

## INNOVATIVE

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<b>ITEM NUMBER</b>	6.1
<b>SUBJECT</b>	PUBLIC MEETING: Gateway Request: Planning Proposal at 12-12A, 14 & 14B Mons Road, WESTMEAD (Westmead Private Hospital)
<b>REFERENCE</b>	RZ/11/2019 - D07235094
<b>REPORT OF</b>	Project Officer Land Use
<b>LANDOWNER APPLICANT</b>	Alpha Westmead Private Hospital Pty Ltd Willowtree Planning

### PURPOSE:

To seek the Local Planning Panel's advice on a Planning Proposal for land at 12-12A, 14 & 14B Mons Road, Westmead. It is recommended that the proposal be submitted to the Department of Planning, Industry and Environment (DPIE) for the purposes of requesting a Gateway Determination.

### RECOMMENDATION

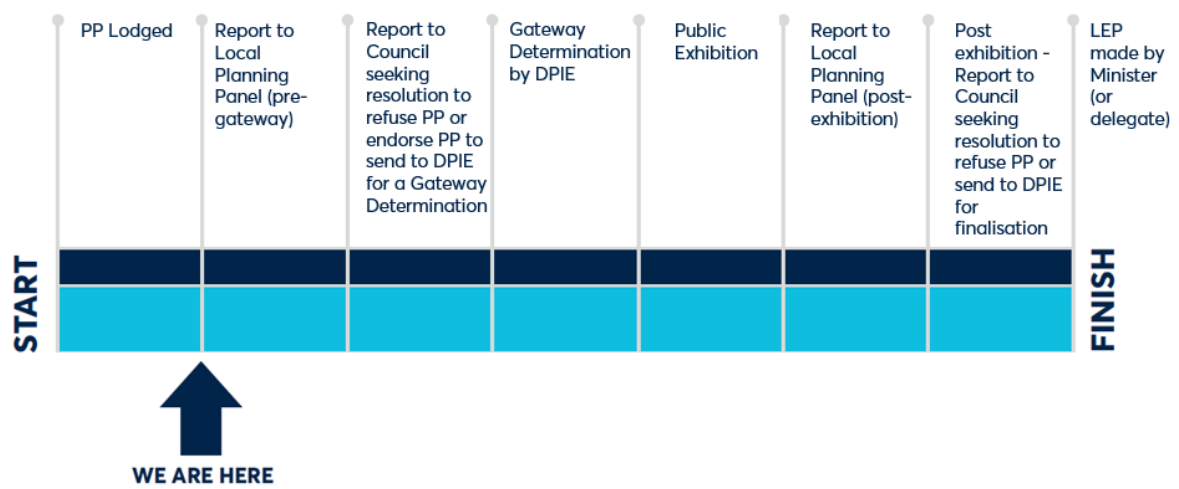
That the Local Planning Panel, consider the following Council Officer recommendation in the Panel's advice to Council:

- (a) **That** Council approve, for the purposes of seeking a Gateway Determination, the Planning Proposal at **Attachment 1** for land at 12-12A, 14 & 14B Mons Road, Westmead, which seeks to amend the Parramatta Local Environmental Plan 2011 to:
  - Increase the floor space ratio (FSR) from 1.5:1 to 2:1; and
  - Increase the height of building (HOB) from 12m to 68m for the south eastern portion of the site and 18m for the remainder of the site.
- (b) **That** Council forward the Planning Proposal at **Attachment 1** to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
- (c) **That** a site-specific Development Control Plan (DCP) be prepared and reported to Council separately prior to public exhibition with the Planning Proposal. The site-specific DCP should address, at a minimum, the following:
  - i. Built form and massing;
  - ii. Building setbacks;
  - iii. Flooding; and
  - iv. Other design controls to inform the future detailed design of the Westmead Private Hospital redevelopment.
- (d) **That** the Chief Executive Officer be delegated authority to negotiate a Planning Agreement on behalf of Council in addition to any development contributions payable, and that the outcome of negotiations be reported back to Council prior to its concurrent exhibition with the Planning Proposal and DCP.
- (e) **That** Council delegate authority to the Chief Executive Officer to endorse the Westmead Private Hospital Flood Study (following completion) for the

purposes of submission to the Department of Planning, Industry and Environment to be considered as part of the Gateway Determination process.

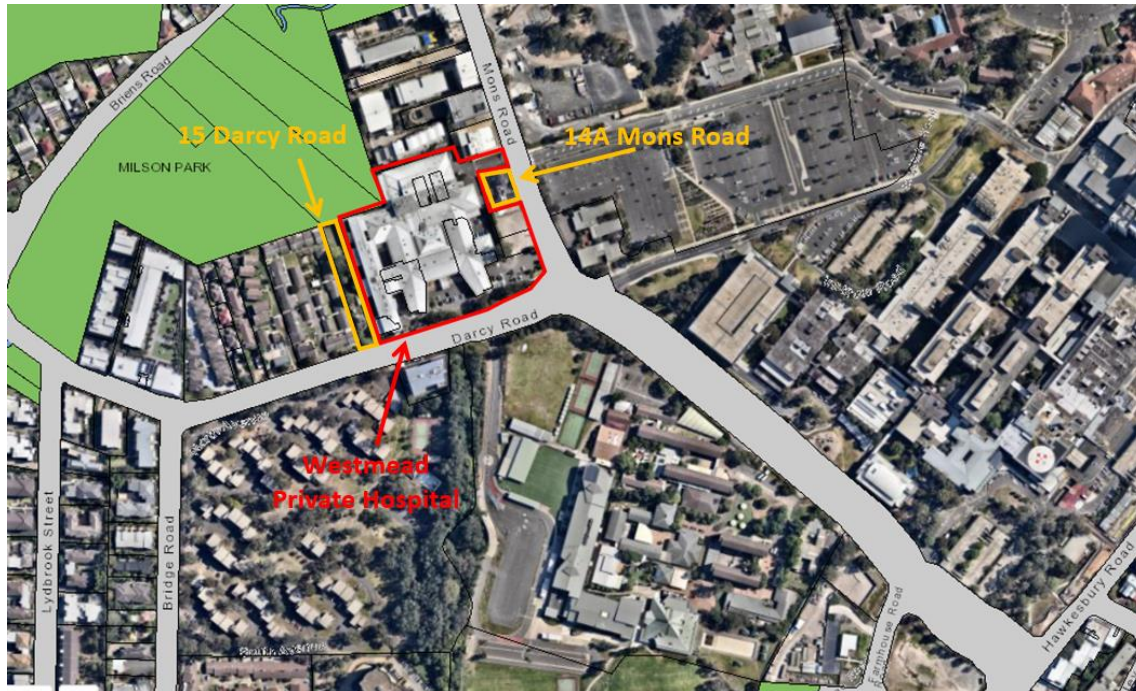
- (f) **That** Council advise the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council.
- (g) **Further, that** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

