

INNOVATIVE

ITEM NUMBER	17.1
SUBJECT	FOR APPROVAL: Gateway Request - Planning Proposal at 12-12A, 14 & 14B Mons Road, WESTMEAD (Westmead Private Hospital)
REFERENCE	F2021/00521 - D08238536
APPLICANT/S	Willowtree Planning
OWNERS	Alpha Westmead Private Hospital Pty Ltd
REPORT OF	Project Officer Land Use

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL

Stage 3 Development Application

DA/487/2019 - Alterations and additions to existing Westmead Private Hospital comprising of demolition works, construction of a three storey building to accommodate new consulting room and inpatient units, expansion of the existing operating theatres. The application was approved by the Sydney Central Planning Panel on 12 March 2020.

WORKSHOP/BRIEFING DATE

20 October 2021.

PURPOSE

To seek Council's approval of a Planning Proposal for land at 12-12A, 14 & 14B Mons Road, Westmead for the purposes of requesting a Gateway Determination from the Department of Planning, Industry and Environment (DPIE).

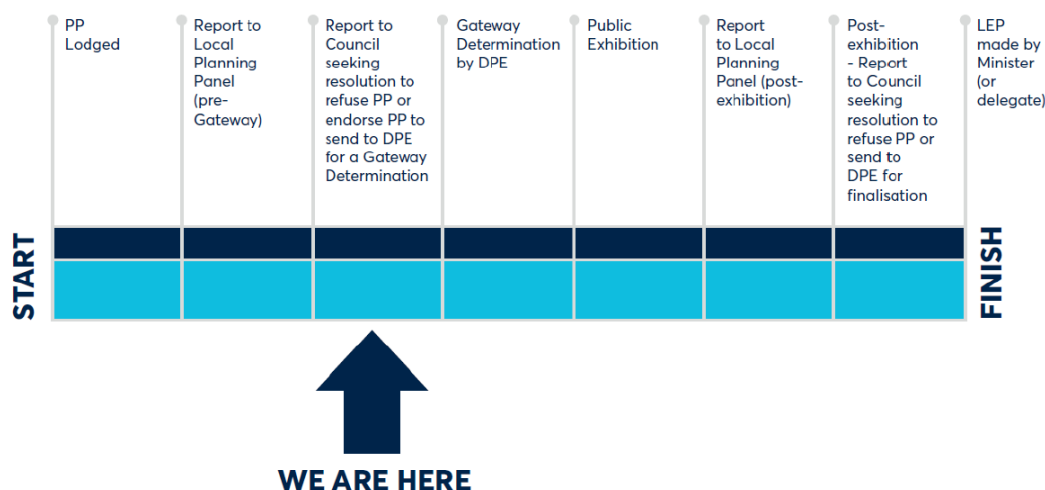
RECOMMENDATION

- (a) **That** Council approve, for the purposes of seeking a Gateway Determination, the Planning Proposal attached to the LPP report at **Attachment 1** for land at 12-12A, 14 & 14B Mons Road, Westmead, which seeks to amend the Parramatta Local Environmental Plan 2011 to:
 - i. Increase the floor space ratio control (FSR) from 1.5:1 to 2:1; and
 - ii. Increase the height of building control (HOB) from 12m to 68m for the south eastern portion of the site and from 12m to 18m for the remainder of the site.
- (b) **That** Council forward the Planning Proposal 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 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.
- (f) **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.
- (g) **Further, that** Council note the Local Planning Panel's advice to Council is in support of the Planning Proposal (refer to **Attachment 1**), which is consistent with the Council Officer's recommendation in the report.

PLANNING PROPOSAL TIMELINE

Planning Proposal Timeline



SITE DESCRIPTION

- The subject site is at 12-12A, 14 & 14B Mons Road, Westmead and has an area of approximately 20,256 square metres (see **Figure 1**). The site is currently occupied by Westmead Private Hospital and contains a two-storey health services facility and associated at-grade car parking.

