

## LEADING

---

<b>ITEM NUMBER</b>	13.2
<b>SUBJECT</b>	Planning Proposal for land at 16 Masons Drive, North Parramatta
<b>REFERENCE</b>	RZ/23/2017 - D05998639
<b>REPORT OF</b>	Project Officer Land Use
<b>LANDOWNER APPLICANT</b>	Uniting Mission and Education Tract Consultants

## PURPOSE:

To seek Council's endorsement of a planning proposal to amend Schedule 1 of the Hills Local Environmental Plan 2012 (HLEP 2012) to permit 'hotel and motel accommodation' as an additional permitted use at Yurora House on the site at 16 Masons Drive, North Parramatta and forward it to the Department of Planning and Environment for Gateway determination.

## RECOMMENDATION

- a) **That** Council endorse the planning proposal in Attachment 1 of this report to permit 'hotel and motel accommodation' as an additional permitted use under the Hills Local Environmental Plan 2012 (HLEP 2012) at Yurora House on the site at 16 Masons Drive, North Parramatta and forward it to the Department of Planning and Environment for Gateway determination.
- b) **That** Council authorise the acting CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.
- c) **Further, that** Council notify the Hills Shire Council in writing advising of Council's decision.

## BACKGROUND

1. In October 2017, Tract Consultants, acting on behalf of the owners of the site, Uniting Mission and Education, approached Council regarding their intention to lodge a planning proposal to amend Schedule 1 of HLEP 2012 to allow an additional permitted use of 'hotel and motel accommodation' at Yurora House at 16 Masons Drive, North Parramatta.
2. Council officers advised the applicant that a planning proposal would need to be submitted to enable an assessment to be undertaken as 'hotel and motel accommodation' is currently a prohibited use within the SP2 Educational Establishment zone.
3. On 21 December 2017, a formal planning proposal was submitted to Council.
4. Yurora House currently operates under development consent issued under the former Baulkham Hills Shire Council for the development of a centralised

teaching facility and student accommodation in line with DA 84/342. However, condition no. 28 of this consent restricts occupation of residential accommodation to persons associated with the educational use of the premises and their families.

## THE SITE

5. The land at 16 Masons Drive, North Parramatta has a legal description of Lot 3 DP857976 and a total land area of approximately 4.78ha. The land is primarily used as an educational establishment and contains a number of buildings which are used as teaching facilities, conference facilities, dining and cooking facilities, and a mix of student and staff accommodation including five residential dwellings occupied by university staff, eight residential villas occupied by long term students and their families and one residential structure (containing 10 rooms) that provides short term accommodation, also known as Yurora House.



**Figure 1:** Land at 16 Masons Drive, North Parramatta

6. The subject site currently comprises the United Theological College, of which Yurora House provides short term residential accommodation for guests visiting the facility.
7. Yurora House is located at the northern edge of the site (refer to **Figure 2**) and is the subject of this planning proposal.



**Figure 2:** Yurora House (outlined in yellow)

8. In proximity to 16 Masons Drive are separate educational establishments including Tara Anglican School for Girls, Burnside Public School, Redeemer Baptist School and the Kings School.

### CURRENT PLANNING CONTROLS

9. The land at 16 Masons Drive is zoned under HLEP 2012 as SP2 Infrastructure (Educational Establishment). Surrounding land use zones consist of SP2 Infrastructure (Educational Establishment) to the east of the site, E2 Environmental Conservation to the west of the site, and R2 Low Density Residential to the north and south of the site (refer to **Figure 3** below).
10. The current use of Yurora House for the purpose of short term residential accommodation is ancillary to the primary educational use of the land at 16 Masons Drive.
11. The key planning controls applying to the site pursuant to HLEP 2012 are detailed in the maps below.

