



Planning Proposal

150 Rawson Rd

Guildford

Parramatta City Council

April 2015

Contents

CONTENTS	1
1.0 INTRODUCTION.....	2
2.0 THE SITE	3
3.0 EXISTING PLANNING CONTROLS	4
4.0 THE PLANNING PROPOSAL	5
4.1 OBJECTIVES AND INTENDED OUTCOMES	5
4.2 EXPLANATION OF PROVISIONS.....	5
5.0 ASSESSMENT OF THE PLANNING PROPOSAL AGAINST THE NSW DEPARTMENT OF PLANNING AND INFRASTRUCTURE GUIDELINES	7
5.1 NEED FOR A PLANNING PROPOSAL	7
5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.....	12
5.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.....	14
5.4 STATE AND COMMONWEALTH INTERESTS.....	18
6.0 MAPPING	20
7.0 COMMUNITY CONSULTATION	21
8.0 INDICATIVE TIMELINE	22

1.0 Introduction

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning & Assessment Act, 1979 (EP&A Act)* and the NSW Department of Planning & Environment's (DPE) relevant guidelines, including '*A guide to preparing local Environmental Plans*' (April 2013) and '*A guide to preparing planning proposals*' (October 2012).

This Planning Proposal seeks to amend Schedule 1 of Parramatta Local Environmental Plan 2011 (PLEP 2011) to allow additional permitted uses on the subject site.

The Planning Proposal seeks to formalise the existing use of the site for Hotel/Motel Accommodation, with the addition of a Packaged Liquor Outlet with a maximum gross floor area of 1350m².

2.0 The Site

The subject site, known as 150 Rawson Rd, Guildford, is outlined in red in the aerial view below. It comprises of the following allotments with a total area of 7,935m²:

- Lot 6 DP 18288
- Lot 1 DP 23249



Figure 1 - Site

The site fronts onto Rawson Rd, and is located wholly within the Guildford (Woodville Rd) Industrial Precinct. The current site contains a two storey Hotel (Golf View Hotel) surrounded by a large asphalt car park. A Right of Carriage Way runs along the eastern edge of the site providing access for the storage facilities immediately to the south. The Woodville Public Golf Course is immediately adjacent to the site to the east.

The surrounding Industrial Precinct to the south and west is comprised of 1-3 storey industrial buildings with no predominant character. Existing uses in the precinct include self-storage, light-industrial business park, some fitness centres and a number of trade showrooms. The land immediately to the north across Rawson Rd is zoned R2 and contains detached 1-2 storey residences.

3.0 Existing Planning Controls

The Parramatta Local Environmental Plan 2011 is the primary environmental planning instrument applying to the site. The key current planning controls that apply to the site are summarised below. The site is a considerable distance from any heritage item and is not subject to flooding.

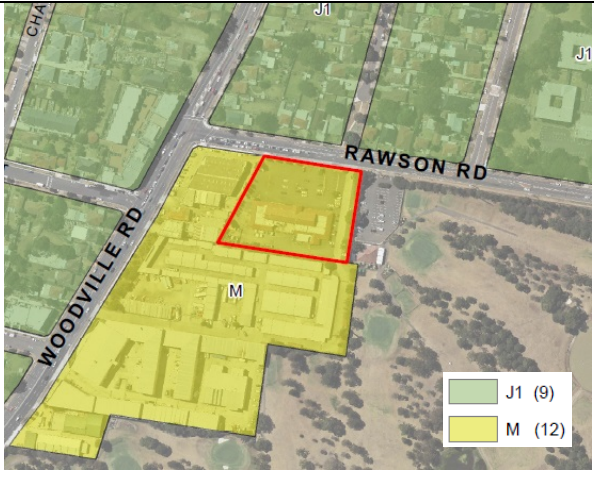
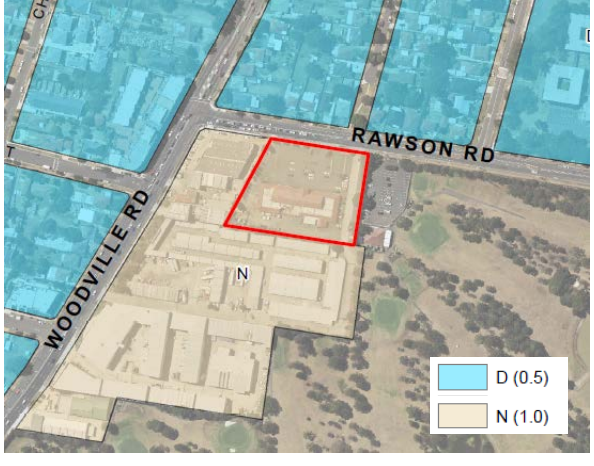
Zoning	IN1 – General Industrial	
Height	M - 12m	
FSR	N – 1.0:1	

Table 1 – Current Planning Controls

4.0 The Planning Proposal

Consistent with current Departmental guidelines for preparing planning proposals, this section outlines the objectives and/or intended outcomes of the proposal.