## PLANNING PROPOSAL TIMELINE



## SITE DESCRIPTION

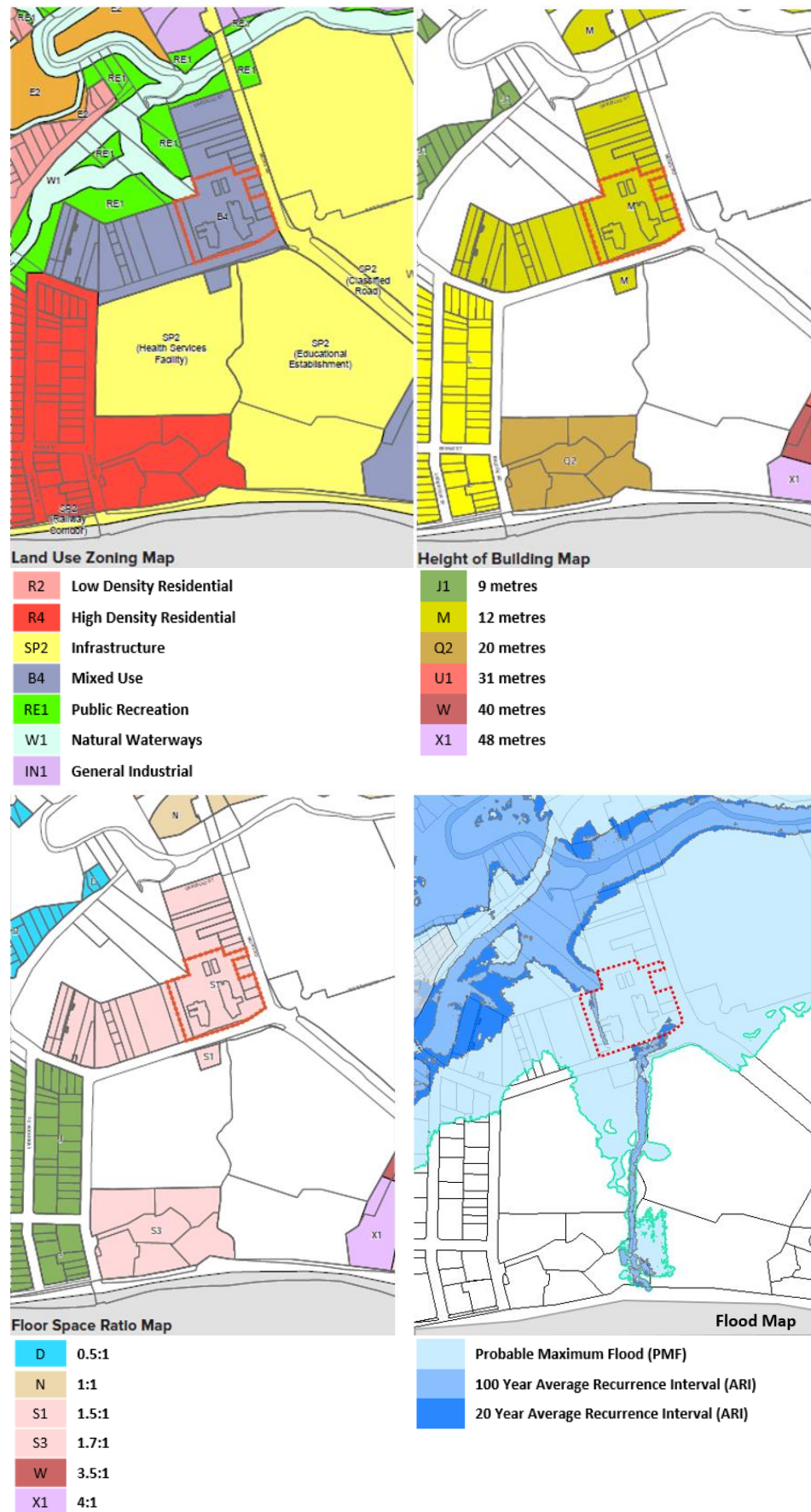
1. The subject site is at 12-12A, 14 & 14B Mons Road, Westmead and has an area of approximately 20,256 square metres (Refer to **Figure 1**). This site is currently occupied by Westmead Private Hospital and contains a two-storey health services facility and associated at-grade car parking.
2. The site is a corner lot and fronts Mons Road to the east and Darcy Road to the south. Vehicular access to the Hospital is currently provided on both roads. A single-storey dwelling (15 Darcy Road) is located to the west and a three-storey commercial building (14A Mons Road) is located to the north.
3. In March 2020 the site obtained development consent for alterations and additions to the existing Westmead Private Hospital comprising of demolition works, construction of a three-storey building to accommodate new consulting room and inpatient units and expansion of the existing operating theatres (Stage 3). This has since commenced construction.



