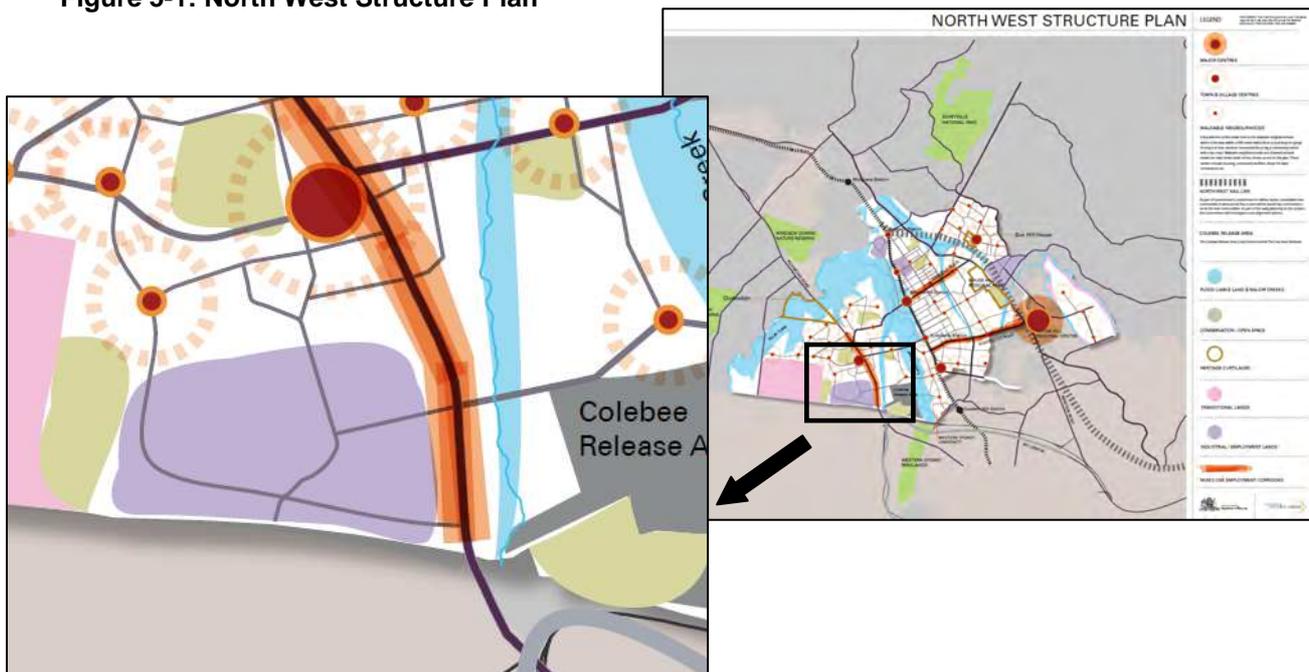
The proposed plan is consistent with the North West Growth Centres Structure Plan. The Structure Plan states that it is an 'indicative regional land use plan', to guide Precinct Planning. The Precinct Planning process for Marsden Park Industrial has been guided by the Structure Plan. Table 5-1 summaries the consistency with the Structure Plan.

Table 5-1: Consistency with North West Growth Centre Structure Plan

Structure Plan	Marsden Park Industrial ILP	Justification
Provision of a major area of industrial and employment lands	A total area of 206.6 hectares has been zoned for the purpose of industrial and 110.4 hectares for commercial land uses. These areas will significantly contribute to creating employment opportunities in the North West Growth Centre, supplying land for approximately 10,000 employees.	Consistent with Structure Plan.
Mixed use Employment Corridor	Light Industrial, Business Development, Business Park and residential zones surround Richmond Road creating a mixed use corridor along Richmond Road. The majority of uses located along Richmond Road are for employment generating land uses. Richmond Road will be upgraded as part of a PAP requirement helping to facilitate the development of the corridor.	Consistent, business uses form the dominant land use along corridor and is necessary for the future success of the future Marsden Park Town Centre.
Conservation lands in the south-west of the site	There is approximately 63.6 hectares of conservation land and open space throughout the Precinct, with the majority of the conservation lands located in the south-east of the Precinct. Areas of Non-Certified land within the Precinct connecting to Shanes Park will be zoned E2 Environmental Conservation.	Consistent with the Structure Plan.
East-west links	The ILP includes new east-west links with additional roads with a refined alignment to connect the Precinct to new communities at Riverstone and Schofields and the Richmond Rail Line. The RTA is proposing to upgrade and extend South Street with a connection through to the Schofields Precinct.	Consistent, detailed work determined following Precinct planning.