4.1 Objectives and Intended Outcomes

The Planning Proposal seeks to amend Schedule 1 of Parramatta LEP 2011 to allow additional permitted uses on the subject site. These are to formalise the existing use of the site for Hotel/Motel Accommodation, and the additional use of a Packaged Liquor Outlet with a maximum gross floor area of 1350m². The desired outcome of this proposal is to allow for the demolition of half of the existing Hotel and construction of a Dan Murphy's.

4.2 Explanation of Provisions

In accordance with the guidelines prepared by the Department of Planning and Environment, this section outlines the amendments required to the relevant environmental planning instrument to achieve the stated objectives and/or intended outcomes.

Zoning

The proposal does not seek to change the zoning to ensure there is no net loss of industrially zoned / employment lands within the LGA.

Existing Use Rights

The proposal seeks to extinguish the existing use rights of the Golf View Hotel through the inclusion of an Additional Permitted Use of Hotel/Motel Accommodation in Schedule 1 of the Parramatta LEP 2011.

Aligned Additional Permitted Use

The proposal also seeks a further additional permitted use for a Packaged Liquor Outlet, as it is closely aligned with existing use rights of the site as a hotel.

Potential Clause (subject to potential redrafting by Parliamentary Counsel post-exhibition)

Use of certain land at 150 Rawson Rd, Guildford.

(1) This clause applies to land at 150 Rawson Rd Guildford, being Lot 6 DP 18288, and Lot 1 DP 23249.

(2) Development for the purposes of hotel/motel accommodation, is permitted with development consent.

(3) Development for the purposes of a Packaged Liquor Outlet with a maximum gross floor area of 1350m², is permitted with development consent.

5.0 Assessment of the Planning Proposal against the NSW Department of Planning and Infrastructure Guidelines

5.1 Need for a Planning Proposal

Is the planning proposal a result of any strategic study or report?

This planning proposal is not the result of any strategic study or report however, it is noted that Council is currently preparing a Parramatta Employment Lands Strategy (PELS) that is expected to provide a consolidated set of land use planning actions and recommendations to guide the future of Parramatta's industrially zoned/employment land precincts. Whilst the PELS is yet to be reported to Council, it is expected this Planning Proposal will have a negligible impact on the PELS findings given it seeks to retain the existing zoning and will not reduce the total amount of industrial land within the LGA.

Is the planning proposal the best means of achieving the objectives or intended outcomes?

The desired final outcome of this proposal is to allow for the demolition of half of the existing Hotel on the site and construction of a Dan Murphy's. By formalising the existing use as an Additional Permitted Use under Schedule 1 of the LEP (along with an associated Retail use) it:

- removes an existing use anomaly from the LEP,
- does not seek to change the zoning and therefore will not result in a net loss of industrial zoned land,
- the additional permitted use is clearly linked with the existing use rights on the site and therefore does not set an undesirable precedent for rezoning of other industrial or employment lands.

An alternate mechanism to allow the redevelopment would be to rezone the site to a zoning that permits both a hotel and retail uses. However, for reasons detailed in following sections of this report this approach is not supported.

Existing Use Rights

The provisions of the Environmental Planning and Assessment Act 1979 that govern the operation of Existing Use Rights are contained in Clause 106. In summary, 'Existing use rights' is the item that applies to the use of a building, work or land that is lawfully commenced before an environmental planning instrument was enacted prohibiting that use. Under existing use rights the use can continue despite the prohibition. However, the existing use must continue to operate and cannot have been abandoned (i.e. ceased for a period greater than 12 months).