**Figure 3:** Land Zoning Map (SP2 – Educational Establishment)**Figure 4:** Floor Space Ratio Map**Figure 5:** Height of Buildings Map (9m)

(no FSR control)

## THE PLANNING PROPOSAL

12. The Planning Proposal seeks to amend Schedule 1 of the HLEP 2012 to allow for the additional permitted use of 'hotel and motel accommodation' specifically for the 10 rooms at Yurora House only.
13. The proposal does not intend to amend other planning provisions such as FSR or maximum building height that apply to the site.
14. No works are intended as part of the proposal.
15. The primary outcome of the proposal is to enable greater flexibility of short term residential accommodation at Yurora House by provision of short term residential accommodation to be available to guests associated and not associated with the educational use of the premises at 16 Masons Drive.

## ASSESSMENT

16. The planning proposal has been prepared in accordance with the Department of Planning and Environment's (DP&E's) *A Guide to Preparing Planning Proposals* and considers the state and local planning strategies. The proposal is not the result of a strategic study or report and is not considered to be inconsistent with the intentions and principles of the broader State Government's metropolitan strategy or local strategy.

## The Hills LEP 2012

17. The planning proposal seeks amendment to the HLEP 2012 to enable an additional permitted use of 'hotel and motel accommodation' for 10 rooms at Yurora House.
18. Yurora House is situated in an SP2 Infrastructure (Educational Establishment) zone and is ancillary to the primary educational use of the land at 16 Masons Drive. It operates as short term accommodation and is subject to condition no. 28 of DA 84/342 under the former Baulkham Hills Shire Council that restricts residential accommodation to be occupied only by persons associated with the educational use of the premises and their families.
19. The objectives of the current zone SP2 Infrastructure (Educational Establishment) are as follows:
  - *To provide infrastructure and related uses.*
  - *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
20. The proposed additional permitted use of 'hotel and motel accommodation' applying to Yurora House only will ensure that the primary use of the site will continue to be consistent with the objectives of the SP2 Infrastructure (Educational Establishment) zone as Yurora House will still provide short term accommodation to those associated with the school with added flexibility to also serve a wider range of people.

21. In order to facilitate 10 rooms at Yurora House to be available for short term accommodation to visitors associated and not associated with the educational use of the premises at 16 Masons Drive as proposed under this planning proposal, it is necessary to allow an additional permitted use of 'hotel and motel accommodation' which is defined as:

*'a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short term accommodation on a commercial basis and that:*

- a) comprises rooms or self-contained suites, and*
- b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles*

*but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.'*

22. The applicant therefore seeks to amend Schedule 1 of the HLEP 2012 to enable an additional permitted use of 'hotel and motel accommodation' at Yurora House only and not the wider site at 16 Masons Drive.
23. The following clause is proposed to be incorporated into Schedule 1 of HLEP 2012 as follows:

***Use of certain land at 16 Masons Drive, North Parramatta***

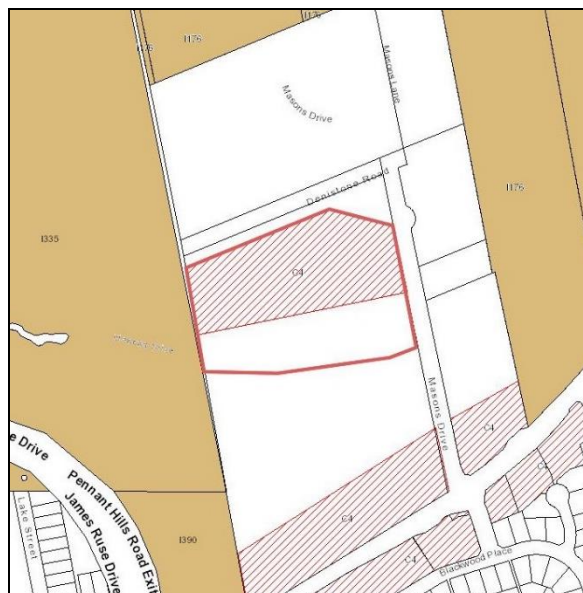
- (1) This clause applies to 16 Masons Drive, North Parramatta, being Lot 3 in DP857976 shown on the Additional Permitted Uses Map (but only apply to 10 rooms located within Yurora House).*
  - (2) Development for the purposes of hotel or motel accommodation is permitted with development consent.*
24. It is considered that this approach is the most appropriate mechanism to restrict the additional permitted use to Yurora House only and to ensure it does not apply to the wider site.