Structure Plan	Marsden Park Industrial ILP	Justification
Richmond Road is identified as a major road and access point.	The ILP identifies an upgrade to a section of Richmond Road from two lanes to four lanes, with ultimate capacity for six lanes.	Consistent, detailed work determined following Precinct planning.
Marsden Park Town Centre	Responds to the future town centre at Marsden Park, outside of the Precinct.	Consistent with the Structure Plan.
Walkable neighbourhoods identified north of the site	Responds to the future Marsden Park Precinct and town centre. The majority of residential land included in the ILP is located around the proposed walkable neighbourhoods with increased densities closer to the future Marsden Park Town Centre.	Consistent with the Structure Plan.
Access to the M7 motorway	The proposed upgrade of Richmond Road will provide greater access to the M7, improving linkages to regional and major centres.	Consistent with the Structure Plan.

Figure 5-1: North West Structure Plan



5.2 Growth Centres Development Code

The Growth Centres Development Code is a guide to the preparation of the Precinct Plans. The Development Code provides for consistent standards of development across the Growth Centres. The Marsden Park Industrial Precinct Plan has been prepared with reference to the Development Code and other development controls including those of Blacktown City Council, to enable controls to be consistent with surrounding areas. In some instances, variation of the design controls to the Development Code have been made to respond to particular site characteristics.

In summary, the Precinct Plan is consistent with the Development Code with the exception of matters where site specific controls are required, or where it has been determined that consistency with

Blacktown City Council's current controls takes precedence. A summary of consistency with the Development Code is provided below.

Table 5-2: Consistency with the Growth Centres Development Code

Development Code	Precinct Planning Controls
A. Precinct Planning Parameters	
A. Key Inputs – Employment and Retail	<p>The Growth Centres Development Code aims to promote the availability of local jobs with a diversity of employment close to transport centres. The Marsden Park Industrial Precinct will provide a major boost to western Sydney's employment capacity by providing land for approximately 10,000 employees. The Precinct provides a mixture of general industrial, light industrial, business development and a major business park.</p> <p>The Marsden Park Industrial Precinct has provided a large area 206.6 hectares of industrial zoned land within the Precinct. This includes both light industrial and general industrial land. The IN1 General Industrial zone will allow for heavier industrial uses and includes the location of the existing landfill located within the Precinct. The industrial areas are located off Richmond Road which will be upgraded and a short distance from the M7 providing good transport access.</p>
A. Key Inputs – Transport and Infrastructure	The upgrade of Richmond Road will provide a major relief to the local transport network and provide greater linkages to local and major regional centres.
A. Key Inputs – Social Infrastructure	Not the main focus of this Precinct, however issues associated with the future existing Caravan Park have been addressed. The caravan park will remain open as long as the landowner chooses to continue the business. Housing NSW has assisted eligible residents with inclusion on the Department of Housing register for affordable accommodation.
B. Preparing an ILP	
B3 Environmental Analysis	The Environmental Analysis was prepared by specialist consultants in accordance with the recommendations and guidelines of the Development Code.
B.9 Street Pattern Major roads should be defined within the ILP for inclusion into zoning maps, DCPs and S94 documents.	The Marsden Park Industrial Precinct is consistent with the objectives of the Development Code. The draft ILP nominates the main roads within the Precinct (Richmond Road and South Street) and identifies other major roads, access routes for circulation, parking access and service access roads. The ILP also leaves the location of minor streets flexible and is strategically planned to provide links to the future Marsden park Town Centre.
B.10 Block Size and Lot layout Optimal lot size and orientation is defined for solar access.	Block sizes in the Development Code relate to residential areas and town centres. The block sizes proposed in the ILP are specific to the Business Park and industrial uses in the Precinct.
B13 Work Places	The ILP provides for bus routes that service all the employment areas within the Precinct.
C. Designing Communities	
Overall	The DCP is consistent with the requirements of the Development Code in relation to Employment Lands.

Development Code	Precinct Planning Controls
C3 Street Sections	Detailed urban design and functional consideration in consultation with Council and RTA has resulted in a street hierarchy which is consistent with the Code but designed specifically to relate to the nature of industrial and commercial uses.
C3 Safety	The DCP requires the preparation of a Crime Prevention through Environmental Design (CPTED) Report to be submitted for certain Development Applications. The Draft BCC Growth Centres Precinct DCP provides the performance criteria that should be considered when preparing Development Applications.
C4 Streetscapes	The DCP provides setbacks to industrial buildings that provide adequate space for landscaped areas, enhancing the amenity of the streetscape.

