



PLANNING PROPOSAL

4-6 Barden Street, Northmead

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Calibre Consulting	June 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	12 October 2015 - Council Meeting recommending Gateway Determination
2.	Parramatta City Council	16 October 2015 - Section 56(1) submission to the DP&E

Contents

INTRODUCTION.....	4
Background and context.....	4
PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	5
PART 2 – EXPLANATION OF PROVISIONS	5
PART 3 – JUSTIFICATION	5
3.1 Section A - Need for the planning proposal	5
3.2 Section B – Relationship to strategic planning framework.....	6
3.3 Section C – Environmental, social and economic impact	14
3.4 Section D – State and Commonwealth Interests	15
PART 4 – MAPPING.....	15
4.1 Existing controls	15
PART 5 – COMMUNITY CONSULTATION	19
PART 6 – PROJECT TIMELINE	19

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011 (PLEP 2011)*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, *A Guide to Preparing Local Environment Plans* (April 2013) and *A Guide to Preparing Planning Proposals* (October 2012).

Background and context

On 26 June 2015, Council received a planning proposal from Calibre Consulting on behalf of CareFlight Pty Ltd relating to land at 4-6 Barden Street, Northmead. The site is shown in Figure 1.

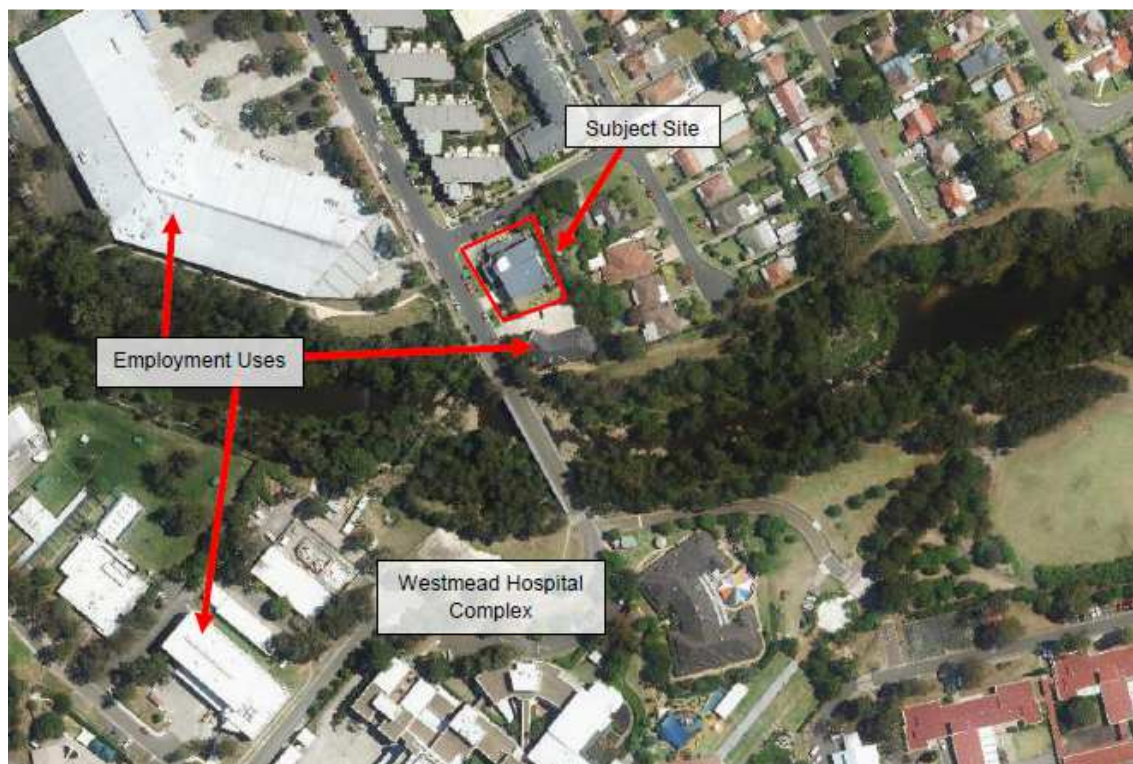


Figure 1 – Site at 4-6 Barden Street, Northmead subject to the planning proposal

Under *Parramatta Local Environmental Plan 2011 (PLEP 2011)*, the site:

- is zoned R2 Low Density Residential (refer to Figure 2 in Part 4 – Mapping);
- has a maximum floor space ratio (FSR) of 0.5:1 (refer to Figure 3 in Part 4 – Mapping).
- has a maximum building height of 9 metres (refer to Figure 4 in Part 4 – Mapping); and

This planning proposal does not seek to amend the maximum building height or FSR applicable on the site.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the continued use of the existing commercial office building at 4-6 Barden Street, Northmead by amending Schedule 1 of *PLEP 2011* to permit three (3) additional permitted uses on the site. The proposed amendments support the continued use of the site for employment purposes.

PART 2 – EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by amending Schedule 1 - Additional Permitted Uses of *PLEP 2011* to include business premises, office premises and medical centres at 4-6 Barden Street, Northmead.

The amendment of *PLEP 2011* would involve the inclusion of the property in Schedule 1, with wording similar to the following:

9 Use of certain land at 4-6 Barden Street, Northmead

- (1) *This clause applies to land at 4-6 Barden Street, Northmead, being Lot 101 DP 1083245*
- (2) *Development for the purposes of business premises, office premises and medical centres is permitted with consent.*

The above proposed amendments would need to be legally drafted and included within Schedule 1 of *PLEP 2011*.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims of the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The planning proposal is not the direct result of a strategic study or report; however, it does align with the intentions of local and State government strategic plans including the NSW Government's *A Plan for Growing Sydney* and *Parramatta 2038* by contributing to the provision of employment opportunities and supporting the nearby Westmead Health Precinct. More detail is contained within Section 3.2.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal seeking to amend *PLEP 2011* is the most effective way of achieving the intended outcome. The alternative of including this amendment in Council's next Housekeeping Amendment was considered; however, the precise timeframe for this amendment to be undertaken has not been established and therefore this planning proposal is the most appropriate means of achieving the intended outcome.

Consideration was given to the possibility of rezoning the site for commercial uses rather than applying additional permitted uses; however this may result in the creation of another commercial centre, which is neither suitable nor desired for this location from a strategic perspective given the established surrounding residential character and proximity to existing commercial centres.

The application of additional permitted uses on the site is considered to provide more flexibility over future uses and will ensure the residential zoning is maintained. It is considered that the impact of this proposal is relatively minor given that the additional uses being sought are consistent with the existing commercial operations currently occurring.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released '*A Plan for Growing Sydney*' which outlines actions to achieve the Government's vision for Sydney which is a '*strong global city and a great place to live*'.

The Parramatta local government area is part of the West Central Subregion. *A Plan for Growing Sydney* identifies the following directions, actions and priorities for Parramatta and the West Central Subregion:

Grow Greater Parramatta – Sydney's Second CBD

- Grow Parramatta as Sydney's second CBD by connecting and integrating Parramatta CBD, Westmead, Parramatta North, Rydalmere and Camellia
- Grow the specialised health and education precincts at Westmead and Rydalmere
- Renew Parramatta North to create a vibrant mixed-use precinct (to deliver around 6,000 new homes and 2,000 new jobs).
- Establish A New Priority Growth Area – Greater Parramatta To The Olympic Peninsula
- Establish a new partnership to manage renewal of the Greater Parramatta to Olympic Peninsula Priority Growth Area

- Identify and deliver enabling infrastructure to support growth and urban renewal
- Deliver priority revitalisation precincts
- Grow the knowledge economy as part of the extension of the Global Economic Corridor.