The Environmental Planning and Assessment Regulation 2000, Part 5 governs existing uses. Under the EP&A Act and Regulations, those with existing use rights are allowed to intensify, enlarge or expand an existing use subject to consent and a merits based assessment. However, the existing use rights cannot be 'transferred' or changed to another prohibited use, with a small number of exceptions. These are dealt with under Clause 41 (1) (e) & (f) of the Regulations, an existing Commercial use may change to another Commercial use, likewise a Light Industrial use to a Light Industrial or Commercial use. However, if this change is permitted it must not:

- increase the floor space by greater than 10% and involve only minor alterations,
- involve significant intensification,
- involve rebuilding the premises.

Since the construction of the then "Grand Villa Hotel" in the late 1960's, the hotel on the site has been operating up until the present day. There has been ongoing correspondence over decades between Council and the Owners/Managers on matters relating to the use of the site as a hotel such as health inspections, fire safety audits and Place of Public Entertainment approvals.

There have also been a number of DA's approved for the site relating to its use as a hotel including:

- 15/9/1981, Council approved DA No 450/M163/1149/4 BF:KP to "carry out extensions and alterations".
- 30/8/1983, Council approved DA No. 4758/D/163/1149/4 PPK:KP to "enclose a proposed beer garden and also to establish a "pub-tab" office within the existing hotel building".
- 1/9/1999, Council approved DA No. JK/01002/99 to "carry out alterations to the existing hotel".
- 25/7 2005, Council approved DA No. JP/00470/02 for the "replacement of an existing sign".

It is the view of Council officers that existing use rights for the Golf View Hotel at 150 Rawson Rd, Guildford (Lot 6 DP 18288 and Lot 1 DP 23249) are valid and uncontested. Given the history of the site operating as a hotel since the 1960's until now, it is considered that the proposal to formalise the existing use as a hotel is appropriate. In this regard, the applicant would not be prohibited from expansion of their "Hotel/Motel Accommodation" existing use subject to a merits based assessment.

Potentially, the applicant could seek (under a Development Application to Council) to justify a change from one commercial use (i.e. Hotel/Motel) to another commercial use (i.e. Retail Premises), subject to any increase in total floor space being no more than 10% of the existing floor space.

However, under current existing use rights provisions, they are not able to retain part of the existing Hotel/Motel and add a liquor outlet as proposed as it would exceed the 10% cap stipulated in the Regulations. It is for this reason that the applicant is seeking to amend the Parramatta LEP 2011 to include the new proposed use "Retail Premises" as an additional permitted use to allow for the liquor outlet. At the same time they are also seeking to formalise the existing "Hotel/Motel" use by also listing it as an additional permitted use.

An argument could be made that formalising the Hotel/Motel use is not necessary given the site benefits from existing use rights for this use. The perceived benefits of formalising the use and removing existing use rights is that it provides more certainty about future redevelopment options for the Hotel/Motel site and avoids potential future confusion from having part of a site subject to existing use rights and the other part an additional permitted use if the site is redeveloped in the future.

Furthermore, it is considered that the current site is well-suited for a hotel. The site is well buffered from any residential zones by a busy road to the north, the golf course to the east, and to the west and south by the wider industrial precinct. This limits any potential land use conflicts between residential uses that, if they had been adjacent, may create conflict. Similarly, the use of this site as a hotel does not inhibit the adjacent recreational and industrial uses.

Additional Aligned Permitted Use

The proposal also seeks an additional permitted use for a Packaged Liquor Outlet as it is closely aligned with existing use rights of the site as a hotel.

There are two reasons why restricting this type of retail is recommended rather than allowing broader 'retail premises / shops'. Firstly, this may open the door to a wider range of uses in the future not linked to the existing use such as supermarkets or general retail shops which are not considered appropriate. This is because the site is located in an out of centre location and the potential for a supermarket to locate within this industrial precinct (under "Retail Premises") may adversely affect the viability of established centres nearby.

Secondly, permitting general retailing based solely on increasing employment sets an undesirable precedent. Accepting this justification has the potential to put other industrial and employment lands at risk of rezoning, while disregarding the broader strategic value of retaining industrial zoned land in the future. The proposed restricted retail use ensures that similar proposals in the future will require a strong link to any existing use rights on the site and require justification against the strategic value of the site.

It is noted the term 'Packaged Liquor Outlet' is not included within the Standard LEP definitions, it is the standard language used by the Office of Liquor and Gaming and within the Liquor Act (2007) to describe the licence of which the primary purpose is to sell liquor that will not be consumed on the premises.

