

Planning Proposal - University of Western Sydney, Westmead

Proposal Title : **Planning Proposal - University of Western Sydney, Westmead**

Proposal Summary : **To rezone the land at 158-164 Hawkesbury Road, and part of Lot 8 DP 1077852 (2a Darcy Road) Westmead, owned by University of Western Sydney, from SP2 Special Uses (Educational Establishment) to B4 Mixed Use.**

PP Number : **PP_2012_PARRA_003_00** Dop File No : **11/21313**

Proposal Details

Date Planning Proposal Received : **01-Aug-2012** LGA covered : **Parramatta**

Region : **Sydney Region West** RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **158-164 Hawkesbury Road**

Suburb : **Westmead** City : **Westmead** Postcode : **2145**

Land Parcel :

Street : **Part of 2A Darcy Road**

Suburb : **Westmead** City : **Westmead** Postcode : **2145**

Land Parcel : **The site is located in the Westmead Precinct, approximately 2 kms west of the Parramatta CBD on the western railway line. It has an area of around 4.04ha, is irregular in shape and sits on the southern side of Darcy Road. The buildings on the site are currently utilised by the University of Western and its tenants for a variety of courses.**

DoP Planning Officer Contact Details

Contact Name : **Michael Druce**

Contact Number : **0298601544**

Contact Email : **michael.druce@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Paul Kennedy**

Contact Number : **0298065093**

Contact Email : **pkennedy@parracity.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **LOBBYIST STATEMENT**
At this time, to the best of the Regional Team's knowledge, there have been no meetings or communications with lobbyists regarding this Planning Proposal.

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **SUPPORTING DOCUMENTS**
Council provided a large number of documents to support the planning proposal. Only those documents that are relevant for consideration of the planning proposal by the Panel have been uploaded to this Tracking System by the Regional Team. The complete set of documents will be made available by Council for the exhibition.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions is generally adequate.**

The proposed provisions will have the effect of rezoning the site from SP2 to B4 Mixed uses, allowing for a range of maximum building heights across the site up to a maximum of 48 metres, changing floor space ratios (4:1, 3.5:1, 3:1 and 1.5:1), and inserting a clause that requires a minimum non-residential floorspace on land fronting Hawkesbury and Darcy Roads.

However, this final provision - to insert a minimum non-residential floor space clause uses the acronym "GFA". The meaning of this is not provided and the full term needs to be

given.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

**SEPP No 4—Development Without Consent and Miscellaneous
Exempt and Complying Development**

SEPP No 6—Number of Storeys in a Building

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

Drinking Water Catchments Regional Environmental Plan No. 1

SEPP (Affordable Rental Housing) 2009

e) List any other
matters that need to
be considered :

The planning proposal has identified the S117 directions listed above as being relevant to the proposal and has indicated that the planning proposal is consistent with all of these (see pages 9-10 of the planning proposal for more information).

The Regional Team agrees with this assessment and the reasons given by Council.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

1. The planning proposal does not adequately deal with SEPP 55 - Remediation of Land.

It is listed in Table 2 of the planning proposal and it is shown as being consistent. Additionally it is indicated that the planning proposal will not contain provisions that will contradict or would hinder the application of this SEPP. It makes reference to an EIS attached at Appendix 6 which demonstrates that the site can be adequately remediated for the end use. However, this document does not include remediation actions.

At this time the planning proposal does not comply with the requirements of Clause 6(1) of SEPP 55. Council has not demonstrated that it has considered the information provided by the proponent so that it can form the view that the land can be remediated for the proposed purposes.

It is recommended that Council make a specific and explicit reference to this issue in the text of the planning proposal, demonstrating that it has considered the information provided informing its views. This is to include details of any contamination present on the site and the ways in which this will be dealt with to make the site suitable for the desired purpose.

2. The planning proposal identifies SEPP (Sydney Drinking Water Catchment) 2011 as requiring consideration. This is not the case as the land in question is not within the Sydney Drinking Water Catchment, and as such it is not applicable.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The maps provided are adequate for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council proposes a 28 day community consultation period.

This is supported - although it can be considered as a spot rezoning it is a significant proposal that is likely to generate a high level of public interest.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : The initial planning proposal documents provided to the Department contained numerous references to other documents that were incorrect making it extremely difficult to follow and identify the correct relevant supporting information. This was subsequently corrected by Council and a further accurate set of documents provided.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Parramatta LEP 2011 was made in November 2011.

Assessment Criteria

Need for planning proposal :	In 2006 the site was deemed to meet the criteria of the Major Projects SEPP and authorisation was given for submission of a concept plan under Part 3A of the EP&A Act. In June 2011 Part 3A was repealed and as a result the Major Project application could not proceed. Accordingly a planning proposal is now required for the rezoning of the land.
------------------------------	--

Consistency with strategic planning framework :	The proponent identifies a number of strategic studies and reports relating to the Westmead area.
---	---

These include:

- Draft West Central Subregional Strategy
- Metropolitan Plan for Sydney 2036
- Parramatta Regional Planning Strategy 1999
- Various transport and employment lands studies and most recently the Economic Development Strategy 2011-2016 adopted by Council November 2011
- Parramatta Council Planning Strategy for Westmead; and
- ARUP Master Plan Update Report December 2011.