Promote Sydney's Heritage, Arts and Culture

- Grow the arts and cultural opportunities in Parramatta to include State-level facilities.
- **Centres:** Parramatta is identified as Sydney's Western CBD and is also a Strategic Centre. The site is located approximately 2.5km to the north of the Parramatta CBD and adjacent to the Westmead Health Precinct.
- **Global Economic Corridor:** The Global Economic Corridor contains a concentration of jobs and activities in strategic centres, transport gateways and industrial lands between Port Botany/Sydney Airport, Macquarie Park and now extended to Parramatta, Norwest and Sydney Olympic Park. Growing Sydney notes that the Government will work with Parramatta Council to review expansion opportunities in the Westmead Health Precinct to encourage growth of this facility.
- **Transport:** As well as existing road and public transport infrastructure, several opportunities for light rail have been identified around Parramatta, including the Westmead Health Precinct. However, any proposed light rail routes are not considered certain at the time of assessment.
- **Urban Renewal Corridor:** Parramatta is part of an Urban Renewal Corridor (Greater Parramatta to Olympic Peninsula Priority Growth Area) where *A Plan for Growing Sydney* prioritises the revitalisation of established urban areas to provide for a greater range of housing and to improve liveability through better access to employment, improved services and social infrastructure.

The planning proposal supports the role identified for Greater Parramatta and the Westmead Health Precinct in '*A Plan for Growing Sydney*' by allowing the continued use of the existing commercial space to facilitate job growth. It is considered that this proposal is consistent with the objectives and outcomes contained within '*A Plan for Growing Sydney*'.

West Central Subregion Draft Subregional Strategy

The Subregional Strategy translates objectives to the local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues. It was exhibited in December 2007 through to March 2008.

The priorities for the West Central subregion are:

- *A competitive economy*
- *Accelerate housing supply, choice and affordability and build great places to live*
- *Protect the natural environment and promote its sustainability and resilience*

Greater Parramatta is identified in the Strategy as a 'strategic centre' and has specific priorities for the CBD and precincts of Westmead Health Precinct, Parramatta North, Rydalmere Education Precinct and Camellia as well as the broader Parramatta area.

The Westmead Health Precinct is of particular relevance to this proposal given the subject site's close proximity. The key priorities of the Strategy in relation to the Westmead Health Precinct are to:

- *Plan Westmead Health Precinct as a large health precinct by international standards comprising hospital, clinics, specialist practices, and medical research; support health-related land uses and infrastructure around Westmead Hospital and the Children's Hospital at Westmead.*
- *Improve the interface between Westmead Hospital and Westmead train station and centre to enhance connections for pedestrians.*

As mentioned previously, it is considered that the proposal supports the role identified for Greater Parramatta and the Westmead Health Precinct by allowing for the continued use of existing commercial space to facilitate job growth and build on the existing strengths of the Westmead Health Precinct.

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The following strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The Plan envisages a 23 year horizon where Westmead is a prominent precinct in Greater Parramatta, facilitating for the growing economy in Sydney's west. It also supports the delivery of jobs in close proximity to housing and emphasises Westmead's status as a key commercial precinct.

The planning proposal aligns with the desired outcomes in that it will continue to allow for employment opportunities, including medical related uses, as part of supporting Westmead's role in the Greater Parramatta region.

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

The following table identifies the applicable State Environmental Planning Policies (SEPPs) and the extent of the proposal's consistency with these policies.

Applicable SEPP	Intention of the SEPP	Relevance to Planning Proposal
SEPP (Infrastructure) 2007	The aim of this Policy is to support greater flexibility in the location of infrastructure and service facilities along with improve regulatory certainty and efficiency.	The proposed additional permitted uses will not adversely affect the operation of this SEPP as its provisions will continue to apply where relevant.
SEPP (Exempt and Complying Development Codes) 2008	The aims of this Policy are to provide exempt and complying development codes that have not been provided for those types of development through an LEP. This has state-wide application.	The proposed additional permitted uses will not adversely affect the operation of this SEPP as its provisions will continue to apply where relevant.
SEPP No. 55 – Remediation of Land	The underlying aim of SEPP No. 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	The subject site contains an existing commercial development and redevelopment of the site is not proposed as part of the planning proposal. However, should redevelopment occur, this issue will be considered as part of the development application process.
SEPP 19 – Bushland in Urban Areas	The aim of this Policy is to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when LEPs for urban development are prepared.	The subject property is not affected by bushland or reserved for public open space and therefore not applicable to the proposal.