## **Traffic and Transport**

25. The applicant has provided a traffic assessment (**Attachment 2**) that demonstrates any change in traffic generated by the proposal will be minor. Council's Transport and Traffic Engineer has reviewed the proposal and raise no objection to the planning proposal.

## **Heritage**

26. The subject site is located within a Heritage Conservation Area (Burnside Cottages) (refer to **Figure 6** below), however, no works are proposed as part of the proposal. Because of this there will be no impact on the significance of the existing Heritage Conservation Area. Council's Heritage Officer has reviewed the proposal and raise no objection to the planning proposal.



**Figure 6: Heritage Map**

## **Social Impact**

27. Council's Social Outcomes Officer has reviewed the proposal and raise no objection to the planning proposal. The Officer has advised that there is a positive impact with the additional permitted use providing affordable short term accommodation to a range of people in Western Sydney.
28. Based on the above assessment of the planning proposal, it is considered that the proposed additional permitted use at Yurora House to facilitate 'hotel and motel accommodation' will not have significant adverse impacts and will enable greater flexibility of use of Yurora House to serve the needs of not only the educational establishment but surrounding schools uses.

## **SECTION 117 DIRECTIONS**

29. Section 117 of the Environmental Planning and Assessment Act 1979 sets out the range of matters that need to be considered when the Relevant Planning Authority (in this instance City of Parramatta Council) is preparing an amendment to an LEP. Council officers are satisfied that the planning proposal meets the requirements of these directions set by the Minister for Planning. Refer to section 3.2.4 of the attached planning proposal for an assessment of the consistency of the proposal with the relevant section 117 directions.

## **PLAN MAKING DELEGATIONS**

30. New delegations were announced by the Minister for Planning in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012 Council resolved to accept the delegation for plan making functions. Council also resolved that these functions be delegated to the Chief Executive Officer (CEO).
31. Should Council resolve to proceed with this planning proposal. Council should exercise its plan-making delegations. This means that after the planning proposal has been to Gateway, undergone public exhibition and been adopted



by Council, Council officers will deal directly with the Parliamentary Counsel Office in the drafting of the LEP amendment, which is then signed by the CEO before being notified on the NSW Legislation website.

## NEXT STEPS

32. Should Council resolve to proceed with the planning proposal, it (and related documentation) would be submitted to the DP&E for Gateway determination prior to any formal exhibition being undertaken.

## CONCLUSION

33. The proposed additional permitted use on the subject site Yurora House at 16 Masons Drive, North Parramatta to permit 'hotel and motel accommodation' through an amendment of Schedule 1 of HLEP 2012 is considered reasonable given its existing use as residential accommodation, its potential to serve the needs of the nearby educational establishments, and is of a scale that is not likely to have significant adverse impacts.
34. Should this proposal ultimately be gazetted, the development consent under DA 84/342 of the former Baulkham Hill Shire Council will need to be modified under section 96 of the *Environmental Planning and Assessment Act 1979* to enable use of Yurora House to permit residential accommodation to persons not associated with the educational establishment.

Darren Caballero  
**Project Officer, Land Use Planning**

Robert Cologna  
**Manager Land Use Planning**

Sue Weatherley  
**Director Strategic Outcomes and Development**

Jim Stefan  
**Acting Director City Services**

## **ATTACHMENTS:**

- |   |   |          |
|---|---|----------|
| 1 <a href="#"></a> | Planning Proposal for 16 Masons Drive, North Parramatta | 20 Pages |
| 2 <a href="#"></a> | Traffic Impact Assessment Report                        | 19 Pages |

## REFERENCE MATERIAL