

Planning Proposal - To facilitate Transport Workers Union NSW Headquarters at Minchinbury Estate

Proposal Title :	Planning Proposal - To facilitate Transport Workers Union NSW Headquarters at Minchinbury Estate		
Proposal Summary :	This Planning Proposal seeks to amend the Blacktown Local Environmental Plan 2015 as it applies to 22 & 24 John Hines Avenue, Minchinbury to facilitate Transport Workers Union of NSW Head Quarters. The Planning Proposal is to enable the use of the subject site as an office premises and industrial training facilities to be permissible with consent under the Blacktown Local Environmental Plan 2015.		
PP Number :	PP_2016_BLACK_007_00	Dop File No :	16/12084-1

Proposal Details

Date Planning Proposal Received :	11-Oct-2016	LGA covered :	Blacktown
Region :	Metro(Parra)	RPA :	Blacktown City Council
State Electorate :	MOUNT DRUITT	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	22-24 John Hines Avenue		
Suburb :	Minchinbury	City :	Sydney
		Postcode :	2770
Land Parcel :			

DoP Planning Officer Contact Details

Contact Name :	Cho Cho Myint
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RPA Contact Details

Contact Name :	Sue Galt
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DoP Project Manager Contact Details

Contact Name :	Adrian Hohenzollern
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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro North West 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 :	52

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

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment : **To the best of Sydney Region West's knowledge, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with.**

Sydney Region West has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.

Supporting notes

Internal Supporting Notes :

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Secretary to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning proposal.

External Supporting Notes :

Adequacy Assessment

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

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

Comment :

THE PLANNING PROPOSAL

The planning proposal is to facilitate the development of 22 & 24 John Hines venue, Minchinbury as an office premises and an industrial training facility for Transport Workers Union Headquarters.

TRANSPORT WORKERS UNION OF NSW

Blacktown Council advises that:

- the Transport Workers Union is a national organisation and represents transport employees and transport owner-operators across Australia. Over 3,800 members of the Transport Workers Union live within the Blacktown Local Government Area;

- the Headquarters of the Transport Workers Union of NSW (TWU) is in Cowper Street, Parramatta. TWU has identified the need to relocate its existing Parramatta premises due to the significant growth in the Parramatta CBD which prohibits both Union officials and Union members from freely accessing the facilities mainly due to limited parking facilities. The existing operations at Parramatta include training facilities and office spaces; and

- the proposed facility at Minchinbury will cater for the activities listed above and ensure that officials and members can freely access the site. The proposed facility will also ensure that the Transport Workers Union of NSW will be located within close proximity to approximately 5,000 of its members which work within Minchinbury, Erskine Park and Eastern Creek.

THE SITE

The site is located within Minchinbury Industrial Estate at 22 and 24 John Hines Drive, Minchinbury and consists of Lots 1 and 2 in DP 1193931. The area is 5,610sqm. It is predominantly zoned for industrial uses.

The site has a singular street frontage to John Hines Drive to the east, approximately 70m. The adjoining area is largely undeveloped. John Hines Drive has recently been extended to link the site and adjacent land with Kippist Avenue.

The site is vacant and has recently been cleared. An electrical substation is located along the eastern boundary of the site. The site has a minor slope of less than 1m from the north-western corner to the south-eastern corner.

Council expects the extension of John Hines Drive to Kippist Avenue will serve as a catalyst for future development as can be seen to the east of the subject site which is presently being developed.

Existing development in the vicinity includes Bunnings Warehouse to the North and the existing industrial development located along Zeleny Road to the South of the site.

CURRENT AND PROPOSED ZONING

The site is zoned B5 Business Development under Blacktown LEP 2015. The proposed industrial training facilities and offices premises are not permissible uses in the zone (zoning map, land use table at 'Documents').

The primary objective of B5 zone is to enable a mix of business and warehouse uses, and bulky goods premises that require large floor plates, in locations that are close to, and that support the viability of, centres. Commercial uses - office premises and general retailing are prohibited in the zone.