Table 1 – Applicable SEPPs and their relevance to the planning proposal

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

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

The directions that are considered relevant to the subject Planning Proposal are listed in the table below.

Direction	Compliance	Comment
Employment and Resources - 1.1 Business and Industrial Zones This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). <i>The objectives of this direction are to:</i> <i>a) encourage employment growth in suitable locations,</i> <i>b) protect employment land in business and industrial zones, and</i> <i>c) support the viability of identified strategic centres.</i>	Yes	The subject site is not located within an existing business / industrial zone; however, the site is currently being used for employment purposes as there is an existing commercial building on the site. The proposal seeks to allow additional permitted uses such as business premises, office premises and medical centres to enable the site to continue to be used for employment purposes despite its current residential zoning. It is considered that the proposal is consistent with this direction with regards to retaining the existing employment potential of the site whilst also supporting the nearby Westmead Health Precinct.
Housing, Infrastructure and Urban Development - 3.4 Integrating Land Use and Transport This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist	Yes	The planning proposal seeks to integrate employment uses to viable public transport with the subject site being located within walking distance to Westmead Train Station and the North- West Transitway station.

purposes. a) <i>improving access to housing, jobs and services by walking, cycling and public transport, and</i> b) <i>increasing the choice of available transport and reducing dependence on cars, and</i> c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> d) <i>supporting the efficient and viable operation of public transport services, and</i> e) <i>providing for the efficient movement of freight.</i>		
Hazard and Risk - 4.3 Flood Prone Land This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to introduce residential development in an area identified as being flood prone. <i>The objectives of this direction are:</i> a) <i>to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i> b) <i>to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i>	Yes	The proposal was referred to Council's Catchment Management section, who forwarded the assessment for external review by Bewsher Consulting. The review identified that the property is not subject to the 1 in 100 year flood event although the inundation extent is close to the property's lowest boundary and the existing basement car park entry. The property is substantially affected by the Probable Maximum Flood (PMF) but this level does not result in a severe level of flood affectation being present on the site. The hazard extent of the site is classified as being low. While the extent of flooding and hazard should be considered as part of the assessment of this planning proposal, any potential impacts that may arise as a result of the proposal can be addressed at a later stage should redevelopment of the site ever occur. Refer to Table 2 for a detailed response to each criteria and Figure 6 for a map showing the level of affectation.
Local Plan Making – 6.1 Approval and Referral Requirements This direction applies when a	Yes	The planning proposal does not identify the indicative development as designated development or require concurrence, consultation

relevant planning authority prepares a planning proposal. <i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>		or referral of any subsequent development application should this proposal proceed to Gateway and subsequent gazettal.
Local Plan Making – 6.3 Site Specific Provisions This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out. <i>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</i>	Yes	This planning proposal seeks to allow a land use to be carried out in the R2 zone of which the land is situated and will not encourage restrictive site specific planning.
Metropolitan Planning – 7.1 Implementation of a Plan for Growing Sydney This direction applies when a relevant planning authority prepares a planning proposal. <i>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>	Yes	A Plan for Growing Sydney is the NSW Government's Metropolitan Strategy. This planning proposal is consistent with the draft plan as discussed earlier in this proposal.

