



Planning proposal to allow hardware and building supplies and garden centre as additional permitted uses at 144 Wicks Road, Macquarie Park

Proposal Title :	Planning proposal to allow hardware and building supplies and garden centre as additional permitted uses at 144 Wicks Road, Macquarie Park		
Proposal Summary :	The planning proposal seeks to amend Schedule 1 'Additional Permitted Uses' for 144 Wicks Road (Lot 21 DP 1101233) to allow development for the purposes of 'hardware and building supplies' and 'garden centre' to be permitted with consent.		
PP Number :	PP_2014_RYDEC_002_00	Dop File No :	14/11515

Proposal Details

Date Planning Proposal Received :	07-Jul-2014	LGA covered :	Ryde
Region :	Metro(CBD)	RPA :	Ryde City Council
State Electorate :	RYDE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	144 Wicks Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 21 DP 1101233 - B7 Business Park		
Postcode :	2113		
Street :	16-18 Waterloo Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 4 DP 1046090 - B3 Commercial Core		
Postcode :	2113		

DoP Planning Officer Contact Details

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DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
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 :	150
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :			
Have there been meetings or communications with registered lobbyists? : No			
If Yes, comment :			

Supporting notes

Internal Supporting Notes : **BACKGROUND**

The site has been undeveloped since the closure of the Peter Board High School in 1998, with the exception of the existing childcare centre.

The site is located within Macquarie Park Corridor, and the surrounding land is characterised by commercial office and light industrial developments. Other additional land uses in the area include campus style development associated with Macquarie University.

ORIGINAL PLANNING PROPOSAL (2013)

The original planning proposal sought to amend Schedule 1 to list 'hardware and building supplies' as an additional permitted use on the site (144 Wicks Road, Macquarie Park) to support the future development of a Masters Home Improvement Centre.

Council undertook a review of the application and requested additional information on 2 October 2013. This information included:

- 1) review of the planning proposal to better align with the Department's Guide to Preparing Planning Proposals;
- 2) review of the Traffic and Parking Report, including informal traffic modelling and consideration of the impact the Roads and Maritime Services access restrictions would have on the site;
- 3) consideration of the Epping to Chatswood Rail Link as the site is within the 'zone of influence', which will be a constraint to future development of the site; and
- 4) a detailed review of existing flora and fauna on site.

CURRENT PLANNING PROPOSAL (2014)

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The applicant provided Council with an updated planning proposal and additional information in April 2014.

The proposal seeks to amend Schedule 1 under Ryde Local Environmental Plan 2014 to allow the following land uses 'hardware and building supplies' and 'garden centre' for 144 Wicks Road, Macquarie Park.

The planning proposal was reported to Council on the 24 June 2014, with a recommendation to support the proposal for the following reasons:

- 1) the uses are considered to be compatible with other uses within close proximity to the site including Harvey Norman, Domayne and Officeworks;
- 2) the resultant built form will be subject to the same planning controls as any other development on the site and will be complimentary with surrounding development;
- 3) the use of the Epping Road frontage for a Masters development will allow the use of the remainder of the site as commercial/office premises. This will allow for the strengthening of Waterloo Road as a the central spine of the Macquarie Park Corridor;
- 4) the potential reduction of employment generation for the B7 Business Park portion of the site is off set by revitalisation of the currently vacant site which may lead to further development within this area of the Macquarie Park Corridor; and
- 5) the proposed land uses are better located within the Macquarie Park Corridor rather than other town centres.

Council resolved unanimously to support the planning proposal for 144 Wicks Road, Macquarie Park, proceeding to Gateway.

Council has not requested delegation to carry out the Minister's function under section 59 of the EP&A Act 1979 to progress this planning proposal.

The Department supports the planning proposal proceeding to Gateway determination and considers the proposal suitable for delegation to Council.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **The statement of objectives adequately describes the intention of the planning proposal to amend the Ryde Local Environmental Plan 2014.**

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

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

Comment : **The explanation of provisions adequately addresses the intended changes to the Ryde Local Environmental Plan 2014.**

The proposal seeks to include a Schedule 1 Additional Permitted Land Use, as follows:

Use of certain land at 144 Wicks Road, North Ryde

- 1) this clause applies to land at 144 Wicks Road North Ryde (fronting Wicks Road and Epping Road), being Lot 21 DP 1101233;
- 2) development for the purposes of 'hardware and building supplies' and 'garden centres' is permitted with consent.