This Planning proposal therefore seeks to include a new term ('Packaged Liquor Outlet') into Schedule 1 in order to restrict general retailing at the site. Should the Department of Planning and the Environment not agree to allowing this new term as part of this Planning Proposal, Council officers would not recommend supporting the introduction of 'retail premises' or 'shops' at this site due to the reasons mentioned above.

5.2 Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Employment and jobs growth is a key focus of the A Plan For Growing Sydney and the vision for industrial lands is explained within 'Direction 1.9: Support priority economic sectors'. Within Direction 1.9 it states the Industrial Lands Strategic Assessment checklist will guide assessment of proposed rezoning of industrial lands. Though scheduled to be updated, this has yet to take place. The current checklist is provided below:

- *Is the proposed rezoning consistent with the State and/or council strategies on the future role of industrial lands?*
- *Is the site:*
 - o *Near or within direct access to key economic infrastructure?*
 - o *Contributing to a significant industry cluster?*
- *How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?*
- *How would the proposed rezoning impact on the achievement of the subregion/region and the LGA employment capacity targets and employment objectives?*
- *Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?*
- *Is the site critical to meeting the need for land for an alternative purpose in other NSW Government or endorsed council planning strategies?*

The State Government is yet to release the sub-regional planning strategy associated with A Plan for Growing Sydney meaning the Draft West Central Subregional Strategy (WCSS) from 2007 remains the sole guiding strategic document for the sub-region. The Draft WCSS categorises the Precinct as "land

with potential to allow for a wider range of employment uses” as opposed to “retention as industrial land”, or “investigation for alternative uses”.

The Precinct currently supports a mix of low-density employment including self-storage facilities, some fitness centres, a light industrial business park and a number of trade showrooms/outlets. The broader precinct does not currently contribute to a significant cluster and the site itself does not currently support any other industrial or associated activity, though it does provide essential industrial and trade services to the local area.

The proposal does not seek a rezoning of the land, and therefore the site will retain the potential for industrial uses in the future. The proposed Schedule 1 amendment will not only rationalise the existing use, but it also seeks an additional use of a packaged liquor outlet aligned to the existing use of pub/bar within the Golf View Hotel. Should the Planning Proposal progress it is expected that the future redevelopment of the site will continue to contribute to the employment targets within the precinct.

Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

Council is currently preparing a Parramatta Employment Lands Strategy (PELS), that is expected to provide a consolidated set of land use planning actions and recommendations to guide the future of Parramatta’s industrially zoned/employment land precincts. Whilst the PELS is yet to be reported to Council, it is expected this Planning Proposal will have a negligible impact on the PELS findings given it seeks to retain the existing zoning and will not reduce the amount of industrial land.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

The State Environmental Planning Policies (SEPPs) that are relevant to the proposal are:

- SEPP (Infrastructure) 2007;
- SEPP 55 – Remediation of Land; and
- SEPP 64 – Advertising Signage.

The site is located adjacent to a classified road (Rawson Road) and pursuant to the SEPP (Infrastructure) 2007 and the proposed development will be referred to the Roads and Maritime Services (RMS) for concurrence. The proposed development is considered able to achieve compliance with these requirements.

The proposal is also able to achieve compliance with SEPP 55 and SEPP 64 at the detailed design stage and these matters will be addressed during the Development Application process.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The key Ministerial Direction relating to this proposal is Direction 1.1 Business and Industrial Zones of which the objectives are:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

This direction applies where a planning proposal will affect land within an existing business or industrial zone. Section 4 (d) specifically requires that any proposal must “not reduce the total potential floor space area for industrial uses in industrial zones”. The proposal does not seek to change the zoning and therefore will not prohibit any future potential industrial uses.

The proposal is also consistent with the objective of encouraging employment growth as the applicant estimates that ongoing employment on the site will increase from 12 to 33 Full Time Equivalent (FTE) jobs.

5.3 Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site has been developed since the 1960's and is an established hotel with associated at-grade asphalt and concrete carpark that covers almost the entire area. The investigations informing this Planning Proposal report suggest that the subject site does not contain any natural environmental features which would be adversely affected by the proposal.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The site is identified as comprising Class 5 Acid Sulfate Soils within LEP 2011. However the site is located further than 500m from any land classified as Class 1, 2, 3 or 4 Acid Sulfate Soils and therefore the proposal will not result in any significant adverse environmental impacts. This site is also not subject to flooding.