5.3 Other Relevant SEPPs

Table 5-3: Consistency with Other SEPPs

Relevant Plan	Consistency
Draft SEPP 66 – Integrating Land Use and Transport	The proposed SEPP is consistent with these SEPPs to the extent they are relevant at this stage. Most relate to the statutory requirements and considerations at the Development Application stage. The impact of urban development has been considered at a strategic level to ensure that Development Applications will be capable of complying with these SEPPs.
SEPP 55 – Remediation	
SEPP 11 – Traffic Generating Development	
SEPP 19 – Bushland in Urban Areas	
SEPP 36 – Manufactured Home Estates	This SEPP does not apply to areas within the Sydney Region.

5.4 Section 117(2) Directions

A SEPP is not required to conform to s117(2) Directions, which are issued by the Minister under the *Environmental Planning and Assessment Act, 1979* as policy guidance for Local Environmental Plans (LEPs). However as the provisions relating to the Marsden Park Industrial Precinct Plan will ultimately be transferred from the SEPP to Blacktown City Council's comprehensive LEP, the SEPP has been assessed for consistency with the s117(2) Directions (as issued on 1 July 2009).

Table 5-4: Consistency with Section 117 Directions

Section 117 Direction	Compliance
1. Employment and Resources	
Direction 1.1 – Business and Industrial Zones	The Marsden Park Industrial Precinct proposes a business park, light industrial, general industrial and business development uses. The area of land to be zoned for industrial purposes is 206.6 hectares and the

Section 117 Direction	Compliance
	<p>area to be zoned for commercial purposes is 110.4 hectares.</p> <p>The Marsden Park Industrial Precinct will be one of the largest employment areas in the region. It is anticipated the Precinct will create approximately 10,000 jobs and will encourage significant employment growth in the North West Growth Centre.</p> <p>The draft SEPP Amendment is consistent with this direction.</p>
Direction 1.2 – Rural Zones	<p>Much of the Marsden Park Industrial Precinct is currently zoned 1 (a) Rural under the Blacktown LEP 1988 and as such the direction applies. The rezoning of the land for residential and business purposes is inconsistent with the direction.</p> <p>However, the inconsistency is justified as it is consistent with the North West Structure Plan, part of the Growth centres SEPP, and the draft North West Sub-Regional Strategy.</p>
Direction 1.3 – Mining, Petroleum Production and Extractive Industries	<p>There is an existing clay extraction and landfill operation located within the Precinct, which will be rezoned IN1 General Industrial allowing Waste or Resource Facilities to be permissible.</p> <p>There are no significant reserves of coal, other minerals, petroleum and extractive materials within the Precinct.</p>
Direction 1.4 – Oyster Aquaculture	The direction is not applicable to the Marsden Park Industrial Precinct.
Direction 1.5 – Rural Lands	<p>Much of the Marsden Park Industrial Precinct is currently zoned 1 (a) Rural under Blacktown LEP 1988 and as such the direction applies. The rezoning of land for residential, industrial and business purposes is inconsistent with the direction. However, the inconsistency is justified as by the guidance provided by the North West Structure Plan, part of the Growth Centres SEPP, and with the draft North West Subregional Strategy.</p>
2. Environment and Heritage	
Direction 2.1 – Environmental Protection Zones	<p>The Precinct Plan includes provisions to facilitate the protection and conservation of significant vegetation through the use of E2 Environmental Conservation Zones throughout the Precinct. The Precinct provides 63.6 hectares of conservation land and open space. Where possible vegetation will be retained in areas zoned IN1 Infrastructure being co-located with local drainage as the retention of vegetation will help achieve increased water quality requirements.</p> <p>The draft SEPP Amendment is consistent with this direction relating to environmental protection zones.</p>
Direction 2.2 – Coastal Protection	The direction is not applicable to the Marsden Park Industrial Precinct.
Direction 2.3 – Heritage Conservation	This direction is not applicable to the Marsden Park Industrial Precinct. There are no items of state or local heritage significance within the Marsden Park Industrial Precinct.
Direction 2.4 – Recreation Vehicle Areas	The direction is not applicable to the Marsden Park Industrial Precinct.