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The planning proposal (Urbis, September 2016) is to amend Blacktown LEP 2015 to allow industrial training facilities within B5 Business Development zone and to allow office premises as an additional use specifically on the site (22 & 24 John Hines Avenue, Minchinbury) under Schedule 1 Additional Permitted Uses. The proposed amendment will allow both land uses on the site. No changes to the development controls applying to the site are proposed.

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

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

Comment : **The Blacktown LEP 2015 is to be amended to:**

- insert industrial training facility as an additional use in the land use table for B5 Business Development zone.
- allow office premises on the site (22 & 24 John Hines Avenue, Minchinbury) as an additional use by way of Schedule 1 Additional Use.

The site is zoned B5 Business Development and the proposed amendment will allow both land uses on the site.

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

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

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

A PLAN FOR GROWING SYDNEY

The proposal is consistent with the strategy. The proposal is an employment generating land use. It will facilitate creation of industrial jobs and provide a vital social support for the industrial workers. Being in the designated industrial area, it is unlikely to impact on the development of residential areas and road network, and unnecessary or additional demands on public infrastructure. The site is cleared and no vegetation will be impacted as a result.

LOCAL STRATEGY

Council advises that the planning proposal is consistent with this Strategic Direction in Blacktown City 2030 as it will ensure the economic growth of both Minchinbury and the Blacktown Local Government Area as follows:

- Creation of an employment generating land use both during and post construction which will allow local people to work closer to home;
- Provision of further support for workers in the transport industry by location a key piece of social infrastructure close to transport jobs; and
- Continued allowance for the development of adjacent sites for commercial or industrial purposes.

APPLICABLE SEPPS

SEPP 55 - REMEDIATION OF LAND

Clause 6 of SEPP 55 requires a Planning Proposal to consider potential contamination of a site. The land is not to be developed if it is unsuitable for the proposed uses unless

remediated before the land is developed.

The Council advises that the site has recently been cleared and the risk of contamination is considered to be low. A Contamination Assessment report (Geotechnique Pty Ltd, March 2016) of the site is attached in 'Documents'.

That assessment concluded that the laboratory results of the soil sample fill and analysis shows it does not pose a risk of hazard to human health or for commercial uses. There were no contaminants of concern with the land and concluded that the land including the site was suitable for the proposed commercial uses.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

RELEVANT S117 DIRECTIONS:

1.1 BUSINESS AND INDUSTRIAL ZONES

The direction applies as the planning proposal involves business zoned lands (B5 Business Development zone).

Council has advised that the planning proposal is consistent with the direction as it:

- retains the areas and locations of existing businesses and industrial zones;
- does not reduce the potential floor space for employment uses and related public services in business zones;
- does not reduce the total potential floor space area for industrial uses in industrial zones; and
- enables an employment enabling development to be located in an employment enabling zone.

Comment:

The proposal will not reduce land zoned for B5 and the operation of the proposed use is unlikely to impede nor constrain the operation of the commercial activities of surrounding lands.

The preliminary Concept Plan submitted with the planning proposal shows a 3 storey building (10.5 metre high, 1,000 sqm floor plate and 48 car parking spaces). Further, the proposed facilities are of a nature that does not preclude the redevelopment of the land for business development purposes in the longer term should the need arises.

The key objective of the planning proposal is to obtain the necessary amendments to the land use table and Additional uses Schedule of Blacktown Local Environmental Plan 2015 to allow the establishment of TWU NSW's new administrative offices (52 employees) and training facilities at a convenient location for union members with minimum impact on the surrounding land uses.

The proposal will not reduce business/industrial zoned lands and although the proposal does not quite meet the objectives of the zone - in allowing office premises use on the site which is otherwise prohibited, on balance, the inconsistency with the direction is considered to be of a minor significance as the proposal will deliver positive social and community outcomes and facilitate industrial jobs and development for the community as a whole.