Additional Effects

A range of specialist investigations have been undertaken to consider the impacts of this Planning Proposal, or may affect the outcomes of the proposed development.

Those specialist investigations include:

- Traffic & Transport Assessment by Cardno in **Appendix A**.
- Plans for the development in **Appendix B**.
- Economic Impact Assessment by MacroPlanDimasi in **Appendix C**.
(addressed in Economic Impacts section)

There will be new investment in the site, revitalising the aging Golfview Hotel and surrounding carpark through implementation of a full landscaping plan including upgrades to the private and public domain, maintaining existing trees along the boundaries of the site as well as additional planting. Council staff are recommending upgrading of the existing private carpark with new private lighting as well as upgrades to the verge along Rawson Rd including 1.8m footpaths, planting and street lighting. This will improve the general appearance and amenity for surrounding properties and passers-by.

The impacts of the planning proposal in the context of its local road network are addressed in the traffic and parking assessment included as **Appendix A**. In summary, the report predicts an additional 284 car movements in peak periods will be generated, and believes there will be no significant impact on current intersection service levels. However, according to Council records, in between July 2008 and June 2013 there were 17 accidents on Rawson Rd in the area, of which a large portion involved right turns into the south side of Rawson Rd. It is

therefore the recommendation of Council's Traffic and Transport team that if this application proceeds to a DA, a concrete median be installed between Woodville and Rowley Rd. The proposed number of car parking spaces (116) will comfortably accommodate the anticipated post development peak parking demand of 81 spaces.

Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will result in positive economic and outcomes, and may have negative social effects. Economically, the proposal will generate a significant number of new jobs, and the addition of a new Dan Murphy's store will offer increased choice, convenience and amenity for the population of the main trade area. There are concerns about the increase in availability of alcohol in the local area and the effect on the welfare of residents.

Economic Effects

The economic effects of this proposal are addressed in the economic assessment included as **Appendix C**. The existing Golfview Hotel supports an estimated 16 jobs at present. The redevelopment entails a reduction in the size of the hotel, including the removal of the accommodation facilities. The existing hotel includes much underutilised space and staff required to service the accommodation facilities is likely to be minimal. Therefore, the proposed consolidation of the hotel is estimated to result in the loss of 2 full time equivalent jobs.

According to ALH Group, the Dan Murphy's store could support around 30 jobs when it is fully operational, of which about half would be full-time and about half would be part-time. Assuming that a part-time job equates to around 50% of a full-time job, this would equate to around 23 full-time equivalent jobs. These additional jobs would result in the net addition of 21 full-time equivalent jobs at the subject site, and therefore increase ongoing employment to 33 FTEs.

According to ALH Group, the construction costs of the project are estimated to be \$4.5 million with the development expected to be completed within a period of one year. The estimated employment resulting from the construction of the project to be about 50 jobs for that year, including around 19 created directly and a further 31 resulting from multiplier induced effects.

The applicant's proposal requested the broader term of "retail premises" for the extra additional use. Council officers do not support this terminology and are proposing a new definition of "Packaged Liquor Outlet". This is to ensure any future development on the site is limited to a use aligned with the existing use, and preventing the establishment of a new retail centre that has the potential to impact on the viability of existing local centres.

The applicant has advised that Dan Murphy's business model is a large format liquor store that provides a wide variety of products (over 3,500 products) and that in order to implement their business model the 1,350m² floor plate proposed is an essential design element. In addition, the applicant has submitted examples of a range of stores within the region which range in size from 1,119m² (Richmond) to 1,871m² (Casula). The applicant considers that the proposed 1,350m² floor plate represents an average size and is not excessive in comparison to other Dan Murphy's liquor stores.

Social Effects

Dan Murphy's is an established retail business which has specific management policies in place for their stores to ensure that alcohol is not sold to persons underage. Such management policies include the ID 25 and "Don't buy it for them". In addition, surveillance and security measures including CCTV cameras, appropriate lighting, signage, maintenance and locking devices will also be provided within the proposal.

Potential negative impacts of the proposed development may include:

- The loading operations;
- Increased vehicle noise and from patrons coming and going.

However, the proposed hours of operation for the Dan Murphy's Liquor Store (Monday to Saturday: 900-2100; Sunday: 1000-2000) and the loading dock (7 days: 600-2200) are considered to assist in eliminating noise and anti-social behaviours that could potentially arise if late night trading was permitted.