**Figure 1:** An aerial image of the site and surrounds (subject site outlined in red)

## CURRENT PLANNING CONTROLS

4. Under the Parramatta Local Environmental Plan 2011, the site is subject to the following controls:
  - a. Land Use Zoning is B4 Mixed Use;
  - b. Floor Space Ratio (FSR) is 1.5:1;
  - c. Height of Buildings is 12 metres;
  - d. The site is not listed as an item of heritage significance and is not within a Heritage Conservation Area; and
  - e. This site is flood prone and is affected by the 20 Year Average Recurrence Interval (ARI).

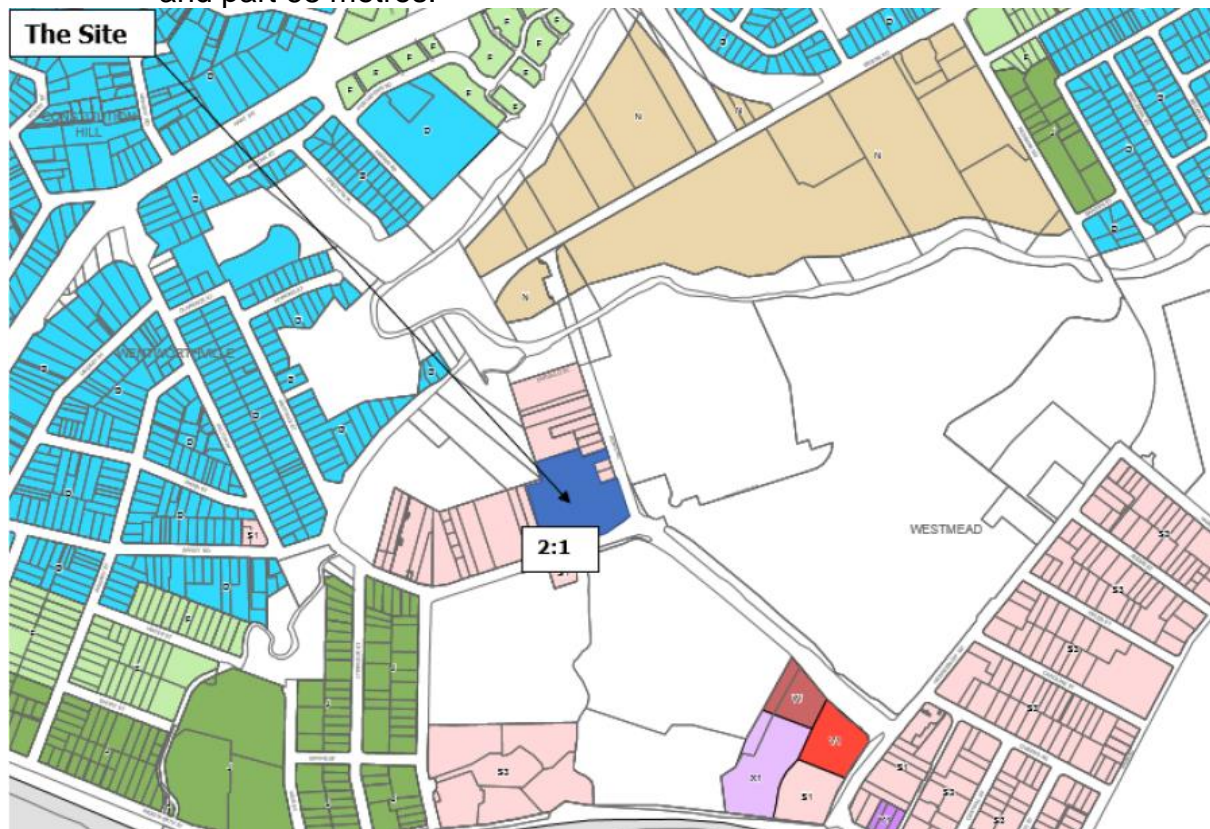


**Figure 2:** Parramatta LEP 2011 Maps (subject site outlined in red)

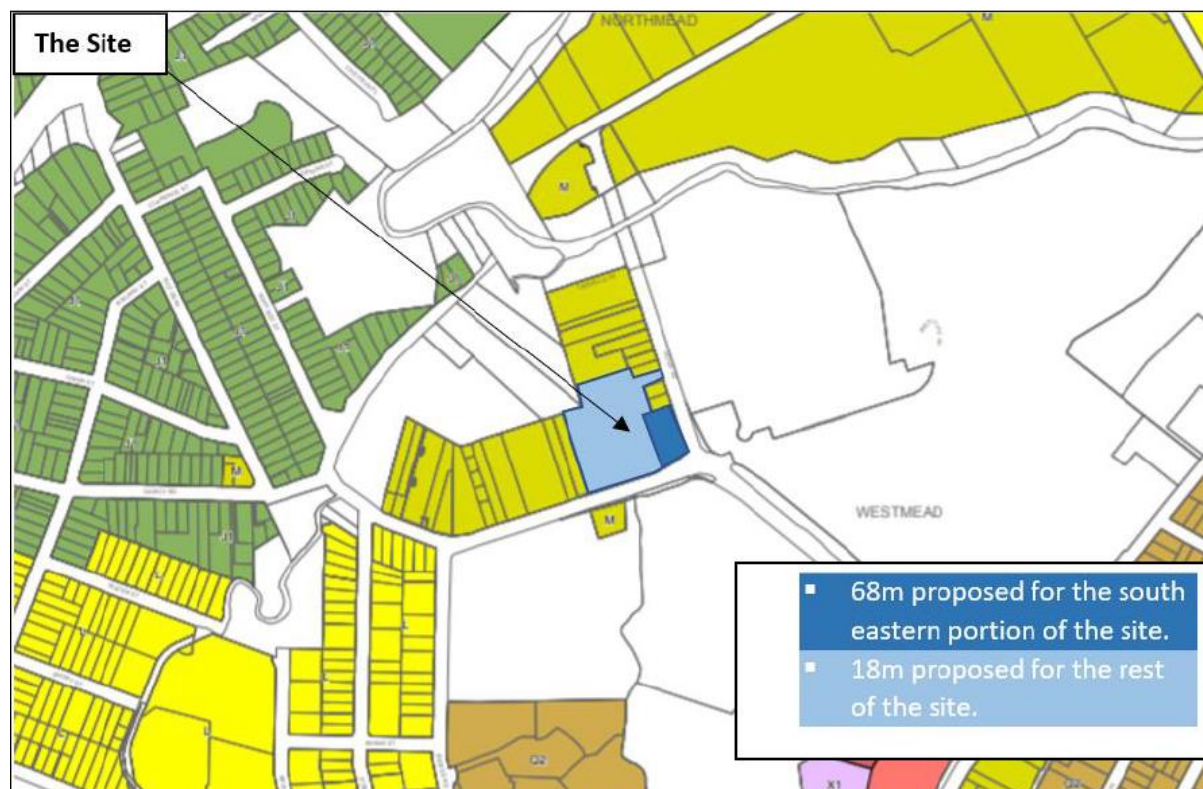


## PLANNING PROPOSAL SUMMARY

5. On 1 November 2019, a Planning Proposal (**Attachment 1**) was lodged with Council on behalf of Westmead Private Hospital to amend the planning controls applicable to 12-12A, 14 & 14B Mons Road, Westmead under Parramatta LEP 2011. The proposed changes included:
- Increasing the floor-space ratio control from 1.5:1 to 2:1; and
  - Increasing the height of buildings control from 12 metres to part 18 metres and part 68 metres.



**Figure 3:** Proposed FSR map (source: Willow Tree Planning 2021)



**Figure 4:** Proposed HOB map (source: Willow Tree Planning 2021)

6. No changes to the zoning are proposed.
7. The Planning Proposal seeks to facilitate 'Stage Four' of the Westmead Private Hospital redevelopment. **Table 1** below, as provided by the applicant, sets out the indicative development parameters for 'Stage Four' redevelopment.

**Table 1:** Indicative development parameters (**Note:** Beds, Rooms and Parking figures referred to in the below table are cumulative totals for the whole site)

Particular	Existing	Stage 3	Stage 4/Planning Proposal scheme
Overnight beds	191 beds	219 beds	533 beds
Procedural rooms	23 rooms	25 rooms	25 rooms
Consulting rooms	15 rooms	28 rooms	41 rooms
Emergency Department bays	0 bays	0 bays	14 bays
Car parking	349 spaces	398 spaces	766 spaces

8. It is noted that a Development Application for 'Stage Three' was approved by Sydney Central Planning Panel on 12 March 2020. Stage Three is currently under construction.
9. A separate Development Application will need to be submitted for 'Stage Four' and development consent can only be granted once the planning controls under the Parramatta LEP 2011 have been formally amended via the subject Planning Proposal.
10. The Planning Proposal is accompanied by the following supporting documents:
  - Urban Design Report prepared by Roberts Day;
  - Transport Impact Statement prepared by Ason Group;

- Flood Report completed by Cardno;
  - Aviation Advice issued by Aviation Projects; and
  - A Strategic Merit Test prepared by Willowtree Planning.