The following table addresses the criteria for consideration of direction 4.3 Flood Prone Land

Criteria	Comment
A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Risk Flood Areas</i>).	The proposal includes provisions that are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>.
A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to	The proposal does not seek to rezone the land to the identified land uses. The proposal seeks an amendment to the <i>PLEP 2011</i> to allow business premises,

a Residential, Business, Industrial, Special Use or Special Purpose.	office premises and medical centres on the site under Schedule 1 – Additional Permitted Uses to allow continuing commercial use of the site.
A planning proposal must not contain provisions that apply to the flood planning areas which: a) Permit development in floodway areas b) Permit development that will result in significant flood impacts to other properties. c) Permit a significant increase in the development of the land. d) Are likely to result in a substantially increased requirement for government spend on flood mitigation measures, infrastructure services, or, e) Permit development to be carried out without development consent except for the purposes of agriculture, roads or exempt development.	The proposal does not include any provisions that apply to the flood planning areas as it is located outside the 1 in 100 year ARI flood affected area of the nearby Toongabbie Creek. There is no new development proposed on the site as part of this proposal. This proposal seeks to continue the existing use of the site as an office premises under Schedule 1 of <i>PLEP 2011</i>.
A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director General).	This proposal does not impose flood related development controls above the residential flood planning level as it does not propose residential development on the site.
For the purposes of a planning proposal, the relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Risk Flood Areas</i>) unless a relevant planning authority provides adequate justification for the proposed departure from the Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	This proposal does not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Risk Flood Areas</i>).
A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director General) that: a) the planning proposal is in accordance	This proposal is not inconsistent with this direction.

with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	
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Table 2 – Detailed criteria for s.117 Direction- 4.3 Flood Prone Land

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

3.3.1 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?

No. The site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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

Although the subject site has a low level of flood affectation, this planning proposal does not intend to alter the built form of the existing development or involve redevelopment of the site. Therefore no environmental effects are anticipated as a result of the planning proposal. However, should redevelopment of the site occur, any potential environmental effects, such as flooding, will be considered at the development application stage.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

The application of additional permitted uses on this site is not anticipated to have a negative effect on the amenity of surrounding properties given its current commercial use. The proposal intends only to modify the permissible uses on the site and does not affect the built form of the exiting development. Notwithstanding, should the planning proposal proceed, redevelopment of the site could occur utilising the existing height and FSR controls. If redevelopment of the site is proposed at a later stage, then any potential amenity impacts would be addressed during the development assessment process.

The site is not located on environmentally sensitive land or biodiversity areas and no impacts on local parks and bushland, critical habitats or threatened species are anticipated.

The planning proposal would not result in any negative social or economic effects should it proceed given the intended uses of the site are consistent with the existing use.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The subject land is approximately 850m walking distance from the North West Transitway and it is not envisioned that the additional public infrastructure would be required as a result of this planning proposal proceeding due to the nature of the planning proposal. The site is also be within close proximity to a potential light rail line, which will provide additional public transport options and improve accessibility, should it eventuate.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

State and Commonwealth authorities' views are not yet known. The relevant authorities will be consulted in accordance with Section 57 of the *EP&A Act 1979*, following the outcomes of the Gateway determination.

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

4.1 Existing controls

This section contains map extracts from *PLEP 2011* which illustrate the current controls applying to the site.

Figure 2 below illustrates the existing R2 Low Density Residential zone applying to the site (outlined in blue).

