

Proposed Sydney Science Park - proposal to rezone 565-609 Luddenham Road, Luddenham from RU2 to part B7, B4 and RE1

Proposal Title :	Proposed Sydney Science Park - proposal to rezone 565-609 Luddenham Road, Luddenham from RU2 to part B7, B4 and RE1		
Proposal Summary :	The planning proposal is to rezone a 287 hectare parcel of land at 565-609 Luddenham Road, Luddenham (Lot 201 and part Lot 202 DP 1152191) from zone RU2 Rural Landscape to part B7 Business Park, part B4 Mixed use and RE1 Public Recreation under Penrith LEP 2010 to develop the "Sydney Science Park". The proposed rezoning is supported by a masterplan which aims to achieve: - approximately 340,000 sq m of research and development floor area; - approximately 100,000 sq m of education floor area and associated student accommodation; - a Town Centre comprising up to 30,000 sq m of retail space; - 3,400 dwellings (mix of typologies); - a primary school site; - new roads and infrastructure; and - landscaped open space, sporting fields and parks. The site is located within the Broader Western Sydney Employment Area (Broader WSEA).		
PP Number :	PP_2014_PENRI_001_00	Dop File No :	14/04955

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 1.2 Rural Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 5.8 Second Sydney Airport: Badgerys Creek
 - 6.2 Reserving Land for Public Purposes
 - 6.3 Site Specific Provisions
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036
- Additional Information :
- 1. The planning proposal should be amended to include mechanisms to ensure the employment opportunities are provided commensurate with residential development.
 - 2. Amend the planning proposal prior to exhibition as follows:
 - Amend the statement of provisions to include the property description and site address
 - Further consideration of Section 117 Direction 1.1
 - Further consideration of Section 117 Direction 3.1
 - Further consideration of Section 117 Direction 4.3
 - include maps that are consistent with the Standard Instrument Order.
 - 3. Council is to ensure that satisfactory arrangements for the provision of state public infrastructure are met prior to the development of the site.
Prior to exhibition, consultation with the following agencies: Transport for NSW, Roads and Maritime Services, Department of Health, Department of Education and Communities, Emergency Services (NSW Fire and Rescue, NSW Police, State Emergency Services, Rural Fire Services), Office of Environment and Heritage - to commence discussions on State Infrastructure Contributions

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4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
(a) the planning proposal must be made publicly available for 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A guide to preparing LEPs (Planning & Infrastructure April 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

* Agencies identified on pages 14-15 of the planning proposal including, but not limited to,

- * Transport for NSW
- * Transport for NSW - Railcorp
- * Transport for NSW - Roads and Maritime Services
- * Office of Environment and Heritage
- * State Emergency Services
- * NSW Police Force
- * Fire and Rescue NSW
- * Endeavour Energy
- * Sydney Water
- * Jemena
- * NBN Co

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. A public hearing is not required to be held into the matter by any person or body under the section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the gateway determination.

Supporting Reasons :

1. This land is located within the Broader WSEA area and should be used primarily for employment as identified in the draft Metropolitan Strategy for Sydney and draft WSEA Structure Plan.

2. Further consideration of some of the section 117 Directions is required, and the consistency with the direction has not been addressed or is unclear.

3. Due to the size and scale of the proposed development, state infrastructure contributions may be required.

4. Due to the complexity of the planning proposal, it should be publically exhibited for at least 28 days.

5. Due to the complexity of the planning proposal, all relevant agencies should be consulted.

Panel Recommendation

Recommendation Date : **17-Apr-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The Planning Proposal should proceed subject to the variations as outlined in the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to:

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- amend proposed clause 7.25 'Sydney Science Park' to link the approval of dwellings to the issuing of occupation certificates for employment floor space, instead of development approval;
- amend proposed clause 7.25 by reducing the residential numbers aligned with the construction of employment floor space under subclause 7.25(9), consistent with the 'Indicative guide: incremental yield and staging' on page 83 of the planning proposal;
- remove reference to clause 4.6 'Exception to development standards' being available as a further variation tool for development standards on this site;
- include a maximum lot size of 450sqm for dwelling houses and 650sqm for dual occupancies within proposed clause 7.25. Council is to ensure minimum lot size requirements for residential development are consistent throughout the planning proposal and mapping;
- include strategic planning justification for the volume and staging of residential development, its integration with employment uses and the relationship of employment floor space to the number of dwellings proposed. Council is to place additional information dated 13 May 2014 provided to the Department on public exhibition with the planning proposal;
- remove the proposal to permit 'drainage' as an additional permitted use on land proposed to be zoned RE1 Public Recreation, given drainage is not a land use term as identified in the standard instrument LEP;
- include the property description and site address within the 'explanation of provisions' in the planning proposal;
- identify an acquisition authority for land identified on the Land Reservation Acquisition Map; and
- clearly note that infrastructure requirements are to be delivered by the proponent at no additional cost to the Government, and if necessary, entering into a Voluntary Planning Agreement may be required.

2. The planning proposal is to be updated with the outcomes of agency consultation and to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions and policies:

- 1.1 Business and Industrial Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land and the outcomes of the flood management study
- 5.8 Second Sydney Airport: Badgerys Creek (including the impact of the residential component on the proposed Badgerys Creek Airport – i.e. as identified flight paths may change in the future)
- 6.2 Reserving Land for Public Purposes
- draft Metropolitan Strategy for Sydney to 2031, which identifies this land as a city shaper for employment uses

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and agencies and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions and identify the need for State infrastructure contributions:

- Fire and Rescue NSW

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- NSW Rural Fire Service
- NSW Health
- NSW Police Force
- Sydney Trains
- Sydney Buses
- Western Line Buses
- Railcorp
- Roads and Maritime Services
- Sydney Water
- Adjoining LGAs
- Endeavour Energy
- Telstra
- Jemena
- National Broadband Network Co
- NSW Aboriginal Land Council
- Hawkesbury – Nepean Catchment Management Authority
- Department of Education and Communities
- State Emergency Service (S117 Direction 4.3 Flood Prone Land)
- Department of Primary Industries – Agriculture
- NSW Trade and Investment – Resource and Energy (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
- Transport for NSW (S117 Direction 3.4 Integrating Land Use and Transport)
- Office of Environment and Heritage (S117 Directions 2.3 Heritage Conservation and 4.3 Flood Prone Land)
- University of New South Wales, University of Sydney, University of Technology and University of Western Sydney
- Any other stakeholders identified on pages 14 and 15 of the planning proposal

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

TROY LOVEDAY

Date:

10/06/14