The proponent argues that the above studies and strategies inform and support the strategic nature of the site, its place within the precinct, and supports it being developed for mixed use.

Environmental social
economic impacts :

Proposed Building Controls:

Given the site's relative proximity to the Parramatta Regional Centre (which has heights of up to 120m and 200m in one location), good service by public transport, and good accessibility via road, the zoning, building height and floor space controls are generally considered suitable for this location and as such should proceed to exhibition to allow comment.

However, the proposed control for a minimum non-residential floor space on the road frontages, whilst reasonable in principle, does not appear to have been justified by any supporting analysis to demonstrate the purpose and effectiveness of this provision. It is recommended that this be provided and explicitly referenced in the amended planning proposal prior to exhibition.

Environmental:

The planning proposal states that the site does not contain critical habitat, threatened species, populations or communities.

It also states briefly that the proposal is unlikely to result in any environmental effects. This assertion is questionable, not the least due to the site being contaminated. Reference is made to Attachment 3.3 of Council's report which discusses a number of issues including site contamination, heritage, flora and fauna and traffic impacts. It is recommended that the planning proposal be amended to include identification of the relevant environmental impact issues and how these are to be managed.

Social:

The planning proposal states that the proposed rezoning and future development of the site will have a positive social impact. It provides a number of supporting reasons for this such as providing housing choice, accessible public open spaces and improving amenity. This view is supported and it is considered that the proposal can have a positive social impact.

Economic:

The planning proposal identifies that the redevelopment of the site to include components of retail will not undermine the sustainability of the existing Westmead centre. Instead it will facilitate an increase in economic activity and provide increased opportunity for jobs along with better retail services for residents, hospital workers and visitors and students.

This view is supported.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :
Timeframe to make LEP :	9 Month	Delegation :
Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage Transport for NSW Transport for NSW - Roads and Maritime Services Sydney Water Other	
Is Public Hearing by the PAC required?	No	
(2)(a) Should the matter proceed ?	Yes	
If no, provide reasons :		

Planning Proposal - University of Western Sydney, Westmead

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Copy of Letter to Dept of Planning & Infrastructure.pdf	Proposal Covering Letter	No
Planning Proposal.pdf	Proposal	No
Appendix 01 - Proposed Zoning Building Height and FSR maps.pdf	Map	No
Appendix 02 - Background Information and More Detailed Justi.pdf	Study	No
Appendix 04 - Urban Design Analysis.pdf	Study	No
Appendix 05 - Traffic and Access.pdf	Study	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :

It is recommended that the planning proposal proceed, subject to the following conditions:

1. Council revise the planning proposal prior to exhibition as follows:

a. In respect of the proposed control for a minimum non-residential floor space on the road frontages, justification is to be given and to include supporting analysis to demonstrate the purpose and effectiveness of this provision. This to be provided and explicitly referenced in the amended planning proposal prior to exhibition.

b. In respect of compliance with SEPP 55, a specific and explicit reference to this issue in the text of the planning proposal is to be provided, demonstrating that Council has considered the information provided informing its views. This is to include details of the contamination present on the site and the ways in which these will be dealt with to make the site suitable for the desired purpose.

c. To remove reference to SEPP (Sydney Drinking Water Catchment) 2011 as requiring consideration.

d. In the section on Environmental Impacts, the planning proposal is to be amended to include identification of the relevant environmental impact issues and how these are to

be managed.

e. That references to other documents (eg. appendix, attachment) be carefully checked for accuracy and where necessary be amended.

2. The revised planning proposal is to be submitted to the Regional Director, Sydney West for approval to proceed to exhibition.

3. Council consult with the following agencies:-

>> Transport for NSW (including RMS, Transport NSW and Railcorp)

>> Sydney Water

>> Office of Environment and Heritage

>> Endeavour Energy

>> Parramatta Park Trust

This consultation can occur concurrently with the public exhibition of the proposal.

4. The planning proposal be publicly exhibited for 28 days.

5. The timeframe for the making of the LEP is to be 9 months from the week following the gateway determination.

Supporting Reasons :

The planning proposal is supported as:

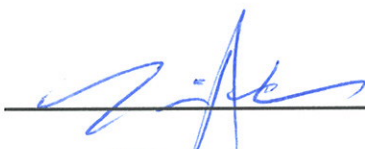
1. it will implement a component of Council's strategic plan for Westmead,

2. it will provide a greater development potential within the centre,

3. the intended outcomes, explanation of provisions and justification of the planning proposal are consistent with the criteria outlined in the Guide to Preparing Local Environmental Plan, and

4. it will meet the aims of Sydney Metropolitan Plan 2036 by allowing Westmead to continue to grow as a centre.

Signature:



Printed Name:

TIM ARCHER

Date:

17 / 8 / 12