Section 117 Direction	Compliance
3. Housing, Infrastructure and Urban Development	
Direction 3.1 – Residential Zones	<p>The plan is generally consistent with the direction as it implements the adopted North West Structure Plan and the Growth Centres Development Code. A range of housing types are encouraged and the density of development will be maximised. The SEPP Amendment and DCP include controls to ensure high quality design of residential development.</p> <p>This will encourage efficient use of infrastructure and the proximity advantages of being close to the future town centre in Marsden Park Precinct.</p>
Direction 3.2 – Caravan Parks and Manufactured Home Estates	SEPP 36 – Manufactured Home Estates does not apply to areas within the Sydney Region.
Direction 3.3 – Home Occupations	The plan is consistent with the direction as it permits home occupations in the R2 Low Density Residential and R3 Medium Density Residential zones without consent.
Direction 3.4 – Integrating Land Use and Transport	<p>The objective and requirements of the direction are achieved through implementation of the requirements of the Growth Centres Development Code and consistency with the adopted North West Structure Plan.</p> <p>Additional public transport services will be provided as development progresses to support the growing population. Specifically, the Plan provides east-west links to the nearby Richmond Rail Line and also provides bus connections to link the future Marsden park Town Centre and other major centres such as Rouse Hill. This area will benefit from increased public transport availability.</p>
Direction 3.5 – Development Near Licensed Aerodromes	The Precinct is not located near a licensed Aerodrome.
4. Hazard and Risk	
Direction 4.1 – Acid Sulfate Soils	The direction is not applicable to the Marsden Park Industrial Precinct.
Direction 4.2 – Mine Subsidence and Unstable Land	<p>The Marsden Park Industrial Precinct is not within a mine subsidence district.</p> <p>An issue raised during exhibition was the location of an east-west road located north of the landfill and concerns regarding subsidence and the stability of this area. Additional geotechnical investigations have confirmed that the location of the east-west road on the ILP is suitable, subject to appropriate engineering designs.</p>
Direction 4.3 – Flood Prone Land	The plan is consistent with the direction in zoning flood prone land.
Direction 4.4 – Planning for Bushfire Protection	The plan is consistent with the direction and provides for appropriate APZs and perimeter roads having regard to <i>Planning for Bushfire Protection 2006</i> .

Section 117 Direction	Compliance
5. Regional Planning	
<p>Direction 5.1– Implementation of Regional Strategies</p> <p>Direction 5.2 – Sydney Drinking Water Catchments</p> <p>Direction 5.3 – Farmland of State and Regional Significance on the NSW Far North Coast</p> <p>Direction 5.4 – Commercial and Retail Development along the Pacific Highway, North Coast</p> <p>Direction 5.5 – Development in the Vicinity of Ellalong, Paxton and Millfield</p> <p>Direction 5.6 – Sydney to Canberra Corridor</p> <p>Direction 5.7 – Central Coast</p> <p>Direction 5.8 – Second Sydney Airport: Badgerys Creek</p>	<p>These directions do not apply to the Marden Park Industrial Precinct.</p>
6. Local Plan Making	
<p>Direction 6.1 – Approval and Referral Requirements</p>	<p>The plan is consistent with the direction and does not contain provisions requiring concurrence, consultation or referral which have not been approved. The plan does not identify any development as designated development.</p>
<p>Direction 6.2 – Reserving Land for Public Purposes</p>	<p>The plan has resulted in a decreased area of land identified as SP2 Infrastructure as a result of additional water cycle investigations determining that a smaller area for drainage basins and channels is required. The Bells Creek corridor will remain in private ownership.</p> <p>Identified public authorities in the Table to Clause 5.1 of the plan (the Roads and Traffic Authority and Blacktown City Council) have approved of the inclusion of acquisition provisions for the land shown on the Land Reservation Acquisition Map.</p>
<p>Direction 6.3 – Site Specific Provisions</p>	<p>The plan contains specific provisions for development within the B5 Business Development zone. Provisions relating to takeaway food and drink premises have been included in Schedule 1. The listing of these uses is consistent with the Standard Instrument and the direction and the need to maintain clarity within the B5 zone permissible uses.</p>

Section 117 Direction	Compliance
7. Metropolitan Planning	
Direction 7.1 – Implementation of the Metropolitan Strategy	The Marsden Park Industrial Precinct is located within the Blacktown City Council local government area and as such this direction applies. The plan is consistent with the direction as it follows economic and employment criteria as set out in the Draft North west Subregional Strategy and the North West Structure Plan.

5.5 Planning Assessment Commission Review

In October 2010 the Planning Assessment Commission (PAC) reviewed the Marsden Park Industrial Precinct planning package. The precinct planning package was referred to the PAC as political donors owned land within the Precinct.

In a letter to the Minister dated 22 October 2010 the PAC found that the Department’s approach to the planning of Marsden Park Industrial Precinct was reasonable and supported the proposed planning outcomes. Refer to Appendix F.

The PAC made one minor recommendation regarding Ecological Sustainable Development in the DCP. The PAC suggested the provisions in the DCP be strengthened further to use alternative sources of energy and undertake other green initiatives. Relevant sections of the DCP have been updated to include additional controls relating to alternative sources of energy and green initiatives. As the amendment was minor in nature, re-exhibition is not warranted.



Appendix A: Final Indicative Layout Plan



Appendix B: Summary of Submissions



Appendix C: Post-Exhibition Biodiversity Certification Report



Appendix D: Post-Exhibition Water Cycle Management Strategy Report



Appendix E: State Level Voluntary Planning Agreement



Appendix F: Planning Assessment Commission Review