11. Following internal assessment in January 2020, Council Officers wrote to the applicant detailing several concerns with the Proposal, particularly those relating to flooding and broader urban design issues. Council officers advised that a master plan was necessary for the site so that the final built-form outcome and integration between 'Stage Three' and 'Stage Four' is better resolved.
12. On 23 March 2021, the applicant revised their Planning Proposal and included a site-specific DCP. The revised scheme including the draft DCP has since been reviewed by Council Officers who have confirmed that while some of the issues raised previously have been resolved, there are still a number of issues relating to the proposed reference design. The proposed changes to FSR and Building Height remains unchanged. These outstanding design issues are discussed in detail further in this report.

## ASSESSMENT

13. The following section details Council's assessment of the proposal based on strategic merit and site specific planning issues. The Planning Proposal detailed in **Attachment 1** provides a full assessment of the proposal's consistency against relevant State Planning Policies and Ministerial Directions.

### Strategic Merit

14. Council Officers consider this Planning Proposal to have strategic merit in relation to redeveloping the site to provide additional health service facilities in the Westmead Innovation Precinct.

### *Greater Sydney Region Plan*

15. In March 2018, the Greater Sydney Commission released the Greater Sydney Region Plan: A Metropolis of Three Cities ("the GSRP") a 20-year plan which outlines a three-city vision for metropolitan Sydney to the year 2036. The site is identified as a part of the Greater Parramatta growth area, with the Westmead Precinct in particular being recognised as Greater Parramatta's internationally significant health and education precinct.
16. The Plan indicates that a range of activities are already underway which will boost the role of the Westmead health and education precinct as an economic catalyst for Greater Parramatta, including;
- Stage One of Westmead Hospital Upgrade including a new acute services building
  - Improved metropolitan accessibility from the delivery of Sydney Metro West
  - Enhanced local accessibility with Parramatta Light Rail
  - The attraction of private sector investment and business to the precinct, with a focus on Western Sydney University's Westmead Campus redevelopment and the planned University of Sydney campus.

17. The redevelopment of Westmead Private Hospital, as facilitated by this site-specific Planning Proposal, aligns with the objectives of the Greater Sydney Region Plan and complements the changes that are already taking place within the Westmead health and education precinct.