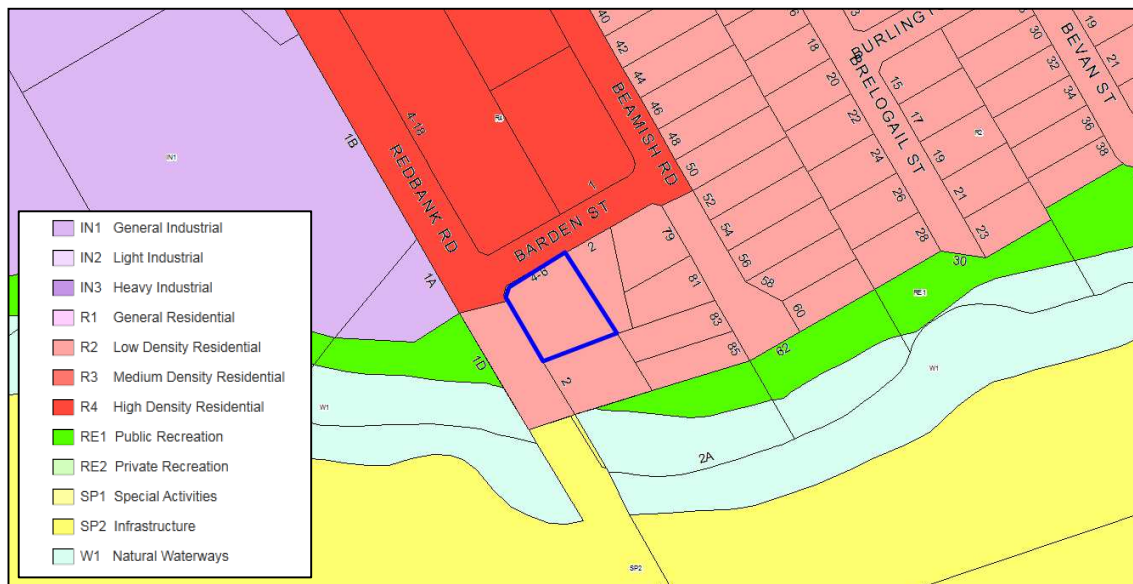


Figure 2 – Existing zoning extracted from *PLEP 2011* Land Zoning Map Sheet LZN_004

Figure 3 below illustrates the existing 0.5:1 FSR applying to the site (outlined in blue).



Figure 3 – Existing FSR extracted from *PLEP 2011* Floor Space Ratio Map Sheet FSR_004

Figure 4 below illustrates the existing 9 metre height limit applying site (outlined in blue).



Figure 4 – Existing height of buildings extracted from the *PLEP 2011* Height of Buildings Map Sheet HOB_004

Figure 5 below illustrates the subject site (outlined in blue) and nearby heritage listed items listed under Schedule 5 of *PLEP 2011*.

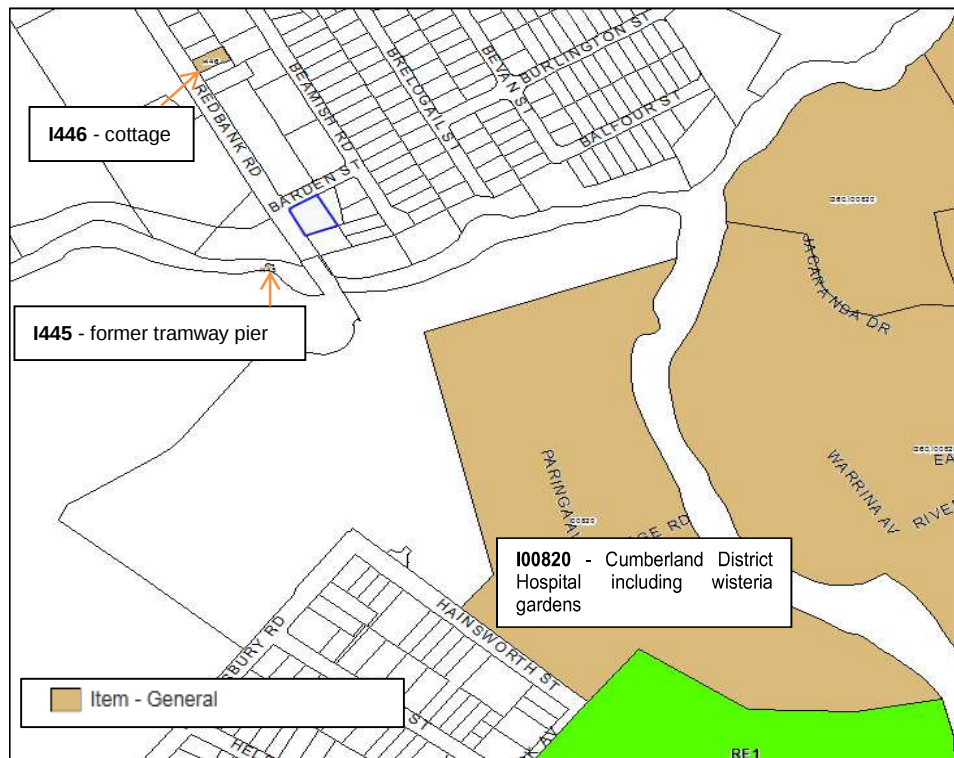


Figure 5 – Existing heritage items located nearby to the subject site (outlined in blue) extracted from the *PLEP 2011* Heritage Map Sheet HER_004

Figure 6 below identifies the subject site (outlined in pink) and the level of flood affectation.