3.4 INTEGRATING LANDUSE AND TRANSPORT

Council advises that the recently completed extension to John Hines Drive is considered by both the proponent and Blacktown City Council as being adequate to cater for the type and quantity of vehicles which will access the proposed development if approved in the future. A comprehensive Traffic and Parking Impact Assessment has not been undertaken at this stage but will form an essential component of any future Development Application.

However, there is no information in the planning proposal that establishes the

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proposal's consistency with the direction. It is recommended that Council makes an assessment to establish the proposal's consistency with the direction prior to public exhibition of the proposal.

6.3 SITE SPECIFIC PROVISIONS

The planning proposal is prepared for the amendment to be consistent with the existing provisions of the BLEP2015, and does not propose additional or site-specific provisions to be made.

Comment:

It is not considered the proposal is restrictive and is considered to be consistent with the direction.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Appropriate for community consultation.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **A 14 day public exhibition is proposed in accordance with Council's policy for community consultation.**

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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Blacktown LEP 2015 is a principal LEP.**

The planning proposal is to amend Blacktown LEP 2015 to allow industrial training facilities within B5 Business Development zone and to allow office premises as an additional use specifically on the site (22 & 24 John Hines Avenue, Minchinbury) under Schedule 1 Additional Permitted Uses. The proposed amendment will allow both land uses on the site. No changes to the development controls applying to the site are proposed.

Assessment Criteria

Need for planning proposal :

The site is zoned B5 Business Development under Blacktown LEP 2015. The proposed industrial training facilities and offices premises are not permissible uses in the zone. The planning proposal will allow these uses to be carried out.

It should be noted that the Fairfield and Holroyd LEPs allow industrial training facilities land uses in the B5 Business Development zones.

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Consistency with strategic planning framework :

The planning proposal is consistent with the Plan for Growing Sydney and the Strategic Direction in Blacktown City 2030.

Environmental social economic impacts :

As discussed, the proposal does not contain contaminated soils. The land is cleared with no vegetation on the site. It is unlikely to have impact on the local road network.

The proposal is an employment generating land use. It will facilitate creation of industrial jobs and provide a vital social support for the industrial workers in an area where majority of the union members reside.

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **14 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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
2016_08_17 - Ordinary Meeting - Report D~on of Transport Workers Union.pdf	Determination Document	Yes
Covering Gateway letter.pdf	Proposal Covering Letter	Yes
Appendix C Contamination Assessment1.pdf	Determination Document	Yes
Appendix A Surveyors Report1.pdf	Determination Document	Yes
Appendix B Concept Plan1.pdf	Determination Document	Yes
Zoning, land use table and site maps.pdf	Map	Yes
Zoning map.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions

Additional Information : **1. Prior to community consultation, Council is to update the planning proposal to establish consistency (or justify any inconsistency) of the planning proposal with Section 117 Direction 3.4 Integrating Land use and Transport.**

2. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:

(a) the planning proposal must be publicly exhibited for a minimum of 14 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 the planning proposal as identified in section 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment, as updated in 2016).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Transport for NSW – Roads and Maritime Services
Endeavour Energy
Jemena Gas West
Sydney Water
Telstra

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.

4. A public hearing is not required to be held in relation to this matter by any person or body under section 52(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).

5. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

DELEGATION TO COUNCIL

Council has not requested to use delegation to proceed with the planning proposal, however, it is recommended that delegation be given to Council to exercise the Minister's plan making powers under section 59 of the EP&A Act.

Supporting Reasons : **The planning proposal is consistent with the Plan for Growing Sydney and local strategies.**

The proposal is an employment generating land use. It will facilitate creation of industrial jobs and provide a vital social support for the industrial workers in an area where majority of the union members reside. It is unlikely to have impact on the local road network.

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Signature:



Printed Name:

Adrian Hobergoller

Date:

19/10/16