

## Confidential report to the Blacktown Local Planning Panel

### Applicant's Planning Proposal

<b>File reference</b>	LEP-19-0003	<b>Date of lodgement</b>	15 November 2019
<b>Applicant</b>	Miletic-Mieler Development Consultants on behalf of the Ahmadiyya Muslim Association Australia		
<b>Proposed amendment</b>	<p>Rezoning of the SP2 Infrastructure (Local Road) zoned access handle connecting the site to Hollinsworth Road to B5 Business Development, and an amendment to Appendix 5, Schedule 1 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to include the following as additional permitted uses on the site:</p> <ul style="list-style-type: none"> <li>• 'hotel or motel accommodation'</li> <li>• 'office premises'.</li> </ul>		
<b>Street address</b>	45 Hollinsworth Road, Marsden Park		
<b>Owner</b>	Ahmadiyya Muslim Association Australia		

### Referral to Panel

<b>Panel criteria</b>	<ul style="list-style-type: none"> <li>• The submitted Planning Proposal is forwarded to the Blacktown Local Planning Panel for advice in accordance with the Local Planning Panels Direction – Planning Proposals, issued by the Minister for Planning on 27/9/2018 under section 9.1 of the Environmental Planning and Assessment Act 1979</li> </ul>
Section 9.1 Direction, EP&A Act	
<b>Report prepared by</b>	Agnes Brejzek
<b>Report date</b>	24 August 2020

## Contents

1	Executive summary.....	3
2	Applicant's proposal.....	3
3	Location .....	4
4	Site description and current planning controls.....	4
5	Key reasons in support of Planning Proposal.....	4
6	Recommendation.....	5

## Attachments

- 1 Location map
- 2 Existing aerial photos of site
- 3 Existing zoning map
- 4 Proposed zoning and other related maps
- 5 Request to prepare a Planning Proposal
- 6 Our intended Planning Proposal

## 1 Executive summary

---

- 1.1 The submitted Planning Proposal seeks to amend Appendix 5, Schedule 1 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) to include 'hotel or motel accommodation' and 'office premises' as additional permitted land uses at 45 Hollinsworth Road, Marsden Park (Lot 1 DP 1176437) and to rezone that part of the site that is zoned SP2 Infrastructure (Local Road) to B5 Business Development.
- 1.2 The site contains an SP2 Infrastructure (Local Road) zoned access handle from Hollinsworth Road that services the larger part of the site that is mainly zoned B5 Business Development, and a smaller area zoned SP2 Infrastructure (Drainage).
- 1.3 The dominant use on the site is as a place of public worship. It currently accommodates a mosque, which also serves as the headquarters of the Ahmadiyya Muslim Association Australia. The Association has requested 3 amendments to the Growth Centres SEPP relating to the site:
  - inclusion of 'hotel or motel accommodation' as an additional permitted use
  - inclusion of 'office premises' as an additional permitted use
  - rezoning of the SP2 Infrastructure (Local Road) zoned access handle to B5 Business Development.
- 1.4 The proposal to include 'hotel or motel accommodation' as a permitted use on the site is considered acceptable. Its use will complement the existing unique and varied uses on the site as a place of public worship associated with the national headquarters and administration centre for the Australian Ahmadiyya Muslim Association. It is noted that 'hotel or motel accommodation' is a permissible use in the B5 Business Development zone under Blacktown Local Environmental Plan 2015, but not under the growth Centre SEPP.
- 1.5 We do not support the inclusion of 'office premises' as an additional permitted use as that would set an undesirable precedent within the B5 Business Development zone and is not consistent as a standalone land use without the nature of the B5 zone.
- 1.6 We support the proposed rezoning of the SP2 Infrastructure (Local Road) zoned access handle to B5 Business Development. The access handle serves as a privately used driveway off Hollinsworth Road to the larger part of the site. The land was originally zoned to provide a future public road to service the site. However, following recent development, the site has frontage to Langford Drive, which connects to Richmond Road at a signalised intersection. This improved access negates the need for the SP2 Infrastructure (Local Road) zone.
- 1.7 This report is submitted to the Blacktown Local Planning Panel for advice prior to it being reported to Council. We intend to recommend to Council that the Planning Proposal be forwarded to the Department of Planning, Industry and Environment, but only partially reflecting the submitted Proposal.

## 2 Applicant's proposal

---

- 2.1 The Applicant submitted a request in November 2019 to prepare a Planning Proposal to amend the Growth Centres SEPP.
- 2.2 The Applicant's proposal seeks the following amendments to Appendix 5 of the Growth Centres SEPP relating to the site:
  - add additional permissible uses for 'hotel or motel accommodation' and 'office premises' to Appendix 5, Schedule 1 of the Growth Centres SEPP

- rezone the SP2 Infrastructure (Local Road) zoned access handle to B5 Business Development.
- 2.3 The Applicant states that the 'hotel or motel accommodation' will be used only by members of the place of public worship and supports the existing and future use of the site as a place of public worship and headquarters of the Ahmadiyya Muslim Association Australia.
- 2.4 The Applicant also seeks to permit 'office premises' to provide for 1,600 sqm of gross floor area to accommodate the national headquarters and administrative functions of the organisation.