Council's Social Outcomes team raised the following concerns about an increase in the availability of alcohol to the local area, and ultimately do not support the proposal which enables the development of a large format liquor retailer.

Currently Parramatta LGA has a higher concentration of liquor licenses than the rest of the state, and there are currently 14 packaged liquor outlets within 5km (10minutes drive) of the site. Alcohol related harm has been rising in Parramatta LGA since 1998, and along with Holroyd and The Hills have rates above the state average. Specific reference was made to workshops with local high school students, whereby students supported limiting access to alcohol in areas near children.

Given the above, should the planning proposal be endorsed by Council for Gateway determination, it is recommended that a Social Impact Assessment (SIA) be submitted by the applicant to enable the SIA to be publicly exhibited with the planning proposal and considered together with submissions upon completion of the exhibition period. The SIA will specifically address a) how the applicant will address potential negative impacts b) consultation with key stakeholders including local schools and the Granville Multicultural Centre, and c) whether the increase in size of the outlet (acknowledging the existing takeaway licence) has any relationship to the social impact. This will ensure that the social issues arising from the proposed liquor premises are considered prior to Council endorsing the making of the amendment, while also ensuring the planning proposal is not held up unnecessarily.

Council's Community Safety Officer has reviewed the proposal and does not have any major concerns. The Officer has a number of minor questions regarding operational issues which should be addressed at the development application stage.

5.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The existing public infrastructure is considered adequate for the planning proposal. As concluded within the Traffic & Transport Assessment, the site has good accessibility to public transport. Bus services are provided along both Rawson Road and Woodville Road. These bus services provide connections to Bankstown, Parramatta, Merrylands and Auburn. Council officers have also recommended upgrades to the footpath along the boundary to 1.8m to be addressed at the DA stage.

The site is located in an established urban area and is already provided with adequate utility connections.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and/or Commonwealth public authorities have not been consulted as part of preparing this Planning Proposal. The authorities will have the opportunity to provide comment on the planning proposal as part of the formal exhibition. Any future DA will be referred to the relevant authorities as required.

6.0 Mapping

The proposed amendment to the LEP Additional Permitted Uses map applying to the site has been provided below at **Figure 2**.

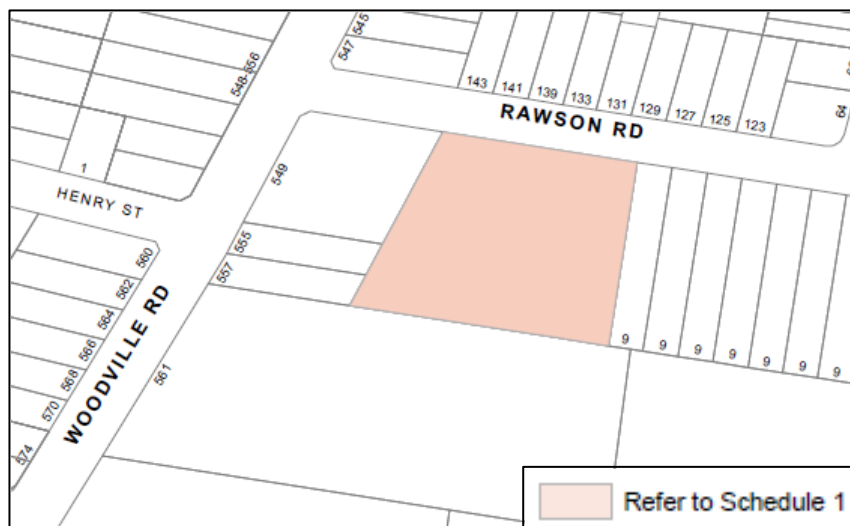


Figure 2 –Proposed Additional Permitted Use Map

7.0 Community Consultation

It is noted that confirmation of the public exhibition period and requirements for the planning proposal will be outlined in the Gateway determination. It is recommended that this planning proposal be exhibited for 28 days.

Notification will include adjacent properties, properties facing the site across Rawson Road, as well as Granville South Public School.

8.0 Indicative Timeline

Below is an indicative timeline for the planning proposal.

- Referral to Minister for Gateway determination: May 2015
- Date of Gateway determination: July 2015
- Exhibition including government agency consultation: July/August 2015
- Timeframe for the consideration of proposal post exhibition: August/September 2015
- Reporting of proposal to Council: September 2015
- Date of submission to PCO to finalise the LEP: September 2015