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Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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 1—Development Standards

SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP (Infrastructure) 2007

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

S.117 DIRECTIONS 1.1 BUSINESS AND INDUSTRIAL ZONES

The proposal is inconsistent with this direction as it reduces the potential employment generation that is currently permitted within a B7 Business Park on site.

The existing potential floor space yield is 30,576sqm, in a B7 zone this equates to approximately 2038 employees based on an open office plan. However, the proposal for a Masters Home Improvement Centre indicates 150 full time jobs would be available, and this represents a loss of a potential 1888 jobs.

The proponent suggests the inconsistency with this direction is justified as the land use itself is still compatible with the surrounding employment land uses and the proposal will allow for additional jobs on the site itself. The Department deems the inconsistency to be minor.

STATE ENVIRONMENTAL PLANNING POLICY 55 - REMEDIATION OF CONTAMINATED LANDS

The proponent has completed a preliminary contamination investigation, which has not resulted in identifying any contaminants on site. To satisfactorily address SEPP 55 a detailed contamination assessment will be required at development assessment stage.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **A 28 day exhibition period is proposed.**

PROJECT TIMELINE

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The planning proposal contains an estimated project time line for completion by April 2015.

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 : **June 2010**

Comments in relation to Principal LEP :

Ryde Local Environmental Plan 2010 was made on 30 June 2010 and applied the Standard Instrument Local Environmental Plan to Ryde. Council is now updating the LEP based on the findings of a comprehensive Local Planning Study. The notification of Ryde Local Environmental Plan 2014 is imminent.

Draft Ryde Local Environmental Plan 2014 (Amendment No. 1), which applies to Macquarie Park, is with the Department for finalisation. The Amendment proposes to include the following:

- 1) Deferred provisions for increased floor space ratio (FSR) and building height controls to become available for development upon entering into a voluntary planning agreement (VPA) with Council to provide key infrastructure - roads and open space.
- 2) Introduction of new maps with highest FSR and heights concentrated along Waterloo Road with lowest FSR and heights located towards the perimeter of the Macquarie Park Corridor.

These controls are subject to meeting VPA requirements and envisage development of the site to 65m and to an FSR of 3:1. The controls proposed do not alter the range of permitted uses.

Should the planning proposal be supported at the Gateway, it is recommended that it proceed as an amendment to the draft Ryde Local Environmental Plan 2014, given its advanced stage in the plan making process.

Assessment Criteria

Need for planning proposal :

The planning proposal is not a result of strategic studies.

Council feels that the planning proposal is generally in keeping with the intended outcomes for Macquarie Park, and is likely to result in buildings and land uses that are in keeping with the vision of Macquarie Park and the objectives of applicable zones.

Council considers that the addition of 'hardware and timber building supplies' and 'garden centre' within a B7 Business Park zone is compatible with other land uses permissible within the zone.

Council argues that given the relatively low construction costs of a home improvement centre comparative to commercial office floorspace, the site could revert to commercial office uses at a future date should there be sufficient demand. Keeping the current zoning and allowing additional permitted uses would not jeopardise the use of the site for commercial office space in future.

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Consistency with strategic planning framework :

The planning proposal is inconsistent with the strategic directions for Macquarie Park Corridor in the draft Metropolitan Strategy for Sydney to 2031 which include:

- 1) continuing to develop the corridor as a metropolitan-scale office park with a technology focus in the Global Economic Corridor, supporting and supported by the growth of Macquarie University Research Park, Macquarie Hospital, Macquarie Centre, Macquarie Park and Riverside Corporate Park (and Hospital),
- 2) expanding office space to increase productivity advantages and prioritise office space over housing, and
- 3) providing capacity for at least 16,000 additional jobs to 2031.

Macquarie Park forms part of the Global Economic Corridor which is one of nine City Shapers identified within the strategy. The site is identified as a strategic employment lands precinct under the draft Inner North Subregional Strategy (2007). The draft Inner North Subregional Strategy specifically identifies Macquarie Park Corridor as a specialised centre containing a hospital, university, research and business activities which performs a vital economic and employment role generating metropolitan wide benefits. One of the key directions of the draft Subregional Strategy is to promote Macquarie Park as Australia's leading business and technology park.

Notwithstanding, Council considers this inconsistency justified as the land uses proposed are compatible with other surrounding employment land uses and is generally keeping with the intended outcomes for Macquarie Park.

The proposal is considered to be generally inconsistent with the State Government's strategic planning framework (outlined in the draft Inner North Subregional Strategy and the Sydney Metropolitan Strategy) due to the potential loss of employment generating commercial floor space.