#### *Central City District Plan*

18. Released in March 2018 by the Greater Sydney Commission as part of implementing the vision of the Greater Sydney Region Plan, the Central City District Plan seeks to transform Westmead Health and Education Precinct to an innovation district with greater diversity of knowledge-intensive jobs. Specifically, Action no. 23 of the District Plan seeks the following:

*“23. Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy by:*

- a. Enabling the development of an internationally competitive health and education precinct at Westmead”*

19. The proposed intensification of the Westmead Private Hospital site that will be facilitated by the planning proposal is consistent with the directions of the Central City District Plan.

#### *Draft Westmead Place Strategy*

20. On 10 December 2020, DPIE released a draft Westmead Place Strategy for public exhibition. The draft Westmead Place Strategy aims to synthesise a vision for the whole Precinct, leverage off significant State Infrastructure investment, and support Westmead’s role in Greater Parramatta as identified in the Central City District Plan.
21. Council endorsed a submission on the draft Place Strategy at its meeting on 22 March 2021 which reinforced the need for DPIE to complete a comprehensive Traffic and Transport Study prior to it being endorsed by the Minister. Transport for NSW (TfNSW) has advised that Stage 1 of the Westmead Traffic and Transport Study is expected to be completed by the end of October 2021 whilst scoping and funding for Stage 2 is yet to be confirmed.
22. Further, Council also resolved to consider a further *“report on the risks and benefits of Council suspending consideration of Planning Proposals and assessment of Development Applications, unless the proposals or applications relate solely to increasing and/or supporting community health services, until the Minister for Planning and Public Spaces has approved the Strategy based on a comprehensive traffic and transport study, and Council has completed the analysis and consultation required to determine land use and density controls that are consistent with the Strategy”*.
23. It is noted that while the report referred to in the above resolution is yet to be prepared, the resolution does not preclude the progress of the Planning Proposal (which seeks expansion of health/hospital uses) ahead of the Westmead traffic and transport study being completed. A report addressing the above resolution will be provided to Council in 2022.

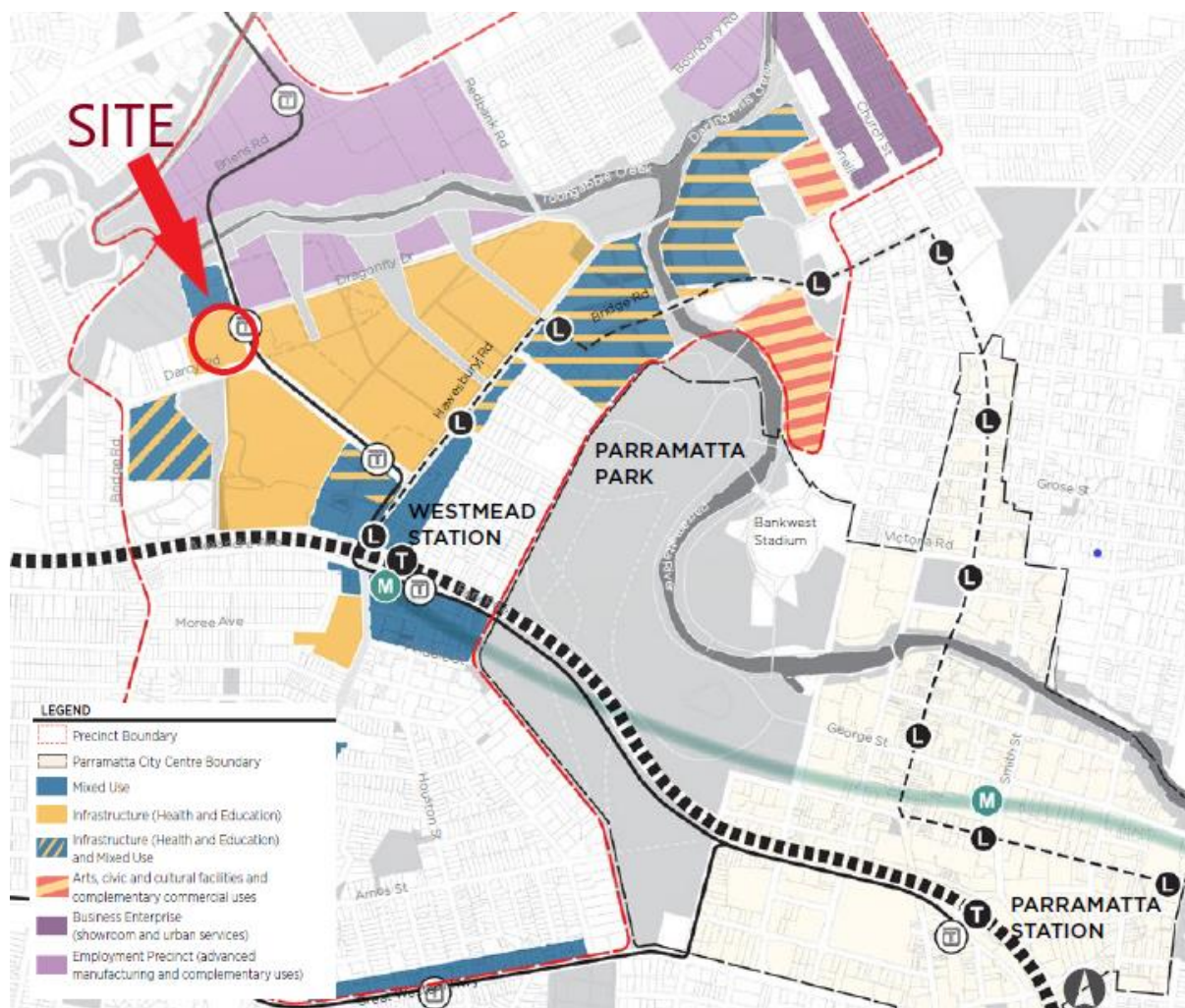


24. Further, the Planning Proposal is in line with the Draft Westmead Place Strategy, specifically Direction 5;

*Protect and enhance existing employment areas with a focus on job creation to transform the existing health and education precinct into the Westmead Health and Innovation District.*

*Planning Priority 1: Continue to advance the growth of the health core with the expansion of existing education, research and health facilities.*

25. The proposed increase in HOB and FSR allows the expansion of the health facility consistent with the priorities of the strategy on land which the strategy identifies as suitable for *Infrastructure (Health and Education)*, see Figure 5.