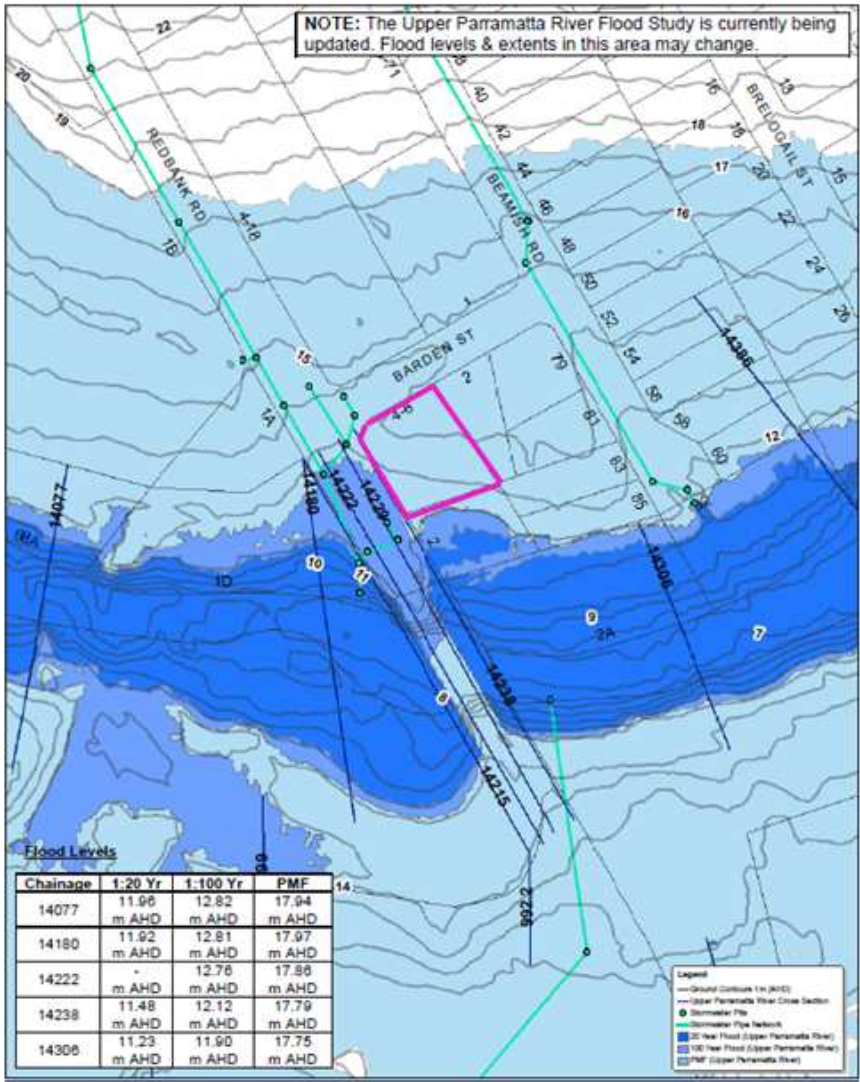


Figure 6 – Subject site and level of flood affectation.

PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the Gateway Determination, before community consultation is undertaken.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The Gateway Determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The projected timeline of the planning proposal is detailed in the following table (Table 3) and will be finalised following Gateway determination.

Proposal submitted to DP&E for Gateway determination	October 2015
Gateway determination received by Council	January 2016
Public exhibition and notification of planning proposal	February 2015
Consideration of proposal post exhibition and reporting to Council	March 2016
LEP amendment gazetted	July/August 2016

Table 3 – Projected timeline for planning proposal



Prepared by Parramatta City Council

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