Note: The Department will be preparing a new North Subregional Strategy in the near future. Furthermore, the Department will conduct a capacity analysis of the Macquarie Park Corridor with the intent of assessing the amount of commercial floor space required within the Corridor and the amount of supply.

Council argues that the additional permitted uses proposed for the subject site will not contravene Ryde City Council's Local Planning Study 2010.

Council also argues that the submitted concept scheme provided with the planning proposal does not seek to replace or remove all employment generating capacity from the subject site but seeks to include a shift from office to retail. The concept scheme demonstrates that a total Gross Floor Area of approximately 75,894sqm could be achieved on the remainder of the site.

Environmental social economic impacts :

ENVIRONMENTAL IMPACT

The proponent provided a Flora and Fauna Assessment that concluded the following:

'Although there are some species consistent with the Threatened Species Conservation Act 1995 (TSC Act) listed Sydney Turpentine Ironbark Forest on site, it is likely that there have been planted and are not remnant native vegetation, and do not meet the criteria for the Endangered Ecological Community (EEC).

Two threatened plant species were present on site. However, both of these species have been planted and occur well beyond their natural range, therefore, are considered managed vegetation and not remnant native vegetation.

The site may provide some foraging value to a number of threatened fauna species, however, due to the proximity to Lane Cove National Park significant foraging habitat exists nearby.

A qualified fauna ecologist should be required on site during any clearing activity to

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ensure any resident fauna are removed and relocated appropriately. Techniques such as soft fall tree removal will minimise fauna mortality'.

To satisfactorily address environmental impact a detailed ecological assessment will be required at development assessment stage.

TRAFFIC AND ACCESS IMPACT

The proponent provided a Traffic Study, which analysed traffic, access and parking for the proposal development. The study concluded, that the proposal is providing adequate onsite car parking and that the traffic generation associated with proposal is not considered to result in any unacceptable impacts on the surrounding road network.

ECONOMIC IMPACT

Hill PDA's Economic Impact Assessment found that there is significant unmet demand for hardware floorspace in the area. The report states that approximately 8,000sqm Gross Lettable Area in the home improvement centre would relate to household retail floorspace. The proposal would only account for 20% of the total undersupply of hardware floorspace in the Main Trade Area to 2031.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Landcom**
Transport for NSW - Roads and Maritime Services

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. :

Other - provide details below

If Other, provide reasons :

NA

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 :

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Documents

Document File Name	DocumentType Name	Is Public
Letter from Council.pdf	Proposal Covering Letter	Yes
Council Resolution and Report.pdf	Proposal Covering Letter	Yes
Planning Proposal - April 2014.pdf	Proposal	Yes
Appendix A - Indicative Site Scheme.pdf	Drawing	Yes
Appendix B - Traffic Report.pdf	Study	Yes
Appendix C - Economic Impact Assessment.pdf	Study	Yes
Appendix D - Flora and Fauna Assessment.pdf	Study	Yes
Appendix E - DoPI letter to Kuringai Council.pdf	Study	Yes
Appendix F - Concept Grading and Building Section Plan.pdf	Drawing	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**
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to update the planning proposal to remove references to 16-18 Waterloo Road (Lot 4 DP 1046090) so it is clear that the proposed additional uses only apply to 144 Wicks Road (Lot 21 DP 1101233).

2. Prior to undertaking public exhibition, Council is to update the planning proposal to include a Site Identification Map, and Height of Buildings, Floor Space Ratio, and Special Provisions Area maps which clearly show both the existing and proposed controls for the site.

These maps should be prepared to the standards identified in Standard Technical Requirements for LEP Maps (Department of Planning & Infrastructure 2013).

3. Community consultation is required under sections 56(2)(c) and 57 of the 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 & Infrastructure 2013).**

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

- Transport for NSW – Roads and Maritime Services**
- UrbanGrowth NSW**

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, or to indicate that they will require additional time to comment.

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Public authorities may request additional information or additional matters to be addressed in the planning proposal. The planning proposal is to be revised to address submissions from these public authorities, copies of all submissions must be included with the revised 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 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

Council considers the reduction in potential employment opportunities on the site to be of minor significance.

The Department supports the planning proposal proceeding, to allow for public exhibition and feedback on the proposal. The proposal is considered suitable for delegation to Council.

Signature:



Printed Name:

Tim Archer

Date:

25 / 7 / 14