**Figure 5:** Plan of Employment Areas (Draft Westmead Place Strategy 2020)

#### *Local Strategic Planning Statement*

26. The Local Strategic Planning Statement (LSPS) is Council's 20 year vision for land use and infrastructure in the City of Parramatta. The draft LSPS was publicly exhibited from 30 September 2019 to 11 November 2019 and the final LSPS was adopted by Council on 24 February 2020. The LSPS identifies priorities that seek to *reinforce Westmead's role as a Health and Education Precinct. These include collaborating with State Agencies and other stakeholders to develop and implement the Westmead Place Strategy/Masterplan (Action 70 and 80). The LSPS also includes priorities*

*which seek to limit residential development within Westmead while encouraging health, education development (Planning Priority 38).*

27. The Planning Proposal is consistent with the priorities identified in the LSPS and enhances the agglomeration of Westmead Health Precinct through the intensification of hospital use on site.

## **Site Specific Assessment Issues**

### **Flooding**

28. The subject site is flood affected both by rising floodwaters from Toongabbie Creek from the north and by floodwaters from Milson's Creek to the south which traverse the site in at least two pathways.
29. The site is affected by the Probable Maximum Flood (PMF) and part of the site is affected by the 100 and 20 year ARI.
30. Following assessment of the proposal by Council's Senior Development Engineer, the issues below require further independent assessment:
- a. Flooding Environment – Milson's Creek  
The Westmead Private Hospital building has been constructed over the channelised floodway of Milson's Creek. Milson's Creek was contained in an open concrete channel approximately 40m wide and 130m long. The hospital building was built directly above this channel  
  
The location of the existing hospital across the floodway is shown in various flood maps by Council and the applicant's Engineer – Cardno, however, these maps do not map or model the flow in the 40m wide channel that runs under the hospital.
  - b. Floodways surround the development in 1% AEP events  
The current hospital including the proposed redevelopment to be facilitated by the Planning Proposal is located across the whole floodway of Milson's Creek. As noted above, flow in the Milson's Creek concrete channel has not been modelled by Council or by Cardno and therefore analysis is required to determine if this floodway is high hazard, noting the high hazard conditions existing in Milson's Creek immediately upstream and downstream of the site.
  - c. Flooding from Toongabbie Creek  
Water in Toongabbie Creek also has the potential to rise up and flood the Westmead Private Hospital site to a significant extent with the site fully inundated during a Probable Maximum Flooding (PMF) event. This includes Darcy Road and Mons Road which results in loss of road access to and from the site.
31. Based on the above issues, Council Officers have engaged a flooding consultant, Molino Stewart, to carry out an independent flooding assessment on the proposal. This will include reviewing and assessing the flood environment, potential risks to patients, staff and visitors as well as make recommendations on the Planning Proposal or site specific DCP to include controls to mitigate

flood risk, manage site egress and evacuation. The independent assessment will also provide an assessment of the proposal against the Section 9.1 Ministerial Direction relating to Flood Prone Land which was recently amended in July 2021. It is anticipated that the independent Flood Study will be completed mid-October/November 2021.

32. Given the significance of the planning proposal to provide increased capacity for critical health infrastructure, it is considered that the planning proposal should proceed to the Gateway Determination process ahead of the above flooding work being completed. Should Council endorse the Planning Proposal to proceed, DPIE would be able to commence review of the Planning Proposal documentation in the first instance with the requisite independent flooding assessment to be forwarded to DPIE shortly after (by mid-October/November 2021) to inform the Gateway Determination process.
33. It is therefore recommended that Council authorise the Chief Executive Officer to endorse the flood study for the purposes of submission to the DPIE as part of the Gateway assessment process.
34. As Council would be considering the Planning Proposal ahead of formally reviewing the flood study, this approach was flagged with DPIE who have confirmed that this could be accommodated as part of the Gateway process subject to the above authorisation being provided. It is noted that the results of the flood study will also inform development controls in the site specific DCP which is required to be reported to Council separately.

## Urban Design

35. In 2019, initial feedback was provided to the applicant in relation to the following matters:
  - a. Built form
  - b. Street network and design
  - c. Car parking design
  - d. Request for an urban design analysis and a Reference Design
36. The applicant responded with further details and amendments which included a reference scheme (see **Figure 6** below), urban design analysis and a site specific DCP.



**Figure 6:** Reference scheme (source: STH 2021)

37. Council Officers have since reviewed the revised design package and do not raise any objections to the proposed height and FSR sought by the Planning Proposal in principle, subject to a number of detailed design measures being addressed as part of the draft site-specific DCP process. The following matters have been identified that can be resolved in collaboration with the applicant as part of refining the reference design and draft site-specific DCP:
- a) Issues with the current reference design that need to be resolved such as the dominance of the above ground car parking, the massing and the façade design.
  - b) Reference design should be redesigned to improve the massing and reduce its visual dominance. Matters that could be considered to address this are as follows:
    - i. integrating the 8 upper levels of car parking with the 9 levels of tower into one slab building of 17 levels.
    - ii. extrapolating the plan form of the base for the full height of the building.
    - iii. aligning the building with Mons Road and Darcy Road on all levels .
    - iv. organising the structure and fenestration so that the 17 levels read as one building with subtle differences between the car parking and the hospital rooms. The 2 upper levels could be recessed enabling proportions of 15 levels to 2 levels. Other modulation methods that address the proportions could be considered.
    - v. articulating the building with vertical and horizontal elements, with a balance of openings and solids that address the street, and relate to the internal uses and orientation. A horizontal plinth would assist in seating the building and revealing the topography.