### **3 Location**

---

- 3.1 The location of the Planning Proposal is shown at attachment 1.
- 3.2 The site is located within the Marsden Park Industrial Precinct in the North West Growth Area.
- 3.3 It is bounded by Richmond Road to the east, Langford Drive to the north and vacant land to the west and south.
- 3.4 The site is accessed via an access handle from Hollinsworth Road zoned SP2 Infrastructure (Local Road) and is currently fenced and gated with no access to and from the adjoining sites and streets. The place of public worship on the site does not currently use Langford Drive for vehicular access (but instead its own private access handle to Hollinsworth Road) and Richmond Road is access denied.
- 3.5 The surrounding land is zoned B5 Business Development and accommodates warehouses, bulky goods retail outlets and distribution centres.

### **4 Site description and current planning controls**

---

- 4.1 The site is approximately 11.44 ha.
- 4.2 The land is partially zoned B5 Business Development, SP2 Infrastructure (Local Drainage) and SP2 Infrastructure (Local Road) under the Growth Centres SEPP.
- 4.3 The site is used as a place of public worship with a mosque and ancillary structures, such as the residence of a missionary, a community hall, carpark, cemetery and ancillary structures.

### **5 Key reasons in support of Planning Proposal**

---

- 5.1 We support the request to add 'hotel or motel accommodation' as an additional permissible use as it would support the unique use of the site as a place of public worship and as the national headquarters and administration centre for the Australian Ahmadiyya Muslim Association.
- 5.2 It is unlikely that the hotel or motel accommodation will be offered to anyone else other than to members of the Association to attend religious festivals, seminars, other educational offers and to visit the headquarters of the Association.
- 5.3 Additionally, 'hotel or motel accommodation' is a permissible land use in the B5 Business Development zone under Blacktown Local Environmental Plan 2015. The alignment of the Growth Centres SEPP with Blacktown LEP 2015 is an action in the North West Priority Growth Area – draft Land Use and Infrastructure Implementation Plan (LUIIP) prepared by the then Department of Planning and Environment in May 2017. Specifically, Action 5 of that Plan states that:

*“The Department will transfer planning controls from the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to local environmental plans through proposed amendments that will make development controls more consistent with the Standard Instrument Local Environmental Plan.”*

- 5.4 In relation to the proposed ‘office premises’, we recognise that ancillary office functions may be required to support the dominant use on the site as a place of public worship. Related office premises are generally considered ancillary to a place of public worship. The scale and use of ancillary office premises would be assessed as part of a future Development Application. However, we do not believe there is sufficient justification to permit ‘office premises’ generally as an additional permitted use. To do so would allow the site to be developed for office uses completely independent from the site’s existing use. General office premises should be located in planned centres. Further, ‘office premises’ are not permitted in the B5 Business Development zone under Blacktown LEP 2015, making it inconsistent with the intent of the LUIIP.
- 5.5 We believe that permitting ‘office premises’ as an additional permitted use would detrimentally impact on the viability of nearby existing and planned centres, and set an undesirable precedent within the B5 Business Development zone. There are existing and planned centres within close proximity to the subject land that permit office premises, including:
- a centre directly opposite the site on Richmond Road zoned B1 Neighbourhood Centre
  - the Marsden Park Strategic Centre zoned B2 Local Centre within 2 km of the site
  - large areas of land zoned B7 Business Park within 1 - 2 km of the site.
- 5.6 We support the proposed rezoning of the SP2 Infrastructure (Local Road) zoned access handle to B5 Business Development. The land is privately owned and there is no acquisition authority in the Growth Centres SEPP to acquire the land. As such, it is also not listed in Contributions Plan No. 21 - Marsden Park for local acquisition by Council. The rezoning of the access driveway to B5 Business Development will not change the volume of traffic accessing the site.

## 6 Recommendation

---

1. Endorse the submitted Planning Proposal to permit ‘hotel or motel accommodation’ as an additional permitted use within Appendix 1, Schedule 5 of the Growth Centres SEPP.
2. Not endorse ‘office premises’ as an additional permitted use.
3. Endorse the rezoning of part of the subject land from SP2 Infrastructure (Local Road) to B5 Business Development.



---

Agnes Brejzek  
Strategic Planner



---

Chris Shannon  
Manager Strategic Planning



---

Glennys James PSM  
Director Planning and Development