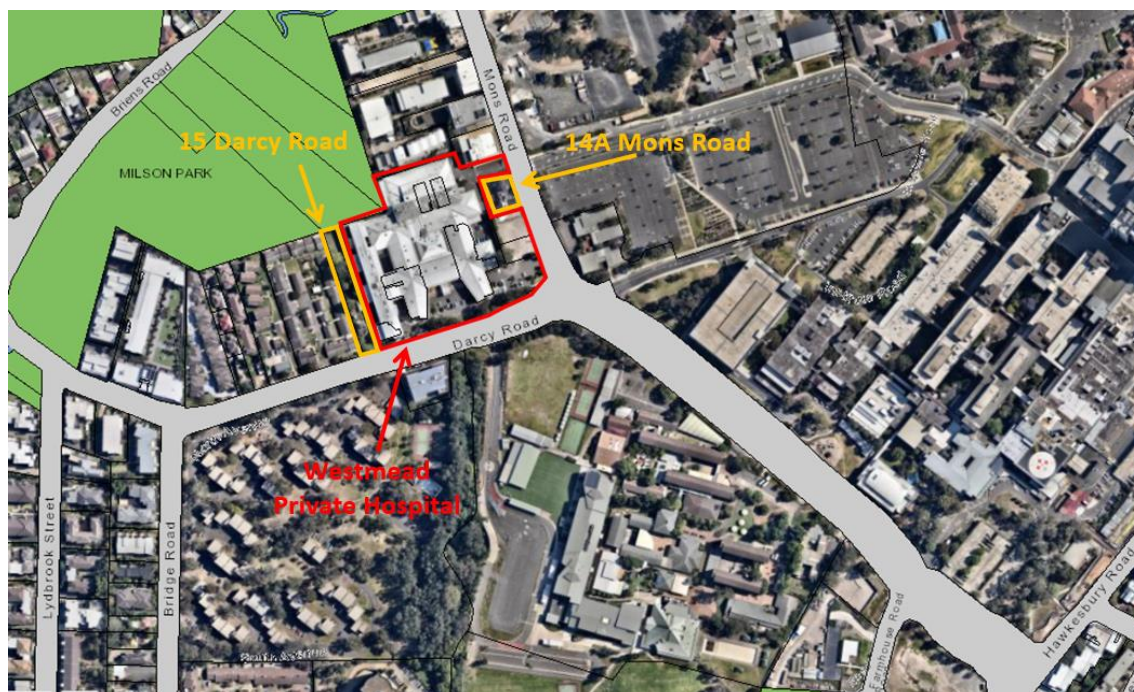


Figure 1: An aerial image of the site and surrounds (subject site outlined in red)

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 from 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.

PLANNING PROPOSAL

4. The Planning Proposal (refer to Planning Proposal attached to the LPP report at **Attachment 1**) seeks to amend the planning controls in *Parramatta Local Environmental Plan 2011* for land at 12-12A, 14 & 14B Mons Road, Westmead as shown below in Table 1.

Table 1: Planning Proposal for 12-12A, 14 & 14B Mons Road, Westmead

Parramatta LEP 2011	Current Controls	Planning Proposal Recommendation
Zoning (unchanged)	B4 Mixed Use	B4 Mixed Use
Maximum HOB	12m	68m for the south eastern portion of the site and 18m for the remainder of the site
Maximum FSR	1.5:1	2:1

5. The Planning Proposal seeks to facilitate 'Stage Four' of the Westmead Private Hospital redevelopment. **Table 2** below, as provided by the applicant, sets out the indicative development parameters for 'Stage Four' redevelopment.

Table 2: Indicative development parameters (**Note:** Figures referred to in the table are cumulative totals for the whole site at completion of each stage respectively)