- vi. ensuring that the base of the building has depth, solidity and employs robust sustainable materials.
- c) Consideration of planting on the lower levels to screen the car parking as the car parking levels are the most dominant part of the building at street level. Due to the building being within a dominant location, the presentation of the lower levels needs to be carefully considered.
- d) If a terrace area is required for the hospital levels, introduce a regular shaped courtyard into the upper levels along Mons Road but ensure that the building turns into Mons Road for a reasonable length so that the corner is defined and not cut away as it is in the present design.
- e) Provide clear safe pedestrian direct pedestrian entrances to the ground floor facilities from Darcy Road and from Mons Road.
- f) Highlight the pedestrian entrances into the building.

### **Traffic and Transport**

- 38. The Planning Proposal and associated Traffic Impact Assessment (TIA) report (prepared by Ason Group) has been reviewed by Council's Traffic and Transport team. The TIA report assessed the performance of the key intersections within the area for the future scenario with the Proposal using the SIDRA Intersection software. The results of the modelling show that the net increase in traffic volumes would result in minimal increases in delay at all key intersections in the study area with no change in Level of Service.
- 39. Further, the TIA report indicates that Stage 4 will increase the overall parking numbers provided on site by 368 spaces. This exceeds the minimum car parking spaces required as set out in the Parramatta DCP which requires 352 spaces be provided (an increase of 16 spaces). The required parking provision will be determined as part of any future Development Application.
- 40. Following review of the Planning Proposal and associated TIA report, Council's Traffic and Transport Team confirm that the proposal can be supported on traffic and parking grounds.

### **Impact of proposal on Helicopter Operations**

- 41. Preliminary consultation with the Western Sydney Local Health District (WSLHD) was undertaken regarding the proposed building height and potential impacts on Westmead Public Hospital's helicopter operations. Advice received from WSLHD in December 2019 indicated that despite the flight path data in the applicant's Aviation Report being outdated, the proposed building height is unlikely to affect helicopter operations.
- 42. The applicant has since submitted a revised Aviation Report in March 2021 (using updated flight path data) which has been provided to WSLHD for review, however a response had not been received at the time of finalising this report.

43. Should a Gateway Determination be issued by DPIE for the Planning Proposal, the WSLHD will be formally consulted with as part of the public exhibition process including seeking updated feedback on the revised aviation report.

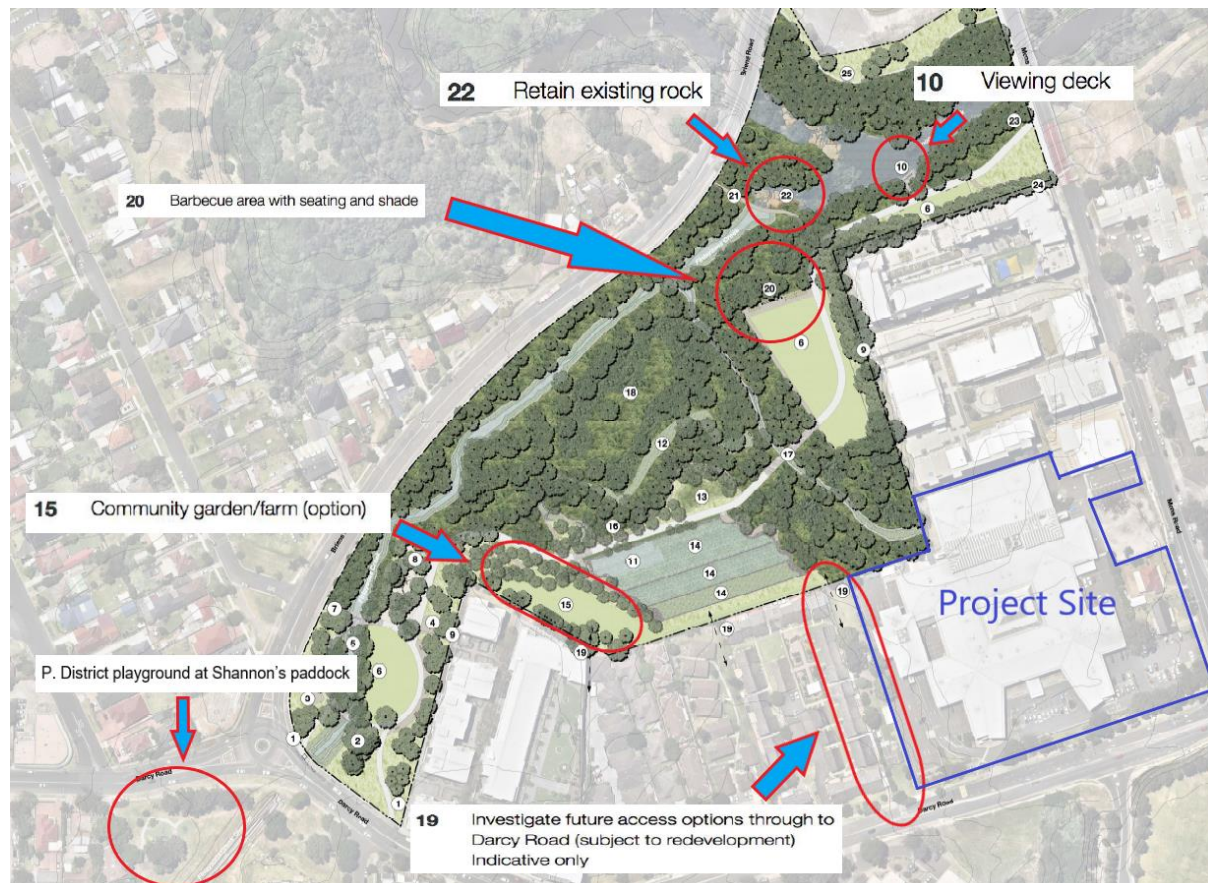
### **Planning Agreement**

44. Council's Officers and the applicant have held preliminary discussions regarding the potential for a draft Planning Agreement to support the Planning Proposal.
45. These discussions flagged the opportunity for the developer to provide a contribution towards unfunded open space works identified in Council's Community Infrastructure Strategy (CIS) and the Milson Park Masterplan (refer to Figure 7 below). The items and estimated costs referred to in Figure 7 are mapped out in Figure 8 – Milson Park Masterplan.

**Figure 7: Opportunities Identified for Voluntary Planning Agreement**

<b><u>Description</u></b>	<b><u>Works</u></b>	<b><u>Estimated Cost</u></b>	<b><u>Infrastructure Plan Reference</u></b>
<b>Note:</b> Location of Items shown in Figure 8			
19. Through site link – Darcy Road to new path through 15 Darcy Rd	3m wide easement, 2.1m concrete path, P3 level lighting	\$155,000 + easement value over WPH land*	Milson Park Masterplan
District playground at Shannon's paddock	Amenities block, regional scale play equipment area, access works	\$1,500,000	CIS
15 & 20. Community Garden and community facilities	Community shed, meeting rooms (serviced with power and water), bbq, shade structures, seating, potential contamination management. Initial scope identified under masterplan and CIS needs to be clarified based on site investigation and feasibility assessment	\$700,000	Milson Park Masterplan
10. Bank Stabilisation and lookout	30m-50m viewing deck on riverbank, seating, approximately 500m <sup>2</sup> of bank stabilisation	\$250,000	Milson Park Masterplan
22. New Creek Crossing and path upgrade	2 x stone stairs, stepping stones and small sections of concrete paving	\$200,000	CIS and Milson Park Masterplan

\* Easement will need to be valued separately and is in addition to the \$155,000



**Figure 8: Milson Park Masterplan – Note: unfunded works identified in Red outline**

46. It is noted that while the Planning Proposal seeks to increase capacity for Westmead Private Hospital which will provide additional health infrastructure within the Westmead Health Precinct, the location of Milson Park in close proximity to the Westmead Private Hospital would subsequently result in additional demand for use of Milson Park by patients, visitors and hospital employees.
47. It is therefore recommended that the Chief Executive Officer be authorised to negotiate a draft Planning Agreement with Westmead Private Hospital based on the works identified above as they relate to improving open space outcomes that will directly benefit the hospital as well as the broader Westmead Precinct. Further that the outcomes of the negotiation process be reported to Council to ensure that any Planning Agreement can be publicly exhibited concurrently with the Planning Proposal and draft DCP.

## PLAN-MAKING DELEGATIONS

48. New delegations were announced by the then-Minister for Planning and Infrastructure in October 2012, allowing councils to make LEP amendments of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions and that these functions be delegated to the Chief Executive Officer.
49. Should Council resolve to proceed with the officer-recommended Planning Proposal, it is intended that Council issue a request to the Department that it be able to exercise its plan-making delegations for the Planning Proposal. If the Department agrees to this request, this means that once the Planning Proposal

has been to Gateway, undergone public exhibition and been adopted by Council, Council Officers will liaise directly with the Parliamentary Counsel Office on the legal drafting and mapping of the LEP amendment. The LEP amendment is then signed by Council's Chief Executive Officer before being notified on the NSW Legislation website.

## **CONSULTATION & TIMING**

50. The Planning Proposal (original and revised versions) and supporting documents were referred internally to Council's City Design, Social Outcomes, Traffic and Transport teams, and externally to Western Sydney Local Health District for comment and their feedback has informed this report.
51. At stage, no community consultation has been undertaken relating to this Planning Proposal.
52. Should Council resolve to proceed with the Planning Proposal, it will be submitted to DPIE for Gateway Determination. Community consultation will be undertaken as required by the Gateway Determination. The Planning Proposal will be placed on public exhibition in conjunction with the site-specific DCP and draft Planning Agreement.

## **FINANCIAL IMPLICATIONS FOR COUNCIL**

53. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation will be covered by the Planning Proposal application fees.
54. Further, Council will be part paying for the cost of the independent flood study to a maximum of \$10,000 as per Council's Schedule of Fees and Charges. The remaining cost of the Flood Study (approximately \$20,767) will be borne by the applicant.

## **CONCLUSION**

55. This report recommends that the Planning Proposal for 12-12A, 14 & 14B Mons Road, Westmead proceed to Gateway Determination. Further that following completion of the independent flood study, that this be submitted separately to DPIE, subject to Chief Executive Officer sign off, to inform the Gateway Determination process.
56. Should the proposal proceed and a Gateway Determination be issued, the Planning Proposal will be placed on public exhibition with the site specific DCP and draft Planning Agreement (once both are reported to Council) and the outcomes of the exhibition will be reported to the Local Planning Panel if any objections are received. If no objections are received, the matter will be reported directly to Council post-exhibition.

Issa Trad

**Project Officer Land Use**

Michael Rogers

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**ATTACHMENTS:**

1   Planning Proposal - Westmead Private Hospital RZ/11/2019 310 Pages

**REFERENCE MATERIAL**