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

6. The applicant's reference scheme (Stage 4) is shown in Figure 2 below.

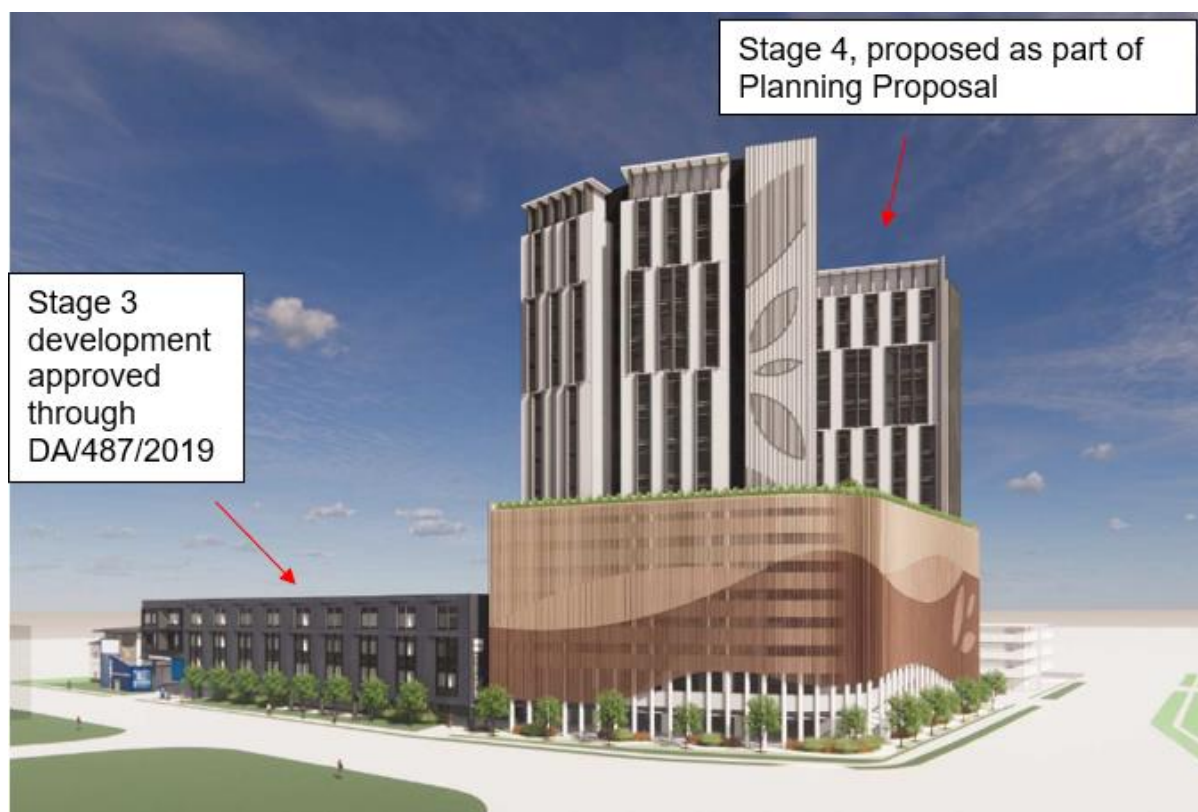


Figure 2: Reference scheme (source: STH 2021)

7. Council officers have carried out a detailed assessment of the applicant's current reference scheme and associated technical studies which is provided in the Local Planning Panel (LPP) report at **Attachment 1**. This assessment raised some concerns relating to the proposed hospital design and flooding implications. As these matters are to be addressed in the site specific DCP, the significance of the planning proposal to provide increased capacity for critical health infrastructure should progress to the gateway process.
8. The flood study is expected to be completed by the end of November 2021 and its findings will provide a more detailed analysis of the flood risk (noting that the site is already largely redeveloped as a hospital) that will inform the reference scheme (eg floor levels, car parking location and evacuation route etc.) for the subject portion of the site. These flood related design elements will subsequently inform the preparation of a Site Specific DCP and are unlikely to impact on the planning proposal itself. Nevertheless, following its completion the Flood Study will be submitted to DPIE for its information and consideration under the Gateway Determination process. It is recommended that the site-

specific DCP be reported to Council before public exhibition with the Planning Proposal when Council will then be able to consider the draft flooding provisions in the DCP.

9. Council officers and the applicant have held preliminary discussions regarding the potential for a draft Planning Agreement to support the Planning Proposal. These discussions have identified 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. Details of this potential aspect of the proposal as provided in the LPP report at **Attachment 1**.

PARRAMATTA LOCAL PLANNING PANEL ADVICE TO COUNCIL

10. The Local Planning Panel considered a detailed assessment report on 21 September 2021 included at **Attachment 1**. The Panel's advice to Council is consistent with the Council staff recommendation.

RECOMMENDED ACTIONS

11. It is recommended that Council endorse the Planning Proposal attached to the LPP report in **Attachment 1** be sent to DPIE for a Gateway Determination.
12. Should Council receive a Gateway Determination from DPIE, the next stage in the process will be for the applicant and Council staff to prepare a site-specific DCP that addresses Council's outstanding urban design concerns raised in the LPP assessment report in **Attachment 1**, outcomes of the Flood Study, and any other changes that may result from the Gateway Determination.
13. It is also recommended that the Chief Executive Officer be authorised to negotiate a draft Planning Agreement with Westmead Private Hospital based on the works identified in the LPP report in **Attachment 1**. The works relate to improving open space outcomes that will directly benefit the hospital as well as the broader Westmead Precinct. The outcomes of the negotiation process will 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

14. Revised delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing Councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
15. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONSULTATION & TIMING

16. Community consultation is yet to be undertaken for the Planning Proposal. Should Council endorse the recommendation of this report and the DPIE issue a Gateway Determination, the Planning Proposal will be placed on public exhibition in conjunction with the draft site-specific DCP, draft VPA and any additional studies that reflect the requirements of the Gateway Determination if required. The draft site-specific DCP and draft VPA will be reported separately to Council prior to public exhibition.

FINANCIAL IMPLICATIONS FOR COUNCIL

17. 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.
18. Council will part pay for the cost of the independent flood study to a maximum of \$10,000 as per Council's Schedule of Fees and Charges and funded by the City Planning budget. The remaining cost of the Flood Study (approximately \$20,767) will be borne by the applicant.
19. Table 3 below summarises the financial impacts on the budget arising from approval of this report. No planning agreement outcomes have been entered in the table, however the outcomes following planning agreement negotiations will be reported back to Council prior to the exhibition of the Planning Proposal and associated DCP.

Table 3: Financial impacts arising from Planning Proposal.

	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil	Nil	Nil	Nil
Funding Source	Nil	Nil	Nil	Nil
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil	Nil	Nil	Nil
Funding Source	Nil	Nil	Nil	Nil

CONCLUSION

20. This report recommends that the Planning Proposal for 12-12A, 14 & 14B Mons Road, Westmead proceeds to Gateway Determination. 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 (after both have been 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

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ATTACHMENTS:

1 [!\[\]\(06a315363e7801bba8c7489a6694af19_img.jpg\)](#) LPP Minutes and Report for 12A, 14 & 14B Mons Road,
WESTMEAD

329
Pages

REFERENCE MATERIAL